

2001 – 2002 LEGISLATURE
January 2002 Special Session

LRBs0384/1
ALL:all:all

SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

March 21, 2002 – Offered by COMMITTEE ON SENATE ORGANIZATION.

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

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

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

19 11.61 (1) (b) Whoever intentionally violates s. 11.25, 11.26, 11.27 (1), 11.30 (1)
20 or 11.38 ~~where~~ is guilty of a Class I felony if the intentional violation does not involve
21 a specific figure, ~~or where~~ if the intentional violation concerns a figure which exceeds
22 \$100 in amount or value ~~may be fined not more than \$10,000 or imprisoned for not~~
23 ~~more than 4 years and 6 months or both.~~

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

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

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

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

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

18 **13.06 Executive favor.** Any member of the legislature who gives, offers or
19 promises to give his or her vote or influence in favor of or against any measure or
20 proposition pending or proposed to be introduced in the legislature, or that has
21 already been passed by either house of the legislature, in consideration of or on
22 condition that the governor approve, disapprove, veto or sign, or agree to approve,
23 disapprove, veto or sign, any other measure or proposition pending or proposed to be
24 introduced in the legislature or that has already been passed by the legislature, or
25 either house thereof, or in consideration or upon condition that the governor

1 nominate for appointment or appoint or remove any person to or from any office or
2 position under the laws of this state, ~~may be fined not less than \$500 nor more than~~
3 ~~\$1,000 or imprisoned for not less than one year nor more than 3 years or both~~ is guilty
4 of a Class I felony.

5 **SECTION 8.** 13.525 of the statutes is created to read:

6 **13.525 Joint review committee on criminal penalties. (1) CREATION.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 **(6)** COMMITTEE POWERS AND PROCEDURES. The committee may hold hearings as
22 needed to elicit information for making a report under sub. (5) (b) or (5m) (a) or for
23 developing proposed legislation under sub. (5m) (a). The committee shall meet at the
24 call of its cochairpersons. All actions of the committee require the approval of a
25 majority of all of its members.

1 **SECTION 9.** 13.525 (5m) of the statutes, as created by 2001 Wisconsin Act ...
2 (this act), is repealed.

3 **SECTION 10.** 13.69 (6m) of the statutes is amended to read:

4 13.69 **(6m)** Any principal, lobbyist or other individual acting on behalf of a
5 principal who files a statement under s. 13.63 (1), 13.64, 13.65, 13.67 or 13.68 which
6 he or she does not believe to be true ~~may be fined not more than \$10,000 or~~
7 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
8 felony.

9 **SECTION 13.** 15.01 (2) of the statutes, as affected by 2001 Wisconsin Act 16, is
10 amended to read:

11 15.01 **(2)** “Commission” means a 3–member governing body in charge of a
12 department or independent agency or of a division or other subunit within a
13 department, except for the Wisconsin waterways commission which shall consist of
14 5 members, the parole commission which shall consist of 8 members, and the Fox
15 River management commission which shall consist of 7 members. A Wisconsin group
16 created for participation in a continuing interstate body, or the interstate body itself,
17 shall be known as a “commission”, but is not a commission for purposes of s. 15.06.
18 The parole commission created under s. 15.145 (1) shall be known as a “commission”,
19 but is not a commission for purposes of s. 15.06. The sentencing commission created
20 under s. 15.105 (27) shall be known as a “commission” but is not a commission for
21 purposes of s. 15.06 (1) to (4m), (7), and (9).

22 **SECTION 14.** 15.105 (27) of the statutes is created to read:

23 15.105 **(27)** SENTENCING COMMISSION. (a) *Creation; membership.* There is
24 created a sentencing commission that is attached to the department of
25 administration under s. 15.03 and that shall consist of the following members:

- 1 1. The attorney general or his or her designee.
- 2 2. The state public defender or his or her designee.
- 3 3. Seven members, at least 2 of whom are not employed by any unit of federal,
4 state, or local government, appointed by the governor.
- 5 4. One majority party member and one minority party member from each house
6 of the legislature, appointed as are the members of standing committees in their
7 respective houses.
- 8 5. Two circuit judges, appointed by the supreme court.
- 9 6. One representative of crime victims and one prosecutor, each appointed by
10 the attorney general.
- 11 7. One attorney in private practice engaged primarily in the practice of criminal
12 defense, appointed by the criminal law section of the State Bar of Wisconsin.
- 13 (b) *Nonvoting members.* The secretary of corrections or his or her designee, the
14 chairperson of the parole commission or his or her designee, and the director of state
15 courts or his or her designee shall be nonvoting members of the commission.
- 16 (c) *Terms.* 1. Except as provided in subd. 2., members appointed under par. (a)
17 3. and 5. to 7. shall serve 3–year terms and are eligible for reappointment.
- 18 2. The term of a circuit judge appointed under par. (a) 5. shall end when such
19 person ceases to be a circuit judge. The term of a prosecutor appointed under par.
20 (a) 6. shall end when such person ceases to be a prosecutor.
- 21 (d) *Officers.* The governor shall designate annually one of the members of the
22 commission as chairperson. The commission may elect officers other than a
23 chairperson from among its members as its work requires.
- 24 (e) *Reimbursement and compensation.* Members of the commission shall be
25 reimbursed for their actual and necessary expenses incurred in the performance of

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

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

7 **SECTION 14d.** 15.197 (25) (c) of the statutes is amended to read:

8 15.197 (25) (c) This subsection does not apply beginning on July 1, ~~2002~~ 2003.

9 **SECTION 14m.** 16.003 (2) of the statutes is amended to read:

10 16.003 (2) STAFF. Except as provided in ss. ~~16.548~~, 16.57, 978.03 (1), (1m) and
11 (2), 978.04 and 978.05 (8) (b), the secretary shall appoint the staff necessary for
12 performing the duties of the department. All staff shall be appointed under the
13 classified service except as otherwise provided by law.

14 **SECTION 15.** 16.33 (1) (a) of the statutes is amended to read:

15 16.33 (1) (a) Subject to sub. (2), make grants or loans, directly or through agents
16 designated under s. 16.334, from the ~~appropriation~~ appropriations under s. 20.505
17 (7) (b) and (j) to persons or families of low or moderate income to defray housing costs
18 of the person or family.

19 **SECTION 15c.** 16.33 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
20 (this act), is amended to read:

21 16.33 (1) (a) Subject to sub. (2), make grants or loans, directly or through agents
22 designated under s. 16.334, from the ~~appropriations~~ appropriation under s. 20.505
23 (7) (b) and (j) to persons or families of low or moderate income to defray housing costs
24 of the person or family.

1 **SECTION 16.** 16.40 (24) of the statutes, as created by 2001 Wisconsin Act 16, is
2 repealed.

3 **SECTION 20m.** 16.548 (1) of the statutes is amended to read:

4 16.548 **(1)** The department may maintain a federal-state relations office in
5 Washington, D.C., for the purpose of promoting federal-state cooperation, ~~headed by~~
6 ~~a director. The director and a staff assistant for the office shall be appointed by the~~
7 ~~governor outside the classified service, subject to the concurrence of the joint~~
8 ~~committee on legislative organization. The director and staff assistant shall serve~~
9 ~~at the pleasure of the governor.~~

10 **SECTION 24.** 19.42 (10) (p) of the statutes is created to read:

11 19.42 **(10)** (p) A member, the executive director, or the deputy director of the
12 sentencing commission.

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

14 19.42 **(13)** (c) All positions identified under s. 20.923 (2), (4), (4g), (6) (f) to (h),
15 ~~(7)~~, and (8) to (10), except clerical positions.

16 **SECTION 25.** 19.42 (13) (o) of the statutes is created to read:

17 19.42 **(13)** (o) The position of member, executive director, or deputy director of
18 the sentencing commission.

19 **SECTION 26.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
20 insert the following amounts for the purposes indicated:

21		2001-02	2002-03
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22 **20.285 University of Wisconsin System**

23 (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC

24 SERVICE

				2001-02	2002-03
1	(s)	Energy costs; public benefits			
2		funding	SEG A	5,150,000	17,122,600
3		20.370 Natural resources, department of			
4	(6)	ENVIRONMENTAL AIDS			
5	(bw)	Wheelchair recycling project	SEG A	-0-	20,000
6		20.435 Health and family services, department			
7		of			
8	(2)	CARE AND TREATMENT FACILITIES			
9	(r)	Energy costs; public benefits			
10		funding	SEG A	-0-	600,000
11		20.465 Military affairs, department of			
12	(1)	NATIONAL GUARD OPERATIONS			
13	(r)	Energy costs; public benefits			
14		funding	SEG A	-0-	427,400
15		20.505 Administration, department of			
16	(4)	ATTACHED DIVISIONS AND OTHER BODIES			
17	(dr)	Sentencing commission	GPR A	-0-	284,800
18	(7)	HOUSING ASSISTANCE			
19	(j)	Housing grants and loans; sur-			
20		plus transfer	PR B	1,500,000	3,300,300

2001–02 2002–03

1 **20.765 Legislature**

2 (4) CAPITOL OFFICES RELOCATION

3 (a) Capitol offices relocation costs GPR B 2,652,000 –0–

4 **20.855 Miscellaneous appropriations**

5 (4) TAX, ASSISTANCE AND TRANSFER PAYMENTS

6 (v) Transfers to general fund;

7 2001–02 and 2002–03 fiscal

8 years SEG A 4,333,600 6,190,900

9 **SECTION 27.** 20.115 (1) (c) of the statutes, as affected by 2001 Wisconsin Act 38,
10 is repealed.

11 **SECTION 28.** 20.115 (4) (f) of the statutes is repealed.

12 **SECTION 29.** 20.143 (1) (en) of the statutes is repealed.

13 **SECTION 30.** 20.143 (1) (in) of the statutes is repealed.

14 **SECTION 30m.** 20.245 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
15 16, is amended to read:

16 20.245 (1) (a) *General program operations.* The amounts in the schedule for
17 general program operations of the historical society, ~~except as provided under par.~~
18 ~~(ag).~~

19 **SECTION 30p.** 20.245 (1) (ag) of the statutes, as created by 2001 Wisconsin Act
20 16, is repealed.

21 **SECTION 31.** 20.255 (2) (ac) of the statutes, as affected by 2001 Wisconsin Act
22 16, is amended to read:

1 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of
2 educational aids under ss. 121.08, 121.09, 121.095, and 121.105 and subch. VI of ch.
3 121 equal to ~~\$3,767,893,500~~ \$4,200,945,900 in the 1999–2000 2002–03 fiscal year,
4 equal to the amount determined by law in the 2003–04 fiscal year and biennially
5 thereafter, and equal to the amount determined by the joint committee on finance
6 under s. 121.15 (3m) (c) in each the 2004–05 fiscal year and biennially thereafter.

7 **SECTION 33.** 20.285 (1) (s) of the statutes is created to read:

8 20.285 (1) (s) *Energy costs; public benefits funding.* From the utility public
9 benefits fund, the amounts in the schedule to pay for utilities and for fuel, heat, and
10 air conditioning, and to pay costs incurred under ss. 16.858 and 16.895, including all
11 operating costs recommended by the department of administration that result from
12 the installation of pollution abatement equipment in state–owned or state–operated
13 heating, cooling, or power plants, by or on behalf of the board of regents. No moneys
14 may be encumbered from this appropriation after June 30, 2003.

15 **SECTION 34.** 20.292 (1) (ep) of the statutes is repealed.

16 **SECTION 36.** 20.370 (1) (fe) 1. of the statutes is amended to read:

17 20.370 (1) (fe) 1. From the general fund, a sum sufficient in fiscal year 1993–94
18 and in each fiscal year thereafter that equals the sum of the amount certified in that
19 fiscal year under s. 71.10 (5) (h) 3. for the previous fiscal year and the amounts
20 received under par. (gr) in that fiscal year for the purposes of the endangered
21 resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under
22 this subdivision may not exceed \$500,000 in a fiscal year, except that the amount
23 appropriated under this subdivision in fiscal year 2001–02 may not exceed \$482,500
24 and the amount appropriated under this subdivision in fiscal year 2002–03 may not
25 exceed \$475,000.

1 **SECTION 36b.** 20.370 (1) (kk) of the statutes, as created by 2001 Wisconsin Act
2 16, is amended to read:

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

10 **SECTION 36d.** 20.370 (1) (mu) of the statutes is amended to read:

11 20.370 (1) (mu) *General program operations — state funds.* The amounts in
12 the schedule for general program operations that do not relate to the management
13 and protection of the state’s fishery resources under ss. 23.09 to 23.11, 27.01, 30.203,
14 and 30.277, subch. VI of ch. 77, and chs. 26, 28, and 29, to provide funding under 2001
15 Wisconsin Act (this act), section 9137 (1w), and for transfers to the appropriation
16 account under s. 20.285 (1) (kf).

17 **SECTION 36db.** 20.370 (1) (mu) of the statutes, as affected by 2001 Wisconsin
18 Act (this act), is amended to read:

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

25 **SECTION 36kb.** 20.370 (6) (bw) of the statutes is created to read:

1 20.370 (6) (bw) *Wheelchair recycling project*. From the recycling fund, the
2 amounts in the schedule for the wheelchair recycling project under 2001 Wisconsin
3 Act (this act), section 9137 (1q).

4 **SECTION 36kc.** 20.370 (6) (bw) of the statutes, as created by 2001 Wisconsin Act
5 (this act), is repealed.

6 **SECTION 38.** 20.435 (2) (r) of the statutes is created to read:

7 20.435 (2) (r) *Energy costs; public benefits funding*. From the utility public
8 benefits fund, the amounts in the schedule to be used at mental health institutes and
9 centers for the developmentally disabled to pay for utilities and for fuel, heat, and
10 air conditioning and to pay costs incurred by or on behalf of the department under
11 ss. 16.858 and 16.895. No moneys may be encumbered from this appropriation after
12 June 30, 2003.

13 **SECTION 39.** 20.435 (5) (fh) of the statutes, as affected by 2001 Wisconsin Act
14 16, is repealed.

15 **SECTION 40.** 20.436 (1) (b) of the statutes is created to read:

16 20.436 (1) (b) *Annual transfer from general fund*. Annually, beginning on June
17 15, 2004, a sum sufficient to be transferred to the tobacco control fund equal to
18 \$25,000,000, less the amount transferred from the permanent endowment fund
19 under s. 13.101 (16) (b) in that year.

20 **SECTION 41.** 20.445 (3) (md) of the statutes, as affected by 2001 Wisconsin Act
21 16, is amended to read:

22 20.445 (3) (md) *Federal block grant aids*. The amounts in the schedule, less
23 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
24 to be transferred to the appropriation accounts under ss. 20.255 (2) (kh), and (kp),
25 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), (km), and (ky), (5) (ky),

1 (7) (ky), and (8) (kx), 20.465 (4) (k), and 20.835 (2) (kf). All block grant moneys
2 received for these purposes from the federal government or any of its agencies, all
3 moneys transferred under 2001 Wisconsin Act ... (this act), section 9223 (17), from
4 the appropriation account under s. 20.435 (7) (o), and all moneys recovered under s.
5 49.143 (3) shall be credited to this appropriation account.

6 **SECTION 41r.** 20.455 (2) (fm) of the statutes, as affected by 2001 Wisconsin Act
7 16, is repealed.

8 **SECTION 42.** 20.465 (1) (r) of the statutes is created to read:

9 20.465 (1) (r) *Energy costs; public benefits funding.* From the utility public
10 benefits fund, the amounts in the schedule to be used at military buildings under the
11 control of the department to pay for utilities and for fuel, heat, and air conditioning
12 and to pay costs incurred by or on behalf of the department under ss. 16.858 and
13 16.895. No moneys may be encumbered from this appropriation after June 30, 2003.

14 **SECTION 43c.** 20.465 (4) (c) of the statutes is renumbered 20.465 (4) (ka) and
15 amended to read:

16 20.465 (4) (ka) *Youth Challenge program; public instruction funds.* ~~The~~
17 ~~amounts in the schedule~~ All moneys received from the department of public
18 instruction under s. 121.095, for the operation of the Youth Challenge program under
19 s. 21.26.

20 **SECTION 43k.** 20.465 (4) (j) of the statutes is created to read:

21 20.465 (4) (j) *Youth Challenge program; county funds.* All moneys received
22 from counties under s. 21.26 (3), for the operation of the Youth Challenge program.

23 **SECTION 44.** 20.505 (1) (fe) of the statutes, as created by 2001 Wisconsin Act
24 16, is repealed.

25 **SECTION 44d.** 20.505 (1) (md) of the statutes is amended to read:

1 20.505 (1) (md) *Oil overcharge restitution funds.* All federal moneys received
2 as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals
3 approved by the joint committee on finance under s. 14.065, and for transfers under
4 1993 Wisconsin Act 16, section 9201 (1z), ~~and for allocation under 1999 Wisconsin~~
5 ~~Act 113, section 32 (7).~~

6 **SECTION 45.** 20.505 (3) (s) of the statutes, as affected by 2001 Wisconsin Act 16,
7 is amended to read:

8 20.505 (3) (s) *Energy conservation and efficiency and renewable resource*
9 *grants.* From the utility public benefits fund, a sum sufficient equal to the difference
10 between the unencumbered balance in the utility public benefits fund on the effective
11 date of this paragraph [revisor inserts date], and the sum of the amounts shown
12 in the schedule under s. 20.005 (3) for the appropriations under pars. (r) and (rr) and
13 the amounts appropriated under ss. 20.285 (1) (s), 20.435 (2) (r), 20.465 (1) (r), and
14 20.505 (3) (q). for energy conservation and efficiency and renewable resource grants
15 under s. 16.957 (2) (b) 1. and to make the transfer to the air quality improvement fund
16 under s. 16.958 (2) (a).

17 **SECTION 46.** 20.505 (3) (s) of the statutes, as affected by 2001 Wisconsin Act
18 (this act), is repealed and recreated to read:

19 20.505 (3) (s) *Energy conservation and efficiency and renewable resource*
20 *grants.* From the utility public benefits fund, a sum sufficient for energy
21 conservation and efficiency and renewable resource grants under s. 16.957 (2) (b) 1.
22 and to make the transfer to the air quality improvement fund under s. 16.958 (2) (a).

23 **SECTION 47.** 20.505 (4) (dr) of the statutes is created to read:

1 20.505 (4) (dr) *Sentencing commission*. The amounts in the schedule for the
2 general program operations of the sentencing commission. No money may be
3 encumbered from the appropriation under this paragraph after December 31, 2007.

4 **SECTION 48.** 20.505 (4) (mr) of the statutes is created to read:

5 20.505 (4) (mr) *Sentencing commission; federal aid*. All moneys received as
6 federal aid as authorized by the governor under s. 16.54 to carry out the purposes for
7 which the aid is provided. No money may be encumbered from the appropriation
8 under this paragraph after December 31, 2007.

9 **SECTION 51.** 20.505 (7) (b) (title) of the statutes is amended to read:

10 20.505 (7) (b) (title) *Housing grants and loans; general purpose revenue*.

11 **SECTION 52.** 20.505 (7) (j) of the statutes is created to read:

12 20.505 (7) (j) *Housing grants and loans; surplus transfer*. Biennially, the
13 amounts in the schedule for grants and loans under s. 16.33 and for grants under s.
14 16.336. All moneys received from the Wisconsin Housing and Economic
15 Development Authority under s. 234.165 (3) shall be credited to this appropriation
16 account.

17 **SECTION 52c.** 20.505 (7) (j) of the statutes, as created by 2001 Wisconsin Act
18 (this act), is repealed.

19 **SECTION 52g.** 20.505 (8) (b) of the statutes, as created by 2001 Wisconsin Act
20 16, is repealed.

21 **SECTION 52m.** 20.765 (4) of the statutes is created to read:

22 20.765 (4) **CAPITOL OFFICES RELOCATION.** (a) *Capitol offices relocation costs*. The
23 amounts in the schedule for office relocation costs related to the assembly, senate,
24 and legislative service agencies. Expenditures from this appropriation may be made

1 only with the approval of the cochairpersons of the joint committee on legislative
2 organization.

3 **SECTION 53.** 20.835 (1) (b) of the statutes is amended to read:

4 20.835 (1) (b) *Small municipalities shared revenue.* A sum sufficient to make
5 the payments under s. 79.03 (3c). No moneys may be encumbered or expended from
6 this appropriation after December 31, 2003.

7 **SECTION 54.** 20.835 (1) (c) of the statutes is amended to read:

8 20.835 (1) (c) *Expenditure restraint program account.* A sum sufficient to make
9 the payments under s. 79.05. No moneys may be encumbered or expended from this
10 appropriation after December 31, 2003.

11 **SECTION 55.** 20.835 (1) (d) of the statutes is amended to read:

12 20.835 (1) (d) *Shared revenue account.* A sum sufficient to meet the
13 requirements of the shared revenue account established under s. 79.01 (2) to provide
14 for the distributions from the shared revenue account to counties, towns, villages,
15 and cities under ss. 79.03, 79.04, and 79.06. No moneys may be encumbered or
16 expended from this appropriation after December 31, 2003.

17 **SECTION 55b.** 20.835 (1) (db) of the statutes is created to read:

18 20.835 (1) (db) *County and municipal aid account.* Beginning in 2003, a sum
19 sufficient to make payments to counties, towns, villages, and cities under s. 79.035.

20 **SECTION 55d.** 20.835 (1) (dm) of the statutes is created to read:

21 20.835 (1) (dm) *Public utility distribution account.* Beginning in 2004, a sum
22 sufficient to make the payments under s. 79.04 (4), (6), and (7).

23 **SECTION 56.** 20.835 (1) (f) of the statutes is amended to read:

1 20.835 (1) (f) *County mandate relief account.* A sum sufficient to make the
2 payments to counties under s. 79.058. No moneys may be encumbered or expended
3 from this appropriation after December 31, 2003.

4 **SECTION 58.** 20.855 (4) (f) of the statutes is amended to read:

5 20.855 (4) (f) *Supplemental title fee matching.* From the general fund, a sum
6 sufficient equal to the amount of supplemental title fees collected under ss. 101.9208
7 (1) (dm) and 342.14 (3m), as determined under s. 85.037, less \$555,000, to be
8 transferred to the environmental fund on October 1 annually.

9 **SECTION 59.** 20.855 (4) (rb) of the statutes is created to read:

10 20.855 (4) (rb) *Shared revenue payment.* From the permanent endowment
11 fund, a sum sufficient to make the payments under s. 79.02 (3).

12 **SECTION 60.** 20.855 (4) (rb) of the statutes, as created by 2001 Wisconsin Act
13 (this act), is repealed.

14 **SECTION 61.** 20.855 (4) (rh) of the statutes, as created by 2001 Wisconsin Act
15 16, is amended to read:

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

20 **SECTION 63.** 20.855 (4) (v) of the statutes is created to read:

21 20.855 (4) (v) *Transfers to general fund; 2001–02 and 2002–03 fiscal years.*
22 From the transportation fund, the amounts in the schedule to be transferred to the
23 general fund.

24 **SECTION 64.** 20.855 (4) (v) of the statutes, as created by 2001 Wisconsin Act
25 (this act), is repealed.

1 **SECTION 64r.** 20.866 (2) (tm) of the statutes is amended to read:

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

10 **SECTION 65.** 20.866 (2) (xc) of the statutes is amended to read:

11 20.866 **(2)** (xc) *Building commission; refunding tax-supported general*
12 *obligation debt.* From the capital improvement fund, a sum sufficient to refund the
13 whole or any part of any unpaid indebtedness used to finance facilities in which
14 general obligation bonds are paid from general purpose revenue. The state may
15 contract public debt in an amount not to exceed ~~\$2,125,000,000~~ \$2,102,086,430 for
16 this purpose. Such indebtedness shall be construed to include any premium and
17 interest payable with respect thereto. Debt incurred by this paragraph shall be
18 repaid under the appropriations providing for the retirement of public debt incurred
19 for tax-supported facilities in proportional amounts to the purposes for which the
20 debt was refinanced. It is the intent of the legislature that this refunding authority
21 only be used if the true interest costs to the state can be reduced.

22 **SECTION 66.** 20.866 (2) (xd) of the statutes is amended to read:

23 20.866 **(2)** (xd) *Building commission; refunding self-amortizing general*
24 *obligation debt.* From the capital improvement fund, a sum sufficient to refund the
25 whole or any part of any unpaid indebtedness used to finance facilities in which

1 general obligation bonds are repaid from program revenues or segregated funds. The
2 state may contract public debt in an amount not to exceed \$275,000,000
3 \$272,863,033 for this purpose. Such indebtedness shall be construed to include any
4 premium and interest payable with respect thereto. Debt incurred by this paragraph
5 shall be repaid under the appropriations providing for the retirement of public debt
6 incurred for self-amortizing facilities in proportional amounts to the purposes for
7 which the debt was refinanced. It is the intent of the legislature that this refunding
8 authority only be used if the true interest costs to the state can be reduced.

9 **SECTION 67.** 20.866 (2) (xe) (title) of the statutes, as created by 2001 Wisconsin
10 Act 16, is amended to read:

11 20.866 (2) (xe) (title) *Building commission; refunding tax-supported and*
12 *self-amortizing general obligation debt incurred before June 30, 2003.*

13 **SECTION 68.** 20.866 (2) (xm) of the statutes is created to read:

14 20.866 (2) (xm) *Building commission; refunding tax-supported and*
15 *self-amortizing general obligation debt.* From the capital improvement fund, a sum
16 sufficient to refund the whole or any part of any unpaid indebtedness used to finance
17 tax-supported or self-amortizing facilities. In addition to the amount that may be
18 contracted under par. (xe), the state may contract public debt in an amount not to
19 exceed \$440,000,000 for this purpose. Such indebtedness shall be construed to
20 include any premium and interest payable with respect thereto. Debt incurred by
21 this paragraph shall be repaid under the appropriations providing for the retirement
22 of public debt incurred for tax-supported and self-amortizing facilities in
23 proportional amounts to the purposes for which the debt was refinanced. No moneys
24 may be expended under this paragraph unless the true interest costs to the state can
25 be reduced by the expenditure.

1 **SECTION 69.** 20.923 (4) (b) 7. of the statutes is created to read:

2 20.923 **(4)** (b) 7. Sentencing commission: executive director.

3 **SECTION 69g.** 20.923 (4) (c) 1. of the statutes is repealed.

4 **SECTION 69r.** 20.923 (6) (ah) of the statutes is repealed.

5 **SECTION 71.** 20.923 (6) (hr) of the statutes is created to read:

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

7 **SECTION 71g.** 20.923 (16) of the statutes is amended to read:

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

14 **SECTION 71m.** 20.924 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
15 is amended to read:

16 20.924 **(4)** In addition to the authorized building program for the historical
17 society, the society may expend any funds which are made available from the
18 appropriations under s. 20.245 (1) ~~(ag)~~ (a), (g), (h), (m), and (n).

19 **SECTION 72c.** 21.26 of the statutes is renumbered 21.26 (1).

20 **SECTION 72d.** 21.26 (2) of the statutes is created to read:

21 21.26 **(2)** Annually, the department of military affairs shall do all of the
22 following:

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

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

4 **SECTION 72e.** 21.26 (3) of the statutes is created to read:

5 21.26 (3) Based on the information received under s. 121.095 (3), if the
6 department of military affairs determines that a pupil attending the Youth
7 Challenge program is enrolled in a school district that had its state aid reduced by
8 the amount under s. 121.095 (1) (b) 2., the county in which the pupil's custodial
9 parent or guardian resided at the time of the pupil's attendance in the program shall
10 pay to the state, from the funds received under s. 20.410 (3) (cd) and (ko), the
11 difference between the amount under s. 121.095 (1) (b) 2. and the amount calculated
12 under sub. (2) (a). The pupil's custodial parent or guardian is the person who claims
13 the pupil as a dependent under section 151 (c) of the Internal Revenue Code on his
14 or her tax return. The department shall notify the county where a pupil resides of
15 the amount that the county is required to pay to the state.

16 **SECTION 72g.** 23.0917 (4) (cm) 7. of the statutes is created to read:

17 23.0917 (4) (cm) 7. Development of a wildlife rehabilitation center under s.
18 23.197 (10).

19 **SECTION 72k.** 23.0917 (7) (e) of the statutes is amended to read:

20 23.0917 (7) (e) For any land for which moneys are proposed to be obligated from
21 the appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to
22 a governmental unit under s. 23.09 (19), (20)₁ or (20m) or 30.277 or to a nonprofit
23 conservation organization under s. 23.096, the department shall use at least 2
24 appraisals to determine the fair market value of the land. The governmental unit
25 or nonprofit conservation organization shall submit to the department two

1 appraisals if the department estimates that the fair market value of the land exceeds
2 \$200,000 one appraisal that is paid for by the governmental unit or nonprofit
3 conservation organization. The department shall obtain its own independent
4 appraisal. The department may also require that the governmental unit or nonprofit
5 conservation organization submit a 3rd independent appraisal. The department
6 shall reimburse the governmental unit or nonprofit conservation organization up to
7 50% of the costs of the 3rd appraisal as part of the acquisition costs of the land if the
8 land is acquired by the governmental unit or nonprofit conservation organization
9 with moneys obligated from the appropriation under s. 20.866 (2) (ta). This
10 paragraph does not apply if the fair market value of the land is estimated by the
11 department to be \$200,000 or less.

12 **SECTION 72m.** 23.155 of the statutes is created to read:

13 **23.155 Contracts to sell or exchange state-owned land under the**
14 **jurisdiction of the department. (1)** In this section, “department land” means an
15 area of land that is owned by the state, that is under the jurisdiction of the
16 department, and that is used for one of the purposes described in s. 23.09 (2) (d) 1.,
17 2., 3., 6., 7., 8., 10., 11., 12., 13., 14., 15., or 16.

18 **(2)** The department may not enter into a contract to sell or exchange
19 department land that has a fair market value in excess of \$75,000 unless the
20 department first notifies the joint committee on finance in writing of the proposed
21 contract. If the cochairpersons of the committee do not notify the department within
22 14 working days after the date of the department’s notification that the committee
23 has scheduled a meeting to review the proposed contract, the department may enter
24 into the contract. If, within 14 working days after receiving the notification from the
25 department, the cochairpersons of the committee notify the department that the

1 committee has scheduled a meeting to review the proposed contract, the department
2 may enter into the contract only on the approval of the committee.

3 **(3)** The joint committee on finance may approve a contract under sub. (2) to sell
4 department land only if the committee determines that the level of reimbursement
5 to be received by the state adequately reimburses the state for its cost in acquiring
6 and developing the department land. The joint committee on finance may approve
7 a contract under sub. (2) to exchange department land for other land only if the
8 committee determines that the value of the land to be received by the state in the
9 exchange adequately reflects the state's cost in acquiring and developing the
10 department land.

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

14 **SECTION 72p.** 23.197 (6g) of the statutes is created to read:

15 23.197 **(6g)** PLOVER RIVER; CONSERVATION EASEMENTS. From the appropriation
16 under s. 20.866 (2) (ta), the department shall provide funding in the amount of
17 \$250,000 to acquire conservation easements along the Plover River in Marathon
18 County and Portage County. For the purposes of s. 23.0917, moneys provided under
19 this subsection from the appropriation under s. 20.866 (2) (ta) shall be treated as
20 moneys obligated under the subprogram for land acquisition.

21 **SECTION 72r.** 23.197 (10) of the statutes is created to read:

22 23.197 **(10)** WILDLIFE REHABILITATION CENTER. From the appropriation under s.
23 20.866 (2) (ta), the department shall provide \$500,000 to the Wisconsin Humane
24 Society in Milwaukee for the development of an outdoor center to be used for the
25 rehabilitation of wildlife. For purposes of s. 23.0917, the moneys provided under this

1 subsection shall be treated as moneys obligated from either or both of the
2 subprograms under s. 23.0917 (3) and (4).

3 **SECTION 73.** 23.33 (13) (cg) of the statutes is amended to read:

4 23.33 **(13)** (cg) *Penalties related to causing death or injury; interference with*
5 *signs and standards.* A person who violates sub. (8) (f) 1. ~~shall be fined not more than~~
6 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
7 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another
8 person.

9 **SECTION 81.** 25.66 (1) (e) of the statutes is created to read:

10 25.66 **(1)** (e) Beginning in fiscal year 2003–04, all moneys transferred from the
11 general fund under s. 20.436 (1) (b).

12 **SECTION 82.** 25.69 of the statutes, as created by 2001 Wisconsin Act 16, is
13 amended to read:

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

21 **SECTION 83.** 25.69 of the statutes, as affected by 2001 Wisconsin Acts 16 and
22 (this act), is repealed and recreated to read:

23 **25.69 Permanent endowment fund.** There is established a separate
24 nonlapsible trust fund designated as the permanent endowment fund, consisting of
25 all of the proceeds from the sale of the state's right to receive payments under the

1 Attorneys General Master Tobacco Settlement Agreement of November 23, 1998,
2 and all investment earnings on the proceeds. Moneys in the permanent endowment
3 fund shall be used only to make the transfers under ss. 13.101 (16) and 20.855 (4) (rh).

4 **SECTION 84.** 26.14 (8) of the statutes is amended to read:

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

8 **SECTION 84g.** 26.145 (2m) of the statutes is created to read:

9 26.145 (2m) EFFECT OF OTHER FINANCIAL ASSISTANCE. The department may
10 consider any cost which has been or will be paid or reimbursed from moneys received
11 under another federal or state financial assistance program as an ineligible cost for
12 the purposes of calculating the amount of a grant under sub. (1), except that the
13 department shall consider any cost that has been or will be paid or reimbursed from
14 moneys received under s. 101.573 (3) as an eligible cost for the purposes of calculating
15 the amount of a grant under sub. (1).

16 **SECTION 84h.** 26.145 (2m) of the statutes, as created by 2001 Wisconsin Act
17 (this act) is repealed.

18 **SECTION 85.** 29.971 (1) (c) of the statutes is amended to read:

19 29.971 (1) (c) For A person having fish in his or her possession in violation of
20 this chapter ~~and is guilty of a Class I felony if~~ the value of the fish under par. (d)
21 exceeds \$1,000, ~~by a fine of not more than \$10,000 or imprisonment for not more than~~
22 ~~3 years or both.~~

23 **SECTION 86.** 29.971 (1m) (c) of the statutes is amended to read:

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

4 **SECTION 87.** 29.971 (11m) (a) of the statutes is amended to read:

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

14 **SECTION 88.** 29.971 (11p) (a) of the statutes is amended to read:

15 29.971 **(11p)** (a) For entering the den of a hibernating black bear and harming
16 the bear, by a fine of not more than \$10,000 or imprisonment for not more than ~~2~~
17 years 9 months or both.

18 **SECTION 89.** 30.80 (2g) (b) of the statutes is amended to read:

19 30.80 **(2g)** (b) Shall be fined not ~~less than \$300 nor more than \$5,000~~ \$10,000
20 or imprisoned for not more than ~~2 years~~ 9 months or both if the accident involved
21 injury to a person but the person did not suffer great bodily harm.

22 **SECTION 90.** 30.80 (2g) (c) of the statutes is amended to read:

23 30.80 **(2g)** (c) ~~Shall be fined not more than \$10,000 or imprisoned for not more~~
24 ~~than 3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a
25 person and the person suffered great bodily harm.

1 **SECTION 91.** 30.80 (2g) (d) of the statutes is amended to read:

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

5 **SECTION 92.** 30.80 (3m) of the statutes is amended to read:

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

9 **SECTION 93.** 36.25 (6) (d) of the statutes is amended to read:

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

18 **SECTION 94.** 38.04 (9) of the statutes is amended to read:

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

1 paid fire departments maintained by public agencies may require more than 60
2 hours of training.

3 **SECTION 98.** 38.28 (1m) (a) 1. of the statutes, as affected by 2001 Wisconsin Act
4 16, is amended to read:

5 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
6 technical college district, including debt service charges for district bonds and
7 promissory notes for building programs or capital equipment, but excluding all
8 expenditures relating to auxiliary enterprises and community service programs, all
9 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
10 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r)₁ and 146.55 (5), all
11 receipts from grants awarded under ss. 38.04 (8), (19), (20), and (31), 38.14 (11),
12 38.26, 38.27, ~~38.305~~, 38.31, 38.33₁ and 38.38, all fees collected under s. 38.24, and
13 driver education and chauffeur training aids.

14 **SECTION 99.** 38.305 of the statutes, as affected by 2001 Wisconsin Act 16, is
15 repealed.

16 **SECTION 100g.** 40.02 (30) of the statutes is amended to read:

17 40.02 (30) “Executive participating employee” means a participating employee
18 in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4g), (7)₁ (8)₁ or (9) or
19 authorized under s. 230.08 (2) (e) during the time of employment. All service credited
20 prior to May 17, 1988, as executive service as defined under s. 40.02 (31), 1985 stats.,
21 shall continue to be treated as executive service as defined under s. 40.02 (31), 1985
22 stats., but no other service rendered prior to May 17, 1988, may be changed to
23 executive service as defined under s. 40.02 (31), 1985 stats.

24 **SECTION 100m.** 44.015 (5m) of the statutes is created to read:

1 44.015 **(5m)** Except as otherwise provided by law, establish fees for services or
2 products or for admission to venues.

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

4 46.286 **(3m)** INFORMATION ABOUT FAMILY CARE ENROLLEES. (a) In this subsection:

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

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

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

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

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

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

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

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

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

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

24 2. Includes provisions that adequately safeguard the confidentiality of the
25 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 **SECTION 101.** 47.03 (3) (d) of the statutes is amended to read:

11 47.03 (3) (d) Any person who violates this subsection shall be fined not more
12 than \$1,000 \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both.

13 **SECTION 102.** 48.355 (2d) (b) 3. of the statutes is amended to read:

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

22 **SECTION 103.** 48.415 (9m) (b) 2. of the statutes is 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 **SECTION 104.** 48.417 (1) (d) of the statutes is amended to read:

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

13 **SECTION 110.** 48.57 (3p) (g) 2. of the statutes is amended to read:

14 48.57 **(3p)** (g) 2. The person has had imposed on him or her a penalty specified
15 in s. 939.64, 1999 stats., or s. 939.641, 1999 stats., or s. 939.62, 939.621, 939.63,
16 ~~939.64, 939.641~~ or 939.645 or has been convicted of a violation of the law of any other
17 state or federal law under circumstances under which the person would be subject
18 to a penalty specified in any of those sections if convicted in this state.

19 **SECTION 111.** 48.685 (1) (c) of the statutes is amended to read:

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

1 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), ~~(3)~~, (4), (5) or (6),
2 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),
3 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),
4 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

5 **SECTION 112.** 48.685 (5) (bm) 2. of the statutes is amended to read:

6 48.685 (5) (bm) 2. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), ~~(3)~~,
7 (4), (5) or (6) or 940.20 (1) or (1m), if the victim is the spouse of the person.

8 **SECTION 113.** 48.685 (5) (bm) 3. of the statutes is amended to read:

9 48.685 (5) (bm) 3. A violation of s. 943.23 (1m) or (1r), 1999 stats., or of s. 940.01,
10 940.02, 940.03, 940.05, 940.06, 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31,
11 941.20 (2) or (3), 941.21, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~ or 943.32 (2).

12 **SECTION 114.** 48.685 (5) (bm) 4. of the statutes is amended to read:

13 48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 940.19 (2), ~~(3)~~,
14 (4), (5) or (6), 940.20, 940.203, 940.205 or 940.207 or an offense under ch. 961 that
15 is a felony, if committed not more than 5 years before the date of the investigation
16 under sub. (2) (am).

17 **SECTION 115.** 49.141 (7) (a) of the statutes is amended to read:

18 49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with
19 the furnishing by that person of items or services for which payment is or may be
20 made under Wisconsin works ~~may be fined not more than \$25,000 or imprisoned for~~
21 ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

22 **SECTION 116.** 49.141 (7) (b) of the statutes is amended to read:

23 49.141 (7) (b) A person, other than a person under par. (a), who is convicted of
24 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than
25 ~~2 years~~ 9 months or both.

1 **SECTION 117.** 49.141 (9) (a) of the statutes is amended to read:

2 49.141 **(9)** (a) Whoever solicits or receives any remuneration in cash or in-kind,
3 in return for referring an individual to a person for the furnishing or arranging for
4 the furnishing of any item or service for which payment may be made in whole or in
5 part under Wisconsin works, or in return for purchasing, leasing, ordering, or
6 arranging for or recommending purchasing, leasing, or ordering any good, facility,
7 service, or item for which payment may be made in whole or in part under Wisconsin
8 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine
9 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or
10 imprisoned for not more than 7 years and 6 months or both.

11 **SECTION 118.** 49.141 (9) (b) of the statutes is amended to read:

12 49.141 **(9)** (b) Whoever offers or pays any remuneration in cash or in-kind to
13 any person to induce the person to refer an individual to a person for the furnishing
14 or arranging for the furnishing of any item or service for which payment may be made
15 in whole or in part under Wisconsin works, or to purchase, lease, order, or arrange
16 for or recommend purchasing, leasing, or ordering any good, facility, service or item
17 for which payment may be made in whole or in part under any provision of Wisconsin
18 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine
19 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or
20 imprisoned for not more than 7 years and 6 months or both.

21 **SECTION 119.** 49.141 (10) (b) of the statutes is amended to read:

22 49.141 **(10)** (b) A person who violates this subsection is guilty of a Class H
23 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),
24 the person may be fined not more than \$25,000 or imprisoned for not more than 7
25 years and 6 months or both.

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

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

7 **SECTION 120.** 49.195 (3n) (k) of the statutes is amended to read:

8 49.195 **(3n)** (k) Any person who removes, deposits or conceals or aids in
9 removing, depositing or concealing any property upon which a levy is authorized
10 under this subsection with intent to evade or defeat the assessment or collection of
11 any debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years~~
12 ~~and 6 months or both,~~ is guilty of a Class H felony and shall be liable to the state for
13 assessed the costs of prosecution.

14 **SECTION 121.** 49.195 (3n) (r) of the statutes is amended to read:

15 49.195 **(3n)** (r) No employer may discharge or otherwise discriminate with
16 respect to the terms and conditions of employment against any employee by reason
17 of the fact that his or her earnings have been subject to levy for any one levy or
18 because of compliance with any provision of this subsection. Any person who violates
19 this paragraph ~~may be fined not more than \$1,000 or imprisoned for not more than~~
20 ~~2 years or both~~ is guilty of a Class I felony.

21 **SECTION 122.** 49.45 (49) of the statutes is created to read:

22 49.45 **(49)** PRESCRIPTION DRUG PRIOR AUTHORIZATION. (a) The secretary shall
23 exercise his or her authority under s. 15.04 (1) (c) to create a prescription drug prior
24 authorization committee to advise the department on issues related to prior
25 authorization decisions made concerning prescription drugs on behalf of medical

1 assistance recipients. The secretary shall appoint as members at least all of the
2 following:

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

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

11 **SECTION 123.** 49.49 (1) (b) 1. of the statutes is amended to read:

12 49.49 (1) (b) 1. In the case of such a statement, representation, concealment,
13 failure, or conversion by any person in connection with the furnishing by that person
14 of items or services for which medical assistance is or may be made, a person
15 ~~convicted of violating 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 **SECTION 124.** 49.49 (2) (a) of the statutes is amended to read:

20 49.49 (2) (a) *Solicitation or receipt of remuneration.* Any person who solicits
21 or receives any remuneration, including any kickback, bribe, or rebate, directly or
22 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual
23 to a person for the furnishing or arranging for the furnishing of any item or service
24 for which payment may be made in whole or in part under a medical assistance
25 program, or in return for purchasing, leasing, ordering, or arranging for or

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

6 **SECTION 125.** 49.49 (2) (b) of the statutes is amended to read:

7 49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any
8 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly
9 or covertly, in cash or in kind to any person to induce such person to refer an
10 individual to a person for the furnishing or arranging for the furnishing of any item
11 or service for which payment may be made in whole or in part under a medical
12 assistance program, or to purchase, lease, order, or arrange for or recommend
13 purchasing, leasing, or ordering any good, facility, service or item for which payment
14 may be made in whole or in part under a medical assistance program, is guilty of a
15 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50
16 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for not more~~
17 ~~than 7 years and 6 months or both.~~

18 **SECTION 126.** 49.49 (3) of the statutes is amended to read:

19 49.49 (3) FRAUDULENT CERTIFICATION OF FACILITIES. No person may knowingly
20 and wilfully make or cause to be made, or induce or seek to induce the making of, any
21 false statement or representation of a material fact with respect to the conditions or
22 operation of any institution or facility in order that such institution or facility may
23 qualify either upon initial certification or upon recertification as a hospital, skilled
24 nursing facility, intermediate care facility, or home health agency. ~~Violators of A~~
25 person who violates this subsection is guilty of a Class H felony, except that,

1 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be
2 fined not more than \$25,000 or imprisoned for not more than 7 years and 6 months
3 or both.

4 **SECTION 127.** 49.49 (3m) (b) of the statutes is amended to read:

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

9 **SECTION 128.** 49.49 (4) (b) of the statutes is amended to read:

10 49.49 **(4)** (b) A person who violates this subsection is guilty of a Class H felony,
11 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
12 person may be fined not more than \$25,000 or imprisoned for not more than 7 years
13 and 6 months or both.

14 **SECTION 128m.** 49.665 (4) (at) 1. b. of the statutes is amended to read:

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

1 **SECTION 128n.** 49.665 (4) (at) 1. cm. of the statutes is created to read:

2 49.665 **(4)** (at) 1. cm. Notwithstanding s. 20.001 (3) (b), if, after reviewing the
3 plan submitted under subd. 1. b., the joint committee on finance determines that the
4 amounts appropriated under s. 20.435 (4) (bc), (jz), (p), and (x) are insufficient to
5 accommodate the projected enrollment levels, the committee may transfer
6 appropriated moneys from the general purpose revenue appropriation account of any
7 state agency, as defined in s. 20.001 (1), other than a sum sufficient appropriation
8 account, to the appropriation account under s. 20.435 (4) (bc) to supplement the
9 health care program under this section if the committee finds that the transfer will
10 eliminate unnecessary duplication of functions, result in more efficient and effective
11 methods for performing programs, or more effectively carry out legislative intent,
12 and that legislative intent will not be changed by the transfer.

13 **SECTION 128p.** 49.665 (5m) of the statutes is created to read:

14 49.665 **(5m)** INFORMATION ABOUT BADGER CARE RECIPIENTS. (a) In this subsection:

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

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

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

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

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

1 b. Would be eligible for benefits under a disability insurance policy if the
2 recipient were enrolled as a dependent of a person insured under the disability
3 insurance policy.

4 2. Information required for submittal of claims under the insurer's disability
5 insurance policy.

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

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

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

11 2. Includes provisions that adequately safeguard the confidentiality of the
12 information to be disclosed.

13 (d) 1. An insurer shall provide the information requested under par. (b) within
14 180 days after receiving the department's request if it is the first time that the
15 department has requested the insurer to disclose information under this subsection.

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

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

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

24 49.688 (2) (a) 3. The person is not a recipient of medical assistance or, as a
25 recipient, does not receive prescription drug coverage.

1 **SECTION 140q.** 49.688 (3) (d) of the statutes, as created by 2001 Wisconsin Act
2 16, is amended to read:

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

7 **SECTION 140r.** 49.688 (8m) of the statutes is created to read:

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

9 1. "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

10 2. "Insurer" has the meaning given in s. 600.03 (27).

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

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

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

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

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

23 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 **SECTION 141.** 49.688 (9) (b) of the statutes, as created by 2001 Wisconsin Act
17 16, is amended to read:

18 49.688 (9) (b) A person who is convicted of violating a rule promulgated by the
19 department under par. (a) in connection with that person's furnishing of prescription
20 drugs under this section is guilty of a Class H felony, except that, notwithstanding
21 the maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
22 \$25,000, or imprisoned for not more than 7 years and 6 months, or both.

23 **SECTION 142.** 49.688 (9) (c) of the statutes, as created by 2001 Wisconsin Act
24 16, is amended to read:

1 49.688 (9) (c) A person other than a person specified in par. (b) who is convicted
2 of violating a rule promulgated by the department under par. (a) may be fined not
3 more than \$10,000, or imprisoned in the county jail for not more than one year, or
4 both.

5 **SECTION 143.** 49.795 (8) (a) 2. of the statutes, as affected by 2001 Wisconsin Act
6 16, is amended to read:

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

10 **SECTION 144.** 49.795 (8) (b) 2. of the statutes, as affected by 2001 Wisconsin Act
11 16, is amended to read:

12 49.795 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than
13 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~
14 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
15 felony.

16 **SECTION 145.** 49.795 (8) (c) of the statutes, as affected by 2001 Wisconsin Act
17 16, is amended to read:

18 49.795 (8) (c) For any offense under this section, if the value of the food coupons
19 is \$5,000 or more, a person who violates this section ~~may be fined not more than~~
20 ~~\$250,000 or imprisoned for not more than 30 years or both~~ is guilty of a Class G felony.

21 **SECTION 146.** 49.95 (1) of the statutes is renumbered 49.95 (1) (intro.) and
22 amended to read:

23 49.95 (1) (intro.) Any person who, with intent to secure public assistance under
24 this chapter, whether for himself or herself or for some other person, wilfully makes
25 any false representations ~~may, if~~ is subject to the following penalties:

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

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

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

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

12 **SECTION 147.** 49.95 (1) (e) and (f) of the statutes are created to read:

13 49.95 (1) (e) If the value of the assistance exceeds \$5,000 but does not exceed
14 \$10,000, the person is guilty of a Class H felony.

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

17 **SECTION 148.** 50.065 (1) (e) 1. of the statutes is amended to read:

18 50.065 (1) (e) 1. “Serious crime” means a violation of s. 940.19 (3), 1999 stats.,
19 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6),
20 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1),
21 948.025 or 948.03 (2) (a), or a violation of the law of any other state or United States
22 jurisdiction that would be a violation of s. 940.19 (3), 1999 stats., or a violation of s.
23 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3),
24 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2)
25 (a) if committed in this state.

1 **SECTION 149.** 51.15 (12) of the statutes is amended to read:

2 51.15 **(12)** PENALTY. Whoever signs a statement under sub. (4), (5) or (10)
3 knowing the information contained therein to be false ~~may be fined not more than~~
4 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
5 Class H felony.

6 **SECTION 150.** 55.06 (11) (am) of the statutes is amended to read:

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

11 **SECTION 151.** 66.0143 of the statutes is created to read:

12 **66.0143 Local appeals for exemption from state mandates. (1)**

13 DEFINITIONS. In this section:

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

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

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

21 1. Health.

22 2. Safety.

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

1 (c) The political subdivision shall specify in its request for a waiver its reason
2 for requesting the waiver. Upon receipt of a request for a waiver, the department of
3 revenue shall forward the request to the administrative agency which is responsible
4 for administrating the state mandate. The agency shall determine whether to grant
5 the waiver and shall notify the political subdivision and the department of revenue
6 of its decision in writing. If no agency is responsible for administrating the state
7 mandate, the department of revenue shall determine whether to grant the waiver
8 and shall notify the political subdivision of its decision in writing.

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

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

19 **SECTION 152.** 66.0602 of the statutes is created to read:

20 **66.0602 Limit on operating levy increase. (1) DEFINITIONS.** In this section:

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

24 (b) “Inflation” means a percentage equal to the average annual percentage
25 change in the U.S. consumer price index for all urban consumers, U.S. city average,

1 as determined by the U.S. department of labor, for the 12 months ending on
2 September 30 of the year of the operating levy.

3 (c) “Municipality” means a city, village, or town.

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

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

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

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

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

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

22 (a) Inflation.

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

25 (c) The valuation factor.

1 (d) An amount equal to 50% of the difference between the political subdivision's
2 allowable operating levy, as determined in the prior year, and the political
3 subdivision's adopted operating levy, as determined in the prior year.

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

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

24 3. Immediately after expiration of the time allowed to file a petition for a
25 recount, the clerk of the political subdivision shall certify the results of the

1 referendum to the department of revenue. If a petition for a recount is filed, the clerk
2 shall make this certification immediately after the recount has been completed and
3 the time allowed for filing an appeal has passed or, if appealed, immediately after the
4 appeal is decided. A political subdivision may exceed the operating levy increase
5 limit otherwise applicable to it under this section in that year such that the operating
6 levy increase may not exceed the percentage approved by a majority of those voting
7 on the question. The operating levy that results from approval in a referendum shall
8 be the base operating levy to which the limit under sub. (2) is applied in the following
9 year.

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

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

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

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

1 **(4) NOTIFICATION.** Each year, not later than November 1, the department of
2 revenue shall notify every political subdivision of the increase in inflation, valuation
3 factor, and population, as described in sub. (2), that applies to the political
4 subdivision.

5 **SECTION 154.** 66.1207 (1) (b) of the statutes is amended to read:

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

11 **SECTION 155.** 66.1207 (1) (c) of the statutes is 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 **SECTION 156.** 69.24 (1) (intro.) of the statutes is amended to read:

18 69.24 **(1)** (intro.) Any person who does any of the following ~~shall be fined not~~
19 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class
20 I felony:

21 **SECTION 157.** 70.47 (18) (a) of the statutes is amended to read:

22 70.47 **(18)** (a) Whoever with intent to injure or defraud alters, damages,
23 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~
24 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a
25 Class I felony.

1 **SECTION 158.** 71.01 (6) (g) of the statutes is repealed.

2 **SECTION 159.** 71.01 (6) (h) of the statutes is repealed.

3 **SECTION 160.** 71.01 (6) (i) of the statutes is amended to read:

4 71.01 **(6)** (i) For taxable years that begin after December 31, 1993, and before
5 January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
7 Internal Revenue Code as amended to December 31, 1993, excluding sections 103,
8 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203
9 (d), and 13215 of P.L. 103–66 and as amended by P.L. 103–296, P.L. 103–337, P.L.
10 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
11 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206
12 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected by P.L. 99–514, P.L.
13 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
14 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and
15 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
16 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103–66, P.L. 103–296,
17 P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L.
18 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
19 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554. The Internal Revenue
20 Code applies for Wisconsin purposes at the same time as for federal purposes.
21 Amendments to the federal Internal Revenue Code enacted after
22 December 31, 1993, do not apply to this paragraph with respect to taxable years
23 beginning after December 31, 1993, and before January 1, 1995, except that
24 changes to the Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L.
25 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding

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

8 **SECTION 161.** 71.01 (6) (j) of the statutes is amended to read:

9 71.01 **(6)** (j) For taxable years that begin after December 31, 1994, and before
10 January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear
11 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
12 Internal Revenue Code as amended to December 31, 1994, excluding sections 103,
13 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and
14 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–117, P.L. 104–188,
15 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
16 104–193, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, and as
17 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
18 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L.
19 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
20 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
21 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.
22 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L.
23 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277,
24 and P.L. 106–554. The Internal Revenue Code applies for Wisconsin purposes at the
25 same time as for federal purposes. Amendments to the federal Internal Revenue

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

11 **SECTION 162.** 71.01 (6) (k) of the statutes is amended to read:

12 71.01 **(6)** (k) For taxable years that begin after December 31, 1995, and before
13 January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear
14 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
15 Internal Revenue Code as amended to December 31, 1995, excluding sections 103,
16 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and
17 13203 (d) of P.L. 103–66, and as amended by P.L. 104–117, P.L. 104–188, excluding
18 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
19 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L.
20 106–554, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
21 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L.
22 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
23 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
24 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
25 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and

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

14 **SECTION 163.** 71.01 (6) (L) of the statutes is amended to read:

15 71.01 **(6)** (L) For taxable years that begin after December 31, 1996, and before
16 January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear
17 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
18 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
19 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
20 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
21 104–188, and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277
22 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L.
23 107–16, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
24 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L.
25 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.

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

17 **SECTION 164.** 71.01 (6) (m) of the statutes is amended to read:

18 71.01 (6) (m) For taxable years that begin after December 31, 1997, and before
19 January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear
20 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
21 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
22 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
23 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
24 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36
25 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section

1 431 of P.L. 107–16, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L.
2 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L.
3 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
4 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
5 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
6 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202
7 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
8 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L.
9 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L.
10 107–16. The Internal Revenue Code applies for Wisconsin purposes at the same time
11 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
12 after December 31, 1997, do not apply to this paragraph with respect to taxable years
13 beginning after December 31, 1997, and before January 1, 1999, except that
14 changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206, P.L.
15 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L.
16 107–16, excluding section 431 of P.L. 107–16, and changes that indirectly affect the
17 provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206, P.L.
18 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L.
19 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the
20 same time as for federal purposes.

21 **SECTION 165.** 71.01 (6) (n) of the statutes is amended to read:

22 71.01 (6) (n) For taxable years that begin after December 31, 1998, and before
23 January 1, 2000, for natural persons and fiduciaries, except fiduciaries of nuclear
24 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
25 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,

1 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
2 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
3 104–188, and as amendeded by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L.
4 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L.
5 107–16, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
6 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L.
7 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
8 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
9 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
10 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
11 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
12 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170,
13 P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding
14 section 431 of P.L. 107–16. The Internal Revenue Code applies for Wisconsin
15 purposes at the same time as for federal purposes. Amendments to the federal
16 Internal Revenue Code enacted after December 31, 1998, do not apply to this
17 paragraph with respect to taxable years beginning after December 31, 1998, and
18 before January 1, 2000, except that changes to the Internal Revenue Code made by
19 P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L.
20 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and changes that
21 indirectly affect the provisions applicable to this subchapter made by P.L. 106–36
22 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L.
23 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the
24 same time as for federal purposes.

25 **SECTION 166.** 71.01 (6) (o) of the statutes is amended to read:

1 71.01 **(6)** (o) For taxable years that begin after December 31, 1999, and before
2 January 1, 2001, for natural persons and fiduciaries, except fiduciaries of nuclear
3 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
4 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
5 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104–188, and as amended by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554,
8 P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and as indirectly
9 affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
10 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227,
11 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
12 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
13 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L.
14 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
15 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
16 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–200, P.L. 106–230,
17 P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
18 P.L. 107–16. The Internal Revenue Code applies for Wisconsin purposes at the same
19 time as for federal purposes. Amendments to the federal Internal Revenue Code
20 enacted after December 31, 1999, do not apply to this paragraph with respect to
21 taxable years beginning after December 31, 1999, and before January 1, 2001,
22 except that changes to the Internal Revenue Code made by P.L. 106–200, P.L.
23 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding
24 section 431 of P.L. 107–16, and changes that indirectly affect the provisions
25 applicable to this subchapter made by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.

1 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, apply
2 for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 167.** 71.01 (6) (p) of the statutes is created to read:

4 71.01 **(6)** (p) For taxable years that begin after December 31, 2000, and before
5 January 1, 2002, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
7 Internal Revenue Code as amended to December 31, 2000, excluding sections 103,
8 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104–188, and as amended by P.L. 107–16, excluding section 431 of P.L. 107–16, and
11 P.L. 107–22, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647,
12 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508,
13 P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
14 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
15 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
16 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
17 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
18 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
19 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–16,
20 excluding section 431 of P.L. 107–16, and P.L. 107–22. The Internal Revenue Code
21 applies for Wisconsin purposes at the same time as for federal purposes.
22 Amendments to the federal Internal Revenue Code enacted after December 31, 2000,
23 do not apply to this paragraph with respect to taxable years beginning after
24 December 31, 2000, and before January 1, 2002, except that changes to the Internal
25 Revenue Code made by P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.

1 107–22, and changes that indirectly affect the provisions applicable to this
2 subchapter made by P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.
3 107–22, apply for Wisconsin purposes at the same time as for federal purposes.

4 **SECTION 168.** 71.01 (6) (q) of the statutes is created to read:

5 71.01 (6) (q) For taxable years that begin after December 31, 2001, for natural
6 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
7 reserve funds, “Internal Revenue Code” means the federal Internal Revenue Code
8 as amended to December 31, 2001, excluding sections 103, 104, and 110 of P.L.
9 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
10 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and section
11 431 of P.L. 107–16, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L.
12 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L.
13 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
14 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
15 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
16 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1123 (b), 1202
17 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
18 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.
19 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L.
20 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L. 107–22. The
21 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
22 purposes. Amendments to the federal Internal Revenue Code enacted after
23 December 31, 2001, do not apply to this paragraph with respect to taxable years
24 beginning after December 31, 2001.

25 **SECTION 169b.** 71.01 (7r) of the statutes is amended to read:

1 71.01 **(7r)** Notwithstanding sub. (6), for purposes of computing amortization
2 or depreciation, “Internal Revenue Code” means either the federal Internal Revenue
3 Code as amended to December 31, 1999, ~~or the federal Internal Revenue Code in~~
4 ~~effect for the taxable year for which the return is filed 2000~~, except that property that,
5 under s. 71.02 (2) (d) 12., 1985 stats., is required to be depreciated for taxable year
6 1986 under the Internal Revenue Code as amended to December 31, 1980, shall
7 continue to be depreciated under the Internal Revenue Code as amended to
8 December 31, 1980.

9 **SECTION 170c.** 71.04 (4) of the statutes is renumbered 71.04 (4) (intro.) and
10 amended to read:

11 71.04 **(4)** NONRESIDENT ALLOCATION AND APPORTIONMENT FORMULA. (intro.)
12 Nonresident individuals and nonresident estates and trusts engaged in business
13 within and without the state shall be taxed only on such income as is derived from
14 business transacted and property located within the state. The amount of such
15 income attributable to Wisconsin may be determined by an allocation and separate
16 accounting thereof, when the business of such nonresident individual or nonresident
17 estate or trust within the state is not an integral part of a unitary business, but the
18 department of revenue may permit an allocation and separate accounting in any case
19 in which it is satisfied that the use of such method will properly reflect the income
20 taxable by this state. In all cases in which allocation and separate accounting is not
21 permissible, the determination shall be made in the following manner: for all
22 businesses except air carriers, financial organizations, pipeline companies, public
23 utilities, railroads, sleeping car companies and car line companies there shall first
24 be deducted from the total net income of the taxpayer the part thereof (less related
25 expenses, if any) that follows the situs of the property or the residence of the

1 recipient. The remaining net income shall be apportioned to Wisconsin ~~this state~~ by
2 use of an ~~apportionment fraction composed of a sales factor representing 50% of the~~
3 ~~fraction, a property factor representing 25% of the fraction and a payroll factor~~
4 ~~representing 25% of the fraction.~~ the following:

5 **SECTION 170d.** 71.04 (4) (a) of the statutes is created to read:

6 71.04 (4) (a) For taxable years beginning before January 1, 2004, an
7 apportionment fraction composed of a sales factor under sub. (7) representing 50%
8 of the fraction, a property factor under sub. (5) representing 25% of the fraction, and
9 a payroll factor under sub. (6) representing 25% of the fraction.

10 **SECTION 170e.** 71.04 (4) (b) of the statutes is created to read:

11 71.04 (4) (b) For taxable years beginning after December 31, 2003, an
12 apportionment fraction composed of a sales factor under sub. (7) representing 55%
13 of the fraction, a property factor under sub. (5) representing 22.5% of the fraction,
14 and a payroll factor under sub. (6) representing 22.5% of the fraction.

15 **SECTION 170f.** 71.04 (4) (c) of the statutes is created to read:

16 71.04 (4) (c) For taxable years beginning after December 31, 2003, the
17 apportionment fraction for the remaining net income of a financial organization shall
18 include a sales factor that represents 55% of the apportionment fraction, as
19 determined by rule by the department.

20 **SECTION 170g.** 71.04 (8) (b) of the statutes is renumbered 71.04 (8) (b) 1. and
21 amended to read:

22 71.04 (8) (b) 1. ~~Public~~ For taxable years beginning before January 1, 2004,
23 “public utility”, as used in this section, means any business entity described under
24 subd. 2. and any business entity which owns or operates any plant, equipment,
25 property, franchise, or license for the transmission of communications or the

1 production, transmission, sale, delivery, or furnishing of electricity, water or steam,
2 the rates of charges for goods or services of which have been established or approved
3 by a federal, state or local government or governmental agency. “Public

4 2. In this section, for taxable years beginning after December 31, 2003, “public
5 utility” also means any business entity providing service to the public and engaged
6 in the transportation of goods and persons for hire, as defined in s. 194.01 (4),
7 regardless of whether or not the entity’s rates or charges for services have been
8 established or approved by a federal, state or local government or governmental
9 agency.

10 **SECTION 170h.** 71.04 (8) (c) of the statutes is amended to read:

11 71.04 (8) (c) The net business income of railroads, sleeping car companies, car
12 line companies, pipeline companies, financial organizations, air carriers, and public
13 utilities requiring apportionment shall be apportioned pursuant to rules of the
14 department of revenue, but the income taxed is limited to the income derived from
15 business transacted and property located within the state.

16 **SECTION 171.** 71.22 (4) (g) of the statutes is repealed.

17 **SECTION 172.** 71.22 (4) (h) of the statutes is repealed.

18 **SECTION 173.** 71.22 (4) (i) of the statutes is amended to read:

19 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
20 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
21 December 31, 1993, and before January 1, 1995, means the federal Internal
22 Revenue Code as amended to December 31, 1993, excluding sections 103, 104, and
23 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and
24 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465,
25 P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311

1 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L.
2 105–277, and P.L. 106–554, and as indirectly affected in the provisions applicable to
3 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803
4 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section
5 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
6 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
7 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
8 13174, 13203 (d), and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465,
9 P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311
10 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L.
11 105–277, and P.L. 106–554. The Internal Revenue Code applies for Wisconsin
12 purposes at the same time as for federal purposes. Amendments to the federal
13 Internal Revenue Code enacted after December 31, 1993, do not apply to this
14 paragraph with respect to taxable years beginning after December 31, 1993, and
15 before January 1, 1995, except that changes to the Internal Revenue Code made by
16 P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L.
17 104–7, P.L. 104–188, excluding section 1311 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
19 changes that indirectly affect the provisions applicable to this subchapter made by
20 P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L.
21 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L.
22 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, apply for
23 Wisconsin purposes at the same time as for federal purposes.

24 **SECTION 174.** 71.22 (4) (j) of the statutes is amended to read:

1 71.22 (4) (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
2 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
3 December 31, 1994, and before January 1, 1996, means the federal Internal
4 Revenue Code as amended to December 31, 1994, excluding sections 103, 104, and
5 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)
6 of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202,
7 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.
8 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected in the
9 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647
10 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
11 of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
12 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and
13 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
14 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
15 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204,
16 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.
17 105–206 and, P.L. 105–277, and P.L. 106–554. The Internal Revenue Code applies
18 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
19 federal Internal Revenue Code enacted after December 31, 1994, do not apply to this
20 paragraph with respect to taxable years beginning after December 31, 1994, and
21 before January 1, 1996, except that changes to the Internal Revenue Code made by
22 P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L.
23 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,
24 and P.L. 106–554, and changes that indirectly affect the provisions applicable to this
25 subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311,

1 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and,
2 P.L. 105–277, and P.L. 106–554, apply for Wisconsin purposes at the same time as
3 for federal purposes.

4 **SECTION 175.** 71.22 (4) (k) of the statutes is amended to read:

5 71.22 (4) (k) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
6 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
7 December 31, 1995, and before January 1, 1997, means the federal Internal
8 Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and
9 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)
10 of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204,
11 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34,
12 P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected in the
13 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647
14 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
15 of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
16 101–179, P.L. 101–239, P.L. 101–508, 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, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
19 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202,
20 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, 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, 1995, do not apply to this paragraph with respect to taxable years
25 beginning after December 31, 1995, and before January 1, 1997, except that

1 changes to the Internal Revenue Code made by P.L. 104–188, excluding sections
2 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
3 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and changes
4 that indirectly affect the provisions applicable to this subchapter made by P.L.
5 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
6 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,
7 and P.L. 106–554, apply for Wisconsin purposes at the same time as for federal
8 purposes.

9 **SECTION 176.** 71.22 (4) (L) of the statutes is amended to read:

10 71.22 **(4)** (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
11 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
12 December 31, 1996, and before January 1, 1998, means the federal Internal
13 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
14 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
15 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
16 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and, P.L.
17 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, and as
18 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
19 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
20 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
21 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
22 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
23 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
24 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
25 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.

1 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and,
2 P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16. The
3 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
4 purposes. Amendments to the federal Internal Revenue Code enacted after
5 December 31, 1996, do not apply to this paragraph with respect to taxable years
6 beginning after December 31, 1996, and before January 1, 1998, except that
7 changes to the Internal Revenue Code made by P.L. 105–33, P.L. 105–34, P.L.
8 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding
9 section 431 of P.L. 107–16, and changes that indirectly affect the provisions
10 applicable to this subchapter made by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L.
11 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of
12 P.L. 107–16, apply for Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 177.** 71.22 (4) (m) of the statutes is amended to read:

14 71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
15 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
16 December 31, 1997, and before January 1, 1999, means the federal Internal
17 Revenue Code as amended to December 31, 1997, excluding sections 103, 104, and
18 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
19 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
20 and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L.
21 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L.
22 107–16, and as indirectly affected in the provisions applicable to this subchapter by
23 P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2),
24 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
25 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.

1 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
2 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
3 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.
4 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
5 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
6 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573,
7 and P.L. 107–16, excluding section 431 of P.L. 107–16. The Internal Revenue Code
8 applies for Wisconsin purposes at the same time as for federal purposes.
9 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,
10 do not apply to this paragraph with respect to taxable years beginning after
11 December 31, 1997, and before January 1, 1999, except that changes to the Internal
12 Revenue Code made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and,
13 P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
14 P.L. 107–16, and changes that indirectly affect the provisions applicable to this
15 subchapter made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L.
16 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L.
17 107–16, apply for Wisconsin purposes at the same time as for federal purposes.

18 **SECTION 178.** 71.22 (4) (n) of the statutes is amended to read:

19 71.22 (4) (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
20 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
21 December 31, 1998, and before January 1, 2000, means the federal Internal
22 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and
23 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
24 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
25 and as amended by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L.

1 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and
2 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
3 P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
4 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
5 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
6 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
7 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
8 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
9 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
10 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
11 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554,
12 P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16. The Internal
13 Revenue Code applies for Wisconsin purposes at the same time as for federal
14 purposes. Amendments to the federal Internal Revenue Code enacted after
15 December 31, 1998, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1998, and before January 1, 2000, except that
17 changes to the Internal Revenue Code made by P.L. 106–36 and, P.L. 106–170, P.L.
18 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding
19 section 431 of P.L. 107–16, and changes that indirectly affect the provisions
20 applicable to this subchapter made by P.L. 106–36 and, P.L. 106–170, P.L. 106–230,
21 P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
22 P.L. 107–16, apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 179.** 71.22 (4) (o) of the statutes is amended to read:

24 71.22 (4) (o) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
25 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after

1 December 31, 1999, and before January 1, 2001, means the federal Internal Revenue
2 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
3 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
4 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
5 amended by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573,
6 and P.L. 107–16, excluding section 431 of P.L. 107–16, and as indirectly affected in
7 the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.
8 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823
9 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L.
10 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
11 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
12 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
13 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
14 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
15 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
16 106–36 and, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554,
17 P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16. The Internal
18 Revenue Code applies for Wisconsin purposes at the same time as for federal
19 purposes. Amendments to the federal Internal Revenue Code enacted after
20 December 31, 1999, do not apply to this paragraph with respect to taxable years
21 beginning after December 31, 1999, and before January 1, 2001, except that changes
22 to the Internal Revenue Code made by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.
23 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and
24 changes that indirectly affect the provisions applicable to this subchapter made by
25 P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L.

1 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the
2 same time as for federal purposes.

3 **SECTION 180.** 71.22 (4) (p) of the statutes is created to read:

4 71.22 (4) (p) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
5 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
6 December 31, 2000, and before January 1, 2002, means the federal Internal Revenue
7 Code as amended to December 31, 2000, excluding sections 103, 104, and 110 of P.L.
8 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
9 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
10 amended by P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L. 107–22, and
11 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
12 P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
13 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
14 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
15 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
16 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
17 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
18 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
19 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
20 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.
21 106–554, P.L. 106–573, P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.
22 107–22. The Internal Revenue Code applies for Wisconsin purposes at the same time
23 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
24 after December 31, 2000, do not apply to this paragraph with respect to taxable years
25 beginning after December 31, 2000, and before January 1, 2002, except that changes

1 to the Internal Revenue Code made by P.L. 107–16, excluding section 431 of P.L.
2 107–16, and P.L. 107–22, and changes that indirectly affect the provisions applicable
3 to this subchapter made by P.L. 107–16, excluding section 431 of P.L. 107–16, and
4 P.L. 107–22, apply for Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 181.** 71.22 (4) (q) of the statutes is created to read:

6 71.22 (4) (q) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
7 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after
8 December 31, 2001, means the federal Internal Revenue Code as amended to
9 December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102–227, sections
10 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),
11 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and section 431 of P.L. 107–16,
12 and as indirectly affected in the provisions applicable to this subchapter by P.L.
13 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812
14 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
15 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
16 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
17 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
18 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.
19 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
20 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
21 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L.
22 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431
23 of P.L. 107–16, and P.L. 107–22. The Internal Revenue Code applies for Wisconsin
24 purposes at the same time as for federal purposes. Amendments to the federal

1 Internal Revenue Code enacted after December 31, 2001, do not apply to this
2 paragraph with respect to taxable years beginning after December 31, 2001.

3 **SECTION 182.** 71.22 (4m) (e) of the statutes is repealed.

4 **SECTION 183.** 71.22 (4m) (f) of the statutes is repealed.

5 **SECTION 184.** 71.22 (4m) (g) of the statutes is amended to read:

6 71.22 **(4m)** (g) For taxable years that begin after December 31, 1993, and
7 before January 1, 1995, “Internal Revenue Code”, for corporations that are subject
8 to a tax on unrelated business income under s. 71.26 (1) (a), 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 in the provisions
15 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
16 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
17 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
18 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215
19 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
20 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
21 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L.
22 106–554. The Internal Revenue Code applies for Wisconsin purposes at the same
23 time as for federal purposes. Amendments to the Internal Revenue Code enacted
24 after 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 **SECTION 185.** 71.22 (4m) (h) of the statutes is amended to read:

11 71.22 **(4m)** (h) For taxable years that begin after December 31, 1994, and
12 before January 1, 1996, “Internal Revenue Code”, for corporations that are subject
13 to a tax on unrelated business income under s. 71.26 (1) (a), 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. 104–188, excluding
17 sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
18 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected
19 in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.
20 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, 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.
24 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
25 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L.

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

12 **SECTION 186.** 71.22 (4m) (i) of the statutes is amended to read:

13 71.22 **(4m)** (i) For taxable years that begin after December 31, 1995, and before
14 January 1, 1997, “Internal Revenue Code”, for corporations that are subject to a tax
15 on unrelated business income under s. 71.26 (1) (a), means the federal Internal
16 Revenue Code as amended to December 31, 1995, excluding sections 103, 104, and
17 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d)
18 of P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204,
19 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34,
20 P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected in the
21 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
22 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
23 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
24 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
25 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,

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

15 **SECTION 187.** 71.22 (4m) (j) of the statutes is amended to read:

16 71.22 **(4m)** (j) For taxable years that begin after December 31, 1996, and before
17 January 1, 1998, “Internal Revenue Code”, for corporations that are subject to a tax
18 on unrelated business income under s. 71.26 (1) (a), means the federal Internal
19 Revenue Code as amended to December 31, 1996, excluding sections 103, 104, and
20 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
21 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188
22 and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and, P.L.
23 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, and as
24 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
25 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.

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

17 **SECTION 188.** 71.22 (4m) (k) of the statutes is amended to read:

18 71.22 **(4m)** (k) For taxable years that begin after December 31, 1997, and
19 before January 1, 1999, “Internal Revenue Code”, for corporations that are subject
20 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
21 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
22 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
23 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
24 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36
25 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section

1 431 of P.L. 107-16, and as indirectly affected in the provisions applicable to this
2 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
3 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104,
4 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
5 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.
6 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202
7 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
8 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36 and, P.L.
9 106-170, P.L. 106-554, P.L. 106-573, and P.L. 107-16, excluding section 431 of P.L.
10 107-16. The Internal Revenue Code applies for Wisconsin purposes at the same time
11 as for federal purposes. Amendments to the Internal Revenue Code enacted after
12 December 31, 1997, do not apply to this paragraph with respect to taxable years
13 beginning after December 31, 1997, and before January 1, 1999, except that
14 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206, P.L.
15 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.
16 107-16, excluding section 431 of P.L. 107-16, and changes that indirectly affect the
17 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206, P.L.
18 105-277, P.L. 106-36 and, P.L. 106-170, P.L. 106-554, P.L. 106-573, and P.L.
19 107-16, excluding section 431 of P.L. 107-16, apply for Wisconsin purposes at the
20 same time as for federal purposes.

21 **SECTION 189.** 71.22 (4m) (L) of the statutes is amended to read:

22 71.22 **(4m)** (L) For taxable years that begin after December 31, 1998, and
23 before January 1, 2000, “Internal Revenue Code”, for corporations that are subject
24 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
25 Internal Revenue Code as amended to December 31, 1998, excluding sections 103,

1 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
2 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
3 104–188, and as amendeded by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L.
4 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L.
5 107–16, and as indirectly affected in the provisions applicable to this subchapter by
6 P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
7 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
8 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
9 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
10 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
11 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
12 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170,
13 P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding
14 section 431 of P.L. 107–16. The Internal Revenue Code applies for Wisconsin
15 purposes at the same time as for federal purposes. Amendments to the Internal
16 Revenue Code enacted after December 31, 1998, do not apply to this paragraph with
17 respect to taxable years beginning after December 31, 1998, and before
18 January 1, 2000, except that changes to the Internal Revenue Code made by P.L.
19 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573,
20 and P.L. 107–16, excluding section 431 of P.L. 107–16, and changes that indirectly
21 affect the provisions applicable to this subchapter made by P.L. 106–36 and, P.L.
22 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16,
23 excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the same time
24 as for federal purposes.

25 **SECTION 190.** 71.22 (4m) (m) of the statutes is amended to read:

1 71.22 (4m) (m) For taxable years that begin after December 31, 1999, and
2 before January 1, 2001, “Internal Revenue Code”, for corporations that are subject
3 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
4 Internal Revenue Code as amended to December 31, 1999, excluding sections 103,
5 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
6 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
7 104–188, and as amended by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554,
8 P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and as indirectly
9 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
10 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,
11 P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
12 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
13 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.
14 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
15 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
16 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–200, P.L. 106–230,
17 P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
18 P.L. 107–16. The Internal Revenue Code applies for Wisconsin purposes at the same
19 time as for federal purposes. Amendments to the Internal Revenue Code enacted
20 after December 31, 1999, do not apply to this paragraph with respect to taxable years
21 beginning after December 31, 1999, and before January 1, 2001, except that changes
22 to the Internal Revenue Code made by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.
23 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and
24 changes that indirectly affect the provisions applicable to this subchapter made by
25 P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L.

1 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the
2 same time as for federal purposes.

3 **SECTION 191.** 71.22 (4m) (n) of the statutes is created to read:

4 71.22 **(4m)** (n) For taxable years that begin after December 31, 2000, and
5 before January 1, 2002, “Internal Revenue Code,” for corporations that are subject
6 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
7 Internal Revenue Code as amended to December 31, 2000, excluding sections 103,
8 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
9 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
10 104–188, and as amended by P.L. 107–16, excluding section 431 of P.L. 107–16, and
11 P.L. 107–22, and as indirectly affected in the provisions applicable to this subchapter
12 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
13 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
14 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
15 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
16 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
17 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
18 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
19 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–16,
20 excluding section 431 of P.L. 107–16, and P.L. 107–22. The Internal Revenue Code
21 applies for Wisconsin purposes at the same time as for federal purposes.
22 Amendments to the Internal Revenue Code enacted after December 31, 2000, do not
23 apply to this paragraph with respect to taxable years beginning after
24 December 31, 2000, and before January 1, 2002, except that changes to the Internal
25 Revenue Code made by P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.

1 107–22, and changes that indirectly affect the provisions applicable to this
2 subchapter made by P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.
3 107–22, apply for Wisconsin purposes at the same time as for federal purposes.

4 **SECTION 192.** 71.22 (4m) (o) of the statutes is created to read:

5 71.22 **(4m)** (o) For taxable years that begin after December 31, 2001, “Internal
6 Revenue Code,” for corporations that are subject to a tax on unrelated business
7 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
8 to December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102–227, sections
9 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),
10 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and section 431 of P.L. 107–16,
11 and as indirectly affected in the provisions applicable to this subchapter by P.L.
12 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
13 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
14 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
15 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
16 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
17 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
18 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
19 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L.
20 107–16, excluding section 431 of P.L. 107–16, and P.L. 107–22. The Internal Revenue
21 Code applies for Wisconsin purposes at the same time as for federal purposes.
22 Amendments to the Internal Revenue Code enacted after December 31, 2001, do not
23 apply to this paragraph with respect to taxable years beginning after
24 December 31, 2001.

1 **SECTION 192e.** 71.25 (6) of the statutes is renumbered 71.25 (6) (intro.) and
2 amended to read:

3 **71.25 (6)** ALLOCATION AND SEPARATE ACCOUNTING AND APPORTIONMENT FORMULA.
4 (intro.) Corporations engaged in business within and without the state shall be taxed
5 only on such income as is derived from business transacted and property located
6 within the state. The amount of such income attributable to Wisconsin may be
7 determined by an allocation and separate accounting thereof, when the business of
8 such corporation within the state is not an integral part of a unitary business, but
9 the department of revenue may permit an allocation and separate accounting in any
10 case in which it is satisfied that the use of such method will properly reflect the
11 income taxable by this state. In all cases in which allocation and separate accounting
12 is not permissible, the determination shall be made in the following manner: for all
13 businesses except air carriers, financial organizations, pipeline companies, public
14 utilities, railroads, sleeping car companies, car line companies, and corporations or
15 associations that are subject to a tax on unrelated business income under s. 71.26 (1)
16 (a) there shall first be deducted from the total net income of the taxpayer the part
17 thereof (less related expenses, if any) that follows the situs of the property or the
18 residence of the recipient. The remaining net income shall be apportioned to
19 Wisconsin this state by use of ~~an apportionment fraction composed of a sales factor~~
20 ~~under sub. (9) representing 50% of the fraction, a property factor under sub. (7)~~
21 ~~representing 25% of the fraction and a payroll factor under sub. (8) representing 25%~~
22 ~~of the fraction.~~ the following:

23 **SECTION 192f.** 71.25 (6) (a) of the statutes is created to read:

24 **71.25 (6) (a)** For taxable years beginning before January 1, 2004, an
25 apportionment fraction composed of a sales factor under sub. (9) representing 50%

1 of the fraction, a property factor under sub. (7) representing 25% of the fraction, and
2 a payroll factor under sub. (8) representing 25% of the fraction.

3 **SECTION 192g.** 71.25 (6) (b) of the statutes is created to read:

4 71.25 **(6)** (b) For taxable years beginning after December 31, 2003, an
5 apportionment fraction composed of a sales factor under sub. (9) representing 55%
6 of the fraction, a property factor under sub. (7) representing 22.5% of the fraction,
7 and a payroll factor under sub. (8) representing 22.5% of the fraction.

8 **SECTION 192h.** 71.25 (6) (c) of the statutes is created to read:

9 71.25 **(6)** (c) For taxable years beginning after December 31, 2003, the
10 apportionment fraction for the remaining net income of a financial organization shall
11 include a sales factor that represents 55% of the apportionment fraction, as
12 determined by rule by the department.

13 **SECTION 192j.** 71.25 (10) (b) of the statutes is renumbered 71.25 (10) (b) 1. and
14 amended to read:

15 71.25 **(10)** (b) 1. In this section, for taxable years beginning before January 1,
16 2004, “public utility” means any business entity described under subd. 2. and any
17 business entity which owns or operates any plant, equipment, property, franchise,
18 or license for the transmission of communications or the production, transmission,
19 sale, delivery, or furnishing of electricity, water or steam the rates of charges for
20 goods or services of which have been established or approved by a federal, state or
21 local government or governmental agency. “Public

22 2. In this section, for taxable years beginning after December 31, 2003, “public
23 utility” also means any business entity providing service to the public and engaged
24 in the transportation of goods and persons for hire, as defined in s. 194.01 (4),
25 regardless of whether or not the entity’s rates or charges for services have been

1 established or approved by a federal, state or local government or governmental
2 agency.

3 **SECTION 192k.** 71.25 (10) (c) of the statutes is amended to read:

4 71.25 (10) (c) The net business income of railroads, sleeping car companies, car
5 line companies, pipeline companies, financial organizations, air carriers, and public
6 utilities requiring apportionment shall be apportioned pursuant to rules of the
7 department of revenue, but the income taxed is limited to the income derived from
8 business transacted and property located within the state.

9 **SECTION 193.** 71.26 (2) (b) 7. of the statutes is repealed.

10 **SECTION 194.** 71.26 (2) (b) 8. of the statutes is repealed.

11 **SECTION 195.** 71.26 (2) (b) 9. of the statutes is amended to read:

12 71.26 (2) (b) 9. For taxable years that begin after December 31, 1993, and
13 before January 1, 1995, for a corporation, conduit or common law trust which
14 qualifies as a regulated investment company, real estate mortgage investment
15 conduit or real estate investment trust under the Internal Revenue Code as amended
16 to December 31, 1993, excluding sections 103, 104, and 110 of P.L. 102–227 and
17 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103–66, and
18 as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
19 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
20 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L.
21 106–554, and as indirectly affected in the provisions applicable to this subchapter
22 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
23 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
24 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
25 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337,

1 P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
2 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206
3 ~~and~~, P.L. 105–277, and P.L. 106–554, “net income” means the federal regulated
4 investment company taxable income, federal real estate mortgage investment
5 conduit taxable income or federal real estate investment trust taxable income of the
6 corporation, conduit or trust as determined under the Internal Revenue Code as
7 amended to December 31, 1993, excluding sections 103, 104, and 110 of P.L. 102–227
8 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103–66,
9 and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
10 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
11 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L.
12 106–554, and as indirectly affected in the provisions applicable to this subchapter
13 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
14 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
15 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
16 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337,
17 P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
18 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206
19 ~~and~~, P.L. 105–277, and P.L. 106–554, except that property that, under s. 71.02 (1) (c)
20 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986
21 under the Internal Revenue Code as amended to December 31, 1980, shall continue
22 to be depreciated under the Internal Revenue Code as amended to
23 December 31, 1980, and except that the appropriate amount shall be added or
24 subtracted to reflect differences between the depreciation or adjusted basis for
25 federal income tax purposes and the depreciation or adjusted basis under this

1 chapter of any property disposed of during the taxable year. The Internal Revenue
2 Code as amended to December 31, 1993, excluding sections 103, 104, and 110 of P.L.
3 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L.
4 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7,
5 excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.
6 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,
7 and P.L. 106–554, and as indirectly affected in the provisions applicable to this
8 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
9 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,
10 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
11 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103–66, P.L. 103–296,
12 P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L.
13 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
14 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, applies for Wisconsin
15 purposes at the same time as for federal purposes. Amendments to the Internal
16 Revenue Code enacted after December 31, 1993, do not apply to this subdivision with
17 respect to taxable years that begin after December 31, 1993, and before
18 January 1, 1995, except that changes to the Internal Revenue Code made by P.L.
19 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7,
20 P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193,
21 P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and changes that
22 indirectly affect the provisions applicable to this subchapter made by P.L. 103–296,
23 P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L.
24 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.

1 105–34, P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, apply for Wisconsin
2 purposes at the same time as for federal purposes.

3 **SECTION 196.** 71.26 (2) (b) 10. of the statutes is amended to read:

4 71.26 **(2)** (b) 10. For taxable years that begin after December 31, 1994, and
5 before January 1, 1996, for a corporation, conduit or common law trust which
6 qualifies as a regulated investment company, real estate mortgage investment
7 conduit or real estate investment trust under the Internal Revenue Code as amended
8 to December 31, 1994, excluding sections 103, 104~~1~~, and 110 of P.L. 102–227 and
9 sections 13113, 13150 (d), 13171 (d), 13174~~1~~, and 13203 (d) of P.L. 103–66, and as
10 amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311~~1~~, and 1605
11 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 ~~and~~, P.L.
12 105–277, and P.L. 106–554, and as indirectly affected in the provisions applicable to
13 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
14 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
15 103, 104~~1~~, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
16 sections 13113, 13150 (d), 13171 (d), 13174~~1~~, and 13203 (d) of P.L. 103–66, P.L.
17 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
18 1202, 1204, 1311~~1~~, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34,
19 P.L. 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, “net income” means the federal
20 regulated investment company taxable income, federal real estate mortgage
21 investment conduit taxable income or federal real estate investment trust taxable
22 income of the corporation, conduit or trust as determined under the Internal
23 Revenue Code as amended to December 31, 1994, excluding sections 103, 104~~1~~, and
24 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174~~1~~, and 13203 (d)
25 of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202,

1 1204, 1311₁ and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.
2 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected in the
3 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
4 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
5 excluding sections 103, 104₁ and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
6 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174₁ and 13203 (d) of P.L.
7 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
8 excluding sections 1202, 1204, 1311₁ and 1605 of P.L. 104–188, P.L. 104–191, P.L.
9 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, except that
10 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated
11 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to
12 December 31, 1980, shall continue to be depreciated under the Internal Revenue
13 Code as amended to December 31, 1980, and except that the appropriate amount
14 shall be added or subtracted to reflect differences between the depreciation or
15 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
16 under this chapter of any property disposed of during the taxable year. The Internal
17 Revenue Code as amended to December 31, 1994, excluding sections 103, 104₁ and
18 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174₁ and 13203 (d)
19 of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202,
20 1204, 1311₁ and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.
21 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected in the
22 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
23 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
24 excluding sections 103, 104₁ and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
25 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174₁ and 13203 (d) of P.L.

1 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
2 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
3 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, applies for
4 Wisconsin purposes at the same time as for federal purposes. Amendments to the
5 Internal Revenue Code enacted after December 31, 1994, do not apply to this
6 subdivision with respect to taxable years that begin after December 31, 1994, and
7 before January 1, 1996, except that changes made by P.L. 104–7, P.L. 104–188,
8 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
9 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and
10 changes that indirectly affect the provisions applicable to this subchapter made by
11 P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L.
12 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,
13 and P.L. 106–554, apply for Wisconsin purposes at the same time as for federal
14 purposes.

15 **SECTION 197.** 71.26 (2) (b) 11. of the statutes is amended to read:

16 71.26 (2) (b) 11. For taxable years that begin after December 31, 1995, and
17 before January 1, 1997, for a corporation, conduit or common law trust which
18 qualifies as a regulated investment company, real estate mortgage investment
19 conduit or real estate investment trust under the Internal Revenue Code as amended
20 to December 31, 1995, excluding sections 103, 104, and 110 of P.L. 102–227 and
21 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, and as
22 amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L.
23 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and,
24 P.L. 105–277, and P.L. 106–554, and as indirectly affected in the provisions
25 applicable to this subchapter 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. 101–508, P.L. 102–227,
2 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
3 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
4 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
5 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191,
6 P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L.
7 106–554, “net income” means the federal regulated investment company taxable
8 income, federal real estate mortgage investment conduit taxable income or federal
9 real estate investment trust taxable income of the corporation, conduit or trust as
10 determined under the Internal Revenue Code as amended to December 31, 1995,
11 excluding sections 103, 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d),
12 13171 (d), 13174, and 13203 (d) of P.L. 103–66, and as amended by 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, and as indirectly affected in the provisions applicable to this subchapter
16 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
17 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
18 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
19 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
20 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and
21 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
22 105–206 and, P.L. 105–277, and P.L. 106–554, except that property that, under s.
23 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983
24 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall
25 continue to be depreciated under the Internal Revenue Code as amended to

1 December 31, 1980, and except that the appropriate amount shall be added or
2 subtracted to reflect differences between the depreciation or adjusted basis for
3 federal income tax purposes and the depreciation or adjusted basis under this
4 chapter of any property disposed of during the taxable year. The Internal Revenue
5 Code as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.
6 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
7 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311,
8 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
9 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected in the
10 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
11 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
12 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
13 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
14 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
15 excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191,
16 P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L.
17 106–554, applies for Wisconsin purposes at the same time as for federal purposes.
18 Amendments to the Internal Revenue Code enacted after December 31, 1995, do not
19 apply to this subdivision with respect to taxable years that begin after
20 December 31, 1995, and before January 1, 1997, except that changes to the Internal
21 Revenue Code made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and
22 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
23 105–206 and, P.L. 105–277, and P.L. 106–554, and changes that indirectly affect the
24 provisions applicable to this subchapter made by P.L. 104–188, excluding sections
25 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.

1 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, apply for
2 Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 198.** 71.26 (2) (b) 12. of the statutes is amended to read:

4 71.26 (2) (b) 12. For taxable years that begin after December 31, 1996, and
5 before January 1, 1998, for a corporation, conduit or common law trust which
6 qualifies as a regulated investment company, real estate mortgage investment
7 conduit, real estate investment trust or financial asset securitization investment
8 trust under the Internal Revenue Code as amended to December 31, 1996, excluding
9 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
10 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
11 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206,
12 P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431
13 of P.L. 107–16, and as indirectly affected in the provisions applicable to this
14 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
15 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,
16 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
17 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
18 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
19 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
20 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and
21 P.L. 107–16, excluding section 431 of P.L. 107–16, “net income” means the federal
22 regulated investment company taxable income, federal real estate mortgage
23 investment conduit taxable income, federal real estate investment trust or financial
24 asset securitization investment trust taxable income of the corporation, conduit or
25 trust as determined under the Internal Revenue Code as amended to

1 December 31, 1996, excluding sections 103, 104, and 110 of P.L. 102–227, sections
2 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66 and sections 1123
3 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188 and as amended by P.L.
4 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and
5 P.L. 107–16, excluding section 431 of P.L. 107–16, and as indirectly affected in the
6 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
7 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
8 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
9 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
10 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
11 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
12 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and,
13 P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16,
14 except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to
15 be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as
16 amended to December 31, 1980, shall continue to be depreciated under the Internal
17 Revenue Code as amended to December 31, 1980, and except that the appropriate
18 amount shall be added or subtracted to reflect differences between the depreciation
19 or adjusted basis for federal income tax purposes and the depreciation or adjusted
20 basis under this chapter of any property disposed of during the taxable year. The
21 Internal Revenue Code as amended to December 31, 1996, excluding sections 103,
22 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203
23 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
24 104–188, and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277
25 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L.

1 107–16, and as indirectly affected in the provisions applicable to this subchapter by
2 P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
3 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
4 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
5 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
6 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
7 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
8 105–34, P.L. 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16,
9 excluding section 431 of P.L. 107–16, applies for Wisconsin purposes at the same time
10 as for federal purposes. Amendments to the Internal Revenue Code enacted after
11 December 31, 1996, do not apply to this subdivision with respect to taxable years
12 that begin after December 31, 1996, and before January 1, 1998, except that
13 changes to the Internal Revenue Code made by P.L. 105–33, P.L. 105–34, P.L.
14 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding
15 section 431 of P.L. 107–16, and changes that indirectly affect the provisions
16 applicable to this subchapter made by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L.
17 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of
18 P.L. 107–16, apply for Wisconsin purposes at the same time as for federal purposes.

19 **SECTION 199.** 71.26 (2) (b) 13. of the statutes is amended to read:

20 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and
21 before January 1, 1999, for a corporation, conduit or common law trust which
22 qualifies as a regulated investment company, real estate mortgage investment
23 conduit, real estate investment trust or financial asset securitization investment
24 trust under the Internal Revenue Code as amended to December 31, 1997, excluding
25 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),

1 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
2 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L.
3 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L.
4 107–16, excluding section 431 of P.L. 107–16, and as indirectly affected in the
5 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
6 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
7 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
8 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
9 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
10 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
11 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
12 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L.
13 107–16, excluding section 431 of P.L. 107–16, “net income” means the federal
14 regulated investment company taxable income, federal real estate mortgage
15 investment conduit taxable income, federal real estate investment trust or financial
16 asset securitization investment trust taxable income of the corporation, conduit or
17 trust as determined under the Internal Revenue Code as amended to December 31,
18 1997, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d),
19 13171 (d), 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204
20 (f), 1311, and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206,
21 P.L. 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L.
22 107–16, excluding section 431 of P.L. 107–16, and as indirectly affected in the
23 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
24 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
25 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.

1 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174₁ and 13203 (d) of P.L.
2 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
3 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311₁ and 1605 (d) of P.L. 104–188, P.L.
4 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
5 105–277, P.L. 106–36 and₁ P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L.
6 107–16, excluding section 431 of P.L. 107–16, except that property that, under s.
7 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983
8 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall
9 continue to be depreciated under the Internal Revenue Code as amended to
10 December 31, 1980, and except that the appropriate amount shall be added or
11 subtracted to reflect differences between the depreciation or adjusted basis for
12 federal income tax purposes and the depreciation or adjusted basis under this
13 chapter of any property disposed of during the taxable year. The Internal Revenue
14 Code as amended to December 31, 1997, excluding sections 103, 104₁ and 110 of P.L.
15 102–227, sections 13113, 13150 (d), 13171 (d), 13174₁ and 13203 (d) of P.L. 103–66,
16 and sections 1123 (b), 1202 (c), 1204 (f), 1311₁ and 1605 (d) of P.L. 104–188, and as
17 amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and₁ P.L. 106–170,
18 P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16,
19 and as indirectly affected in the provisions applicable to this subchapter by P.L.
20 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
21 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104₁ and 110 of P.L.
22 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
23 (d), 13171 (d), 13174₁ and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
24 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
25 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.

1 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170,
2 P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16,
3 applies for Wisconsin purposes at the same time as for federal purposes.
4 Amendments to the Internal Revenue Code enacted after December 31, 1997, do not
5 apply to this subdivision with respect to taxable years that begin after
6 December 31, 1997, and before January 1, 1999, except that changes to the Internal
7 Revenue Code made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and,
8 P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
9 P.L. 107–16, and changes that indirectly affect the provisions applicable to this
10 subchapter made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and and,
11 P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
12 P.L. 107–16, apply for Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 200.** 71.26 (2) (b) 14. of the statutes is amended to read:

14 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, and
15 before January 1, 2000, for a corporation, conduit or common law trust which
16 qualifies as a regulated investment company, real estate mortgage investment
17 conduit, real estate investment trust or financial asset securitization investment
18 trust under the Internal Revenue Code as amended to December 31, 1998, excluding
19 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
20 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
21 1605 (d) of P.L. 104–188, and as amended by P.L. 106–36 and, P.L. 106–170, P.L.
22 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding
23 section 431 of P.L. 107–16, and as indirectly affected in the provisions applicable to
24 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
25 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections

1 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
2 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
3 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
4 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
5 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
6 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573,
7 and P.L. 107–16, excluding section 431 of P.L. 107–16, “net income” means the federal
8 regulated investment company taxable income, federal real estate mortgage
9 investment conduit taxable income, federal real estate investment trust or financial
10 asset securitization investment trust taxable income of the corporation, conduit or
11 trust as determined under the Internal Revenue Code as amended to December 31,
12 1998, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d),
13 13171 (d), 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204
14 (f), 1311, and 1605 (d) of P.L. 104–188, and as amended by P.L. 106–36 and, P.L.
15 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16,
16 excluding section 431 of P.L. 107–16, and as indirectly affected in the provisions
17 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
18 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
19 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
20 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
21 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
22 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
23 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
24 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554,
25 P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, except that

1 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated
2 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to
3 December 31, 1980, shall continue to be depreciated under the Internal Revenue
4 Code as amended to December 31, 1980, and except that the appropriate amount
5 shall be added or subtracted to reflect differences between the depreciation or
6 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
7 under this chapter of any property disposed of during the taxable year. The Internal
8 Revenue Code as amended to December 31, 1998, excluding sections 103, 104, and
9 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
10 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
11 and as amended by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L.
12 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and
13 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
14 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
15 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
16 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
17 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
18 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
19 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
20 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–230,
21 P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
22 P.L. 107–16, applies for Wisconsin purposes at the same time as for federal purposes.
23 Amendments to the Internal Revenue Code enacted after December 31, 1998, do not
24 apply to this subdivision with respect to taxable years that begin after
25 December 31, 1998, and before January 1, 2000, except that changes to the Internal

1 Revenue Code made by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519,
2 P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16,
3 and changes that indirectly affect the provisions applicable to this subchapter made
4 by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L.
5 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin
6 purposes at the same time as for federal purposes.

7 **SECTION 201.** 71.26 (2) (b) 15. of the statutes is amended to read:

8 71.26 (2) (b) 15. For taxable years that begin after December 31, 1999, and
9 before January 1, 2001, for a corporation, conduit or common law trust which
10 qualifies as a regulated investment company, real estate mortgage investment
11 conduit, real estate investment trust or financial asset securitization investment
12 trust under the Internal Revenue Code as amended to December 31, 1999, excluding
13 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
14 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
15 1605 (d) of P.L. 104–188, and as amended by P.L. 106–200, P.L. 106–230, P.L.
16 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L.
17 107–16, and as indirectly affected in the provisions applicable to this subchapter by
18 P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
19 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
20 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
21 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
22 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
23 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
24 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170,
25 P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L.

1 107–16, excluding section 431 of P.L. 107–16, “net income” means the federal
2 regulated investment company taxable income, federal real estate mortgage
3 investment conduit taxable income, federal real estate investment trust or financial
4 asset securitization investment trust taxable income of the corporation, conduit or
5 trust as determined under the Internal Revenue Code as amended to December 31,
6 1999, excluding sections 103, 104₁ and 110 of P.L. 102–227, sections 13113, 13150 (d),
7 13171 (d), 13174₁ and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204
8 (f), 1311₁ and 1605 (d) of P.L. 104–188, and as amended by P.L. 106–200, P.L. 106–230,
9 P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
10 P.L. 107–16, and as indirectly affected in the provisions applicable to this subchapter
11 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
12 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104₁ and 110 of P.L.
13 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
14 (d), 13171 (d), 13174₁ and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
15 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
16 1311₁ and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
17 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and₁ P.L. 106–170,
18 P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L.
19 107–16, excluding section 431 of P.L. 107–16, except that property that, under s.
20 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983
21 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall
22 continue to be depreciated under the Internal Revenue Code as amended to
23 December 31, 1980, and except that the appropriate amount shall be added or
24 subtracted to reflect differences between the depreciation or adjusted basis for
25 federal income tax purposes and the depreciation or adjusted basis under this

1 chapter of any property disposed of during the taxable year. The Internal Revenue
2 Code as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
3 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
4 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
5 amended by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573,
6 and P.L. 107–16, excluding section 431 of P.L. 107–16, and as indirectly affected in
7 the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.
8 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
9 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
10 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
11 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.
12 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
13 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
14 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–200, P.L. 106–230,
15 P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
16 P.L. 107–16, applies for Wisconsin purposes at the same time as for federal purposes.
17 Amendments to the Internal Revenue Code enacted after December 31, 1999, do not
18 apply to this subdivision with respect to taxable years that begin after
19 December 31, 1999, and before January 1, 2001, except that changes to the Internal
20 Revenue Code made by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L.
21 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and changes that
22 indirectly affect the provisions applicable to this subchapter made by P.L. 106–200,
23 P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding
24 section 431 of P.L. 107–16, apply for Wisconsin purposes at the same time as for
25 federal purposes.

1 **SECTION 202.** 71.26 (2) (b) 16. of the statutes is created to read:

2 71.26 **(2)** (b) 16. For taxable years that begin after December 31, 2000, and
3 before January 1, 2002, for a corporation, conduit, or common law trust which
4 qualifies as a regulated investment company, real estate mortgage investment
5 conduit, real estate investment trust, or financial asset securitization investment
6 trust under the Internal Revenue Code as amended to December 31, 2000, excluding
7 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
8 13174, and 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311,
9 and 1605 (d) of P.L. 104–188, and as amended by P.L. 107–16, excluding section 431
10 of P.L. 107–16, and P.L. 107–22, and as indirectly affected in the provisions
11 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
12 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
13 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
14 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
15 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
16 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
17 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
18 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.
19 106–554, P.L. 106–573, P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.
20 107–22, “net income” means the federal regulated investment company taxable
21 income, federal real estate mortgage investment conduit taxable income, federal real
22 estate investment trust or financial asset securitization investment trust taxable
23 income of the corporation, conduit, or trust as determined under the Internal
24 Revenue Code as amended to December 31, 2000, excluding sections 103, 104, and
25 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.

1 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
2 and as amended by P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.
3 107–22, and as indirectly affected in the provisions applicable to this subchapter by
4 P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
5 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
6 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
7 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
8 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
9 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
10 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
11 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–16,
12 excluding section 431 of P.L. 107–16, and P.L. 107–22, except that property that,
13 under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable
14 years 1983 to 1986 under the Internal Revenue Code as amended to
15 December 31, 1980, shall continue to be depreciated under the Internal Revenue
16 Code as amended to December 31, 1980, and except that the appropriate amount
17 shall be added or subtracted to reflect differences between the depreciation or
18 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
19 under this chapter of any property disposed of during the taxable year. The Internal
20 Revenue Code as amended to December 31, 2000, excluding sections 103, 104, and
21 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
22 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,
23 and as amended by P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.
24 107–22, and as indirectly affected in the provisions applicable to this subchapter by
25 P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,

1 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
2 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
3 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
4 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
5 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
6 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
7 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–16,
8 excluding section 431 of P.L. 107–16, and P.L. 107–22, applies for Wisconsin purposes
9 at the same time as for federal purposes. Amendments to the Internal Revenue Code
10 enacted after December 31, 2000, do not apply to this subdivision with respect to
11 taxable years that begin after December 31, 2000, and before January 1, 2002,
12 except that changes to the Internal Revenue Code made by P.L. 107–16, excluding
13 section 431 of P.L. 107–16, and P.L. 107–22, and changes that indirectly affect the
14 provisions applicable to this subchapter made by P.L. 107–16, excluding section 431
15 of P.L. 107–16, and P.L. 107–22, apply for Wisconsin purposes at the same time as
16 for federal purposes.

17 **SECTION 203.** 71.26 (2) (b) 17. of the statutes is created to read:

18 71.26 (2) (b) 17. For taxable years that begin after December 31, 2001, for a
19 corporation, conduit, or common law trust which qualifies as a regulated investment
20 company, real estate mortgage investment conduit, real estate investment trust, or
21 financial asset securitization investment trust under the Internal Revenue Code as
22 amended to December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102–227,
23 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections
24 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and section 431 of P.L.
25 107–16, and as indirectly affected in the provisions applicable to this subchapter by

1 P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
2 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
3 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
4 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
5 103–465, P.L. 104–7, 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. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
8 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L.
9 107–16, excluding section 431 of P.L. 107–16, and P.L. 107–22, “net income” means
10 the federal regulated investment company taxable income, federal real estate
11 mortgage investment conduit taxable income, federal real estate investment trust
12 or financial asset securitization investment trust taxable income of the corporation,
13 conduit, or trust as determined under the Internal Revenue Code as amended to
14 December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102–227, sections
15 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),
16 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and section 431 of P.L. 107–16,
17 and as indirectly affected in the provisions applicable to this subchapter by P.L.
18 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
19 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
20 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
21 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
22 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
23 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
24 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.
25 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L.

1 107–16, excluding section 431 of P.L. 107–16, and P.L. 107–22, except that property
2 that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for
3 taxable years 1983 to 1986 under the Internal Revenue Code as amended to
4 December 31, 1980, shall continue to be depreciated under the Internal Revenue
5 Code as amended to December 31, 1980, and except that the appropriate amount
6 shall be added or subtracted to reflect differences between the depreciation or
7 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
8 under this chapter of any property disposed of during the taxable year. The Internal
9 Revenue Code as amended to December 31, 2001, excluding sections 103, 104, and
10 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
11 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and
12 section 431 of P.L. 107–16, and as indirectly affected in the provisions applicable to
13 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
14 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
15 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
16 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
17 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
18 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
19 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
20 106–36, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L.
21 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.
22 107–22, applies for Wisconsin purposes at the same time as for federal purposes.
23 Amendments to the Internal Revenue Code enacted after December 31, 2001, do not
24 apply to this subdivision with respect to taxable years that begin after
25 December 31, 2001.

1 **SECTION 204b.** 71.26 (3) (y) of the statutes is amended to read:

2 71.26 **(3)** (y) A corporation ~~may~~ shall compute amortization and depreciation
3 under ~~either~~ the federal Internal Revenue Code as amended to December 31, 1999,
4 ~~or the federal Internal Revenue Code in effect for the taxable year for which the~~
5 ~~return is filed~~ 2000, except that property first placed in service by the taxpayer on
6 or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and
7 (br), 1985 stats., is required to be depreciated under the Internal Revenue Code as
8 amended to December 31, 1980, and property first placed in service in taxable year
9 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985
10 stats., is required to be depreciated under the Internal Revenue Code as amended
11 to December 31, 1980, shall continue to be depreciated under the Internal Revenue
12 Code as amended to December 31, 1980.

13 **SECTION 206.** 71.34 (1g) (g) of the statutes, as affected by 2001 Wisconsin Act
14 16, is repealed.

15 **SECTION 207.** 71.34 (1g) (h) of the statutes is repealed.

16 **SECTION 208.** 71.34 (1g) (i) of the statutes is amended to read:

17 71.34 **(1g)** (i) “Internal Revenue Code” for tax-option corporations, for taxable
18 years that begin after December 31, 1993, and before January 1, 1995, means the
19 federal Internal Revenue Code as amended to December 31, 1993, excluding
20 sections 103, 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),
21 13174, 13203 (d), and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L.
22 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188,
23 excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.
24 105–206 ~~and~~, P.L. 105–277, and P.L. 106–554, and as indirectly affected in the
25 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647

1 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2)
2 of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
3 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and
4 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
5 13113, 13150 (d), 13171 (d), 13174, 13203 (d), and 13215 of P.L. 103–66, P.L. 103–296,
6 P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L.
7 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
8 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, except that section 1366
9 (f) (relating to pass-through of items to shareholders) is modified by substituting the
10 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue
11 Code applies for Wisconsin purposes at the same time as for federal purposes.
12 Amendments to the federal Internal Revenue Code enacted after
13 December 31, 1993, do not apply to this paragraph with respect to taxable years
14 beginning after December 31, 1993, and before January 1, 1995, except that
15 changes to the Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L.
16 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
17 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206
18 and, P.L. 105–277, and P.L. 106–554, and changes that indirectly affect the
19 provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L.
20 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
21 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206
22 and, P.L. 105–277, and P.L. 106–554, apply for Wisconsin purposes at the same time
23 as for federal purposes.

24 **SECTION 209.** 71.34 (1g) (j) of the statutes is amended to read:

1 71.34 (1g) (j) “Internal Revenue Code” for tax-option corporations, for taxable
2 years that begin after December 31, 1994, and before January 1, 1996, means the
3 federal Internal Revenue Code as amended to December 31, 1994, excluding
4 sections 103, 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),
5 13174, and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188,
6 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
7 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and as
8 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
9 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
10 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
11 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
12 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
13 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
14 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
15 excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
16 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, except that
17 section 1366 (f) (relating to pass-through of items to shareholders) is modified by
18 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
19 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
20 purposes. Amendments to the federal Internal Revenue Code enacted after
21 December 31, 1994, do not apply to this paragraph with respect to taxable years
22 beginning after December 31, 1994, and before January 1, 1996, except changes to
23 the Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections
24 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34,
25 P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and changes that indirectly affect

1 the provisions applicable to this subchapter made by P.L. 104–7, P.L. 104–188,
2 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L.
3 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, apply for
4 Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 210.** 71.34 (1g) (k) of the statutes is amended to read:

6 71.34 (1g) (k) “Internal Revenue Code” for tax–option corporations, for taxable
7 years that begin after December 31, 1995, and before January 1, 1997, means the
8 federal Internal Revenue Code as amended to December 31, 1995, excluding
9 sections 103, 104, and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),
10 13174, and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding
11 sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L.
12 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L.
13 106–554, and as indirectly affected in the provisions applicable to this subchapter
14 by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d)
15 (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
16 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
17 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
18 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
19 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.
20 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
21 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,
22 and P.L. 106–554, except that section 1366 (f) (relating to pass–through of items to
23 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
24 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
25 at the same time as for federal purposes. Amendments to the federal Internal

1 Revenue Code enacted after December 31, 1995, do not apply to this paragraph with
2 respect to taxable years beginning after December 31, 1995, and before
3 January 1, 1997, except that changes to the Internal Revenue Code made by P.L.
4 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
5 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,
6 and P.L. 106–554, and changes that indirectly affect the provisions applicable to this
7 subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and
8 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
9 105–206 and, P.L. 105–277, and P.L. 106–554, apply for Wisconsin purposes at the
10 same time as for federal purposes.

11 **SECTION 211.** 71.34 (1g) (L) of the statutes is amended to read:

12 71.34 (1g) (L) “Internal Revenue Code” for tax-option corporations, for taxable
13 years that begin after December 31, 1996, and before January 1, 1998, means the
14 federal Internal Revenue Code as amended to December 31, 1996, excluding
15 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),
16 13174, and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and
17 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33, P.L. 105–34, P.L. 105–206,
18 P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431
19 of P.L. 107–16, and as indirectly affected in the provisions applicable to this
20 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2)
21 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
22 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
23 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
24 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
25 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.

1 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
2 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
3 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding
4 section 431 of P.L. 107–16, except that section 1366 (f) (relating to pass-through of
5 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes
6 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin
7 purposes at the same time as for federal purposes. Amendments to the federal
8 Internal Revenue Code enacted after December 31, 1996, do not apply to this
9 paragraph with respect to taxable years beginning after December 31, 1996, and
10 before January 1, 1998, except that changes to the Internal Revenue Code made by
11 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,
12 and P.L. 107–16, excluding section 431 of P.L. 107–16, and changes that indirectly
13 affect the provisions applicable to this subchapter made by P.L. 105–33, P.L. 105–34,
14 P.L. 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16,
15 excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the same time
16 as for federal purposes.

17 **SECTION 212.** 71.34 (1g) (m) of the statutes is amended to read:

18 71.34 (1g) (m) “Internal Revenue Code” for tax-option corporations, for taxable
19 years that begin after December 31, 1997, and before January 1, 1999, means the
20 federal Internal Revenue Code as amended to December 31, 1997, excluding sections
21 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
22 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
23 of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
24 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding
25 section 431 of P.L. 107–16, and as indirectly affected in the provisions applicable to

1 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803
2 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section
3 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
4 P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
5 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
6 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
7 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
8 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
9 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554,
10 P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, except that
11 section 1366 (f) (relating to pass-through of items to shareholders) is modified by
12 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
13 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
14 purposes. Amendments to the federal Internal Revenue Code enacted after
15 December 31, 1997, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1997, and before January 1, 1999, except that
17 changes to the Internal Revenue Code made by P.L. 105–178, P.L. 105–206, P.L.
18 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L.
19 107–16, excluding section 431 of P.L. 107–16, and changes that indirectly affect the
20 provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206, P.L.
21 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L.
22 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the
23 same time as for federal purposes.

24 **SECTION 213.** 71.34 (1g) (n) of the statutes is amended to read:

1 71.34 (1g) (n) “Internal Revenue Code” for tax-option corporations, for taxable
2 years that begin after December 31, 1998, and before January 1, 2000, means the
3 federal Internal Revenue Code as amended to December 31, 1998, excluding sections
4 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
5 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
6 of P.L. 104–188, and as amended by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L.
7 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L.
8 107–16, and as indirectly affected in the provisions applicable to this subchapter by
9 P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2),
10 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
11 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
12 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
13 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and
14 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.
15 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.
16 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
17 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519,
18 P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16,
19 except that section 1366 (f) (relating to pass-through of items to shareholders) is
20 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and
21 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time
22 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
23 after December 31, 1998, do not apply to this paragraph with respect to taxable years
24 beginning after December 31, 1998, and before January 1, 2000, except that
25 changes to the Internal Revenue Code made by P.L. 106–36 and, P.L. 106–170, P.L.

1 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding
2 section 431 of P.L. 107–16, and changes that indirectly affect the provisions
3 applicable to this subchapter made by P.L. 106–36 and, P.L. 106–170, P.L. 106–230,
4 P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
5 P.L. 107–16, apply for Wisconsin purposes at the same time as for federal purposes.

6 **SECTION 214.** 71.34 (1g) (o) of the statutes is amended to read:

7 71.34 **(1g)** (o) “Internal Revenue Code” for tax-option corporations, for taxable
8 years that begin after December 31, 1999, and before January 1, 2001, means the
9 federal Internal Revenue Code as amended to December 31, 1999, excluding sections
10 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
11 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
12 of P.L. 104–188, and as amended by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.
13 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and
14 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
15 P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
16 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
17 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
18 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
19 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
20 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
21 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.
22 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.
23 105–277, P.L. 106–36 and, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–519,
24 P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16,
25 except that section 1366 (f) (relating to pass-through of items to shareholders) is

1 modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and
2 1375. The Internal Revenue Code applies for Wisconsin purposes at the same time
3 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
4 after December 31, 1999, do not apply to this paragraph with respect to taxable years
5 beginning after December 31, 1999, and before January 1, 2001, except that changes
6 to the Internal Revenue Code made by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.
7 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and
8 changes that indirectly affect the provisions applicable to this subchapter made by
9 P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L.
10 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the
11 same time as for federal purposes.

12 **SECTION 215.** 71.34 (1g) (p) of the statutes is created to read:

13 71.34 **(1g)** (p) “Internal Revenue Code” for tax–option corporations, for taxable
14 years that begin after December 31, 2000, and before January 1, 2002, means the
15 federal Internal Revenue Code as amended to December 31, 2000, excluding sections
16 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and
17 13203 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d)
18 of P.L. 104–188, and as amended by P.L. 107–16, excluding section 431 of P.L. 107–16,
19 and P.L. 107–22, and as indirectly affected in the provisions applicable to this
20 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2)
21 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
22 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
23 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
24 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
25 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.

1 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
2 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
3 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–200, P.L.
4 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–16, excluding section
5 431 of P.L. 107–16, and P.L. 107–22, except that section 1366 (f) (relating to
6 pass-through of items to shareholders) is modified by substituting the tax under s.
7 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue Code applies
8 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
9 federal Internal Revenue Code enacted after December 31, 2000, do not apply to this
10 paragraph with respect to taxable years beginning after December 31, 2000, and
11 before January 1, 2002, except that changes to the Internal Revenue Code made by
12 P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L. 107–22, and changes that
13 indirectly affect the provisions applicable to this subchapter made by P.L. 107–16,
14 excluding section 431 of P.L. 107–16, and P.L. 107–22, apply for Wisconsin purposes
15 at the same time as for federal purposes.

16 **SECTION 216.** 71.34 (1g) (q) of the statutes is created to read:

17 71.34 (1g) (q) “Internal Revenue Code” for tax-option corporations, for taxable
18 years that begin after December 31, 2001, means the federal Internal Revenue Code
19 as amended to December 31, 2001, excluding sections 103, 104, and 110 of P.L.
20 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
21 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and section
22 431 of P.L. 107–16, and as indirectly affected in the provisions applicable to this
23 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803 (d) (2)
24 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section 1008
25 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.

1 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.
2 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
3 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
4 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605
5 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
6 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–200, P.L.
7 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16,
8 excluding section 431 of P.L. 107–16, and P.L. 107–22, except that section 1366 (f)
9 (relating to pass-through of items to shareholders) is modified by substituting the
10 tax under s. 71.35 for the taxes under sections 1374 and 1375. The Internal Revenue
11 Code applies for Wisconsin purposes at the same time as for federal purposes.
12 Amendments to the federal Internal Revenue Code enacted after December 31, 2001,
13 do not apply to this paragraph with respect to taxable years beginning after
14 December 31, 2001.

15 **SECTION 217b.** 71.365 (1m) of the statutes is amended to read:

16 71.365 (1m) TAX-OPTION CORPORATIONS; DEPRECIATION. A tax-option corporation
17 ~~may~~ shall compute amortization and depreciation under either the federal Internal
18 Revenue Code as amended to December 31, 1999, ~~or the federal Internal Revenue~~
19 ~~Code in effect for the taxable year for which the return is filed~~ 2000, except that
20 property first placed in service by the taxpayer on or after January 1, 1983, but
21 before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required
22 to be depreciated under the Internal Revenue Code as amended to
23 December 31, 1980, and property first placed in service in taxable year 1981 or
24 thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is
25 required to be depreciated under the Internal Revenue Code as amended to

1 December 31, 1980, shall continue to be depreciated under the Internal Revenue
2 Code as amended to December 31, 1980. Any difference between the adjusted basis
3 for federal income tax purposes and the adjusted basis under this chapter shall be
4 taken into account in determining net income or loss in the year or years for which
5 the gain or loss is reportable under this chapter. If that property was placed in
6 service by the taxpayer during taxable year 1986 and thereafter but before the
7 property is used in the production of income subject to taxation under this chapter,
8 the property's adjusted basis and the depreciation or other deduction schedule are
9 not required to be changed from the amount allowable on the owner's federal income
10 tax returns for any year because the property is used in the production of income
11 subject to taxation under this chapter. If that property was acquired in a transaction
12 in taxable year 1986 or thereafter in which the adjusted basis of the property in the
13 hands of the transferee is the same as the adjusted basis of the property in the hands
14 of the transferor, the Wisconsin adjusted basis of that property on the date of transfer
15 is the adjusted basis allowable under the Internal Revenue Code as defined for
16 Wisconsin purposes for the property in the hands of the transferor.

17 **SECTION 219.** 71.42 (2) (f) of the statutes is repealed.

18 **SECTION 220.** 71.42 (2) (g) of the statutes is repealed.

19 **SECTION 221.** 71.42 (2) (h) of the statutes is amended to read:

20 71.42 (2) (h) For taxable years that begin after December 31, 1993, and before
21 January 1, 1995, "Internal Revenue Code" means the federal Internal Revenue Code
22 as amended to December 31, 1993 excluding sections 103, 104₁ and 110 of P.L.
23 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d)₁ and 13215 of P.L.
24 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7,
25 excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.

1 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,
2 and P.L. 106–554, and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L.
3 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
4 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.
5 102–486 and P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174,
6 13203 (d), and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
7 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.
8 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,
9 and P.L. 106–554, except that “Internal Revenue Code” does not include section 847
10 of the federal Internal Revenue Code. The Internal Revenue Code applies for
11 Wisconsin purposes at the same time as for federal purposes. Amendments to the
12 federal Internal Revenue Code enacted after December 31, 1993, do not apply to this
13 paragraph with respect to taxable years beginning after December 31, 1993, and
14 before January 1, 1995, except that changes to the Internal Revenue Code made by
15 P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L.
16 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L.
17 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and
18 changes that indirectly affect the provisions applicable to this subchapter made by
19 P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L.
20 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L.
21 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, apply for
22 Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 222.** 71.42 (2) (i) of the statutes is amended to read:

24 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before
25 January 1, 1996, “Internal Revenue Code” means the federal Internal Revenue Code

1 as amended to December 31, 1994, excluding sections 103, 104, and 110 of P.L.
2 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
3 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204,
4 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L.
5 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected by P.L.
6 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
7 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
8 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
9 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
10 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311, and 1605 of
11 P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L.
12 105–277, and P.L. 106–554, except that “Internal Revenue Code” does not include
13 section 847 of the federal Internal Revenue Code. The Internal Revenue Code
14 applies for Wisconsin purposes at the same time as for federal purposes.
15 Amendments to the federal Internal Revenue Code enacted after
16 December 31, 1994, do not apply to this paragraph with respect to taxable years
17 beginning after December 31, 1994, and before January 1, 1996, except that
18 changes to the Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding
19 sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
20 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and changes that
21 indirectly affect the provisions applicable to this subchapter made by P.L. 104–7, P.L.
22 104–188, excluding sections 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
23 104–191, P.L. 104–193, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L.
24 106–554, apply for Wisconsin purposes at the same time as for federal purposes.

25 **SECTION 223.** 71.42 (2) (j) of the statutes is amended to read:

1 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before
2 January 1, 1997, “Internal Revenue Code” means the federal Internal Revenue Code
3 as amended to December 31, 1995, excluding sections 103, 104, and 110 of P.L.
4 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.
5 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311,
6 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
7 105–206 and, P.L. 105–277, and P.L. 106–554, and as indirectly affected by P.L.
8 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
9 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
10 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
11 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
12 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311, and
13 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
14 105–206 and, P.L. 105–277, and P.L. 106–554, except that “Internal Revenue Code”
15 does not include section 847 of the federal Internal Revenue Code. The Internal
16 Revenue Code applies for Wisconsin purposes at the same time as for federal
17 purposes. Amendments to the federal Internal Revenue Code enacted after
18 December 31, 1995, do not apply to this paragraph with respect to taxable years
19 beginning after December 31, 1995, and before January 1, 1997, except that
20 changes to the Internal Revenue Code made by P.L. 104–188, excluding sections
21 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
22 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277, and P.L. 106–554, and changes
23 that indirectly affect the provisions applicable to this subchapter made by P.L.
24 104–188, excluding sections 1123, 1202, 1204, 1311, and 1605 of P.L. 104–188, P.L.
25 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–206 and, P.L. 105–277,

1 and P.L. 106–554, apply for Wisconsin purposes at the same time as for federal
2 purposes.

3 **SECTION 224.** 71.42 (2) (k) of the statutes is amended to read:

4 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before
5 January 1, 1998, “Internal Revenue Code” means the federal Internal Revenue Code
6 as amended to December 31, 1996, excluding sections 103, 104, and 110 of P.L.
7 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
8 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
9 amended by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and, P.L. 106–36,
10 P.L. 106–554, and P.L. 107–16, excluding section 431 of P.L. 107–16, and as indirectly
11 affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
12 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and
13 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
14 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
15 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
16 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
17 105–33, P.L. 105–34, P.L. 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and
18 P.L. 107–16, excluding section 431 of P.L. 107–16, except that “Internal Revenue
19 Code” does not include section 847 of the federal Internal Revenue Code. The
20 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
21 purposes. Amendments to the federal Internal Revenue Code enacted after
22 December 31, 1996, do not apply to this paragraph with respect to taxable years
23 beginning after December 31, 1996, and before January 1, 1998, except that
24 changes to the Internal Revenue Code made by P.L. 105–33, P.L. 105–34, P.L.
25 105–206, P.L. 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding

1 section 431 of P.L. 107–16, and changes that indirectly affect the provisions
2 applicable to this subchapter made by P.L. 105–33, P.L. 105–34, P.L. 105–206, P.L.
3 105–277 and, P.L. 106–36, P.L. 106–554, and P.L. 107–16, excluding section 431 of
4 P.L. 107–16, apply for Wisconsin purposes at the same time as for federal purposes.

5 **SECTION 225.** 71.42 (2) (L) of the statutes is amended to read:

6 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before
7 January 1, 1999, “Internal Revenue Code” means the federal Internal Revenue Code
8 as amended to December 31, 1997, excluding sections 103, 104, and 110 of P.L.
9 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
10 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
11 amended by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170,
12 P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16,
13 and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73,
14 P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding
15 sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66,
16 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
17 P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding
18 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191,
19 P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277,
20 P.L. 106–36 and, P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16,
21 excluding section 431 of P.L. 107–16, except that “Internal Revenue Code” does not
22 include section 847 of the federal Internal Revenue Code. The Internal Revenue
23 Code applies for Wisconsin purposes at the same time as for federal purposes.
24 Amendments to the federal Internal Revenue Code enacted after December 31, 1997,
25 do not apply to this paragraph with respect to taxable years beginning after

1 December 31, 1997, and before January 1, 1999, except that changes to the Internal
2 Revenue Code made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and,
3 P.L. 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of
4 P.L. 107–16, and changes that indirectly affect the provisions applicable to this
5 subchapter made by P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L.
6 106–170, P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L.
7 107–16, apply for Wisconsin purposes at the same time as for federal purposes.

8 **SECTION 226.** 71.42 (2) (m) of the statutes is amended to read:

9 71.42 (2) (m) For taxable years that begin after December 31, 1998, and before
10 January 1, 2000, “Internal Revenue Code” means the federal Internal Revenue Code
11 as amended to December 31, 1998, excluding sections 103, 104, and 110 of P.L.
12 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
13 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
14 amended by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554,
15 P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and as indirectly
16 affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
17 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and
18 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
19 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
20 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
21 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
22 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L.
23 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L. 107–16,
24 excluding section 431 of P.L. 107–16, except that “Internal Revenue Code” does not
25 include section 847 of the federal Internal Revenue Code. The Internal Revenue

1 Code applies for Wisconsin purposes at the same time as for federal purposes.
2 Amendments to the federal Internal Revenue Code enacted after December 31, 1998,
3 do not apply to this paragraph with respect to taxable years beginning after
4 December 31, 1998, and before January 1, 2000, except that changes to the Internal
5 Revenue Code made by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519,
6 P.L. 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16,
7 and changes that indirectly affect the provisions applicable to this subchapter made
8 by P.L. 106–36 and, P.L. 106–170, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L.
9 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin
10 purposes at the same time as for federal purposes.

11 **SECTION 227.** 71.42 (2) (n) of the statutes is amended to read:

12 71.42 (2) (n) For taxable years that begin after December 31, 1999, and before
13 January 1, 2001, “Internal Revenue Code” means the federal Internal Revenue Code
14 as amended to December 31, 1999, excluding sections 103, 104, and 110 of P.L.
15 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66
16 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
17 amended by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573,
18 and P.L. 107–16, excluding section 431 of P.L. 107–16, and as indirectly affected by
19 P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
20 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.
21 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
22 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
23 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
24 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
25 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36 and, P.L. 106–170,

1 P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L.
2 107–16, excluding section 431 of P.L. 107–16, except that “Internal Revenue Code”
3 does not include section 847 of the federal Internal Revenue Code. The Internal
4 Revenue Code applies for Wisconsin purposes at the same time as for federal
5 purposes. Amendments to the federal Internal Revenue Code enacted after
6 December 31, 1999, do not apply to this paragraph with respect to taxable years
7 beginning after December 31, 1999, and before January 1, 2001, except that changes
8 to the Internal Revenue Code made by P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L.
9 106–554, P.L. 106–573, and P.L. 107–16, excluding section 431 of P.L. 107–16, and
10 changes that indirectly affect the provisions applicable to this subchapter made by
11 P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L. 106–573, and P.L.
12 107–16, excluding section 431 of P.L. 107–16, apply for Wisconsin purposes at the
13 same time as for federal purposes.

14 **SECTION 228.** 71.42 (2) (o) of the statutes is created to read:

15 71.42 (2) (o) For taxable years that begin after December 31, 2000, and before
16 January 1, 2002, “Internal Revenue Code” means the federal Internal Revenue Code
17 as amended to December 31, 2000, excluding sections 103, 104, and 110 of P.L.
18 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
19 and sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and as
20 amended by P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L. 107–22, and
21 as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
22 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
23 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
24 sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L.
25 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections

1 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.
2 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.
3 106–36, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554, P.L.
4 106–573, P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L. 107–22, except
5 that “Internal Revenue Code” does not include section 847 of the federal Internal
6 Revenue Code. The Internal Revenue Code applies for Wisconsin purposes at the
7 same time as for federal purposes. Amendments to the federal Internal Revenue
8 Code enacted after December 31, 2000, do not apply to this paragraph with respect
9 to taxable years beginning after December 31, 2000, and before January 1, 2002,
10 except that changes to the Internal Revenue Code made by P.L. 107–16, excluding
11 section 431 of P.L. 107–16, and P.L. 107–22, and changes that indirectly affect the
12 provisions applicable to this subchapter made by P.L. 107–16, excluding section 431
13 of P.L. 107–16, and P.L. 107–22, apply for Wisconsin purposes at the same time as
14 for federal purposes.

15 **SECTION 229.** 71.42 (2) (p) of the statutes is created to read:

16 71.42 (2) (p) For taxable years that begin after December 31, 2001, “Internal
17 Revenue Code” means the federal Internal Revenue Code as amended to
18 December 31, 2001, excluding sections 103, 104, and 110 of P.L. 102–227, sections
19 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),
20 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, and section 431 of P.L. 107–16,
21 and as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73,
22 P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding
23 sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66,
24 excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,
25 P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding

1 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191,
2 P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277,
3 P.L. 106–36, P.L. 106–170, P.L. 106–200, P.L. 106–230, P.L. 106–519, P.L. 106–554,
4 P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, and P.L.
5 107–22, except that “Internal Revenue Code” does not include section 847 of the
6 federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin
7 purposes at the same time as for federal purposes. Amendments to the federal
8 Internal Revenue Code enacted after December 31, 2001, do not apply to this
9 paragraph with respect to taxable years beginning after December 31, 2001.

10 **SECTION 230b.** 71.45 (2) (a) 13. of the statutes is amended to read:

11 71.45 (2) (a) 13. By adding or subtracting, as appropriate, the difference
12 ~~between the depreciation deduction under the federal Internal Revenue Code as~~
13 ~~amended to December 31, 1999 and the depreciation deduction under the federal~~
14 ~~Internal Revenue Code in effect for the taxable year for which the return is filed, so~~
15 ~~as to reflect the fact that the insurer may choose between these 2 deductions~~ 2000,
16 except that property first placed in service by the taxpayer on or after
17 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),
18 1985 stats., is required to be depreciated under the Internal Revenue Code as
19 amended to December 31, 1980, and property first placed in service in taxable year
20 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985
21 stats., is required to be depreciated under the Internal Revenue Code as amended
22 to December 31, 1980, shall continue to be depreciated under the Internal Revenue
23 Code as amended to December 31, 1980.

24 **SECTION 231c.** 71.45 (3) (intro.) of the statutes is amended to read:

1 71.45 (3) APPORTIONMENT. (intro.) ~~With respect~~ Except as provided in sub. (3d),
2 to determine Wisconsin income for purposes of the franchise tax, domestic insurers
3 ~~not engaged in the sale of life insurance but which~~ that, in the taxable year, have
4 ~~collected~~ received premiums, ~~other than life insurance premiums,~~ written on
5 ~~subjects of~~ for insurance on property or risks resident, located or to be performed
6 outside this state, ~~there shall be subtracted from~~ multiply the net income figure
7 derived by application of sub. (2) (a) ~~to arrive at Wisconsin income constituting the~~
8 ~~measure of the franchise tax an amount calculated by multiplying such adjusted~~
9 ~~federal taxable income~~ by the arithmetic average of the following 2 percentages:

10 **SECTION 231d.** 71.45 (3) (a) of the statutes is amended to read:

11 71.45 (3) (a) ~~The~~ Subject to sub. (3d), the percentage of total determined by
12 dividing the sum of direct premiums written ~~on all property and risks for insurance~~
13 ~~other than life insurance,~~ with respects to all property and risks resident, located,
14 or to be performed in this state, and assumed premiums written for reinsurance,
15 other than life insurance, with respect to all property and risks resident, located, or
16 to be performed in this state, by the sum of direct premiums written for insurance
17 on all property and risks, other than life insurance, wherever located during the
18 ~~taxable year, as reflects,~~ and assumed premiums written ~~on insurance for~~
19 reinsurance on all property and risks, other than life insurance, ~~where the subject~~
20 ~~of insurance was resident, located or to be performed outside this state~~ wherever
21 located. In this paragraph, “direct premiums” means direct premiums as reported
22 for the taxable year on an annual statement that is filed by the insurer with the
23 commissioner of insurance under s. 601.42 (1g) (a). In this paragraph, “assumed
24 premiums” means assumed reinsurance premiums from domestic insurance

1 companies as reported for the taxable year on an annual statement that is filed with
2 the commissioner of insurance under s. 601.42 (1g) (a).

3 **SECTION 231e.** 71.45 (3) (b) of the statutes is renumbered 71.45 (3) (b) 1. and
4 amended to read:

5 71.45 (3) (b) 1. The Subject to sub. (3d), the percentage of determined by
6 dividing the payroll, exclusive of life insurance payroll, paid in this state in the
7 taxable year by total payroll, exclusive of life insurance payroll, paid everywhere in
8 the taxable year as reflects such compensation paid outside this state.
9 Compensation.

10 2. Under subd. 1., payroll is paid outside in this state if the individual's service
11 is performed entirely outside in this state; or the individual's service is performed
12 both ~~within and without~~ in and outside this state, but the service performed within
13 outside this state is incidental to the individual's service ~~without~~ in this state; or
14 some service is performed ~~without~~ in this state and the base of operations, or if there
15 is no base of operations, the place from which the service is directed or controlled is
16 ~~without~~ in this state, or the base of operations or the place from which the service is
17 directed or controlled is not in any state in which some part of the service is
18 performed, but the individual's residence is outside in this state.

19 **SECTION 231f.** 71.45 (3d) of the statutes is created to read:

20 71.45 (3d) PREMIUMS FACTOR; DOMESTIC INSURERS. For taxable years beginning
21 after December 31, 2003, a domestic insurer that is subject to apportionment under
22 sub. (3) and this subsection shall multiply the net income figure derived by the
23 application of sub. (2) by an apportionment fraction composed of the percentage
24 under sub. (3) (a) representing 55% of the fraction and the percentage under sub. (3)
25 (b) 1. representing 45% of the fraction.

1 **SECTION 231g.** 71.45 (3m) of the statutes is amended to read:

2 71.45 **(3m)** ARITHMETIC AVERAGE. ~~The Except as provided in sub. (3d), the~~
3 arithmetic average of the 2 percentages referred to in sub. (3) shall be applied to the
4 net income figure arrived at by the successive application of sub. (2) (a) and (b) with
5 respect to Wisconsin insurers to which sub. (2) (a) and (b) applies and which have
6 collected received premiums, other than life insurance premiums, written upon for
7 insurance, ~~other than life insurance, where the subject of such insurance was on~~
8 property or risks resident, located or to be performed outside this state, to arrive at
9 Wisconsin income constituting the measure of the franchise tax.

10 **SECTION 232.** 71.83 (2) (b) of the statutes is amended to read:

11 71.83 **(2)** (b) *Felony*. 1. ‘False income tax return; fraud.’ Any person, other than
12 a corporation or limited liability company, who renders a false or fraudulent income
13 tax return with intent to defeat or evade any assessment required by this chapter
14 ~~shall be~~ is guilty of a Class H felony and may be ~~fined not more than \$10,000 or~~
15 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~
16 the cost of prosecution. In this subdivision, “return” includes a separate return filed
17 by a spouse with respect to a taxable year for which a joint return is filed under s.
18 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by
19 the spouses with respect to a taxable year for which a separate return is filed under
20 s. 71.03 (2) (m) after the filing of that joint return.

21 2. ‘Officer of a corporation; false franchise or income tax return.’ Any officer
22 of a corporation or manager of a limited liability company required by law to make,
23 render, sign or verify any franchise or income tax return, who makes any false or
24 fraudulent franchise or income tax return, with intent to defeat or evade any
25 assessment required by this chapter ~~shall be~~ is guilty of a Class H felony and may

1 be ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
2 ~~or both, together with~~ assessed the cost of prosecution.

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

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

17 **SECTION 233m.** 79.005 (3) of the statutes is amended to read:

18 79.005 (3) “Production plant” ~~also includes~~ does not include substations and
19 general structures.

20 **SECTION 234.** 79.01 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
21 is amended to read:

22 79.01 (1) There is established an account in the general fund entitled the
23 “Expenditure Restraint Program Account.” There shall be appropriated to that
24 account \$25,000,000 in 1991, in 1992, and in 1993; \$42,000,000 in 1994; \$48,000,000
25 in each year beginning in 1995 and ending in 1999; \$57,000,000 in the year 2000 and

1 in the year 2001; and \$57,570,000 in 2002; ~~and \$58,145,700 in 2003 and in each year~~
2 thereafter.

3 **SECTION 234b.** 79.01 (2d) of the statutes is created to read:

4 79.01 (2d) There is established an account in the general fund entitled the
5 “County and Municipal Aid Account.” There shall be appropriated to that account
6 \$750,000,000 in 2003 and \$487,000,000 in 2004 and in each year thereafter, plus any
7 additional amounts determined under s. 79.035 (2).

8 **SECTION 234d.** 79.01 (2m) of the statutes is created to read:

9 79.01 (2m) There is established an account in the general fund entitled the
10 “Public Utility Distribution Account,” referred to in this chapter as the “public utility
11 account.” There shall be appropriated to the public utility account the sums specified
12 in s. 79.04 (4), (6), and (7).

13 **SECTION 234r.** 79.015 of the statutes is amended to read:

14 **79.015 Statement of estimated payments.** The department of revenue, on
15 or before September 15 of each year, shall provide to each municipality and county
16 a statement of estimated payments to be made in the next calendar year to the
17 municipality or county under ss. 79.03, 79.035, 79.04, 79.05, 79.058, and 79.06.

18 **SECTION 236.** 79.02 (2) (b) of the statutes is amended to read:

19 79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
20 municipality’s or county’s estimated payments under ss. 79.03, 79.035, 79.04, 79.058,
21 and 79.06 and 100% of the municipality’s estimated payments under s. 79.05.

22 **SECTION 238.** 79.02 (3) of the statutes is amended to read:

23 79.02 (3) Subject to s. 59.605 (4), payments to each municipality and county in
24 November shall equal that municipality’s or county’s entitlement to shared revenues
25 under ss. 79.03, 79.035, 79.04, 79.05, 79.058, and 79.06 for the current year, minus

1 the amount distributed to the municipality or county in July. In November 2002, the
2 amount of the payments to each municipality and county under ss. 79.03, 79.04,
3 79.05, 79.058, and 79.06 to be paid from the appropriation account under s. 20.855
4 (4) (rb) shall be the amount of such payments to the municipality or county
5 multiplied by the quotient of an amount equal to the moneys available, as
6 determined by the department of administration, from the appropriation account
7 under s. 20.855 (4) (rb) divided by \$826,068,930.

8 **SECTION 239.** 79.03 (1) of the statutes is amended to read:

9 79.03 (1) Each Ending with the distributions in 2002, each municipality and
10 county is entitled to shared revenue, consisting of an amount determined on the basis
11 of population under sub. (2), plus an amount determined under sub. (3).

12 **SECTION 240.** 79.03 (3c) (b) (intro.) of the statutes is amended to read:

13 79.03 (3c) (b) *Eligibility.* (intro.) ~~A~~ Ending with the distributions in 2002, a
14 municipality is eligible for a payment under this subsection if all of the following
15 conditions are met:

16 **SECTION 241.** 79.03 (3c) (f) of the statutes, as affected by 2001 Wisconsin Act
17 16, is amended to read:

18 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
19 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
20 paid to each eligible municipality shall be paid on a prorated basis. The total amount
21 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
22 in 1996 and ending in 1999; and \$11,000,000 in the year 2000 and in the year 2001;
23 The total amount to be distributed under this subsection from ss. 20.835 (1) (b) and
24 20.855 (4) (rb) is \$11,110,000 in 2002; and \$11,221,100 in 2003 and in each year
25 thereafter.

1 **SECTION 242.** 79.03 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
4 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
5 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
6 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
7 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
8 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
9 municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,
10 the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
11 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
12 total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. ss. 20.835
13 (1) (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities and \$170,671,600 to
14 counties. ~~In 2003 and subsequent years, the total amounts to be distributed under~~
15 ~~ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) are \$776,783,700 to municipalities~~
16 ~~and \$172,378,300 to counties.~~

17 **SECTION 243.** 79.03 (5) (a) of the statutes, as created by 2001 Wisconsin Act 16,
18 is amended to read:

19 79.03 (5) (a) In 2002 ~~and 2003~~, each municipality shall receive a shared
20 revenue payment that is equal to the amount of the payment it received in the
21 previous year, multiplied by 101%.

22 **SECTION 244.** 79.03 (6) of the statutes is created to read:

23 79.03 (6) Beginning in 2003, no municipality or county may receive payments
24 under subs. (2) and (3) and no municipality may receive a payment under sub. (3c).

25 **SECTION 244d.** 79.035 of the statutes is created to read:

1 **79.035 County and municipal aid. (1)** (a) 1. Subject to par. (b), in 2003, each
2 county shall receive a payment from the county and municipal aid account in an
3 amount equal to the total amount of the payments under ss. 79.03 (3), 79.04, 79.058,
4 and 79.06 distributed to the county in 2002.

5 2. Subject to par. (b), in 2003, each municipality shall receive a payment from
6 the county and municipal aid account in an amount equal to the amount of the
7 payment under s. 79.03 (5) (a) distributed to the municipality in 2002.

8 (b) The department of revenue shall reduce the amount of each payment to a
9 county and municipality under par. (a) by subtracting from each such payment an
10 amount based on population, as determined by the department, so that the total
11 amount of all such payments is \$750,000,000, except that no county or municipality
12 shall receive a payment in an amount that is less than 35% of the amount of the
13 payments specified in par. (a) that the county or municipality received in 2002.
14 Notwithstanding s. 79.005 (2), to calculate reductions under this paragraph, the
15 department of revenue, in consultation with the department of administration, shall
16 estimate population by using the 2000 federal decennial census.

17 **(2)** (a) In 2004, counties and municipalities shall receive additional payments.
18 The total amount of all such payments shall equal the amount specified for all
19 counties and municipalities in 2004, multiplied by the lesser of the percentage that
20 represents growth in general fund tax revenue from the 2002–03 fiscal year to the
21 2003–04 fiscal year, as estimated in the 2003–05 biennial budget act, and the
22 percentage equal to the average annual percentage change in the U.S. consumer
23 price index for all urban consumers, U.S. city average, as determined by the U.S.
24 department of labor, for the 12 months ending on June 30, 2003, plus 1%.

1 (b) Annually, beginning in 2005, counties and municipalities shall receive
2 additional payments. The total amount of all such payments shall equal the amount
3 all counties and municipalities received from the county and municipal aid account
4 in the prior year, multiplied by the lesser of the percentage that represents growth
5 in general fund tax revenue from the fiscal year 2 years prior to the fiscal year in
6 which a payment is distributed under this paragraph to the fiscal year prior to the
7 fiscal year in which a payment is distributed under this paragraph, as estimated by
8 either the biennial budget act or ch. 20 as of the end of the biennium, and the
9 percentage equal to the average annual percentage change in the U.S. consumer
10 price index for all urban consumers, U.S. city average, as determined by the U.S.
11 department of labor, for the 12 months ending on June 30 of the year prior to the year
12 in which a payment is distributed under this paragraph, plus 1%.

13 **SECTION 245.** 79.04 (1) (intro.) of the statutes, as affected by 2001 Wisconsin
14 Act 16, is amended to read:

15 79.04 (1) (intro.) Annually, ending with the distributions in 2002, the
16 department of administration, upon certification by the department of revenue, shall
17 distribute to a municipality having within its boundaries a production plant or a
18 general structure, including production plants and general structures under
19 construction, used by a light, heat, or power company assessed under s. 76.28 (2) or
20 76.29 (2), except property described in s. 66.0813 unless the production plant is
21 owned or operated by a local governmental unit located outside of the municipality,
22 or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by
23 a municipal electric company under s. 66.0825 the amount determined as follows:

24 **SECTION 246.** 79.04 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
25 is amended to read:

1 79.04 (2) (a) Annually, ending with the distributions in 2002, the department
2 of administration, upon certification by the department of revenue, shall distribute
3 from the shared revenue account to any county having within its boundaries a
4 production plant or a general structure, including production plants and general
5 structures under construction, used by a light, heat, or power company assessed
6 under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the
7 production plant is owned or operated by a local governmental unit that is located
8 outside of the municipality in which the production plant is located, or by an electric
9 cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal
10 electric company under s. 66.0825 an amount determined by multiplying by 6 mills
11 in the case of property in a town and by 3 mills in the case of property in a city or
12 village the first \$125,000,000 of the amount shown in the account, plus leased
13 property, of each public utility except qualified wholesale electric companies, as
14 defined in s. 76.28 (1) (gm), on December 31 of the preceding year for either
15 “production plant, exclusive of land” and “general structures”, or “work in progress”
16 for production plants and general structures under construction, in the case of light,
17 heat, and power companies, electric cooperatives, or municipal electric companies,
18 for all property within the municipality in accordance with the system of accounts
19 established by the public service commission or rural electrification administration,
20 less depreciation thereon as determined by the department of revenue and less the
21 value of treatment plant and pollution abatement equipment, as defined under s.
22 70.11 (21) (a), as determined by the department of revenue plus an amount from the
23 shared revenue account determined by multiplying by 6 mills in the case of property
24 in a town, and 3 mills in the case of property in a city or village, of the total original
25 cost of production plant, general structures, and work-in-progress less depreciation,

1 land, and approved waste treatment facilities of each qualified wholesale electric
2 company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of
3 all property within the municipality. The total of amounts, as depreciated, from the
4 accounts of all public utilities for the same production plant is also limited to not
5 more than \$125,000,000. The amount distributable to a county in any year shall not
6 exceed \$100 times the population of the county.

7 **SECTION 247.** 79.04 (4) (a) of the statutes is amended to read:

8 79.04 (4) (a) Annually, except for the distribution in 2003, in addition to the
9 amount distributed under ~~sub. (1)~~ subs. (1), (6), and (7), the department of
10 administration shall distribute from the public utility account \$50,000 to a
11 municipality if spent nuclear fuel is stored within the municipality on December 31
12 of the preceding year. If a spent nuclear fuel storage facility is located within one mile
13 of a municipality, that municipality shall receive \$10,000 annually and the
14 municipality where that storage facility is located shall receive \$40,000 annually.

15 **SECTION 248.** 79.04 (4) (b) of the statutes is amended to read:

16 79.04 (4) (b) Annually, except for the distribution in 2003, in addition to the
17 amount distributed under ~~sub. (2)~~ subs. (2), (6), and (7), the department of
18 administration shall distribute from the public utility account \$50,000 to a county
19 if spent nuclear fuel is stored within the county on December 31 of the preceding year.
20 If a spent nuclear fuel storage facility is located at a production plant located in more
21 than one county, the payment shall be apportioned according to the formula under
22 sub. (1) (c) 2., except that the formula, as it applies to municipalities in that
23 subdivision, applies to counties in this paragraph. The payment under this
24 paragraph may not be less than \$10,000 annually.

25 **SECTION 249.** 79.04 (5) of the statutes is created to read:

1 79.04 (5) Beginning in 2003, no municipality or county may receive a payment
2 under subs. (1) and (2).

3 **SECTION 249b.** 79.04 (6) of the statutes is created to read:

4 79.04 (6) (a) Annually, beginning in 2004, the department of administration,
5 upon certification by the department of revenue, shall distribute payments from the
6 public utility account, as determined under par. (b), to each municipality and county
7 in which a production plant is located, if the production plant is used by a light, heat,
8 or power company assessed under s. 76.28 (2) or 76.29 (2); except property described
9 in s. 66.0813, unless the production plant is owned or operated by a local
10 governmental unit located outside of the municipality; a qualified wholesale electric
11 company, as defined in s. 76.28 (1) (gm), a wholesale merchant plant, as defined in
12 s. 196.49 (1) (w), an electric cooperative assessed under ss. 76.07 and 76.48,
13 respectively, or a municipal electric company under s. 66.0825.

14 (b) Subject to pars. (c) and (e) to (i), each municipality entitled to a payment
15 under par. (a) shall receive a payment equal to a portion of the amount determined
16 as follows; and, subject to pars. (c) and (f) to (i), each county in which such a
17 municipality is located shall receive a payment equal to a portion of the amount
18 determined as follows:

19 1. If the total name–plate capacity of the production plants located in the
20 municipality is no more than 10 megawatts, \$10,000.

21 2. If the total name–plate capacity of the production plants located in the
22 municipality exceeds 10 megawatts but is no more than 25 megawatts, \$25,000.

23 3. If the total name–plate capacity of the production plants located in the
24 municipality exceeds 25 megawatts but is no more than 50 megawatts, \$50,000.

1 4. If the total name–plate capacity of the production plants located in the
2 municipality exceeds 50 megawatts but is no more than 100 megawatts, \$150,000.

3 5. If the total name–plate capacity of the production plants located in the
4 municipality exceeds 100 megawatts but is no more than 200 megawatts, \$300,000.

5 6. If the total name–plate capacity of the production plants located in the
6 municipality exceeds 200 megawatts but is no more than 300 megawatts, \$500,000.

7 7. If the total name–plate capacity of the production plants located in the
8 municipality exceeds 300 megawatts but is no more than 400 megawatts, \$700,000.

9 8. If the total name–plate capacity of the production plants located in the
10 municipality exceeds 400 megawatts but is no more than 800 megawatts, \$800,000.

11 9. If the total name–plate capacity of the production plants located in the
12 municipality exceeds 800 megawatts but is no more than 1,300 megawatts,
13 \$1,000,000.

14 10. If the total name–plate capacity of the production plants located in the
15 municipality exceeds 1,300 megawatts but is no more than 1,800 megawatts,
16 \$1,150,000.

17 11. If the total name–plate capacity of the production plants located in the
18 municipality exceeds 1,800 megawatts but is no more than 2,400 megawatts,
19 \$1,300,000.

20 12. If the total name–plate capacity of the production plants located in the
21 municipality exceeds 2,400 megawatts but is no more than 3,000 megawatts,
22 \$1,500,000.

23 13. If the total name–plate capacity of the production plants located in the
24 municipality exceeds 3,000 megawatts, \$2,000,000.

1 (c) If the production plant is located in a city or village, the city or village
2 receives a payment equal to two-thirds of the amount determined under par. (b) and
3 the county in which the city or village is located receives a payment equal to
4 one-third of the amount determined under par. (b). If the production plant is located
5 in a town, the town receives a payment equal to one-third of the amount determined
6 under par. (b) and the county in which the town is located receives a payment equal
7 to two-thirds of the amount determined under par. (b). If a municipality is located
8 in more than one county, the county in which the production plant is located shall
9 receive the county portion of the payment.

10 (d) Subject to pars. (e) and (f), annually, beginning in 2004, the department of
11 administration, upon certification by the department of revenue, shall distribute
12 payments from the public utility account to each municipality and county in which
13 a substation is located in an amount based on the net book value of the substation
14 and as determined under sub. (1), for a municipality, or sub. (2), for a county, if the
15 substation is used by a light, heat, or power company assessed under s. 76.28 (2) or
16 76.29 (2); except property described in s. 66.0813, unless the substation is owned or
17 operated by a local governmental unit located outside of the municipality; a qualified
18 wholesale electric company, as defined in s. 76.28 (1) (gm), a wholesale merchant
19 plant, as defined in s. 196.49 (1) (w), an electric cooperative assessed under ss. 76.07
20 and 76.48, respectively, or a municipal electric company under s. 66.0825.

21 (e) Except as provided in par. (i), the total amount distributable to a
22 municipality under this subsection shall not exceed the following:

23 1. For the distribution in 2004, an amount equal to the municipality's
24 population multiplied by \$450.

1 2. For the distribution in 2005, an amount equal to the municipality's
2 population multiplied by \$650.

3 3. For the distribution in 2006, an amount equal to the municipality's
4 population multiplied by \$950.

5 4. For the distribution in 2007 and subsequent years, an amount equal to the
6 municipality's population multiplied by \$1,200.

7 (f) Except as provided in par. (i), the total amount distributable to a county
8 under this subsection shall not exceed the following:

9 1. For the distribution in 2004, an amount equal to the county's population
10 multiplied by \$225.

11 2. For the distribution in 2005, an amount equal to the county's population
12 multiplied by \$325.

13 3. For the distribution in 2006, an amount equal to the county's population
14 multiplied by \$475.

15 4. For the distribution in 2007 and subsequent years, an amount equal to the
16 county's population multiplied by \$600.

17 (g) For the purpose of determining the amount of the payment under par. (b),
18 if a production plant is located in more than one municipality, the name-plate
19 capacity of the production plant is attributable to the municipality in which the
20 majority of the plant is physically located and the payment amount that would result
21 under par. (b) as if there are no other plants in that municipality shall be divided
22 among the municipalities in which the plant is located based on the net book value
23 of that portion of the plant located in each municipality as of December 31, 2003, or
24 as of the date on which the plant is operational, whichever is later. This paragraph
25 applies to property classified as "production plant" under the system of accounts

1 established by the public service commission that is not an electric generating
2 facility, if the net book value of the property exceeds \$800,000.

3 (h) For the purpose of determining the amount of the payment under par. (b),
4 the name–plate capacity associated with a production plant under construction shall
5 be attributed to the municipality in which the production plant is located based on
6 the percentage of construction completed on December 31 of the year prior to the year
7 of a distribution under this subsection, as determined by the department of revenue.

8 (i) The total amount of the combined payments distributed to a municipality
9 and county under par. (b) may not be less than the amount of the combined payments
10 the municipality and county would have received on the value of production plants,
11 exclusive of substations, under s. 79.04, 1999 stats., in 2004, provided such
12 production plants remain in operation.

13 **SECTION 249d.** 79.04 (7) of the statutes is created to read:

14 79.04 (7) (a) Beginning with payments in 2004, if a production plant, as
15 described in sub. (6) (a), other than a coal–powered or nuclear–powered production
16 plant, is built on the site of, or on a site adjacent to, an existing or decommissioned
17 production plant or on, or on a site adjacent to, brownfields, as defined in s. 560.13
18 (1) (a), after January 1, 2003, and is operating at a name–plate capacity of at least
19 50 megawatts, each municipality and county in which such a production plant is
20 located shall receive annually from the public utility account a payment equal to the
21 amount determined as follows:

22 1. If the production plant’s name–plate capacity is at least 50 megawatts but
23 is no more than 100 megawatts, \$45,000.

24 2. If the production plant’s name–plate capacity exceeds 100 megawatts but is
25 no more than 200 megawatts, \$90,000.

1 3. If the production plant's name-plate capacity exceeds 200 megawatts but is
2 no more than 400 megawatts, \$180,000.

3 4. If the production plant's name-plate capacity exceeds 400 megawatts but is
4 no more than 600 megawatts, \$300,000.

5 5. If the production plant's name-plate capacity exceeds 600 megawatts,
6 \$420,000.

7 (b) Beginning with payments in 2004, if a production plant, as described in sub.
8 (6) (a), that is coal-powered is built on the site of, or on a site adjacent to, an existing
9 or decommissioned production plant or on, or on a site adjacent to, brownfields, as
10 defined in s. 560.13 (1) (a), after January 1, 2003, and is operating at a name-plate
11 capacity of at least 50 megawatts, each municipality and county in which such a
12 production plant is located shall receive annually from the public utility account a
13 payment equal to the amount determined as follows:

14 1. If the production plant's name-plate capacity is at least 50 megawatts but
15 is no more than 100 megawatts, \$90,000 to the municipality and \$45,000 to the
16 county.

17 2. If the production plant's name-plate capacity exceeds 100 megawatts but is
18 no more than 200 megawatts, \$180,000 to the municipality and \$90,000 to the
19 county.

20 3. If the production plant's name-plate capacity exceeds 200 megawatts but is
21 no more than 400 megawatts, \$360,000 to the municipality and \$180,000 to the
22 county.

23 4. If the production plant's name-plate capacity exceeds 400 megawatts but is
24 no more than 600 megawatts, \$600,000 to the municipality and \$300,000 to the
25 county.

1 5. If the production plant's name-plate capacity exceeds 600 megawatts,
2 \$840,000 to the municipality and \$420,000 to the county.

3 **SECTION 250.** 79.05 (2) (intro.) of the statutes is amended to read:

4 79.05 (2) (intro.) ~~A- Ending with the distributions in 2002, a~~ municipality is
5 eligible for a payment under sub. (3) if it fulfills all of the following requirements:

6 **SECTION 251.** 79.05 (7) of the statutes is created to read:

7 79.05 (7) Beginning in 2003, no municipality may receive a payment under this
8 section.

9 **SECTION 252.** 79.058 (1) of the statutes is amended to read:

10 79.058 (1) ~~Each Ending with the distributions in 2002, each~~ county is entitled
11 to a mandate relief payment equal to the per person distribution under sub. (2) times
12 the county's population for the year in which the statement under s. 79.015 is
13 provided as determined under s. 16.96 (2).

14 **SECTION 253.** 79.058 (3) (d) of the statutes, as created by 2001 Wisconsin Act
15 16, is amended to read:

16 79.058 (3) (d) In 2002, \$20,971,400, less amounts paid from the appropriation
17 account under s. 20.855 (4) (rb).

18 **SECTION 254b.** 79.058 (3) (e) of the statutes, as created by 2001 Wisconsin Act
19 16, is repealed.

20 **SECTION 255.** 79.058 (4) of the statutes is created to read:

21 79.058 (4) Beginning in 2003, no county may receive a payment under this
22 section.

23 **SECTION 257.** 79.06 (3) of the statutes is created to read:

24 79.06 (3) SUNSET. Beginning in 2003, no municipality or county may receive
25 a payment under this section.

1 **SECTION 259.** 86.192 (4) of the statutes is amended to read:

2 86.192 **(4)** Any person who violates this section ~~shall be fined not more than~~
3 \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class H felony
4 if the injury, defacement or removal causes the death of a person.

5 **SECTION 259r.** 93.07 (10) (a) of the statutes is repealed.

6 **SECTION 259s.** 93.07 (10) (b) of the statutes is renumbered 93.07 (10) and
7 amended to read:

8 93.07 **(10)** ANIMAL HEALTH; QUARANTINE. To protect the health of domestic
9 animals ~~of the~~ located in this state; and of humans residing in this state and to
10 determine and employ the most efficient and practical means for the prevention,
11 suppression, control, and eradication of communicable diseases among domestic
12 animals, ~~and for.~~ For these purposes ~~it,~~ the department may establish, maintain,
13 enforce, and regulate such quarantine and such other measures relating to the
14 importation, movement, and care of animals and their products, the disinfection of
15 suspected localities and articles, and the disposition of animals, as the department
16 ~~may deem~~ determines are necessary. The definition of “communicable disease” in s.
17 990.01 (5g) does not apply to this ~~paragraph~~ subsection.

18 **SECTION 260.** 93.29 of the statutes is repealed.

19 **SECTION 260p.** 95.65 of the statutes is created to read:

20 **95.65 Intrastate transportation of white-tailed deer. (1)** In this section,
21 “cervid” means a member of the family of animals that includes deer and moose.

22 **(2)** The department shall impose the same requirements on the intrastate
23 transportation of white-tailed deer that it imposes on the intrastate transportation
24 of other cervids.

25 **SECTION 261.** 97.43 (4) of the statutes is amended to read:

1 97.43 (4) ~~Whoever violates this section may be fined not less than \$500 nor~~
2 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
3 ~~guilty of a Class H felony.~~

4 **SECTION 262.** 97.45 (2) of the statutes is amended to read:

5 97.45 (2) ~~Whoever violates this section may be fined not less than \$500 nor~~
6 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~
7 ~~guilty of a Class H felony.~~

8 **SECTION 263.** 100.171 (7) (b) of the statutes is amended to read:

9 100.171 (7) (b) ~~Whoever intentionally violates this section may be fined not~~
10 ~~more than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class~~
11 ~~I felony.~~ A person intentionally violates this section if the violation occurs after the
12 department or a district attorney has notified the person by certified mail that the
13 person is in violation of this section.

14 **SECTION 264.** 100.2095 (6) (d) of the statutes is amended to read:

15 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less
16 ~~than \$100 nor more than \$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~
17 9 months or both. Each day of violation constitutes a separate offense.

18 **SECTION 265.** 100.26 (2) of the statutes is amended to read:

19 100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~
20 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~
21 ~~6 months or both is guilty of a Class I felony.~~

22 **SECTION 266.** 100.26 (5) of the statutes, as affected by 2001 Wisconsin Act 16,

23 is amended to read:

1 100.26 (5) Any person violating s. 100.18 (9) shall may be fined not less than
2 \$100 ~~nor~~ more than \$1,000 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months
3 or both. Each day of violation constitutes a separate offense.

4 **SECTION 267.** 100.26 (7) of the statutes is amended to read:

5 100.26 (7) Any person violating s. 100.182 shall may be fined not less than \$500
6 ~~nor~~ more than \$5,000 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or
7 both for each offense. Each unlawful advertisement published, printed or mailed on
8 separate days or in separate publications, hand bills or direct mailings is a separate
9 violation of this section.

10 **SECTION 268.** 101.10 (4) (b) of the statutes, as created by 2001 Wisconsin Act
11 3, is amended to read:

12 101.10 (4) (b) Except as provided in par. (c), any person who violates sub. (3)
13 ~~may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6~~
14 ~~months, or both, for each violation~~ is guilty of a Class I felony. Notwithstanding s.
15 101.02 (12), each act in violation of sub. (3) constitutes a separate offense.

16 **SECTION 269.** 101.143 (10) (b) of the statutes is amended to read:

17 101.143 (10) (b) Any owner or operator, person owning a home oil tank system
18 or service provider who intentionally destroys a document that is relevant to a claim
19 for reimbursement under this section ~~may be fined not more than \$10,000 or~~
20 ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony.

21 **SECTION 270.** 101.9204 (2) of the statutes is amended to read:

22 101.9204 (2) Any person who knowingly makes a false statement in an
23 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
24 ~~for not more than 5 years or both~~ is guilty of a Class H felony.

25 **SECTION 271.** 101.94 (8) (b) of the statutes is amended to read:

1 101.94 **(8)** (b) Any individual or a director, officer or agent of a corporation who
2 knowingly and wilfully violates this subchapter in a manner which threatens the
3 health or safety of a purchaser ~~shall~~ may be fined not more than \$1,000 \$10,000 or
4 imprisoned for not more than ~~2-years~~ 9 months or both.

5 **SECTION 272.** 102.835 (11) of the statutes is amended to read:

6 102.835 **(11)** EVASION. Any person who removes, deposits or conceals or aids in
7 removing, depositing or concealing any property upon which a levy is authorized
8 under this section with intent to evade or defeat the assessment or collection of any
9 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
10 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the
11 costs of prosecution.

12 **SECTION 273.** 102.835 (18) of the statutes is amended to read:

13 102.835 **(18)** RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
14 employer may discharge or otherwise discriminate with respect to the terms and
15 conditions of employment against any employee by reason of the fact that his or her
16 earnings have been subject to levy for any one levy or because of compliance with any
17 provision of this section. Whoever wilfully violates this subsection may be fined not
18 more than \$1,000 \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both.

19 **SECTION 274.** 102.85 (3) of the statutes is amended to read:

20 102.85 **(3)** An employer who violates an order to cease operations under s.
21 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~
22 ~~years or both~~ is guilty of a Class I felony.

23 **SECTION 275.** 108.225 (11) of the statutes is amended to read:

24 108.225 **(11)** EVASION. Any person who removes, deposits or conceals or aids in
25 removing, depositing or concealing any property upon which a levy is authorized

1 under this section with intent to evade or defeat the assessment or collection of any
2 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
3 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the
4 costs of prosecution.

5 **SECTION 276.** 108.225 (18) of the statutes is amended to read:

6 108.225 **(18)** RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
7 employer may discharge or otherwise discriminate with respect to the terms and
8 conditions of employment against any employee by reason of the fact that his or her
9 earnings have been subject to levy for any one levy or because of compliance with any
10 provision of this section. Whoever wilfully violates this subsection may be fined not
11 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

12 **SECTION 276m.** 109.09 (2) (c) of the statutes is amended to read:

13 109.09 **(2)** (c) A lien under par. (a) takes precedence over all other debts,
14 judgments, decrees, liens, or mortgages against the employer, except ~~a lien of a~~
15 ~~financial institution, as defined in s. 69.30 (1) (b), that originates before the lien~~
16 ~~under par. (a) takes effect or a lien under s. 292.31 (8) (i) or 292.81, regardless of~~
17 whether those other debts, judgments, decrees, liens, or mortgages originate before
18 or after the lien under par. (a) takes effect. A lien under par. (a) may be enforced in
19 the manner provided in ss. 779.09 to 779.12, 779.20, and 779.21, insofar as those
20 provisions are applicable. The lien ceases to exist if the department of workforce
21 development or the employee does not bring an action to enforce the lien within the
22 period prescribed in s. 893.44 for the underlying wage claim.

23 **SECTION 277.** 110.07 (5) (a) of the statutes is amended to read:

1 110.07 (5) (a) In this subsection, “bulletproof garment” ~~has the meaning given~~
2 ~~in s. 939.64 (1) means a vest or other garment designed, redesigned, or adapted to~~
3 ~~prevent bullets from penetrating through the garment.~~

4 **SECTION 278.** 114.20 (18) (c) of the statutes is amended to read:

5 114.20 (18) (c) Any person who knowingly makes a false statement in any
6 application or in any other document required to be filed with the department, or who
7 knowingly foregoes the submission of any application, document, or any registration
8 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~
9 ~~than 7 years and 6 months or both~~ is guilty of a Class H felony.

10 **SECTION 280.** 115.31 (2g) of the statutes is amended to read:

11 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
12 revoke a license granted by the state superintendent, without a hearing, if the
13 licensee is convicted of any Class A, B, C₁ or D felony under ch. 940 or 948, except ss.
14 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, or any
15 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a
16 violation that occurs on or after the effective date of this subsection [revisor inserts
17 date].

18 **SECTION 281.** 118.19 (4) (a) of the statutes is amended to read:

19 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
20 may not grant a license, for 6 years following the date of the conviction, to any person
21 who has been convicted of any Class A, B, C₁ or D felony under ch. 940 or 948, except
22 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a
23 violation that occurs on or after September 12, 1991, for 6 years following the date
24 of the conviction, and or any Class E, F, G, or H felony under ch. 940 or 948, except
25 ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this

1 paragraph [revisor inserts date]. The state superintendent may grant the license
2 only if the person establishes by clear and convincing evidence that he or she is
3 entitled to the license.

4 **SECTION 282.** 118.30 (1m) (d) of the statutes is amended to read:

5 118.30 **(1m)** (d) If the school board operates high school grades, beginning in
6 the ~~2002–03~~ 2004–05 school year administer the high school graduation
7 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in
8 the school district, including pupils enrolled in charter schools located in the school
9 district, in the 11th and 12th grades. The school board shall administer the
10 examination at least twice each school year and may administer the examination
11 only to pupils enrolled in the 11th and 12th grades.

12 **SECTION 283.** 118.30 (1r) (d) of the statutes is amended to read:

13 118.30 **(1r)** (d) If the charter school operates high school grades, beginning in
14 the ~~2002–03~~ 2004–05 school year, administer the high school graduation
15 examination adopted by the operator of the charter school under sub. (1g) (b) to all
16 pupils enrolled in the 11th and 12th grades in the charter school. The operator of the
17 charter school shall administer the examination at least twice each school year and
18 may administer the examination only to pupils enrolled in the 11th and 12th grades.

19 **SECTION 284.** 118.33 (1) (f) of the statutes is amended to read:

20 118.33 **(1)** (f) 1. By September 1, ~~2002~~ 2004, each school board operating high
21 school grades shall develop a written policy specifying criteria for granting a high
22 school diploma that are in addition to the requirements under par. (a). The criteria
23 shall include the pupil's score on the examination administered under s. 118.30 (1m)
24 (d), the pupil's academic performance, and the recommendations of teachers. Except

1 as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located
2 in the school district.

3 2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40
4 (2r) that operates high school grades shall develop a policy specifying criteria for
5 granting a high school diploma. The criteria shall include the pupil's score on the
6 examination administered under s. 118.30 (1r) (d), the pupil's academic
7 performance, and the recommendations of teachers.

8 3. Beginning on September 1, ~~2003~~ 2005, neither a school board nor an
9 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to
10 any pupil unless the pupil has satisfied the criteria specified in the school board's or
11 charter school's policy under subd. 1. or 2.

12 **SECTION 284m.** 121.05 (1) (a) 13. of the statutes is created to read:

13 121.05 (1) (a) 13. Pupils attending the Youth Challenge program under s. 21.26.

14 **SECTION 285.** 121.07 (7) (a) of the statutes is amended to read:

15 121.07 (7) (a) The "primary guaranteed valuation per member" is \$2,000,000
16 \$1,930,000.

17 **SECTION 285m.** 121.095 of the statutes is created to read:

18 **121.095 State aid adjustment; Youth Challenge program. (1)** Annually
19 the department shall reduce each school district's state aid payment under s. 121.08,
20 or other state aid payments, if necessary, by an amount calculated as follows:

21 (a) Determine the number of pupils counted in the school district's membership
22 who are attending the Youth Challenge program under s. 21.26.

23 (b) Multiply the result under par. (a) by the lesser of the following:

24 1. The amount determined by the department of military affairs under s. 21.26

25 (2) (a).

1 2. The amount determined for the school district under s. 121.91 (2m) (e) 3. for
2 the current school year.

3 **(2)** From the appropriation under s. 20.255 (2) (ac), annually the department
4 of public instruction shall pay to the department of military affairs an amount equal
5 to the sum of the reductions under sub. (1). The department of public instruction
6 shall ensure that the aid adjustment under sub. (1) does not affect the amount
7 determined to be received by a school district as state aid under s. 121.08 or for any
8 other purpose.

9 **(3)** Annually the department shall provide the department of military affairs
10 with a list of the school districts that had their state aid reduced by the amount under
11 sub. (1) (b) 2., the amount of the reduction, and the number of pupils enrolled in the
12 school district who are attending the Youth Challenge program.

13 **SECTION 286.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001 Wisconsin
14 Act 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

15 121.15 **(3m)** (a) 1. (intro.) “Partial school revenues” means the sum of state
16 school aids, other than the amounts appropriated under s. 20.255 (2) ~~and~~ (cv),
17 property taxes levied for school districts and aid paid to school districts under s.
18 79.095 (4), less ~~the~~ all of the following:

19 a. ~~The~~ amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a
20 school board’s increasing the services that it provides by adding responsibility for
21 providing a service transferred to it from another school board, ~~less the~~.

22 b. ~~The~~ amount of any revenue limit increase under s. 121.91 (4) (a) 3., ~~less the~~

23 c. ~~The~~ amount of any revenue limit increase under s. 121.91 (4) (j), ~~less the~~.

24 d. ~~The~~ amount of any revenue limit increase under s. 121.91 (4) (h), ~~less the~~.

1 e. The amount of any property taxes levied for the purpose of s. 120.13 (19), and
2 less an,

3 f. An amount equal to 45% of the amount estimated to be paid under s. 119.23
4 (4) and (4m).

5 **SECTION 287.** 121.15 (3m) (a) 1. g. of the statutes is created to read:

6 121.15 **(3m)** (a) 1. g. The amount by which the property tax levy for debt service
7 on debt that has been approved by a referendum exceeds \$490,000,000.

8 **SECTION 287m.** 121.15 (3m) (b) of the statutes is amended to read:

9 121.15 **(3m)** (b) By May 15, ~~1999~~ 2003, and annually by May 15 thereafter, the
10 department, the department of administration and the legislative fiscal bureau shall
11 jointly certify to the joint committee on finance an estimate of the amount necessary
12 to appropriate under s. 20.255 (2) (ac) in the following school year to ensure that the
13 sum of state school aids and the school levy tax credit under s. 79.10 (4) equals
14 two-thirds of partial school revenues.

15 **SECTION 288.** 121.15 (3m) (c) of the statutes is amended to read:

16 121.15 **(3m)** (c) By June 30, ~~1999~~ 2004, and ~~annually~~ biennially by June 30
17 thereafter, the joint committee on finance shall determine the amount appropriated
18 under s. 20.255 (2) (ac) in the following school year.

19 **SECTION 288m.** 121.90 (1) (intro.) of the statutes is amended to read:

20 121.90 **(1)** (intro.) “Number of pupils enrolled” means the number of pupils
21 enrolled on the 3rd Friday of September, including pupils identified in s. 121.05 (1)
22 (a) 1. to 11., and the number of pupils enrolled in the previous school year who were
23 attending the Youth Challenge program in the previous school year, except that
24 “number of pupils enrolled” excludes the number of pupils attending public school
25 under s. 118.145 (4) and except as follows:

1 **SECTION 289.** 125.075 (2) of the statutes is renumbered 125.075 (2) (a) and
2 amended to read:

3 125.075 **(2)** (a) Whoever violates sub. (1) ~~may be fined not more than \$10,000~~
4 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
5 felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

6 **SECTION 290.** 125.075 (2) (b) of the statutes is created to read:

7 125.075 **(2)** (b) Whoever violates sub. (1) is guilty of a Class G felony if the
8 underage person dies.

9 **SECTION 291.** 125.085 (3) (a) 2. of the statutes is amended to read:

10 125.085 **(3)** (a) 2. Any person who violates subd. 1. for money or other
11 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~
12 ~~3 years or both~~ is guilty of a Class I felony.

13 **SECTION 292.** 125.105 (2) (b) of the statutes is amended to read:

14 125.105 **(2)** (b) Whoever violates sub. (1) to commit, or abet the commission of,
15 a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~
16 ~~and 6 months or both~~ is guilty of a Class H felony.

17 **SECTION 293.** 125.66 (3) of the statutes is amended to read:

18 125.66 **(3)** Any person manufacturing or rectifying intoxicating liquor without
19 holding appropriate permits under this chapter, or any person who sells such liquor,
20 ~~shall be fined not more than \$10,000 or imprisoned for not more than 15 years or~~
21 ~~both. Second or subsequent convictions shall be punished by both the fine and~~
22 ~~imprisonment~~ is guilty of a Class F felony.

23 **SECTION 294.** 125.68 (12) (b) of the statutes is amended to read:

1 125.68 (12) (b) Whoever violates par. (a) shall be fined not less than \$1,000 nor
2 more than \$5,000 or imprisoned for not less than one year nor more than 15 years
3 or both is guilty of a Class F felony.

4 **SECTION 295.** 125.68 (12) (c) of the statutes is amended to read:

5 125.68 (12) (c) Any person causing the death of another human being through
6 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol
7 or alcohol or alcoholic liquid redistilled from denatured alcohol, shall be imprisoned
8 for not more than 15 years is guilty of a Class E felony.

9 **SECTION 296.** 132.20 (2) of the statutes is amended to read:

10 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic
11 in this state in a counterfeit mark or in any goods or service bearing or provided
12 under a counterfeit mark shall is guilty of a Class H felony, except that,
13 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an
14 individual, he or she may be fined not more than \$250,000 ~~or imprisoned for not more~~
15 ~~than 7 years and 6 months or both, or, and~~ if the person is not an individual, the
16 person may be fined not more than \$1,000,000.

17 **SECTION 297.** 133.03 (1) of the statutes is amended to read:

18 133.03 (1) Every contract, combination in the form of trust or otherwise, or
19 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any
20 contract or engages in any combination or conspiracy in restraint of trade or
21 commerce is guilty of a Class H felony, except that, notwithstanding the maximum
22 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if
23 a corporation, or, if any other person, may be fined not more than \$50,000 ~~or~~
24 ~~imprisoned for not more than 7 years and 6 months or both.~~

25 **SECTION 298.** 133.03 (2) of the statutes is amended to read:

1 133.03 (2) Every person who monopolizes, or attempts to monopolize, or
2 combines or conspires with any other person or persons to monopolize any part of
3 trade or commerce is guilty of a Class H felony, except that, notwithstanding the
4 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than
5 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000
6 or imprisoned for not more than 7 years and 6 months or both.

7 **SECTION 299.** 134.05 (4) of the statutes is amended to read:

8 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~
9 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~
10 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than
11 9 months or both.

12 **SECTION 300.** 134.16 of the statutes is amended to read:

13 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,
14 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,
15 brokerage or deposit company, corporation or institution, or of any person, company
16 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit
17 business in any way, or any person engaged in such business in whole or in part, who
18 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any
19 money, or any bills, notes or other paper circulating as money, or any notes, drafts,
20 bills of exchange, bank checks or other commercial paper for safekeeping or for
21 collection, when he or she knows or has good reason to know that such bank, company
22 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~
23 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~
24 ~~not more than \$10,000~~ is guilty of a Class F felony.

25 **SECTION 301.** 134.20 (1) (intro.) of the statutes is amended to read:

1 134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following
2 ~~shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6~~
3 ~~months or both~~ is guilty of a Class H felony:

4 **SECTION 302.** 134.205 (4) of the statutes is amended to read:

5 134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt
6 without entering the same in a register as required by this section ~~shall be fined not~~
7 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
8 guilty of a Class H felony.

9 **SECTION 303.** 134.58 of the statutes is amended to read:

10 **134.58 Use of unauthorized persons as officers.** Any person who,
11 individually, in concert with another or as agent or officer of any firm, joint-stock
12 company or corporation, uses, employs, aids or assists in employing any body of
13 armed persons to act as militia, police or peace officers for the protection of persons
14 or property or for the suppression of strikes, not being authorized by the laws of this
15 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~
16 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

17 **SECTION 316.** 139.44 (1) of the statutes is amended to read:

18 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits
19 any stamp or procures or causes the same to be done, or who knowingly utters,
20 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who
21 affixes the same to any package or container of cigarettes, or who possesses with the
22 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps
23 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~
24 ~~years~~ is guilty of a Class G felony.

25 **SECTION 317.** 139.44 (1m) of the statutes is amended to read:

1 139.44 **(1m)** Any person who falsely or fraudulently tampers with a cigarette
2 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~
3 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

4 **SECTION 318.** 139.44 (2) of the statutes is amended to read:

5 139.44 **(2)** Any person who makes or signs any false or fraudulent report or who
6 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the
7 evasion or attempted evasion of that tax shall may be fined not less than \$1,000 ~~nor~~
8 more than \$5,000 \$10,000 or imprisoned for not less than 90 days ~~nor~~ more than 2
9 years 9 months or both.

10 **SECTION 319.** 139.44 (8) (c) of the statutes is amended to read:

11 139.44 **(8)** (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~
12 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a
13 Class I felony.

14 **SECTION 320.** 139.85 (1) of the statutes is amended to read:

15 139.85 **(1)** The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)
16 apply to this subchapter. In addition, a person who violates s. 139.82 (8) shall may
17 be fined not less than \$1,000 ~~nor~~ more than \$5,000 \$10,000 or imprisoned for not less
18 than 90 days ~~nor~~ more than one year 9 months or both.

19 **SECTION 321.** 139.95 (2) of the statutes is amended to read:

20 139.95 **(2)** A dealer who possesses a schedule I controlled substance, a schedule
21 II controlled substance or ketamine or flunitrazepam that does not bear evidence
22 that the tax under s. 139.88 has been paid ~~may be fined not more than \$10,000 or~~
23 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
24 felony.

25 **SECTION 322.** 139.95 (3) of the statutes is amended to read:

1 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits
2 any stamp or procures or causes the same to be done or who knowingly utters,
3 publishes, passes or tenders as true any false, altered or counterfeit stamp or who
4 affixes a counterfeit stamp to a schedule I controlled substance, a schedule II
5 controlled substance or ketamine or flunitrazepam or who possesses a schedule I
6 controlled substance, a schedule II controlled substance or ketamine or
7 flunitrazepam to which a false, altered or counterfeit stamp is affixed ~~may be fined~~
8 ~~not more than \$10,000 or imprisoned for not less than one year nor more than 15~~
9 ~~years or both~~ is guilty of a Class F felony.

10 **SECTION 324.** 146.345 (3) of the statutes is amended to read:

11 146.345 (3) Any person who violates this section is guilty of a Class H felony,
12 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
13 person may be fined not more than \$50,000 ~~or imprisoned for not more than 7 years~~
14 ~~and 6 months or both.~~

15 **SECTION 325.** 146.35 (5) of the statutes is amended to read:

16 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~
17 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
18 felony.

19 **SECTION 326.** 146.50 (1) (a) of the statutes is renumbered 146.50 (1) (am).

20 **SECTION 327.** 146.50 (1) (ag) of the statutes is created to read:

21 146.50 (1) (ag) “Act of terrorism” means a felony under ch. 939 to 951 that is
22 committed with intent to terrorize and is committed under any of the following
23 circumstances:

24 1. The person committing the felony causes bodily harm, great bodily harm, or
25 death to another.

1 2. The person committing the felony causes damage to the property of another
2 and the total property damaged is reduced in value by \$25,000 or more. For purposes
3 of this subdivision, property is reduced in value by the amount that it would cost
4 either to repair or replace it, whichever is less.

5 3. The person committing the felony uses force or violence or the threat of force
6 or violence.

7 **SECTION 328.** 146.50 (1) (hr) of the statutes is created to read:

8 146.50 (1) (hr) “Governmental unit” means the United States; the state; any
9 county, city, village, or town; or any political subdivision, department, division,
10 board, or agency of the United States, the state, or any county, city, village, or town.

11 **SECTION 329.** 146.50 (1) (ig) of the statutes is created to read:

12 146.50 (1) (ig) “Intent to terrorize” means intent to influence the policy of a
13 governmental unit by intimidation or coercion, to punish a governmental unit for a
14 prior policy decision, to affect the conduct of a governmental unit by homicide or
15 kidnapping, or to intimidate or coerce a civilian population.

16 **SECTION 330.** 146.50 (6) (a) 2. of the statutes is amended to read:

17 146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and
18 training, including training for response to acts of terrorism, prescribed by the
19 department or have presented evidence satisfactory to the department of sufficient
20 education and training in the field of emergency care.

21 **SECTION 331.** 146.50 (6) (b) 2. of the statutes is amended to read:

22 146.50 (6) (b) 2. The department, in conjunction with the technical college
23 system board, shall promulgate rules specifying training, education, or examination
24 requirements, including requirements for training for response to acts of terrorism,
25 for license renewals for emergency medical technicians.

1 **SECTION 332.** 146.50 (8) (b) 3. of the statutes is amended to read:

2 146.50 **(8)** (b) 3. The individual satisfactorily completes a first responder course
3 that meets or exceeds the guidelines issued by the National Highway Traffic Safety
4 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to
5 acts of terrorism, and that is approved by the department.

6 **SECTION 333.** 146.50 (8) (c) of the statutes is amended to read:

7 146.50 **(8)** (c) To be eligible for a renewal of a certificate as a first responder,
8 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall
9 satisfactorily complete a first responder refresher course that meets or exceeds the
10 guidelines issued by the National Highway Traffic Safety Administration under 23
11 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that
12 is approved by the department.

13 **SECTION 334.** 146.55 (1) (a) of the statutes is amended to read:

14 146.55 **(1)** (a) “Ambulance service” means the business of transporting sick,
15 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) (a) (am), to
16 or from facilities or institutions providing health services.

17 **SECTION 334g.** 146.56 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
18 is amended to read:

19 146.56 **(1)** ~~Not later than July 1, 2002, the~~ The department shall develop and
20 implement a statewide trauma care system. The department shall seek the advice
21 of the statewide trauma advisory council under s. 15.197 (25) in developing and
22 implementing the system, and, as part of the system, shall develop regional trauma
23 advisory councils.

24 **SECTION 335.** 146.60 (9) (am) of the statutes is amended to read:

1 146.60 **(9)** (am) For a 2nd or subsequent violation under par. (ag), a person shall
2 may be fined not less than \$1,000 ~~nor~~ more than \$50,000 or imprisoned for not more
3 than ~~2 years~~ 9 months or both.

4 **SECTION 336.** 146.70 (10) (a) of the statutes is amended to read:

5 146.70 **(10)** (a) Any person who intentionally dials the telephone number “911”
6 to report an emergency, knowing that the fact situation which he or she reports does
7 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more
8 than 90 days or both for the first offense and ~~shall be fined not more than \$10,000~~
9 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
10 felony for any other offense committed within 4 years after the first offense.

11 **SECTION 336L.** 150.401 of the statutes is created to read:

12 **150.401 Redistribution of nursing home beds to replace transferred**
13 **beds. (1)** Notwithstanding ss. 150.33, 150.35, and 150.39, from the nursing home
14 beds that are available under s. 150.31, the department shall redistribute a number
15 of beds that corresponds to the number of approved beds of a nursing home whose
16 owner has transferred to another location, resulting in the loss of a nursing home
17 within 15 miles of a city with a population of 4,474 in 1990 in a county with a
18 population of 30,226 in 1990.

19 **(2)** All of the following apply to the redistributed nursing home beds under sub.
20 (1):

21 (a) The beds may be redistributed only to a location in a city that is specified
22 in sub. (1).

23 (b) A person may not receive approval for the beds unless the person submits
24 to the department, on a form provided by the department, an application that meets
25 the requirements under s. 150.33 (2).

1 **SECTION 337.** 154.15 (2) of the statutes is amended to read:

2 154.15 **(2)** Any person who, with the intent to cause a withholding or
3 withdrawal of life–sustaining procedures or feeding tubes contrary to the wishes of
4 the declarant, illegally falsifies or forges the declaration of another or conceals a
5 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally
6 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~
7 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
8 felony.

9 **SECTION 338.** 154.29 (2) of the statutes is amended to read:

10 154.29 **(2)** Any person who, with the intent to cause the withholding or
11 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or
12 transfers a do–not–resuscitate bracelet to that patient or conceals the revocation
13 under s. 154.21 of a do–not–resuscitate order or any responsible person who
14 withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~
15 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F
16 felony.

17 **SECTION 339.** 165.85 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin Act
18 16, is amended to read:

19 165.85 **(4)** (b) 1. No person may be appointed as a law enforcement or tribal law
20 enforcement officer, except on a temporary or probationary basis, unless the person
21 has satisfactorily completed a preparatory program of law enforcement training
22 approved by the board and has been certified by the board as being qualified to be
23 a law enforcement or tribal law enforcement officer. The program shall include 400
24 hours of training, except the program for law enforcement officers who serve as
25 rangers for the department of natural resources includes 240 hours of training. The

1 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
2 400-hour conventional program and a 240-hour ranger program. The rule shall
3 ensure that there is an adequate amount of training for each program to enable the
4 person to deal effectively with domestic abuse incidents, including training that
5 addresses the emotional and psychological effect that domestic abuse has on victims.
6 The training under this subdivision shall include training on emergency detention
7 standards and procedures under s. 51.15, emergency protective placement
8 standards and procedures under s. 55.06 (11) and information on mental health and
9 developmental disabilities agencies and other resources that may be available to
10 assist the officer in interpreting the emergency detention and emergency protective
11 placement standards, making emergency detentions and emergency protective
12 placements and locating appropriate facilities for the emergency detentions and
13 emergency protective placements of persons. The training under this subdivision
14 shall include at least one hour of instruction on recognizing the symptoms of
15 Alzheimer's disease or other related dementias and interacting with and assisting
16 persons who have Alzheimer's disease or other related dementias. The training
17 under this subdivision shall include training on police pursuit standards, guidelines
18 and driving techniques established under par. (cm) 2. b. The period of temporary or
19 probationary employment established at the time of initial employment shall not be
20 extended by more than one year for an officer lacking the training qualifications
21 required by the board. The total period during which a person may serve as a law
22 enforcement and tribal law enforcement officer on a temporary or probationary basis
23 without completing a preparatory program of law enforcement training approved by
24 the board shall not exceed 2 years, except that the board shall permit part-time law
25 enforcement and tribal law enforcement officers to serve on a temporary or

1 probationary basis without completing a program of law enforcement training
2 approved by the board to a period not exceeding 3 years. For purposes of this section,
3 a part-time law enforcement or tribal law enforcement officer is a law enforcement
4 or tribal law enforcement officer who routinely works not more than one-half the
5 normal annual work hours of a full-time employee of the employing agency or unit
6 of government. Law enforcement training programs including municipal, county
7 and state programs meeting standards of the board are acceptable as meeting these
8 training requirements.

9 **SECTION 340.** 165.85 (4) (b) 1d. of the statutes is created to read:

10 165.85 **(4)** (b) 1d. Any training program developed under subd. 1. shall include
11 all of the following:

12 a. An adequate amount of training to enable the person being trained to deal
13 effectively with domestic abuse incidents, including training that addresses the
14 emotional and psychological effect that domestic abuse has on victims.

15 b. Training on emergency detention standards and procedures under s. 51.15,
16 emergency protective placement standards and procedures under s. 55.06 (11), and
17 information on mental health and developmental disabilities agencies and other
18 resources that may be available to assist the officer in interpreting the emergency
19 detention and emergency protective placement standards, making emergency
20 detentions and emergency protective placements, and locating appropriate facilities
21 for the emergency detentions and emergency protective placements of persons.

22 c. At least one hour of instruction on recognizing the symptoms of Alzheimer's
23 disease or other related dementias and interacting with and assisting persons who
24 have Alzheimer's disease or other related dementias.

1 d. Training on police pursuit standards, guidelines, and driving techniques
2 established under par. (cm) 2. b.

3 e. Training on responding to an act of terrorism, as defined in s. 146.50 (1) (ag).

4 **SECTION 341.** 166.20 (11) (b) of the statutes is amended to read:

5 166.20 **(11)** (b) Any person who knowingly and wilfully fails to report the
6 release of a hazardous substance covered under 42 USC 11004 as required under sub.
7 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. ~~shall~~ is subject to the following
8 penalties:

9 1. For the first offense, the person is guilty of a Class I felony, except that,
10 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
11 fined not less than \$100 nor more than \$25,000 or imprisoned for not more than 3
12 years or both.

13 2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,
14 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the
15 person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not
16 more than 3 years or both.

17 **SECTION 342.** 167.10 (9) (g) of the statutes is amended to read:

18 167.10 **(9)** (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated
19 under sub. (6m) (e) ~~may be fined not more than \$10,000 or imprisoned for not more~~
20 ~~than 15 years or both~~ is guilty of a Class G felony.

21 **SECTION 343.** 175.20 (3) of the statutes is amended to read:

22 175.20 **(3)** Any person who violates any of the provisions of this section ~~shall~~
23 may be fined not less than \$25 nor more than \$1,000 and \$10,000 or may be
24 imprisoned for not less than 30 days nor more than 2 years 9 months or both. In

1 addition, the court may revoke the license or licenses of the person or persons
2 convicted.

3 **SECTION 344.** 180.0129 (2) of the statutes is amended to read:

4 180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~
5 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

6 **SECTION 345.** 181.0129 (2) of the statutes is amended to read:

7 181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~
8 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
9 felony.

10 **SECTION 346.** 185.825 of the statutes is amended to read:

11 **185.825 Penalty for false document.** Whoever causes a document to be
12 filed, knowing it to be false in any material respect, ~~may be fined not more than~~
13 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a
14 Class I felony.

15 **SECTION 347.** 201.09 (2) of the statutes is amended to read:

16 201.09 (2) Every director, president, secretary or other official or agent of any
17 public service corporation, who shall practice fraud or knowingly make any false
18 statement to secure a certificate of authority to issue any security, or issue under a
19 certificate so obtained and with knowledge of such fraud, or false statement, or
20 negotiate, or cause to be negotiated, any security, in violation of this chapter, ~~shall~~
21 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~
22 ~~15 years or both~~ is guilty of a Class I felony.

23 **SECTION 348.** 214.93 of the statutes is amended to read:

24 **214.93 False statements.** A person may not knowingly make, cause, or allow
25 another person to make or cause to be made, a false statement, under oath if required

1 by this chapter or on any report or statement required by the division or by this
2 chapter. In addition to any forfeiture under s. 214.935, a person who violates this
3 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

4 **SECTION 349.** 215.02 (6) (b) of the statutes is amended to read:

5 215.02 **(6)** (b) If any person mentioned in par. (a) discloses the name of any
6 debtor of any association or any information about the private account or
7 transactions of such association, discloses any fact obtained in the course of any
8 examination of any association, or discloses examination or other confidential
9 information obtained from any state or federal regulatory authority, including an
10 authority of this state or another state, for financial institutions, mortgage bankers,
11 insurance or securities, except as provided in par. (a), he or she is guilty of a Class
12 I felony and shall forfeit his or her office or position ~~and may be fined not less than~~
13 ~~\$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than~~
14 ~~3 years or both.~~

15 **SECTION 350.** 215.12 of the statutes is amended to read:

16 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,
17 director, employee or agent of any association who steals, abstracts, or wilfully
18 misapplies any property of the association, whether owned by it or held in trust, or
19 who, without authority, issues or puts forth any certificate of savings accounts,
20 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry
21 in any book, record, report or statement of the association with intent to injure or
22 defraud the association or any person or corporation, or to deceive any officer or
23 director of the association, or any other person, or any agent appointed to examine
24 the affairs of such association, or any person who, with like intent, aids or abets any

1 officer, director, employee or agent in the violation of this section, ~~shall be imprisoned~~
2 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

3 **SECTION 351.** 215.21 (21) of the statutes is amended to read:

4 215.21 **(21)** PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS. Every officer,
5 director, employee or agent of any association, or any appraiser making appraisals
6 for any association, who accepts or receives, or offers or agrees to accept or receive
7 anything of value in consideration of its loaning any money to any person; or any
8 person who offers, gives, presents or agrees to give or present anything of value to
9 any officer, director, employee or agent of any association or to any appraiser making
10 appraisals for any association in consideration of its loaning money to the person,
11 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~
12 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this
13 subsection prohibits an association from employing an officer, employee or agent to
14 solicit mortgage loans and to pay the officer, employee or agent on a fee basis.

15 **SECTION 352.** 218.21 (7) of the statutes is amended to read:

16 218.21 **(7)** Any person who knowingly makes a false statement in an
17 application for a motor vehicle salvage dealer license ~~may be fined not more than~~
18 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
19 Class H felony.

20 **SECTION 353.** 220.06 (2) of the statutes is amended to read:

21 220.06 **(2)** If any employee in the division or any member of the banking review
22 board or any employee thereof discloses the name of any debtor of any bank or
23 licensee, or anything relative to the private account or transactions of such bank or
24 licensee, or any fact obtained in the course of any examination of any bank or
25 licensee, except as herein provided, that person is guilty of a Class I felony and shall

1 be subject, upon conviction, to forfeiture of office or position ~~and may be fined not less~~
2 ~~than \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more~~
3 ~~than 3 years or both.~~

4 **SECTION 354.** 221.0625 (2) (intro.) of the statutes is amended to read:

5 221.0625 (2) PENALTY. (intro.) An officer or director of a bank who, in violation
6 of this section, directly or indirectly does any of the following ~~may be imprisoned for~~
7 ~~not more than 15 years~~ is guilty of a Class F felony:

8 **SECTION 355.** 221.0636 (2) of the statutes is amended to read:

9 221.0636 (2) PENALTY. Any person who violates sub. (1) ~~may be imprisoned for~~
10 ~~not more than 30 years~~ is guilty of a Class H felony.

11 **SECTION 356.** 221.0637 (2) of the statutes is amended to read:

12 221.0637 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not more~~
13 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
14 felony.

15 **SECTION 357.** 221.1004 (2) of the statutes is amended to read:

16 221.1004 (2) PENALTIES. Any person who violates sub. (1) ~~may be fined not less~~
17 ~~than \$1,000 nor more than \$5,000 or imprisoned for not less than one year nor more~~
18 ~~than 15 years or both~~ is guilty of a Class F felony.

19 **SECTION 359.** 227.01 (13) (sm) of the statutes is created to read:

20 227.01 (13) (sm) Establishes sentencing guidelines under s. 973.30 (1) (c).

21 **SECTION 363.** 230.08 (2) (L) 6. of the statutes is created to read:

22 230.08 (2) (L) 6. Sentencing commission.

23 **SECTION 364.** 230.08 (2) (of) of the statutes is created to read:

24 230.08 (2) (of) The executive director of the sentencing commission.

25 **SECTION 365b.** 230.08 (2) (y) of the statutes is repealed.

1 **SECTION 365d.** 230.35 (1m) (a) 2. of the statutes is amended to read:

2 230.35 **(1m)** (a) 2. A position designated in s. 19.42 (10) (L) or 20.923 (4), (7),
3 (8), and (9).

4 **SECTION 365g.** 230.35 (2) of the statutes is amended to read:

5 230.35 **(2)** Leave of absence with pay owing to sickness and leave of absence
6 without pay, other than annual leave and leave under s. 103.10, shall be regulated
7 by rules of the secretary, except that unused sick leave shall accumulate from year
8 to year. After July 1, 1973, employees appointed to career executive positions under
9 the program established under s. 230.24 or positions designated in s. 19.42 (10) (L)
10 or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have any
11 unused sick leave credits restored if they are reemployed in a career executive
12 position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or
13 authorized under s. 230.08 (2) (e), regardless of the duration of their absence.
14 Restoration of unused sick leave credits if reemployment is to a position other than
15 those specified above shall be in accordance with rules of the secretary.

16 **SECTION 366.** 234.165 (2) (c) (intro.) of the statutes is amended to read:

17 234.165 **(2)** (c) (intro.) ~~Surplus~~ Except as provided in sub. (3), surplus may be
18 expended or encumbered only in accordance with the plan approved under par. (b),
19 except that the authority may transfer from one plan category to another:

20 **SECTION 366c.** 234.165 (2) (c) (intro.) of the statutes, as affected by 2001
21 Wisconsin Act (this act), is amended to read:

22 234.165 **(2)** (c) (intro.) ~~Except as provided in sub. (3), surplus~~ Surplus may be
23 expended or encumbered only in accordance with the plan approved under par. (b),
24 except that the authority may transfer from one plan category to another:

25 **SECTION 367.** 234.165 (3) of the statutes is created to read:

1 234.165 (3) For the purpose of housing grants and loans under s. 16.33 and
2 housing organization grants under s. 16.336, in fiscal year 2001–02 the authority
3 shall transfer to the department of administration \$1,500,000 of its surplus and in
4 fiscal year 2002–03 the authority shall transfer to the department of administration
5 \$3,300,300 of its surplus. The department of administration shall credit all moneys
6 transferred under this subsection to the appropriation account under s. 20.505 (7)
7 (j).

8 **SECTION 367c.** 234.165 (3) of the statutes, as created by 2001 Wisconsin Act
9 (this act), is repealed.

10 **SECTION 368.** 250.15 of the statutes is repealed.

11 **SECTION 369.** 253.06 (4) (b) of the statutes is amended to read:

12 253.06 (4) (b) A person who violates any provision of this subsection may be
13 ~~fin~~~~ed not more than \$10,000 or imprisoned for not more than 3 years, or both, is guilty~~
14 ~~of a Class I felony for the first offense and may be fined not more than \$10,000 or~~
15 ~~imprisoned for not more than 7 years and 6 months, or both, is guilty of a Class H~~
16 ~~felony~~ for the 2nd or subsequent offense.

17 **SECTION 370.** 285.87 (2) (b) of the statutes is amended to read:

18 285.87 (2) (b) If the conviction under par. (a) is for a violation committed after
19 another conviction under par. (a), the person ~~shall~~ is guilty of a Class I felony, except
20 that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may
21 be fined not more than \$50,000 per day of violation or imprisoned for not more than
22 3 years or both.

23 **SECTION 370e.** 287.03 (1) (e) of the statutes is created to read:

24 287.03 (1) (e) Promulgate rules to implement s. 287.07 (7) (a) and (10) (a).

25 **SECTION 370f.** 287.07 (7) (a) of the statutes is amended to read:

1 287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to
2 solid waste, except medical waste, as defined in par. (c) 1. cg., ~~that is generated in a~~
3 ~~region that has an effective recycling program, as determined under s. 287.11 if the~~
4 solid waste contains no more than an incidental amount of materials specified in
5 subs. (3) and (4), as provided by the department by rule. This paragraph does not
6 apply to solid waste that is separated for recycling as part of an effective recycling
7 program under s. 287.11.

8 **SECTION 370g.** 287.07 (9) of the statutes is created to read:

9 287.07 (9) ACCEPTANCE BY SOLID WASTE FACILITY. (a) Except as provided under
10 pars. (b) and (c), no person operating a solid waste facility may accept solid waste
11 from a building containing 5 or more dwelling units or a commercial, retail,
12 industrial, or governmental facility that does not provide for the collection of
13 materials that are subject to subs. (3) and (4) and that are separated from other solid
14 waste by users or occupants of the building or facility.

15 (b) The department may grant exceptions to par. (a) on a case-by-case basis
16 as necessary to protect public health.

17 (c) 1. Paragraph (a) does not apply to a person operating a solid waste facility
18 if the person has implemented a program to minimize the acceptance of recyclable
19 materials at the solid waste facility, and the program complies with the rules
20 promulgated under subd. 2.

21 2. The department shall promulgate rules that specify minimum standards for
22 a program that minimizes the acceptance of recyclable materials at a solid waste
23 facility for the purposes of subd. 1.

24 **SECTION 370h.** 287.07 (10) of the statutes is created to read:

1 287.07 **(10)** TRANSPORTATION TO FACILITY. (a) Except as provided in par. (b), no
2 person operating a solid waste facility that provides a collection and transportation
3 service may transport solid waste for delivery to a solid waste disposal facility or a
4 solid waste treatment facility that converts solid waste into fuel or that burns solid
5 waste if the solid waste contains more than incidental amounts of materials specified
6 in subs. (3) and (4), as provided by the department by rule.

7 (b) Paragraph (a) does not apply with respect to solid waste to which the
8 prohibitions in subs. (3) and (4) do not apply because of sub. (7) (b), (bg), (c) 2., (d),
9 (f), (g), or (h).

10 **SECTION 370j.** 287.23 (5b) (intro.) of the statutes is amended to read:

11 287.23 **(5b)** GRANT AWARD FOR 2000 TO 2003. (intro.) The For 2000 to 2003, the
12 department shall award a grant under this subsection to each eligible responsible
13 unit that submits a complete grant application under sub. (4) for expenses allowable
14 under sub. (3) (b). The department shall determine the amount of the grants under
15 this subsection as follows:

16 **SECTION 370k.** 287.23 (5d) of the statutes is created to read:

17 287.23 **(5d)** GRANT AMOUNT FOR YEARS AFTER 2003. (a) Beginning with grants for
18 the year 2004, the department shall award a grant under this subsection to each
19 eligible responsible unit that submits a complete grant application under sub. (4) for
20 expenses allowable under sub. (3) (b).

21 (b) Except as provided in pars. (c), (d), and (e) and sub. (5p), the department
22 shall award an eligible responsible unit a grant under this subsection equal to the
23 population of the responsible unit times an amount that is the same for each
24 responsible unit and that the department determines will result in distributing as

1 much as possible of the amount appropriated under s. 20.370 (6) (bu), taking into
2 account pars. (c), (d), and (e) and sub. (5p).

3 (c) A grant under this subsection may not exceed the allowable expenses under
4 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for
5 which the grant is made.

6 (d) For a county that is the responsible unit for at least 75% of the population
7 of the county, the department shall award a grant under this subsection equal to the
8 greater of \$100,000 or the amount determined under par. (a), but not more than the
9 allowable expenses under sub. (3) (b).

10 (e) For grants for the year 2004, the department shall award a grant to a
11 responsible unit that received an award in 2003 that is equal to at least 80% of the
12 amount received in 2003.

13 **SECTION 370L.** 287.95 (3) (b) of the statutes is amended to read:

14 287.95 (3) (b) After December 31, 1996, any person who violates s. 287.07 (3)
15 ~~and, (4), (9), or (10)~~ may be required to forfeit \$50 for a first violation, may be required
16 to forfeit \$200 for a 2nd violation, and may be required to forfeit not more than \$2,000
17 for a 3rd or subsequent violation.

18 **SECTION 371.** 291.97 (2) (b) (intro.) of the statutes is amended to read:

19 291.97 (2) (b) (intro.) Any person who wilfully does any of the following ~~shall~~
20 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified
21 in s. 939.50 (3) (h), the person may be fined not less than \$1,000 nor more than
22 \$100,000 or imprisoned for not more than 7 years and 6 months or both:

23 **SECTION 372.** 291.97 (2) (c) 1. and 2. of the statutes are amended to read:

24 291.97 (2) (c) 1. For a 2nd or subsequent violation under par. (a), a person ~~shall~~
25 is guilty of a Class I felony, except that, notwithstanding the maximum fine specified

1 ~~in s. 939.50 (3) (i), the person may be fined not less than \$1,000 nor more than \$50,000~~
2 ~~or imprisoned for not more than 2 years or both.~~

3 2. For a 2nd or subsequent violation under par. (b), a person shall is guilty of
4 a Class F felony, except that, notwithstanding the maximum fine specified in s.
5 939.50 (3) (f), the person may be fined not less than \$5,000 nor more than \$150,000
6 ~~or imprisoned for not more than 15 years or both.~~

7 **SECTION 373.** 299.53 (4) (c) 2. of the statutes is amended to read:

8 299.53 (4) (c) 2. Any person who intentionally makes any false statement or
9 representation in complying with sub. (2) (a) shall be fined not more than \$25,000
10 or imprisoned for not more than one year in the county jail or both. For a 2nd or
11 subsequent violation, the person shall is guilty of a Class I felony, except that,
12 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be
13 fined not more than \$50,000 or imprisoned for not more than 3 years or both.

14 **SECTION 375.** 301.035 (2) of the statutes is amended to read:

15 301.035 (2) Assign hearing examiners from the division to preside over
16 hearings under ss. 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10 and 975.10
17 (2) and ch. 304.

18 **SECTION 376.** 301.035 (4) of the statutes is amended to read:

19 301.035 (4) Supervise employees in the conduct of the activities of the division
20 and be the administrative reviewing authority for decisions of the division under ss.
21 302.11 (7), 302.113 (9), 302.114 (9), 938.357 (5), 973.10, 973.155 (2) and 975.10 (2) and
22 ch. 304.

23 **SECTION 377.** 301.048 (2) (bm) 1. a. of the statutes is amended to read:

24 301.048 (2) (bm) 1. a. A crime specified in s. 940.19 (3), 1999 stats., s. 940.195
25 (3), 1999 stats., s. 943.23 (1m), 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 940.01,

1 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 ~~(3)~~, (4) or (5), 940.195
2 ~~(3)~~, (4) or (5), 940.20, 940.201, 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.285 (2)
3 (a) 1. or 2., 940.29, 940.295 (3) (b) 1g, 1m., 1r., 2., or 3., 940.31, 940.43 (1) to (3), 940.45
4 (1) to (3), 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011, 943.013,
5 943.02, 943.04, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.30, 943.32, 946.43,
6 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.06, 948.07, 948.08, or
7 948.30.

8 **SECTION 377g.** 301.26 (2) (c) of the statutes is amended to read:

9 301.26 **(2)** (c) All funds to counties under this section shall be used to purchase
10 or provide juvenile delinquency–related services under ch. 938 and to make
11 payments for the Youth Challenge program under s. 21.26 (3), except that no funds
12 to counties under this section may be used for purposes of land purchase, building
13 construction or maintenance of buildings under s. 46.17, 46.175 or 301.37, for
14 reimbursement of costs under s. 938.209, for city lockups or for reimbursement of
15 care costs in temporary shelter care under s. 938.22. Funds to counties under this
16 section may be used for reimbursement of costs of program services, other than basic
17 care and supervision costs, in juvenile secure detention facilities.

18 **SECTION 378.** 301.26 (4) (cm) 1. of the statutes is amended to read:

19 301.26 **(4)** (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
20 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
21 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing secured
22 correctional facilities, secured child caring institutions, alternate care providers,
23 aftercare supervision providers and corrective sanctions supervision providers for
24 costs incurred beginning on July 1, 1996, for the care of any juvenile 14 years of age
25 or over who has been placed in a secured correctional facility based on a delinquent

1 act that is a violation of s. 943.23 (1m) or (1r), 1999 stats., s. 948.35, 1999 stats., or
2 s. 948.36, 1999 stats., or s. 939.31, 939.32 (1) (a), 940.03, 940.21, 940.225 (1), 940.305,
3 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m) or (1r), 943.32 (2),
4 948.02 (1), 948.025, (1), or 948.30 (2), 948.35 (1) (b) or 948.36 and for the care of any
5 juvenile 10 years of age or over who has been placed in a secured correctional facility
6 or secured child caring institution for attempting or committing a violation of s.
7 940.01 or for committing a violation of s. 940.02 or 940.05.

8 **SECTION 379.** 301.45 (6) (a) 2. of the statutes is amended to read:

9 301.45 (6) (a) 2. For a 2nd or subsequent offense, the person ~~may be fined not~~
10 ~~more than \$10,000 or imprisoned for not more than 5 years or both~~ is guilty of a Class
11 H felony. For purposes of this subdivision, an offense is a 2nd or subsequent offense
12 if, prior to committing the offense, the person has at any time been convicted of
13 knowingly failing to comply with any requirement to provide information under
14 subs. (2) to (4).

15 **SECTION 380.** 302.045 (3) of the statutes is amended to read:

16 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department
17 determines that an inmate serving a sentence other than one imposed under s.
18 973.01 has successfully completed the challenge incarceration program, the parole
19 commission shall parole the inmate for that sentence under s. 304.06, regardless of
20 the time the inmate has served, ~~unless the person is serving a sentence imposed~~
21 ~~under s. 973.01~~. When the parole commission grants parole under this subsection,
22 it must require the parolee to participate in an intensive supervision program for
23 drug abusers as a condition of parole.

24 **SECTION 381.** 302.095 (2) of the statutes is amended to read:

1 302.095 (2) Any officer or other person who delivers or procures to be delivered
2 or has in his or her possession with intent to deliver to any inmate confined in a jail
3 or state prison, or who deposits or conceals in or about a jail or prison, or the precincts
4 of a jail or prison, or in any vehicle going into the premises belonging to a jail or
5 prison, any article or thing whatever, with intent that any inmate confined in the jail
6 or prison shall obtain or receive the same, or who receives from any inmate any
7 article or thing whatever with intent to convey the same out of a jail or prison,
8 contrary to the rules or regulations and without the knowledge or permission of the
9 sheriff or other keeper of the jail, in the case of a jail, or of the warden or
10 superintendent of the prison, in the case of a prison, ~~shall be imprisoned for not more~~
11 ~~than 3 years or fined not more than \$500~~ is guilty of a Class I felony.

12 **SECTION 382.** 302.11 (1g) (a) 2. of the statutes is amended to read:

13 302.11 (1g) (a) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m),
14 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s. 940.02,
15 940.03, 940.05, 940.09 (1) (1c), 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2),
16 940.305 (2), 940.31 (1) or (2) (b), 943.02, 943.10 (2), 943.23 (1g) ~~or (1m)~~, 943.32 (2),
17 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07,
18 948.08, ~~or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.~~

19 **SECTION 384.** 302.11 (1p) of the statutes is amended to read:

20 302.11 (1p) An inmate serving a term subject to s. 961.49 (2), 1999 stats., for
21 a crime committed before December 31, 1999, is entitled to mandatory release,
22 except the inmate may not be released before he or she has complied with s. 961.49
23 (2), 1999 stats.

24 **SECTION 385.** 302.11 (1z) of the statutes is amended to read:

1 302.11 (1z) An inmate who is sentenced to a term of confinement in prison
2 under s. 973.01 for a felony that is committed on or after December 31, 1999, is not
3 entitled under this section to mandatory release on parole under ~~this section~~ that
4 sentence.

5 **SECTION 386.** 302.11 (3) of the statutes is amended to read:

6 302.11 (3) All consecutive sentences imposed for crimes committed before
7 December 31, 1999, shall be computed as one continuous sentence.

8 **SECTION 387.** 302.11 (7) (a) of the statutes is renumbered 302.11 (7) (am) and
9 amended to read:

10 302.11 (7) (am) ~~The division of hearings and appeals in the department of~~
11 ~~administration, upon proper notice and hearing, or the department of corrections, if~~
12 ~~the parolee waives a hearing, reviewing authority~~ may return a parolee released
13 under sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the
14 remainder of the sentence for a violation of the conditions of parole. The remainder
15 of the sentence is the entire sentence, less time served in custody prior to parole. The
16 revocation order shall provide the parolee with credit in accordance with ss. 304.072
17 and 973.155.

18 **SECTION 388.** 302.11 (7) (ag) of the statutes is created to read:

19 302.11 (7) (ag) In this subsection “reviewing authority” means the division of
20 hearings and appeals in the department of administration, upon proper notice and
21 hearing, or the department of corrections, if the parolee waives a hearing.

22 **SECTION 389.** 302.11 (7) (b) of the statutes is amended to read:

23 302.11 (7) (b) A parolee returned to prison for violation of the conditions of
24 parole shall be incarcerated for the entire period of time determined by the
25 ~~department of corrections in the case of a waiver or the division of hearings and~~

1 ~~appeals in the department of administration in the case of a hearing under par. (a),~~
2 reviewing authority unless paroled earlier under par. (c). The parolee is not subject
3 to mandatory release under sub. (1) or presumptive mandatory release under sub.
4 (1g). The period of time determined under par. ~~(a)~~ (am) may be extended in
5 accordance with subs. (1q) and (2).

6 **SECTION 390.** 302.11 (7) (d) of the statutes is amended to read:

7 302.11 (7) (d) A parolee who is subsequently released either after service of the
8 period of time determined by the ~~department of corrections in the case of a waiver~~
9 ~~or the division of hearings and appeals in the department of administration in the~~
10 ~~case of a hearing under par. (a)~~ reviewing authority or by a grant of parole under par.
11 (c) is subject to all conditions and rules of parole until expiration of sentence or
12 discharge by the department.

13 **SECTION 391.** 302.11 (7) (e) of the statutes is created to read:

14 302.11 (7) (e) A reviewing authority may consolidate proceedings before it
15 under par. (am) with other proceedings before that reviewing authority under par.
16 (am) or s. 302.113 (9) (am) or 302.114 (9) (am) if all of the proceedings relate to the
17 parole or extended supervision of the same person.

18 **SECTION 392.** 302.113 (2) of the statutes is amended to read:

19 302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this
20 section is entitled to release to extended supervision after he or she has served the
21 term of confinement in prison portion of the sentence imposed under s. 973.01, as
22 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., if
23 applicable.

24 **SECTION 393.** 302.113 (4) of the statutes is amended to read:

1 302.113 (4) All consecutive sentences imposed for crimes committed on or after
2 December 31, 1999, shall be computed as one continuous sentence. The person shall
3 serve any term of extended supervision after serving all terms of confinement in
4 prison.

5 **SECTION 394.** 302.113 (7) of the statutes, as affected by 2001 Wisconsin Act 16,
6 is amended to read:

7 302.113 (7) Any inmate released to extended supervision under this section is
8 subject to all conditions and rules of extended supervision until the expiration of the
9 term of extended supervision portion of the bifurcated sentence. The department
10 may set conditions of extended supervision in addition to any conditions of extended
11 supervision required under s. 302.116, if applicable, or set by the court under sub.
12 (7m) or s. 973.01 (5) if the conditions set by the department do not conflict with the
13 court's conditions.

14 **SECTION 395.** 302.113 (7m) of the statutes is created to read:

15 302.113 (7m) (a) Except as provided in par. (e), a person subject to this section
16 or the department may petition the sentencing court to modify any conditions of
17 extended supervision set by the court.

18 (b) If the department files a petition under this subsection, it shall serve a copy
19 of the petition on the person who is the subject of the petition and, if the person is
20 represented by an attorney, on the person's attorney. If a person who is subject to this
21 section or his or her attorney files a petition under this subsection, the person or his
22 or her attorney shall serve a copy of the petition on the department. The court shall
23 serve a copy of a petition filed under this section on the district attorney. The court
24 may direct the clerk of the court to provide notice of the petition to a victim of a crime
25 committed by the person who is the subject of the petition.

1 (c) The court may conduct a hearing to consider the petition. The court may
2 grant the petition in full or in part if it determines that the modification would meet
3 the needs of the department and the public and would be consistent with the
4 objectives of the person's sentence.

5 (d) A person subject to this section or the department may appeal an order
6 entered by the court under this subsection. The appellate court may reverse the
7 order only if it determines that the sentencing court erroneously exercised its
8 discretion in granting or denying the petition.

9 (e) 1. An inmate may not petition the court to modify the conditions of extended
10 supervision earlier than one year before the date of the inmate's scheduled date of
11 release to extended supervision or more than once before the inmate's release to
12 extended supervision.

13 2. A person subject to this section may not petition the court to modify the
14 conditions of extended supervision within one year after the inmate's release to
15 extended supervision. If a person subject to this section files a petition authorized
16 by this subsection after his or her release from confinement, the person may not file
17 another petition until one year after the date of filing the former petition.

18 **SECTION 396.** 302.113 (8m) of the statutes is created to read:

19 302.113 **(8m)** (a) Every person released to extended supervision under this
20 section remains in the legal custody of the department. If the department alleges
21 that any condition or rule of extended supervision has been violated by the person,
22 the department may take physical custody of the person for the investigation of the
23 alleged violation.

24 (b) If a person released to extended supervision under this section signs a
25 statement admitting a violation of a condition or rule of extended supervision, the

1 department may, as a sanction for the violation, confine the person for up to 90 days
2 in a regional detention facility or, with the approval of the sheriff, in a county jail.
3 If the department confines the person in a county jail under this paragraph, the
4 department shall reimburse the county for its actual costs in confining the person
5 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,
6 the person is not eligible to earn good time credit on any period of confinement
7 imposed under this subsection.

8 **SECTION 397.** 302.113 (9) (a) of the statutes is renumbered 302.113 (9) (am) and
9 amended to read:

10 302.113 (9) (am) If a person released to extended supervision under this section
11 violates a condition of extended supervision, ~~the division of hearings and appeals in~~
12 ~~the department of administration, upon proper notice and hearing, or the~~
13 ~~department of corrections, if the person on extended supervision waives a hearing,~~
14 reviewing authority may revoke the extended supervision of the person and return
15 ~~the person to prison.~~ If the extended supervision of the person is revoked, the person
16 shall be returned to the circuit court for the county in which the person was convicted
17 of the offense for which he or she was on extended supervision, and the court shall
18 order the person to be returned to prison, he or she shall be returned to prison for any
19 specified period of time that does not exceed the time remaining on the bifurcated
20 sentence. The time remaining on the bifurcated sentence is the total length of the
21 bifurcated sentence, less time served by the person in custody confinement under the
22 sentence before release to extended supervision under sub. (2) and less all time
23 served in confinement for previous revocations of extended supervision under the
24 sentence. The revocation court order returning a person to prison under this

1 paragraph shall provide the person ~~on~~ whose extended supervision was revoked with
2 credit in accordance with ss. 304.072 and 973.155.

3 **SECTION 398.** 302.113 (9) (ag) of the statutes is created to read:

4 302.113 (9) (ag) In this subsection “reviewing authority” means the division of
5 hearings and appeals in the department of administration, upon proper notice and
6 hearing, or the department of corrections, if the person on extended supervision
7 waives a hearing.

8 **SECTION 399.** 302.113 (9) (at) of the statutes is created to read:

9 302.113 (9) (at) When a person is returned to court under par. (am) after
10 revocation of extended supervision, the reviewing authority shall make a
11 recommendation to the court concerning the period of time for which the person
12 should be returned to prison. The recommended time period may not exceed the time
13 remaining on the bifurcated sentence, as calculated under par. (am).

14 **SECTION 400.** 302.113 (9) (b) of the statutes is amended to read:

15 302.113 (9) (b) A person who is returned to prison after revocation of extended
16 supervision shall be incarcerated for the entire period of time specified by the
17 ~~department of corrections in the case of a waiver or by the division of hearings and~~
18 ~~appeals in the department of administration in the case of a hearing~~ court under par.
19 ~~(a)~~ (am). The period of time specified under par. ~~(a)~~ (am) may be extended in
20 accordance with sub. (3). If a person is returned to prison under par. (am) for a period
21 of time that is less than the time remaining on the bifurcated sentence, the person
22 shall be released to extended supervision after he or she has served the period of time
23 specified by the court under par. (am) and any periods of extension imposed in
24 accordance with sub. (3).

25 **SECTION 401.** 302.113 (9) (c) of the statutes is amended to read:

1 302.113 (9) (c) A person who is subsequently released to extended supervision
2 after service of the period of time specified by the department of corrections in the
3 case of a waiver or by the division of hearings and appeals in the department of
4 administration in the case of a hearing court under par. (a) (am) is subject to all
5 conditions and rules under sub. subs. (7) and, if applicable, (7m) until the expiration
6 of the term of remaining extended supervision portion of the bifurcated sentence.
7 The remaining extended supervision portion of the bifurcated sentence is the total
8 length of the bifurcated sentence, less the time served by the person in confinement
9 under the bifurcated sentence before release to extended supervision under sub. (2)
10 and less all time served in confinement for previous revocations of extended
11 supervision under the bifurcated sentence.

12 **SECTION 402.** 302.113 (9) (d) of the statutes is created to read:

13 302.113 (9) (d) For the purposes of pars. (am) and (c), the amount of time a
14 person has served in confinement before release to extended supervision and the
15 amount of time a person has served in confinement for a revocation of extended
16 supervision includes any extensions imposed under sub. (3).

17 **SECTION 403.** 302.113 (9) (e) of the statutes is created to read:

18 302.113 (9) (e) If a hearing is to be held under par. (am) before the division of
19 hearings and appeals in the department of administration, the hearing examiner
20 may order the taking and allow the use of a videotaped deposition under s. 967.04
21 (7) to (10).

22 **SECTION 404.** 302.113 (9) (f) of the statutes is created to read:

23 302.113 (9) (f) A reviewing authority may consolidate proceedings before it
24 under par. (am) with other proceedings before that reviewing authority under par.

1 (am) or s. 302.11 (7) (am) or 302.114 (9) (am) if all of the proceedings relate to the
2 parole or extended supervision of the same person.

3 **SECTION 405.** 302.113 (9) (g) of the statutes is created to read:

4 302.113 (9) (g) In any case in which there is a hearing before the division of
5 hearings and appeals in the department of administration concerning whether to
6 revoke a person's extended supervision, the person on extended supervision may
7 seek review of a decision to revoke extended supervision and the department of
8 corrections may seek review of a decision to not revoke extended supervision. Review
9 of a decision under this paragraph may be sought only by an action for certiorari.

10 **SECTION 406.** 302.113 (9g) of the statutes is created to read:

11 302.113 (9g) (a) In this subsection:

12 1. "Program review committee" means the committee at a correctional
13 institution that reviews the security classifications, institution assignments, and
14 correctional programming assignments of inmates confined in the institution.

15 2. "Terminal condition" means an incurable condition afflicting a person,
16 caused by injury, disease, or illness, as a result of which the person has a medical
17 prognosis that his or her life expectancy is 6 months or less, even with available
18 life-sustaining treatment provided in accordance with the prevailing standard of
19 medical care.

20 (b) An inmate who is serving a bifurcated sentence for a crime other than a
21 Class B felony may seek modification of the bifurcated sentence in the manner
22 specified in par. (f) if he or she meets one of the following criteria:

23 1. The inmate is 65 years of age or older and has served at least 5 years of the
24 term of confinement in prison portion of the bifurcated sentence.

1 2. The inmate is 60 years of age or older and has served at least 10 years of the
2 term of confinement in prison portion of the bifurcated sentence.

3 3. The inmate has a terminal condition.

4 (c) An inmate who meets the criteria under par. (b) may submit a petition to
5 the program review committee at the correctional institution in which the inmate is
6 confined requesting a modification of the inmate's bifurcated sentence in the manner
7 specified in par. (f). If the inmate alleges in the petition that he or she has a terminal
8 condition, the inmate shall attach to the petition affidavits from 2 physicians setting
9 forth a diagnosis that the inmate has a terminal condition.

10 (cm) If, after receiving the petition under par. (c), the program review
11 committee determines that the public interest would be served by a modification of
12 the inmate's bifurcated sentence in the manner provided under par. (f), the
13 committee shall approve the petition for referral to the sentencing court and notify
14 the department of its approval. The department shall then refer the inmate's
15 petition to the sentencing court and request the court to conduct a hearing on the
16 petition. If the program review committee determines that the public interest would
17 not be served by a modification of the inmate's bifurcated sentence in the manner
18 specified in par. (f), the committee shall deny the inmate's petition.

19 (d) When a court is notified by the department that it is referring to the court
20 an inmate's petition for modification of the inmate's bifurcated sentence, the court
21 shall set a hearing to determine whether the public interest would be served by a
22 modification of the inmate's bifurcated sentence in the manner specified in par. (f).
23 The inmate and the district attorney have the right to be present at the hearing, and
24 any victim of the inmate's crime has the right to be present at the hearing and to
25 provide a statement concerning the modification of the inmate's bifurcated sentence.

1 The court shall order such notice of the hearing date as it considers adequate to be
2 given to the department, the inmate, the attorney representing the inmate, if
3 applicable, and the district attorney. Victim notification shall be provided as
4 specified under par. (g).

5 (e) At a hearing scheduled under par. (d), the inmate has the burden of proving
6 by the greater weight of the credible evidence that a modification of the bifurcated
7 sentence in the manner specified in par. (f) would serve the public interest. If the
8 inmate proves that a modification of the bifurcated sentence in the manner specified
9 in par. (f) would serve the public interest, the court shall modify the inmate's
10 bifurcated sentence in that manner. If the inmate does not prove that a modification
11 of the bifurcated sentence in the manner specified in par. (f) would serve the public
12 interest, the court shall deny the inmate's petition for modification of the bifurcated
13 sentence.

14 (f) A court may modify an inmate's bifurcated sentence under this section only
15 as follows:

16 1. The court shall reduce the term of confinement in prison portion of the
17 inmate's bifurcated sentence in a manner that provides for the release of the inmate
18 to extended supervision within 30 days after the date on which the court issues its
19 order modifying the bifurcated sentence.

20 2. The court shall lengthen the term of extended supervision imposed so that
21 the total length of the bifurcated sentence originally imposed does not change.

22 (g) 1. In this paragraph, "victim" has the meaning given in s. 950.02 (4).

23 2. When a court sets a hearing date under par. (d), the clerk of the circuit court
24 shall send a notice of hearing to the victim of the crime committed by the inmate, if
25 the victim has submitted a card under subd. 3. requesting notification. The notice

1 shall inform the victim that he or she may appear at the hearing scheduled under
2 par. (d) and shall inform the victim of the manner in which he or she may provide a
3 statement concerning the modification of the inmate's bifurcated sentence in the
4 manner provided in par. (f). The clerk of the circuit court shall make a reasonable
5 attempt to send the notice of hearing to the last-known address of the inmate's
6 victim, postmarked at least 10 days before the date of the hearing.

7 3. The director of state courts shall design and prepare cards for a victim to send
8 to the clerk of the circuit court for the county in which the inmate was convicted and
9 sentenced. The cards shall have space for a victim to provide his or her name and
10 address, the name of the applicable inmate, and any other information that the
11 director of state courts determines is necessary. The director of state courts shall
12 provide the cards, without charge, to clerks of circuit court. Clerks of circuit court
13 shall provide the cards, without charge, to victims. Victims may send completed
14 cards to the clerk of the circuit court for the county in which the inmate was convicted
15 and sentenced. All court records or portions of records that relate to mailing
16 addresses of victims are not subject to inspection or copying under s. 19.35 (1).

17 (h) An inmate may appeal a court's decision to deny the inmate's petition for
18 modification of his or her bifurcated sentence. The state may appeal a court's
19 decision to grant an inmate's petition for a modification of the inmate's bifurcated
20 sentence. In an appeal under this paragraph, the appellate court may reverse a
21 decision granting or denying a petition for modification of a bifurcated sentence only
22 if it determines that the sentencing court erroneously exercised its discretion in
23 granting or denying the petition.

24 (i) If the program review committee denies an inmate's petition under par. (cm),
25 the inmate may not file another petition within one year after the date of the program

1 review committee's denial. If the program review committee approves an inmate's
2 petition for referral to the sentencing court under par. (cm) but the sentencing court
3 denies the petition, the inmate may not file another petition under par. (cm) within
4 one year after the date of the court's decision.

5 (j) An inmate eligible to seek modification of his or her bifurcated sentence
6 under this subsection has a right to be represented by counsel in proceedings under
7 this subsection. An inmate, or the department on the inmate's behalf, may apply to
8 the state public defender for determination of indigency and appointment of counsel
9 under s. 977.05 (4) (jm) before or after the filing of a petition with the program review
10 committee under par. (c). If an inmate whose petition has been referred to the court
11 under par. (cm) is without counsel, the court shall refer the matter to the state public
12 defender for determination of indigency and appointment of counsel under s. 977.05
13 (4) (jm).

14 **SECTION 407.** 302.114 (4) of the statutes is amended to read:

15 302.114 (4) All consecutive sentences imposed for crimes committed on or after
16 December 31, 1999, shall be computed as one continuous sentence. An inmate
17 subject to this section shall serve any term of extended supervision after serving all
18 terms of confinement in prison.

19 **SECTION 408.** 302.114 (5) (f) of the statutes is amended to read:

20 302.114 (5) (f) An inmate may appeal an order denying his or her petition for
21 release to extended supervision. In an appeal under this paragraph, the appellate
22 court may reverse an order denying a petition for release to extended supervision
23 only if it determines that the sentencing court ~~improperly~~ erroneously exercised its
24 discretion in denying the petition for release to extended supervision.

25 **SECTION 409.** 302.114 (6) (b) of the statutes is amended to read:

1 302.114 **(6)** (b) If an inmate petitions a court under sub. (5) or (9) ~~(b)~~ (bm) for
2 release to extended supervision under this section, the clerk of the circuit court in
3 which the petition is filed shall send a copy of the petition and, if a hearing is
4 scheduled, a notice of hearing to the victim of the crime committed by the inmate, if
5 the victim has submitted a card under par. (e) requesting notification.

6 **SECTION 410.** 302.114 (6) (c) of the statutes is amended to read:

7 302.114 **(6)** (c) The notice under par. (b) shall inform the victim that he or she
8 may appear at the hearing under sub. (5) or (9) ~~(b)~~ (bm), if a hearing is scheduled,
9 and shall inform the victim of the manner in which he or she may provide written
10 statements concerning the inmate's petition for release to extended supervision.

11 **SECTION 411.** 302.114 (8m) of the statutes is created to read:

12 302.114 **(8m)** (a) Every person released to extended supervision under this
13 section remains in the legal custody of the department. If the department alleges
14 that any condition or rule of extended supervision has been violated by the person,
15 the department may take physical custody of the person for the investigation of the
16 alleged violation.

17 (b) If a person released to extended supervision under this section signs a
18 statement admitting a violation of a condition or rule of extended supervision, the
19 department may, as a sanction for the violation, confine the person for up to 90 days
20 in a regional detention facility or, with the approval of the sheriff, in a county jail.
21 If the department confines the person in a county jail under this paragraph, the
22 department shall reimburse the county for its actual costs in confining the person
23 from the appropriations under s. 20.410 (1) (ab) and (b). Notwithstanding s. 302.43,
24 the person is not eligible to earn good time credit on any period of confinement
25 imposed under this subsection.

1 **SECTION 412.** 302.114 (9) (a) of the statutes is renumbered 302.114 (9) (am) and
2 amended to read:

3 302.114 (9) (am) If a person released to extended supervision under this section
4 violates a condition of extended supervision, ~~the division of hearings and appeals in~~
5 ~~the department of administration, upon proper notice and hearing, or the~~
6 ~~department of corrections, if the person on extended supervision waives a hearing,~~
7 reviewing authority may revoke the extended supervision of the person and return
8 ~~the person to prison. If the extended supervision of the person is revoked, the person~~
9 shall be returned to the circuit court for the county in which the person was convicted
10 of the offense for which he or she was on extended supervision, and the court shall
11 order the person to be returned to prison, he or she shall be returned to prison for a
12 specified period of time, as provided under par. (b) before he or she is eligible for being
13 released again to extended supervision. The period of time specified under this
14 paragraph may not be less than 5 years and may be extended in accordance with sub.
15 (3).

16 **SECTION 413.** 302.114 (9) (ag) of the statutes is created to read:

17 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given
18 in s. 302.113 (9) (ag).

19 **SECTION 414.** 302.114 (9) (b) of the statutes is amended to read:

20 302.114 (9) (b) ~~If~~ When a person is returned to ~~prison~~ court under par. (a) ~~(am)~~
21 after revocation of extended supervision, ~~the department of corrections in the case~~
22 ~~of a waiver or the division of hearings and appeals in the department of~~
23 ~~administration in the case of a hearing under par. (a)~~ reviewing authority shall
24 ~~specify a~~ make a recommendation to the court concerning the period of time for
25 ~~which the person shall be incarcerated~~ should be returned to prison before being

1 eligible for release to extended supervision. The period of time specified
2 recommended under this paragraph may not be less than 5 years and may be
3 ~~extended in accordance with sub. (3).~~

4 **SECTION 415.** 302.114 (9) (bm) of the statutes is amended to read:

5 302.114 **(9)** (bm) A person who is returned to prison under par. ~~(a)~~ (am) after
6 revocation of extended supervision may, upon petition to the sentencing court, be
7 released to extended supervision after he or she has served the entire period of time
8 specified ~~in~~ by the court under par. ~~(b)~~ (am), including any periods of extension
9 imposed under sub. (3). A person may not file a petition under this paragraph earlier
10 than 90 days before the date on which he or she is eligible to be released to extended
11 supervision. If a person files a petition for release to extended supervision under this
12 paragraph at any time earlier than 90 days before the date on which he or she is
13 eligible to be released to extended supervision, the court shall deny the petition
14 without a hearing. The procedures specified in sub. (5) (am) to (f) apply to a petition
15 filed under this paragraph.

16 **SECTION 416.** 302.114 (9) (c) of the statutes is amended to read:

17 302.114 **(9)** (c) A person who is subsequently released to extended supervision
18 under par. ~~(b)~~ (bm) is subject to all conditions and rules under sub. (8) until the
19 expiration of the sentence.

20 **SECTION 417.** 302.114 (9) (d) of the statutes is created to read:

21 302.114 **(9)** (d) If a hearing is to be held under par. (am) before the division of
22 hearings and appeals in the department of administration, the hearing examiner
23 may order the taking and allow the use of a videotaped deposition under s. 967.04
24 (7) to (10).

25 **SECTION 418.** 302.114 (9) (e) of the statutes is created to read:

1 302.114 (9) (e) A reviewing authority may consolidate proceedings before it
2 under par. (am) with other proceedings before that reviewing authority under par.
3 (am) or s. 302.11 (7) (am) or 302.113 (9) (am) if all of the proceedings relate to the
4 parole or extended supervision of the same person.

5 **SECTION 419.** 302.114 (9) (f) of the statutes is created to read:

6 302.114 (9) (f) In any case in which there is a hearing before the division of
7 hearings and appeals in the department of administration concerning whether to
8 revoke a person's extended supervision, the person on extended supervision may
9 seek review of a decision to revoke extended supervision and the department of
10 corrections may seek review of a decision to not revoke extended supervision. Review
11 of a decision under this paragraph may be sought only by an action for certiorari.

12 **SECTION 420.** 302.33 (1) of the statutes is amended to read:

13 302.33 (1) The maintenance of persons who have been sentenced to the state
14 penal institutions; persons in the custody of the department, except as provided in
15 sub. (2) and s. ss. 301.048 (7), 302.113 (8m), and 302.114 (8m); persons accused of
16 crime and committed for trial; persons committed for the nonpayment of fines and
17 expenses; and persons sentenced to imprisonment therein, while in the county jail,
18 shall be paid out of the county treasury. No claim may be allowed to any sheriff for
19 keeping or boarding any person in the county jail unless the person was lawfully
20 detained therein.

21 **SECTION 421.** 303.063 of the statutes is repealed.

22 **SECTION 422.** 303.065 (1) (b) 1. of the statutes is amended to read:

23 303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence
24 specified in subd. 2., may be considered for work release only after he or she has
25 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever

1 is applicable, or he or she has reached his or her extended supervision eligibility date
2 under s. 302.114 (9) ~~(b)~~ (a) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

3 **SECTION 423.** 303.08 (1) (intro.) of the statutes is amended to read:

4 303.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment
5 of a fine or forfeiture, or contempt of court, or subject to a confinement sanction under
6 s. 302.113 (8m) or 302.114 (8m) may be granted the privilege of leaving the jail during
7 necessary and reasonable hours for any of the following purposes:

8 **SECTION 424.** 303.08 (2) of the statutes is amended to read:

9 303.08 (2) Unless such privilege is expressly granted by the court or, in the case
10 of a person subject to a confinement sanction under s. 302.113 (8m) or 302.114 (8m),
11 the department, the prisoner person is sentenced to ordinary confinement. The A
12 prisoner, other than a person subject to a confinement sanction under s. 302.113 (8m)
13 or 302.114 (8m), may petition the court for such privilege at the time of sentence or
14 thereafter, and in the discretion of the court may renew the prisoner's petition. The
15 court may withdraw the privilege at any time by order entered with or without notice.

16 **SECTION 425.** 303.08 (5) (intro.) of the statutes is amended to read:

17 303.08 (5) (intro.) By order of the court or, for a person subject to a confinement
18 sanction under s. 302.113 (8m) or 302.114 (8m), by order of the department, the
19 wages, salary and unemployment insurance and employment training benefits
20 received by prisoners shall be disbursed by the sheriff for the following purposes, in
21 the order stated:

22 **SECTION 426.** 303.08 (6) of the statutes is amended to read:

23 303.08 (6) The department, for a person subject to a confinement sanction
24 under s. 302.113 (8m) or 302.114 (8m), or the sentencing court may, by order, may
25 authorize the sheriff to whom the prisoner is committed to arrange with another

1 sheriff for the employment or employment training of the prisoner in the other's
2 county, and while so employed or trained to be in the other's custody but in other
3 respects to be and continue subject to the commitment.

4 **SECTION 427.** 303.08 (12) of the statutes is amended to read:

5 303.08 (12) In counties having a house of correction, any person violating the
6 privilege granted under sub. (1) may be transferred by the county jailer to the house
7 of correction for the remainder of the term of the person's sentence or, if applicable,
8 the remainder of the person's confinement sanction under s. 302.113 (8m) or 302.114
9 (8m).

10 **SECTION 428.** 303.21 (1) (b) of the statutes is amended to read:

11 303.21 (1) (b) Inmates are included under par. (a) if they are participating in
12 a structured work program away from the institution grounds under s. 302.15 ~~or a~~
13 ~~secure work program under s. 303.063.~~ Inmates are not included under par. (a) if
14 they are employed in a prison industry under s. 303.06 (2), participating in a work
15 release program under s. 303.065 (2), participating in employment with a private
16 business under s. 303.01 (2) (em) or participating in the transitional employment
17 program, but they are eligible for worker's compensation benefits under ch. 102.
18 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are
19 eligible for worker's compensation benefits under ch. 102.

20 **SECTION 429.** 304.06 (1) (b) of the statutes is amended to read:

21 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.
22 302.045 (3), ~~961.49 (2),~~ 973.01 (6) or 973.0135, the parole commission may parole an
23 inmate of the Wisconsin state prisons or any felon or any person serving at least one
24 year or more in a county house of correction or a county reforestation camp organized
25 under s. 303.07, when he or she has served 25% of the sentence imposed for the

1 offense, or 6 months, whichever is greater. Except as provided in s. 939.62 (2m) (c)
2 or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an inmate
3 serving a life term when he or she has served 20 years, as modified by the formula
4 under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if applicable.
5 The person serving the life term shall be given credit for time served prior to
6 sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary
7 may grant special action parole releases under s. 304.02. The department or the
8 parole commission shall not provide any convicted offender or other person
9 sentenced to the department's custody any parole eligibility or evaluation until the
10 person has been confined at least 60 days following sentencing.

11 **SECTION 431.** 304.071 (2) of the statutes is amended to read:

12 304.071 (2) If a prisoner is not eligible for parole under s. 961.49 (2), 1999 stats.,
13 or s. 939.62 (2m) (c), 961.49 (2), 973.01 (6), 973.014 (1) (c) or (1g) or 973.032 (5), he
14 or she is not eligible for parole under this section.

15 **SECTION 431g.** 304.073 (2) of the statutes is amended to read:

16 304.073 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge
17 a fee to any probationer, parolee, or person on extended supervision who is under
18 minimum or administrative supervision and is supervised by the department. The
19 fee does not apply if the person is supervised by a vendor under s. 301.08 (1) (c). The
20 department shall set the fee sufficient to cover the cost of supervision and may set
21 varying rates, on a case-by-case basis, based on the person's supervision level. The
22 department shall collect moneys for the fee charged under this subsection and credit
23 those moneys to the appropriation account under s. 20.410 (1) (ge).

24 **SECTION 431k.** 304.074 (2) of the statutes is amended to read:

1 304.074 (2) ~~Beginning on January 1, 1996, the~~ The department shall charge
2 a fee to probationers, parolees, and persons on extended supervision to partially
3 reimburse the department for the costs of providing supervision and services. The
4 department shall set varying rates for probationers, parolees, or persons on extended
5 supervision based on ability to pay and may set varying rates, on a case-by-case
6 basis, based on the person's supervision level, with the goal of receiving at least \$1
7 per day, if appropriate, from each probationer, parolee, and person on extended
8 supervision. The department shall not charge a fee while the probationer, parolee,
9 or person on extended supervision is exempt under sub. (3). The department shall
10 collect moneys for the fees charged under this subsection and credit those moneys to
11 the appropriation account under s. 20.410 (1) (gf).

12 **SECTION 432.** 304.11 (3) of the statutes is amended to read:

13 304.11 (3) If upon inquiry it further appears to the governor that the convicted
14 person has violated or failed to comply with any of those conditions, the governor may
15 issue his or her warrant remanding the person to the institution from which
16 discharged, and the person shall be confined and treated as though no pardon had
17 been granted, except that the person loses any applicable good time which he or she
18 had earned. If the person is returned to prison, the person is subject to the same
19 limitations as a revoked parolee under s. 302.11 (7). The department shall determine
20 the period of incarceration under s. 302.11 (7) ~~(a)~~ (am). If the governor determines
21 the person has not violated or failed to comply with the conditions, the person shall
22 be discharged subject to the conditional pardon.

23 **SECTION 433.** 341.605 (3) of the statutes is amended to read:

1 341.605 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~
2 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~
3 guilty of a Class H felony.

4 **SECTION 434.** 342.06 (2) of the statutes is amended to read:

5 342.06 (2) Any person who knowingly makes a false statement in an
6 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~
7 ~~not more than 7 years and 6 months or both is guilty of a Class H felony.~~

8 **SECTION 435.** 342.065 (4) (b) of the statutes is amended to read:

9 342.065 (4) (b) Any person who violates sub. (1) with intent to defraud ~~may be~~
10 ~~fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~
11 ~~or both is guilty of a Class H felony.~~

12 **SECTION 436.** 342.155 (4) (b) of the statutes is amended to read:

13 342.155 (4) (b) Any person who violates this section with intent to defraud may
14 be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months
15 or both is guilty of Class H felony.

16 **SECTION 437.** 342.156 (6) (b) of the statutes is amended to read:

17 342.156 (6) (b) Any person who violates this section with intent to defraud ~~may~~
18 ~~be fined not more than \$5,000 or imprisoned for not more than 7 years and 6 months~~
19 ~~or both is guilty of a Class H felony.~~

20 **SECTION 438.** 342.30 (3) (a) of the statutes is amended to read:

21 342.30 (3) (a) Any person who violates sub. (1g) ~~may be fined not more than~~
22 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both is guilty of a~~
23 Class H felony.

24 **SECTION 439.** 342.32 (3) of the statutes is amended to read:

1 342.32 (3) Whoever violates sub. (1) or (2) ~~may be fined not more than \$5,000~~
2 ~~or imprisoned for not more than 7 years and 6 months, or both, for each violation is~~
3 ~~guilty of a Class H felony.~~

4 **SECTION 440.** 343.31 (1) (i) of the statutes is amended to read:

5 343.31 (1) (i) Knowingly fleeing or attempting to elude a traffic officer under
6 s. 346.04 (3).

7 **SECTION 441.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

8 343.31 (3) (d) (intro.) Any person convicted of knowingly fleeing or attempting
9 to elude a traffic officer under s. 346.04 (3) shall have his or her operating privilege
10 revoked as follows:

11 **SECTION 442.** 344.48 (2) of the statutes is amended to read:

12 344.48 (2) Any person violating this section may be fined not more than \$1,000
13 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

14 **SECTION 443.** 346.04 (2t) of the statutes is created to read:

15 346.04 (2t) No operator of a vehicle, after having received a visible or audible
16 signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall
17 knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as
18 safety reasonably permits.

19 **SECTION 444.** 346.04 (4) of the statutes is created to read:

20 346.04 (4) Subsection (2t) is not an included offense of sub. (3), but a person may
21 not be convicted of violating both subs. (2t) and (3) for acts arising out of the same
22 incident or occurrence.

23 **SECTION 445.** 346.17 (2t) of the statutes is created to read:

24 346.17 (2t) Any person violating s. 346.04 (2t) may be fined not more than
25 \$10,000 or imprisoned for not more than 9 months or both.

1 **SECTION 446.** 346.17 (3) (a) of the statutes is amended to read:

2 346.17 **(3)** (a) Except as provided in par. (b), (c) or (d), any person violating s.
3 346.04 (3) ~~shall be fined not less than \$600 nor more than \$10,000 and may be~~
4 ~~imprisoned for not more than 3 years~~ is guilty of a Class I felony.

5 **SECTION 447.** 346.17 (3) (b) of the statutes is amended to read:

6 346.17 **(3)** (b) If the violation results in bodily harm, as defined in s. 939.22 (4),
7 to another, or causes damage to the property of another, as defined in s. 939.22 (28),
8 the person ~~shall be fined not less than \$1,000 nor more than \$10,000 and may be~~
9 ~~imprisoned for not more than 3 years~~ is guilty of a Class H felony.

10 **SECTION 448.** 346.17 (3) (c) of the statutes is amended to read:

11 346.17 **(3)** (c) If the violation results in great bodily harm, as defined in s. 939.22
12 (14), to another, the person ~~shall be fined not less than \$1,100 nor more than \$10,000~~
13 ~~and may be imprisoned for not more than 3 years~~ is guilty of a Class F felony.

14 **SECTION 449.** 346.17 (3) (d) of the statutes is amended to read:

15 346.17 **(3)** (d) If the violation results in the death of another, the person shall
16 ~~be fined not less than \$1,100 nor more than \$10,000 and may be imprisoned for not~~
17 ~~more than 7 years and 6 months~~ is guilty of a Class E felony.

18 **SECTION 450.** 346.175 (1) (a) of the statutes is amended to read:

19 346.175 **(1)** (a) Subject to s. 346.01 (2), the owner of a vehicle involved in a
20 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer shall be presumed liable for
21 the violation as provided in this section.

22 **SECTION 451.** 346.175 (1) (b) of the statutes is amended to read:

23 346.175 **(1)** (b) Notwithstanding par. (a), no owner of a vehicle involved in a
24 violation of s. 346.04 (2t) or (3) for fleeing a traffic officer may be convicted under this
25 section if the person operating the vehicle or having the vehicle under his or her

1 control at the time of the violation has been convicted for the violation under this
2 section or under s. 346.04 (2t) or (3).

3 **SECTION 452.** 346.175 (4) (b) of the statutes is amended to read:

4 346.175 (4) (b) If the owner of the vehicle provides a traffic officer employed by
5 the authority issuing the citation with the name and address of the person operating
6 the vehicle or having the vehicle under his or her control at the time of the violation
7 and sufficient information for the officer to determine that probable cause does not
8 exist to believe that the owner of the vehicle was operating the vehicle at the time
9 of the violation, then the owner of the vehicle shall not be liable under this section
10 or under s. 346.04 (2t) or (3).

11 **SECTION 453.** 346.175 (4) (c) of the statutes is amended to read:

12 346.175 (4) (c) If the vehicle is owned by a lessor of vehicles and at the time of
13 the violation the vehicle was in the possession of a lessee, and the lessor provides a
14 traffic officer employed by the authority issuing the citation with the information
15 required under s. 343.46 (3), then the lessee and not the lessor shall be liable under
16 this section or under s. 346.04 (2t) or (3).

17 **SECTION 454.** 346.175 (4) (d) of the statutes is amended to read:

18 346.175 (4) (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11)
19 (intro.) but including the persons specified in s. 340.01 (11) (a) to (d), and at the time
20 of the violation the vehicle was being operated by or was under the control of any
21 person on a trial run, and if the dealer provides a traffic officer employed by the
22 authority issuing the citation with the name, address and operator's license number
23 of the person operating the vehicle, then that person, and not the dealer, shall be
24 liable under this section or under s. 346.04 (2t) or (3).

25 **SECTION 455.** 346.175 (5) (intro.) of the statutes is amended to read:

1 346.175 (5) (intro.) Notwithstanding the penalty otherwise specified under s.
2 346.17 (2t) or (3) for a violation of s. 346.04 (2t) or (3):

3 **SECTION 456.** 346.175 (5) (a) of the statutes is amended to read:

4 346.175 (5) (a) A vehicle owner or other person found liable under this section
5 for a violation of s. 346.04 (2t) or (3) shall be required to forfeit not less than \$300 nor
6 more than \$1,000.

7 **SECTION 457.** 346.65 (2) (e) of the statutes is amended to read:

8 346.65 (2) (e) Except as provided in pars. (f) and (g), is guilty of a Class H felony
9 and shall be fined not less than \$600 nor more than \$2,000 and imprisoned for not
10 less than 6 months ~~nor more than 5 years~~ if the number of convictions under ss.
11 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,
12 revocations and other convictions counted under s. 343.307 (1), equals 5 or more,
13 except that suspensions, revocations or convictions arising out of the same incident
14 or occurrence shall be counted as one.

15 **SECTION 458.** 346.65 (5) of the statutes is amended to read:

16 346.65 (5) Except as provided in sub. (5m), any person violating s. 346.62 (4)
17 ~~shall be fined not less than \$600 nor more than \$2,000 and may be imprisoned for~~
18 ~~not less than 90 days nor more than 2 years and 3 months~~ is guilty of a Class I felony.

19 **SECTION 459.** 346.74 (5) (b) of the statutes is amended to read:

20 346.74 (5) (b) ~~Shall~~ May be fined not less than \$300 ~~nor more than \$5,000~~
21 \$10,000 or imprisoned for not less than 10 days nor more than 2 years 9 months or
22 both if the accident involved injury to a person but the person did not suffer great
23 bodily harm.

24 **SECTION 460.** 346.74 (5) (c) of the statutes is amended to read:

1 346.74 (5) (c) ~~May be fined not more than \$10,000 or imprisoned not more than~~
2 ~~3 years or both~~ Is guilty of a Class I felony if the accident involved injury to a person
3 and the person suffered great bodily harm.

4 **SECTION 461.** 346.74 (5) (d) of the statutes is amended to read:

5 346.74 (5) (d) ~~May be fined not more than \$10,000 or imprisoned not more than~~
6 ~~7 years and 6 months or both~~ Is guilty of a Class H felony if the accident involved
7 death to a person.

8 **SECTION 462.** 350.11 (2m) of the statutes is amended to read:

9 350.11 (2m) Any person who violates s. 350.135 (1) ~~shall be fined not more than~~
10 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
11 if the violation causes the death or injury, as defined in s. 30.67 (3) (b), of another
12 person.

13 **SECTION 463.** 351.07 (2) (a) of the statutes is renumbered 351.07 (2).

14 **SECTION 464.** 351.07 (2) (b) of the statutes is repealed.

15 **SECTION 465.** 446.07 of the statutes is amended to read:

16 **446.07 Penalty.** Anyone violating this chapter may be fined not less than ~~\$100~~
17 ~~nor~~ more than \$500 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or
18 both.

19 **SECTION 465t.** 447.04 (1) (c) 2. of the statutes, as created by 2001 Wisconsin Act
20 16, is amended to read:

21 447.04 (1) (c) 2. A license granted under subd. 1. authorizes the license holder
22 to practice dentistry only within educational facilities ~~and only for the purpose of~~
23 ~~carrying out the license holder's teaching duties.~~

24 **SECTION 466.** 447.09 of the statutes is amended to read:

1 **447.09 Penalties.** Any person who violates this chapter may be fined not more
2 than \$1,000 or imprisoned for not more than one year in the county jail or both for
3 the first offense and ~~may be fined not more than \$2,500 or imprisoned for not more~~
4 ~~than 3 years or both~~ is guilty of a Class I felony for the 2nd or subsequent conviction
5 within 5 years.

6 **SECTION 467.** 450.11 (9) (b) of the statutes is amended to read:

7 450.11 **(9)** (b) Any person who delivers, or who possesses with intent to
8 manufacture or deliver, a prescription drug in violation of this section ~~may be fined~~
9 ~~not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both~~
10 is guilty of a Class H felony.

11 **SECTION 468.** 450.14 (5) of the statutes is amended to read:

12 450.14 **(5)** Any person who violates this section ~~may be fined not less than \$100~~
13 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
14 ~~and 6 months or both~~ is guilty of a Class H felony.

15 **SECTION 469.** 450.15 (2) of the statutes is amended to read:

16 450.15 **(2)** Any person who violates this section ~~may be fined not less than \$100~~
17 ~~nor more than \$1,000 or imprisoned for not less than one year nor more than 7 years~~
18 ~~and 6 months or both~~ is guilty of a Class H felony.

19 **SECTION 470.** 551.58 (1) of the statutes is amended to read:

20 551.58 **(1)** Any person who wilfully violates any provision of this chapter except
21 s. 551.54, or any rule under this chapter, or any order of which the person has notice,
22 or who violates s. 551.54 knowing or having reasonable cause to believe that the
23 statement made was false or misleading in any material respect, ~~may be fined not~~
24 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
25 guilty of a Class H felony. Each of the acts specified shall constitute a separate

1 offense and a prosecution or conviction for any one of such offenses shall not bar
2 prosecution or conviction for any other offense.

3 **SECTION 471.** 552.19 (1) of the statutes is amended to read:

4 552.19 (1) Any person, including a controlling person of an offeror or target
5 company, who wilfully violates this chapter or any rule under this chapter, or any
6 order of which the person has notice, ~~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. Each of the acts specified constitutes a separate offense and a prosecution or
9 conviction for any one of the offenses does not bar prosecution or conviction for any
10 other offense.

11 **SECTION 472.** 553.52 (1) of the statutes is amended to read:

12 553.52 (1) Any person who wilfully violates s. 553.41 (2) to (5) or any order of
13 which the person has notice, or who violates s. 553.41 (1) knowing or having
14 reasonable cause to believe either that the statement made was false or misleading
15 in any material respect or that the failure to report a material event under s. 553.31
16 (1) was false or misleading in any material respect, ~~may be fined not more than~~
17 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
18 Class G felony. Each of the acts specified is a separate offense, and a prosecution or
19 conviction for any one of those offenses does not bar prosecution or conviction for any
20 other offense.

21 **SECTION 473.** 553.52 (2) of the statutes is amended to read:

22 553.52 (2) Any person who employs, directly or indirectly, any device, scheme
23 or artifice to defraud in connection with the offer or sale of any franchise or engages,
24 directly or indirectly, in any act, practice, or course of business which operates or
25 would operate as a fraud or deceit upon any person in connection with the offer or

1 sale of any franchise shall be fined not more than \$5,000 or imprisoned for not more
2 than 7 years and 6 months or both is guilty of a Class G felony.

3 **SECTION 475.** 560.17 (5c) (a) 3. of the statutes is amended to read:

4 560.17 (5c) (a) 3. The grant proceeds will be used to pay for services related to
5 the start-up, modernization, or expansion of the dairy farm or other agricultural
6 business, or for management assistance, ~~as defined in s. 560.20 (1) (cf),~~ continuing
7 after the completion of the start-up, modernization, or expansion of the dairy farm
8 or other agricultural business.

9 **SECTION 476.** 560.18 (1) of the statutes is renumbered 560.18 (1m) and
10 amended to read:

11 560.18 (1m) From the appropriation under s. 20.143 (1) (t), the department
12 may award grants to nonprofit organizations, ~~as defined in s. 560.20 (1) (d),~~ to
13 develop forestry educational programs and instructional materials for use in the
14 public schools. The department may not award a grant unless it enters into a
15 memorandum of understanding with the grant recipient and the director of the
16 timber management program at the University of Wisconsin-Stevens Point
17 regarding the use of the funds.

18 **SECTION 477.** 560.18 (1c) of the statutes is created to read:

19 560.18 (1c) In this section, “nonprofit organization” means a nonprofit
20 corporation, as defined in s. 181.0103 (17), and any organization described in section
21 501 (c) (3) of the Internal Revenue Code that is exempt from federal income tax under
22 section 501 (a) of the Internal Revenue Code.

23 **SECTION 478.** 560.18 (2) of the statutes is amended to read:

24 560.18 (2) The recipient of a grant under sub. (1) (1m) shall submit the
25 programs and materials developed with the funds to the department and the director

1 of the timber management program at the University of Wisconsin–Stevens Point
2 College of Natural Resources for approval. Upon request, the grant recipient shall
3 provide approved programs and materials to school districts free of charge.

4 **SECTION 479.** 560.20 (title) of the statutes is repealed.

5 **SECTION 480.** 560.20 (1) (intro.) of the statutes is repealed.

6 **SECTION 481.** 560.20 (1) (a) of the statutes is renumbered 560.21 (1) (a).

7 **SECTION 482.** 560.20 (1) (b) of the statutes is renumbered 560.21 (1) (b).

8 **SECTION 483.** 560.20 (1) (c) of the statutes is repealed.

9 **SECTION 484.** 560.20 (1) (cf) of the statutes is renumbered 560.17 (1) (br).

10 **SECTION 485.** 560.20 (1) (cm) of the statutes is repealed.

11 **SECTION 486.** 560.20 (1) (d) of the statutes is repealed.

12 **SECTION 487.** 560.20 (1) (e) of the statutes is repealed.

13 **SECTION 488.** 560.20 (1) (f) of the statutes is repealed.

14 **SECTION 489.** 560.20 (1) (g) of the statutes is repealed.

15 **SECTION 490.** 560.20 (1m) of the statutes is repealed.

16 **SECTION 491.** 560.20 (2) of the statutes is repealed.

17 **SECTION 492.** 560.20 (3) (a) of the statutes is repealed.

18 **SECTION 493.** 560.20 (3) (b) of the statutes is repealed.

19 **SECTION 494.** 560.20 (3) (c) of the statutes is repealed.

20 **SECTION 495.** 560.20 (3) (cm) of the statutes is repealed.

21 **SECTION 496.** 560.20 (3) (d) of the statutes is repealed.

22 **SECTION 497.** 560.20 (3) (e) of the statutes is repealed.

23 **SECTION 498.** 560.20 (3) (f) (intro.) and 4. of the statutes are consolidated,
24 renumbered 560.21 (2) and amended to read:

1 560.21 (2) The department shall ~~do all of the following:~~ 4. Deposit deposit in
2 the ~~appropriation account under s. 20.143 (1) (in) general fund~~ all interest and
3 principal received in repayment of loans under ~~this subsection s. 560.20 (3), 1999~~
4 stats., any proceeds from equity investments made by the community development
5 finance company under s. 234.965, 1991 stats., that are received by the department
6 or the community development finance company, and any unencumbered grant
7 funds returned to the department under 1993 Wisconsin Act 437, section 9115 (1t).

8 **SECTION 499.** 560.20 (3) (f) 1. of the statutes is repealed.

9 **SECTION 500.** 560.20 (3) (f) 2. of the statutes is repealed.

10 **SECTION 501.** 560.20 (3) (f) 3. of the statutes is repealed.

11 **SECTION 502.** 560.20 (3) (g) of the statutes is repealed.

12 **SECTION 503.** 560.20 (3) (h) of the statutes is renumbered 560.21 (3).

13 **SECTION 504.** 560.21 of the statutes is created to read:

14 **560.21 General fund deposit. (1)** In this section:

15 **SECTION 504c.** 560.62 (1) (intro.) of the statutes is amended to read:

16 560.62 (1) (intro.) ~~The Subject to subs. (1m) and (2), the board may award any~~
17 of the following under s. 560.61 to any of the following for any of the following
18 purposes:

19 **SECTION 504m.** 560.62 (1m) of the statutes is created to read:

20 560.62 (1m) The board shall award in each biennium at least \$364,400 in
21 grants or loans under sub. (1) for projects related to pollution reduction or energy
22 conservation.

23 **SECTION 505.** 562.13 (3) of the statutes is amended to read:

24 562.13 (3) Whoever violates s. 562.11 (2) or (3) ~~may be fined not more than~~
25 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

1 **SECTION 506.** 562.13 (4) of the statutes is amended to read:

2 562.13 **(4)** Whoever violates s. 562.09, 562.105, 562.11 (4) or 562.12 ~~may be~~
3 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
4 ~~or both~~ is guilty of a Class H felony.

5 **SECTION 507.** 565.50 (2) of the statutes is amended to read:

6 565.50 **(2)** Any person who alters or forges a lottery ticket or share or
7 intentionally utters or transfers an altered or forged lottery ticket or share ~~shall be~~
8 ~~fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
9 ~~or both~~ is guilty of a Class I felony.

10 **SECTION 508.** 565.50 (3) of the statutes is amended to read:

11 565.50 **(3)** Any person who possesses an altered or forged lottery ticket or share
12 with intent to defraud shall be fined not more than \$10,000 or imprisoned for not
13 more than ~~3 years~~ 9 months or both.

14 **SECTION 509.** 601.64 (4) of the statutes is amended to read:

15 601.64 **(4)** CRIMINAL PENALTY. Whoever intentionally violates or intentionally
16 permits any person over whom he or she has authority to violate or intentionally aids
17 any person in violating any insurance statute or rule of this state, s. 149.13 or
18 149.144 or any effective order issued under s. 601.41 (4) ~~may~~ is guilty of a Class I
19 felony, unless a specific penalty is provided elsewhere in the statutes, ~~be fined not~~
20 ~~more than \$10,000 if a corporation or if a natural person be fined not more than~~
21 ~~\$5,000 or imprisoned for not more than 4 years and 6 months or both.~~ Intent has the
22 meaning expressed under s. 939.23.

23 **SECTION 509e.** 614.01 (1) (c) 3. of the statutes is amended to read:

24 614.01 **(1)** (c) 3. The local lodges are required by the laws of the fraternal to hold
25 regular meetings at least ~~monthly~~ once every 3 months; and

1 **SECTION 510.** 641.19 (4) (a) of the statutes is amended to read:

2 641.19 **(4)** (a) Any person who wilfully violates or fails to comply with any
3 provision of this chapter or the rules promulgated thereunder or who, knowingly,
4 makes a false statement, a false representation of a material fact, or who fails to
5 disclose a material fact in any registration, examination, statement or report
6 required under this chapter or the rules promulgated thereunder, ~~may be fined not~~
7 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
8 guilty of a Class H felony.

9 **SECTION 511.** 641.19 (4) (b) of the statutes is amended to read:

10 641.19 **(4)** (b) Any person who embezzles, steals, or unlawfully and wilfully
11 abstracts or converts to his or her own use or to the use of another, any of the moneys,
12 funds, securities, premiums, credits, property, or other assets of any employee
13 welfare fund, or of any fund connected therewith, ~~shall be fined not more than~~
14 ~~\$10,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a
15 Class H felony.

16 **SECTION 512.** 753.061 (2m) of the statutes is amended to read:

17 753.061 **(2m)** The chief judge of the 1st judicial administrative district is
18 authorized to designate 4 circuit court branches to primarily handle violent crime
19 cases that involve a violation of s. 939.63, if a felony is committed while armed, and
20 of ss. 940.01 to 940.03, 940.05, 940.06, 940.225, 943.23 (1g), ~~(1m) and (1r)~~ and 943.32
21 (2). If the circuit court branches are designated under this subsection, 2 shall begin
22 to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to
23 primarily handle violent crime cases on August 1, 1992.

24 **SECTION 513.** 765.30 (1) (intro.) of the statutes is amended to read:

1 765.30 (1) (intro.) The following shall ~~may~~ be fined not less than \$200 ~~nor~~ more
2 than \$1,000 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

3 **SECTION 514.** 765.30 (2) (intro.) of the statutes is amended to read:

4 765.30 (2) (intro.) The following shall ~~may~~ be fined not less than \$100 ~~nor~~ more
5 than \$1,000 \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both:

6 **SECTION 515.** 767.242 (8) of the statutes is amended to read:

7 767.242 (8) PENALTY. Whoever intentionally violates an injunction issued
8 under sub. (5) (b) 2. c. ~~may be fined not more than \$10,000 or imprisoned for not more~~
9 ~~than 2 years or both~~ is guilty of a Class I felony.

10 **SECTION 516.** 768.07 of the statutes is amended to read:

11 **768.07 Penalty.** Any person who violates any provision of this chapter may
12 be fined not less than \$100 ~~nor~~ more than \$1,000 \$10,000 or imprisoned for not more
13 than ~~2 years~~ 9 months or both.

14 **SECTION 517.** 783.07 of the statutes is amended to read:

15 **783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be
16 is directed to any public officer, body, board or person, commanding the performance
17 of any duty specially enjoined by law, ~~if it shall appear to the court that such~~ and the
18 officer or person or any member of such the body or board has, without just excuse,
19 refused or neglected to perform the duty so enjoined ~~the court may impose a fine, not~~
20 ~~exceeding \$5,000, upon every such,~~ the officer, person or member of such the body or
21 board, ~~or sentence the officer, person or member to imprisonment for not more than~~
22 ~~7 years and 6 months~~ is guilty of a Class H felony.

23 **SECTION 518.** 801.50 (5) of the statutes is amended to read:

24 801.50 (5) Venue of an action for certiorari to review a probation, extended
25 supervision or parole revocation, a denial by a program review committee under s.

1 302.113 (9g) of a petition for modification of a bifurcated sentence, or a refusal of
2 parole by certiorari shall be the county in which the relator was last convicted of an
3 offense for which the relator was on probation, extended supervision or parole or for
4 which the relator is currently incarcerated.

5 **SECTION 519.** 801.50 (5c) of the statutes is created to read:

6 801.50 (5c) Venue of an action for certiorari brought by the department of
7 corrections under s. 302.113 (9) (d) or 302.114 (9) (d) to review a decision to not revoke
8 extended supervision shall be in the county in which the person on extended
9 supervision was convicted of the offense for which he or she is on extended
10 supervision.

11 **SECTION 520.** 814.634 (1) (a) of the statutes is amended to read:

12 814.634 (1) (a) Except for an action for a safety belt use violation under s.
13 347.48 (2m), the clerk of circuit court shall charge and collect a \$40 \$52 court support
14 services fee from any person, including any governmental unit as defined in s. 108.02
15 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

16 **SECTION 521.** 814.634 (1) (b) of the statutes is amended to read:

17 814.634 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge
18 and collect a \$100 \$130 court support services fee from any person, including any
19 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a) or
20 (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and
21 the amount claimed exceeds the amount under s. 799.01 (1) (d).

22 **SECTION 522.** 814.634 (1) (c) of the statutes is amended to read:

23 814.634 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge
24 and collect a \$30 \$39 court support services fee from any person, including any
25 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.62 (3) (a) or

1 (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party paying
2 the fee seeks the recovery of money and the amount claimed is equal to or less than
3 the amount under s. 799.01 (1) (d).

4 **SECTION 524.** 908.08 (1) of the statutes is amended to read:

5 908.08 (1) In any criminal trial or hearing, juvenile fact-finding hearing under
6 s. 48.31 or 938.31 or revocation hearing under s. 302.113 (9) (am), 302.114 (9) (am),
7 304.06 (3), or 973.10 (2), the court or hearing examiner may admit into evidence the
8 videotaped oral statement of a child who is available to testify, as provided in this
9 section.

10 **SECTION 528.** 911.01 (4) (c) of the statutes is amended to read:

11 911.01 (4) (c) *Miscellaneous proceedings.* Proceedings for extradition or
12 rendition; sentencing, or granting or revoking probation, modification of a bifurcated
13 sentence under s. 302.113 (9g), issuance of arrest warrants, criminal summonses and
14 search warrants; proceedings under s. 971.14 (1) (c); proceedings with respect to
15 pretrial release under ch. 969 except where habeas corpus is utilized with respect to
16 release on bail or as otherwise provided in ch. 969.

17 **SECTION 529.** 938.208 (1) (a) of the statutes is amended to read:

18 938.208 (1) (a) Probable cause exists to believe that the juvenile has committed
19 a delinquent act that would be a felony under s. 940.01, 940.02, 940.03, 940.05,
20 940.19 (2) to (6), 940.21, 940.225 (1), 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m)~~
21 ~~or (1r),~~ 943.32 (2), 947.013 (1t), (1v) or (1x), 948.02 (1) or (2), 948.025 or 948.03 if
22 committed by an adult.

23 **SECTION 530.** 938.34 (4h) (a) of the statutes is amended to read:

24 938.34 (4h) (a) The juvenile is 14 years of age or over and has been adjudicated
25 delinquent for committing a violation of s. 939.31, 939.32 (1) (a), 940.03, 940.21,

1 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), ~~(1m)~~
2 ~~or (1r)~~, 943.32 (2), 948.02 (1), 948.025, (1), ~~or 948.30 (2), 948.35 (1) (b) or 948.36 or~~
3 the juvenile is 10 years of age or over and has been adjudicated delinquent for
4 attempting or committing a violation of s. 940.01 or for committing a violation of
5 940.02 or 940.05.

6 **SECTION 531.** 938.34 (4m) (b) 1. of the statutes is amended to read:

7 938.34 **(4m)** (b) 1. The juvenile has committed a delinquent act that would be
8 a felony under s. 940.01, 940.02, 940.03, 940.05, 940.19 (2) to (6), 940.21, 940.225 (1),
9 940.31, 941.20 (3), 943.02 (1), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 947.013 (1t), (1v)
10 or (1x), 948.02 (1) or (2), 948.025 or 948.03 if committed by an adult.

11 **SECTION 532.** 938.355 (2d) (b) 3. of the statutes is amended to read:

12 938.355 **(2d)** (b) 3. That the parent has committed a violation of s. 940.19 (3),
13 1999 stats., or s. 940.19 (2), (3), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025
14 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,
15 if that violation would be a violation of s. 940.19 (2), (3), (4) or (5), 940.225 (1) or (2),
16 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that
17 the violation resulted in great bodily harm, as defined in s. 939.22 (14), or in
18 substantial bodily harm, as defined in s. 939.22 (38), to the juvenile or another child
19 of the parent.

20 **SECTION 533.** 938.355 (4) (b) of the statutes is amended to read:

21 938.355 **(4)** (b) An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile
22 has been adjudicated delinquent is subject to par. (a), except that the judge may make
23 an order under s. 938.34 (4d) or (4m) apply for up to 2 years or until the juvenile's 18th
24 birthdate, whichever is earlier and the judge shall make an order under s. 938.34 (4h)
25 apply for 5 years, if the juvenile is adjudicated delinquent for committing a violation

1 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C
2 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the
3 juvenile is adjudicated delinquent for committing an act that would be punishable
4 as a Class A felony if committed by an adult.

5 **SECTION 534.** 938.78 (3) of the statutes is amended to read:

6 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.
7 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,
8 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.
9 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235,
10 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325,
11 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), ~~(1m) or (1r),~~ 943.32 (2), 948.02,
12 948.025, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in
13 ch. 940 has escaped from a secured correctional facility, child caring institution,
14 secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention
15 facility or juvenile portion of a county jail, or from the custody of a peace officer or
16 a guard of such a facility, institution or jail, or has been allowed to leave a secured
17 correctional facility, child caring institution, secured group home, inpatient facility,
18 secure detention facility or juvenile portion of a county jail for a specified time period
19 and is absent from the facility, institution, home or jail for more than 12 hours after
20 the expiration of the specified period, the department or county department having
21 supervision over the juvenile may release the juvenile's name and any information
22 about the juvenile that is necessary for the protection of the public or to secure the
23 juvenile's return to the facility, institution, home or jail. The department of
24 corrections shall promulgate rules establishing guidelines for the release of the
25 juvenile's name or information about the juvenile to the public.

1 **SECTION 535.** 939.22 (21) (d) of the statutes is amended to read:

2 939.22 **(21)** (d) Battery, ~~substantial battery or aggravated battery~~, as
3 prohibited in s. 940.19 or 940.195.

4 **SECTION 536.** 939.30 (1) of the statutes is amended to read:

5 939.30 **(1)** Except as provided in sub. (2) and ~~ss. 948.35 and s.~~ 961.455, whoever,
6 with intent that a felony be committed, advises another to commit that crime under
7 circumstances that indicate unequivocally that he or she has the intent is guilty of
8 a Class ~~D~~ H felony.

9 **SECTION 537.** 939.30 (2) of the statutes is amended to read:

10 939.30 **(2)** For a solicitation to commit a crime for which the penalty is life
11 imprisonment, the actor is guilty of a Class ~~C~~ F felony. For a solicitation to commit
12 a Class ~~E~~ I felony, the actor is guilty of a Class ~~E~~ I felony.

13 **SECTION 538.** 939.32 (1) (intro.) of the statutes is amended to read:

14 939.32 **(1)** GENERALLY. (intro.) Whoever attempts to commit a felony or a crime
15 specified in s. 940.19, 940.195 or 943.20 may be fined or imprisoned or both ~~not to~~
16 ~~exceed one-half the maximum penalty for the completed crime;~~ as provided under
17 sub. (1g), except:

18 **SECTION 539.** 939.32 (1) (b) of the statutes is repealed.

19 **SECTION 540.** 939.32 (1) (bm) of the statutes is created to read:

20 939.32 **(1)** (bm) Whoever attempts to commit a Class I felony, other than one
21 to which a penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. or b. is being
22 applied, is guilty of a Class A misdemeanor.

23 **SECTION 541.** 939.32 (1g) of the statutes is created to read:

24 939.32 **(1g)** MAXIMUM PENALTY. The maximum penalty for an attempt to commit
25 a crime that is punishable under sub. (1) (intro.) is as follows:

1 (a) The maximum fine is one-half of the maximum fine for the completed crime.

2 (b) 1. If neither s. 939.62 (1) nor 961.48 is being applied, the maximum term
3 of imprisonment is one-half of the maximum term of imprisonment, as increased by
4 any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the
5 completed crime.

6 2. If either s. 939.62 (1) or 961.48 is being applied, the maximum term of
7 imprisonment is determined by the following method:

8 a. Multiplying by one-half the maximum term of imprisonment, as increased
9 by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the
10 completed crime.

11 b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

12 **SECTION 542.** 939.32 (1m) of the statutes is created to read:

13 **939.32 (1m) BIFURCATED SENTENCES.** If the court imposes a bifurcated sentence
14 under s. 973.01 (1) for an attempt to commit a crime that is punishable under sub.
15 (1) (intro.), the following requirements apply:

16 (a) *Maximum term of confinement for attempt to commit classified felony.* 1.
17 Subject to the minimum term of extended supervision required under s. 973.01 (2)
18 (d), if the crime is a classified felony and neither s. 939.62 (1) nor 961.48 is being
19 applied, the maximum term of confinement in prison is one-half of the maximum
20 term of confinement in prison specified in s. 973.01 (2) (b), as increased by any
21 penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and b., for the classified
22 felony.

23 2. Subject to the minimum term of extended supervision required under s.
24 973.01 (2) (d), if the crime is a classified felony and either s. 939.62 (1) or 961.48 is

1 being applied, the court shall determine the maximum term of confinement in prison
2 by the following method:

3 a. Multiplying by one-half the maximum term of confinement in prison
4 specified in s. 973.01 (2) (b), as increased by any penalty enhancement statutes listed
5 in s. 973.01 (2) (c) 2. a. and b., for the classified felony.

6 b. Applying s. 939.62 (1) or 961.48 to the product obtained under subd. 2. a.

7 (b) *Maximum term of extended supervision for attempt to commit classified*
8 *felony.* The maximum term of extended supervision for an attempt to commit a
9 classified felony is one-half of the maximum term of extended supervision for the
10 completed crime under s. 973.01 (2) (d).

11 (c) *Maximum term of confinement for attempt to commit unclassified felony or*
12 *misdemeanor.* The court shall determine the maximum term of confinement in
13 prison for an attempt to commit a crime other than a classified felony by applying
14 s. 973.01 (2) (b) 10. to the maximum term of imprisonment calculated under sub. (1g)
15 (b).

16 **SECTION 543.** 939.32 (2) (title) of the statutes is created to read:

17 939.32 (2) (title) MISDEMEANOR COMPUTER CRIMES.

18 **SECTION 544.** 939.32 (3) (title) of the statutes is created to read:

19 939.32 (3) (title) REQUIREMENTS.

20 **SECTION 545.** 939.50 (1) (intro.) of the statutes is amended to read:

21 939.50 (1) (intro.) ~~Except as provided in ss. 946.43 (2m) (a), 946.83 and 946.85,~~
22 ~~felonies~~ Felonies in ~~chs. 939 to 951~~ the statutes are classified as follows:

23 **SECTION 546.** 939.50 (1) (bc) of the statutes is repealed.

24 **SECTION 547.** 939.50 (1) (f) of the statutes is created to read:

25 939.50 (1) (f) Class F felony.

1 **SECTION 548.** 939.50 (1) (g) of the statutes is created to read:

2 939.50 (1) (g) Class G felony.

3 **SECTION 549.** 939.50 (1) (h) of the statutes is created to read:

4 939.50 (1) (h) Class H felony.

5 **SECTION 550.** 939.50 (1) (i) of the statutes is created to read:

6 939.50 (1) (i) Class I felony.

7 **SECTION 551.** 939.50 (2) of the statutes is amended to read:

8 939.50 (2) A felony is a Class A, B, ~~BC~~, C, D ~~or~~ E, F, G, H, or I felony when it
9 is so specified in ~~chs. 939 to 951~~ the statutes.

10 **SECTION 552.** 939.50 (3) (bc) of the statutes is repealed.

11 **SECTION 553.** 939.50 (3) (c) of the statutes is amended to read:

12 939.50 (3) (c) For a Class C felony, a fine not to exceed \$10,000 \$100,000 or
13 imprisonment not to exceed ~~15~~ 40 years, or both.

14 **SECTION 554.** 939.50 (3) (d) of the statutes is amended to read:

15 939.50 (3) (d) For a Class D felony, a fine not to exceed \$10,000 \$100,000 or
16 imprisonment not to exceed ~~10~~ 25 years, or both.

17 **SECTION 555.** 939.50 (3) (e) of the statutes is amended to read:

18 939.50 (3) (e) For a Class E felony, a fine not to exceed \$10,000 \$50,000 or
19 imprisonment not to exceed ~~5~~ 15 years, or both.

20 **SECTION 556.** 939.50 (3) (f) of the statutes is created to read:

21 939.50 (3) (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment
22 not to exceed 12 years and 6 months, or both.

23 **SECTION 557.** 939.50 (3) (g) of the statutes is created to read:

24 939.50 (3) (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment
25 not to exceed 10 years, or both.

1 **SECTION 558.** 939.50 (3) (h) of the statutes is created to read:

2 939.50 **(3)** (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment
3 not to exceed 6 years, or both.

4 **SECTION 559.** 939.50 (3) (i) of the statutes is created to read:

5 939.50 **(3)** (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment
6 not to exceed 3 years and 6 months, or both.

7 **SECTION 560.** 939.615 (7) (b) 2. of the statutes is amended to read:

8 939.615 **(7)** (b) 2. Whoever violates par. (a) is guilty of a Class ~~E~~ I felony if the
9 same conduct that violates par. (a) also constitutes a crime that is a felony.

10 **SECTION 561.** 939.615 (7) (c) of the statutes is repealed.

11 **SECTION 562.** 939.62 (1) (a) of the statutes is amended to read:

12 939.62 **(1)** (a) A maximum term of imprisonment of one year or less may be
13 increased to not more than ~~3~~ 2 years.

14 **SECTION 563.** 939.62 (1) (b) of the statutes is amended to read:

15 939.62 **(1)** (b) A maximum term of imprisonment of more than one year but not
16 more than 10 years may be increased by not more than 2 years if the prior convictions
17 were for misdemeanors and by not more than ~~6~~ 4 years if the prior conviction was for
18 a felony.

19 **SECTION 564.** 939.62 (1) (c) of the statutes is amended to read:

20 939.62 **(1)** (c) A maximum term of imprisonment of more than 10 years may be
21 increased by not more than 2 years if the prior convictions were for misdemeanors
22 and by not more than ~~10~~ 6 years if the prior conviction was for a felony.

23 **SECTION 565.** 939.62 (2m) (a) 2m. a. of the statutes is amended to read:

24 939.62 **(2m)** (a) 2m. a. Any felony under s. 961.41 (1), (1m) or (1x) ~~if the felony~~
25 is that is a Class A, B, or C felony or, if the felony was committed before the effective

1 date of this subd. 2m. a. [revisor inserts date], that is or was punishable by a
2 maximum prison term of 30 years or more.

3 **SECTION 566.** 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

4 939.62 **(2m)** (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
5 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.
6 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
7 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
8 (1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
9 948.05, 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

10 **SECTION 567.** 939.622 of the statutes is repealed.

11 **SECTION 568.** 939.623 (2) of the statutes is amended to read:

12 939.623 **(2)** If a person has one or more prior convictions for a serious sex crime
13 and subsequently commits a serious sex crime, the court shall impose a bifurcated
14 sentence the person to under s. 973.01. The term of confinement in prison portion
15 of a bifurcated sentence imposed under this subsection may not be less than 5 years'
16 imprisonment 3 years and 6 months, but otherwise the penalties for the crime apply,
17 subject to any applicable penalty enhancement. The court shall may not place the
18 defendant on probation.

19 **SECTION 569.** 939.624 (2) of the statutes is amended to read:

20 939.624 **(2)** If a person has one or more prior convictions for a serious violent
21 crime or a crime punishable by life imprisonment and subsequently commits a
22 serious violent crime, the court shall impose a bifurcated sentence ~~the person to~~
23 under s. 973.01. The term of confinement in prison portion of a bifurcated sentence
24 imposed under this subsection may not be less than 5 years' imprisonment 3 years
25 and 6 months, but otherwise the penalties for the crime apply, subject to any

1 applicable penalty enhancement. The court ~~shall~~ may not place the defendant on
2 probation.

3 **SECTION 570.** 939.625 of the statutes is repealed.

4 **SECTION 571.** 939.63 (1) of the statutes is renumbered 939.63, and 939.63 (1)
5 (d), (2) and (3), as renumbered, are amended to read:

6 939.63 (1) (d) The maximum term of imprisonment for a felony not specified
7 in ~~subd. 2. or 3. par (b) or (c)~~ may be increased by not more than 3 years.

8 (2) The increased penalty provided in this ~~subsection~~ section does not apply if
9 possessing, using or threatening to use a dangerous weapon is an essential element
10 of the crime charged.

11 (3) This ~~subsection~~ section applies only to crimes specified under chs. 939 to
12 951 and 961.

13 **SECTION 572.** 939.63 (2) of the statutes is repealed.

14 **SECTION 573.** 939.632 (1) (e) 1. of the statutes is amended to read:

15 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (1)
16 (1c), 940.19 (2), ~~(3)~~, (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.305, 940.31, 941.20,
17 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~, 943.32 (2), 948.02 (1) or
18 (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.055, 948.07, 948.08, or 948.30 (2), ~~948.35~~
19 ~~(1) (b) or (c) or 948.36.~~

20 **SECTION 574.** 939.632 (2) of the statutes is amended to read:

21 939.632 (2) If a person commits a violent crime in a school zone, the maximum
22 period term of imprisonment is increased as follows:

23 (a) If the violent crime is a felony, the maximum period term of imprisonment
24 is increased by 5 years.

1 (b) If the violent crime is a misdemeanor, the maximum ~~period~~ term of
2 imprisonment is increased by 3 months and the place of imprisonment is the county
3 jail.

4 **SECTION 575.** 939.635 of the statutes is repealed.

5 **SECTION 576.** 939.64 of the statutes is repealed.

6 **SECTION 577.** 939.641 of the statutes is repealed.

7 **SECTION 578.** 939.645 (2) of the statutes is amended to read:

8 939.645 (2) (a) If the crime committed under sub. (1) is ordinarily a
9 misdemeanor other than a Class A misdemeanor, the revised maximum fine is
10 \$10,000 and the revised maximum ~~period~~ term of imprisonment is one year in the
11 county jail.

12 (b) If the crime committed under sub. (1) is ordinarily a Class A misdemeanor,
13 the penalty increase under this section changes the status of the crime to a felony and
14 the revised maximum fine is \$10,000 and the revised maximum ~~period~~ term of
15 imprisonment is 2 years.

16 (c) If the crime committed under sub. (1) is a felony, the maximum fine
17 prescribed by law for the crime may be increased by not more than \$5,000 and the
18 maximum ~~period~~ term of imprisonment prescribed by law for the crime may be
19 increased by not more than 5 years.

20 **SECTION 579.** 939.646 of the statutes is repealed.

21 **SECTION 580.** 939.647 of the statutes is repealed.

22 **SECTION 581.** 939.648 of the statutes is repealed.

23 **SECTION 582.** 939.72 (1) of the statutes is amended to read:

24 939.72 (1) Section 939.30, ~~948.35 or 948.36~~ for solicitation and s. 939.05 as a
25 party to a crime which is the objective of the solicitation; or

1 **SECTION 583.** 939.75 (1) of the statutes is amended to read:

2 939.75 (1) In this section and ss. 939.24 (1), 939.25 (1), 940.01 (1) (b), 940.02
3 (1m), 940.05 (2g) and (2h), 940.06 (2), 940.08 (2), 940.09 (1) (c) to (e), ~~(1b)~~ and (1g) (c)
4 and (d), 940.10 (2), 940.195, 940.23 (1) (b) and (2) (b), 940.24 (2) and 940.25 (1) (c) to
5 (e) ~~and (1b)~~, “unborn child” means any individual of the human species from
6 fertilization until birth that is gestating inside a woman.

7 **SECTION 584.** 940.02 (2) (intro.) of the statutes is amended to read:

8 940.02 (2) (intro.) Whoever causes the death of another human being under any
9 of the following circumstances is guilty of a Class B C felony:

10 **SECTION 585.** 940.03 of the statutes is amended to read:

11 **940.03 Felony murder.** Whoever causes the death of another human being
12 while committing or attempting to commit a crime specified in s. 940.225 (1) or (2)
13 (a), 943.02, 943.10 (2), 943.23 (1g), or 943.32 (2) may be imprisoned for not more than
14 20 15 years in excess of the maximum period term of imprisonment provided by law
15 for that crime or attempt.

16 **SECTION 586.** 940.04 (1) of the statutes is amended to read:

17 940.04 (1) Any person, other than the mother, who intentionally destroys the
18 life of an unborn child ~~may be fined not more than \$5,000 or imprisoned not more~~
19 ~~than 3 years or both~~ is guilty of a Class H felony.

20 **SECTION 587.** 940.04 (2) (intro.) of the statutes is amended to read:

21 940.04 (2) (intro.) Any person, other than the mother, who does either of the
22 following ~~may be imprisoned not more than 15 years~~ is guilty of a Class E felony:

23 **SECTION 588.** 940.04 (4) of the statutes is amended to read:

1 940.04 (4) Any pregnant woman who intentionally destroys the life of her
2 unborn quick child or who consents to such destruction by another ~~may be~~
3 ~~imprisoned not more than 2 years~~ is guilty of a Class I felony.

4 **SECTION 589.** 940.06 (1) of the statutes is amended to read:

5 940.06 (1) Whoever recklessly causes the death of another human being is
6 guilty of a Class C D felony.

7 **SECTION 590.** 940.06 (2) of the statutes is amended to read:

8 940.06 (2) Whoever recklessly causes the death of an unborn child is guilty of
9 a Class C D felony.

10 **SECTION 591.** 940.07 of the statutes is amended to read:

11 **940.07 Homicide resulting from negligent control of vicious animal.**

12 Whoever knowing the vicious propensities of any animal intentionally allows it to go
13 at large or keeps it without ordinary care, if such animal, while so at large or not
14 confined, kills any human being who has taken all the precautions which the
15 circumstances may permit to avoid such animal, is guilty of a Class C G felony.

16 **SECTION 592.** 940.08 (1) of the statutes is amended to read:

17 940.08 (1) Whoever causes the death of another human being by the negligent
18 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class
19 D G felony.

20 **SECTION 593.** 940.08 (2) of the statutes is amended to read:

21 940.08 (2) Whoever causes the death of an unborn child by the negligent
22 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class D
23 G felony.

24 **SECTION 594.** 940.09 (1) (intro.) of the statutes is amended to read:

1 940.09 (1) (intro.) Any person who does any of the following is guilty of a Class
2 ~~B~~ felony may be penalized as provided in sub. (1c):

3 **SECTION 595.** 940.09 (1b) of the statutes is repealed.

4 **SECTION 596.** 940.09 (1c) of the statutes is created to read:

5 940.09 (1c) (a) Except as provided in par. (b), a person who violates sub. (1) is
6 guilty of a Class D felony.

7 (b) A person who violates sub. (1) is guilty of a Class C felony if the person has
8 one or more prior convictions, suspensions, or revocations, as counted under s.
9 343.307 (2).

10 **SECTION 597.** 940.10 (1) of the statutes is amended to read:

11 940.10 (1) Whoever causes the death of another human being by the negligent
12 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

13 **SECTION 598.** 940.10 (2) of the statutes is amended to read:

14 940.10 (2) Whoever causes the death of an unborn child by the negligent
15 operation or handling of a vehicle is guilty of a Class ~~E~~ G felony.

16 **SECTION 599.** 940.11 (1) of the statutes is amended to read:

17 940.11 (1) Whoever mutilates, disfigures or dismembers a corpse, with intent
18 to conceal a crime or avoid apprehension, prosecution or conviction for a crime, is
19 guilty of a Class ~~C~~ F felony.

20 **SECTION 600.** 940.11 (2) of the statutes is amended to read:

21 940.11 (2) Whoever hides or buries a corpse, with intent to conceal a crime or
22 avoid apprehension, prosecution or conviction for a crime, is guilty of a Class ~~D~~ G
23 felony.

24 **SECTION 601.** 940.12 of the statutes is amended to read:

1 **940.12 Assisting suicide.** Whoever with intent that another take his or her
2 own life assists such person to commit suicide is guilty of a Class D H felony.

3 **SECTION 602.** 940.15 (2) of the statutes is amended to read:

4 **940.15 (2)** Whoever intentionally performs an abortion after the fetus or
5 unborn child reaches viability, as determined by reasonable medical judgment of the
6 woman's attending physician, is guilty of a Class E I felony.

7 **SECTION 603.** 940.15 (5) of the statutes is amended to read:

8 **940.15 (5)** Whoever intentionally performs an abortion and who is not a
9 physician is guilty of a Class E I felony.

10 **SECTION 604.** 940.15 (6) of the statutes is amended to read:

11 **940.15 (6)** Any physician who intentionally performs an abortion under sub.
12 (3) shall use that method of abortion which, of those he or she knows to be available,
13 is in his or her medical judgment most likely to preserve the life and health of the
14 fetus or unborn child. Nothing in this subsection requires a physician performing
15 an abortion to employ a method of abortion which, in his or her medical judgment
16 based on the particular facts of the case before him or her, would increase the risk
17 to the woman. Any physician violating this subsection is guilty of a Class E I felony.

18 **SECTION 605.** 940.19 (2) of the statutes is amended to read:

19 **940.19 (2)** Whoever causes substantial bodily harm to another by an act done
20 with intent to cause bodily harm to that person or another is guilty of a Class E I
21 felony.

22 **SECTION 606.** 940.19 (3) of the statutes is repealed.

23 **SECTION 607.** 940.19 (4) of the statutes is amended to read:

24 **940.19 (4)** Whoever causes great bodily harm to another by an act done with
25 intent to cause bodily harm to that person or another is guilty of a Class D H felony.

1 **SECTION 608.** 940.19 (5) of the statutes is amended to read:

2 940.19 (5) Whoever causes great bodily harm to another by an act done with
3 intent to cause ~~either substantial bodily harm or~~ great bodily harm to that person
4 or another is guilty of a Class ~~C~~ E felony.

5 **SECTION 609.** 940.19 (6) (intro.) of the statutes is amended to read:

6 940.19 (6) (intro.) Whoever intentionally causes bodily harm to another by
7 conduct that creates a substantial risk of great bodily harm is guilty of a Class ~~D~~ H
8 felony. A rebuttable presumption of conduct creating a substantial risk of great
9 bodily harm arises:

10 **SECTION 610.** 940.195 (2) of the statutes is amended to read:

11 940.195 (2) Whoever causes substantial bodily harm to an unborn child by an
12 act done with intent to cause bodily harm to that unborn child, to the woman who is
13 pregnant with that unborn child or another is guilty of a Class ~~E~~ I felony.

14 **SECTION 611.** 940.195 (3) of the statutes is repealed.

15 **SECTION 612.** 940.195 (4) of the statutes is amended to read:

16 940.195 (4) Whoever causes great bodily harm to an unborn child by an act
17 done with intent to cause bodily harm to that unborn child, to the woman who is
18 pregnant with that unborn child or another is guilty of a Class ~~D~~ H felony.

19 **SECTION 613.** 940.195 (5) of the statutes is amended to read:

20 940.195 (5) Whoever causes great bodily harm to an unborn child by an act
21 done with intent to cause ~~either substantial bodily harm or~~ great bodily harm to that
22 unborn child, to the woman who is pregnant with that unborn child or another is
23 guilty of a Class ~~C~~ E felony.

24 **SECTION 614.** 940.195 (6) of the statutes is amended to read:

1 940.195 **(6)** Whoever intentionally causes bodily harm to an unborn child by
2 conduct that creates a substantial risk of great bodily harm is guilty of a Class D H
3 felony.

4 **SECTION 615.** 940.20 (1) of the statutes is amended to read:

5 940.20 **(1)** BATTERY BY PRISONERS. Any prisoner confined to a state prison or
6 other state, county or municipal detention facility who intentionally causes bodily
7 harm to an officer, employee, visitor or another inmate of such prison or institution,
8 without his or her consent, is guilty of a Class D H felony.

9 **SECTION 616.** 940.20 (1m) of the statutes is amended to read:

10 940.20 **(1m)** BATTERY BY PERSONS SUBJECT TO CERTAIN INJUNCTIONS. (a) Any
11 person who is subject to an injunction under s. 813.12 or a tribal injunction filed
12 under s. 806.247 (3) and who intentionally causes bodily harm to the petitioner who
13 sought the injunction by an act done without the consent of the petitioner is guilty
14 of a Class E I felony.

15 (b) Any person who is subject to an injunction under s. 813.125 and who
16 intentionally causes bodily harm to the petitioner who sought the injunction by an
17 act done without the consent of the petitioner is guilty of a Class E I felony.

18 **SECTION 617.** 940.20 (2) of the statutes is amended to read:

19 940.20 **(2)** BATTERY TO LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS. Whoever
20 intentionally causes bodily harm to a law enforcement officer or fire fighter, as those
21 terms are defined in s. 102.475 (8) (b) and (c), acting in an official capacity and the
22 person knows or has reason to know that the victim is a law enforcement officer or
23 fire fighter, by an act done without the consent of the person so injured, is guilty of
24 a Class D H felony.

25 **SECTION 618.** 940.20 (2m) (b) of the statutes is amended to read:

1 940.20 **(2m)** (b) Whoever intentionally causes bodily harm to a probation,
2 extended supervision and parole agent or an aftercare agent, acting in an official
3 capacity and the person knows or has reason to know that the victim is a probation,
4 extended supervision and parole agent or an aftercare agent, by an act done without
5 the consent of the person so injured, is guilty of a Class D H felony.

6 **SECTION 619.** 940.20 (3) of the statutes is amended to read:

7 940.20 **(3)** BATTERY TO JURORS. Whoever intentionally causes bodily harm to a
8 person who he or she knows or has reason to know is or was a grand or petit juror,
9 and by reason of any verdict or indictment assented to by the person, without the
10 consent of the person injured, is guilty of a Class D H felony.

11 **SECTION 620.** 940.20 (4) of the statutes is amended to read:

12 940.20 **(4)** BATTERY TO PUBLIC OFFICERS. Whoever intentionally causes bodily
13 harm to a public officer in order to influence the action of such officer or as a result
14 of any action taken within an official capacity, without the consent of the person
15 injured, is guilty of a Class E I felony.

16 **SECTION 621.** 940.20 (5) (b) of the statutes is amended to read:

17 940.20 **(5)** (b) Whoever intentionally causes bodily harm to a technical college
18 district or school district officer or employee acting in that capacity, and the person
19 knows or has reason to know that the victim is a technical college district or school
20 district officer or employee, without the consent of the person so injured, is guilty of
21 a Class E I felony.

22 **SECTION 622.** 940.20 (6) (b) (intro.) of the statutes is amended to read:

23 940.20 **(6)** (b) (intro.) Whoever intentionally causes bodily harm to another
24 under any of the following circumstances is guilty of a Class E I felony:

25 **SECTION 623.** 940.20 (7) (a) 1e. of the statutes is amended to read:

1 940.20 (7) (a) 1e. “Ambulance” has the meaning given in s. 146.50 (1) ~~(a)~~ (am).

2 **SECTION 624.** 940.20 (7) (b) of the statutes is amended to read:

3 940.20 (7) (b) Whoever intentionally causes bodily harm to an emergency
4 department worker, an emergency medical technician, a first responder or an
5 ambulance driver who is acting in an official capacity and who the person knows or
6 has reason to know is an emergency department worker, an emergency medical
7 technician, a first responder or an ambulance driver, by an act done without the
8 consent of the person so injured, is guilty of a Class D H felony.

9 **SECTION 625.** 940.201 (2) (intro.) of the statutes is amended to read:

10 940.201 (2) (intro.) Whoever does any of the following is guilty of a Class D H
11 felony:

12 **SECTION 626.** 940.203 (2) (intro.) of the statutes is amended to read:

13 940.203 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
14 cause bodily harm to the person or family member of any judge under all of the
15 following circumstances is guilty of a Class D H felony:

16 **SECTION 627.** 940.205 (2) (intro.) of the statutes is amended to read:

17 940.205 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
18 cause bodily harm to the person or family member of any department of revenue
19 official, employee or agent under all of the following circumstances is guilty of a Class
20 D H felony:

21 **SECTION 628.** 940.207 (2) (intro.) of the statutes is amended to read:

22 940.207 (2) (intro.) Whoever intentionally causes bodily harm or threatens to
23 cause bodily harm to the person or family member of any department of commerce
24 or department of workforce development official, employee or agent under all of the
25 following circumstances is guilty of a Class D H felony:

1 **SECTION 629.** 940.21 of the statutes is amended to read:

2 **940.21 Mayhem.** Whoever, with intent to disable or disfigure another, cuts or
3 mutilates the tongue, eye, ear, nose, lip, limb or other bodily member of another, is
4 guilty of a Class B C felony.

5 **SECTION 630.** 940.22 (2) of the statutes is amended to read:

6 **940.22 (2) SEXUAL CONTACT PROHIBITED.** Any person who is or who holds himself
7 or herself out to be a therapist and who intentionally has sexual contact with a
8 patient or client during any ongoing therapist–patient or therapist–client
9 relationship, regardless of whether it occurs during any treatment, consultation,
10 interview or examination, is guilty of a Class C F felony. Consent is not an issue in
11 an action under this subsection.

12 **SECTION 631.** 940.225 (2) (intro.) of the statutes is amended to read:

13 **940.225 (2) SECOND DEGREE SEXUAL ASSAULT.** (intro.) Whoever does any of the
14 following is guilty of a Class B C felony:

15 **SECTION 632.** 940.225 (3) of the statutes is amended to read:

16 **940.225 (3) THIRD DEGREE SEXUAL ASSAULT.** Whoever has sexual intercourse
17 with a person without the consent of that person is guilty of a Class D G felony.
18 Whoever has sexual contact in the manner described in sub. (5) (b) 2. with a person
19 without the consent of that person is guilty of a Class D G felony.

20 **SECTION 633.** 940.23 (1) (a) of the statutes is amended to read:

21 **940.23 (1) (a)** Whoever recklessly causes great bodily harm to another human
22 being under circumstances which show utter disregard for human life is guilty of a
23 Class C D felony.

24 **SECTION 634.** 940.23 (1) (b) of the statutes is amended to read:

1 940.23 (1) (b) Whoever recklessly causes great bodily harm to an unborn child
2 under circumstances that show utter disregard for the life of that unborn child, the
3 woman who is pregnant with that unborn child or another is guilty of a Class C D
4 felony.

5 **SECTION 635.** 940.23 (2) (a) of the statutes is amended to read:

6 940.23 (2) (a) Whoever recklessly causes great bodily harm to another human
7 being is guilty of a Class D F felony.

8 **SECTION 636.** 940.23 (2) (b) of the statutes is amended to read:

9 940.23 (2) (b) Whoever recklessly causes great bodily harm to an unborn child
10 is guilty of a Class D F felony.

11 **SECTION 637.** 940.24 (1) of the statutes is amended to read:

12 940.24 (1) Whoever causes bodily harm to another by the negligent operation
13 or handling of a dangerous weapon, explosives or fire is guilty of a Class E I felony.

14 **SECTION 638.** 940.24 (2) of the statutes is amended to read:

15 940.24 (2) Whoever causes bodily harm to an unborn child by the negligent
16 operation or handling of a dangerous weapon, explosives or fire is guilty of a Class E
17 I felony.

18 **SECTION 639.** 940.25 (1) (intro.) of the statutes is amended to read:

19 940.25 (1) (intro.) Any person who does any of the following is guilty of a Class
20 D F felony:

21 **SECTION 640.** 940.25 (1b) of the statutes is repealed.

22 **SECTION 641.** 940.285 (2) (b) 1g. of the statutes is amended to read:

23 940.285 (2) (b) 1g. Any person violating par. (a) 1. or 2. under circumstances
24 that cause death is guilty of a Class B C felony. Any person violating par. (a) 3. under
25 circumstances that cause death is guilty of a Class D felony.

1 **SECTION 642.** 940.285 (2) (b) 1m. of the statutes is amended to read:

2 940.285 **(2)** (b) 1m. Any person violating par. (a) under circumstances that
3 cause great bodily harm is guilty of a Class ~~C~~ F felony.

4 **SECTION 643.** 940.285 (2) (b) 1r. of the statutes is amended to read:

5 940.285 **(2)** (b) 1r. Any person violating par. (a) 1. under circumstances that are
6 likely to cause great bodily harm is guilty of a Class ~~D~~ G felony. Any person violating
7 par. (a) 2. or 3. under circumstances that are likely to cause great bodily harm is
8 guilty of a Class I felony.

9 **SECTION 644.** 940.285 (2) (b) 2. of the statutes is amended to read:

10 940.285 **(2)** (b) 2. Any person violating par. (a) 1. under circumstances that
11 cause ~~or are likely to cause~~ bodily harm is guilty of a Class ~~E~~ H felony. Any person
12 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty
13 of a Class I felony.

14 **SECTION 645.** 940.285 (2) (b) 3. of the statutes is repealed.

15 **SECTION 646.** 940.29 of the statutes is amended to read:

16 **940.29 Abuse of residents of penal facilities.** Any person in charge of or
17 employed in a penal or correctional institution or other place of confinement who
18 abuses, neglects or ill-treats any person confined in or a resident of any such
19 institution or place or who knowingly permits another person to do so is guilty of a
20 Class ~~E~~ I felony.

21 **SECTION 647.** 940.295 (3) (b) 1g. of the statutes is amended to read:

22 940.295 **(3)** (b) 1g. Any person violating par. (a) 1. or 2. under circumstances
23 that cause death to a vulnerable person is guilty of a Class ~~B~~ C felony. Any person
24 violating par. (a) 3. under circumstances that cause death to a vulnerable person is
25 guilty of a Class D felony.

1 **SECTION 648.** 940.295 (3) (b) 1m. of the statutes is amended to read:

2 940.295 (3) (b) 1m. Any person violating par. (a) under circumstances that
3 cause great bodily harm to a vulnerable person is guilty of a Class C E felony.

4 **SECTION 649.** 940.295 (3) (b) 1r. of the statutes is amended to read:

5 940.295 (3) (b) 1r. Except as provided in subd. 1m., any person violating par.
6 (a) 1. under circumstances that cause ~~or are likely to cause~~ great bodily harm is guilty
7 of a Class D F felony. Any person violating par. (a) 1. under circumstances that are
8 likely to cause great bodily harm is guilty of a Class G felony.

9 **SECTION 650.** 940.295 (3) (b) 2. of the statutes is amended to read:

10 940.295 (3) (b) 2. Any person violating par. (a) 1. under circumstances that
11 cause ~~or are likely to cause~~ bodily harm is guilty of a Class E H felony. Any person
12 violating par. (a) 1. under circumstances that are likely to cause bodily harm is guilty
13 of a Class I felony.

14 **SECTION 651.** 940.295 (3) (b) 3. of the statutes is amended to read:

15 940.295 (3) (b) 3. Except as provided in subd. 1m., any person violating par. (a)
16 2. or 3. under circumstances that cause ~~or are likely to cause~~ great bodily harm is
17 guilty of a Class E H felony. Any person violating par. (a) 2. or 3. under circumstances
18 that are likely to cause great bodily harm is guilty of a Class I felony.

19 **SECTION 652.** 940.30 of the statutes is amended to read:

20 **940.30 False imprisonment.** Whoever intentionally confines or restrains
21 another without the person's consent and with knowledge that he or she has no
22 lawful authority to do so is guilty of a Class E H felony.

23 **SECTION 653.** 940.305 (1) of the statutes is amended to read:

24 940.305 (1) Except as provided in sub. (2), whoever by force or threat of
25 imminent force seizes, confines or restrains a person without the person's consent

1 and with the intent to use the person as a hostage in order to influence a person to
2 perform or not to perform some action demanded by the actor is guilty of a Class ~~A~~
3 B felony.

4 **SECTION 654.** 940.305 (2) of the statutes is amended to read:

5 940.305 (2) Whoever commits a violation specified under sub. (1) is guilty of
6 a Class ~~B~~ C felony if, before the time of the actor's arrest, each person who is held as
7 a hostage is released without bodily harm.

8 **SECTION 655.** 940.31 (1) (intro.) of the statutes is amended to read:

9 940.31 (1) (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C
10 felony:

11 **SECTION 656.** 940.31 (2) (a) of the statutes is amended to read:

12 940.31 (2) (a) Except as provided in par. (b), whoever violates sub. (1) with
13 intent to cause another to transfer property in order to obtain the release of the victim
14 is guilty of a Class ~~A~~ B felony.

15 **SECTION 657.** 940.31 (2) (b) of the statutes is amended to read:

16 940.31 (2) (b) Whoever violates sub. (1) with intent to cause another to transfer
17 property in order to obtain the release of the victim is guilty of a Class ~~B~~ C felony if
18 the victim is released without permanent physical injury prior to the time the first
19 witness is sworn at the trial.

20 **SECTION 658.** 940.32 (2) (intro.) of the statutes is amended to read:

21 940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class
22 ~~A misdemeanor~~ I felony:

23 **SECTION 659.** 940.32 (2m) of the statutes is amended to read:

24 940.32 (2m) Whoever violates sub. (2) is guilty of a Class ~~D~~ G felony if he or she
25 intentionally gains access to a record in electronic format that contains personally

1 identifiable information regarding the victim in order to facilitate the violation
2 under sub. (2).

3 **SECTION 660.** 940.32 (3) (intro.) of the statutes is amended to read:

4 940.32 **(3)** (intro.) Whoever violates sub. (2) under any of the following
5 circumstances is guilty of a Class E H felony:

6 **SECTION 661.** 940.32 (3m) (intro.) of the statutes is amended to read:

7 940.32 **(3m)** (intro.) Whoever violates sub. (3) under all of the following
8 circumstances is guilty of a Class D G felony:

9 **SECTION 662.** 940.43 (intro.) of the statutes is amended to read:

10 **940.43 Intimidation of witnesses; felony.** (intro.) Whoever violates s.
11 940.42 under any of the following circumstances is guilty of a Class D G felony:

12 **SECTION 663.** 940.45 (intro.) of the statutes is amended to read:

13 **940.45 Intimidation of victims; felony.** (intro.) Whoever violates s. 940.44
14 under any of the following circumstances is guilty of a Class D G felony:

15 **SECTION 664.** 941.11 (intro.) of the statutes is amended to read:

16 **941.11 Unsafe burning of buildings.** (intro.) Whoever does either of the
17 following is guilty of a Class D H felony:

18 **SECTION 665.** 941.12 (1) of the statutes is amended to read:

19 941.12 **(1)** Whoever intentionally interferes with the proper functioning of a
20 fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of
21 a Class E I felony.

22 **SECTION 666.** 941.20 (2) (intro.) of the statutes is amended to read:

23 941.20 **(2)** (intro.) Whoever does any of the following is guilty of a Class E G
24 felony:

25 **SECTION 667.** 941.20 (3) (a) (intro.) of the statutes is amended to read:

1 941.20 (3) (a) (intro.) Whoever intentionally discharges a firearm from a
2 vehicle while on a highway, as defined in s. 340.01 (22), or on a vehicle parking lot
3 that is open to the public under any of the following circumstances is guilty of a Class
4 C F felony:

5 **SECTION 668.** 941.21 of the statutes is amended to read:

6 **941.21 Disarming a peace officer.** Whoever intentionally disarms a peace
7 officer who is acting in his or her official capacity by taking a dangerous weapon or
8 a device or container described under s. 941.26 (1) (b) or (4) (a) from the officer
9 without his or her consent is guilty of a Class E H felony. This section applies to any
10 dangerous weapon or any device or container described under s. 941.26 (1) (b) or (4)
11 (a) that the officer is carrying or that is in an area within the officer's immediate
12 presence.

13 **SECTION 669.** 941.235 (1) of the statutes is amended to read:

14 941.235 (1) Any person who goes armed with a firearm in any building owned
15 or leased by the state or any political subdivision of the state is guilty of a Class B
16 A misdemeanor.

17 **SECTION 670.** 941.26 (2) (a) of the statutes is amended to read:

18 941.26 (2) (a) Any person violating sub. (1) (a) is guilty of a Class E H felony.

19 **SECTION 671.** 941.26 (2) (b) of the statutes is amended to read:

20 941.26 (2) (b) Any person violating sub. (1m) is guilty of a Class C F felony.

21 **SECTION 672.** 941.26 (2) (e) of the statutes is amended to read:

22 941.26 (2) (e) Any person who violates sub. (1) (b) regarding the sale or
23 commercial transportation of the bomb, grenade, projectile, shell or container under
24 sub. (1) (b) is guilty of a Class E H felony.

25 **SECTION 673.** 941.26 (2) (f) of the statutes is amended to read:

1 941.26 (2) (f) Any person who violates sub. (1) (b) regarding the use of the bomb,
2 grenade, projectile, shell or container under sub. (1) (b) to cause bodily harm or bodily
3 discomfort to a person who the actor knows, or has reason to know, is a peace officer
4 who is acting in an official capacity is guilty of a Class D H felony.

5 **SECTION 674.** 941.26 (2) (g) of the statutes is amended to read:

6 941.26 (2) (g) Any person who violates sub. (1) (b) regarding the use of the bomb,
7 grenade, projectile, shell or container under sub. (1) (b) during his or her commission
8 of another crime to cause bodily harm or bodily discomfort to another or who
9 threatens to use the bomb, grenade, projectile, shell or container during his or her
10 commission of another crime to incapacitate another person is guilty of a Class E H
11 felony.

12 **SECTION 675.** 941.26 (4) (d) of the statutes is amended to read:

13 941.26 (4) (d) Whoever intentionally uses a device or container described under
14 par. (a) to cause bodily harm or bodily discomfort to a person who the actor knows,
15 or has reason to know, is a peace officer who is acting in an official capacity is guilty
16 of a Class D H felony.

17 **SECTION 676.** 941.26 (4) (e) of the statutes is amended to read:

18 941.26 (4) (e) Whoever uses a device or container described under par. (a)
19 during his or her commission of another crime to cause bodily harm or bodily
20 discomfort to another or who threatens to use the device or container during his or
21 her commission of another crime to incapacitate another person is guilty of a Class
22 E H felony.

23 **SECTION 677.** 941.28 (3) of the statutes is amended to read:

24 941.28 (3) Any person violating this section is guilty of a Class E H felony.

25 **SECTION 678.** 941.29 (2) (intro.) of the statutes is amended to read:

1 941.29 **(2)** (intro.) A person specified in sub. (1) is guilty of a Class E G felony
2 if he or she possesses a firearm under any of the following circumstances:

3 **SECTION 679.** 941.29 (2m) of the statutes is repealed.

4 **SECTION 680.** 941.295 (1) of the statutes is amended to read:

5 941.295 **(1)** Whoever sells, transports, manufactures, possesses or goes armed
6 with any electric weapon is guilty of a Class E H felony.

7 **SECTION 681.** 941.296 (2) (intro.) of the statutes is amended to read:

8 941.296 **(2)** (intro.) Whoever uses or possesses a handgun during the
9 commission of a crime under chs. 939 to 948 or 961 is guilty of a Class E H felony
10 under any of the following circumstances.

11 **SECTION 682.** 941.296 (3) of the statutes is repealed.

12 **SECTION 683.** 941.298 (2) of the statutes is amended to read:

13 941.298 **(2)** Whoever sells, delivers or possesses a firearm silencer is guilty of
14 a Class E H felony.

15 **SECTION 684.** 941.30 (1) of the statutes is amended to read:

16 941.30 **(1)** FIRST-DEGREE RECKLESSLY ENDANGERING SAFETY. Whoever recklessly
17 endangers another's safety under circumstances which show utter disregard for
18 human life is guilty of a Class D F felony.

19 **SECTION 685.** 941.30 (2) of the statutes is amended to read:

20 941.30 **(2)** SECOND-DEGREE RECKLESSLY ENDANGERING SAFETY. Whoever
21 recklessly endangers another's safety is guilty of a Class E G felony.

22 **SECTION 686.** 941.31 (1) of the statutes is amended to read:

23 941.31 **(1)** Whoever makes, buys, transports, possesses, or transfers any
24 explosive compound or offers to do the same, either with intent to use such explosive

1 to commit a crime or knowing that another intends to use it to commit a crime, is
2 guilty of a Class C F felony.

3 **SECTION 687.** 941.31 (2) (b) of the statutes is amended to read:

4 941.31 (2) (b) Whoever makes, buys, sells, transports, possesses, uses or
5 transfers any improvised explosive device, or possesses materials or components
6 with intent to assemble any improvised explosive device, is guilty of a Class E H
7 felony.

8 **SECTION 688.** 941.315 (3) (intro.) of the statutes is amended to read:

9 941.315 (3) (intro.) Whoever does any of the following is guilty of a Class D H
10 felony:

11 **SECTION 689.** 941.32 of the statutes is amended to read:

12 **941.32 Administering dangerous or stupefying drug.** Whoever
13 administers to another or causes another to take any poisonous, stupefying,
14 overpowering, narcotic, or anesthetic substance with intent thereby to facilitate the
15 commission of a crime is guilty of a Class C F felony.

16 **SECTION 690.** 941.325 of the statutes is amended to read:

17 **941.325 Placing foreign objects in edibles.** Whoever places objects, drugs
18 or other substances in candy or other liquid or solid edibles with the intent to cause
19 bodily harm to another person is guilty of a Class E I felony.

20 **SECTION 691.** 941.327 (2) (b) 1. of the statutes is amended to read:

21 941.327 (2) (b) 1. Except as provided in subds. 2. to 4., a person violating par.
22 (a) is guilty of a Class E I felony.

23 **SECTION 692.** 941.327 (2) (b) 2. of the statutes is amended to read:

24 941.327 (2) (b) 2. If the act under par. (a) creates a high probability of great
25 bodily harm to another, a person violating par. (a) is guilty of a Class D H felony.

1 **SECTION 693.** 941.327 (2) (b) 3. of the statutes is amended to read:

2 941.327 **(2)** (b) 3. If the act under par. (a) causes great bodily harm to another,
3 a person violating par. (a) is guilty of a Class ~~C~~ F felony.

4 **SECTION 694.** 941.327 (2) (b) 4. of the statutes is amended to read:

5 941.327 **(2)** (b) 4. If the act under par. (a) causes death to another, a person is
6 guilty of a Class ~~A~~ C felony.

7 **SECTION 695.** 941.327 (3) of the statutes is amended to read:

8 941.327 **(3)** Whoever intentionally imparts or conveys false information,
9 knowing the information to be false, concerning an act or attempted act which, if
10 true, would constitute a violation of sub. (2) is guilty of a Class ~~E~~ I felony.

11 **SECTION 696.** 941.37 (1) (a) of the statutes is amended to read:

12 941.37 **(1)** (a) “Ambulance” has the meaning specified in s. 146.50 (1) ~~(a)~~ (am).

13 **SECTION 697.** 941.37 (3) of the statutes is amended to read:

14 941.37 **(3)** Any person who intentionally interferes with any emergency
15 medical personnel in the performance of duties relating to an emergency or rescue
16 and who has reasonable grounds to believe that the interference may endanger
17 another’s safety is guilty of a Class ~~E~~ I felony.

18 **SECTION 698.** 941.37 (4) of the statutes is amended to read:

19 941.37 **(4)** Any person who violates sub. (3) and thereby contributes to the
20 death of another is guilty of a Class ~~C~~ E felony.

21 **SECTION 699.** 941.38 (1) (b) 4. of the statutes is amended to read:

22 941.38 **(1)** (b) 4. Battery, ~~substantial battery or aggravated battery~~, as
23 prohibited in s. 940.19 or 940.195.

24 **SECTION 700.** 941.38 (2) of the statutes is amended to read:

1 **941.38 (2)** Whoever intentionally solicits a child to participate in criminal gang
2 activity is guilty of a Class **E I** felony.

3 **SECTION 701.** 942.09 (2) (intro.) of the statutes, as affected by 2001 Wisconsin
4 Act 33, is amended to read:

5 **942.09 (2)** (intro.) Whoever does any of the following is guilty of a Class **E I**
6 felony:

7 **SECTION 702.** 943.01 (2) (intro.) of the statutes is amended to read:

8 **943.01 (2)** (intro.) Any person violating sub. (1) under any of the following
9 circumstances is guilty of a Class **D I** felony:

10 **SECTION 704.** 943.01 (2d) (b) (intro.) of the statutes, as created by 2001
11 Wisconsin Act 16, is amended to read:

12 **943.01 (2d) (b)** (intro.) Any person violating sub. (1) under all of the following
13 circumstances is guilty of a Class **E I** felony:

14 **SECTION 705.** 943.01 (2g) (intro.) of the statutes is amended to read:

15 **943.01 (2g)** (intro.) Any person violating sub. (1) under all of the following
16 circumstances is guilty of a Class **E I** felony:

17 **SECTION 707.** 943.011 (2) (intro.) of the statutes is amended to read:

18 **943.011 (2)** (intro.) Whoever does any of the following is guilty of a Class **D I**
19 felony:

20 **SECTION 708.** 943.012 (intro.) of the statutes is amended to read:

21 **943.012 Criminal damage to or graffiti on religious and other property.**
22 (intro.) Whoever intentionally causes damage to, intentionally marks, draws or
23 writes with ink or another substance on or intentionally etches into any physical
24 property of another, without the person's consent and with knowledge of the

1 character of the property, is guilty of a Class ~~E~~ I felony if the property consists of one
2 or more of the following:

3 **SECTION 709.** 943.013 (2) (intro.) of the statutes is amended to read:

4 943.013 **(2)** (intro.) Whoever intentionally causes or threatens to cause damage
5 to any physical property that belongs to a judge or his or her family member under
6 all of the following circumstances is guilty of a Class ~~D~~ I felony:

7 **SECTION 710.** 943.014 (2) of the statutes is amended to read:

8 943.014 **(2)** Whoever intentionally demolishes a historic building without a
9 permit issued by a city, village, town or county or without an order issued under s.
10 66.0413 ~~shall be fined an amount equal to 2 times the fair market value of the historic~~
11 ~~building and the land upon which the building is located immediately prior to~~
12 ~~demolition and may be imprisoned for not more than 9 months~~ is guilty of a Class A
13 misdemeanor.

14 **SECTION 711.** 943.015 (2) (intro.) of the statutes is amended to read:

15 943.015 **(2)** (intro.) Whoever intentionally causes or threatens to cause damage
16 to any physical property which belongs to a department of revenue official, employee
17 or agent or his or her family member under all of the following circumstances is guilty
18 of a Class ~~D~~ I felony:

19 **SECTION 712.** 943.017 (2) (intro.) of the statutes is amended to read:

20 943.017 **(2)** (intro.) Any person violating sub. (1) under any of the following
21 circumstances is guilty of a Class ~~D~~ I felony:

22 **SECTION 713.** 943.017 (2m) (b) (intro.) of the statutes is amended to read:

23 943.017 **(2m)** (b) (intro.) Whoever does any of the following is guilty of a Class ~~D~~
24 I felony:

25 **SECTION 715.** 943.02 (1) (intro.) of the statutes is amended to read:

1 943.02 **(1)** (intro.) Whoever does any of the following is guilty of a Class ~~B~~ C
2 felony:

3 **SECTION 716.** 943.03 of the statutes is amended to read:

4 **943.03 Arson of property other than building.** Whoever, by means of fire,
5 intentionally damages any property of another without the person's consent, if the
6 property is not a building and has a value of \$100 or more, is guilty of a Class ~~E~~ I
7 felony.

8 **SECTION 717.** 943.04 of the statutes is amended to read:

9 **943.04 Arson with intent to defraud.** Whoever, by means of fire, damages
10 any property, other than a building, with intent to defraud an insurer of that property
11 is guilty of a Class ~~D~~ H felony. Proof that the actor recovered or attempted to recover
12 on a policy of insurance by reason of the fire is relevant but not essential to establish
13 the actor's intent to defraud the insurer.

14 **SECTION 718.** 943.06 (2) of the statutes is amended to read:

15 943.06 **(2)** Whoever possesses, manufactures, sells, offers for sale, gives or
16 transfers a fire bomb is guilty of a Class ~~E~~ H felony.

17 **SECTION 719.** 943.07 (1) of the statutes is amended to read:

18 943.07 **(1)** Whoever intentionally causes damage or who causes another person
19 to damage, tamper, change or destroy any railroad track, switch, bridge, trestle,
20 tunnel or signal or any railroad property used in providing rail services, which could
21 cause an injury, accident or derailment is guilty of a Class ~~A misdemeanor~~ I felony.

22 **SECTION 720.** 943.07 (2) of the statutes is amended to read:

23 943.07 **(2)** Whoever intentionally shoots a firearm at any portion of a railroad
24 train, car, caboose or engine is guilty of a Class ~~A misdemeanor~~ I felony.

25 **SECTION 721.** 943.10 (1) (intro.) of the statutes is amended to read:

1 943.10 (1) (intro.) Whoever intentionally enters any of the following places
2 without the consent of the person in lawful possession and with intent to steal or
3 commit a felony in such place is guilty of a Class C F felony:

4 **SECTION 722.** 943.10 (2) (intro.) of the statutes is amended to read:

5 943.10 (2) (intro.) Whoever violates sub. (1) under any of the following
6 circumstances is guilty of a Class B E felony:

7 **SECTION 723.** 943.12 of the statutes is amended to read:

8 **943.12 Possession of burglarious tools.** Whoever has in personal
9 possession any device or instrumentality intended, designed or adapted for use in
10 breaking into any depository designed for the safekeeping of any valuables or into
11 any building or room, with intent to use such device or instrumentality to break into
12 a depository, building or room, and to steal therefrom, is guilty of a Class E I felony.

13 **SECTION 725.** 943.20 (3) (bf) of the statutes is created to read:

14 943.20 (3) (bf) If the value of the property exceeds \$2,500 but does not exceed
15 \$5,000, is guilty of a Class I felony.

16 **SECTION 726.** 943.20 (3) (bm) of the statutes is created to read:

17 943.20 (3) (bm) If the value of the property exceeds \$5,000 but does not exceed
18 \$10,000, is guilty of a Class H felony.

19 **SECTION 727.** 943.20 (3) (c) of the statutes is amended to read:

20 943.20 (3) (c) If the value of the property exceeds ~~\$2,500~~ \$10,000, is guilty of
21 a Class C G felony.

22 **SECTION 728.** 943.20 (3) (d) (intro.) of the statutes is amended to read:

23 943.20 (3) (d) (intro.) ~~If the value of the property does not exceed \$2,500 and~~
24 any of the following circumstances ~~exist~~ exists, is guilty of a Class D H felony:

25 **SECTION 729.** 943.20 (3) (d) 1. of the statutes is amended to read:

1 943.20 (3) (d) 1. The property is a domestic animal; ~~or,~~

2 **SECTION 730.** 943.20 (3) (d) 2. of the statutes is renumbered 943.20 (3) (e) and
3 amended to read:

4 943.20 (3) (e) ~~The~~ If the property is taken from the person of another or from
5 a corpse; ~~or,~~ is guilty of a Class G felony.

6 **SECTION 731.** 943.20 (3) (d) 3. of the statutes is amended to read:

7 943.20 (3) (d) 3. The property is taken from a building which has been destroyed
8 or left unoccupied because of physical disaster, riot, bombing or the proximity of
9 battle; ~~or,~~

10 **SECTION 732.** 943.20 (3) (d) 4. of the statutes is amended to read:

11 943.20 (3) (d) 4. The property is taken after physical disaster, riot, bombing or
12 the proximity of battle has necessitated its removal from a building; ~~or,~~

13 **SECTION 733.** 943.201 (2) of the statutes is amended to read:

14 943.201 (2) Whoever intentionally uses or attempts to use any personal
15 identifying information or personal identification document of an individual to
16 obtain credit, money, goods, services or anything else of value without the
17 authorization or consent of the individual and by representing that he or she is the
18 individual or is acting with the authorization or consent of the individual is guilty
19 of a Class ~~D~~ H felony.

20 **SECTION 734.** 943.205 (3) of the statutes is amended to read:

21 943.205 (3) Anyone who violates this section is guilty of a Class ~~E~~ I felony.

22 **SECTION 735.** 943.207 (3m) (b) (intro.) of the statutes is amended to read:

23 943.207 (3m) (b) (intro.) Whoever violates this section is guilty of a Class ~~D~~ I
24 felony under any of the following circumstances:

25 **SECTION 736.** 943.207 (3m) (c) (intro.) of the statutes is amended to read:

1 943.207 **(3m)** (c) (intro.) Whoever violates this section is guilty of a Class C H
2 felony under any of the following circumstances:

3 **SECTION 737.** 943.208 (2) (b) of the statutes is amended to read:

4 943.208 **(2)** (b) Whoever violates sub. (1) is guilty of a Class D I felony if the
5 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses
6 fewer than 1,000 recordings embodying sound or fewer than 100 audiovisual
7 recordings in violation of sub. (1) during a 180–day period, and the value of the
8 recordings exceeds \$2,500.

9 **SECTION 738.** 943.208 (2) (c) of the statutes is amended to read:

10 943.208 **(2)** (c) Whoever violates sub. (1) is guilty of a Class C H felony if the
11 person creates, advertises, offers for sale or rent, sells, rents, transports or possesses
12 at least 1,000 recordings embodying sound or at least 100 audiovisual recordings in
13 violation of sub. (1) during a 180–day period or if the violation occurs after the person
14 has been convicted under this section.

15 **SECTION 739.** 943.209 (2) (b) of the statutes is amended to read:

16 943.209 **(2)** (b) Whoever violates sub. (1) is guilty of a Class D I felony if the
17 person advertises, offers for sale or rent, sells, rents, transports or possesses fewer
18 than 100 recordings in violation of sub. (1) during a 180–day period, and the value
19 of the recordings exceeds \$2,500.

20 **SECTION 740.** 943.209 (2) (c) of the statutes is amended to read:

21 943.209 **(2)** (c) Whoever violates sub. (1) is guilty of a Class C H felony if the
22 person advertises, offers for sale or rent, sells, rents, transports or possesses at least
23 100 recordings in violation of sub. (1) during a 180–day period or if the violation
24 occurs after the person has been convicted under this section.

1 **SECTION 742.** 943.21 (3) (b) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 943.21 **(3)** (b) Is guilty of a Class E I felony when the value of any beverage,
4 food, lodging, accommodation, transportation or other service exceeds \$2,500.

5 **SECTION 743.** 943.23 (1g) of the statutes is amended to read:

6 943.23 **(1g)** Whoever, while possessing a dangerous weapon and by the use of,
7 or the threat of the use of, force or the weapon against another, intentionally takes
8 any vehicle without the consent of the owner is guilty of a Class B C felony.

9 **SECTION 744.** 943.23 (1m) of the statutes is repealed.

10 **SECTION 745.** 943.23 (1r) of the statutes is repealed.

11 **SECTION 746.** 943.23 (2) of the statutes is amended to read:

12 943.23 **(2)** ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally
13 takes and drives any vehicle without the consent of the owner is guilty of a Class D
14 H felony.

15 **SECTION 747.** 943.23 (3) of the statutes is amended to read:

16 943.23 **(3)** ~~Whoever~~ Except as provided in sub. (3m), whoever intentionally
17 drives or operates any vehicle without the consent of the owner is guilty of a Class
18 E I felony.

19 **SECTION 748.** 943.23 (3m) of the statutes is created to read:

20 943.23 **(3m)** It is an affirmative defense to a prosecution for a violation of sub.
21 (2) or (3) if the defendant abandoned the vehicle without damage within 24 hours
22 after the vehicle was taken from the possession of the owner. An affirmative defense
23 under this subsection mitigates the offense to a Class A misdemeanor. A defendant
24 who raises this affirmative defense has the burden of proving the defense by a
25 preponderance of the evidence.

1 **SECTION 749.** 943.23 (4m) of the statutes is amended to read:

2 **943.23 (4m)** Whoever knows that the owner does not consent to the driving or
3 operation of a vehicle and intentionally accompanies, as a passenger in the vehicle,
4 a person while he or she violates sub. (1g), ~~(1m), (1r)~~, (2) or (3), or (3m) is guilty of
5 a Class A misdemeanor.

6 **SECTION 750.** 943.23 (5) of the statutes is amended to read:

7 **943.23 (5)** Whoever intentionally removes a major part of a vehicle without the
8 consent of the owner is guilty of a Class E I felony. Whoever intentionally removes
9 any other part or component of a vehicle without the consent of the owner is guilty
10 of a Class A misdemeanor.

11 **SECTION 752.** 943.24 (2) of the statutes, as affected by 2001 Wisconsin Act 16,
12 is amended to read:

13 **943.24 (2)** Whoever issues any single check or other order for the payment of
14 more than \$2,500 or whoever within a 15-day period issues more than one check or
15 other order amounting in the aggregate to more than \$2,500 which, at the time of
16 issuance, the person intends shall not be paid is guilty of a Class E I felony.

17 **SECTION 753.** 943.25 (1) of the statutes is amended to read:

18 **943.25 (1)** Whoever, with intent to defraud, conveys real property which he or
19 she knows is encumbered, without informing the grantee of the existence of the
20 encumbrance is guilty of a Class E I felony.

21 **SECTION 754.** 943.25 (2) (intro.) of the statutes is amended to read:

22 **943.25 (2) (intro.)** Whoever, with intent to defraud, does any of the following
23 is guilty of a Class E I felony:

24 **SECTION 755.** 943.26 (2) of the statutes is amended to read:

1 943.26 (2) If the security is impaired by more than \$1,000, the mortgagor or
2 vendee is guilty of a Class E I felony.

3 **SECTION 756.** 943.27 of the statutes is amended to read:

4 **943.27 Possession of records of certain usurious loans.** Any person who
5 knowingly possesses any writing representing or constituting a record of a charge of,
6 contract for, receipt of or demand for a rate of interest or consideration exceeding \$20
7 upon \$100 for one year computed upon the declining principal balance of the loan,
8 use or forbearance of money, goods or things in action or upon the loan, use or sale
9 of credit is, if the rate is prohibited by a law other than this section, guilty of a Class
10 E I felony.

11 **SECTION 757.** 943.28 (2) of the statutes is amended to read:

12 943.28 (2) Whoever makes any extortionate extension of credit, or conspires to
13 do so, if one or more of the parties to the conspiracy does an act to effect its object,
14 is guilty of a Class C F felony.

15 **SECTION 758.** 943.28 (3) of the statutes is amended to read:

16 943.28 (3) Whoever advances money or property, whether as a gift, as a loan,
17 as an investment, pursuant to a partnership or profit-sharing agreement, or
18 otherwise, for the purpose of making extortionate extensions of credit, is guilty of a
19 Class C F felony.

20 **SECTION 759.** 943.28 (4) of the statutes is amended to read:

21 943.28 (4) Whoever knowingly participates in any way in the use of any
22 extortionate means to collect or attempt to collect any extension of credit, or to punish
23 any person for the nonrepayment thereof, is guilty of a Class C F felony.

24 **SECTION 760.** 943.30 (1) of the statutes is amended to read:

1 943.30 (1) Whoever, either verbally or by any written or printed
2 communication, maliciously threatens to accuse or accuses another of any crime or
3 offense, or threatens or commits any injury to the person, property, business,
4 profession, calling or trade, or the profits and income of any business, profession,
5 calling or trade of another, with intent thereby to extort money or any pecuniary
6 advantage whatever, or with intent to compel the person so threatened to do any act
7 against the person's will or omit to do any lawful act, is guilty of a Class D H felony.

8 **SECTION 761.** 943.30 (2) of the statutes is amended to read:

9 943.30 (2) Whoever violates sub. (1) by obstructing, delaying or affecting
10 commerce or business or the movement of any article or commodity in commerce or
11 business is guilty of a Class D H felony.

12 **SECTION 762.** 943.30 (3) of the statutes is amended to read:

13 943.30 (3) Whoever violates sub. (1) by attempting to influence any petit or
14 grand juror, in the performance of his or her functions as such, is guilty of a Class D
15 H felony.

16 **SECTION 763.** 943.30 (4) of the statutes is amended to read:

17 943.30 (4) Whoever violates sub. (1) by attempting to influence the official
18 action of any public officer is guilty of a Class D H felony.

19 **SECTION 764.** 943.30 (5) (b) of the statutes is amended to read:

20 943.30 (5) (b) Whoever, orally or by any written or printed communication,
21 maliciously uses, or threatens to use, the patient health care records of another
22 person, with intent thereby to extort money or any pecuniary advantage, or with
23 intent to compel the person so threatened to do any act against the person's will or
24 omit to do any lawful act, is guilty of a Class D H felony.

25 **SECTION 765.** 943.31 of the statutes is amended to read:

1 **943.31 Threats to communicate derogatory information.** Whoever
2 threatens to communicate to anyone information, whether true or false, which would
3 injure the reputation of the threatened person or another unless the threatened
4 person transfers property to a person known not to be entitled to it is guilty of a Class
5 E I felony.

6 **SECTION 766.** 943.32 (1) (intro.) of the statutes is amended to read:

7 **943.32 (1)** (intro.) Whoever, with intent to steal, takes property from the person
8 or presence of the owner by either of the following means is guilty of a Class C E
9 felony:

10 **SECTION 767.** 943.32 (2) of the statutes is amended to read:

11 **943.32 (2)** Whoever violates sub. (1) by use or threat of use of a dangerous
12 weapon, a device or container described under s. 941.26 (4) (a) or any article used or
13 fashioned in a manner to lead the victim reasonably to believe that it is a dangerous
14 weapon or such a device or container is guilty of a Class B C felony.

15 **SECTION 769.** 943.34 (1) (bf) of the statutes is created to read:

16 **943.34 (1) (bf)** A Class I felony, if the value of the property exceeds \$2,500 but
17 does not exceed \$5,000.

18 **SECTION 770.** 943.34 (1) (bm) of the statutes is created to read:

19 **943.34 (1) (bm)** A Class H felony, if the value of the property exceeds \$5,000 but
20 does not exceed \$10,000.

21 **SECTION 771.** 943.34 (1) (c) of the statutes is amended to read:

22 **943.34 (1) (c)** A Class C G felony, if the value of the property exceeds \$2,500
23 \$10,000.

24 **SECTION 772.** 943.38 (1) (intro.) of the statutes is amended to read:

1 943.38 (1) (intro.) Whoever with intent to defraud falsely makes or alters a
2 writing or object of any of the following kinds so that it purports to have been made
3 by another, or at another time, or with different provisions, or by authority of one who
4 did not give such authority, is guilty of a Class C H felony:

5 **SECTION 773.** 943.38 (2) of the statutes is amended to read:

6 943.38 (2) Whoever utters as genuine or possesses with intent to utter as false
7 or as genuine any forged writing or object mentioned in sub. (1), knowing it to have
8 been thus falsely made or altered, is guilty of a Class C H felony.

9 **SECTION 774.** 943.39 (intro.) of the statutes is amended to read:

10 **943.39 Fraudulent writings.** (intro.) Whoever, with intent to injure or
11 defraud, does any of the following is guilty of a Class D H felony:

12 **SECTION 776.** 943.395 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
13 16, is amended to read:

14 943.395 (2) (b) Is guilty of a Class E I felony if the value of the claim or benefit
15 exceeds \$2,500.

16 **SECTION 777.** 943.40 (intro.) of the statutes is amended to read:

17 **943.40 Fraudulent destruction of certain writings.** (intro.) Whoever with
18 intent to defraud does either of the following is guilty of a Class D H felony:

19 **SECTION 778.** 943.41 (8) (b) of the statutes is amended to read:

20 943.41 (8) (b) Any person violating any provision of sub. (3) (e), (4) (a), (6) (c)
21 or (6m) is guilty of a Class E I felony.

22 **SECTION 779.** 943.41 (8) (c) of the statutes, as affected by 2001 Wisconsin Act
23 16, is amended to read:

24 943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b),₁ or (d),
25 if the value of the money, goods, services,₁ or property illegally obtained does not

1 exceed \$2,500 is guilty of a Class A misdemeanor. ~~If~~ if the value of the money, goods,
2 services, or property exceeds \$2,500 but does not exceed \$5,000, in a single
3 transaction or in separate transactions within a period not exceeding 6 months, the
4 person is guilty of a Class ~~C~~ I felony; if the value of the money, goods, services, or
5 property exceeds \$5,000 but does not exceed \$10,000, in a single transaction or in
6 separate transactions within a period not exceeding 6 months, the person is guilty
7 of a Class H felony; or if the value of money, goods, services, or property exceeds
8 \$10,000, in a single transaction or in separate transactions within a period not
9 exceeding 6 months, the person is guilty of a Class G felony.

10 **SECTION 780.** 943.45 (3) (c) of the statutes is amended to read:

11 943.45 (3) (c) Except as provided in par. (d), any person who violates sub. (1)
12 for direct or indirect commercial advantage or private financial gain is guilty of a
13 Class ~~E~~ felony A misdemeanor.

14 **SECTION 781.** 943.45 (3) (d) of the statutes is amended to read:

15 943.45 (3) (d) Any person who violates sub. (1) for direct or indirect commercial
16 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class
17 ~~D~~ I felony.

18 **SECTION 782.** 943.455 (4) (c) of the statutes is amended to read:

19 943.455 (4) (c) Except as provided in par. (d), any person who violates sub. (2)
20 (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty
21 of a Class ~~E~~ felony A misdemeanor.

22 **SECTION 783.** 943.455 (4) (d) of the statutes is amended to read:

23 943.455 (4) (d) Any person who violates sub. (2) (a) to (f) for direct or indirect
24 commercial advantage or private financial gain as a 2nd or subsequent offense is
25 guilty of a Class ~~D~~ I felony.

1 **SECTION 784.** 943.46 (4) (c) of the statutes is amended to read:

2 943.46 **(4)** (c) Except as provided in par. (d), any person who violates sub. (2)
3 (a) to (g) for direct or indirect commercial advantage or private financial gain is guilty
4 of a Class ~~E~~ felony A misdemeanor.

5 **SECTION 785.** 943.46 (4) (d) of the statutes is amended to read:

6 943.46 **(4)** (d) Any person who violates sub. (2) (a) to (g) for direct or indirect
7 commercial advantage or private financial gain as a 2nd or subsequent offense is
8 guilty of a Class ~~D~~ I felony.

9 **SECTION 786.** 943.47 (3) (c) of the statutes is amended to read:

10 943.47 **(3)** (c) Except as provided in par. (d), any person who violates sub. (2)
11 for direct or indirect commercial advantage or private financial gain is guilty of a
12 Class ~~E~~ felony A misdemeanor.

13 **SECTION 787.** 943.47 (3) (d) of the statutes is amended to read:

14 943.47 **(3)** (d) Any person who violates sub. (2) for direct or indirect commercial
15 advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class
16 ~~D~~ I felony.

17 **SECTION 788.** 943.49 (2) (b) 2. of the statutes is amended to read:

18 943.49 **(2)** (b) 2. A person who violates par. (a) is guilty of a Class ~~D~~ I felony if
19 the violation occurs after the person has been convicted under this subsection.

20 **SECTION 790.** 943.50 (4) (bf) of the statutes is created to read:

21 943.50 **(4)** (bf) A Class I felony, if the value of the merchandise exceeds \$2,500
22 but does not exceed \$5,000.

23 **SECTION 791.** 943.50 (4) (bm) of the statutes is created to read:

24 943.50 **(4)** (bm) A Class H felony, if the value of the merchandise exceeds \$5,000
25 but does not exceed \$10,000.

1 **SECTION 792.** 943.50 (4) (c) of the statutes is amended to read:

2 943.50 **(4)** (c) A Class C G felony, if the value of the merchandise exceeds \$2,500
3 \$10,000.

4 **SECTION 793.** 943.60 (1) of the statutes is amended to read:

5 943.60 **(1)** Any person who submits for filing, entering or recording any lien,
6 claim of lien, lis pendens, writ of attachment, financing statement or any other
7 instrument relating to a security interest in or title to real or personal property, and
8 who knows or should have known that the contents or any part of the contents of the
9 instrument are false, a sham or frivolous, is guilty of a Class D H felony.

10 **SECTION 796.** 943.61 (5) (c) of the statutes is amended to read:

11 943.61 **(5)** (c) A Class C H felony, if the value of the library materials exceeds
12 \$2,500.

13 **SECTION 799.** 943.62 (4) (c) of the statutes is amended to read:

14 943.62 **(4)** (c) A Class C F felony, if the value of the advance payment or required
15 refund, as applicable, exceeds \$2,500.

16 **SECTION 800.** 943.70 (2) (b) 2. of the statutes is amended to read:

17 943.70 **(2)** (b) 2. A Class E I felony if the offense is committed to defraud or to
18 obtain property.

19 **SECTION 801.** 943.70 (2) (b) 3. of the statutes is repealed.

20 **SECTION 802.** 943.70 (2) (b) 3g. of the statutes, as created by 2001 Wisconsin
21 Act 16, is amended to read:

22 943.70 **(2)** (b) 3g. A Class C F felony if the offense results in damage valued at
23 more than \$2,500.

24 **SECTION 803.** 943.70 (2) (b) 3r. of the statutes, as created by 2001 Wisconsin Act
25 16, is amended to read:

1 943.70 (2) (b) 3r. A Class C F felony if the offense causes an interruption or
2 impairment of governmental operations or public communication, of transportation,
3 or of a supply of water, gas, or other public service.

4 **SECTION 804.** 943.70 (2) (b) 4. of the statutes is amended to read:

5 943.70 (2) (b) 4. A Class C F felony if the offense creates a substantial and
6 unreasonable risk of death or great bodily harm to another.

7 **SECTION 805.** 943.70 (2) (c) 1. of the statutes, as created by 2001 Wisconsin Act
8 16, is amended to read:

9 943.70 (2) (c) 1. In the case of a misdemeanor, the maximum fine prescribed by
10 law for the crime may be increased by not more than \$1,000 and the maximum term
11 of imprisonment prescribed by law for the crime may be increased so that the revised
12 maximum term of imprisonment is ~~12 months~~ one year in the county jail.

13 **SECTION 806.** 943.70 (3) (b) 2. of the statutes is amended to read:

14 943.70 (3) (b) 2. A Class E I felony if the offense is committed to defraud or
15 obtain property.

16 **SECTION 807.** 943.70 (3) (b) 3. of the statutes is amended to read:

17 943.70 (3) (b) 3. A Class D H felony if the damage to the computer, computer
18 system, computer network, equipment or supplies is greater than \$2,500.

19 **SECTION 808.** 943.70 (3) (b) 4. of the statutes is amended to read:

20 943.70 (3) (b) 4. A Class C F felony if the offense creates a substantial and
21 unreasonable risk of death or great bodily harm to another.

22 **SECTION 809.** 943.75 (2) of the statutes is amended to read:

23 943.75 (2) Whoever intentionally releases an animal that is lawfully confined
24 for companionship or protection of persons or property, recreation, exhibition, or
25 educational purposes, acting without the consent of the owner or custodian of the

1 animal, is guilty of a Class C misdemeanor. A 2nd violation of this subsection by a
2 person is a Class A misdemeanor. A 3rd or subsequent violation of this subsection
3 by a person is a Class E I felony.

4 **SECTION 810.** 943.75 (2m) of the statutes is amended to read:

5 943.75 (2m) Whoever intentionally releases an animal that is lawfully
6 confined for scientific, farming, restocking, research or commercial purposes, acting
7 without the consent of the owner or custodian of the animal, is guilty of a Class C H
8 felony.

9 **SECTION 811.** 943.76 (2) (a) of the statutes, as created by 2001 Wisconsin Act
10 16, is amended to read:

11 943.76 (2) (a) Whoever intentionally introduces a contagious or infectious
12 disease into livestock without the consent of the owner of the livestock is guilty of a
13 Class C F felony.

14 **SECTION 812.** 943.76 (2) (b) of the statutes, as created by 2001 Wisconsin Act
15 16, is amended to read:

16 943.76 (2) (b) Whoever intentionally introduces a contagious or infectious
17 disease into wild deer without the consent of the department of natural resources is
18 guilty of a Class C F felony.

19 **SECTION 813.** 944.05 (1) (intro.) of the statutes is amended to read:

20 944.05 (1) (intro.) Whoever does any of the following is guilty of a Class E I
21 felony:

22 **SECTION 814.** 944.06 of the statutes is amended to read:

23 **944.06 Incest.** Whoever marries or has nonmarital sexual intercourse with
24 a person he or she knows is a blood relative and such relative is in fact related in a

1 degree within which the marriage of the parties is prohibited by the law of this state
2 is guilty of a Class C F felony.

3 **SECTION 815.** 944.15 (title) of the statutes is repealed and recreated to read:

4 **944.15 (title) Public fornication.**

5 **SECTION 816.** 944.16 (intro.) of the statutes is amended to read:

6 **944.16 Adultery.** (intro.) Whoever does either of the following is guilty of a
7 Class E I felony:

8 **SECTION 817.** 944.21 (5) (c) of the statutes is amended to read:

9 944.21 (5) (c) If the person violating sub. (3) or (4) has 2 or more prior
10 convictions under this section, the person is guilty of a Class D H felony.

11 **SECTION 818.** 944.21 (5) (e) of the statutes is amended to read:

12 944.21 (5) (e) Regardless of the number of prior convictions, if the violation
13 under sub. (3) or (4) is for a wholesale transfer or distribution of obscene material,
14 the person is guilty of a Class D H felony.

15 **SECTION 819.** 944.32 of the statutes is amended to read:

16 **944.32 Soliciting prostitutes.** Except as provided under s. 948.08, whoever
17 intentionally solicits or causes any person to practice prostitution or establishes any
18 person in a place of prostitution is guilty of a Class D H felony.

19 **SECTION 820.** 944.33 (2) of the statutes is amended to read:

20 944.33 (2) If the person received compensation from the earnings of the
21 prostitute, such person is guilty of a Class C F felony.

22 **SECTION 821.** 944.34 (intro.) of the statutes is amended to read:

23 **944.34 Keeping place of prostitution.** (intro.) Whoever intentionally does
24 any of the following is guilty of a Class D H felony:

25 **SECTION 822.** 945.03 (1m) (intro.) of the statutes is amended to read:

1 945.03 **(1m)** (intro.) Whoever intentionally does any of the following is engaged
2 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E
3 I felony:

4 **SECTION 823.** 945.05 (1) (intro.) of the statutes, as affected by 2001 Wisconsin
5 Act 16, is amended to read:

6 945.05 **(1)** (intro.) Except as provided in subs. (1e) (b) and (1m), whoever
7 manufactures, transfers commercially or possesses with intent to transfer
8 commercially either of the following is guilty of a Class E I felony:

9 **SECTION 824.** 945.08 (1) of the statutes is amended to read:

10 945.08 **(1)** Any person who, with intent to influence any participant to refrain
11 from exerting full skill, speed, strength or endurance, transfers or promises any
12 property or any personal advantage to or on behalf of any participant in a contest of
13 skill, speed, strength or endurance is guilty of a Class D H felony.

14 **SECTION 825.** 946.02 (1) (intro.) of the statutes is amended to read:

15 946.02 **(1)** (intro.) Whoever does any of the following is guilty of a Class C E
16 felony:

17 **SECTION 826.** 946.03 (1) (intro.) of the statutes is amended to read:

18 946.03 **(1)** (intro.) Whoever does any of the following is guilty of a Class C E
19 felony:

20 **SECTION 827.** 946.03 (2) of the statutes is amended to read:

21 946.03 **(2)** Whoever permits any premises under his or her care, control or
22 supervision to be used by an assembly with knowledge that the purpose of the
23 assembly is to advocate or teach the duty, necessity, desirability or propriety of
24 overthrowing the government of the United States or this state by the use or threat
25 of physical violence with intent that such government be overthrown or, after

1 learning that the premises are being so used, permits such use to be continued is
2 guilty of a Class E I felony.

3 **SECTION 828.** 946.05 (1) of the statutes is amended to read:

4 946.05 (1) Whoever intentionally and publicly mutilates, defiles, or casts
5 contempt upon the flag is guilty of a Class E I felony.

6 **SECTION 829.** 946.10 (intro.) of the statutes is amended to read:

7 **946.10 Bribery of public officers and employees.** (intro.) Whoever does
8 either of the following is guilty of a Class D H felony:

9 **SECTION 830.** 946.11 (1) (intro.) of the statutes is amended to read:

10 946.11 (1) (intro.) Whoever does the following is guilty of a Class E I felony:

11 **SECTION 831.** 946.12 (intro.) of the statutes is amended to read:

12 **946.12 Misconduct in public office.** (intro.) Any public officer or public
13 employee who does any of the following is guilty of a Class E I felony:

14 **SECTION 832.** 946.13 (1) (intro.) of the statutes is amended to read:

15 946.13 (1) (intro.) Any public officer or public employee who does any of the
16 following is guilty of a Class E I felony:

17 **SECTION 833.** 946.14 of the statutes is amended to read:

18 **946.14 Purchasing claims at less than full value.** Any public officer or
19 public employee who in a private capacity directly or indirectly intentionally
20 purchases for less than full value or discounts any claim held by another against the
21 state or a political subdivision thereof or against any public fund is guilty of a Class
22 E I felony.

23 **SECTION 834.** 946.15 (1) of the statutes is amended to read:

24 946.15 (1) Any employer, or any agent or employee of an employer, who induces
25 any person who seeks to be or is employed pursuant to a public contract as defined

1 in s. 66.0901 (1) (c) or who seeks to be or is employed on a project on which a prevailing
2 wage rate determination has been issued by the department of workforce
3 development under s. 66.0903 (3), 103.49 (3), 103.50 (3) or 229.8275 (3) or by a local
4 governmental unit, as defined in s. 66.0903 (1) (d), under s. 66.0903 (6) to give up,
5 waive or return any part of the compensation to which that person is entitled under
6 his or her contract of employment or under the prevailing wage rate determination
7 issued by the department or local governmental unit, or who reduces the hourly basic
8 rate of pay normally paid to an employee for work on a project on which a prevailing
9 wage rate determination has not been issued under s. 66.0903 (3) or (6), 103.49 (3),
10 103.50 (3) or 229.8275 (3) during a week in which the employee works both on a
11 project on which a prevailing wage rate determination has been issued and on a
12 project on which a prevailing wage rate determination has not been issued, is guilty
13 of a Class E I felony.

14 **SECTION 835.** 946.15 (3) of the statutes is amended to read:

15 946.15 (3) Any employer or labor organization, or any agent or employee of an
16 employer or labor organization, who induces any person who seeks to be or is
17 employed on a project on which a prevailing wage rate determination has been issued
18 by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50
19 (3) or 229.8275 (3) or by a local governmental unit, as defined in s. 66.0903 (1) (d),
20 under s. 66.0903 (6) to permit any part of the wages to which that person is entitled
21 under the prevailing wage rate determination issued by the department or local
22 governmental unit to be deducted from the person's pay is guilty of a Class E I felony,
23 unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who
24 is working on a project that is subject to 40 USC 276c.

25 **SECTION 836.** 946.31 (1) (intro.) of the statutes is amended to read:

1 946.31 (1) (intro.) Whoever under oath or affirmation orally makes a false
2 material statement which the person does not believe to be true, in any matter, cause,
3 action or proceeding, before any of the following, whether legally constituted or
4 exercising powers as if legally constituted, is guilty of a Class D H felony:

5 **SECTION 837.** 946.32 (1) (intro.) of the statutes is amended to read:

6 946.32 (1) (intro.) Whoever does either of the following is guilty of a Class D
7 H felony:

8 **SECTION 838.** 946.41 (2m) (intro.) of the statutes is amended to read:

9 946.41 (2m) (intro.) Whoever violates sub. (1) under all of the following
10 circumstances is guilty of a Class D H felony:

11 **SECTION 839.** 946.415 (2) (intro.) of the statutes is amended to read:

12 946.415 (2) (intro.) Whoever intentionally does all of the following is guilty of
13 a Class E I felony:

14 **SECTION 840.** 946.42 (3) (intro.) of the statutes is amended to read:

15 946.42 (3) (intro.) A person in custody who intentionally escapes from custody
16 under any of the following circumstances is guilty of a Class D H felony:

17 **SECTION 841.** 946.42 (4) of the statutes is repealed.

18 **SECTION 842.** 946.425 (1) of the statutes is amended to read:

19 946.425 (1) Any person who is subject to a series of periods of imprisonment
20 under s. 973.03 (5) (b) and who intentionally fails to report to the county jail as
21 required under the sentence is guilty of a Class D H felony.

22 **SECTION 843.** 946.425 (1m) (b) of the statutes is amended to read:

23 946.425 (1m) (b) Any person who receives a stay of execution of a sentence of
24 imprisonment of 10 or more days to a county jail under s. 973.15 (8) (a) and who

1 intentionally fails to report to the county jail as required under the sentence is guilty
2 of a Class D H felony.

3 **SECTION 844.** 946.425 (1r) (b) of the statutes is amended to read:

4 946.425 (1r) (b) Any person who is subject to a confinement order under s.
5 973.09 (4) as the result of a conviction for a felony and who intentionally fails to
6 report to the county jail or house of correction as required under the order is guilty
7 of a Class D H felony.

8 **SECTION 845.** 946.425 (2) of the statutes is repealed.

9 **SECTION 846.** 946.43 (1m) (intro.) of the statutes is amended to read:

10 946.43 (1m) (intro.) Any prisoner confined to a state prison or other state,
11 county or municipal detention facility who intentionally does any of the following is
12 guilty of a Class C F felony:

13 **SECTION 847.** 946.43 (2m) (a) (intro.) of the statutes is amended to read:

14 946.43 (2m) (a) (intro.) Any prisoner confined to a state prison or other state,
15 county or municipal detention facility who throws or expels blood, semen, vomit,
16 saliva, urine, feces or other bodily substance at or toward an officer, employee or
17 visitor of the prison or facility or another prisoner of the prison or facility under all
18 of the following circumstances ~~may be fined not more than \$10,000 or imprisoned for~~
19 ~~not more than 2 years or both~~ is guilty of a Class I felony:

20 **SECTION 848.** 946.44 (1) (intro.) of the statutes is amended to read:

21 946.44 (1) (intro.) Whoever does the following is guilty of a Class D H felony:

22 **SECTION 849.** 946.44 (1g) of the statutes is amended to read:

23 946.44 (1g) Any public officer or public employee who violates sub. (1) (a) or (b)
24 is guilty of a Class C F felony.

25 **SECTION 850.** 946.44 (1m) of the statutes is amended to read:

1 **946.44 (1m)** Whoever intentionally introduces into an institution where
2 prisoners are detained or transfers to a prisoner any firearm, whether loaded or
3 unloaded, or any article used or fashioned in a manner to lead another person to
4 believe it is a firearm, is guilty of a Class C F felony.

5 **SECTION 851.** 946.47 (1) (intro.) of the statutes is amended to read:

6 **946.47 (1)** (intro.) Whoever does either of the following is guilty of a Class E I
7 felony:

8 **SECTION 852.** 946.48 (1) of the statutes is amended to read:

9 **946.48 (1)** Whoever sends, delivers, or causes to be transmitted to another any
10 written or oral communication with intent to induce a false belief that the sender has
11 knowledge of the whereabouts, physical condition, or terms imposed upon the return
12 of a kidnapped or missing person is guilty of a Class D H felony.

13 **SECTION 853.** 946.49 (1) (b) of the statutes is amended to read:

14 **946.49 (1)** (b) If the offense with which the person is charged is a felony, guilty
15 of a Class D H felony.

16 **SECTION 854.** 946.49 (2) of the statutes is amended to read:

17 **946.49 (2)** A witness for whom bail has been required under s. 969.01 (3) is
18 guilty of a Class E I felony for failure to appear as provided.

19 **SECTION 855.** 946.50 (5d) of the statutes is created to read:

20 **946.50 (5d)** A Class F felony, if the person was adjudicated delinquent for
21 committing an act that would be a Class F felony if committed by an adult.

22 **SECTION 856.** 946.50 (5h) of the statutes is created to read:

23 **946.50 (5h)** A Class G felony, if the person was adjudicated delinquent for
24 committing an act that would be a Class G felony if committed by an adult.

25 **SECTION 857.** 946.50 (5p) of the statutes is created to read:

1 **946.50 (5p)** A Class H felony, if the person was adjudicated delinquent for
2 committing an act that would be a Class H felony if committed by an adult.

3 **SECTION 858.** 946.50 (5t) of the statutes is created to read:

4 **946.50 (5t)** A Class I felony, if the person was adjudicated delinquent for
5 committing an act that would be a Class I felony if committed by an adult.

6 **SECTION 859.** 946.60 (1) of the statutes is amended to read:

7 **946.60 (1)** Whoever intentionally destroys, alters, mutilates, conceals,
8 removes, withholds or transfers possession of a document, knowing that the
9 document has been subpoenaed by a court or by or at the request of a district attorney
10 or the attorney general, is guilty of a Class E I felony.

11 **SECTION 860.** 946.60 (2) of the statutes is amended to read:

12 **946.60 (2)** Whoever uses force, threat, intimidation or deception, with intent
13 to cause or induce another person to destroy, alter, mutilate, conceal, remove,
14 withhold or transfer possession of a subpoenaed document, knowing that the
15 document has been subpoenaed by a court or by or at the request of a district attorney
16 or the attorney general, is guilty of a Class E I felony.

17 **SECTION 861.** 946.61 (1) (intro.) of the statutes is amended to read:

18 **946.61 (1) (intro.)** Whoever does any of the following is guilty of a Class D H
19 felony:

20 **SECTION 862.** 946.64 of the statutes is amended to read:

21 **946.64 Communicating with jurors.** Whoever, with intent to influence any
22 person, summoned or serving as a juror, in relation to any matter which is before that
23 person or which may be brought before that person, communicates with him or her
24 otherwise than in the regular course of proceedings in the trial or hearing of that
25 matter is guilty of a Class E I felony.

1 **SECTION 863.** 946.65 (1) of the statutes is amended to read:

2 946.65 (1) Whoever for a consideration knowingly gives false information to
3 any officer of any court with intent to influence the officer in the performance of
4 official functions is guilty of a Class E I felony.

5 **SECTION 864.** 946.68 (1r) (a) of the statutes is amended to read:

6 946.68 (1r) (a) Except as provided in pars. (b) and (c), whoever sends or delivers
7 to another any document which simulates legal process is guilty of a Class E I felony.

8 **SECTION 865.** 946.68 (1r) (b) of the statutes is amended to read:

9 946.68 (1r) (b) If the document under par. (a) is sent or delivered with intent
10 to induce payment of a claim, the person is guilty of a Class D H felony.

11 **SECTION 866.** 946.68 (1r) (c) of the statutes is amended to read:

12 946.68 (1r) (c) If the document under par. (a) simulates any criminal process,
13 the person is guilty of a Class D H felony.

14 **SECTION 867.** 946.69 (2) (intro.) of the statutes is amended to read:

15 946.69 (2) (intro.) Whoever does any of the following is guilty of a Class E I
16 felony:

17 **SECTION 868.** 946.70 (2) of the statutes is amended to read:

18 946.70 (2) Any person violating sub. (1) with the intent to commit or aid or abet
19 the commission of a crime other than the crime under this section is guilty of a Class
20 D H felony.

21 **SECTION 869.** 946.72 (1) of the statutes is amended to read:

22 946.72 (1) Whoever with intent to injure or defraud destroys, damages,
23 removes or conceals any public record is guilty of a Class D H felony.

24 **SECTION 870.** 946.74 (2) of the statutes is amended to read:

1 946.74 (2) Whoever violates sub. (1) with intent to commit a crime against
2 sexual morality with or upon the inmate of the institution is guilty of a Class D H
3 felony.

4 **SECTION 871.** 946.76 of the statutes is amended to read:

5 **946.76 Search warrant; premature disclosure.** Whoever discloses prior
6 to its execution that a search warrant has been applied for or issued, except so far
7 as may be necessary to its execution, is guilty of a Class E I felony.

8 **SECTION 872.** 946.82 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
9 is amended to read:

10 946.82 (4) “Racketeering activity” means any activity specified in 18 USC 1961
11 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission
12 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),
13 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637,
14 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,
15 940.19 ~~(3)~~ (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20
16 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2), (2d), or (2g), 943.011,
17 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) ~~(c)~~ and
18 ~~(d)~~ (bf) to (e), 943.201, 943.23 (1g), ~~(1m), (1r)~~, (2) and (3), 943.24 (2), 943.25, 943.27,
19 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41
20 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c), 943.60, 943.70, 943.76, 944.205, 944.21
21 (5) (c) and (e), 944.32, 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08,
22 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64,
23 946.65, 946.72, 946.76, 947.015, 948.05, 948.08, 948.12, and 948.30.

24 **SECTION 873.** 946.84 (1) of the statutes is amended to read:

1 946.84 (1) Any person convicted of engaging in racketeering activity in
2 violation of s. 946.83 is guilty of a Class C E felony.

3 **SECTION 874.** 946.85 (1) of the statutes is amended to read:

4 946.85 (1) Any person who engages in a continuing criminal enterprise shall
5 be imprisoned for not less than 10 years nor more than 30 years, and fined not more
6 than \$10,000 or as provided in s. 946.84 (2). ~~If the court imposes a sentence less than~~
7 ~~the presumptive minimum sentence, it shall place its reasons for doing so on the~~
8 ~~record~~ is guilty of a Class E felony.

9 **SECTION 875.** 947.013 (1t) of the statutes is amended to read:

10 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E I felony if the
11 person has a prior conviction under this subsection or sub. (1r), (1v) or (1x) or s.
12 940.32 (2), (2m), (3) or (3m) involving the same victim and the present violation
13 occurs within 7 years of the prior conviction.

14 **SECTION 876.** 947.013 (1v) of the statutes is amended to read:

15 947.013 (1v) Whoever violates sub. (1r) is guilty of a Class D H felony if he or
16 she intentionally gains access to a record in electronic format that contains
17 personally identifiable information regarding the victim in order to facilitate the
18 violation under sub. (1r).

19 **SECTION 877.** 947.013 (1x) (intro.) of the statutes is amended to read:

20 947.013 (1x) (intro.) Whoever violates sub. (1r) under all of the following
21 circumstances is guilty of a Class D H felony:

22 **SECTION 878.** 947.015 of the statutes is amended to read:

23 **947.015 Bomb scares.** Whoever intentionally conveys or causes to be
24 conveyed any threat or false information, knowing such to be false, concerning an

1 attempt or alleged attempt being made or to be made to destroy any property by the
2 means of explosives is guilty of a Class ~~E~~ I felony.

3 **SECTION 879.** 948.02 (2) of the statutes is amended to read:

4 948.02 (2) SECOND DEGREE SEXUAL ASSAULT. Whoever has sexual contact or
5 sexual intercourse with a person who has not attained the age of 16 years is guilty
6 of a Class ~~BC~~ C felony.

7 **SECTION 880.** 948.02 (3) of the statutes is amended to read:

8 948.02 (3) FAILURE TO ACT. A person responsible for the welfare of a child who
9 has not attained the age of 16 years is guilty of a Class ~~C~~ E felony if that person has
10 knowledge that another person intends to have, is having or has had sexual
11 intercourse or sexual contact with the child, is physically and emotionally capable
12 of taking action which will prevent the intercourse or contact from taking place or
13 being repeated, fails to take that action and the failure to act exposes the child to an
14 unreasonable risk that intercourse or contact may occur between the child and the
15 other person or facilitates the intercourse or contact that does occur between the
16 child and the other person.

17 **SECTION 881.** 948.02 (3m) of the statutes is repealed.

18 **SECTION 882.** 948.025 (1) of the statutes is renumbered 948.025 (1) (intro.) and
19 amended to read:

20 948.025 (1) (intro.) Whoever commits 3 or more violations under s. 948.02 (1)
21 or (2) within a specified period of time involving the same child is guilty of -a-:

22 (a) A Class B felony if at least 3 of the violations were violations of s. 948.02 (1).

23 **SECTION 883.** 948.025 (1) (b) of the statutes is created to read:

24 948.025 (1) (b) A Class C felony if fewer than 3 of the violations were violations
25 of s. 948.02 (1).

1 **SECTION 884.** 948.025 (2) of the statutes is renumbered 948.025 (2) (b) and
2 amended to read:

3 948.025 (2) (b) If an action under sub. (1) (b) is tried to a jury, in order to find
4 the defendant guilty the members of the jury must unanimously agree that at least
5 3 violations of s. 948.02 (1) or (2) occurred within the time specified period applicable
6 under sub. (1) of time but need not agree on which acts constitute the requisite
7 number and need not agree on whether a particular violation was a violation of s.
8 948.02 (1) or (2).

9 **SECTION 885.** 948.025 (2) (a) of the statutes is created to read:

10 948.025 (2) (a) If an action under sub. (1) (a) is tried to a jury, in order to find
11 the defendant guilty the members of the jury must unanimously agree that at least
12 3 violations of s. 948.02 (1) occurred within the specified period of time but need not
13 agree on which acts constitute the requisite number.

14 **SECTION 886.** 948.025 (2m) of the statutes is repealed.

15 **SECTION 887.** 948.03 (2) (a) of the statutes is amended to read:

16 948.03 (2) (a) Whoever intentionally causes great bodily harm to a child is
17 guilty of a Class ~~C~~ E felony.

18 **SECTION 888.** 948.03 (2) (b) of the statutes is amended to read:

19 948.03 (2) (b) Whoever intentionally causes bodily harm to a child is guilty of
20 a Class ~~D~~ H felony.

21 **SECTION 889.** 948.03 (2) (c) of the statutes is amended to read:

22 948.03 (2) (c) Whoever intentionally causes bodily harm to a child by conduct
23 which creates a high probability of great bodily harm is guilty of a Class ~~C~~ E felony.

24 **SECTION 890.** 948.03 (3) (a) of the statutes is amended to read:

1 948.03 (3) (a) Whoever recklessly causes great bodily harm to a child is guilty
2 of a Class D G felony.

3 **SECTION 891.** 948.03 (3) (b) of the statutes is amended to read:

4 948.03 (3) (b) Whoever recklessly causes bodily harm to a child is guilty of a
5 Class E I felony.

6 **SECTION 892.** 948.03 (3) (c) of the statutes is amended to read:

7 948.03 (3) (c) Whoever recklessly causes bodily harm to a child by conduct
8 which creates a high probability of great bodily harm is guilty of a Class D H felony.

9 **SECTION 893.** 948.03 (4) (a) of the statutes is amended to read:

10 948.03 (4) (a) A person responsible for the child's welfare is guilty of a Class
11 C F felony if that person has knowledge that another person intends to cause, is
12 causing or has intentionally or recklessly caused great bodily harm to the child and
13 is physically and emotionally capable of taking action which will prevent the bodily
14 harm from occurring or being repeated, fails to take that action and the failure to act
15 exposes the child to an unreasonable risk of great bodily harm by the other person
16 or facilitates the great bodily harm to the child that is caused by the other person.

17 **SECTION 894.** 948.03 (4) (b) of the statutes is amended to read:

18 948.03 (4) (b) A person responsible for the child's welfare is guilty of a Class
19 D H felony if that person has knowledge that another person intends to cause, is
20 causing or has intentionally or recklessly caused bodily harm to the child and is
21 physically and emotionally capable of taking action which will prevent the bodily
22 harm from occurring or being repeated, fails to take that action and the failure to act
23 exposes the child to an unreasonable risk of bodily harm by the other person or
24 facilitates the bodily harm to the child that is caused by the other person.

25 **SECTION 895.** 948.03 (5) of the statutes is repealed.

1 **SECTION 896.** 948.04 (1) of the statutes is amended to read:

2 948.04 (1) Whoever is exercising temporary or permanent control of a child and
3 causes mental harm to that child by conduct which demonstrates substantial
4 disregard for the mental well-being of the child is guilty of a Class C F felony.

5 **SECTION 897.** 948.04 (2) of the statutes is amended to read:

6 948.04 (2) A person responsible for the child's welfare is guilty of a Class C F
7 felony if that person has knowledge that another person has caused, is causing or will
8 cause mental harm to that child, is physically and emotionally capable of taking
9 action which will prevent the harm, fails to take that action and the failure to act
10 exposes the child to an unreasonable risk of mental harm by the other person or
11 facilitates the mental harm to the child that is caused by the other person.

12 **SECTION 898.** 948.05 (1) (intro.) of the statutes is amended to read:

13 948.05 (1) (intro.) Whoever does any of the following with knowledge of the
14 character and content of the sexually explicit conduct involving the child is guilty of
15 a Class C F felony:

16 **SECTION 899.** 948.05 (1m) of the statutes, as affected by 2001 Wisconsin Act 16,
17 is amended to read:

18 948.05 (1m) Whoever produces, performs in, profits from, promotes, imports
19 into the state, reproduces, advertises, sells, distributes, or possesses with intent to
20 sell or distribute, any recording of a child engaging in sexually explicit conduct is
21 guilty of a Class C F felony if the person knows the character and content of the
22 sexually explicit conduct involving the child and if the person knows or reasonably
23 should know that the child engaging in the sexually explicit conduct has not attained
24 the age of 18 years.

25 **SECTION 900.** 948.05 (2) of the statutes is amended to read:

1 **948.05 (2)** A person responsible for a child’s welfare who knowingly permits,
2 allows or encourages the child to engage in sexually explicit conduct for a purpose
3 proscribed in sub. (1) (a) or (b) or (1m) is guilty of a Class C F felony.

4 **SECTION 901.** 948.055 (2) (a) of the statutes is amended to read:

5 **948.055 (2)** (a) A Class C F felony if the child has not attained the age of 13
6 years.

7 **SECTION 902.** 948.055 (2) (b) of the statutes is amended to read:

8 **948.055 (2)** (b) A Class D H felony if the child has attained the age of 13 years
9 but has not attained the age of 18 years.

10 **SECTION 903.** 948.06 (intro.) of the statutes is amended to read:

11 **948.06 Incest with a child.** (intro.) Whoever does any of the following is
12 guilty of a Class BC C felony:

13 **SECTION 904.** 948.07 (intro.) of the statutes is amended to read:

14 **948.07 Child enticement.** (intro.) Whoever, with intent to commit any of the
15 following acts, causes or attempts to cause any child who has not attained the age
16 of 18 years to go into any vehicle, building, room or secluded place is guilty of a Class
17 BC D felony:

18 **SECTION 905.** 948.08 of the statutes is amended to read:

19 **948.08 Soliciting a child for prostitution.** Whoever intentionally solicits
20 or causes any child to practice prostitution or establishes any child in a place of
21 prostitution is guilty of a Class BC D felony.

22 **SECTION 906.** 948.095 (2) (intro.) of the statutes is amended to read:

23 **948.095 (2)** (intro.) Whoever has sexual contact or sexual intercourse with a
24 child who has attained the age of 16 years and who is not the defendant’s spouse is
25 guilty of a Class D H felony if all of the following apply:

1 **SECTION 907.** 948.11 (2) (a) (intro.) of the statutes, as affected by 2001
2 Wisconsin Act 16, is amended to read:

3 948.11 **(2)** (a) (intro.) Whoever, with knowledge of the character and content of
4 the material, sells, rents, exhibits, plays, distributes, or loans to a child any harmful
5 material, with or without monetary consideration, is guilty of a Class E I felony if any
6 of the following applies:

7 **SECTION 908.** 948.11 (2) (am) (intro.) of the statutes, as affected by 2001
8 Wisconsin Act 16, is amended to read:

9 948.11 **(2)** (am) (intro.) Any person who has attained the age of 17 and who, with
10 knowledge of the character and content of the description or narrative account,
11 verbally communicates, by any means, a harmful description or narrative account
12 to a child, with or without monetary consideration, is guilty of a Class E I felony if
13 any of the following applies:

14 **SECTION 909.** 948.12 (1m) (intro.) of the statutes, as affected by 2001 Wisconsin
15 Act 16, is amended to read:

16 948.12 **(1m)** (intro.) Whoever possesses any undeveloped film, photographic
17 negative, photograph, motion picture, videotape, or other recording of a child
18 engaged in sexually explicit conduct under all of the following circumstances is guilty
19 of a Class E I felony:

20 **SECTION 910.** 948.12 (2m) (intro.) of the statutes, as created by 2001 Wisconsin
21 Act 16, is amended to read:

22 948.12 **(2m)** (intro.) Whoever exhibits or plays a recording of a child engaged
23 in sexually explicit conduct, if all of the following apply, is guilty of a Class E I felony:

24 **SECTION 911.** 948.13 (2) of the statutes is amended to read:

1 **948.13 (2)** Whoever has been convicted of a serious child sex offense and
2 subsequently engages in an occupation or participates in a volunteer position that
3 requires him or her to work or interact primarily and directly with children under
4 16 years of age is guilty of a Class C F felony. This subsection does not apply to a
5 person who is exempt under a court order issued under sub. (2m).

6 **SECTION 912.** 948.20 of the statutes is amended to read:

7 **948.20 Abandonment of a child.** Whoever, with intent to abandon the child,
8 leaves any child in a place where the child may suffer because of neglect is guilty of
9 a Class D G felony.

10 **SECTION 913.** 948.21 (1) of the statutes is amended to read:

11 **948.21 (1)** Any person who is responsible for a child's welfare who, through his
12 or her actions or failure to take action, intentionally contributes to the neglect of the
13 child is guilty of a Class A misdemeanor or, if death is a consequence, a Class C D
14 felony.

15 **SECTION 914.** 948.22 (2) of the statutes is amended to read:

16 **948.22 (2)** Any person who intentionally fails for 120 or more consecutive days
17 to provide spousal, grandchild or child support which the person knows or reasonably
18 should know the person is legally obligated to provide is guilty of a Class E I felony.
19 A prosecutor may charge a person with multiple counts for a violation under this
20 subsection if each count covers a period of at least 120 consecutive days and there is
21 no overlap between periods.

22 **SECTION 915.** 948.23 of the statutes is amended to read:

23 **948.23 Concealing death of child.** Any person who conceals the corpse of
24 any issue of a woman's body with intent to prevent a determination of whether it was
25 born dead or alive is guilty of a Class E I felony.

1 **SECTION 916.** 948.24 (1) (intro.) of the statutes is amended to read:

2 948.24 (1) (intro.) Whoever does any of the following is guilty of a Class **D H**
3 felony:

4 **SECTION 917.** 948.30 (1) (intro.) of the statutes is amended to read:

5 948.30 (1) (intro.) Any person who, for any unlawful purpose, does any of the
6 following is guilty of a Class **C E** felony:

7 **SECTION 918.** 948.30 (2) (intro.) of the statutes is amended to read:

8 948.30 (2) (intro.) Any person who, for any unlawful purpose, does any of the
9 following is guilty of a Class **B C** felony:

10 **SECTION 919.** 948.31 (1) (b) of the statutes is amended to read:

11 948.31 (1) (b) Except as provided under chs. 48 and 938, whoever intentionally
12 causes a child to leave, takes a child away or withholds a child for more than 12 hours
13 beyond the court–approved period of physical placement or visitation period from a
14 legal custodian with intent to deprive the custodian of his or her custody rights
15 without the consent of the custodian is guilty of a Class **C F** felony. This paragraph
16 is not applicable if the court has entered an order authorizing the person to so take
17 or withhold the child. The fact that joint legal custody has been awarded to both
18 parents by a court does not preclude a court from finding that one parent has
19 committed a violation of this paragraph.

20 **SECTION 920.** 948.31 (2) of the statutes is amended to read:

21 948.31 (2) Whoever causes a child to leave, takes a child away or withholds a
22 child for more than 12 hours from the child’s parents or, in the case of a nonmarital
23 child whose parents do not subsequently intermarry under s. 767.60, from the child’s
24 mother or, if he has been granted legal custody, the child’s father, without the consent
25 of the parents, the mother or the father with legal custody, is guilty of a Class **E I**

1 felony. This subsection is not applicable if legal custody has been granted by court
2 order to the person taking or withholding the child.

3 **SECTION 921.** 948.31 (3) (intro.) of the statutes is amended to read:

4 948.31 (3) (intro.) Any parent, or any person acting pursuant to directions from
5 the parent, who does any of the following is guilty of a Class C F felony:

6 **SECTION 922.** 948.35 of the statutes is repealed.

7 **SECTION 923.** 948.36 of the statutes is repealed.

8 **SECTION 924.** 948.40 (4) (a) of the statutes is amended to read:

9 948.40 (4) (a) If death is a consequence, the person is guilty of a Class C D
10 felony; or

11 **SECTION 925.** 948.40 (4) (b) of the statutes is amended to read:

12 948.40 (4) (b) If the child's act which is encouraged or contributed to is a
13 violation of a state or federal criminal law which is punishable as a felony, the person
14 is guilty of a Class D H felony.

15 **SECTION 926.** 948.51 (3) (b) of the statutes is amended to read:

16 948.51 (3) (b) A Class E H felony if the act results in great bodily harm ~~or death~~
17 to another.

18 **SECTION 927.** 948.51 (3) (c) of the statutes is created to read:

19 948.51 (3) (c) A Class G felony if the act results in the death of another.

20 **SECTION 928.** 948.60 (2) (b) of the statutes is amended to read:

21 948.60 (2) (b) Except as provided in par. (c), any person who intentionally sells,
22 loans or gives a dangerous weapon to a person under 18 years of age is guilty of a
23 Class E I felony.

24 **SECTION 929.** 948.60 (2) (c) of the statutes is amended to read:

1 948.60 (2) (c) Whoever violates par. (b) is guilty of a Class ~~D~~ H felony if the
2 person under 18 years of age under par. (b) discharges the firearm and the discharge
3 causes death to himself, herself or another.

4 **SECTION 930.** 948.605 (2) (a) of the statutes is amended to read:

5 948.605 (2) (a) Any individual who knowingly possesses a firearm at a place
6 that the individual knows, or has reasonable cause to believe, is a school zone is
7 guilty of a Class ~~A misdemeanor~~ I felony.

8 **SECTION 931.** 948.605 (3) (a) of the statutes is amended to read:

9 948.605 (3) (a) Any individual who knowingly, or with reckless disregard for
10 the safety of another, discharges or attempts to discharge a firearm at a place the
11 individual knows is a school zone is guilty of a Class ~~D~~ G felony.

12 **SECTION 932.** 948.605 (4) of the statutes is repealed.

13 **SECTION 933.** 948.61 (2) (b) of the statutes is amended to read:

14 948.61 (2) (b) A Class ~~E~~ I felony, if the violation is the person's 2nd or
15 subsequent violation of this section within a 5-year period, as measured from the
16 dates the violations occurred.

17 **SECTION 934.** 948.62 (1) (a) of the statutes is amended to read:

18 948.62 (1) (a) A Class ~~E~~ felony A misdemeanor, if the value of the property does
19 not exceed \$500.

20 **SECTION 935.** 948.62 (1) (b) of the statutes is amended to read:

21 948.62 (1) (b) A Class ~~D~~ I felony, if the value of the property exceeds \$500 but
22 does not exceed \$2,500.

23 **SECTION 936.** 948.62 (1) (bm) of the statutes is created to read:

24 948.62 (1) (bm) A Class H felony, if the value of the property exceeds \$2,500 but
25 does not exceed \$5,000.

1 **SECTION 937.** 948.62 (1) (c) of the statutes is amended to read:

2 948.62 **(1)** (c) A Class C G felony, if the value of the property exceeds \$2,500
3 \$5,000.

4 **SECTION 938.** 949.03 (1) (b) of the statutes is amended to read:

5 949.03 **(1)** (b) The commission or the attempt to commit any crime specified in
6 s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,
7 940.09, 940.10, 940.19, 940.20, 940.201, 940.21, 940.22 (2), 940.225, 940.23, 940.24,
8 940.25, 940.285, 940.29, 940.30, 940.305, 940.31, 940.32, 941.327, 943.02, 943.03,
9 943.04, 943.10, 943.20, 943.23 (1g), ~~(1m) or (1r)~~, 943.32, 948.02, 948.025, 948.03,
10 948.04, 948.07, 948.095, 948.20, 948.30 or 948.51.

11 **SECTION 939.** 950.04 (1v) (g) of the statutes is amended to read:

12 950.04 **(1v)** (g) To have reasonable attempts made to notify the victim of
13 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6).
14 938.27 (4m) and (6), 938.273 (2), 971.095 (3) and 972.14 (3) (b).

15 **SECTION 940.** 950.04 (1v) (nt) of the statutes is created to read:

16 950.04 **(1v)** (nt) To attend a hearing on a petition for modification of a
17 bifurcated sentence and provide a statement concerning modification of the
18 bifurcated sentence, as provided under s. 302.113 (9g) (d).

19 **SECTION 941.** 951.18 (1) of the statutes is amended to read:

20 951.18 **(1)** Any person violating s. 951.02, 951.025, 951.03, 951.04, 951.05,
21 951.06, 951.07, 951.09, 951.10, 951.11, 951.13, 951.14 or 951.15 is subject to a
22 Class C forfeiture. Any person who violates any of these provisions within 3 years
23 after a humane officer issues an abatement order under s. 173.11 prohibiting the
24 violation of that provision is subject to a Class A forfeiture. Any person who
25 intentionally or negligently violates any of those sections is guilty of a Class A

1 misdemeanor. Any person who intentionally violates s. 951.02, resulting in the
2 mutilation, disfigurement or death of an animal, is guilty of a Class E I felony. Any
3 person who intentionally violates s. 951.02 or 951.06, knowing that the animal that
4 is the victim is used by a law enforcement agency to perform agency functions or
5 duties and causing injury to the animal, is guilty of a Class E I felony.

6 **SECTION 942.** 951.18 (2) of the statutes is amended to read:

7 951.18 (2) Any person who violates s. 951.08 (2m) or (3) is guilty of a Class A
8 misdemeanor. Any person who violates s. 951.08 (1) or (2) is guilty of a Class E I
9 felony for the first violation and is guilty of a Class D H felony for the 2nd or
10 subsequent violation.

11 **SECTION 943.** 951.18 (2m) of the statutes is amended to read:

12 951.18 (2m) Any person who violates s. 951.095 is subject to a Class B
13 forfeiture. Any person who intentionally or negligently violates s. 951.095, knowing
14 that the animal that is the victim is used by a law enforcement agency or fire
15 department to perform agency or department functions or duties, is guilty of a Class
16 A misdemeanor. Any person who intentionally violates s. 951.095, knowing that the
17 animal that is the victim is used by a law enforcement agency or fire department to
18 perform agency or department functions or duties and causing injury to the animal,
19 is guilty of a Class E I felony. Any person who intentionally violates s. 951.095,
20 knowing that the animal that is the victim is used by a law enforcement agency or
21 fire department to perform agency or department functions or duties and causing
22 death to the animal, is guilty of a Class D H felony.

23 **SECTION 944.** 961.41 (1) (intro.) of the statutes is amended to read:

24 961.41 (1) MANUFACTURE, DISTRIBUTION OR DELIVERY. (intro.) Except as
25 authorized by this chapter, it is unlawful for any person to manufacture, distribute

1 or deliver a controlled substance or controlled substance analog. Any person who
2 violates this subsection with respect to is subject to the following penalties:

3 **SECTION 945.** 961.41 (1) (a) of the statutes is amended to read:

4 961.41 (1) (a) Schedule I and II narcotic drugs generally. Except as provided
5 in par. (d), if a person violates this subsection with respect to a controlled substance
6 included in schedule I or II which is a narcotic drug, or a controlled substance analog
7 of a controlled substance included in schedule I or II which is a narcotic drug, may
8 be fined not more than \$25,000 or imprisoned for not more than 22 years and 6
9 months or both the person is guilty of a Class E felony.

10 **SECTION 946.** 961.41 (1) (b) of the statutes, as affected by 2001 Wisconsin Act
11 16, is amended to read:

12 961.41 (1) (b) Schedule I, II, and III nonnarcotic drugs generally. Except as
13 provided in pars. (cm) and (e) to (hm), if a person violates this subsection with respect
14 to any other controlled substance included in schedule I, II, or III, or a controlled
15 substance analog of any other controlled substance included in schedule I or II, may
16 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months
17 or both the person is guilty of a Class H felony.

18 **SECTION 947.** 961.41 (1) (cm) (intro.) of the statutes is amended to read:

19 961.41 (1) (cm) Cocaine and cocaine base. (intro.) Cocaine If the person violates
20 this subsection with respect to cocaine or cocaine base, or a controlled substance
21 analog of cocaine or cocaine base, is subject to the following penalties if and the
22 amount manufactured, distributed, or delivered is:

23 **SECTION 948.** 961.41 (1) (cm) 1. of the statutes is renumbered 961.41 (1) (cm)

24 1r. and amended to read:

1 961.41 (1) (cm) 1r. ~~Five grams or less~~ More than one gram but not more than
2 5 grams, the person shall be fined not more than \$500,000 and may be imprisoned
3 ~~for not more than 15 years~~ is guilty of a Class F felony.

4 **SECTION 949.** 961.41 (1) (cm) 1g. of the statutes is created to read:

5 961.41 (1) (cm) 1g. One gram or less, the person is guilty of a Class G felony.

6 **SECTION 950.** 961.41 (1) (cm) 2. of the statutes is amended to read:

7 961.41 (1) (cm) 2. More than 5 grams but not more than 15 grams, the person
8 shall be fined not more than \$500,000 and shall be imprisoned for not less than one
9 year ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

10 **SECTION 951.** 961.41 (1) (cm) 3. of the statutes is amended to read:

11 961.41 (1) (cm) 3. More than 15 grams but not more than 40 grams, the person
12 shall be fined not more than \$500,000 and shall be imprisoned for not less than 3
13 years ~~nor more than 30 years~~ is guilty of a Class D felony.

14 **SECTION 952.** 961.41 (1) (cm) 4. of the statutes is amended to read:

15 961.41 (1) (cm) 4. More than 40 grams ~~but not more than 100 grams~~, the person
16 shall be fined not more than \$500,000 and shall be imprisoned for not less than 5
17 years ~~nor more than 45 years~~ is guilty of a Class C felony.

18 **SECTION 953.** 961.41 (1) (cm) 5. of the statutes is repealed.

19 **SECTION 954.** 961.41 (1) (d) (intro.) of the statutes is amended to read:

20 961.41 (1) (d) Heroin. (intro.) ~~Heroin~~ If the person violates this subsection with
21 respect to heroin or a controlled substance analog of heroin is subject to the following
22 penalties ~~if~~ and the amount manufactured, distributed or delivered is:

23 **SECTION 955.** 961.41 (1) (d) 1. of the statutes is amended to read:

1 961.41 (1) (d) 1. Three grams or less, the person shall be fined not less than
2 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 22 years
3 and 6 months is guilty of a Class F felony.

4 **SECTION 956.** 961.41 (1) (d) 2. of the statutes is amended to read:

5 961.41 (1) (d) 2. More than 3 grams but not more than 10 grams, the person
6 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned
7 for not less than 6 months nor more than 22 years and 6 months is guilty of a Class
8 E felony.

9 **SECTION 957.** 961.41 (1) (d) 3. of the statutes is amended to read:

10 961.41 (1) (d) 3. More than 10 grams but not more than 50 grams, the person
11 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
12 for not less than one year nor more than 22 years and 6 months is guilty of a Class
13 D felony.

14 **SECTION 958.** 961.41 (1) (d) 4. of the statutes is amended to read:

15 961.41 (1) (d) 4. More than 50 grams but not more than 200 grams, the person
16 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
17 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C
18 felony.

19 **SECTION 959.** 961.41 (1) (d) 5. of the statutes is repealed.

20 **SECTION 960.** 961.41 (1) (d) 6. of the statutes is repealed.

21 **SECTION 961.** 961.41 (1) (e) (intro.) of the statutes is amended to read:

22 961.41 (1) (e) Phencyclidine, amphetamine, methamphetamine, and
23 methcathinone. (intro.) Phencyclidine If the person violates this subsection with
24 respect to phencyclidine, amphetamine, methamphetamine, or methcathinone, or a
25 controlled substance analog of phencyclidine, amphetamine, methamphetamine, or

1 methcathinone, ~~is subject to the following penalties if and the amount~~
2 ~~manufactured, distributed, or delivered is:~~

3 **SECTION 962.** 961.41 (1) (e) 1. of the statutes is amended to read:

4 961.41 (1) (e) 1. Three grams or less, the person ~~shall be fined not less than~~
5 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~
6 ~~6 months~~ is guilty of a Class F felony.

7 **SECTION 963.** 961.41 (1) (e) 2. of the statutes is amended to read:

8 961.41 (1) (e) 2. More than 3 grams but not more than 10 grams, the person
9 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~
10 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class
11 E felony.

12 **SECTION 964.** 961.41 (1) (e) 3. of the statutes is amended to read:

13 961.41 (1) (e) 3. More than 10 grams but not more than 50 grams, the person
14 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
15 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class
16 D felony.

17 **SECTION 965.** 961.41 (1) (e) 4. of the statutes is amended to read:

18 961.41 (1) (e) 4. More than 50 grams but ~~not more than 200 grams~~, the person
19 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
20 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C
21 felony.

22 **SECTION 966.** 961.41 (1) (e) 5. of the statutes is repealed.

23 **SECTION 967.** 961.41 (1) (e) 6. of the statutes is repealed.

24 **SECTION 968.** 961.41 (1) (em) of the statutes is repealed.

25 **SECTION 969.** 961.41 (1) (f) (intro.) of the statutes is amended to read:

1 961.41 (1) (f) Lysergic acid diethylamide. (intro.) ~~Lysergie~~ If the person violates
2 this subsection with respect to lysergic acid diethylamide or a controlled substance
3 analog of lysergic acid diethylamide ~~is subject to the following penalties if and~~ the
4 amount manufactured, distributed, or delivered is:

5 **SECTION 970.** 961.41 (1) (f) 1. of the statutes is amended to read:

6 961.41 (1) (f) 1. One gram or less, the person ~~shall be fined not less than \$1,000~~
7 ~~nor more than \$200,000 and may be imprisoned for not more than 7 years and 6~~
8 ~~months~~ is guilty of a Class G felony.

9 **SECTION 971.** 961.41 (1) (f) 2. of the statutes is amended to read:

10 961.41 (1) (f) 2. More than one gram but not more than 5 grams, the person ~~shall~~
11 ~~be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not~~
12 ~~less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class F felony.

13 **SECTION 972.** 961.41 (1) (f) 3. of the statutes is amended to read:

14 961.41 (1) (f) 3. More than 5 grams, the person ~~shall be fined not less than~~
15 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~
16 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

17 **SECTION 973.** 961.41 (1) (g) (intro.) of the statutes is amended to read:

18 961.41 (1) (g) Psilocin and psilocybin. (intro.) Psilocin If the person violates
19 this subsection with respect to psilocin or psilocybin, or a controlled substance analog
20 of psilocin or psilocybin, ~~is subject to the following penalties if and~~ the amount
21 manufactured, distributed or delivered is:

22 **SECTION 974.** 961.41 (1) (g) 1. of the statutes is amended to read:

23 961.41 (1) (g) 1. One hundred grams or less, the person ~~shall be fined not less~~
24 ~~than \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7~~
25 ~~years and 6 months~~ is guilty of a Class G felony.

1 **SECTION 975.** 961.41 (1) (g) 2. of the statutes is amended to read:

2 961.41 (1) (g) 2. More than 100 grams but not more than 500 grams, the person
3 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned
4 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class
5 F felony.

6 **SECTION 976.** 961.41 (1) (g) 3. of the statutes is amended to read:

7 961.41 (1) (g) 3. More than 500 grams, the person shall be fined not less than
8 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year
9 nor more than 22 years and 6 months is guilty of a Class E felony.

10 **SECTION 977.** 961.41 (1) (h) (intro.) of the statutes is amended to read:

11 961.41 (1) (h) Tetrahydrocannabinols. (intro.) Tetrahydrocannabinols If the
12 person violates this subsection with respect to tetrahydrocannabinols, included
13 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is
14 subject to the following penalties if and the amount manufactured, distributed or
15 delivered is:

16 **SECTION 978.** 961.41 (1) (h) 1. of the statutes is amended to read:

17 961.41 (1) (h) 1. Five Two hundred grams or less, or ~~10~~ 4 or fewer plants
18 containing tetrahydrocannabinols, the person shall be fined not less than \$500 nor
19 more than \$25,000 and may be imprisoned for not more than 4 years and 6 months
20 is guilty of a Class I felony.

21 **SECTION 979.** 961.41 (1) (h) 2. of the statutes is amended to read:

22 961.41 (1) (h) 2. More than 500 200 grams but not more than 2,500 1,000 grams,
23 or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than 50 20
24 plants containing tetrahydrocannabinols, the person shall be fined not less than

1 ~~\$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor~~
2 ~~more than 7 years and 6 months~~ is guilty of a Class H felony.

3 **SECTION 980.** 961.41 (1) (h) 3. of the statutes is amended to read:

4 961.41 **(1)** (h) 3. More than ~~2,500~~ 1,000 grams but not more than 2,500 grams,
5 or more than ~~50~~ 20 plants containing tetrahydrocannabinols but not more than 50
6 plants containing tetrahydrocannabinols, the person shall be ~~fined not less than~~
7 ~~\$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year~~
8 ~~nor more than 15 years~~ is guilty of a Class G felony.

9 **SECTION 981.** 961.41 (1) (h) 4. of the statutes is created to read:

10 961.41 **(1)** (h) 4. More than 2,500 grams but not more than 10,000 grams, or
11 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants
12 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

13 **SECTION 982.** 961.41 (1) (h) 5. of the statutes is created to read:

14 961.41 **(1)** (h) 5. More than 10,000 grams, or more than 200 plants containing
15 tetrahydrocannabinols, the person is guilty of a Class E felony.

16 **SECTION 983.** 961.41 (1) (hm) (intro.) of the statutes, as affected by 2001
17 Wisconsin Act 16, is amended to read:

18 961.41 **(1)** (hm) Certain other schedule I controlled substances and ketamine.
19 (intro.) ~~Gamma-hydroxybutyric~~ If the person violates this subsection with respect
20 to gamma-hydroxybutyric acid, gamma-butyrolactone,
21 3,4-methylenedioxymethamphetamine,
22 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,
23 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,
24 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine,
25 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is

1 subject to the following penalties if and the amount manufactured, distributed, or
2 delivered is:

3 **SECTION 984.** 961.41 (1) (hm) 1. of the statutes, as created by 2001 Wisconsin
4 Act 16, is amended to read:

5 961.41 (1) (hm) 1. Three grams or less, the person shall be fined not less than
6 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and
7 6 months is guilty of a Class F felony.

8 **SECTION 985.** 961.41 (1) (hm) 2. of the statutes, as created by 2001 Wisconsin
9 Act 16, is amended to read:

10 961.41 (1) (hm) 2. More than 3 grams but not more than 10 grams, the person
11 shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned
12 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class
13 E felony.

14 **SECTION 986.** 961.41 (1) (hm) 3. of the statutes, as created by 2001 Wisconsin
15 Act 16, is amended to read:

16 961.41 (1) (hm) 3. More than 10 grams but not more than 50 grams, the person
17 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
18 for not less than one year nor more than 22 years and 6 months is guilty of a Class
19 D felony.

20 **SECTION 987.** 961.41 (1) (hm) 4. of the statutes, as created by 2001 Wisconsin
21 Act 16, is amended to read:

22 961.41 (1) (hm) 4. More than 50 grams but not more than 200 grams, the person
23 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
24 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C
25 felony.

1 **SECTION 988.** 961.41 (1) (hm) 5. of the statutes, as created by 2001 Wisconsin
2 Act 16, is repealed.

3 **SECTION 989.** 961.41 (1) (hm) 6. of the statutes, as created by 2001 Wisconsin
4 Act 16, is repealed.

5 **SECTION 990.** 961.41 (1) (i) of the statutes is amended to read:

6 961.41 (1) (i) Schedule IV drugs generally. Except as provided in par. (im), if
7 a person violates this subsection with respect to a substance included in schedule IV,
8 may be fined not more than \$10,000 or imprisoned for not more than 4 years and 6
9 months or both the person is guilty of a Class H felony.

10 **SECTION 991.** 961.41 (1) (im) (intro.) of the statutes, as affected by 2001
11 Wisconsin Act 16, is amended to read:

12 961.41 (1) (im) Flunitrazepam. (intro.) ~~Flunitrazepam is subject to the~~
13 ~~following penalties if~~ If a person violates this subsection with respect to
14 flunitrazepam and the amount manufactured, distributed, or delivered is:

15 **SECTION 992.** 961.41 (1) (im) 1. of the statutes, as created by 2001 Wisconsin
16 Act 16, is amended to read:

17 961.41 (1) (im) 1. ~~Three grams or less, the person shall be fined not less than~~
18 ~~\$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and~~
19 ~~6 months~~ is guilty of a Class F felony.

20 **SECTION 993.** 961.41 (1) (im) 2. of the statutes, as created by 2001 Wisconsin
21 Act 16, is amended to read:

22 961.41 (1) (im) 2. ~~More than 3 grams but not more than 10 grams, the person~~
23 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~
24 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class
25 E felony.

1 **SECTION 994.** 961.41 (1) (im) 3. of the statutes, as created by 2001 Wisconsin
2 Act 16, is amended to read:

3 961.41 (1) (im) 3. More than 10 grams but not more than 50 grams, the person
4 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
5 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class
6 D felony.

7 **SECTION 995.** 961.41 (1) (im) 4. of the statutes, as created by 2001 Wisconsin
8 Act 16, is amended to read:

9 961.41 (1) (im) 4. More than 50 grams ~~but not more than 200 grams~~, the person
10 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
11 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C
12 felony.

13 **SECTION 996.** 961.41 (1) (im) 5. of the statutes, as created by 2001 Wisconsin
14 Act 16, is repealed.

15 **SECTION 997.** 961.41 (1) (im) 6. of the statutes, as created by 2001 Wisconsin
16 Act 16, is repealed.

17 **SECTION 998.** 961.41 (1) (j) of the statutes is amended to read:

18 961.41 (1) (j) Schedule V drugs. ~~A- If a person violates this subsection with~~
19 ~~respect to a substance included in schedule V, may be fined not more than \$5,000 or~~
20 ~~imprisoned for not more than 2 years or both~~ the person is guilty of a Class I felony.

21 **SECTION 999.** 961.41 (1m) (intro.) of the statutes is amended to read:

22 961.41 (1m) POSSESSION WITH INTENT TO MANUFACTURE, DISTRIBUTE OR DELIVER.
23 (intro.) Except as authorized by this chapter, it is unlawful for any person to possess,
24 with intent to manufacture, distribute or deliver, a controlled substance or a
25 controlled substance analog. Intent under this subsection may be demonstrated by,

1 without limitation because of enumeration, evidence of the quantity and monetary
2 value of the substances possessed, the possession of manufacturing implements or
3 paraphernalia, and the activities or statements of the person in possession of the
4 controlled substance or a controlled substance analog prior to and after the alleged
5 violation. Any person who violates this subsection with respect to is subject to the
6 following penalties:

7 **SECTION 1000.** 961.41 (1m) (a) of the statutes is amended to read:

8 961.41 (1m) (a) Schedule I and II narcotic drugs generally. Except as provided
9 in par. (d), if a person violates this subsection with respect to a controlled substance
10 included in schedule I or II which is a narcotic drug or a controlled substance analog
11 of a controlled substance included in schedule I or II which is a narcotic drug, may
12 be fined not more than \$25,000 or imprisoned for not more than 22 years and 6
13 months or both the person is guilty of a Class E felony.

14 **SECTION 1001.** 961.41 (1m) (b) of the statutes, as affected by 2001 Wisconsin
15 Act 16, is amended to read:

16 961.41 (1m) (b) Schedule I, II, and III nonnarcotic drugs generally. Except as
17 provided in pars. (cm) and (e) to (hm), if a person violates this subsection with respect
18 to any other controlled substance included in schedule I, II, or III, or a controlled
19 substance analog of any other controlled substance included in schedule I or II, may
20 be fined not more than \$15,000 or imprisoned for not more than 7 years and 6 months
21 or both the person is guilty of a Class H felony.

22 **SECTION 1002.** 961.41 (1m) (cm) (intro.) of the statutes is amended to read:

23 961.41 (1m) (cm) Cocaine and cocaine base. (intro.) ~~Cocaine~~ If a person violates
24 this subsection with respect to cocaine or cocaine base, or a controlled substance

1 analog of cocaine or cocaine base, ~~is subject to the following penalties if and the~~
2 amount possessed, with intent to manufacture, distribute or deliver, is:

3 **SECTION 1003.** 961.41 (1m) (cm) 1. of the statutes is renumbered 961.41 (1m)
4 (cm) 1r. and amended to read:

5 961.41 **(1m)** (cm) 1r. ~~Five grams or less~~ More than one gram but not more than
6 5 grams, the person shall be fined ~~not more than \$500,000 and may be imprisoned~~
7 ~~for not more than 15 years~~ is guilty of a Class F felony.

8 **SECTION 1004.** 961.41 (1m) (cm) 1g. of the statutes is created to read:

9 961.41 **(1m)** (cm) 1g. One gram or less, the person is guilty of a Class G felony.

10 **SECTION 1005.** 961.41 (1m) (cm) 2. of the statutes is amended to read:

11 961.41 **(1m)** (cm) 2. More than 5 grams but not more than 15 grams, the person
12 shall be fined ~~not more than \$500,000 and shall be imprisoned for not less than one~~
13 ~~year nor more than 22 years and 6 months~~ is guilty of a Class E felony.

14 **SECTION 1006.** 961.41 (1m) (cm) 3. of the statutes is amended to read:

15 961.41 **(1m)** (cm) 3. More than 15 grams but not more than 40 grams, the
16 person shall be fined ~~not more than \$500,000 and shall be imprisoned for not less~~
17 ~~than 3 years nor more than 30 years~~ is guilty of a Class D felony.

18 **SECTION 1007.** 961.41 (1m) (cm) 4. of the statutes is amended to read:

19 961.41 **(1m)** (cm) 4. More than 40 grams ~~but not more than 100 grams~~, the
20 person shall be fined ~~not more than \$500,000 and shall be imprisoned for not less~~
21 ~~than 5 years nor more than 45 years~~ is guilty of a Class C felony.

22 **SECTION 1008.** 961.41 (1m) (cm) 5. of the statutes is repealed.

23 **SECTION 1009.** 961.41 (1m) (d) (intro.) of the statutes is amended to read:

24 961.41 **(1m)** (d) Heroin. (intro.) ~~Heroin~~ If a person violates this subsection with
25 respect to heroin or a controlled substance analog of heroin is subject to the following

1 penalties ~~if~~ and the amount possessed, with intent to manufacture, distribute or
2 deliver, is:

3 **SECTION 1010.** 961.41 (1m) (d) 1. of the statutes is amended to read:

4 961.41 **(1m)** (d) 1. Three grams or less, the person ~~shall be fined not less than~~
5 ~~\$1,000 nor more than \$100,000 and may be imprisoned for not more than 22 years~~
6 ~~and 6 months~~ is guilty of a Class F felony.

7 **SECTION 1011.** 961.41 (1m) (d) 2. of the statutes is amended to read:

8 961.41 **(1m)** (d) 2. More than 3 grams but not more than 10 grams, the person
9 ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned~~
10 ~~for not less than 6 months nor more than 22 years and 6 months~~ is guilty of a Class
11 E felony.

12 **SECTION 1012.** 961.41 (1m) (d) 3. of the statutes is amended to read:

13 961.41 **(1m)** (d) 3. More than 10 grams but not more than 50 grams, the person
14 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
15 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class
16 D felony.

17 **SECTION 1013.** 961.41 (1m) (d) 4. of the statutes is amended to read:

18 961.41 **(1m)** (d) 4. More than 50 grams ~~but not more than 200 grams~~, the person
19 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
20 ~~for not less than 3 years nor more than 22 years and 6 months~~ is guilty of a Class C
21 felony.

22 **SECTION 1014.** 961.41 (1m) (d) 5. of the statutes is repealed.

23 **SECTION 1015.** 961.41 (1m) (d) 6. of the statutes is repealed.

24 **SECTION 1016.** 961.41 (1m) (e) (intro.) of the statutes is amended to read:

1 961.41 (1m) (e) Phencyclidine, amphetamine, methamphetamine, and
2 methcathinone. (intro.) Phencyclidine If a person violates this subsection with
3 respect to phencyclidine, amphetamine, methamphetamine, or methcathinone, or a
4 controlled substance analog of phencyclidine, amphetamine, methamphetamine, or
5 methcathinone, is subject to the following penalties if and the amount possessed,
6 with intent to manufacture, distribute, or deliver, is:

7 **SECTION 1017.** 961.41 (1m) (e) 1. of the statutes is amended to read:

8 961.41 (1m) (e) 1. Three grams or less, the person shall be fined not less than
9 \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and
10 6 months is guilty of a Class F felony.

11 **SECTION 1018.** 961.41 (1m) (e) 2. of the statutes is amended to read:

12 961.41 (1m) (e) 2. More than 3 grams but not more than 10 grams, the person
13 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned
14 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class
15 E felony.

16 **SECTION 1019.** 961.41 (1m) (e) 3. of the statutes is amended to read:

17 961.41 (1m) (e) 3. More than 10 grams but not more than 50 grams, the person
18 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
19 for not less than one year nor more than 22 years and 6 months is guilty of a Class
20 D felony.

21 **SECTION 1020.** 961.41 (1m) (e) 4. of the statutes is amended to read:

22 961.41 (1m) (e) 4. More than 50 grams but not more than 200 grams, the person
23 shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned
24 for not less than 3 years nor more than 22 years and 6 months is guilty of a Class C
25 felony.

1 **SECTION 1021.** 961.41 (1m) (e) 5. of the statutes is repealed.

2 **SECTION 1022.** 961.41 (1m) (e) 6. of the statutes is repealed.

3 **SECTION 1023.** 961.41 (1m) (em) of the statutes is repealed.

4 **SECTION 1024.** 961.41 (1m) (f) (intro.) of the statutes is amended to read:

5 961.41 **(1m)** (f) Lysergic acid diethylamide. (intro.) Lysergie If a person violates
6 this subsection with respect to lysergic acid diethylamide or a controlled substance
7 analog of lysergic acid diethylamide is subject to the following penalties if and the
8 amount possessed, with intent to manufacture, distribute or deliver, is:

9 **SECTION 1025.** 961.41 (1m) (f) 1. of the statutes is amended to read:

10 961.41 **(1m)** (f) 1. One gram or less, the person shall be fined not less than
11 \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7 years and
12 6 months is guilty of a Class G felony.

13 **SECTION 1026.** 961.41 (1m) (f) 2. of the statutes is amended to read:

14 961.41 **(1m)** (f) 2. More than one gram but not more than 5 grams, the person
15 shall be fined not less than \$1,000 nor more than \$200,000 and shall be imprisoned
16 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class
17 F felony.

18 **SECTION 1027.** 961.41 (1m) (f) 3. of the statutes is amended to read:

19 961.41 **(1m)** (f) 3. More than 5 grams, the person shall be fined not less than
20 \$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year
21 nor more than 22 years and 6 months is guilty of a Class E felony.

22 **SECTION 1028.** 961.41 (1m) (g) (intro.) of the statutes is amended to read:

23 961.41 **(1m)** (g) Psilocin and psilocybin. (intro.) Psilocin If a person violates
24 this subsection with respect to psilocin or psilocybin, or a controlled substance analog

1 of psilocin or psilocybin, ~~is subject to the following penalties if~~ and the amount
2 possessed, with intent to manufacture, distribute or deliver, is:

3 **SECTION 1029.** 961.41 (1m) (g) 1. of the statutes is amended to read:

4 961.41 **(1m)** (g) 1. One hundred grams or less, the person ~~shall be fined not less~~
5 ~~than \$1,000 nor more than \$100,000 and may be imprisoned for not more than 7~~
6 ~~years and 6 months~~ is guilty of a Class G felony.

7 **SECTION 1030.** 961.41 (1m) (g) 2. of the statutes is amended to read:

8 961.41 **(1m)** (g) 2. More than 100 grams but not more than 500 grams, the
9 person ~~shall be fined not less than \$1,000 nor more than \$200,000 and shall be~~
10 ~~imprisoned for not less than 6 months nor more than 7 years and 6 months~~ is guilty
11 of a Class F felony.

12 **SECTION 1031.** 961.41 (1m) (g) 3. of the statutes is amended to read:

13 961.41 **(1m)** (g) 3. More than 500 grams, the person ~~shall be fined not less than~~
14 ~~\$1,000 nor more than \$500,000 and shall be imprisoned for not less than one year~~
15 ~~nor more than 22 years and 6 months~~ is guilty of a Class E felony.

16 **SECTION 1032.** 961.41 (1m) (h) (intro.) of the statutes is amended to read:

17 961.41 **(1m)** (h) Tetrahydrocannabinols. (intro.) Tetrahydrocannabinols If a
18 person violates this subsection with respect to tetrahydrocannabinols, included
19 under s. 961.14 (4) (t), or a controlled substance analog of tetrahydrocannabinols, is
20 ~~subject to the following penalties if~~ and the amount possessed, with intent to
21 manufacture, distribute, or deliver, is:

22 **SECTION 1033.** 961.41 (1m) (h) 1. of the statutes is amended to read:

23 961.41 **(1m)** (h) 1. Five Two hundred grams or less, or ~~10~~ 4 or fewer plants
24 containing tetrahydrocannabinols, the person ~~shall be fined not less than \$500 nor~~

1 ~~more than \$25,000 and may be imprisoned for not more than 4 years and 6 months~~
2 ~~is guilty of a Class I felony.~~

3 **SECTION 1034.** 961.41 (1m) (h) 2. of the statutes is amended to read:

4 961.41 **(1m)** (h) 2. More than ~~500~~ 200 grams but not more than ~~2,500~~ 1,000
5 grams, or more than ~~10~~ 4 plants containing tetrahydrocannabinols but not more than
6 ~~50~~ 20 plants containing tetrahydrocannabinols, the person shall be fined not less
7 than \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3
8 months nor more than 7 years and 6 months is guilty of a Class H felony.

9 **SECTION 1035.** 961.41 (1m) (h) 3. of the statutes is amended to read:

10 961.41 **(1m)** (h) 3. More than ~~2,500~~ 1,000 grams but not more than 2,500 grams,
11 or more than ~~50~~ 20 plants containing tetrahydrocannabinols but not more than 50
12 plants containing tetrahydrocannabinols, the person shall be fined not less than
13 \$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year
14 nor more than 15 years is guilty of a Class G felony.

15 **SECTION 1036.** 961.41 (1m) (h) 4. of the statutes is created to read:

16 961.41 **(1m)** (h) 4. More than 2,500 grams but not more than 10,000 grams, or
17 more than 50 plants containing tetrahydrocannabinols but not more than 200 plants
18 containing tetrahydrocannabinols, the person is guilty of a Class F felony.

19 **SECTION 1037.** 961.41 (1m) (h) 5. of the statutes is created to read:

20 961.41 **(1m)** (h) 5. More than 10,000 grams, or more than 200 plants containing
21 tetrahydrocannabinols, the person is guilty of a Class E felony.

22 **SECTION 1038.** 961.41 (1m) (hm) (intro.) of the statutes, as created by 2001
23 Wisconsin Act 16, is amended to read:

24 961.41 **(1m)** (hm) Certain other schedule I controlled substances and ketamine.
25 (intro.) ~~Gamma-hydroxybutyric~~ If the person violates this subsection with respect

1 to gamma-hydroxybutyric acid, gamma-butyrolactone,
3,4-methylenedioxymethamphetamine
2 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,
3 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,
4 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine
5 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is
6 subject to the following penalties if the amount possessed, with intent to
7 manufacture, distribute, or deliver is:
8

9 **SECTION 1039.** 961.41 (1m) (hm) 1. of the statutes, as created by 2001
10 Wisconsin Act 16, is amended to read:

11 961.41 **(1m)** (hm) 1. Three grams or less, the person shall be ~~fin~~ed not less than
12 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and
13 6 months is guilty of a Class F felony.

14 **SECTION 1040.** 961.41 (1m) (hm) 2. of the statutes, as created by 2001
15 Wisconsin Act 16, is amended to read:

16 961.41 **(1m)** (hm) 2. More than 3 grams but not more than 10 grams, the person
17 shall be ~~fin~~ed not less than \$1,000 nor more than \$250,000 and shall be imprisoned
18 for not less than 6 months nor more than 7 years and 6 months is guilty of a Class
19 E felony.

20 **SECTION 1041.** 961.41 (1m) (hm) 3. of the statutes, as created by 2001
21 Wisconsin Act 16, is amended to read:

22 961.41 **(1m)** (hm) 3. More than 10 grams but not more than 50 grams, the
23 person shall be ~~fin~~ed not less than \$1,000 nor more than \$500,000 and shall be
24 imprisoned for not less than one year nor more than 22 years and 6 months is guilty
25 of a Class D felony.

1 **SECTION 1042.** 961.41 (1m) (hm) 4. of the statutes, as created by 2001
2 Wisconsin Act 16, is amended to read:

3 961.41 **(1m)** (hm) 4. More than 50 grams but ~~not more than 200 grams~~, the
4 person ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be~~
5 ~~imprisoned for not less than 3 years nor more than 22 years and 6 months~~ is guilty
6 of a Class C felony.

7 **SECTION 1043.** 961.41 (1m) (hm) 5. of the statutes, as created by 2001
8 Wisconsin Act 16, is repealed.

9 **SECTION 1044.** 961.41 (1m) (hm) 6. of the statutes, as created by 2001
10 Wisconsin Act 16, is repealed.

11 **SECTION 1045.** 961.41 (1m) (i) of the statutes is amended to read:

12 961.41 **(1m)** (i) Schedule IV drugs generally. Except as provided in par. (im),
13 if a person violates this subsection with respect to a substance included in schedule
14 IV, ~~may be fined not more than \$10,000 or imprisoned for not more than 4 years and~~
15 ~~6 months or both~~ the person is guilty of a Class H felony.

16 **SECTION 1046.** 961.41 (1m) (im) (intro.) of the statutes, as affected by 2001
17 Wisconsin Act 16, is amended to read:

18 961.41 **(1m)** (im) Flunitrazepam. (intro.) ~~Flunitrazepam is subject to the~~
19 ~~following penalties if~~ If a person violates this subsection with respect to
20 flunitrazepam and the amount possessed, with intent to manufacture, distribute, or
21 deliver, is:

22 **SECTION 1047.** 961.41 (1m) (im) 1. of the statutes, as created by 2001 Wisconsin
23 Act 16, is amended to read:

1 961.41 **(1m)** (im) 1. Three grams or less, the person shall be ~~fined not less than~~
2 \$1,000 ~~nor more than \$200,000 and may be imprisoned for not more than 7 years and~~
3 6 months is guilty of a Class F felony.

4 **SECTION 1048.** 961.41 (1m) (im) 2. of the statutes, as created by 2001 Wisconsin
5 Act 16, is amended to read:

6 961.41 **(1m)** (im) 2. More than 3 grams but not more than 10 grams, the person
7 ~~shall be fined not less than \$1,000 nor more than \$250,000 and shall be imprisoned~~
8 ~~for not less than 6 months nor more than 7 years and 6 months~~ is guilty of a Class
9 E felony.

10 **SECTION 1049.** 961.41 (1m) (im) 3. of the statutes, as created by 2001 Wisconsin
11 Act 16, is amended to read:

12 961.41 **(1m)** (im) 3. More than 10 grams but not more than 50 grams, the person
13 ~~shall be fined not less than \$1,000 nor more than \$500,000 and shall be imprisoned~~
14 ~~for not less than one year nor more than 22 years and 6 months~~ is guilty of a Class
15 D felony.

16 **SECTION 1050.** 961.41 (1m) (im) 4. of the statutes, as created by 2001 Wisconsin
17 Act 16, is amended to read:

18 961.41 **(1m)** (im) 4. More than 50 grams but ~~not more than 200 grams~~, the
19 ~~person shall be fined not less than \$1,000 nor more than \$500,000 and shall be~~
20 ~~imprisoned for not less than 3 years nor more than 22 years and 6 months~~ is guilty
21 of a Class C felony.

22 **SECTION 1051.** 961.41 (1m) (im) 5. of the statutes, as created by 2001 Wisconsin
23 Act 16, is repealed.

24 **SECTION 1052.** 961.41 (1m) (im) 6. of the statutes, as created by 2001 Wisconsin
25 Act 16, is repealed.

1 **SECTION 1053.** 961.41 (1m) (j) of the statutes is amended to read:

2 961.41 **(1m)** (j) Schedule V drugs. ~~A~~ If a person violates this subsection with
3 respect to a substance included in schedule V, may be fined not more than \$5,000 or
4 imprisoned for not more than 2 years or both the person is guilty of a Class I felony.

5 **SECTION 1054.** 961.41 (1n) (c) of the statutes is amended to read:

6 961.41 **(1n)** (c) A person who violates par. (a) or (b) ~~may be fined not more than~~
7 ~~\$250,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F felony.

8 **SECTION 1055.** 961.41 (1q) of the statutes is amended to read:

9 961.41 **(1q)** PENALTY RELATING TO TETRAHYDROCANNABINOLS IN CERTAIN CASES.
10 Under s. 961.49 (2), 1999 stats., and subs. (1) (h) and (1m) (h) ~~and s. 961.49 (2)~~, if
11 different penalty provisions apply to a person depending on whether the weight of
12 tetrahydrocannabinols or the number of plants containing tetrahydrocannabinols is
13 considered, the greater penalty provision applies.

14 **SECTION 1056.** 961.41 (1r) of the statutes is amended to read:

15 961.41 **(1r)** DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under
16 s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m) ~~and s. 961.49 (2) (b)~~, an amount
17 includes the weight of cocaine, cocaine base, heroin, phencyclidine, lysergic acid
18 diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,
19 methcathinone or tetrahydrocannabinols or any controlled substance analog of any
20 of these substances together with any compound, mixture, diluent, plant material
21 or other substance mixed or combined with the controlled substance or controlled
22 substance analog. In addition, in determining amounts under subs. (1) (h) and (1m)
23 (h), the amount of tetrahydrocannabinols means anything included under s. 961.14
24 (4) (t) and includes the weight of any marijuana.

25 **SECTION 1057.** 961.41 (2) (intro.) of the statutes is amended to read:

1 961.41 (2) COUNTERFEIT SUBSTANCES. (intro.) Except as authorized by this
2 chapter, it is unlawful for any person to create, manufacture, distribute, deliver or
3 possess with intent to distribute or deliver, a counterfeit substance. Any person who
4 violates this subsection ~~with respect to~~ is subject to the following penalties:

5 **SECTION 1058.** 961.41 (2) (a) of the statutes is amended to read:

6 961.41 (2) (a) Counterfeit schedule I and II narcotic drugs. ~~–A– If a person~~
7 violates this subsection with respect to a counterfeit substance included in schedule
8 I or II which is a narcotic drug, may be fined not more than \$25,000 or imprisoned
9 for not more than 22 years and 6 months or both the person is guilty of a Class E
10 felony.

11 **SECTION 1059.** 961.41 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
12 16, is amended to read:

13 961.41 (2) (b) Counterfeit schedule I, II, III, and IV drugs. Except as provided
14 in pars. (a) and (bm), and (cm), if a person violates this subsection with respect to any
15 other counterfeit substance included in schedule I, II or, III, may be fined not more
16 than \$15,000 or imprisoned for not more than 7 years and 6 months or both or IV, the
17 person is guilty of a Class H felony.

18 **SECTION 1060.** 961.41 (2) (c) of the statutes is repealed.

19 **SECTION 1061.** 961.41 (2) (cm) (title) of the statutes is created to read:

20 961.41 (2) (cm) (title) *Counterfeit flunitrazepam.*

21 **SECTION 1062.** 961.41 (2) (d) of the statutes is amended to read:

22 961.41 (2) (d) Counterfeit schedule V drugs. ~~–A– If a person violates this~~
23 subsection with respect to a counterfeit substance included in schedule V, may be
24 fined not more than \$5,000 or imprisoned for not more than 2 years or both the person
25 is guilty of a Class I felony.

1 **SECTION 1063.** 961.41 (3g) (a) 1. of the statutes is renumbered 961.41 (3g) (am)
2 and amended to read:

3 961.41 **(3g)** (am) Schedule I and II narcotic drugs. ~~Except as provided in subd.~~
4 ~~2., if the~~ If a person possesses a controlled substance included in schedule I or II
5 which is a narcotic drug, or possesses a controlled substance analog of a controlled
6 substance included in schedule I or II which is a narcotic drug, the person may, upon
7 a first conviction, be fined not more than \$5,000 or imprisoned for not more than 2
8 years or both, and, for a 2nd or subsequent offense, the person may be fined not more
9 than \$10,000 or imprisoned for not more than 3 years or both is guilty of a Class I
10 felony.

11 **SECTION 1064.** 961.41 (3g) (a) 2. of the statutes is repealed.

12 **SECTION 1065.** 961.41 (3g) (a) 3. of the statutes is repealed.

13 **SECTION 1066.** 961.41 (3g) (b) of the statutes is amended to read:

14 961.41 **(3g)** (b) Other drugs generally. Except as provided in pars. (c), (d), ~~(dm)~~,
15 (e) and (f), if the person possesses or attempts to possess a controlled substance or
16 controlled substance analog, other than a controlled substance included in schedule
17 I or II that is a narcotic drug or a controlled substance analog of a controlled
18 substance included in schedule I or II that is a narcotic drug, the person is guilty of
19 a misdemeanor, punishable under s. 939.61.

20 **SECTION 1067.** 961.41 (3g) (c) of the statutes is amended to read:

21 961.41 **(3g)** (c) Cocaine and cocaine base. If a person possess or attempts to
22 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine
23 base, the person shall be fined not more than \$5,000 and may be imprisoned for not
24 more than one year in the county jail upon a first conviction and is guilty of a Class
25 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense

1 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
2 offense, the offender has at any time been convicted of any felony or misdemeanor
3 under this chapter or under any statute of the United States or of any state relating
4 to controlled substances, controlled substance analogs, narcotic drugs, marijuana,
5 or depressant, stimulant, or hallucinogenic drugs.

6 **SECTION 1068.** 961.41 (3g) (d) of the statutes is amended to read:

7 961.41 (3g) (d) Certain hallucinogenic and stimulant drugs. If a person
8 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,
9 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, or a
10 controlled substance analog of lysergic acid diethylamide, phencyclidine,
11 amphetamine, methamphetamine, methcathinone, psilocin or psilocybin, the person
12 may be fined not more than \$5,000 or imprisoned for not more than one year in the
13 county jail or both upon a first conviction and is guilty of a Class I felony for a 2nd
14 or subsequent offense. For purposes of this paragraph, an offense is considered a 2nd
15 or subsequent offense if, prior to the offender's conviction of the offense, the offender
16 has at any time been convicted of any felony or misdemeanor under this chapter or
17 under any statute of the United States or of any state relating to controlled
18 substances, controlled substance analogs, narcotic drugs, marijuana, or depressant,
19 stimulant, or hallucinogenic drugs.

20 **SECTION 1069.** 961.41 (3g) (dm) of the statutes is repealed.

21 **SECTION 1070.** 961.41 (3g) (e) of the statutes is amended to read:

22 961.41 (3g) (e) Tetrahydrocannabinols. If a person possesses or attempts to
23 possess tetrahydrocannabinols included under s. 961.14 (4) (t), or a controlled
24 substance analog of tetrahydrocannabinols, the person may be fined not more than
25 \$1,000 or imprisoned for not more than 6 months or both upon a first conviction and

1 is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this
2 paragraph, an offense is considered a 2nd or subsequent offense if, prior to the
3 offender's conviction of the offense, the offender has at any time been convicted of any
4 felony or misdemeanor under this chapter or under any statute of the United States
5 or of any state relating to controlled substances, controlled substance analogs,
6 narcotic drugs, marijuana, or depressant, stimulant, or hallucinogenic drugs.

7 **SECTION 1071.** 961.41 (3g) (f) of the statutes is amended to read:

8 961.41 **(3g)** (f) *Gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine,*
9 *or flunitrazepam.* If a person possesses or attempts to possess
10 gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine or flunitrazepam,
11 the person may be fined not more than \$5,000 or imprisoned for not more than 2 years
12 or both is guilty of a Class H felony.

13 **SECTION 1072.** 961.41 (4) (am) 3. of the statutes is amended to read:

14 961.41 **(4)** (am) 3. A person ~~convicted of violating~~ who violates this paragraph
15 may be fined not more than \$5,000 or imprisoned for not more than 2 years or both
16 is guilty of a Class I felony.

17 **SECTION 1073.** 961.42 (2) of the statutes is amended to read:

18 961.42 **(2)** Any person who violates this section may be fined not more than
19 \$25,000 or imprisoned not more than 2 years or both is guilty of a Class I felony.

20 **SECTION 1074.** 961.43 (2) of the statutes is amended to read:

21 961.43 **(2)** Any person who violates this section may be fined not more than
22 \$30,000 or imprisoned not more than 6 years or both is guilty of a Class H felony.

23 **SECTION 1075.** 961.437 (4) (a) of the statutes is amended to read:

1 961.437 (4) (a) For a first offense, the person ~~shall be fined not less than \$1,000~~
2 ~~nor more than \$100,000 or imprisoned for not more than 7 years and 6 months or both~~
3 ~~is guilty of a Class H felony.~~

4 **SECTION 1076.** 961.437 (4) (b) of the statutes is amended to read:

5 961.437 (4) (b) For a 2nd or subsequent offense, the person ~~shall be fined not~~
6 ~~less than \$5,000 nor more than \$150,000 or imprisoned for not more than 15 years~~
7 ~~or both is guilty of a Class F felony.~~

8 **SECTION 1077.** 961.438 of the statutes is repealed.

9 **SECTION 1078.** 961.455 (1) of the statutes is amended to read:

10 961.455 (1) Any person who has attained the age of 17 years who knowingly
11 solicits, hires, directs, employs or uses a person who is under the age of 17 years of
12 ~~age or under for the purpose of violating s. 961.41 (1) may be fined not more than~~
13 ~~\$50,000 or imprisoned for not more than 15 years or both is guilty of a Class F felony.~~

14 **SECTION 1079.** 961.455 (3) of the statutes is amended to read:

15 961.455 (3) Solicitation under sub. (1) occurs in the manner described under
16 s. 939.30, but the penalties under sub. (1) apply instead of the penalties under s.
17 939.30 ~~or 948.35.~~

18 **SECTION 1080.** 961.46 (1) of the statutes is renumbered 961.46 and amended
19 to read:

20 **961.46 Distribution to persons under age 18.** Except as provided in sub.
21 (3), any If a person 17 years of age or over who violates s. 961.41 (1) by distributing
22 ~~or delivering a controlled substance included in schedule I or II which is a narcotic~~
23 ~~drug or a controlled substance analog of a controlled substance included in schedule~~
24 ~~I or II which is a narcotic drug to a person 17 years of age or under who is at least~~
25 ~~3 years his or her junior is punishable by the fine authorized by s. 961.41 (1) (a) or~~

1 a term of imprisonment of up to twice that authorized by s. 961.41 (1) (a), or both, the
2 applicable maximum term of imprisonment prescribed under s. 961.41 (1) for the
3 offense may be increased by not more than 5 years.

4 **SECTION 1081.** 961.46 (2) of the statutes is repealed.

5 **SECTION 1082.** 961.46 (3) of the statutes is repealed.

6 **SECTION 1083.** 961.465 of the statutes is repealed.

7 **SECTION 1084.** 961.472 (2) of the statutes is amended to read:

8 961.472 (2) Except as provided in sub. (5), if a person pleads guilty or is found
9 guilty of possession or attempted possession of a controlled substance or controlled
10 substance analog under s. 961.41 (3g) ~~(a) 2.~~ (am), (c), or (d) ~~or (dm)~~, the court shall
11 order the person to comply with an assessment of the person's use of controlled
12 substances. The court's order shall designate a facility that is operated by or
13 pursuant to a contract with the county department established under s. 51.42 and
14 that is certified by the department of health and family services to provide
15 assessment services to perform the assessment and, if appropriate, to develop a
16 proposed treatment plan. The court shall notify the person that noncompliance with
17 the order limits the court's ability to determine whether the treatment option under
18 s. 961.475 is appropriate. The court shall also notify the person of the fee provisions
19 under s. 46.03 (18) (fm).

20 **SECTION 1085.** 961.48 (1) of the statutes is renumbered 961.48 (1) (intro.) and
21 amended to read:

22 961.48 (1) (intro.) ~~Except as provided in subs. (2) and (4), any~~ If a person who
23 is charged under sub. (2m) with a felony offense under this chapter that is a 2nd or
24 subsequent offense as provided under this chapter sub. (3) and the person is
25 convicted of that 2nd or subsequent offense may be fined an amount up to twice that

1 otherwise authorized or imprisoned for a term up to twice the term otherwise
2 authorized or both, the maximum term of imprisonment for the offense may be
3 increased as follows:

4 **SECTION 1086.** 961.48 (1) (a) and (b) of the statutes are created to read:

5 961.48 (1) (a) By not more than 6 years, if the offense is a Class C or D felony.

6 (b) By not more than 4 years, if the offense is a Class E, F, G, H, or I felony.

7 **SECTION 1087.** 961.48 (2) of the statutes is repealed.

8 **SECTION 1088.** 961.48 (2m) (a) of the statutes is amended to read:

9 961.48 (2m) (a) Whenever a person charged with an a felony offense under this
10 chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is
11 not subject to an enhanced penalty under sub. (1) ~~or (2)~~ unless any applicable prior
12 convictions are alleged in the complaint, indictment or information or in an amended
13 complaint, indictment or information that is filed under par. (b) 1. A person is not
14 subject to an enhanced penalty under sub. (1) ~~or (2)~~ for an offense if an allegation of
15 applicable prior convictions is withdrawn by an amended complaint filed under par.
16 (b) 2.

17 **SECTION 1089.** 961.48 (3) of the statutes is amended to read:

18 961.48 (3) For purposes of this section, an a felony offense under this chapter
19 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
20 offense, the offender has at any time been convicted of any felony or misdemeanor
21 offense under this chapter or under any statute of the United States or of any state
22 relating to controlled substances or controlled substance analogs, narcotic drugs,
23 marijuana or depressant, stimulant or hallucinogenic drugs.

24 **SECTION 1090.** 961.48 (4) of the statutes is repealed.

1 **SECTION 1091.** 961.49 (1) of the statutes is renumbered 961.49, and 961.49
2 (intro.), as renumbered, is amended to read:

3 **961.49 Distribution of or possession with intent to deliver a controlled**
4 **substance on or near certain places.** (intro.) If any person violates s. 961.41 (1)
5 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) by delivering or distributing, or violates s. 961.41 (1m)
6 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) by possessing with intent to deliver or distribute,
7 cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin,
8 psilocybin, amphetamine, methamphetamine, methcathinone or any form of
9 tetrahydrocannabinols or a controlled substance analog of any of these substances
10 and the delivery, distribution or possession takes place under any of the following
11 circumstances, the maximum term of imprisonment prescribed by law for that crime
12 may be increased by 5 years:

13 **SECTION 1092.** 961.49 (2) of the statutes is repealed.

14 **SECTION 1093.** 961.49 (3) of the statutes is repealed.

15 **SECTION 1094.** 961.492 of the statutes is repealed.

16 **SECTION 1095.** 961.55 (1) (d) 3. of the statutes is amended to read:

17 961.55 **(1)** (d) 3. A vehicle is not subject to forfeiture for a violation of s. 961.41
18 (3g) (b), (c), (d), ~~(dm)~~, (e) or (f); and

19 **SECTION 1096.** 961.573 (3) of the statutes is amended to read:

20 961.573 **(3)** No person may use, or possess with the primary intent to use, drug
21 paraphernalia to manufacture, compound, convert, produce, process, prepare, test,
22 analyze, pack, repack or store methamphetamine or a controlled substance analog
23 of methamphetamine in violation of this chapter. Any person who violates this
24 subsection may be fined ~~not more than \$10,000 or imprisoned for not more than 5~~
25 ~~years or both~~ is guilty of a Class H felony.

1 **SECTION 1097.** 961.574 (3) of the statutes is amended to read:

2 961.574 (3) No person may deliver, possess with intent to deliver, or
3 manufacture with intent to deliver, drug paraphernalia, knowing that it will be
4 primarily used to manufacture, compound, convert, produce, process, prepare, test,
5 analyze, pack, repack or store methamphetamine or a controlled substance analog
6 of methamphetamine in violation of this chapter. Any person who violates this
7 subsection ~~may be fined not more than \$10,000 or imprisoned for not more than 5~~
8 ~~years or both~~ is guilty of a Class H felony.

9 **SECTION 1098.** 961.575 (3) of the statutes is amended to read:

10 961.575 (3) Any person 17 years of age or over who violates s. 961.574 (3) by
11 delivering drug paraphernalia to a person 17 years of age or under ~~may be fined not~~
12 ~~more than \$50,000 or imprisoned for not more than 10 years or both~~ is guilty of a
13 Class G felony.

14 **SECTION 1099.** 967.04 (9) of the statutes is amended to read:

15 967.04 (9) In any criminal prosecution or juvenile fact-finding hearing under
16 s. 48.31 or 938.31, the court may admit into evidence a videotaped deposition taken
17 under subs. (7) and (8) without an additional hearing under s. 908.08. In any
18 proceeding under s. 302.113 (9) (am), 302.114 (9) (am), 304.06 (3), or 973.10 (2), the
19 hearing examiner may order and preside at the taking of a videotaped deposition
20 using the procedure provided in subs. (7) and (8) and may admit the videotaped
21 deposition into evidence without an additional hearing under s. 908.08.

22 **SECTION 1100.** 968.255 (1) (a) 2. of the statutes is amended to read:

23 968.255 (1) (a) 2. Arrested for any misdemeanor under s. 167.30, 940.19, 941.20
24 (1), 941.23, 941.237, 941.24, 948.60, ~~948.605 (2) (a)~~ or 948.61.

25 **SECTION 1101.** 968.31 (1) (intro.) of the statutes is amended to read:

1 968.31 (1) (intro.) Except as otherwise specifically provided in ss. 196.63 or
2 968.28 to 968.30, whoever commits any of the acts enumerated in this section may
3 be fined not more than \$10,000 or imprisoned for not more than 7 years and 6 months
4 or both is guilty of a Class H felony:

5 **SECTION 1102.** 968.34 (3) of the statutes is amended to read:

6 968.34 (3) Whoever knowingly violates sub. (1) shall may be fined not more
7 than \$10,000 or imprisoned for not more than 2 years 9 months or both.

8 **SECTION 1103.** 968.43 (3) of the statutes is amended to read:

9 968.43 (3) Any person who violates an oath or affirmation required by sub. (2)
10 may be imprisoned for not more than 7 years and 6 months is guilty of a Class H
11 felony.

12 **SECTION 1104.** 969.08 (10) (a) of the statutes is amended to read:

13 969.08 (10) (a) “Commission of a serious crime” includes a solicitation,
14 conspiracy or attempt, under s. 948.35, 1999 stats., or s. 939.30, 939.31, or 939.32 or
15 948.35, to commit a serious crime.

16 **SECTION 1105.** 969.08 (10) (b) of the statutes is amended to read:

17 969.08 (10) (b) “Serious crime” means any crime specified in s. 943.23 (1m),
18 1999 stats., or s. 943.23 (1r), 1999 stats., or s. 346.62 (4), 940.01, 940.02, 940.03,
19 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195 (5), 940.20, 940.201,
20 940.203, 940.21, 940.225 (1) to (3), 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g.,
21 1m., 1r., 2. or 3., 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c),
22 943.011, 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.23 (1g), (1m) or (1r),
23 943.30, 943.32, 946.01, 946.02, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03,
24 948.04, 948.05, 948.06, 948.07 or 948.30.

1 **SECTION 1106.** 971.17 (1) of the statutes is renumbered 971.17 (1) (a) and
2 amended to read:

3 971.17 (1) (a) *Felonies committed before the effective date of this paragraph*
4 *[revisor inserts date].* ~~When~~ Except as provided in par. (c), when a defendant is found
5 not guilty by reason of mental disease or mental defect of a felony committed before
6 the effective date of this paragraph [revisor inserts date], the court shall commit
7 the person to the department of health and family services for a specified period not
8 exceeding two-thirds of the maximum term of imprisonment that could be imposed
9 ~~under s. 973.15 (2) (a) against an offender convicted of the same crime or crimes~~
10 felony, including imprisonment authorized by ~~ss. 346.65 (2) (f), (2j) (d) or (3m),~~
11 ~~939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09 (1b), 940.25 (1b)~~
12 ~~and 961.48 and other~~ any applicable penalty enhancement statutes, as applicable,
13 subject to the credit provisions of s. 973.155.

14 (c) Felonies punishable by life imprisonment. ~~If the maximum term of~~
15 ~~imprisonment is a~~ defendant is found not guilty by reason of mental disease or
16 mental defect of a felony that is punishable by life imprisonment, the commitment
17 period specified by the court may be life, subject to termination under sub. (5).

18 **SECTION 1107.** 971.17 (1) (b) of the statutes is created to read:

19 971.17 (1) (b) *Felonies committed on or after the effective date of this paragraph*
20 *.... [revisor inserts date].* Except as provided in par. (c), when a defendant is found
21 not guilty by reason of mental disease or mental defect of a felony committed on or
22 after the effective date of this paragraph [revisor inserts date], the court shall
23 commit the person to the department of health and family services for a specified
24 period not exceeding the maximum term of confinement in prison that could be
25 imposed on an offender convicted of the same felony, plus imprisonment authorized

1 by any applicable penalty enhancement statutes, subject to the credit provisions of
2 s. 973.155.

3 **SECTION 1108.** 971.17 (1) (d) of the statutes is created to read:

4 971.17 (1) (d) *Misdemeanors.* When a defendant is found not guilty by reason
5 of mental disease or mental defect of a misdemeanor, the court shall commit the
6 person to the department of health and family services for a specified period not
7 exceeding two-thirds of the maximum term of imprisonment that could be imposed
8 against an offender convicted of the same misdemeanor, including imprisonment
9 authorized by any applicable penalty enhancement statutes, subject to the credit
10 provisions of s. 973.155.

11 **SECTION 1109.** 971.365 (1) (a) of the statutes is amended to read:

12 971.365 (1) (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)
13 (cm), (d), (e), ~~(em)~~, (f), (g) or (h) involving more than one violation, all violations may
14 be prosecuted as a single crime if the violations were pursuant to a single intent and
15 design.

16 **SECTION 1110.** 971.365 (1) (b) of the statutes is amended to read:

17 971.365 (1) (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41
18 (1m) (cm), (d), (e), ~~(em)~~, (f), (g) or (h) involving more than one violation, all violations
19 may be prosecuted as a single crime if the violations were pursuant to a single intent
20 and design.

21 **SECTION 1111.** 971.365 (1) (c) of the statutes is amended to read:

22 971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41
23 (3g) (dm), 1999 stats., or s. 961.41 (3g) (a) 2. (am), (c), (d), ~~(dm)~~ or (e) involving more
24 than one violation, all violations may be prosecuted as a single crime if the violations
25 were pursuant to a single intent and design.

1 **SECTION 1112.** 971.365 (2) of the statutes is amended to read:

2 971.365 **(2)** An acquittal or conviction under sub. (1) does not bar a subsequent
3 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)
4 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,
5 or s. 961.41 (1) (cm), (d), (e), ~~(em)~~, (f), (g), or (h), (1m) (cm), (d), (e), ~~(em)~~, (f), (g), or (h)
6 or (3g) (a) 2. ~~(am)~~, (c), (d), ~~(dm)~~ or (e) on which no evidence was received at the trial
7 on the original charge.

8 **SECTION 1113.** 972.15 (2c) of the statutes is amended to read:

9 972.15 **(2c)** If the defendant is subject to being sentenced under s. 973.01 and
10 he or she satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing
11 the presentence investigation report shall include in the report a recommendation
12 as to whether the defendant should be eligible for the challenge incarceration
13 program under s. 302.045.

14 **SECTION 1114.** 973.01 (1) of the statutes is amended to read:

15 973.01 **(1)** BIFURCATED SENTENCE REQUIRED. Except as provided in sub. (3),
16 whenever a court sentences a person to imprisonment in the Wisconsin state prisons
17 for a felony committed on or after December 31, 1999, or a misdemeanor committed
18 on or after the effective date of this subsection ... [revisor inserts date], the court
19 shall impose a bifurcated sentence ~~that consists of a term of confinement in prison~~
20 ~~followed by a term of extended supervision~~ under s. 302.113 this section.

21 **SECTION 1115.** 973.01 (2) (intro.) of the statutes is amended to read:

22 973.01 **(2)** STRUCTURE OF BIFURCATED SENTENCES. (intro.) ~~The court shall ensure~~
23 ~~that a~~ A bifurcated sentence is a sentence that consists of a term of confinement in
24 prison followed by a term of extended supervision under s. 302.113. The total length
25 of a bifurcated sentence equals the length of the term of confinement in prison plus

1 the length of the term of extended supervision. An order imposing a bifurcated
2 sentence imposed under sub. (1) complies this section shall comply with all of the
3 following:

4 **SECTION 1116.** 973.01 (2) (a) of the statutes is amended to read:

5 973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),
6 the total length of the bifurcated sentence may not exceed the maximum period of
7 imprisonment ~~for the~~ specified in s. 939.50 (3), if the crime is a classified felony, or
8 the maximum term of imprisonment provided by statute for the crime, if the crime
9 is not a classified felony, plus additional imprisonment authorized by any applicable
10 penalty enhancement statutes.

11 **SECTION 1117.** 973.01 (2) (b) (intro.) of the statutes is amended to read:

12 973.01 (2) (b) *Imprisonment Confinement portion of bifurcated sentence.*
13 (intro.) The portion of the bifurcated sentence that imposes a term of confinement
14 in prison may not be less than one year, ~~subject to any minimum sentence prescribed~~
15 ~~for the felony, and, except as provided in par. (c), may not exceed~~ is subject to
16 whichever of the following limits is applicable:

17 **SECTION 1118.** 973.01 (2) (b) 2. of the statutes is repealed.

18 **SECTION 1119.** 973.01 (2) (b) 3. of the statutes is amended to read:

19 973.01 (2) (b) 3. For a Class C felony, the term of confinement in prison may
20 not exceed ~~10~~ 25 years.

21 **SECTION 1120.** 973.01 (2) (b) 4. of the statutes is amended to read:

22 973.01 (2) (b) 4. For a Class D felony, the term of confinement in prison may
23 not exceed ~~5~~ 15 years.

24 **SECTION 1121.** 973.01 (2) (b) 5. of the statutes is amended to read:

1 973.01 **(2)** (b) 5. For a Class E felony, the term of confinement in prison may
2 not exceed ~~2~~ 10 years.

3 **SECTION 1122.** 973.01 (2) (b) 6. of the statutes is renumbered 973.01 (2) (b) 10.
4 (intro.) and amended to read:

5 973.01 **(2)** (b) 10. (intro.) For any felony crime other than ~~a felony specified in~~
6 ~~subds. 1. to 5.~~ one of the following, the term of confinement in prison may not exceed
7 75% of the total length of the bifurcated sentence.;

8 **SECTION 1123.** 973.01 (2) (b) 6m. of the statutes is created to read:

9 973.01 **(2)** (b) 6m. For a Class F felony, the term of confinement in prison may
10 not exceed 7 years and 6 months.

11 **SECTION 1124.** 973.01 (2) (b) 7. of the statutes is created to read:

12 973.01 **(2)** (b) 7. For a Class G felony, the term of confinement in prison may
13 not exceed 5 years.

14 **SECTION 1125.** 973.01 (2) (b) 8. of the statutes is created to read:

15 973.01 **(2)** (b) 8. For a Class H felony, the term of confinement in prison may
16 not exceed 3 years.

17 **SECTION 1126.** 973.01 (2) (b) 9. of the statutes is created to read:

18 973.01 **(2)** (b) 9. For a Class I felony, the term of confinement in prison may not
19 exceed one year and 6 months.

20 **SECTION 1127.** 973.01 (2) (b) 10. a. and b. of the statutes are created to read:

21 973.01 **(2)** (b) 10. a. A felony specified in subds. 1. to 9.

22 b. An attempt to commit a classified felony if the attempt is punishable under
23 s. 939.32 (1) (intro.).

24 **SECTION 1128.** 973.01 (2) (c) of the statutes is renumbered 973.01 (2) (c) 1. and
25 amended to read:

1 973.01 (2) (c) 1. The Subject to the minimum period of extended supervision
2 required under par. (d), the maximum term of confinement in prison specified in par.
3 (b) may be increased by any applicable penalty enhancement statute. If the
4 maximum term of confinement in prison specified in par. (b) is increased under this
5 paragraph, the total length of the bifurcated sentence that may be imposed is
6 increased by the same amount.

7 **SECTION 1129.** 973.01 (2) (c) 2. of the statutes is created to read:

8 973.01 (2) (c) 2. If more than one of the following penalty enhancement statutes
9 apply to a crime, the court shall apply them in the order listed in calculating the
10 maximum term of imprisonment for that crime:

11 a. Sections 939.621, 939.632, 939.645, 961.46, and 961.49.

12 b. Section 939.63.

13 c. Section 939.62 (1) or 961.48.

14 **SECTION 1130.** 973.01 (2) (d) of the statutes is renumbered 973.01 (2) (d) (intro.)
15 and amended to read:

16 973.01 (2) (d) *Minimum and maximum term of extended supervision.* (intro.)
17 The term of extended supervision ~~that follows the term of confinement in prison~~ may
18 not be less than 25% of the length of the term of confinement in prison imposed under
19 par. (b)- and, for a classified felony, is subject to whichever of the following limits is
20 applicable:

21 **SECTION 1131.** 973.01 (2) (d) 1. to 6. of the statutes are created to read:

22 973.01 (2) (d) 1. For a Class B felony, the term of extended supervision may not
23 exceed 20 years.

24 2. For a Class C felony, the term of extended supervision may not exceed 15
25 years.

1 3. For a Class D felony, the term of extended supervision may not exceed 10
2 years.

3 4. For a Class E, F, or G felony, the term of extended supervision may not exceed
4 5 years.

5 5. For a Class H felony, the term of extended supervision may not exceed 3
6 years.

7 6. For a Class I felony, the term of extended supervision may not exceed 2 years.

8 **SECTION 1132.** 973.01 (4) of the statutes is amended to read:

9 973.01 **(4)** NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A
10 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
11 confinement in prison portion of the sentence without reduction for good behavior.
12 The term of confinement in prison portion is subject to extension under s. 302.113 (3)
13 and, if applicable, to reduction under s. 302.045 (3m), or 302.113 (9g).

14 **SECTION 1133.** 973.01 (6) of the statutes is amended to read:

15 973.01 **(6)** NO PAROLE. A person serving a bifurcated sentence imposed under
16 sub. (1) is not eligible for release on parole under that sentence.

17 **SECTION 1134.** 973.0135 (1) (b) 2. of the statutes is amended to read:

18 973.0135 **(1)** (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
19 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.
20 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
21 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
22 (1m) or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
23 948.05, 948.06, 948.07, 948.08, or 948.30 (2), 948.35 (1) (b) or (c) or 948.36.

24 **SECTION 1135.** 973.017 of the statutes is created to read:

1 **973.017 Bifurcated sentences; use of guidelines; consideration of**
2 **aggravating and mitigating factors. (1) DEFINITION.** In this section, “sentencing
3 decision” means a decision as to whether to impose a bifurcated sentence under s.
4 973.01 or place a person on probation and a decision as to the length of a bifurcated
5 sentence, including the length of each component of the bifurcated sentence, the
6 amount of a fine, and the length of a term of probation.

7 **(2) GENERAL REQUIREMENT.** When a court makes a sentencing decision
8 concerning a person convicted of a criminal offense committed on or after the
9 effective date of this subsection [revisor inserts date], the court shall consider all
10 of the following:

11 (a) If the offense is a felony, the sentencing guidelines adopted by the
12 sentencing commission under s. 973.30 or, if the sentencing commission has not
13 adopted a guideline for the offense, any applicable temporary sentencing guideline
14 adopted by the criminal penalties study committee created under 1997 Wisconsin
15 Act 283.

16 (ad) The protection of the public.

17 (ag) The gravity of the offense.

18 (ak) The rehabilitative needs of the defendant.

19 (b) Any applicable mitigating factors and any applicable aggravating factors,
20 including the aggravating factors specified in subs. (3) to (8).

21 **(3) AGGRAVATING FACTORS; GENERALLY.** When making a sentencing decision for
22 any crime, the court shall consider all of the following as aggravating factors:

23 (a) The fact that the person committed the crime while his or her usual
24 appearance was concealed, disguised, or altered, with the intent to make it less likely
25 that he or she would be identified with the crime.

1 (b) The fact that the person committed the crime using information that was
2 disclosed to him or her under s. 301.46.

3 (c) The fact that the person committed the crime for the benefit of, at the
4 direction of, or in association with any criminal gang, as defined in s. 939.22 (9), with
5 the specific intent to promote, further, or assist in any criminal conduct by criminal
6 gang members, as defined in s. 939.22 (9g).

7 (d) The fact that the person committed the felony while wearing a vest or other
8 garment designed, redesigned, or adapted to prevent bullets from penetrating the
9 garment.

10 (e) 1. Subject to subd. 2., the fact that the person committed the felony with the
11 intent to influence the policy of a governmental unit or to punish a governmental unit
12 for a prior policy decision, if any of the following circumstances also applies to the
13 felony committed by the person:

14 a. The person caused bodily harm, great bodily harm, or death to another.

15 b. The person caused damage to the property of another and the total property
16 damaged is reduced in value by \$25,000 or more. For the purposes of this subd. 1.
17 b., property is reduced in value by the amount that it would cost either to repair or
18 to replace it, whichever is less.

19 c. The person used force or violence or the threat of force or violence.

20 2. a. In this subdivision, “labor dispute” includes any controversy concerning
21 terms, tenure, or conditions of employment or concerning the association or
22 representation of persons in negotiating, fixing, maintaining, changing, or seeking
23 to arrange terms or conditions of employment, regardless of whether the disputants
24 stand in the proximate relation of employer and employee.

1 b. Subdivision 1. does not apply to conduct arising out of or in connection with
2 a labor dispute.

3 **(4) AGGRAVATING FACTORS; SERIOUS SEX CRIMES COMMITTED WHILE INFECTED WITH**
4 CERTAIN DISEASES. (a) In this subsection:

5 1. “HIV” means any strain of human immunodeficiency virus, which causes
6 acquired immunodeficiency syndrome.

7 2. “Serious sex crime” means a violation of s. 940.225 (1) or (2), 948.02 (1) or (2),
8 or 948.025.

9 3. “Sexually transmitted disease” means syphilis, gonorrhea, hepatitis B,
10 hepatitis C, or chlamydia.

11 4. “Significantly exposed” means sustaining a contact which carries a potential
12 for transmission of a sexually transmitted disease or HIV by one or more of the
13 following:

14 a. Transmission, into a body orifice or onto mucous membrane, of blood; semen;
15 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or
16 amniotic fluid; or other body fluid that is visibly contaminated with blood.

17 b. Exchange, during the accidental or intentional infliction of a penetrating
18 wound, including a needle puncture, of blood; semen; vaginal secretions;
19 cerebrospinal, synovial, pleural, peritoneal, pericardial, or amniotic fluid; or other
20 body fluid that is visibly contaminated with blood.

21 c. Exchange, into an eye, an open wound, an oozing lesion, or other place where
22 a significant breakdown in the epidermal barrier has occurred, of blood; semen;
23 vaginal secretions; cerebrospinal, synovial, pleural, peritoneal, pericardial, or
24 amniotic fluid; or other body fluid that is visibly contaminated with blood.

1 (b) When making a sentencing decision concerning a person convicted of a
2 serious sex crime, the court shall consider as an aggravating factor the fact that the
3 serious sex crime was committed under all of the following circumstances:

4 1. At the time that he or she committed the serious sex crime, the person
5 convicted of committing the serious sex crime had a sexually transmitted disease or
6 acquired immunodeficiency syndrome or had had a positive test for the presence of
7 HIV, antigen, or nonantigenic products of HIV or an antibody to HIV.

8 2. At the time that he or she committed the serious sex crime, the person
9 convicted of committing the serious sex crime knew that he or she had a sexually
10 transmitted disease or acquired immunodeficiency syndrome or that he or she had
11 had a positive test for the presence of HIV, antigen, or nonantigenic products of HIV
12 or an antibody to HIV.

13 3. The victim of the serious sex crime was significantly exposed to HIV or to the
14 sexually transmitted disease, whichever is applicable, by the acts constituting the
15 serious sex crime.

16 **(5) AGGRAVATING FACTORS; VIOLENT FELONY COMMITTED AGAINST ELDER PERSON. (a)**

17 In this subsection:

18 1. “Elder person” means any individual who is 62 years of age or older.

19 2. “Violent felony” means any felony under s. 940.19 (2), (4), (5), or (6), 940.225
20 (1), (2), or (3), 940.23, or 943.32.

21 (b) When making a sentencing decision concerning a person convicted of a
22 violent felony, the court shall consider as an aggravating factor the fact that the
23 victim of the violent felony was an elder person. This paragraph applies even if the
24 person mistakenly believed that the victim had not attained the age of 62 years.

1 **(6) AGGRAVATING FACTORS; CHILD SEXUAL ASSAULT OR CHILD ABUSE BY CERTAIN**
2 PERSONS. (a) In this subsection, “person responsible for the welfare the child”
3 includes the child’s parent, stepparent, guardian, foster parent, or treatment foster
4 parent; an employee of a public or private residential home, institution, or agency;
5 any other person legally responsible for the child’s welfare in a residential setting;
6 or a person employed by one who is legally responsible for the child’s welfare to
7 exercise temporary control or care for the child.

8 (b) When making a sentencing decision concerning a person convicted of a
9 violation of s. 948.02 (1) or (2), 948.025 (1), or 948.03 (2) or (3), the court shall consider
10 as an aggravating factor the fact that the person was a person responsible for the
11 welfare of the child who was the victim of the violation.

12 **(7) AGGRAVATING FACTORS; HOMICIDE OR INJURY BY INTOXICATED USE OF A VEHICLE.**
13 When making a sentencing decision concerning a person convicted of a violation of
14 s. 940.09 (1) or 940.25 (1), the court shall consider as an aggravating factor the fact
15 that, at the time of the violation, there was a minor passenger under 16 years of age
16 or an unborn child in the person’s motor vehicle.

17 **(8) AGGRAVATING FACTORS; CONTROLLED SUBSTANCES OFFENSES.** (a) *Distribution*
18 *or delivery to prisoners.* 1. In this paragraph, “precinct” means a place where any
19 activity is conducted by a prison, jail, or house of correction.

20 2. When making a sentencing decision concerning a person convicted of
21 violating s. 961.41 (1) or (1m), the court shall consider as an aggravating factor the
22 fact that the violation involved delivering, distributing, or possessing with intent to
23 deliver or distribute a controlled substance or controlled substance analog to a
24 prisoner within the precincts of any prison, jail, or house of correction.

1 (b) *Distribution or delivery on public transit vehicles.* When making a
2 sentencing decision concerning a person convicted of violating s. 961.41 (1) or (1m),
3 the court shall consider as an aggravating factor the fact that the violation involved
4 delivering, distributing, or possessing with intent to deliver or distribute a controlled
5 substance included in schedule I or II or a controlled substance analog of any
6 controlled substance included in schedule I or II and that the person knowingly used
7 a public transit vehicle during the violation.

8 **(9) AGGRAVATING FACTORS NOT AN ELEMENT OF THE CRIME.** The aggravating factors
9 listed in this section are not elements of any crime. A prosecutor is not required to
10 charge any aggravating factor or otherwise allege the existence of an aggravating
11 factor in any pleading for a court to consider the aggravating factor when making a
12 sentencing decision.

13 **(10) USE OF GUIDELINES; NO RIGHT TO OR BASIS FOR APPEAL.** The requirement
14 under sub. (2) (a) that a court consider sentencing guidelines adopted by the
15 sentencing commission or the criminal penalties study committee does not require
16 a court to make a sentencing decision that is within any range or consistent with a
17 recommendation specified in the guidelines, and there is no right to appeal a court's
18 sentencing decision based on the court's decision to depart in any way from any
19 guideline. In any appeal from a court's sentencing decision, the appellate court may
20 reverse the sentencing decision only if it determines that the sentencing court
21 erroneously exercised its discretion in making the sentencing decision.

22 **(10m) STATEMENT OF REASONS FOR SENTENCING DECISION.** (a) The court shall
23 state the reasons for its sentencing decision and, except as provided in par. (b), shall
24 do so in open court and on the record.

1 (b) If the court determines that it is not in the interest of the defendant for it
2 to state the reasons for its sentencing decision in the defendant's presence, the court
3 shall state the reasons for its sentencing decision in writing and include the written
4 statement in the record.

5 **SECTION 1136.** 973.03 (3) (e) 1. and 2. of the statutes are amended to read:

6 973.03 (3) (e) 1. A crime which is a Class A ~~or~~ B, or C felony.

7 2. A crime which is a Class ~~C~~ D, E, F, or G felony listed in s. 969.08 (10) (b), but
8 not including any crime specified in s. 943.10.

9 **SECTION 1137.** 973.03 (3) (e) 3. of the statutes is repealed.

10 **SECTION 1138.** 973.032 (4) (c) 2. of the statutes is amended to read:

11 973.032 (4) (c) 2. The person is sentenced for the escape ~~under s. 946.42 (4) (b)~~
12 to a sentence of imprisonment concurrent with the sentence to the intensive
13 sanctions program.

14 **SECTION 1141.** 973.09 (2) (b) 1. of the statutes is amended to read:

15 973.09 (2) (b) 1. Except as provided in subd. 2., for felonies, not less than one
16 year nor more than either the ~~statutory~~ maximum term of ~~imprisonment~~
17 confinement in prison for the crime or 3 years, whichever is greater.

18 **SECTION 1142.** 973.15 (2m) of the statutes is created to read:

19 973.15 (2m) (a) *Definitions.* In this subsection:

20 1. "Determinate sentence" means a bifurcated sentence imposed under s.
21 973.01 or a life sentence under which a person is eligible for release to extended
22 supervision under s. 973.014 (1g) (a) 1. or 2.

23 2. "Indeterminate sentence" means a sentence to the Wisconsin state prisons
24 other than one of the following:

25 a. A determinate sentence.

1 b. A sentence under which the person is not eligible for release on parole under
2 s. 939.62 (2m) (c) or 973.014 (1) (c).

3 3. “Period of confinement in prison,” with respect to any sentence to the
4 Wisconsin state prisons, means any time during which a person is incarcerated
5 under that sentence, including any extensions imposed under s. 302.11 (3), 302.113
6 (3), or 302.114 (3) and any period of confinement in prison required to be served under
7 s. 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

8 (b) *Determinate sentences imposed to run concurrent with or consecutive to*
9 *determinate sentences.* 1. If a court provides that a determinate sentence is to run
10 concurrent with another determinate sentence, the person sentenced shall serve the
11 periods of confinement in prison under the sentences concurrently and the terms of
12 extended supervision under the sentences concurrently.

13 2. If a court provides that a determinate sentence is to run consecutive to
14 another determinate sentence, the person sentenced shall serve the periods of
15 confinement in prison under the sentences consecutively and the terms of extended
16 supervision under the sentences consecutively and in the order in which the
17 sentences have been pronounced.

18 (c) *Determinate sentences imposed to run concurrent with or consecutive to*
19 *indeterminate sentences.* 1. If a court provides that a determinate sentence is to run
20 concurrent with an indeterminate sentence, the person sentenced shall serve the
21 period of confinement in prison under the determinate sentence concurrent with the
22 period of confinement in prison under the indeterminate sentence and the term of
23 extended supervision under the determinate sentence concurrent with the parole
24 portion of the indeterminate sentence.

1 2. If a court provides that a determinate sentence is to run consecutive to an
2 indeterminate sentence, the person sentenced shall serve the period of confinement
3 in prison under the determinate sentence consecutive to the period of confinement
4 in prison under the indeterminate sentence and the parole portion of the
5 indeterminate sentence consecutive to the term of extended supervision under the
6 determinate sentence.

7 (d) *Indeterminate sentences imposed to run concurrent with or consecutive to*
8 *determinate sentences.* 1. If a court provides that an indeterminate sentence is to run
9 concurrent with a determinate sentence, the person sentenced shall serve the period
10 of confinement in prison under the indeterminate sentence concurrent with the
11 period of confinement in prison under the determinate sentence and the parole
12 portion of the indeterminate sentence concurrent with the term of extended
13 supervision required under the determinate sentence.

14 2. If a court provides that an indeterminate sentence is to run consecutive to
15 a determinate sentence, the person sentenced shall serve the period of confinement
16 in prison under the indeterminate sentence consecutive to the period of confinement
17 in prison under the determinate sentence and the parole portion of the
18 indeterminate sentence consecutive to the term of extended supervision under the
19 determinate sentence.

20 (e) *Revocation in multiple sentence cases.* If a person is serving concurrent
21 determinate sentences and extended supervision is revoked in each case, or if a
22 person is serving a determinate sentence concurrent with an indeterminate sentence
23 and both extended supervision and parole are revoked, the person shall concurrently
24 serve any periods of confinement in prison required under those sentences under s.
25 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

1 **SECTION 1143.** 973.155 (1) (b) of the statutes is amended to read:

2 973.155 **(1)** (b) The categories in par. (a) include custody of the convicted
3 offender which is in whole or in part the result of a probation, extended supervision
4 or parole hold under s. 302.113 (8m), 302.114 (8m), 304.06 (3), or 973.10 (2) placed
5 upon the person for the same course of conduct as that resulting in the new
6 conviction.

7 **SECTION 1144.** 973.30 of the statutes is created to read:

8 **973.30 Sentencing commission. (1) DUTIES.** The sentencing commission
9 shall do all of the following:

10 (a) Select an executive director having appropriate training and experience to
11 study sentencing practices and prepare proposed sentencing guidelines.

12 (b) Monitor and compile data regarding sentencing practices in the state.

13 (c) Adopt advisory sentencing guidelines for felonies committed on or after the
14 effective date of this paragraph ... [revisor inserts date], to promote public safety, to
15 reflect changes in sentencing practices and to preserve the integrity of the criminal
16 justice and correctional systems.

17 (d) Provide information to the legislature, state agencies, and the public
18 regarding the costs to and other needs of the department which result from
19 sentencing practices.

20 (e) Provide information to judges and lawyers about the sentencing guidelines.

21 (f) Publish and distribute to all circuit judges hearing criminal cases an annual
22 report regarding its work, which shall include all sentencing guidelines and all
23 changes in existing sentencing guidelines adopted during the 12 months preceding
24 the report.

1 (g) Study whether race is a basis for imposing sentences in criminal cases and
2 submit a report and recommendations on this issue to the governor, to each house
3 of the legislature under s. 13.172 (2), and to the supreme court.

4 (h) Assist the legislature in assessing the cost of enacting new or revising
5 existing statutes affecting criminal sentencing.

6 (i) At least semiannually, submit reports to all circuit judges, and to the chief
7 clerk of each house of the legislature for distribution to the appropriate standing
8 committees under s. 13.172 (3), containing statistics regarding criminal sentences
9 imposed in this state. Each report shall have a different focus and need not contain
10 statistics regarding every crime. Each report shall contain information regarding
11 sentences imposed statewide and in each of the following geographic areas:

12 1. Milwaukee County.

13 2. Dane and Rock counties.

14 3. Brown, Outagamie, Calumet, and Winnebago counties.

15 4. Racine and Kenosha counties.

16 5. All other counties.

17 (j) Study how sentencing options affect various types of offenders and offenses.

18 **(2) STAFF.** Subject to authorization under s. 16.505, the sentencing commission
19 may hire staff to assist it in the performance of its duties.

20 **(3) SUNSET.** This section does not apply after December 31, 2007.

21 **SECTION 1145.** 977.05 (4) (jm) of the statutes is created to read:

22 977.05 **(4) (jm)** At the request of an inmate determined by the state public
23 defender to be indigent or upon referral of a court under s. 302.113 (9g) (j), represent
24 the inmate in proceedings for modification of a bifurcated sentence under s. 302.113

1 (9g) before a program review committee and the sentencing court, if the state public
2 defender determines the case should be pursued.

3 **SECTION 1146.** 977.06 (2) (b) of the statutes is amended to read:

4 977.06 (2) (b) A person who makes a false representation that he or she does
5 not believe is true for purposes of qualifying for assignment of counsel shall be fined
6 not more than \$10,000 or imprisoned for not more than 7 years and 6 months or both
7 is guilty of a Class I felony.

8 **SECTION 1147.** 978.13 (1) (intro.) of the statutes is amended to read:

9 978.13 (1) (intro.) The Subject to sub. (1m), the state shall assume financial
10 responsibility for all of the following:

11 **SECTION 1148.** 978.13 (1) (b) of the statutes is amended to read:

12 978.13 (1) (b) In counties having a population of 500,000 or more, the salary
13 and fringe benefit costs of 2 clerk positions providing clerical services to the
14 prosecutors in the district attorney's office handling cases involving felony violations
15 under ch. 961. The state treasurer shall pay the amount authorized under this
16 ~~paragraph~~ subsection to the county treasurer pursuant to a voucher submitted by
17 the district attorney to the department of administration from the appropriation
18 under s. 20.475 (1) (i). ~~The amount paid under this paragraph may not exceed~~
19 ~~\$75,200 in the 1999–2000 fiscal year and \$77,500 in the 2000–01 fiscal year.~~

20 **SECTION 1149.** 978.13 (1) (c) of the statutes is amended to read:

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

1 pay the amount authorized under this ~~paragraph~~ subsection to the county treasurer
2 pursuant to a voucher submitted by the district attorney to the secretary of
3 administration from the appropriation under s. 20.475 (1) (i). ~~The amount paid~~
4 ~~under this paragraph may not exceed \$94,400 in the 1999–2000 fiscal year and~~
5 ~~\$97,200 in the 2000–01 fiscal year.~~

6 **SECTION 1150.** 978.13 (1) (d) of the statutes, as affected by 2001 Wisconsin Act
7 16, is amended to read:

8 978.13 (1) (d) In counties having a population of 500,000 or more, the salary
9 and fringe benefit costs of 2 clerk positions providing clerical services to the
10 prosecutors in the district attorney's office handling cases involving the unlawful
11 possession or use of firearms. The state treasurer shall pay the amount authorized
12 under this ~~paragraph~~ subsection to the county treasurer from the appropriation
13 under s. 20.475 (1) (f) pursuant to a voucher submitted by the district attorney to the
14 department of administration. ~~The amount paid under this paragraph may not~~
15 ~~exceed the amount appropriated under s. 20.475 (1) (f).~~

16 **SECTION 1151.** 978.13 (1m) of the statutes is created to read:

17 978.13 (1m) The amount paid under sub. (1) (b) and (c) combined may not
18 exceed the amount appropriated under s. 20.475 (1) (i). The amount paid under sub.
19 (1) (d) may not exceed the amount appropriated under s. 20.475 (1) (f).

20 **SECTION 1157.** 1997 Wisconsin Act 283, section 454 (1) (f) is amended to read:

21 [1997 Wisconsin Act 283] Section 454 (1) (f) ~~No later than April 30, 1999, the~~
22 The committee shall submit a report of its findings and recommendations to the
23 legislature in the manner provided under section 13.172 (2) of the statutes and to the
24 governor. The report shall include any proposed legislation that is necessary to
25 implement the recommendations made by the committee in its report.

1 **SECTION 1158b.** 1999 Wisconsin Act 113, section 32 (7) is repealed.

2 **SECTION 1160m.** 2001 Wisconsin Act 16, section 9137 (6f) is amended to read:

3 [2001 Wisconsin Act 16] Section 9137 (6f) STUDY ON WILD CRANES. From the
4 appropriation under section 20.370 (1) (kk) of the statutes, as created by this act, the
5 department of natural resources shall provide in fiscal year 2001–02 a total of
6 ~~\$20,000~~ \$30,000 and in fiscal year 2002–03 a total of \$30,000 to the University of
7 Wisconsin System and the International Crane Foundation jointly for a study of crop
8 damage caused in this state by wild cranes.

9 **SECTION 1160r.** 2001 Wisconsin Act 16, section 9315 (1k) is amended to read:

10 [2001 Wisconsin Act 16] Section 9315 (1k) TRAINING AND CERTIFICATION OF CHIEF
11 INSPECTORS. The treatment of sections 7.03 (1) (a), 7.15 (1) (e), 7.30 (1) and (6) (b), and
12 7.31 (2) of the statutes first applies with respect to elections held on September 1,
13 ~~2002~~ 2004.

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

15 (1) COMMISSION ON LOCAL GOVERNMENT.

16 (a) There is created a special committee to be called the commission on local
17 government, which shall consist of members appointed by the governor.

18 (b) The governor shall appoint or determine the method of appointment of the
19 officers of the commission and shall call the first meeting of the commission.

20 (c) The department of administration shall provide necessary administrative
21 support services to the commission.

22 (d) The department of administration shall reimburse members of the
23 commission for their actual and necessary expenses incurred in carrying out their
24 functions from the appropriation under section 20.505 (4) (ba) of the statutes, within
25 the budget of the committee authorized under section 16.40 (14) of the statutes.

1 (e) The commission shall:

2 1. Examine the organization, authority, and efficiency of local governments, the
3 services provided by each type of local government, and the services required of local
4 governments by the state.

5 2. Review the relationship of local governments with the state, examine
6 spending by local governments, and identify ways to increase efficiency in the
7 delivery of local governmental services.

8 (f) No later than February 1, 2003, the commission shall report its findings and
9 recommendations to the governor, and to the legislature in the manner provided in
10 section 13.172 (2) of the statutes. Upon submittal of its report, the commission ceases
11 to exist.

12 (2) SENTENCING COMMISSION; INITIAL TERMS. Notwithstanding section 15.105 (27)

13 (c) 1. of the statutes, as created by this act, the initial members of the sentencing
14 commission shall be appointed for the following terms:

15 (a) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as
16 created by this act, one of whom is not employed by any unit of federal, state, or local
17 government, one circuit judge, and one prosecutor, for terms expiring on January 1,
18 2004.

19 (b) Three members appointed under section 15.105 (27) (a) 3. of the statutes,
20 as created by this act, one of whom is not employed by any unit of federal, state, or
21 local government, and one circuit judge, for terms expiring on January 1, 2005.

22 (c) Two members appointed under section 15.105 (27) (a) 3. of the statutes, as
23 created by this act, one representative of crime victims, and one attorney in private
24 practice, for terms expiring on January 1, 2006.

1 (3) POSITION AUTHORIZATION. There is authorized for the sentencing commission
2 1.0 FTE GPR executive director position, 1.0 FTE GPR deputy director position, and
3 4.0 FTE GPR other positions to be funded from the appropriation under section
4 20.505 (4) (dr) of the statutes, as created by this act.

5 (4) CRIMINAL PENALTIES STUDY COMMITTEE. Until the members of the sentencing
6 commission created under section 973.30 of the statutes, as created by this act, are
7 appointed, the criminal penalties study committee shall provide information to
8 lawyers, judges, the legislature, and the public regarding changes made in the
9 substance and structure of criminal penalties to be imposed under this act.

10 (6v) REALLOCATION OF CERTAIN APPROPRIATION REDUCTIONS.

11 (a) In this subsection, “state operations” means any purpose other than aids to
12 individuals and organizations.

13 (b) The secretary of administration may submit a request to the cochairpersons
14 of the joint committee on finance to reallocate any portion of the appropriation
15 reduction under SECTION 9201 (4v) of this act to one or more other appropriations to
16 the department of administration for state operations made from general purpose
17 revenue. If the committee approves such a request, the amounts in the schedule for
18 the affected appropriations are adjusted to reflect the the approved reallocation.

19 (6z) HOUSING GRANTS AND LOANS FUNDING DECREASE. Notwithstanding section
20 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the
21 statutes for the purposes of the 2003–05 biennial budget bill, the department of
22 administration shall submit information concerning the appropriation under section
23 20.505 (7) (b) of the statutes as though the decreases in that appropriation by SECTION
24 9201 (1) of this act had not been made.

25 (7) ELIMINATION OF CERTAIN UNFUNDED STATE AGENCY POSITIONS.

1 (a) In this subsection:

2 1. “Secretary” means the secretary of administration.

3 2. “State agency” has the meaning given in section 20.001 (1) of the statutes.

4 (b) No later than September 30, 2002, the secretary shall determine the
5 number of positions in each state agency that were not funded as a result of any
6 reduction in state agency operations appropriations under 2001 Wisconsin Act 16 for
7 the 2001–03 fiscal biennium and any reduction in such appropriations required
8 under this act.

9 (c) After making the determination under paragraph (b), the secretary shall
10 notify the joint committee on finance in writing of the determination. If the
11 cochairpersons of the committee do not notify the secretary within 14 working days
12 after the date of the secretary’s notification that the committee has scheduled a
13 meeting to review the determination, the secretary shall reduce each state agency’s
14 authorized positions for the 2002–03 fiscal year by the number of unfunded positions
15 for that state agency as determined under paragraph (b). If, within 14 working days
16 after the date of the secretary’s notification, the cochairpersons of the committee
17 notify the secretary that the committee has scheduled a meeting to review the
18 determination, the secretary may make the reductions in the authorized positions
19 only upon approval of the committee.

20 (7q) SALE OF CERTAIN STATE-OWNED AIRCRAFT. In addition to the aircraft that are
21 directed to be sold under 2001 Wisconsin Act 16, section 9101 (20j), the department
22 of administration shall, no later than June 30, 2003, offer for sale 21 aircraft selected
23 by the department that are owned by the state on the effective date of this subsection.
24 The department of administration shall credit the proceeds of any sales to offset any
25 liabilities created for the aircraft under section 20.903 (2) (b) of the statutes. The

1 department of administration shall deposit any remaining proceeds of the sales in
2 the general fund as general purpose revenue — earned.

3 (8x) FUNDING FOR CERTAIN PAY ADJUSTMENTS. Notwithstanding section 20.928 (1)
4 of the statutes, during the 2001–03 fiscal biennium, no state agency, as defined in
5 section 20.001 (1) of the statutes, may include in any certification to the department
6 of administration under section 20.928 (1) of the statutes, and the department of
7 administration may not include in any determination forwarded to the joint
8 committee on finance under section 20.928 (2m) of the statutes, any sum to pay the
9 cost of a pay adjustment for an employee in a position that is at the higher end of the
10 pay scale for state employee positions, as determined by the department of
11 administration.

12 (8y) FUNDING FOR LENGTH-OF-SERVICE PAYMENTS. Notwithstanding section
13 20.928 (1) of the statutes, during the 2001–03 fiscal biennium, no state agency, as
14 defined in section 20.001 (1) of the statutes, may include in any certification to the
15 department of administration under section 20.928 (1) of the statutes, and the
16 department of administration may not include in any determination forwarded to
17 the joint committee on finance under section 20.928 (2m) of the statutes, any sum to
18 pay the cost of a length-of-service payment for classified employees.

19 (8z) PRINTED PUBLICATIONS.

20 (a) In this subsection:

21 1. “Department” has the meaning given for “executive branch agency” in
22 section 16.70 (4) of the statutes.

23 2. “Federal revenues” has the meaning given in section 20.001 (2) (e) of the
24 statutes.

1 3. “General purpose revenues” has the meaning given in section 20.001 (2) (a)
2 of the statutes.

3 4. “Program revenues” has the meaning given in section 20.001 (2) (b) or (c) of
4 the statutes.

5 5. “Segregated fund revenues” has the meaning given in section 20.001 (2) (d)
6 or (da) of the statutes.

7 (b) Notwithstanding section 16.50 (1) of the statutes, the secretary of
8 administration shall require submission of an expenditure estimate under section
9 16.50 (2) of the statutes for each department that proposes to expend moneys that
10 are not encumbered on the effective date of this paragraph from any revenue source
11 other than federal revenues for printing of any publication during the 2001–03 fiscal
12 biennium that is not required to be printed by the constitution or by law.
13 Notwithstanding section 16.50 (2) of the statutes, the secretary shall disapprove any
14 such estimate for printing of a publication unless the secretary finds that printing
15 of the publication is essential.

16 (c) The secretary of administration shall, during the fiscal year for which an
17 expenditure estimate is submitted under paragraph (b), lapse to the general fund the
18 amount of any estimate disapproved under paragraph (b) for expenditure of moneys
19 that are appropriated from any appropriation, other than a sum sufficient
20 appropriation, made from general purpose revenues. The secretary shall, during the
21 fiscal year for which an expenditure estimate is submitted under paragraph (b),
22 transfer to the general fund the amount of any estimate disapproved under
23 paragraph (b) for the expenditure of moneys that are appropriated from any
24 appropriation, other than a sum sufficient appropriation, made from program
25 revenues or segregated fund revenues. The secretary shall reestimate to subtract

1 from the expenditure estimate published in the acts of 2001 under section 20.005 (3)
2 of the statutes the amount of any estimate disapproved under paragraph (b) for
3 expenditure of moneys that are appropriated from any sum sufficient appropriation.
4 The secretary shall include any reestimate under this paragraph in his or her
5 submission under section 20.004 (2) of the statutes.

6 (d) If the secretary of administration disapproves an expenditure estimate for
7 the printing of any publication under paragraph (b), the department submitting the
8 estimate shall post the content of the publication that would have been printed on
9 the Internet.

10 (e) The secretary of administration shall submit a report to the cochairpersons
11 of the joint committee on finance no later than July 1, 2002, identifying the amount
12 and sources of any savings achieved as a result of implementation of this subsection.

13 **SECTION 9102. Nonstatutory provisions; adolescent pregnancy**
14 **prevention and pregnancy services board.**

15 **SECTION 9103. Nonstatutory provisions; aging and long-term care**
16 **board.**

17 **SECTION 9104. Nonstatutory provisions; agriculture, trade and**
18 **consumer protection.**

19 **SECTION 9105. Nonstatutory provisions; arts board.**

20 **SECTION 9106. Nonstatutory provisions; boundary area commission,**
21 **Minnesota-Wisconsin.**

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

23 (1) PROCEEDS FROM THE SALE OF CERTAIN STATE OFFICE BUILDINGS.

24 (a) Notwithstanding section 13.48 (14) (c) of the statutes, if the building
25 commission sells any or all of the state office buildings located at 123 West

1 Washington Avenue, 121 East Wilson Street, and 149 East Wilson Street in the city
2 of Madison, the commission shall deposit any net proceeds from the sale, after
3 depositing any amount required to be deposited into the bond security and
4 redemption fund, into the general fund.

5 (b) If the building commission sells any state office building specified in
6 paragraph (a) during the period beginning on July 1, 2001, and ending on the day
7 before the effective date of this paragraph, and any portion of the proceeds of that
8 sale is transferred to the appropriation account under section 20.865 (4) (a) of the
9 statutes, the lesser of the amount transferred or any unencumbered balance in that
10 account is transferred on the effective date of this paragraph from the appropriation
11 account under section 20.865 (4) (a) of the statutes to the general fund.

12 (c) This subsection does not apply after June 30, 2003.

13 **SECTION 9108. Nonstatutory provisions; child abuse and neglect**
14 **prevention board.**

15 **SECTION 9109. Nonstatutory provisions; circuit courts.**

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

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

18 (2) EMERGENCY RULES REGARDING FEES FROM PERSONS ON PROBATION, PAROLE, OR
19 EXTENDED SUPERVISION. Using the procedure under section 227.24 of the statutes, the
20 department of corrections shall promulgate the rules that are required under section
21 304.074 (5) of the statutes and that set rates under section 304.074 (2) of the statutes.
22 The rules shall take effect on July 1, 2002, but may not remain effective for longer
23 than the period authorized under section 227.24 (1) (c) and (2) of the statutes.
24 Notwithstanding section 304.074 (2) of the statutes, the rules shall require the
25 department to have a goal of receiving at least \$2 per day, if appropriate, from each

1 person who is on probation, parole, or extended supervision and who is not under
2 administrative supervision, as defined in section 304.74 (1) (a) of the statutes, or
3 minimum supervision, as defined in section 304.74 (1) (b) of the statutes.
4 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department
5 is not required to provide evidence that promulgating a rule under this subsection
6 as an emergency rule is necessary for the preservation of the public peace, health,
7 safety, or welfare and is not required to provide a finding of emergency for a rule
8 promulgated under this subsection.

9 (3) EMERGENCY RULES REGARDING PRISONER COPAYMENTS FOR MEDICAL AND DENTAL
10 CARE. Using the procedure under section 227.24 of the statutes, the department of
11 corrections shall promulgate the rules that are required under section 302.386 (4) (a)
12 of the statutes relating to the deductible, coinsurance, copayment, or similar charge
13 that must be imposed under section 302.386 (3) (b) of the statutes. The rules shall
14 take effect on July 1, 2002, but may not remain effective for longer than the period
15 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
16 section 302.386 (3) (b) of the statutes, the rules shall require the department to
17 require that, subject to the exception and waiver provisions under section 302.386
18 (3) (c) of the statutes, each person to whom section 302.386 (1) of the statutes applies
19 pay a deductible, coinsurance, copayment, or similar charge of at least \$7.50 for each
20 request that the person makes for medical or dental services. Notwithstanding
21 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required
22 to provide evidence that promulgating a rule under this subsection as an emergency
23 rule is necessary for the preservation of the public peace, health, safety, or welfare
24 and is not required to provide a finding of emergency for a rule promulgated under
25 this subsection.

1 (4q) SUPERMAX CONVERSION. The department of corrections, in cooperation with
2 the department of administration, shall conduct a study of the conversion of the
3 correctional institution established under section 301.16 (1n) of the statutes from a
4 supermax–level security institution to an institution with supermax–level security
5 beds and maximum security beds. The study shall include a discussion of the
6 operational costs for the redesigned institution. The department of corrections shall
7 report its findings, conclusions, and recommendations to the building commission for
8 potential inclusion in the commission’s biennial budget recommendations under
9 section 13.48 (7) of the statutes for 2003.

10 **SECTION 9112. Nonstatutory provisions; court of appeals.**

11 **SECTION 9113. Nonstatutory provisions; district attorneys.**

12 **SECTION 9114. Nonstatutory provisions; educational communications**
13 **board.**

14 **SECTION 9115. Nonstatutory provisions; elections board.**

15 **SECTION 9116. Nonstatutory provisions; employee trust funds.**

16 **SECTION 9117. Nonstatutory provisions; employment relations**
17 **commission.**

18 **SECTION 9118. Nonstatutory provisions; employment relations**
19 **department.**

20 **SECTION 9119. Nonstatutory provisions; ethics board.**

21 **SECTION 9120. Nonstatutory provisions; financial institutions.**

22 **SECTION 9121. Nonstatutory provisions; governor.**

23 **SECTION 9122. Nonstatutory provisions; Health and Educational**
24 **Facilities Authority.**

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

1 (1) ENERGY COSTS. Of the moneys appropriated to the department of health and
2 family services under section 20.435 (2) (f) of the statutes, \$600,000 for fiscal year
3 2002–03 may be encumbered or expended only upon approval of the secretary of
4 administration.

5 (2c) FEDERAL–STATE RELATIONS OFFICE. The authorized FTE positions for the
6 department of health and family services, funded from the appropriation under
7 section 20.435 (8) (pz) of the statutes, are decreased by 1.0 FED position on July 1,
8 2002, to eliminate staffing by the department of the federal–state relations office.

9 (2g) BIOTERRORISM RESPONSE AND PREPAREDNESS.

10 (a) In this subsection:

11 1. “Emergency medical technician” has the meaning given in section 146.50 (1)
12 (e) of the statutes.

13 2. “Fire fighter” has the meaning given in section 38.24 (5) (a) 1m. of the
14 statutes.

15 3. “First responder” has the meaning given in section 146.50 (1) (hm) of the
16 statutes.

17 4. “Law enforcement officer” has the meaning given in section 165.85 (2) (c) of
18 the statutes.

19 (b) By April 15, 2002, before submitting a plan for expenditure of federal funds
20 for bioterrorism response and preparedness for which Wisconsin is eligible under
21 Public Law 107–117, to the federal department of health and human services, the
22 department of health and family services shall submit the plan to the joint committee
23 on finance for review and approval.

24 (c) The plan specified under paragraph (b) shall include, to the extent permitted
25 under Public Law 107–117, all of the following:

1 1. A proposal to allocate up to \$3,600,000 of Wisconsin's total allocation to fund
2 all of the following:

3 a. Communications equipment.

4 b. Safety or protective equipment for law enforcement officers, fire fighters,
5 emergency medical technicians, first responders, or local emergency response team
6 members under section 166.22 of the statutes, who respond to emergencies.

7 c. Training related to investigation of, prevention of, or response to acts of
8 terrorism that pose a threat to the environment.

9 d. Information systems, software, or computer equipment for investigating acts
10 of terrorism that pose a threat to the environment.

11 e. Training for specific special events where heightened security risks exist.

12 f. Regional emergency response teams under section 166.215 (1) of the statutes
13 or their expansion.

14 g. Volunteer emergency medical service entities under section 146.50 of the
15 statutes, as affected by this act, that are short of staff or are in need of additional
16 training.

17 2. A proposal to fund all of the following:

18 a. An increase of 2.5 FED positions in the department of health and family
19 services to perform surveillance of and respond to communicable and infectious
20 diseases and biological and chemical potential threats to the state.

21 b. The statewide trauma care system under section 146.56 of the statutes, as
22 affected by this act.

23 c. An increase of 1.0 FED microbiologist position for the state laboratory of
24 hygiene and all bioterrorism-related laboratory expenses.

25 (3f) STUDY OF FEDERAL PRIMARY HEALTH CARE FUNDING.

1 (a) In this subsection, “federally qualified health center” has the meaning given
2 in 42 USC 1396d (L) (2) (B).

3 (b) The department of health and family services shall, in consultation with the
4 Wisconsin Primary Health Care Association, Inc., study aspects of federal primary
5 health care funding that is available to public and private nonprofit entities under
6 42 USC 254b. The study shall include all of the following:

7 1. A review of statutory, regulatory, and policy requirements for grantees and
8 potential grant applicants.

9 2. Suggestions for expanding the number of federally qualified health centers
10 in Wisconsin; the number of sites operated by entities currently funded under 42
11 USC 254b; and other ways to increase the amount of federal funding for Wisconsin
12 health care clinics.

13 (c) By June 30, 2002, the department of health and family services shall submit
14 a report of the study under paragraph (b) to the legislature in the manner provided
15 under section 13.172 (3) of the statutes and to the joint committee on finance.

16 **SECTION 9124. Nonstatutory provisions; higher educational aids**
17 **board.**

18 **SECTION 9125. Nonstatutory provisions; historical society.**

19 **SECTION 9126. Nonstatutory provisions; Housing and Economic**
20 **Development Authority.**

21 **SECTION 9127. Nonstatutory provisions; insurance.**

22 **SECTION 9128. Nonstatutory provisions; investment board.**

23 **SECTION 9129. Nonstatutory provisions; joint committee on finance.**

24 **SECTION 9130. Nonstatutory provisions; judicial commission.**

25 **SECTION 9131. Nonstatutory provisions; justice.**

1 **SECTION 9132. Nonstatutory provisions; legislature.**

2 **SECTION 9133. Nonstatutory provisions; lieutenant governor.**

3 **SECTION 9134. Nonstatutory provisions; lower Wisconsin state**
4 **riverway board.**

5 **SECTION 9135. Nonstatutory provisions; Medical College of Wisconsin.**

6 **SECTION 9136. Nonstatutory provisions; military affairs.**

7 (1) YOUTH CHALLENGE PROGRAM. The authorized FTE positions for the
8 department of military affairs are decreased by 17.2 GPR positions on July 1, 2002,
9 and increased by 17.2 PR positions on July, 2002, to be funded from the
10 appropriations under section 20.465 (4) (j) and (ka) of the statutes, as affected by this
11 act, for the Youth Challenge program.

12 (2) ENERGY COSTS. Of the moneys appropriated to the department of military
13 affairs under section 20.465 (1) (f) of the statutes, \$427,400 for fiscal year 2002–03
14 may be encumbered or expended only upon approval of the secretary of
15 administration.

16 **SECTION 9137. Nonstatutory provisions; natural resources.**

17 (1q) WHEELCHAIR RECYCLING PROJECT. From the appropriation under section
18 20.370 (6) (bw), as created by this act, the department of natural resources shall
19 provide funding to the Wheelchair Recycling Project, of the Madison Chapter of the
20 National Spinal Cord Injury Association, to provide recycled wheelchairs and other
21 medical equipment to individuals and programs in need and for costs of equipment,
22 parts, maintenance, and distribution.

23 (1w) ANIMAL HEALTH PROTECTION. The department of natural resources and the
24 department of agriculture, trade and consumer protection shall enter into a contract
25 for the purpose of enhancing the protection of the health of wild and domestic

1 animals in this state. Under the contract, the department of natural resources may
2 provide the department of agriculture, trade and consumer protection with \$150,000
3 in fiscal year 2002–03 from the appropriation under section 20.370 (1) (mu) of the
4 statutes, as affected by this act, for purposes related to animal health regulation,
5 including improving its livestock farm location and livestock tracking databases and
6 studying the implementation of an electronic system for certification of veterinary
7 inspection.

8 (1x) COASTER BROOK TROUT STUDY AND REINTRODUCTION. Notwithstanding section
9 16.42 (1) (e) of the statutes, in submitting information under section 16.42 of the
10 statutes for purposes of the 2003–2005 biennial budget bill, the department of
11 natural resources shall submit information concerning the appropriation under
12 section 20.370 (4) (mu) of the statutes as though the increase in the dollar amount
13 of that appropriation by SECTION 9237 (27x) of this act had not been made.

14 **SECTION 9138. Nonstatutory provisions; personnel commission.**

15 **SECTION 9139. Nonstatutory provisions; public defender board.**

16 (1z) HIRING FREEZE EXEMPTION. Notwithstanding any action of the governor or
17 the secretary of administration under section 16.505 (3) of the statutes during the
18 2001–03 fiscal biennium, the public defender board may fill any vacant position for
19 trial or appellate representation that is authorized to the board under section 16.505
20 of the statutes during the 2001–03 fiscal biennium and for which funds have been
21 appropriated.

22 **SECTION 9140. Nonstatutory provisions; public instruction.**

23 (1) REVENUE LIMIT.

24 (a) Notwithstanding section 121.91 (2m) (e) 2. and 3. of the statutes, in
25 determining a school district's revenue limit for the 2002–03 school year, only \$210

1 shall be added to the result under section 121.91 (2m) (e) 1. of the statutes. This
2 paragraph does not apply if a school board adopts a resolution to that effect by a
3 two-thirds vote of the members elect.

4 (b) The department shall encourage school districts to accommodate the
5 reduction in the revenue limit increase under paragraph (a) without negatively
6 affecting their instructional programs and shall provide technical assistance to
7 school districts for that purpose.

8 (c) Notwithstanding paragraph (a), for the purpose of calculating a school
9 district's revenue limit for the 2003–04 school year, the revenue increase per pupil
10 allowed for the 2002–03 school year under section 121.91 (2m) (e) 2. of the statutes
11 shall be \$226.68 multiplied by the sum of 1.0 plus the allowable rate of increase under
12 section 73.0305 of the statutes expressed as a decimal.

13 (2f) HOME INSTRUCTION PROGRAM FOR PRESCHOOL YOUNGSTERS. In the 2002–03
14 fiscal year, the department of public instruction shall award a subgrant under 20
15 USC 6368 of at least \$250,000 to the Home Instruction Program for Preschool
16 Youngsters from the appropriation under section 20.255 (3) (ms) of the statutes.

17 **SECTION 9141. Nonstatutory provisions; public lands, board of**
18 **commissioners of.**

19 (2f) ESTABLISHMENT OF LOAN PROGRAM.

20 (a) In this subsection:

- 21 1. "Board" means the board of commissioners of public lands.
- 22 2. "Federal discretionary grant" has the meaning given by the board.
- 23 3. "Municipality" has the meaning given in section 24.60 (2) of the statutes.
- 24 4. "State discretionary grant" has the meaning given by the board.

1 (b) No later than 90 days after the effective date of this paragraph, the board
2 shall establish a loan program to provide matching funds to a municipality for any
3 state or federal discretionary grant that requires the municipality to provide
4 matching funds as a condition of receiving the grant. The only municipalities that
5 may participate in the loan program are municipalities eligible to receive such a loan
6 under section 24.61 (3) of the statutes. No loan may be made under the loan program
7 for any term exceeding 5 years and no loan may be extended for any period of time.

8 (c) No later than 30 days after establishing the loan program, but before
9 implementing the loan program, the board shall submit a report to the governor, the
10 secretary of administration, and the joint committee on finance on the proposed
11 structure and operation of the loan program.

12 **SECTION 9142. Nonstatutory provisions; public service commission.**

13 **SECTION 9143. Nonstatutory provisions; regulation and licensing.**

14 **SECTION 9144. Nonstatutory provisions; revenue.**

15 (1) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal
16 Revenue Code made by P.L. 106–554 apply to the definitions of the “Internal Revenue
17 Code” in chapter 71 of the statutes at the time that those changes apply for federal
18 income tax purposes.

19 (2b) INCOME APPORTIONMENT FOR FINANCIAL ORGANIZATIONS; RULES. The
20 department of revenue shall submit in proposed form rules related to the
21 apportionment of the income of financial organizations under sections 71.04 (4) (c)
22 and 71.25 (6) (c) of the statutes, as created by this act, to the legislative council staff
23 under section 227.15 (1) of the statutes no later than the first day of the 4th month
24 beginning after the effective date of this subsection.

25 **SECTION 9145. Nonstatutory provisions; secretary of state.**

1 **SECTION 9146. Nonstatutory provisions; state fair park board.**

2 **SECTION 9147. Nonstatutory provisions; supreme court.**

3 **SECTION 9148. Nonstatutory provisions; technical college system.**

4 **SECTION 9149. Nonstatutory provisions; technology for educational**
5 **achievement in Wisconsin board.**

6 **SECTION 9150. Nonstatutory provisions; tobacco control board.**

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

8 (1x) HERITAGE TOURISM PROGRAM COORDINATOR. The authorized FTE positions
9 for the department of tourism, funded from the appropriation under section 20.380
10 (1) (kg) of the statutes, are decreased by 1.0 PR heritage tourism program
11 coordinator position.

12 **SECTION 9152. Nonstatutory provisions; transportation.**

13 (1) REPORT ON LAPSING MONEYS TO THE TRANSPORTATION FUND.

14 (a) During fiscal year 2001–02, the department of transportation shall submit
15 a report to the department of administration for the lapsing of \$4,333,600 in fiscal
16 year 2001–02 from segregated revenue appropriations to the department of
17 transportation for state operations from the transportation fund. With respect to the
18 proposed lapse, the report shall specify applicable appropriation accounts, the
19 amount of the proposed lapse from each appropriation account, and anticipated
20 actions by the department of transportation. The department of transportation shall
21 make every effort to avoid adverse impacts on activities related to highway planning,
22 design, and construction.

23 (b) No later than December 31, 2002, the department of transportation shall
24 submit a report to the department of administration for the lapsing of \$6,190,900 in
25 fiscal year 2002–03 from segregated revenue appropriations to the department of

1 transportation for state operations from the transportation fund. With respect to the
2 proposed lapse, the report shall specify applicable appropriation accounts, the
3 amount of the proposed lapse from each appropriation account, and anticipated
4 actions by the department of transportation. The department of transportation shall
5 make every effort to avoid adverse impacts on activities related to highway planning,
6 design, and construction.

7 **SECTION 9153. Nonstatutory provisions; treasurer.**

8 **SECTION 9154. Nonstatutory provisions; University of Wisconsin**
9 **Hospitals and Clinics Authority.**

10 **SECTION 9155. Nonstatutory provisions; University of Wisconsin**
11 **Hospitals and Clinics Board.**

12 **SECTION 9156. Nonstatutory provisions; University of Wisconsin**
13 **System.**

14 (1) TUITION-INCREASE RESTRICTIONS. Notwithstanding section 36.27 (1) (a) and
15 (am) 1. to 5. of the statutes, the board of regents of the University of Wisconsin
16 System may not increase the average of academic fees charged an undergraduate
17 student in the 2002–03 academic year compared to the average academic fees
18 charged an undergraduate student in the 2001–02 academic year by more than 8%
19 unless the board obtains the approval of the joint committee on finance under section
20 13.10 of the statutes and the approval of the secretary of administration. The board
21 of regents shall determine average academic fees under this subsection on a
22 full-time equivalent basis. The board may not increase differential tuition under
23 section 36.27 (1) (am) 6. of the statutes for the 2002–03 academic year to offset
24 decreases in the appropriations under section 20.285 (1) (a) and (3) (a) of the statutes.

25 (2x) ENERGY COSTS.

1 (a) Of the moneys appropriated to the board of regents of the University of
2 Wisconsin System under section 20.285 (1) (c) of the statutes, \$2,850,000 for fiscal
3 year 2001–02 and \$17,122,600 for fiscal year 2002–03 may be encumbered or
4 expended only upon approval of the secretary of administration.

5 (b) Of the moneys appropriated to the board of regents of the University of
6 Wisconsin System under section 20.285 (1) (s) of the statutes, as created by this act,
7 the board shall, to the extent possible, allocate in fiscal year 2001–02 \$1,000,000 for
8 the costs of energy conservation projects under sections 16.858 and 16.895 of the
9 statutes.

10 (3q) CHILD–PARENT CENTER DEMONSTRATION PROJECT INCREASE. Notwithstanding
11 section 16.42 (1) (e) of the statutes, in submitting information under section 16.42
12 of the statutes for purposes of the 2003–05 biennial budget bill, the board of regents
13 of the University of Wisconsin System shall submit information concerning the
14 appropriation under section 20.285 (1) (a) of the statutes as though the increase in
15 the dollar amount of that appropriation by SECTION 9256 (3q) of this act had not been
16 made.

17 **SECTION 9157. Nonstatutory provisions; veterans affairs.**

18 **SECTION 9158. Nonstatutory provisions; workforce development.**

19 (1c) FEDERAL–STATE RELATIONS OFFICE. The authorized FTE positions for the
20 department of workforce development, funded from the appropriation under section
21 20.445 (1) (n) of the statutes, are decreased by 1.0 FED position on July 1, 2002, to
22 eliminate staffing by the department of the federal–state relations office.

23 (1q) EARLY CHILDHOOD EXCELLENCE INITIATIVE.

24 (a) *Reallocation of grant moneys.* The department of workforce development
25 shall reallocate the grant moneys awarded under contracts under section 49.1375 of

1 the statutes expiring on June 30, 2002, from grant recipients that have underspent
2 the grant moneys awarded under those contracts to grant recipients that have
3 exhausted or nearly exhausted the grant moneys awarded under those contracts, as
4 determined by that department.

5 (b) *Grants to early childhood centers.* Notwithstanding section 49.175 (1) (r)
6 of the statutes, from the moneys allocated under section 49.175 (1) (r) of the statutes
7 in fiscal year 2002–03, the department of workforce development shall allocate
8 \$2,500,000 for grants to early childhood centers under section 49.1375 (1) of the
9 statutes and shall allocate \$0 for grants to child care providers under section 49.1375
10 (2) of the statutes.

11 **SECTION 9159. Nonstatutory provisions; other.**

12 (3x) SUSPENSION OF PAYMENT OF EMPLOYER CONTRIBUTIONS FOR CERTAIN BENEFITS
13 PROVIDED TO STATE EMPLOYEES.

14 (a) The definitions in section 20.001 of the statutes are applicable in this
15 subsection.

16 (b) Notwithstanding any requirement under section 40.05 (4) (br) and (by) of
17 the statutes that state agencies pay certain contributions to the department of
18 employee trust funds relating to accumulated unused sick leave credits and
19 supplemental health insurance premium credits, state agencies shall not pay any
20 employer contributions under section 40.05 (4) (br) and (by) of the statutes during
21 the period that begins on May 1, 2002, and ends on June 30, 2003.

22 (c) The secretary of administration shall determine for each state agency the
23 amount that the agency would have been required to expend under section 40.05 (4)
24 (br) and (by) of the statutes during the period that begins on May 1, 2002, and ends

1 on June 30, 2003, and from each appropriation from which the moneys would have
2 been expended, other than appropriations of federal revenues.

3 (d) From each sum certain appropriation of general purpose revenue identified
4 in paragraph (c), the secretary of administration shall lapse to the general fund the
5 amount specified in paragraph (c) that would otherwise have been expended from
6 each of the appropriations. The secretary shall make the lapse on the day on which
7 the state agency would have been required to make the expenditure. After the
8 secretary makes the lapse, each of the sum certain appropriations is decreased by the
9 amount specified in paragraph (c) for that appropriation.

10 (dm) For each sum sufficient appropriation of general purpose revenue
11 identified in paragraph (c) the expenditure estimate for the appropriation during the
12 2001–03 fiscal biennium is reestimated to subtract the amount specified in
13 paragraph (c) for that appropriation.

14 (e) From each appropriation of program revenues or program revenues–service
15 identified in paragraph (c), the secretary of administration shall lapse to the general
16 fund the amount specified in paragraph (c) that would otherwise have been expended
17 from each of the appropriations. The secretary shall make the lapse on the day on
18 which the state agency would have been required to make the expenditure. After the
19 secretary makes the lapse, each of the sum certain program revenues or program
20 revenues–service appropriations is decreased by the amount specified in paragraph
21 (c) for that appropriation.

22 (f) From each appropriation of segregated fund revenues or segregated fund
23 revenues — service identified in paragraph (c), the secretary of administration shall
24 lapse to the underlying fund the amount specified in paragraph (c) that would
25 otherwise have been expended from each of the appropriations. The secretary shall

1 make the lapse on the day on which the state agency would have been required to
2 make the expenditure. After the secretary makes the lapse, each of the sum certain
3 segregated revenues or segregated revenues — service appropriations is decreased
4 by the amount specified in paragraph (c) for that appropriation and the expenditure
5 estimate for each of the appropriations that are not sum certain appropriations is
6 reestimated to subtract the amount specified in paragraph (c) for that appropriation.
7 The secretary shall then transfer the lapsed amounts and an amount equal to the
8 amount subtracted from the estimates to the general fund.

9 (5c) PROHIBITING CERTAIN COST ALLOCATIONS AND FEE OR ASSESSMENT INCREASES.

10 (a) In this subsection, “state agency” has the meaning given in section 20.001
11 (1) of the statutes.

12 (b) Before July 1, 2003, no state agency that has the authority to increase fees
13 or assessments or allocate costs within the state agency or between one or more state
14 agencies for the payment of goods or services may increase any fee or assessment or
15 allocate costs if the fee or assessment is credited to, or the cost is charged against,
16 a program revenue or segregated revenue appropriation from which moneys are
17 lapsed or transferred under this act and the fee, assessment, or cost allocation is to
18 replace the moneys required to be lapsed or transferred under this act, unless the
19 state agency submits a plan for the increase or allocation to the joint committee on
20 finance. If the cochairpersons of the committee do not notify the state agency within
21 14 working days after the date on which the state agency submitted the plan that the
22 committee intends to schedule a meeting to review the plan, the state agency may
23 implement the plan. If, within 14 working days after the date on which the state
24 agency submitted the plan, the cochairpersons of the committee notify the state

1 agency that the committee intends to schedule a meeting to review the plan, the state
2 agency may implement the plan only as approved by the committee.

3 **SECTION 9201. Appropriation changes; administration.**

4 (1) HOUSING GRANTS AND LOANS. In the schedule under section 20.005 (3) of the
5 statutes for the appropriation to the department of administration under section
6 20.505 (7) (b) of the statutes, as affected by the acts of 2001, the dollar amount is
7 decreased by \$1,500,000 for fiscal year 2001–02 and the dollar amount is decreased
8 by \$3,300,300 for fiscal year 2002–03 to decrease funding for the purposes for which
9 the appropriation is made.

10 (4) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
11 the statutes for the appropriation to the department of administration under section
12 20.505 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
13 decreased by \$200,000 for fiscal year 2001–02 and the dollar amount is decreased by
14 \$250,000 for fiscal year 2002–03 to decrease funding for the purposes for which the
15 appropriation is made.

16 (4c) FEDERAL–STATE RELATIONS OFFICE. In the schedule under section 20.005 (3)
17 of the statutes for the appropriation to the department of administration under
18 section 20.505 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount
19 is decreased by \$205,600 for fiscal year 2002–03 to decrease the authorized FTE
20 positions for the department by 2.0 GPR positions associated with the federal–state
21 relations office.

22 (4v) GENERAL PROGRAM OPERATIONS; SUPPLEMENTAL REDUCTION. In the schedule
23 under section 20.005 (3) of the statutes for the appropriation to the department of
24 administration under section 20.505 (1) (a) of the statutes, as affected by the acts of
25 2001, the dollar amount is decreased by \$224,900 for fiscal year 2001–02 and the

1 dollar amount is decreased by \$582,400 for fiscal year 2002–03 to decrease funding
2 for the purposes for which the appropriation is made.

3 (5) COMPREHENSIVE PLANNING GRANTS. In the schedule under section 20.005 (3)
4 of the statutes for the appropriation to the department of administration under
5 section 20.505 (1) (cm) of the statutes, as affected by the acts of 2001, the dollar
6 amount is decreased by \$175,000 for fiscal year 2001–02 and the dollar amount is
7 decreased by \$175,000 for fiscal year 2002–03 to decrease funding for the purpose for
8 which the appropriation is made.

9 (6) COMPREHENSIVE PLANNING; ADMINISTRATIVE SUPPORT. In the schedule under
10 section 20.005 (3) of the statutes for the appropriation to the department of
11 administration under section 20.505 (1) (cn) of the statutes, as affected by the acts
12 of 2001, the dollar amount is decreased by \$1,700 for fiscal year 2001–02 and the
13 dollar amount is decreased by \$2,500 for fiscal year 2002–03 to decrease funding for
14 the purpose for which the appropriation is made.

15 (8) ADJUDICATION OF TAX APPEALS. In the schedule under section 20.005 (3) of the
16 statutes for the appropriation to the department of administration under section
17 20.505 (4) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
18 decreased by \$20,800 for fiscal year 2001–02 and the dollar amount is decreased by
19 \$30,000 for fiscal year 2002–03 to decrease funding for the purpose for which the
20 appropriation is made.

21 (9) COMMITTEES AND INTERSTATE BODIES. In the schedule under section 20.005
22 (3) of the statutes for the appropriation to the department of administration under
23 section 20.505 (4) (ba) of the statutes, as affected by the acts of 2001, the dollar
24 amount is decreased by \$135,000 for fiscal year 2002–03 to decrease funding for the
25 purposes for which the appropriation is made.

1 (10) WOMEN'S COUNCIL OPERATIONS. In the schedule under section 20.005 (3) of
2 the statutes for the appropriation to the department of administration under section
3 20.505 (4) (ea) of the statutes, as affected by the acts of 2001, the dollar amount is
4 decreased by \$3,600 for fiscal year 2001–02 and the dollar amount is decreased by
5 \$5,200 for fiscal year 2002–03 to decrease funding for the purpose for which the
6 appropriation is made.

7 (11) VOLUNTEER FIRE FIGHTER AND EMERGENCY MEDICAL TECHNICIAN AWARD
8 OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the
9 appropriation to the department of administration under section 20.505 (4) (ec) of the
10 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$700 for
11 fiscal year 2001–02 and the dollar amount is decreased by \$1,100 for fiscal year
12 2002–03 to decrease funding for the purposes for which the appropriation is made.

13 (12) OFFICE OF JUSTICE ASSISTANCE GENERAL PROGRAM OPERATIONS. In the
14 schedule under section 20.005 (3) of the statutes for the appropriation to the
15 department of administration under section 20.505 (6) (a) of the statutes, as affected
16 by the acts of 2001, the dollar amount is decreased by \$13,600 for fiscal year 2001–02
17 and the dollar amount is decreased by \$19,500 for fiscal year 2002–03 to decrease
18 funding for the purpose for which the appropriation is made.

19 (13) DIVISION OF GAMING; RACING AND PARI-MUTUEL WAGERING. In the schedule
20 under section 20.005 (3) of the statutes for the appropriation to the department of
21 administration under section 20.505 (8) (b) of the statutes, as affected by the acts of
22 2001, the dollar amount is decreased by \$164,100 for fiscal year 2002–03 to decrease
23 funding for the purpose for which the appropriation is made.

24 **SECTION 9202. Appropriation changes; adolescent pregnancy**
25 **prevention and pregnancy services board.**

1 (1) GENERAL PROGRAM OPERATIONS DECREASES. In the schedule under section
2 20.005 (3) of the statutes for the appropriation to the adolescent pregnancy
3 prevention and pregnancy services board under section 20.434 (1) (a) of the statutes,
4 as affected by the acts of 2001, the dollar amount is decreased by \$800 for fiscal year
5 2001–02 and the dollar amount is decreased by \$1,400 for fiscal year 2002–03 for the
6 purpose for which the appropriation is made.

7 (2) GRANTS TO ORGANIZATIONS DECREASE. In the schedule under section 20.005
8 (3) of the statutes for the appropriation to the adolescent pregnancy prevention and
9 pregnancy services board under section 20.434 (1) (b) of the statutes, as affected by
10 the acts of 2001, the dollar amount is decreased by \$3,100 for fiscal year 2001–02 and
11 the dollar amount is decreased by \$4,400 for fiscal year 2002–03 for the purpose for
12 which the appropriation is made.

13 **SECTION 9203. Appropriation changes; aging and long-term care**
14 **board.**

15 (1) GENERAL PROGRAM OPERATIONS DECREASES. In the schedule under section
16 20.005 (3) of the statutes for the appropriation to the board on aging and long-term
17 care under section 20.432 (1) (a) of the statutes, as affected by the acts of 2001, the
18 dollar amount is decreased by \$27,400 for fiscal year 2001–02 and the dollar amount
19 is decreased by \$46,900 for fiscal year 2002–03 for the purpose for which the
20 appropriation is made.

21 **SECTION 9204. Appropriation changes; agriculture, trade and**
22 **consumer protection.**

23 (1) SOIL AND WATER RESOURCE MANAGEMENT, ENVIRONMENTAL FUND. In the
24 schedule under section 20.005 (3) of the statutes for the appropriation to the
25 department of agriculture, trade and consumer protection under section 20.115 (7)

1 (qd) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
2 by \$123,100 for fiscal year 2001–02 and the dollar amount is decreased by \$246,200
3 for fiscal year 2002–03 to reduce funding for the purpose for which the appropriation
4 is made.

5 (2) FOOD SAFETY AND CONSUMER PROTECTION. In the schedule under section
6 20.005 (3) of the statutes for the appropriation to the department of agriculture,
7 trade and consumer protection under section 20.115 (1) (a) of the statutes, as affected
8 by the acts of 2001, the dollar amount is increased by \$175,900 for fiscal year 2001–02
9 and the dollar amount is increased by \$93,400 for fiscal year 2002–03 to reflect
10 consolidation with the appropriation for automobile repair regulation.

11 (3) PAYMENTS TO ETHANOL PRODUCERS. In the schedule under section 20.005 (3)
12 of the statutes for the appropriation to the department of agriculture, trade and
13 consumer protection under section 20.115 (1) (d) of the statutes, as affected by the
14 acts of 2001, the dollar amount is decreased by \$55,000 for fiscal year 2002–03 to
15 decrease funding for the purpose for which the appropriation is made.

16 (4) ANIMAL HEALTH SERVICES. In the schedule under section 20.005 (3) of the
17 statutes for the appropriation to the department of agriculture, trade and consumer
18 protection under section 20.115 (2) (a) of the statutes, as affected by the acts of 2001,
19 the dollar amount is decreased by \$27,100 for fiscal year 2001–02 and the dollar
20 amount is decreased by \$112,200 for fiscal year 2002–03 to decrease funding for the
21 purpose for which the appropriation is made.

22 (5) MARKETING SERVICES. In the schedule under section 20.005 (3) of the statutes
23 for the appropriation to the department of agriculture, trade and consumer
24 protection under section 20.115 (3) (a) of the statutes, as affected by the acts of 2001,
25 the dollar amount is decreased by \$203,900 for fiscal year 2001–02 and the dollar

1 amount is decreased by \$275,000 for fiscal year 2002–03 to decrease funding for the
2 purpose for which the appropriation is made.

3 (6) AID TO WISCONSIN LIVESTOCK BREEDERS ASSOCIATION. In the schedule under
4 section 20.005 (3) of the statutes for the appropriation to the department of
5 agriculture, trade and consumer protection under section 20.115 (4) (a) of the
6 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$2,000 for
7 fiscal year 2002–03 to decrease funding for the purpose for which the appropriation
8 is made.

9 (7) AIDS TO COUNTY AND DISTRICT FAIRS. In the schedule under section 20.005 (3)
10 of the statutes for the appropriation to the department of agriculture, trade and
11 consumer protection under section 20.115 (4) (b) of the statutes, as affected by the
12 acts of 2001, the dollar amount is decreased by \$20,500 for fiscal year 2001–02 and
13 the dollar amount is decreased by \$29,300 for fiscal year 2002–03 to decrease funding
14 for the purpose for which the appropriation is made.

15 (8) AGRICULTURAL INVESTMENT AIDS. In the schedule under section 20.005 (3) of
16 the statutes for the appropriation to the department of agriculture, trade and
17 consumer protection under section 20.115 (4) (c) of the statutes, as affected by the
18 acts of 2001, the dollar amount is decreased by \$15,400 for fiscal year 2001–02 and
19 the dollar amount is decreased by \$20,000 for fiscal year 2002–03 to decrease funding
20 for the purposes for which the appropriation is made.

21 (9) FARMER TUITION ASSISTANCE GRANTS. In the schedule under section 20.005 (3)
22 of the statutes for the appropriation to the department of agriculture, trade and
23 consumer protection under section 20.115 (4) (d) of the statutes, as affected by the
24 acts of 2001, the dollar amount is decreased by \$200 for fiscal year 2001–02 and the

1 dollar amount is decreased by \$300 for fiscal year 2002–03 to decrease funding for
2 the purpose for which the appropriation is made.

3 (10) AIDS TO WORLD DAIRY EXPO, INC. In the schedule under section 20.005 (3)
4 of the statutes for the appropriation to the department of agriculture, trade and
5 consumer protection under section 20.115 (4) (e) of the statutes, as affected by the
6 acts of 2001, the dollar amount is decreased by \$900 for fiscal year 2001–02 and the
7 dollar amount is decreased by \$1,300 for fiscal year 2002–03 to decrease funding for
8 the purpose for which the appropriation is made.

9 (11) AGRICULTURAL RESOURCE MANAGEMENT. In the schedule under section
10 20.005 (3) of the statutes for the appropriation to the department of agriculture,
11 trade and consumer protection under section 20.115 (7) (a) of the statutes, as affected
12 by the acts of 2001, the dollar amount is decreased by \$22,400 for fiscal year 2001–02
13 and the dollar amount is decreased by \$36,400 for fiscal year 2002–03 to decrease
14 funding for the purpose for which the appropriation is made.

15 (12) SOIL AND WATER RESOURCE MANAGEMENT PROGRAM. In the schedule under
16 section 20.005 (3) of the statutes for the appropriation to the department of
17 agriculture, trade and consumer protection under section 20.115 (7) (c) of the
18 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$205,600
19 for fiscal year 2001–02 and the dollar amount is decreased by \$293,800 for fiscal year
20 2002–03 to decrease funding for the purpose for which the appropriation is made.

21 (13) DRAINAGE BOARD GRANTS. In the schedule under section 20.005 (3) of the
22 statutes for the appropriation to the department of agriculture, trade and consumer
23 protection under section 20.115 (7) (d) of the statutes, as affected by the acts of 2001,
24 the dollar amount is decreased by \$17,500 for fiscal year 2001–02 and the dollar

1 amount is decreased by \$25,000 for fiscal year 2002–03 to decrease funding for the
2 purpose for which the appropriation is made.

3 (14) CENTRAL ADMINISTRATIVE SERVICES. In the schedule under section 20.005 (3)
4 of the statutes for the appropriation to the department of agriculture, trade and
5 consumer protection under section 20.115 (8) (a) of the statutes, as affected by the
6 acts of 2001, the dollar amount is decreased by \$83,200 for fiscal year 2001–02 and
7 the dollar amount is decreased by \$135,200 for fiscal year 2002–03 to decrease
8 funding for the purpose for which the appropriation is made.

9 **SECTION 9205. Appropriation changes; arts board.**

10 (1) SUPPORT OF ARTS PROJECT. In the schedule under section 20.005 (3) of the
11 statutes for the appropriation to the arts board under section 20.215 (1) (a) of the
12 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$12,400
13 for fiscal year 2001–02 and the dollar amount is decreased by \$17,600 for fiscal year
14 2002–03 to decrease funding for the purposes for which the appropriation is made.

15 (2) STATE AID FOR THE ARTS. In the schedule under section 20.005 (3) of the
16 statutes for the appropriation to the arts board under section 20.215 (1) (b) of the
17 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$43,400
18 for fiscal year 2001–02 and the dollar amount is decreased by \$62,000 for fiscal year
19 2002–03 to decrease funding for the purpose for which the appropriation is made.

20 (3) CHALLENGE GRANT PROGRAM. In the schedule under section 20.005 (3) of the
21 statutes for the appropriation to the arts board under section 20.215 (1) (d) of the
22 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$28,700
23 for fiscal year 2001–02 and the dollar amount is decreased by \$41,000 for fiscal year
24 2002–03 to decrease funding for the purpose for which the appropriation is made.

1 (4) WISCONSIN REGRANTING PROGRAM. In the schedule under section 20.005 (3)
2 of the statutes for the appropriation to the arts board under section 20.215 (1) (f) of
3 the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$5,300
4 for fiscal year 2001–02 and the dollar amount is decreased by \$7,500 for fiscal year
5 2002–03 to decrease funding for the purpose for which the appropriation is made.

6 (5f) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
7 the statutes for the appropriation to the arts board under section 20.215 (1) (a) of the
8 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$3,500 for
9 fiscal year 2002–03 to decrease funding for the purposes for which the appropriation
10 is made.

11 **SECTION 9206. Appropriation changes; boundary area commission,**
12 **Minnesota–Wisconsin.**

13 **SECTION 9207. Appropriation changes; building commission.**

14 **SECTION 9208. Appropriation changes; child abuse and neglect**
15 **prevention board.**

16 **SECTION 9209. Appropriation changes; circuit courts.**

17 **SECTION 9210. Appropriation changes; commerce.**

18 (2) SAFETY AND BUILDINGS OPERATIONS, PETROLEUM INSPECTION FUND. In the
19 schedule under section 20.005 (3) of the statutes for the appropriation to the
20 department of commerce under section 20.143 (3) (r) of the statutes, as affected by
21 the acts of 2001, the dollar amount is decreased by \$365,500 for fiscal year 2001–02
22 and the dollar amount is decreased by \$665,000 for fiscal year 2002–03 to decrease
23 funding for the purposes for which the appropriation is made.

24 (3) PETROLEUM STORAGE REMEDIAL ACTION ADMINISTRATION, PETROLEUM INSPECTION
25 FUND. In the schedule under section 20.005 (3) of the statutes for the appropriation

1 to the department of commerce under section 20.143 (3) (w) of the statutes, as
2 affected by the acts of 2001, the dollar amount is decreased by \$63,000 for fiscal year
3 2001–02 and the dollar amount is decreased by \$90,000 for fiscal year 2002–03 to
4 decrease funding for the purpose for which the appropriation is made.

5 (4) PETROLEUM INSPECTION FUND TRANSFER. There is transferred from the
6 petroleum inspection fund to the general fund \$428,500 in fiscal year 2001–02 and
7 \$755,000 in fiscal year 2002–03.

8 (5) GENERAL PROGRAM OPERATIONS; ECONOMIC AND COMMUNITY DEVELOPMENT. In
9 the schedule under section 20.005 (3) of the statutes for the appropriation to the
10 department of commerce under section 20.143 (1) (a) of the statutes, as affected by
11 the acts of 2001, the dollar amount is decreased by \$111,100 for fiscal year 2001–02
12 and the dollar amount is decreased by \$187,500 for fiscal year 2002–03 to decrease
13 funding for the purposes for which the appropriation is made.

14 (6) ECONOMIC DEVELOPMENT PROMOTION. In the schedule under section 20.005
15 (3) of the statutes for the appropriation to the department of commerce under section
16 20.143 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount is
17 decreased by \$13,100 for fiscal year 2002–03 to decrease funding for the purposes for
18 which the appropriation is made.

19 (7) AID TO FORWARD WISCONSIN, INC. In the schedule under section 20.005 (3)
20 of the statutes for the appropriation to the department of commerce under section
21 20.143 (1) (bm) of the statutes, as affected by the acts of 2001, the dollar amount is
22 decreased by \$25,000 for fiscal year 2002–03 to decrease funding for the purposes for
23 which the appropriation is made.

24 (8) MAIN STREET PROGRAM. In the schedule under section 20.005 (3) of the
25 statutes for the appropriation to the department of commerce under section 20.143

1 (1) (dr) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
2 by \$15,000 for fiscal year 2001–02 and the dollar amount is decreased by \$21,900 for
3 fiscal year 2002–03 to decrease funding for the purposes for which the appropriation
4 is made.

5 (9) GENERAL PROGRAM OPERATIONS; TECHNOLOGY-BASED ECONOMIC DEVELOPMENT.
6 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
7 department of commerce under section 20.143 (1) (e) of the statutes, as affected by
8 the acts of 2001, the dollar amount is decreased by \$6,300 for fiscal year 2002–03 to
9 decrease funding for the purposes for which the appropriation is made.

10 (10) PRIVATE SEWAGE SYSTEM REPLACEMENT AND REHABILITATION. In the schedule
11 under section 20.005 (3) of the statutes for the appropriation to the department of
12 commerce under section 20.143 (3) (de) of the statutes, as affected by the acts of 2001,
13 the dollar amount is decreased by \$330,900 for fiscal year 2001–02 and the dollar
14 amount is decreased by \$501,000 for fiscal year 2002–03 to decrease funding for the
15 purposes for which the appropriation is made.

16 (11) GENERAL PROGRAM OPERATIONS; EXECUTIVE AND ADMINISTRATIVE SERVICES. In
17 the schedule under section 20.005 (3) of the statutes for the appropriation to the
18 department of commerce under section 20.143 (4) (a) of the statutes, as affected by
19 the acts of 2001, the dollar amount is decreased by \$103,800 for fiscal year 2001–02
20 and the dollar amount is decreased by \$87,500 for fiscal year 2002–03 to decrease
21 funding for the purposes for which the appropriation is made.

22 **SECTION 9211. Appropriation changes; corrections.**

23 (1) INMATE SECURE WORK PROGRAM. In the schedule under section 20.005 (3) of
24 the statutes for the appropriation to the department of corrections under section
25 20.410 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is

1 decreased by \$171,500 for fiscal year 2002–03 to decrease the authorized FTE
2 positions for the department by 3.0 GPR positions for the inmate secure work
3 program.

4 (2) JAIL REIMBURSEMENT. In the schedule under section 20.005 (3) of the statutes
5 for the appropriation to the department of corrections under section 20.410 (1) (bn)
6 of the statutes, as affected by the acts of 2001, the dollar amount is increased by
7 \$466,600 for fiscal year 2001–02 and the dollar amount is increased by \$915,300 for
8 fiscal year 2002–03 for the purpose for which the appropriation is made.

9 (3) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
10 the statutes for the appropriation to the department of corrections under section
11 20.410 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
12 decreased by \$1,229,400 for fiscal year 2001–02 and the dollar amount is decreased
13 by \$2,534,800 for fiscal year 2002–03 to decrease funding for the purposes for which
14 the appropriation is made.

15 (4) INSTITUTIONAL REPAIR AND MAINTENANCE. In the schedule under section
16 20.005 (3) of the statutes for the appropriation to the department of corrections under
17 section 20.410 (1) (aa) of the statutes, as affected by the acts of 2001, the dollar
18 amount is decreased by \$201,300 for fiscal year 2002–03 to decrease funding for the
19 purpose for which the appropriation is made.

20 (5) CORRECTIONS CONTRACTS AND AGREEMENTS. In the schedule under section
21 20.005 (3) of the statutes for the appropriation to the department of corrections under
22 section 20.410 (1) (ab) of the statutes, as affected by the acts of 2001, the dollar
23 amount is decreased by \$2,225,400 for fiscal year 2002–03 to decrease funding for the
24 purpose for which the appropriation is made.

1 (6) SERVICES FOR COMMUNITY CORRECTIONS. In the schedule under section 20.005
2 (3) of the statutes for the appropriation to the department of corrections under
3 section 20.410 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount
4 is decreased by \$7,293,000 for fiscal year 2002–03 to decrease funding for the
5 purposes for which the appropriation is made.

6 (7) PURCHASED SERVICES FOR OFFENDERS. In the schedule under section 20.005
7 (3) of the statutes for the appropriation to the department of corrections under
8 section 20.410 (1) (d) of the statutes, as affected by the acts of 2001, the dollar amount
9 is decreased by \$1,302,600 for fiscal year 2002–03 to decrease funding for the
10 purposes for which the appropriation is made.

11 (8) ENERGY COSTS. In the schedule under section 20.005 (3) of the statutes for
12 the appropriation to the department of corrections under section 20.410 (1) (f) of the
13 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$617,000
14 for fiscal year 2002–03 to decrease funding for the purposes for which the
15 appropriation is made.

16 (9) PAROLE PROGRAM; GENERAL PROGRAM OPERATIONS. In the schedule under
17 section 20.005 (3) of the statutes for the appropriation to the department of
18 corrections under section 20.410 (2) (a) of the statutes, as affected by the acts of 2001,
19 the dollar amount is decreased by \$5,600 for fiscal year 2002–03 to decrease funding
20 for the purpose for the which the appropriation is made.

21 (10) JUVENILE CORRECTIONS SERVICES; GENERAL PROGRAM OPERATIONS. In the
22 schedule under section 20.005 (3) of the statutes for the appropriation to the
23 department of corrections under section 20.410 (3) (a) of the statutes, as affected by
24 the acts of 2001, the dollar amount is decreased by \$14,700 for fiscal year 2002–03
25 to decrease funding for the purposes for which the appropriation is made.

1 (11) INSTITUTION DELAYS; GENERAL PROGRAM OPERATIONS. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of
3 corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 2001,
4 the dollar amount is decreased by \$229,900 for fiscal year 2001–02 and the dollar
5 amount is decreased by \$14,560,100 for fiscal year 2002–03 to decrease the
6 authorized FTE positions for the department by 496.53 GPR positions on July 1,
7 2002, as the result of delaying the opening of the New Lisbon Correctional
8 Institution, Highview Correctional Institution, the Oshkosh Correctional
9 Institution segregation unit, the Winnebago and Sturtevant workhouses, and the
10 Racine probation and parole holding facilities that are authorized in 2001 Wisconsin
11 Act 16.

12 (11c) INSTITUTIONAL DELAYS; STANLEY. In the schedule under section 20.005 (3)
13 of the statutes for the appropriation to the department of corrections under section
14 20.410 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
15 decreased by \$3,296,200 for fiscal year 2001–02 for the purpose of delaying the
16 opening of the Stanley Correctional Institution.

17 (12) INSTITUTION DELAYS; INSTITUTIONAL REPAIR AND MAINTENANCE. In the
18 schedule under section 20.005 (3) of the statutes for the appropriation to the
19 department of corrections under section 20.410 (1) (aa) of the statutes, as affected by
20 the acts of 2001, the dollar amount is decreased by \$4,700 for fiscal year 2001–02 and
21 the dollar amount is decreased by \$242,000 for fiscal year 2002–03 for the purpose
22 of delaying the opening of the New Lisbon Correctional Institution, the Highview
23 Correctional Institution, the Oshkosh Correctional Institution segregation unit, the
24 Winnebago and Sturtevant workhouses, and the Racine probation and parole
25 holding facilities that are authorized in 2001 Wisconsin Act 16.

1 (13) INSTITUTION DELAYS; CORRECTIONS CONTRACTS AND AGREEMENTS. In the
2 schedule under section 20.005 (3) of the statutes for the appropriation to the
3 department of corrections under section 20.410 (1) (ab) of the statutes, as affected by
4 the acts of 2001, the dollar amount is increased by \$275,600 for fiscal year 2001–02
5 and the dollar amount is increased by \$4,828,800 for fiscal year 2002–03 as a result
6 of delaying the opening of the New Lisbon Correctional Institution, the Highview
7 Correctional Institution, the Oshkosh Correctional Institution segregation unit, the
8 Winnebago and Sturtevant workhouses, and the Racine probation and parole
9 holding facilities that are authorized in 2001 Wisconsin Act 16.

10 (14) INSTITUTION DELAYS; SERVICES FOR COMMUNITY CORRECTIONS. In the schedule
11 under section 20.005 (3) of the statutes for the appropriation to the department of
12 corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 2001,
13 the dollar amount is decreased by \$948,000 for fiscal year 2001–02 and the dollar
14 amount is decreased by \$5,310,200 for fiscal year 2002–03 to decrease the authorized
15 FTE positions for the department by 25.0 GPR positions on the effective date of this
16 subsection and 100.0 GPR positions on July 1, 2002, as the result of delaying the
17 opening of the New Lisbon Correctional Institution, Highview Correctional
18 Institution, the Oshkosh Correctional Institution segregation unit, the Winnebago
19 and Sturtevant workhouses, and the Racine probation and parole holding facilities
20 that are authorized in 2001 Wisconsin Act 16.

21 (15) INSTITUTION DELAYS; PURCHASED SERVICES FOR OFFENDERS. In the schedule
22 under section 20.005 (3) of the statutes for the appropriation to the department of
23 corrections under section 20.410 (1) (d) of the statutes, as affected by the acts of 2001,
24 the dollar amount is decreased by \$20,600 for fiscal year 2001–02 and the dollar
25 amount is decreased by \$214,000 for fiscal year 2002–03 for the purpose of delaying

1 the opening of the New Lisbon Correctional Institution, the Highview Correctional
2 Institution, the Oshkosh Correctional Institution segregation unit, the Winnebago
3 and Sturtevant workhouses, and the Racine probation and parole holding facilities
4 that are authorized in 2001 Wisconsin Act 16.

5 (16) INSTITUTION DELAYS; ENERGY COSTS. In the schedule under section 20.005 (3)
6 of the statutes for the appropriation to the department of corrections under section
7 20.410 (1) (f) of the statutes, as affected by the acts of 2001, the dollar amount is
8 decreased by \$9,700 for fiscal year 2001–02 and the dollar amount is decreased by
9 \$44,700 for fiscal year 2002–03 for the purpose of delaying the opening of the New
10 Lisbon Correctional Institution, the Highview Correctional Institution, the Oshkosh
11 Correctional Institution segregation unit, the Winnebago and Sturtevant
12 workhouses, and the Racine probation and parole holding facilities that are
13 authorized in 2001 Wisconsin Act 16.

14 (17) INSTITUTION DELAYS; INSTITUTIONAL OPERATIONS AND CHARGES. In the
15 schedule under section 20.005 (3) of the statutes for the appropriation to the
16 department of corrections under section 20.410 (1) (kk) of the statutes, as affected
17 by the acts of 2001, the dollar amount is decreased by \$24,400 for fiscal year 2002–03
18 to decrease the authorized FTE positions for the department by 0.8 PR positions on
19 July 1, 2002, as the result of delaying the opening of the New Lisbon Correctional
20 Institution, Highview Correctional Institution, the Oshkosh Correctional
21 Institution segregation unit, the Winnebago and Sturtevant workhouses, and the
22 Racine probation and parole holding facilities that are authorized in 2001 Wisconsin
23 Act 16.

24 (18) INSTITUTION DELAYS; PRISON INDUSTRIES. In the schedule under section
25 20.005 (3) of the statutes for the appropriation to the department of corrections under

1 section 20.410 (1) (km) of the statutes, as affected by the acts of 2001, the dollar
2 amount is decreased by \$98,100 for fiscal year 2002–03 to decrease the authorized
3 FTE positions for the department by 3.0 PR positions on July 1, 2002, as the result
4 of delaying the opening of the New Lisbon Correctional Institution, Highview
5 Correctional Institution, the Oshkosh Correctional Institution segregation unit, the
6 Winnebago and Sturtevant workhouses, and the Racine probation and parole
7 holding facilities that are authorized in 2001 Wisconsin Act 16.

8 (19) ADULT CORRECTIONS; GENERAL PROGRAM OPERATIONS. In the schedule under
9 section 20.005 (3) of the statutes for the appropriation to the department of
10 corrections under section 20.410 (1) (a) of the statutes, as affected by the acts of 2001,
11 the dollar amount is decreased by \$6,566,100 for fiscal year 2002–03 to decrease the
12 authorized FTE positions for the department by 3.0 GPR chaplains, 6.0 GPR
13 teachers, 3.0 GPR teaching assistants, 50.0 GPR unit supervisors, 39.25 GPR
14 officers, and 20.0 GPR positions that are vacant on July 1, 2002.

15 (20) ADULT CORRECTIONS; SERVICES FOR COMMUNITY CORRECTIONS. In the schedule
16 under section 20.005 (3) of the statutes for the appropriation to the department of
17 corrections under section 20.410 (1) (b) of the statutes, as affected by the acts of 2001,
18 the dollar amount is decreased by \$3,698,700 for fiscal year 2002–03 to decrease the
19 authorized FTE positions for the department by 3.0 GPR community corrections
20 officers, 55.5 GPR probation and parole staff, by 3.0 GPR unit supervisors, and 8.0
21 GPR positions that are vacant on July 1, 2002.

22 (21) PROBATION, PAROLE, AND EXTENDED SUPERVISION FEES. In the schedule under
23 section 20.005 (3) of the statutes for the appropriation to the department of
24 corrections under section 20.410 (1) (gf) of the statutes, as affected by the acts of 2001,

1 the dollar amount is increased by \$5,884,800 for fiscal year 2002–03 to increase
2 funding for the purpose for which the appropriation is made.

3 (22) INMATE ROOM AND BOARD; INMATE MEDICAL AND DENTAL COPAYMENTS. In the
4 schedule under section 20.005 (3) of the statutes for the appropriation to the
5 department of corrections under section 20.410 (1) (gi) of the statutes, as affected by
6 the acts of 2001, the dollar amount is increased by \$1,635,500 for fiscal year 2002–03
7 to increase funding for the purposes for which the appropriation is made.

8 **SECTION 9212. Appropriation changes; court of appeals.**

9 **SECTION 9213. Appropriation changes; district attorneys.**

10 (1f) SALARIES AND FRINGE BENEFITS. In the schedule under section 20.005 (3) of
11 the statutes for the appropriation to the department of administration under section
12 20.475 (1) (d) of the statutes, as affected by the acts of 2001, the dollar amount is
13 decreased by \$361,100 for fiscal year 2002–03 to decrease funding for the purposes
14 for which the appropriation is made.

15 **SECTION 9214. Appropriation changes; educational communications**
16 **board.**

17 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
18 the statutes for the appropriation to the educational communications board under
19 section 20.225 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount
20 is decreased by \$134,500 for fiscal year 2001–02 and the dollar amount is decreased
21 by \$192,200 for fiscal year 2002–03 to decrease funding for the purposes for which
22 the appropriation is made.

23 (2) MILWAUKEE AREA TECHNICAL COLLEGE. In the schedule under section 20.005
24 (3) of the statutes for the appropriation to the educational communications board
25 under section 20.225 (1) (d) of the statutes, as affected by the acts of 2001, the dollar

1 amount is decreased by \$11,600 for fiscal year 2001–02 and the dollar amount is
2 decreased by \$16,500 for fiscal year 2002–03 to decrease funding for the purpose for
3 which the appropriation is made.

4 (3) TRANSMITTER OPERATION. In the schedule under section 20.005 (3) of the
5 statutes for the appropriation to the educational communications board under
6 section 20.225 (1) (er) of the statutes, as affected by the acts of 2001, the dollar
7 amount is decreased by \$900 for fiscal year 2001–02 and the dollar amount is
8 decreased by \$1,300 for fiscal year 2002–03 to decrease funding for the purpose for
9 which the appropriation is made.

10 (4) PROGRAMMING. In the schedule under section 20.005 (3) of the statutes for
11 the appropriation to the educational communications board under section 20.225 (1)
12 (f) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by
13 \$56,400 for fiscal year 2001–02 and the dollar amount is decreased by \$80,700 for
14 fiscal year 2002–03 to decrease funding for the purpose for which the appropriation
15 is made.

16 **SECTION 9215. Appropriation changes; elections board.**

17 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
18 the statutes for the appropriation to the elections board under section 20.510 (1) (a)
19 of the statutes, as affected by the acts of 2001, the dollar amount is decreased by
20 \$32,400 for fiscal year 2001–02 and the dollar amount is decreased by \$46,400 for
21 fiscal year 2002–03 to decrease funding for the purpose for which the appropriation
22 is made.

23 (2) TRAINING OF CHIEF INSPECTORS. In the schedule under section 20.005 (3) of
24 the statutes for the appropriation to the elections board under section 20.510 (1) (bm)
25 of the statutes, as affected by the acts of 2001, the dollar amount is decreased by

1 \$1,600 for fiscal year 2001–02 to decrease funding for the purpose for which the
2 appropriation is made.

3 (2v) CHIEF INSPECTOR TRAINING AND CERTIFICATION IMPLEMENTATION FUNDING.
4 There is transferred from the appropriation to the elections board under section
5 20.510 (1) (bm) of the statutes, as affected by the acts of 2001, to the appropriation
6 to the elections board under section 20.510 (1) (a) of the statutes, as affected by the
7 acts of 2001, \$38,400 in fiscal year 2001–02 to reflect delayed implementation of chief
8 inspector training and certification, and the amount in the schedule for section
9 20.510 (1) (a) of the statutes in fiscal year 2001–02 is increased by the amount
10 transferred.

11 **SECTION 9216. Appropriation changes; employee trust funds.**

12 (1) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM. In the schedule under
13 section 20.005 (3) of the statutes for the appropriation to the department of employee
14 trust funds under section 20.515 (2) (a) of the statutes, as affected by the acts of 2001,
15 the dollar amount is decreased by \$6,000 for fiscal year 2001–02 to reduce spending
16 for the purpose for which the appropriation is made.

17 **SECTION 9217. Appropriation changes; employment relations**
18 **commission.**

19 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
20 the statutes for the appropriation to the employment relations commission under
21 section 20.425 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount
22 is decreased by \$92,800 for fiscal year 2001–02 and the dollar amount is decreased
23 by \$159,000 for fiscal year 2002–03 to reduce spending for the purpose for which the
24 appropriation is made.

1 **SECTION 9218. Appropriation changes; employment relations**
2 **department.**

3 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
4 the statutes for the appropriation to the department of employment relations under
5 section 20.512 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount
6 is decreased by \$205,000 for fiscal year 2001–02 and the dollar amount is decreased
7 by \$351,500 for fiscal year 2002–03 to reduce spending for the purpose for which the
8 appropriation is made.

9 **SECTION 9219. Appropriation changes; ethics board.**

10 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
11 the statutes for the appropriation to the ethics board under section 20.521 (1) (a) of
12 the statutes, as affected by the acts of 2001, the dollar amount is decreased by \$8,700
13 for fiscal year 2001–02 and the dollar amount is decreased by \$14,900 for fiscal year
14 2002–03 to decrease funding for the purpose for which the appropriation is made.

15 **SECTION 9220. Appropriation changes; financial institutions.**

16 (1e) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
17 the statutes for the appropriation to the department of financial institutions under
18 section 20.144 (1) (g) of the statutes, as affected by the acts of 2001, the dollar amount
19 is decreased by \$531,400 for fiscal year 2001–02 and the dollar amount is decreased
20 by \$759,100 for fiscal year 2002–03 to decrease funding for the purposes for which
21 the appropriation is made.

22 **SECTION 9221. Appropriation changes; governor.**

23 (1) LITERACY IMPROVEMENT AIDS. In the schedule under section 20.005 (3) of the
24 statutes for the appropriation to the office of the governor under section 20.525 (1)
25 (f) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by

1 \$1,400 for fiscal year 2001–02 and the dollar amount is decreased by \$2,800 for fiscal
2 year 2002–03 to decrease funding for the purpose for which the appropriation is
3 made.

4 (1z) APPROPRIATION LAPSES AND REESTIMATES. The governor shall take actions
5 during the 2001–03 fiscal biennium to ensure that from general purpose revenue
6 appropriations for state operations to the office of the governor under section 20.525
7 of the statutes an amount equal to \$521,700 is lapsed from sum certain appropriation
8 accounts or is subtracted from the expenditure estimates for any other types of
9 appropriations, or both.

10 **SECTION 9222. Appropriation changes; Health and Educational**
11 **Facilities Authority.**

12 **SECTION 9223. Appropriation changes; health and family services.**

13 (1) STATEWIDE TRAUMA CARE SYSTEM. In the schedule under section 20.005 (3) of
14 the statutes for the appropriation to the department of health and family services
15 under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001, the dollar
16 amount is increased by \$398,000 for fiscal year 2002–03 to increase the authorized
17 FTE positions for the department by 2.0 GPR project positions for the period ending
18 on June 30, 2003, and to increase funding for the statewide trauma care system
19 under section 146.56 of the statutes.

20 (3) GENERAL PROGRAM OPERATIONS; PUBLIC HEALTH. In the schedule under section
21 20.005 (3) of the statutes for the appropriation to the department of health and family
22 services under section 20.435 (1) (a) of the statutes, as affected by the acts of 2001,
23 the dollar amount is decreased by \$185,900 for fiscal year 2001–02 and the dollar
24 amount is decreased by \$265,500 for fiscal year 2002–03 to decrease funding for the
25 purposes for which the appropriation is made.

1 (4) GENERAL PROGRAM OPERATIONS; CARE AND TREATMENT FACILITIES. In the
2 schedule under section 20.005 (3) of the statutes for the appropriation to the
3 department of health and family services under section 20.435 (2) (a) of the statutes,
4 as affected by the acts of 2001, the dollar amount is decreased by \$44,000 for fiscal
5 year 2001–02 and the dollar amount is decreased by \$62,800 for fiscal year 2002–03
6 to decrease funding for the purposes for which the appropriation is made.

7 (5) GENERAL PROGRAM OPERATIONS; CHILDREN AND FAMILY SERVICES. In the
8 schedule under section 20.005 (3) of the statutes for the appropriation to the
9 department of health and family services under section 20.435 (3) (a) of the statutes,
10 as affected by the acts of 2001, the dollar amount is decreased by \$178,400 for fiscal
11 year 2001–02 and the dollar amount is decreased by \$265,500 for fiscal year 2002–03
12 to decrease funding for the purpose for which the appropriation is made.

13 (6) STATE FOSTER CARE AND ADOPTION SERVICES. In the schedule under section
14 20.005 (3) of the statutes for the appropriation to the department of health and family
15 services under section 20.435 (3) (dd) of the statutes, as affected by the acts of 2001,
16 the dollar amount is increased by \$1,866,100 for fiscal year 2001–02 and the dollar
17 amount is increased by \$2,500,000 for fiscal year 2002–03 to increase funding for the
18 purposes for which the appropriation is made.

19 (7) GENERAL PROGRAM OPERATIONS; HEALTH CARE FINANCING. In the schedule
20 under section 20.005 (3) of the statutes for the appropriation to the department of
21 health and family services under section 20.435 (4) (a) of the statutes, as affected by
22 the acts of 2001, the dollar amount is decreased by \$584,200 for fiscal year 2001–02
23 and the dollar amount is decreased by \$834,600 for fiscal year 2002–03 to decrease
24 funding for the purposes for which the appropriation is made.

1 (8) HEALTH INSURANCE RISK-SHARING PLAN; TRANSFER FOR COSTS. In the schedule
2 under section 20.005 (3) of the statutes for the appropriation to the department of
3 health and family services under section 20.435 (4) (af) of the statutes, as affected
4 by the acts of 2001, the dollar amount is decreased by \$500,000 for fiscal year
5 2002–03 to decrease funding for the purpose for which the appropriation is made.

6 (9) HEALTH INSURANCE RISK-SHARING PLAN; TRANSFER FOR SUBSIDIES. In the
7 schedule under section 20.005 (3) of the statutes for the appropriation to the
8 department of health and family services under section 20.435 (4) (ah) of the
9 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$39,000
10 for fiscal year 2002–03 to decrease funding for the purpose for which the
11 appropriation is made.

12 (10) MEDICAL ASSISTANCE PROGRAM BENEFITS. In the schedule under section
13 20.005 (3) of the statutes for the appropriation to the department of health and family
14 services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2001,
15 the dollar amount is decreased by \$22,018,700 for fiscal year 2001–02 and the dollar
16 amount is decreased by \$13,933,100 for fiscal year 2002–03 to decrease funding for
17 the purposes for which the appropriation is made.

18 (11) MEDICAL ASSISTANCE PROGRAM BENEFITS; INCREASE. In the schedule under
19 section 20.005 (3) of the statutes for the appropriation to the department of health
20 and family services under section 20.435 (4) (b) of the statutes, as affected by the acts
21 of 2001, the dollar amount is increased by \$37,187,100 for fiscal year 2001–02 and
22 the dollar amount is increased by \$37,187,100 for fiscal year 2002–03 to increase
23 funding for the purposes for which the appropriation is made.

24 (12) COMMUNITY INTEGRATION PROGRAMS FUNDING DECREASE. In the schedule
25 under section 20.005 (3) of the statutes for the appropriation to the department of

1 health and family services under section 20.435 (4) (b) of the statutes, as affected by
2 the acts of 2001, the dollar amount is decreased by \$50,000,000 for fiscal year
3 2001–02 to decrease funding for the community integration programs under sections
4 46.275, 46.277, and 46.278 of the statutes.

5 (13) BADGER CARE. In the schedule under section 20.005 (3) of the statutes for
6 the appropriation to the department of health and family services under section
7 20.435 (4) (bc) of the statutes, as affected by the acts of 2001, the dollar amount is
8 decreased by \$4,116,400 for fiscal year 2001–02 and the dollar amount is decreased
9 by \$834,800 for fiscal year 2002–03 to decrease funding for the purpose for which the
10 appropriation is made.

11 (14) COMMUNITY INTEGRATION PROGRAMS FUNDING INCREASE. In the schedule
12 under section 20.005 (3) of the statutes for the appropriation to the department of
13 health and family services under section 20.435 (4) (w) of the statutes, as affected by
14 the acts of 2001, the dollar amount is increased by \$50,000,000 for fiscal year
15 2001–02 to increase funding for the community integration programs under sections
16 46.275, 46.277, and 46.278 of the statutes.

17 (15) GENERAL PROGRAM OPERATIONS; DISABILITIES. In the schedule under section
18 20.005 (3) of the statutes for the appropriation to the department of health and family
19 services under section 20.435 (6) (a) of the statutes, as affected by the acts of 2001,
20 the dollar amount is decreased by \$505,200 for fiscal year 2001–02 and the dollar
21 amount is decreased by \$718,900 for fiscal year 2002–03 to decrease funding for the
22 purposes for which the appropriation is made.

23 (16) STATE COMMUNITY AIDS. In the schedule under section 20.005 (3) of the
24 statutes for the appropriation to the department of health and family services under
25 section 20.435 (7) (b) of the statutes, as affected by the acts of 2001, the dollar amount

1 is increased by \$133,200 for fiscal year 2001–02 and the dollar amount is increased
2 by \$37,600 for fiscal year 2002–03 to increase funding for the purposes for which the
3 appropriation is made.

4 (17) FEDERAL COMMUNITY AIDS TRANSFER. There is transferred from the
5 appropriation to the department of health and family services under section 20.435
6 (7) (o) of the statutes, as affected by the acts of 2001, to the appropriation account to
7 the department of workforce development under section 20.445 (3) (md) of the
8 statutes, as affected by the acts of 2001, \$133,200 in fiscal year 2001–02 and \$37,600
9 in fiscal year 2002–03 to increase funding for the purposes for which the
10 appropriation under section 20.445 (3) (md) of the statutes is made.

11 (18) GENERAL PROGRAM OPERATIONS; GENERAL ADMINISTRATION. In the schedule
12 under section 20.005 (3) of the statutes for the appropriation to the department of
13 health and family services under section 20.435 (8) (a) of the statutes, as affected by
14 the acts of 2001, the dollar amount is decreased by \$634,200 for fiscal year 2001–02
15 and the dollar amount is decreased by \$894,500 for fiscal year 2002–03 to decrease
16 funding to for the purposes for which the appropriation is made.

17 (19c) FEDERAL–STATE RELATIONS OFFICE. In the schedule under section 20.005 (3)
18 of the statutes for the appropriation to the department of health and family services
19 under section 20.435 (8) (a) of the statutes, as affected by the acts of 2001, the dollar
20 amount is decreased by \$74,500 for fiscal year 2002–03 to decrease the authorized
21 FTE positions for the department by 1.0 GPR position associated with the
22 federal–state relations office.

23 **SECTION 9224. Appropriation changes; higher educational aids board.**

24 (1) WISCONSIN HIGHER EDUCATION GRANTS; UNIVERSITY OF WISCONSIN SYSTEM
25 STUDENTS. In the schedule under section 20.005 (3) of the statutes for the

1 appropriation to the higher educational aids board under section 20.235 (1) (fe) of the
2 statutes, as affected by the acts of 2001, the dollar amount is increased by \$1,200,000
3 for fiscal year 2002–03 to increase funding for the purpose for which the
4 appropriation is made.

5 (2) WISCONSIN HIGHER EDUCATION GRANTS; TECHNICAL COLLEGE STUDENTS. In the
6 schedule under section 20.005 (3) of the statutes for the appropriation to the higher
7 educational aids board under section 20.235 (1) (ff) of the statutes, as affected by the
8 acts of 2001, the dollar amount is increased by \$800,000 for fiscal year 2002–03 to
9 increase funding for the purpose for which the appropriation is made.

10 (3) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
11 the statutes for the appropriation to the higher educational aids board under section
12 20.235 (2) (aa) of the statutes, as affected by the acts of 2001, the dollar amount is
13 decreased by \$28,100 for fiscal year 2001–02 and the dollar amount is decreased by
14 \$40,100 for fiscal year 2002–03 to decrease funding for the purposes for which the
15 appropriation is made.

16 (4f) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
17 the statutes for the appropriation to the higher educational aids board under section
18 20.235 (2) (aa) of the statutes, as affected by the acts of 2001, the dollar amount is
19 decreased by \$8,000 for fiscal year 2002–03 to decrease funding for the purposes for
20 which the appropriation is made.

21 **SECTION 9225. Appropriation changes; historical society.**

22 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
23 the statutes for the appropriation to the historical society under section 20.245 (1)
24 (a) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by
25 \$251,400 for fiscal year 2001–02 and the dollar amount is decreased by \$359,200 for

1 fiscal year 2002–03 to decrease funding for the purposes for which the appropriation
2 is made.

3 (2) GENERAL PROGRAM OPERATIONS; HISTORIC SITES AND MUSEUM SERVICES. In the
4 schedule under section 20.005 (3) of the statutes for the appropriation to the
5 historical society under section 20.245 (1) (ag) of the statutes, as affected by the acts
6 of 2001, the dollar amount is decreased by \$102,800 for fiscal year 2001–02 to
7 decrease funding for the purposes for which the appropriation is made.

8 (3f) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
9 the statutes for the appropriation to the historical society under section 20.245 (1)
10 (a) of the statutes, as affected by the acts of 2001, the dollar amount is increased by
11 \$2,690,100 for fiscal year 2002–03 to increase the authorized FTE positions for the
12 historical society by 36.5 GPR positions.

13 **SECTION 9226. Appropriation changes; Housing and Economic**
14 **Development Authority.**

15 **SECTION 9227. Appropriation changes; insurance.**

16 **SECTION 9228. Appropriation changes; investment board.**

17 **SECTION 9229. Appropriation changes; joint committee on finance.**

18 (1k) SUPPLEMENTAL APPROPRIATION. In the schedule under section 20.005 (3) of
19 the statutes for the appropriation to the joint committee on finance under section
20 20.865 (4) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
21 increased by \$232,300 for fiscal year 2001–02 to increase funding for the purposes
22 for which the appropriation is made.

23 **SECTION 9230. Appropriation changes; judicial commission.**

24 **SECTION 9231. Appropriation changes; justice.**

1 (1) LEGAL SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule under section
2 20.005 (3) of the statutes for the appropriation to the department of justice under
3 section 20.455 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount
4 is decreased by \$436,800 for fiscal year 2001–02 and the dollar amount is decreased
5 by \$625,300 for fiscal year 2002–03 to decrease funding for the purpose for which the
6 appropriation is made.

7 (2) LEGAL EXPENSES. In the schedule under section 20.005 (3) of the statutes for
8 the appropriation to the department of justice under section 20.455 (1) (d) of the
9 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$31,000
10 for fiscal year 2001–02 and the dollar amount is decreased by \$44,200 for fiscal year
11 2002–03 to decrease funding for the purpose for which the appropriation is made.

12 (3) LAW ENFORCEMENT SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule
13 under section 20.005 (3) of the statutes for the appropriation to the department of
14 justice under section 20.455 (2) (a) of the statutes, as affected by the acts of 2001, the
15 dollar amount is decreased by \$480,400 for fiscal year 2001–02 and the dollar
16 amount is decreased by \$705,000 for fiscal year 2002–03 to decrease funding for the
17 purpose for which the appropriation is made.

18 (4) COMPUTERS FOR TRANSACTION INFORMATION FOR MANAGEMENT OF ENFORCEMENT
19 SYSTEM. In the schedule under section 20.005 (3) of the statutes for the appropriation
20 to the department of justice under section 20.455 (2) (cm) of the statutes, as affected
21 by the acts of 2001, the dollar amount is decreased by \$36,400 for fiscal year 2001–02
22 and the dollar amount is decreased by \$51,900 for fiscal year 2002–03 to decrease
23 funding for the purpose for which the appropriation is made.

24 (5) WEED AND SEED AND LAW ENFORCEMENT TECHNOLOGY. In the schedule under
25 section 20.005 (3) of the statutes for the appropriation to the department of justice

1 under section 20.455 (2) (dg) of the statutes, as affected by the acts of 2001, the dollar
2 amount is decreased by \$17,500 for fiscal year 2001–02 and the dollar amount is
3 decreased by \$25,000 for fiscal year 2002–03 to decrease funding for the purposes for
4 which the appropriation is made.

5 (7) ADMINISTRATIVE SERVICES; GENERAL PROGRAM OPERATIONS. In the schedule
6 under section 20.005 (3) of the statutes for the appropriation to the department of
7 justice under section 20.455 (3) (a) of the statutes, as affected by the acts of 2001, the
8 dollar amount is decreased by \$154,000 for fiscal year 2001–02 and the dollar
9 amount is decreased by \$220,200 for fiscal year 2002–03 to decrease funding for the
10 purpose for which the appropriation is made.

11 (8) VICTIMS AND WITNESSES; GENERAL PROGRAM OPERATIONS. In the schedule under
12 section 20.005 (3) of the statutes for the appropriation to the department of justice
13 under section 20.455 (5) (a) of the statutes, as affected by the acts of 2001, the dollar
14 amount is decreased by \$31,900 for fiscal year 2001–02 and the dollar amount is
15 decreased by \$45,700 for fiscal year 2002–03 to decrease funding for the purpose for
16 which the appropriation is made.

17 (9) AWARDS FOR VICTIMS OF CRIMES. In the schedule under section 20.005 (3) of
18 the statutes for the appropriation to the department of justice under section 20.455
19 (5) (b) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
20 by \$46,300 for fiscal year 2001–02 and the dollar amount is decreased by \$66,200 for
21 fiscal year 2002–03 to decrease funding for the purpose for which the appropriation
22 is made.

23 (10) REIMBURSEMENT FOR VICTIM AND WITNESS SERVICES. In the schedule under
24 section 20.005 (3) of the statutes for the appropriation to the department of justice
25 under section 20.455 (5) (c) of the statutes, as affected by the acts of 2001, the dollar

1 amount is decreased by \$52,400 for fiscal year 2001–02 and the dollar amount is
2 decreased by \$74,900 for fiscal year 2002–03 to decrease funding for the purpose for
3 which the appropriation is made.

4 (11f) GAMING LAW ENFORCEMENT; RACING REVENUES. In the schedule under section
5 20.005 (3) of the statutes for the appropriation to the department of justice under
6 section 20.455 (2) (g) of the statutes, as affected by the acts of 2001, the dollar amount
7 is increased by \$8,800 for fiscal year 2002–03 for the purpose for which the
8 appropriation is made.

9 **SECTION 9232. Appropriation changes; legislature.**

10 (8z) APPROPRIATION LAPSES AND REESTIMATES. The cochairpersons of the joint
11 committee on legislative organization shall take actions during the 2001–03 fiscal
12 biennium to ensure that from general purpose revenue appropriations for state
13 operations to the legislature under section 20.765 of the statutes an amount equal
14 to \$5,116,900 is lapsed from sum certain appropriation accounts or is subtracted
15 from the expenditure estimates for any other types of appropriations, or both.

16 **SECTION 9233. Appropriation changes; lieutenant governor.**

17 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
18 the statutes for the appropriation to the office of the lieutenant governor under
19 section 20.540 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount
20 is decreased by \$19,700 for fiscal year 2001–02 and the dollar amount is decreased
21 by \$33,800 for fiscal year 2002–03 to decrease funding for the purpose for which the
22 appropriation is made.

23 **SECTION 9234. Appropriation changes; lower Wisconsin state riverway**
24 **board.**

25 **SECTION 9235. Appropriation changes; Medical College of Wisconsin.**

1 **SECTION 9236. Appropriation changes; military affairs.**

2 **SECTION 9237. Appropriation changes; natural resources.**

3 (1) NONPOINT SOURCE RESEARCH AND EVALUATION, ENVIRONMENTAL FUND. In the
4 schedule under section 20.005 (3) of the statutes for the appropriation to the
5 department of natural resources under section 20.370 (3) (mt) of the statutes, as
6 affected by the acts of 2001, the dollar amount is decreased by \$9,800 for fiscal year
7 2001–02 and the dollar amount is decreased by \$19,500 for fiscal year 2002–03 to
8 decrease funding for the purpose for which the appropriation is made.

9 (2) TRADING WATER POLLUTION CREDITS, ENVIRONMENTAL FUND. In the schedule
10 under section 20.005 (3) of the statutes for the appropriation to the department of
11 natural resources under section 20.370 (4) (as) of the statutes, as affected by the acts
12 of 2001, the dollar amount is decreased by \$1,300 for fiscal year 2001–02 and the
13 dollar amount is decreased by \$2,500 for fiscal year 2002–03 to decrease funding for
14 the purpose for which the appropriation is made.

15 (3) NONPOINT SOURCE CONTRACTS, ENVIRONMENTAL FUND. In the schedule under
16 section 20.005 (3) of the statutes for the appropriation to the department of natural
17 resources under section 20.370 (4) (at) of the statutes, as affected by the acts of 2001,
18 the dollar amount is decreased by \$81,700 for fiscal year 2002–03 to decrease funding
19 for the purpose for which the appropriation is made.

20 (4) WATER OPERATIONS, ENVIRONMENTAL FUND. In the schedule under section
21 20.005 (3) of the statutes for the appropriation to the department of natural
22 resources under section 20.370 (4) (mq) of the statutes, as affected by the acts of 2001,
23 the dollar amount is decreased by \$8,600 for fiscal year 2002–03 to decrease funding
24 for the purpose for which the appropriation is made.

1 (5) NONPOINT SOURCE OPERATIONS, ENVIRONMENTAL FUND. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of natural
3 resources under section 20.370 (4) (mr) of the statutes, as affected by the acts of 2001,
4 the dollar amount is decreased by \$44,000 for fiscal year 2002–03 to decrease funding
5 for the purpose for which the appropriation is made.

6 (6) RIVER PROTECTION AIDS, ENVIRONMENTAL FUND. In the schedule under section
7 20.005 (3) of the statutes for the appropriation to the department of natural
8 resources under section 20.370 (6) (au) of the statutes, as affected by the acts of 2001,
9 the dollar amount is decreased by \$3,800 for fiscal year 2001–02 and the dollar
10 amount is decreased by \$7,600 for fiscal year 2002–03 to decrease funding for the
11 purpose for which the appropriation is made.

12 (7) URBAN NONPOINT SOURCE AND MUNICIPAL FLOOD CONTROL AIDS, ENVIRONMENTAL
13 FUND. In the schedule under section 20.005 (3) of the statutes for the appropriation
14 to the department of natural resources under section 20.370 (6) (dq) of the statutes,
15 as affected by the acts of 2001, the dollar amount is decreased by \$50,500 for fiscal
16 year 2001–02 and the dollar amount is decreased by \$101,000 for fiscal year 2002–03
17 to decrease funding for the purpose for which the appropriation is made.

18 (8) ADMINISTRATION AND TECHNOLOGY, ENVIRONMENTAL FUND. In the schedule
19 under section 20.005 (3) of the statutes for the appropriation to the department of
20 natural resources under section 20.370 (8) (mv) of the statutes, as affected by the acts
21 of 2001, the dollar amount is decreased by \$18,200 for fiscal year 2001–02 and the
22 dollar amount is decreased by \$36,300 for fiscal year 2002–03 to decrease funding
23 for the purpose for which the appropriation is made.

24 (9) CUSTOMER ASSISTANCE, ENVIRONMENTAL FUND. In the schedule under section
25 20.005 (3) of the statutes for the appropriation to the department of natural

1 resources under section 20.370 (9) (mv) of the statutes, as affected by the acts of 2001,
2 the dollar amount is decreased by \$2,000 for fiscal year 2001–02 and the dollar
3 amount is decreased by \$4,000 for fiscal year 2002–03 to decrease funding for the
4 purpose for which the appropriation is made.

5 (10) ENVIRONMENTAL FUND TRANSFER IN FISCAL YEAR 2001–02. There is transferred
6 from the environmental fund to the general fund \$385,000 in fiscal year 2001–02.

7 (10e) RECYCLING POSITION. In the schedule under section 20.005 (3) of the
8 statutes for the appropriation to the department of natural resources under section
9 20.370 (9) (is) of the statutes, as affected by the acts of 2001, the dollar amount is
10 increased by \$46,600 for fiscal year 2002–03 to increase the authorized FTE positions
11 for the department by 1.0 SEG position to perform recycling communication and
12 education activities.

13 (11) ENFORCEMENT AND SCIENCE, ENVIRONMENTAL FUND. In the schedule under
14 section 20.005 (3) of the statutes for the appropriation to the department of natural
15 resources under section 20.370 (3) (mq) of the statutes, as affected by the acts of 2001,
16 the dollar amount is decreased by \$39,800 for fiscal year 2001–02 and the dollar
17 amount is decreased by \$56,900 for fiscal year 2002–03 to decrease funding for the
18 purposes for which the appropriation is made.

19 (12) WATER ADMINISTRATION, ENVIRONMENTAL FUND. In the schedule under
20 section 20.005 (3) of the statutes for the appropriation to the department of natural
21 resources under section 20.370 (4) (mq) of the statutes, as affected by the acts of 2001,
22 the dollar amount is decreased by \$87,900 for fiscal year 2001–02 and the dollar
23 amount is decreased by \$125,600 for fiscal year 2002–03 to decrease funding for the
24 purpose for which the appropriation is made.

1 (13) NONPOINT SOURCE ADMINISTRATION, ENVIRONMENTAL FUND. In the schedule
2 under section 20.005 (3) of the statutes for the appropriation to the department of
3 natural resources under section 20.370 (4) (mr) of the statutes, as affected by the acts
4 of 2001, the dollar amount is decreased by \$15,600 for fiscal year 2001–02 and the
5 dollar amount is decreased by \$22,300 for fiscal year 2002–03 to decrease funding
6 for the purpose for which the appropriation is made.

7 (14) RECYCLING ADMINISTRATION, RECYCLING FUND. In the schedule under section
8 20.005 (3) of the statutes for the appropriation to the department of natural
9 resources under section 20.370 (8) (iw) of the statutes, as affected by the acts of 2001,
10 the dollar amount is decreased by \$2,900 for fiscal year 2001–02 and the dollar
11 amount is decreased by \$4,200 for fiscal year 2002–03 to decrease funding for the
12 purpose for which the appropriation is made.

13 (15) MOBILE AIR POLLUTION SOURCE ADMINISTRATION, PETROLEUM INSPECTION FUND.
14 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
15 department of natural resources under section 20.370 (8) (mq) of the statutes, as
16 affected by the acts of 2001, the dollar amount is decreased by \$1,800 for fiscal year
17 2001–02 and the dollar amount is decreased by \$2,500 for fiscal year 2002–03 to
18 decrease funding for the purpose for which the appropriation is made.

19 (16) ADMINISTRATION AND TECHNOLOGY OPERATIONS, ENVIRONMENTAL FUND. In the
20 schedule under section 20.005 (3) of the statutes for the appropriation to the natural
21 resources under section 20.370 (8) (mv) of the statutes, as affected by the acts of 2001,
22 the dollar amount is decreased by \$134,300 for fiscal year 2001–02 and the dollar
23 amount is decreased by \$191,900 for fiscal year 2002–03 to decrease funding for the
24 purpose for which the appropriation is made.

1 (17) CUSTOMER SERVICE, ENVIRONMENTAL FUND. In the schedule under section
2 20.005 (3) of the statutes for the appropriation to the natural resources under section
3 20.370 (9) (mv) of the statutes, as affected by the acts of 2001, the dollar amount is
4 decreased by \$21,200 for fiscal year 2001–02 and the dollar amount is decreased by
5 \$30,300 for fiscal year 2002–03 to decrease funding for the purpose for which the
6 appropriation is made.

7 (18) ENVIRONMENTAL FUND TRANSFER. There is transferred from the
8 environmental fund to the general fund \$298,800 in fiscal year 2001–02 and
9 \$427,000 in fiscal year 2002–03.

10 (19) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to
11 the general fund \$2,900 in fiscal year 2001–02 and \$4,200 in fiscal year 2002–03.

12 (20) PETROLEUM INSPECTION FUND TRANSFER. There is transferred from the
13 petroleum inspection fund to the general fund \$1,800 in fiscal year 2001–02 and
14 \$2,500 in fiscal year 2002–03.

15 (22) ENDANGERED RESOURCES, NATURAL HERITAGE INVENTORY PROGRAM. In the
16 schedule under section 20.005 (3) of the statutes for the appropriation to the
17 department of natural resources under section 20.370 (1) (fd) of the statutes, as
18 affected by the acts of 2001, the dollar amount is decreased by \$8,800 for fiscal year
19 2001–02 and the dollar amount is decreased by \$12,500 for fiscal year 2002–03 to
20 decrease funding for the purpose for which the appropriation is made.

21 (23) GENERAL PROGRAM OPERATIONS, LAND. In the schedule under section 20.005
22 (3) of the statutes for the appropriation to the department of natural resources under
23 section 20.370 (1) (ma) of the statutes, as affected by the acts of 2001, the dollar
24 amount is decreased by \$21,400 for fiscal year 2001–02 and the dollar amount is

1 decreased by \$30,600 for fiscal year 2002–03 to decrease funding for the purpose for
2 which the appropriation is made.

3 (24) MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE. In the schedule
4 under section 20.005 (3) of the statutes for the appropriation to the department of
5 natural resources under section 20.370 (2) (cf) of the statutes, as affected by the acts
6 of 2001, the dollar amount is decreased by \$2,400 for fiscal year 2001–02 and the
7 dollar amount is decreased by \$3,400 for fiscal year 2002–03 to decrease funding for
8 the purpose for which the appropriation is made.

9 (25) GENERAL PROGRAM OPERATIONS, SOLID WASTE. In the schedule under section
10 20.005 (3) of the statutes for the appropriation to the department of natural
11 resources under section 20.370 (2) (ma) of the statutes, as affected by the acts of 2001,
12 the dollar amount is decreased by \$149,300 for fiscal year 2001–02 and the dollar
13 amount is decreased by \$176,100 for fiscal year 2002–03 to decrease funding for the
14 purposes for which the appropriation is made.

15 (26) GENERAL PROGRAM OPERATIONS, ENFORCEMENT AND SCIENCE. In the schedule
16 under section 20.005 (3) of the statutes for the appropriation to the department of
17 natural resources under section 20.370 (3) (ma) of the statutes, as affected by the acts
18 of 2001, the dollar amount is decreased by \$170,400 for fiscal year 2001–02 and the
19 dollar amount is decreased by \$303,000 for fiscal year 2002–03 to decrease funding
20 for the purposes for which the appropriation is made.

21 (26g) CONSERVATION WARDEN POSITIONS, GENERAL FUND. In the schedule under
22 section 20.005 (3) of the statutes for the appropriation to the department of natural
23 resources under section 20.370 (3) (ma) of the statutes, as affected by the acts of 2001,
24 the dollar amount is decreased by \$910,700 for fiscal year 2001–02 and the dollar

1 amount is decreased by \$910,700 for fiscal year 2002–03 to decrease the authorized
2 FTE positions for the department by 13.0 GPR conservation warden positions.

3 (26h) CONSERVATION WARDEN POSITIONS, CONSERVATION FUND. In the schedule
4 under section 20.005 (3) of the statutes for the appropriation to the department of
5 natural resources under section 20.370 (3) (mu) of the statutes, as affected by the acts
6 of 2001, the dollar amount is increased by \$910,700 for fiscal year 2001–02 and the
7 dollar amount is increased by \$910,700 for fiscal year 2002–03 to increase the
8 authorized FTE positions for the department by 13.0 SEG conservation warden
9 positions.

10 (27) WATER RESOURCES, REMEDIAL ACTION. In the schedule under section 20.005
11 (3) of the statutes for the appropriation to the department of natural resources under
12 section 20.370 (4) (af) of the statutes, as affected by the acts of 2001, the dollar
13 amount is decreased by \$5,300 for fiscal year 2001–02 and the dollar amount is
14 decreased by \$7,500 for fiscal year 2002–03 to decrease funding for the purpose for
15 which the appropriation is made.

16 (27x) COASTER BROOK TROUT STUDY AND REINTRODUCTION. In the schedule under
17 section 20.005 (3) of the statutes for the appropriation to the department of natural
18 resources under section 20.370 (4) (mu) of the statutes, as affected by the acts of 2001,
19 the dollar amount is increased by \$90,000 for fiscal year 2002–03 to provide funding
20 for costs associated with the study of coaster brook trout and the reintroduction of
21 coaster brook trout into this state.

22 (28) GENERAL PROGRAM OPERATIONS, WATER AND FISHERIES. In the schedule under
23 section 20.005 (3) of the statutes for the appropriation to the department of natural
24 resources under section 20.370 (4) (ma) of the statutes, as affected by the acts of 2001,
25 the dollar amount is decreased by \$965,200 for fiscal year 2001–02 and the dollar

1 amount is decreased by \$1,325,200 for fiscal year 2002–03 to decrease funding for the
2 purpose for which the appropriation is made.

3 (28k) RESOURCE AIDS, NONPROFIT CONSERVATION ORGANIZATIONS. In the schedule
4 under section 20.005 (3) of the statutes for the appropriation to the department of
5 natural resources under section 20.370 (5) (aw) of the statutes, as affected by the acts
6 of 2001, the dollar amount is decreased by \$300,000 for fiscal year 2001–02 to
7 decrease funding for the purpose for which the appropriation is made.

8 (28L) RECREATION AIDS, RECREATIONAL BOATING, AND OTHER PROJECTS. In the
9 schedule under section 20.005 (3) of the statutes for the appropriation to the
10 department of natural resources under section 20.370 (5) (cq) of the statutes, as
11 affected by the acts of 2001, the dollar amount is decreased by \$130,000 for fiscal year
12 2001–02 to decrease funding for the purpose for which the appropriation is made.

13 (29) ENVIRONMENTAL AIDS, NONPOINT SOURCE. In the schedule under section
14 20.005 (3) of the statutes for the appropriation to the department of natural
15 resources under section 20.370 (6) (aa) of the statutes, as affected by the acts of 2001,
16 the dollar amount is decreased by \$30,900 for fiscal year 2001–02 and the dollar
17 amount is decreased by \$44,200 for fiscal year 2002–03 to decrease funding for the
18 purpose for which the appropriation is made.

19 (30) ENVIRONMENTAL PLANNING AIDS, LOCAL WATER QUALITY PLANNING. In the
20 schedule under section 20.005 (3) of the statutes for the appropriation to the
21 department of natural resources under section 20.370 (6) (da) of the statutes, as
22 affected by the acts of 2001, the dollar amount is decreased by \$9,900 for fiscal year
23 2001–02 and the dollar amount is decreased by \$14,200 for fiscal year 2002–03 to
24 decrease funding for the purpose for which the appropriation is made.

1 (31) RESOURCE MAINTENANCE AND DEVELOPMENT, DEBT SERVICE AND DEVELOPMENT.

2 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
3 department of natural resources under section 20.370 (7) (fa) of the statutes, as
4 affected by the acts of 2001, the dollar amount is decreased by \$44,700 for fiscal year
5 2001–02 and the dollar amount is decreased by \$58,200 for fiscal year 2002–03 to
6 decrease funding for the purpose for which the appropriation is made.

7 (32) FACILITIES ACQUISITION, DEBT SERVICE AND DEVELOPMENT. In the schedule
8 under section 20.005 (3) of the statutes for the appropriation to the department of
9 natural resources under section 20.370 (7) (ha) of the statutes, as affected by the acts
10 of 2001, the dollar amount is decreased by \$6,400 for fiscal year 2001–02 and the
11 dollar amount is decreased by \$9,100 for fiscal year 2002–03 to decrease funding for
12 the purpose for which the appropriation is made.

13 (34) GENERAL PROGRAM OPERATIONS, ADMINISTRATION AND TECHNOLOGY. In the
14 schedule under section 20.005 (3) of the statutes for the appropriation to the
15 department of natural resources under section 20.370 (8) (ma) of the statutes, as
16 affected by the acts of 2001, the dollar amount is decreased by \$270,500 for fiscal year
17 2001–02 and the dollar amount is decreased by \$392,400 for fiscal year 2002–03 to
18 decrease funding for the purpose for which the appropriation is made.

19 (35) GENERAL PROGRAM OPERATIONS, CUSTOMER SERVICE. In the schedule under
20 section 20.005 (3) of the statutes for the appropriation to the department of natural
21 resources under section 20.370 (9) (ma) of the statutes, as affected by the acts of 2001,
22 the dollar amount is decreased by \$84,700 for fiscal year 2001–02 and the dollar
23 amount is decreased by \$122,400 for fiscal year 2002–03 to decrease funding for the
24 purposes for which the appropriation is made.

1 (35w) ANIMAL HEALTH PROTECTION. In the schedule under section 20.005 (3) of
2 the statutes for the appropriation to the department of natural resources under
3 section 20.370 (1) (mu) of the statutes, as affected by the acts of 2001, the dollar
4 amount is increased by \$150,000 for fiscal year 2002–03 to enhance the protection
5 of animal health.

6 (36c) WILD CRANE STUDY. In the schedule under section 20.005 (3) of the statutes
7 for the appropriation to the department of natural resources under section 20.370 (1)
8 (kk) of the statutes, as affected by the acts of 2001, the dollar amount is increased
9 by \$10,000 for fiscal year 2001–02 and the dollar amount is increased by \$30,000 for
10 fiscal year 2002–03 for the purpose for which the appropriation is made.

11 (36w) DEBT SERVICE; STATE FOREST ACQUISITION AND DEVELOPMENT. In the
12 schedule under section 20.005 (3) of the statutes for the appropriation to the
13 department of natural resources under section 20.370 (7) (au) of the statutes, as
14 affected by the acts of 2001, the dollar amount is increased by \$4,000,000 for fiscal
15 year 2002–03 to increase funding for the purpose for which the appropriation is
16 made.

17 **SECTION 9238. Appropriation changes; personnel commission.**

18 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
19 the statutes for the appropriation to the personnel commission under section 20.547
20 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
21 by \$30,100 for fiscal year 2001–02 and the dollar amount is decreased by \$51,700 for
22 fiscal year 2002–03 to reduce spending for the purpose for which the appropriation
23 is made.

24 **SECTION 9239. Appropriation changes; public defender board.**

1 (1) PROGRAM ADMINISTRATION. In the schedule under section 20.005 (3) of the
2 statutes for the appropriation to the public defender board under section 20.550 (1)
3 (a) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by
4 \$83,100 for fiscal year 2001–02 and the dollar amount is decreased by \$119,400 for
5 fiscal year 2002–03 to decrease funding for the purpose for which the appropriation
6 is made.

7 (1z) PRIVATE BAR AND INVESTIGATOR REIMBURSEMENT. In the schedule under
8 section 20.005 (3) of the statutes for the appropriation to the public defender board
9 under section 20.550 (1) (d) of the statutes, as affected by the acts of 2001, the dollar
10 amount is increased by \$10,721,200 for fiscal year 2002–03 to increase funding for
11 the purpose for which the appropriation is made.

12 **SECTION 9240. Appropriation changes; public instruction.**

13 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
14 the statutes for the appropriation to the department of public instruction under
15 section 20.255 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount
16 is decreased by \$412,300 for fiscal year 2001–02 and the dollar amount is decreased
17 by \$598,800 for fiscal year 2002–03 to decrease funding for the purposes for which
18 the appropriation is made.

19 (1q) GENERAL PROGRAM OPERATIONS; SCHOOL FOR THE DEAF AND CENTER FOR THE
20 BLIND AND VISUALLY IMPAIRED. In the schedule under section 20.005 (3) of the statutes
21 for the appropriation to the department of public instruction under section 20.255
22 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
23 by \$365,200 for fiscal year 2001–02 and the dollar amount is decreased by \$521,700
24 for fiscal year 2002–03 to decrease funding for the purpose for which the
25 appropriation is made.

1 (2) PUPIL ASSESSMENT. In the schedule under section 20.005 (3) of the statutes
2 for the appropriation to the department of public instruction under section 20.255
3 (1) (dw) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
4 by \$1,083,400 for fiscal year 2001–02 and the dollar amount is decreased by
5 \$2,683,400 for fiscal year 2002–03 to decrease funding for the purpose for which the
6 appropriation is made.

7 (3) AID TO PUBLIC LIBRARY SYSTEMS. In the schedule under section 20.005 (3) of
8 the statutes for the appropriation to the department of public instruction under
9 section 20.255 (3) (e) of the statutes, as affected by the acts of 2001, the dollar amount
10 is decreased by \$737,500 for fiscal year 2002–03 to decrease funding for the purpose
11 for which the appropriation is made.

12 (4) LIBRARY SERVICE CONTRACTS. In the schedule under section 20.005 (3) of the
13 statutes for the appropriation to the department of public instruction under section
14 20.255 (3) (ea) of the statutes, as affected by the acts of 2001, the dollar amount is
15 decreased by \$15,600 for fiscal year 2002–03 to decrease funding for library service
16 contracts, other than the contract with the Wisconsin Regional Library for the Blind
17 and Physically Handicapped.

18 (4f) MINORITY GROUP PUPIL SCHOLARSHIPS. In the schedule under section 20.005
19 (3) of the statutes for the appropriation to the department of public instruction under
20 section 20.255 (3) (fz) of the statutes, as affected by the acts of 2001, the dollar
21 amount is increased by \$500,000 for fiscal year 2002–03 to increase funding for the
22 purpose for which the appropriation is made.

23 **SECTION 9241. Appropriation changes; public lands, board of**
24 **commissioners of.**

25 **SECTION 9242. Appropriation changes; public service commission.**

1 **SECTION 9243. Appropriation changes; regulation and licensing.**

2 **SECTION 9244. Appropriation changes; revenue.**

3 (1) GENERAL PROGRAM OPERATIONS; TAX COLLECTION. In the schedule under
4 section 20.005 (3) of the statutes for the appropriation to the department of revenue
5 under section 20.566 (1) (a) of the statutes, as affected by the acts of 2001, the dollar
6 amount is decreased by \$1,616,300 for fiscal year 2001–02 and the dollar amount is
7 decreased by \$2,362,900 for fiscal year 2002–03 to decrease funding for the purpose
8 for which the appropriation is made.

9 (2) GENERAL PROGRAM OPERATIONS; STATE AND LOCAL FINANCE. In the schedule
10 under section 20.005 (3) of the statutes for the appropriation to the department of
11 revenue under section 20.566 (2) (a) of the statutes, as affected by the acts of 2001,
12 the dollar amount is decreased by \$354,800 for fiscal year 2001–02 and the dollar
13 amount is decreased by \$497,400 for fiscal year 2002–03 to decrease funding for the
14 purpose for which the appropriation is made.

15 (3) GENERAL PROGRAM OPERATIONS; ADMINISTRATIVE SERVICES AND SPACE RENTAL.
16 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
17 department of revenue under section 20.566 (3) (a) of the statutes, as affected by the
18 acts of 2001, the dollar amount is decreased by \$717,400 for fiscal year 2001–02 and
19 the dollar amount is decreased by \$1,032,000 for fiscal year 2002–03 to decrease
20 funding for the purpose for which the appropriation is made.

21 (4) INTEGRATED TAX SYSTEM TECHNOLOGY. In the schedule under section 20.005
22 (3) of the statutes for the appropriation to the department of revenue under section
23 20.566 (3) (b) of the statutes, as affected by the acts of 2001, the dollar amount is
24 decreased by \$179,500 for fiscal year 2001–02 and the dollar amount is decreased by

1 \$256,400 for fiscal year 2002–03 to decrease funding for the purpose for which the
2 appropriation is made.

3 (5) EXPERT PROFESSIONAL SERVICES. In the schedule under section 20.005 (3) of
4 the statutes for the appropriation to the department of revenue under section 20.566
5 (3) (c) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
6 by \$1,100 for fiscal year 2001–02 and the dollar amount is decreased by \$1,500 for
7 fiscal year 2002–03 to decrease funding for the purpose for which the appropriation
8 is made.

9 **SECTION 9245. Appropriation changes; secretary of state.**

10 **SECTION 9246. Appropriation changes; state fair park board.**

11 **SECTION 9247. Appropriation changes; supreme court.**

12 (2z) APPROPRIATION LAPSES AND REESTIMATES. The chief justice of the supreme
13 court, acting as the administrative head of the judicial system, shall take actions
14 during the 2001–03 fiscal biennium to ensure that from general purpose revenue
15 appropriations for state operations to the circuit courts under section 20.625 of the
16 statutes, to the court of appeals under section 20.660 of the statutes, and to the
17 supreme court under section 20.680 of the statutes an amount equal to \$3,742,500
18 is lapsed from sum certain appropriation accounts or is subtracted from the
19 expenditure estimates for any other types of appropriations, or both.

20 **SECTION 9248. Appropriation changes; technical college system.**

21 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
22 the statutes for the appropriation to the technical college system under section
23 20.292 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
24 decreased by \$34,900 for fiscal year 2001–02 and the dollar amount is decreased by

1 \$156,900 for fiscal year 2002–03 to decrease funding for the purposes for which the
2 appropriation is made.

3 (2) FEE REMISSIONS. In the schedule under section 20.005 (3) of the statutes for
4 the appropriation to the technical college system under section 20.292 (1) (am) of the
5 statutes, as affected by the acts of 2001, the dollar amount is decreased by \$700 for
6 fiscal year 2002–03 to decrease funding for the purpose for which the appropriation
7 is made.

8 (3) DISPLACED HOME MAKERS' PROGRAM. In the schedule under section 20.005 (3)
9 of the statutes for the appropriation to the technical college system under section
10 20.292 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount is
11 decreased by \$38,300 for fiscal year 2002–03 to decrease funding for the purpose for
12 which the appropriation is made.

13 (4) MINORITY STUDENT PARTICIPATION AND RETENTION GRANTS. In the schedule
14 under section 20.005 (3) of the statutes for the appropriation to the technical college
15 system under section 20.292 (1) (c) of the statutes, as affected by the acts of 2001, the
16 dollar amount is decreased by \$27,800 for fiscal year 2002–03 to decrease funding
17 for the purpose for which the appropriation is made.

18 (5) CAPACITY BUILDING PROGRAM. In the schedule under section 20.005 (3) of the
19 statutes for the appropriation to the technical college system under section 20.292
20 (1) (cm) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
21 by \$90,000 for fiscal year 2002–03 to decrease funding for the purpose for which the
22 appropriation is made.

23 (6) INCENTIVE GRANTS. In the schedule under section 20.005 (3) of the statutes
24 for the appropriation to the technical college system under section 20.292 (1) (dc) of
25 the statutes, as affected by the acts of 2001, the dollar amount is decreased by

1 \$355,000 for fiscal year 2002–03 to decrease funding for the purpose for which the
2 appropriation is made.

3 (7) FARM TRAINING PROGRAM TUITION GRANTS. In the schedule under section
4 20.005 (3) of the statutes for the appropriation to the technical college system under
5 section 20.292 (1) (dd) of the statutes, as affected by the acts of 2001, the dollar
6 amount is decreased by \$6,800 for fiscal year 2002–03 to decrease funding for the
7 purpose for which the appropriation is made.

8 (8) SERVICES FOR HANDICAPPED STUDENTS; LOCAL ASSISTANCE. In the schedule
9 under section 20.005 (3) of the statutes for the appropriation to the technical college
10 system under section 20.292 (1) (de) of the statutes, as affected by the acts of 2001,
11 the dollar amount is decreased by \$18,000 for fiscal year 2002–03 to decrease funding
12 for the purpose for which the appropriation is made.

13 (9) AID FOR SPECIAL COLLEGIATE TRANSFER PROGRAMS. In the schedule under
14 section 20.005 (3) of the statutes for the appropriation to the technical college system
15 under section 20.292 (1) (dm) of the statutes, as affected by the acts of 2001, the dollar
16 amount is decreased by \$50,600 for fiscal year 2002–03 to decrease funding for the
17 purpose for which the appropriation is made.

18 (10) TECHNICAL COLLEGE INSTRUCTOR OCCUPATIONAL COMPETENCY PROGRAM. In the
19 schedule under section 20.005 (3) of the statutes for the appropriation to the
20 technical college system under section 20.292 (1) (e) of the statutes, as affected by the
21 acts of 2001, the dollar amount is decreased by \$3,200 for fiscal year 2002–03 to
22 decrease funding for the purpose for which the appropriation is made.

23 (11) FACULTY DEVELOPMENT GRANTS. In the schedule under section 20.005 (3) of
24 the statutes for the appropriation to the technical college system under section
25 20.292 (1) (eg) of the statutes, as affected by the acts of 2001, the dollar amount is

1 decreased by \$37,400 for fiscal year 2002–03 to decrease funding for the purpose for
2 which the appropriation is made.

3 (12) APPRENTICESHIP CURRICULUM DEVELOPMENT. In the schedule under section
4 20.005 (3) of the statutes for the appropriation to the technical college system under
5 section 20.292 (1) (em) of the statutes, as affected by the acts of 2001, the dollar
6 amount is decreased by \$3,400 for fiscal year 2002–03 to decrease funding for the
7 purpose for which the appropriation is made.

8 (13) GRANTS FOR ADDITIONAL COURSE SECTIONS. In the schedule under section
9 20.005 (3) of the statutes for the appropriation to the technical college system under
10 section 20.292 (1) (er) of the statutes, as affected by the acts of 2001, the dollar
11 amount is decreased by \$110,300 for fiscal year 2002–03 to decrease funding for the
12 purpose for which the appropriation is made.

13 (14) ALCOHOL AND OTHER DRUG ABUSE PREVENTION AND INTERVENTION. In the
14 schedule under section 20.005 (3) of the statutes for the appropriation to the
15 technical college system under section 20.292 (1) (f) of the statutes, as affected by the
16 acts of 2001, the dollar amount is decreased by \$23,600 for fiscal year 2002–03 to
17 decrease funding for the purpose for which the appropriation is made.

18 (15) DRIVER EDUCATION, LOCAL ASSISTANCE. In the schedule under section 20.005
19 (3) of the statutes for the appropriation to the technical college system under section
20 20.292 (1) (fc) of the statutes, as affected by the acts of 2001, the dollar amount is
21 decreased by \$14,500 for fiscal year 2002–03 to decrease funding for the purpose for
22 which the appropriation is made.

23 (16) CHAUFFEUR TRAINING GRANTS. In the schedule under section 20.005 (3) of
24 the statutes for the appropriation to the technical college system under section
25 20.292 (1) (fg) of the statutes, as affected by the acts of 2001, the dollar amount is

1 decreased by \$9,000 for fiscal year 2002–03 to decrease funding for the purpose for
2 which the appropriation is made.

3 (17) SUPPLEMENTAL AID. In the schedule under section 20.005 (3) of the statutes
4 for the appropriation to the technical college system under section 20.292 (1) (fm) of
5 the statutes, as affected by the acts of 2001, the dollar amount is decreased by
6 \$67,500 for fiscal year 2002–03 to decrease funding for the purpose for which the
7 appropriation is made.

8 (18) AGRICULTURAL EDUCATION CONSULTANT. In the schedule under section 20.005
9 (3) of the statutes for the appropriation to the technical college system under section
10 20.292 (1) (q) of the statutes, as affected by the acts of 2001, the dollar amount is
11 decreased by \$600 for fiscal year 2001–02 and the dollar amount is decreased by
12 \$2,700 for fiscal year 2002–03 to decrease funding for the purpose for which the
13 appropriation is made.

14 **SECTION 9249. Appropriation changes; technology for educational**
15 **achievement in Wisconsin board.**

16 (1) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
17 the statutes for the appropriation to the technology for educational achievement in
18 Wisconsin board under section 20.275 (1) (a) of the statutes, as affected by the acts
19 of 2001, the dollar amount is decreased by \$23,200 for fiscal year 2001–02 and the
20 dollar amount is decreased by \$32,000 for fiscal year 2002–03 to decrease funding
21 for the purposes for which the appropriation is made.

22 (2f) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3) of
23 the statutes for the appropriation to the technology for educational achievement in
24 Wisconsin board under section 20.275 (1) (a) of the statutes, as affected by the acts

1 of 2001, the dollar amount is decreased by \$6,400 for fiscal year 2002–03 to decrease
2 funding for the purposes for which the appropriation is made.

3 **SECTION 9250. Appropriation changes; tobacco control board.**

4 **SECTION 9251. Appropriation changes; tourism.**

5 (1) STATE OPERATIONS LAPSES. Notwithstanding section 20.001 (3) (a) and (b) of
6 the statutes, the secretary of administration shall lapse to the general fund \$147,200
7 in the aggregate before June 30, 2002, and \$210,200 in the aggregate in fiscal year
8 2002–03, from one or more of the appropriation accounts to the department of
9 tourism under section 20.380 (1) (a), (b), and (bm) and (2) (c) of the statutes, as
10 affected by the acts of 2001. Subject to the aggregate amount required to be lapsed,
11 the amount lapsed from any of the specified appropriations shall be determined by
12 the secretary of tourism.

13 (1x) TOURISM MARKETING. In the schedule under section 20.005 (3) of the
14 statutes for the appropriation to the department of tourism under section 20.380 (1)
15 (b) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by
16 \$57,700 for fiscal year 2002–03 to decrease funding for the purposes for which the
17 appropriation is made.

18 **SECTION 9252. Appropriation changes; transportation.**

19 **SECTION 9253. Appropriation changes; treasurer.**

20 (1) COLLEGE TUITION AND EXPENSES PROGRAM. In the schedule under section
21 20.005 (3) of the statutes for the appropriation to the office of state treasurer under
22 section 20.585 (2) (a) of the statutes, as affected by the acts of 2001, the dollar amount
23 is decreased by \$1,900 for fiscal year 2001–02 and the dollar amount is decreased by
24 \$1,700 for fiscal year 2002–03 to reduce spending for the purpose for which the
25 appropriation is made.

1 **SECTION 9254. Appropriation changes; University of Wisconsin**
2 **Hospitals and Clinics Authority.**

3 **SECTION 9255. Appropriation changes; University of Wisconsin**
4 **Hospitals and Clinics Board.**

5 **SECTION 9256. Appropriation changes; University of Wisconsin**
6 **System.**

7 (1vo) INDUSTRIAL AND ECONOMIC DEVELOPMENT RESEARCH. In the schedule under
8 section 20.005 (3) of the statutes for the appropriation to the board of regents of the
9 University of Wisconsin System under section 20.285 (1) (as) of the statutes, as
10 affected by the acts of 2001, the dollar amount is decreased by \$56,100 for fiscal year
11 2002–03 to decrease funding for the purpose for which the appropriation is made.

12 (1vv) AREA HEALTH EDUCATION CENTERS. In the schedule under section 20.005
13 (3) of the statutes for the appropriation to the board of regents of the University of
14 Wisconsin System under section 20.285 (1) (b) of the statutes, as affected by the acts
15 of 2001, the dollar amount is decreased by \$40,500 for fiscal year 2002–03 to decrease
16 funding for the purpose for which the appropriation is made.

17 (1vw) EDUCATIONAL TECHNOLOGY. In the schedule under section 20.005 (3) of the
18 statutes for the appropriation to the board of regents of the University of Wisconsin
19 System under section 20.285 (1) (cm) of the statutes, as affected by the acts of 2001,
20 the dollar amount is decreased by \$226,900 for fiscal year 2002–03 to decrease
21 funding for the purpose for which the appropriation is made.

22 (1vx) SCHOOLS OF BUSINESS. In the schedule under section 20.005 (3) of the
23 statutes for the appropriation to the board of regents of the University of Wisconsin
24 System under section 20.285 (1) (em) of the statutes, as affected by the acts of 2001,

1 the dollar amount is decreased by \$54,500 for fiscal year 2002–03 to decrease funding
2 for the purpose for which the appropriation is made.

3 (1vy) FAMILY MEDICINE AND PRACTICE. In the schedule under section 20.005 (3)
4 of the statutes for the appropriation to the board of regents of the University of
5 Wisconsin System under section 20.285 (1) (fc) of the statutes, as affected by the acts
6 of 2001, the dollar amount is decreased by \$275,200 for fiscal year 2002–03 to
7 decrease funding for the purpose for which the appropriation is made.

8 (1vz) STATE LABORATORY OF HYGIENE. In the schedule under section 20.005 (3)
9 of the statutes for the appropriation to the board of regents of the University of
10 Wisconsin System under section 20.285 (1) (fd) of the statutes, as affected by the acts
11 of 2001, the dollar amount is decreased by \$268,500 for fiscal year 2002–03 to
12 decrease funding for the purpose for which the appropriation is made.

13 (1vzo) VETERINARY DIAGNOSTIC LABORATORY. In the schedule under section
14 20.005 (3) of the statutes for the appropriation to the board of regents of the
15 University of Wisconsin System under section 20.285 (1) (fj) of the statutes, as
16 affected by the acts of 2001, the dollar amount is decreased by \$152,400 for fiscal year
17 2002–03 to decrease funding for the purpose for which the appropriation is made.

18 (1vzv) LABORATORIES. In the schedule under section 20.005 (3) of the statutes
19 for the appropriation to the board of regents of the University of Wisconsin System
20 under section 20.285 (1) (fm) of the statutes, as affected by the acts of 2001, the dollar
21 amount is decreased by \$147,600 for fiscal year 2002–03 to decrease funding for the
22 purpose for which the appropriation is made.

23 (1w) VETERINARY DIAGNOSTIC LABORATORY LAPSE. Notwithstanding section
24 20.001 (3) (c) of the statutes, on June 30, 2002, there is lapsed to the general fund
25 \$933,900 from the appropriation account of the board of regents of the University of

1 Wisconsin System under section 20.285 (1) (je) of the statutes, as affected by the acts
2 of 2001.

3 (2) UNIVERSITY EDUCATION, RESEARCH, AND PUBLIC SERVICE; GENERAL PROGRAM
4 OPERATIONS. In the schedule under section 20.005 (3) of the statutes for the
5 appropriation to the board of regents of the University of Wisconsin System under
6 section 20.285 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount
7 is decreased by \$10,000,000 for fiscal year 2001–02 and the dollar amount is
8 decreased by \$40,000,000 for fiscal year 2002–03 to decrease funding for the
9 purposes for which the appropriation is made.

10 (3) UNIVERSITY OF WISCONSIN SYSTEM. In the schedule under section 20.005 (3)
11 of the statutes for the appropriation to the board of regents of the University of
12 Wisconsin System under section 20.285 (3) (a) of the statutes, as affected by the acts
13 of 2001, the dollar amount is decreased by \$97,000 for fiscal year 2001–02 and the
14 dollar amount is decreased by \$436,400 for fiscal year 2002–03 to decrease funding
15 for the purpose for which the appropriation is made.

16 (3c) GRADUATE STUDENT FINANCIAL AID. In the schedule under section 20.005 (3)
17 of the statutes for the appropriation to the board of regents of the University of
18 Wisconsin System under section 20.285 (4) (b) of the statutes, as affected by the acts
19 of 2001, the dollar amount is increased by \$200,000 for fiscal year 2002–03 to
20 increase funding for the purpose for which the appropriation is made.

21 (3cb) LAWTON GRANTS. In the schedule under section 20.005 (3) of the statutes
22 for the appropriation to the board of regents of the University of Wisconsin System
23 under section 20.285 (4) (dd) of the statutes, as affected by the acts of 2001, the dollar
24 amount is increased by \$200,000 for fiscal year 2002–03 to increase funding for the
25 purpose for which the appropriation is made.

1 (3q) CHILD-PARENT CENTER DEMONSTRATION PROJECT. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the board of regents of the
3 University of Wisconsin System under section 20.285 (1) (a) of the statutes, as
4 affected by the acts of 2001, the dollar amount is increased by \$300,000 for fiscal year
5 2002–03 to increase funding for the child–parent center demonstration project at the
6 University of Wisconsin–Madison Waisman Center.

7 **SECTION 9257. Appropriation changes; veterans affairs.**

8 (1) VETERANS MUSEUM. In the schedule under section 20.005 (3) of the statutes
9 for the appropriation to the department of veterans affairs under section 20.485 (2)
10 (c) of the statutes, as affected by the acts of 2001, the dollar amount is decreased by
11 \$9,200 for fiscal year 2002–03 for the purpose for which the appropriation is made.

12 **SECTION 9258. Appropriation changes; workforce development.**

13 (1) WORKFORCE DEVELOPMENT GENERAL PROGRAM OPERATIONS. In the schedule
14 under section 20.005 (3) of the statutes for the appropriation to the department of
15 workforce development under section 20.445 (1) (a) of the statutes, as affected by the
16 acts of 2001, the dollar amount is decreased by \$255,100 for fiscal year 2001–02 and
17 the dollar amount is decreased by \$364,400 for fiscal year 2002–03 to decrease
18 funding for the purpose for which the appropriation is made.

19 (2) WISCONSIN SERVICE CORPS MEMBER COMPENSATION AND SUPPORT. In the
20 schedule under section 20.005 (3) of the statutes for the appropriation to the
21 department of workforce development under section 20.445 (1) (cm) of the statutes,
22 as affected by the acts of 2001, the dollar amount is decreased by \$3,300 for fiscal year
23 2001–02 and the dollar amount is decreased by \$4,700 for fiscal year 2002–03 to
24 decrease funding for the purposes for which the appropriation is made.

1 (3) EMPLOYMENT TRANSIT AIDS; STATE FUNDS. In the schedule under section 20.005
2 (3) of the statutes for the appropriation to the department of workforce development
3 under section 20.445 (1) (fg) of the statutes, as affected by the acts of 2001, the dollar
4 amount is decreased by \$20,300 for fiscal year 2001–02 and the dollar amount is
5 decreased by \$29,000 for fiscal year 2002–03 to decrease funding for the purpose for
6 which the appropriation is made.

7 (4) LABOR AND INDUSTRY REVIEW COMMISSION GENERAL PROGRAM OPERATIONS. In
8 the schedule under section 20.005 (3) of the statutes for the appropriation to the
9 department of workforce development under section 20.445 (2) (a) of the statutes, as
10 affected by the acts of 2001, the dollar amount is decreased by \$7,000 for fiscal year
11 2001–02 and the dollar amount is decreased by \$10,000 for fiscal year 2002–03 to
12 decrease funding for the purpose for which the appropriation is made.

13 (5) ECONOMIC SUPPORT GENERAL PROGRAM OPERATIONS. In the schedule under
14 section 20.005 (3) of the statutes for the appropriation to the department of workforce
15 development under section 20.445 (3) (a) of the statutes, as affected by the acts of
16 2001, the dollar amount is decreased by \$420,400 for fiscal year 2001–02 and the
17 dollar amount is decreased by \$573,000 for fiscal year 2002–03 to decrease funding
18 for the purposes for which the appropriation is made.

19 (6) STATE SUPPLEMENT TO EMPLOYMENT OPPORTUNITY DEMONSTRATION PROJECTS.
20 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
21 department of workforce development under section 20.445 (3) (cr) of the statutes,
22 as affected by the acts of 2001, the dollar amount is decreased by \$8,800 for fiscal year
23 2001–02 and the dollar amount is decreased by \$12,500 for fiscal year 2002–03 to
24 decrease funding for the purpose for which the appropriation is made.

1 (7) GOVERNOR'S WORK-BASED LEARNING BOARD GENERAL PROGRAM OPERATIONS. In
2 the schedule under section 20.005 (3) of the statutes for the appropriation to the
3 department of workforce development under section 20.445 (7) (a) of the statutes, as
4 affected by the acts of 2001, the dollar amount is decreased by \$105,500 for fiscal year
5 2001–02 and the dollar amount is decreased by \$50,700 for fiscal year 2002–03 to
6 decrease funding for the purpose for which the appropriation is made.

7 (8) LOCAL YOUTH APPRENTICESHIP GRANTS. In the schedule under section 20.005
8 (3) of the statutes for the appropriation to the department of workforce development
9 under section 20.445 (7) (b) of the statutes, as affected by the acts of 2001, the dollar
10 amount is decreased by \$100,000 for fiscal year 2002–03 to decrease funding for the
11 purpose for which the appropriation is made.

12 (9) SCHOOL-TO-WORK PROGRAMS FOR CHILDREN AT RISK. In the schedule under
13 section 20.005 (3) of the statutes for the appropriation to the department of workforce
14 development under section 20.445 (7) (ef) of the statutes, as affected by the acts of
15 2001, the dollar amount is decreased by \$10,500 for fiscal year 2001–02 and the
16 dollar amount is decreased by \$15,000 for fiscal year 2002–03 to decrease funding
17 for the purpose for which the appropriation is made.

18 (10) STATE PUBLIC ASSISTANCE. In the schedule under section 20.005 (3) of the
19 statutes for the appropriation to the department of workforce development under
20 section 20.445 (3) (dz) of the statutes, as affected by the acts of 2001, the dollar
21 amount is decreased by \$133,200 for fiscal year 2001–02 and the dollar amount is
22 decreased by \$37,600 for fiscal year 2002–03 to decrease funding for the purposes for
23 which the appropriation is made.

24 (11) FEDERAL PUBLIC ASSISTANCE. In the schedule under section 20.005 (3) of the
25 statutes for the appropriation to the department of workforce development under

1 section 20.445 (3) (md) of the statutes, as affected by the acts of 2001, the dollar
2 amount is increased by \$133,200 for fiscal year 2001–02 and the dollar amount is
3 increased by \$37,600 for fiscal year 2002–03 to increase funding for the purposes for
4 which the appropriation is made.

5 (12q) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES TRANSFER FOR EARNED INCOME
6 TAX CREDIT. In the schedule under section 20.005 (3) of the statutes for the
7 appropriation to the department of workforce development under section 20.445 (3)
8 (md) of the statutes, as affected by the acts of 2001, the dollar amount is increased
9 by \$2,960,000 for fiscal year 2002–03 to increase funding for the transfer of moneys
10 to the appropriation account under section 20.835 (2) (kf) of the statutes.

11 **SECTION 9259. Appropriation changes; other.**

12 (1) STATE AGENCY APPROPRIATION LAPSES AND TRANSFERS TO THE GENERAL FUND.

13 (a) *Appropriation lapses and transfers to the general fund.* Subject to
14 paragraph (b), in the 2001–02 fiscal year and the 2002–03 fiscal year, from the
15 following appropriation accounts, the secretary of administration shall lapse to the
16 general fund or transfer to the general fund, whichever is appropriate, the amounts
17 indicated for that fiscal year:

Agency	2001–02 Fiscal Year	2002–03 Fiscal Year
20.505 Administration, department of		
(1) (im)	50,000	50,000
(1) (ka)	87,500	125,000
(1) (kj)	140,000	200,000
(2) (ki)	140,000	200,000
(4) (k)	20,000	50,000

1	(5) (ka)	700,000	1,000,000
2	(5) (kb)	42,000	60,000
3	20.115		
4	<i>Agriculture, trade and consumer protection, department of</i>		
5	(1) (g)	5,000	–0–
6	(1) (gb)	–0–	118,100
7	(1) (hm)	22,100	31,600
8	(1) (i)	4,000	–0–
9	(1) (jb)	4,000	–0–
10	(2) (j)	4,700	–0–
11	(3) (i)	10,000	–0–
12	(3) (L)	5,000	–0–
13	(7) (h)	35,000	–0–
14	(7) (ja)	24,300	34,700
15	(8) (ha)	7,600	10,800
16	(8) (ks)	15,000	–0–
17	20.433		
18	<i>Child abuse and neglect prevention board</i>		
19	(1) (g)	11,200	16,000
20	20.143		
21	<i>Commerce, department of</i>		
21	(1) (g)	100,000	–0–
22	(1) (gm)	50,000	–0–
23	(1) (kg)	50,000	–0–
24	(3) (ga)	35,000	50,000
25	(3) (j)	207,500	439,300
26	(4) (k)	70,000	100,000

1	20.530	<i>Electronic government, department</i>		
2		<i>of</i>		
3	(1) (g)		2,176,900	3,109,900
4	(1) (ke)		875,000	1,250,000
5	20.144	<i>Financial institutions, department</i>		
6		<i>of</i>		
7	(1) (g)		531,400	759,100
8	20.435	<i>Health and family services, depart-</i>		
9		<i>ment of</i>		
10	(8) (mb)		332,700	475,300
11	20.245	<i>Historical society</i>		
12	(1) (g)		121,900	174,200
13	20.145	<i>Insurance, office of the commis-</i>		
14		<i>sioner of</i>		
15	(1) (g)		5,457,500	653,500
16	20.370	<i>Natural resources, department of</i>		
17	(2) (dv)		153,000	218,600
18	20.255	<i>Public instruction, department of</i>		
19	(1) (hg)		47,500	67,800
20	(1) (kd)		47,400	67,700
21	20.155	<i>Public service commission</i>		
22	(1) (g)		291,400	416,300
23	(1) (q)		140,000	200,000
24	(2) (g)		35,000	50,000
25	20.165	<i>Regulation and licensing, depart-</i>		
26		<i>ment of</i>		
27	(1) (g)		348,500	497,800

1 (3) PRIVATE FACILITY RENTAL INCREASES. In the schedule under section 20.005 (3)
2 of the statutes for the appropriation to various state agencies under section 20.865
3 (2) (a) of the statutes, as affected by the acts of 2001, the dollar amount is decreased
4 by \$42,700 for fiscal year 2001–02 and the dollar amount is decreased by \$113,800
5 for fiscal year 2002–03 to reduce spending for the purpose for which the
6 appropriation is made.

7 (4) STATE-OWNED OFFICE RENT SUPPLEMENT. In the schedule under section 20.005
8 (3) of the statutes for the appropriation to various state agencies under section
9 20.865 (2) (ag) of the statutes, as affected by the acts of 2001, the dollar amount is
10 decreased by \$72,900 for fiscal year 2001–02 and the dollar amount is decreased by
11 \$173,800 for fiscal year 2002–03 to reduce spending for the purpose for which the
12 appropriation is made.

13 (4f) SPACE MANAGEMENT AND CHILD CARE. In the schedule under section 20.005
14 (3) of the statutes for the appropriation to various state agencies under section
15 20.865 (2) (am) of the statutes, as affected by the acts of 2001, the dollar amount is
16 decreased by \$65,300 for fiscal year 2002–03 to reduce spending for the purpose for
17 which the appropriation is made.

18 (5) MAINTENANCE OF CAPITOL AND EXECUTIVE RESIDENCE. In the schedule under
19 section 20.005 (3) of the statutes for the appropriation to various state agencies
20 under section 20.865 (2) (e) of the statutes, as affected by the acts of 2001, the dollar
21 amount is decreased by \$218,500 for fiscal year 2001–02 and the dollar amount is
22 decreased by \$380,500 for fiscal year 2002–03 to reduce spending for the purpose for
23 which the appropriation is made.

24 (5e) PERMANENT ENDOWMENT FUND TRANSFER TO GENERAL FUND. In the schedule
25 under section 20.005 (3) of the statutes for the appropriation under section 20.855

1 (4) (rc) of the statutes, as affected by the acts of 2001, the dollar amount is increased
2 by \$200,000,000 for fiscal year 2001–02 to increase spending for the purpose for
3 which the appropriation is made.

4 (6) EXECUTIVE RESIDENCE FURNISHINGS REPLACEMENT. In the schedule under
5 section 20.005 (3) of the statutes for the appropriation to various state agencies
6 under section 20.865 (2) (eb) of the statutes, as affected by the acts of 2001, the dollar
7 amount is decreased by \$900 for fiscal year 2001–02 and the dollar amount is
8 decreased by \$1,600 for fiscal year 2002–03 to reduce spending for the purpose for
9 which the appropriation is made.

10 (7) GROUNDWATER SURVEY AND ANALYSIS. In the schedule under section 20.005
11 (3) of the statutes for the appropriation to various state agencies under section
12 20.865 (2) (em) of the statutes, as affected by the acts of 2001, the dollar amount is
13 decreased by \$8,100 for fiscal year 2001–02 and the dollar amount is decreased by
14 \$13,900 for fiscal year 2002–03 to reduce spending for the purpose for which the
15 appropriation is made.

16 (7f) GENERAL PURPOSE REVENUE FUNDS GENERAL PROGRAM SUPPLEMENTS. In the
17 schedule under section 20.005 (3) of the statutes for the appropriation to the joint
18 committee on finance under section 20.865 (4) (a) of the statutes, as affected by the
19 acts of 2001, the dollar amount is decreased by \$10,500 for fiscal year 2002–03 to
20 reduce spending for the purpose for which the appropriation is made.

21 (7z) STATE AGENCY APPROPRIATIONS REDUCTIONS.

22 (a) *Appropriations reductions.* Except as provided in paragraph (b), in addition
23 to any other reduction required by law, the largest sum certain appropriation for
24 state operations made to the following state agencies from general purpose revenue
25 in the 2002–03 fiscal year is reduced by the amount indicated:

1	Amount of Reduction
2	2002–03
3	Fiscal Year
4	Fiscal Year
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(b) *Submission of requests to the joint committee on finance for reallocating appropriations reductions.* Any state agency specified in paragraph (a) may submit a request to the joint committee on finance under section 13.10 of the statutes to reallocate any of the reductions under paragraph (a) to other sum certain

1 appropriations for state operations made to the agency from general purpose
 2 revenue.

3 (8) SUM SUFFICIENT APPROPRIATION EXPENDITURE ESTIMATE REDUCTIONS. When
 4 amending the schedule under section 20.004 (2) of the statutes, in addition to making
 5 any other reduction required by law, the department of administration shall reduce
 6 the estimated expenditure amount that appears in the schedule under section 20.005
 7 (3) of the statutes in 2001 Wisconsin Act 16 for each of the following appropriation
 8 accounts by the amounts indicated for that fiscal year:

	Appropriation	2001–02 Fiscal Year	2002–03 Fiscal Year
11	20.505 Administration, department of		
12	(4) (d)	900	1,300
13	20.455 Justice, department of		
14	(1) (b)	29,800	42,500
15	(2) (am)	1,800	2,500
16	20.765 Legislature		
17	(1) (a)	1,000,000	1,000,000
18	(1) (b)	1,000,000	1,000,000
19	(1) (d)	275,500	472,300
20	(3) (fa)	5,600	9,500
21	20.855 Miscellaneous appropriations		
22	(1) (a)	–0–	6,100,000
23	(3) (a)	2,806,600	66,200
24	20.865 Program supplements		
25	(1) (a)	1,800	3,000
26	(1) (d)	–0–	124,000

1	20.835 Shared revenue and tax relief		
2	(1) (b)	–0–	6,790,500
3	(1) (d)	–0–	574,391,600
4	(1) (f)	–0–	12,817,900

5 (8x) COMPENSATION RESERVE REDUCTIONS. When amending the schedule and
 6 summaries under section 20.004 (2) of the statutes, in addition to making any other
 7 reduction required by law, the department of administration shall reduce the
 8 amount that appears in the summary table entitled “Summary of Compensation
 9 Reserves -- All Funds” under section 20.005 (1) of the statutes in 2001 Wisconsin Act
 10 16, and adjust all totals accordingly, for each of the following types of revenue by the
 11 amounts indicated for that fiscal year:

12	2001-02	2002-03
13	Fiscal	Fiscal
14	Year	Year
15	–0–	10,000,000
16	–0–	2,732,400
17	–0–	7,341,600
18	–0–	1,709,100

18 (8y) COMPENSATION RESERVE REDUCTIONS. When amending the schedule and
 19 summaries under section 20.004 (2) of the statutes, in addition to making any other
 20 reduction required by law, the department of administration shall reduce the
 21 amount that appears in the summary table entitled “Summary of Compensation
 22 Reserves -- All Funds” under section 20.005 (1) of the statutes in 2001 Wisconsin Act
 23 16, and adjust all totals accordingly, for each of the following types of revenue by the
 24 amounts indicated for that fiscal year:

1		2001-02	2002-03
2	Revenue Type	Fiscal	Fiscal
3		Year	Year
4	General purpose revenue	2,511,200	2,684,500
5	Federal revenue	680,700	727,600
6	Program revenue	1,842,100	1,969,100
7	Segregated revenue	428,800	458,400

(9q) EARNED INCOME TAX CREDIT FUNDING INCREASE; TEMPORARY ASSISTANCE FOR NEEDY FAMILIES. In the schedule under section 20.005 (3) of the statutes for the appropriation under section 20.835 (2) (kf) of the statutes, as affected by the acts of 2001, the dollar amount is increased by \$2,960,000 for fiscal year 2002-03 to increase funding for the purpose for which the appropriation is made.

SECTION 9301. Initial applicability; administration.

SECTION 9302. Initial applicability; adolescent pregnancy prevention and pregnancy services board.

SECTION 9303. Initial applicability; aging and long-term care board.

SECTION 9304. Initial applicability; agriculture, trade and consumer protection.

SECTION 9305. Initial applicability; arts board.

SECTION 9306. Initial applicability; boundary area commission, Minnesota-Wisconsin.

SECTION 9307. Initial applicability; building commission.

SECTION 9308. Initial applicability; child abuse and neglect prevention board.

SECTION 9309. Initial applicability; circuit courts.

1 (1) COURT SUPPORT SERVICES FEE. The treatment of section 814.634 (1) (a), (b),
2 and (c) of the statutes first applies to actions commenced on July 1, 2002.

3 **SECTION 9310. Initial applicability; commerce.**

4 **SECTION 9311. Initial applicability; corrections.**

5 **SECTION 9312. Initial applicability; court of appeals.**

6 **SECTION 9313. Initial applicability; district attorneys.**

7 **SECTION 9314. Initial applicability; educational communications**
8 **board.**

9 **SECTION 9315. Initial applicability; elections board.**

10 **SECTION 9316. Initial applicability; employee trust funds.**

11 **SECTION 9317. Initial applicability; employment relations commission.**

12 **SECTION 9318. Initial applicability; employment relations department.**

13 **SECTION 9319. Initial applicability; ethics board.**

14 **SECTION 9320. Initial applicability; financial institutions.**

15 **SECTION 9321. Initial applicability; governor.**

16 **SECTION 9322. Initial applicability; Health and Educational Facilities**
17 **Authority.**

18 **SECTION 9323. Initial applicability; health and family services.**

19 (1) TERRORISM RESPONSE TRAINING. The treatment of sections 146.50 (1) (a), (ag),
20 (hr), and (ig), (6) (a) 2. and (b) 2., and (8) (b) 3. and (c), 146.55 (1) (a), 940.20 (7) (a)
21 1e., and 941.37 (1) (a) of the statutes first applies to applications for initial licensure
22 or licensure renewal of emergency medical technicians and applications for initial
23 certification or renewal of certification of first responders submitted on January 1,
24 2003.

25 **SECTION 9324. Initial applicability; higher educational aids board.**

1 **SECTION 9325. Initial applicability; historical society.**

2 **SECTION 9326. Initial applicability; Housing and Economic**
3 **Development Authority.**

4 **SECTION 9327. Initial applicability; insurance.**

5 **SECTION 9328. Initial applicability; investment board.**

6 **SECTION 9329. Initial applicability; joint committee on finance.**

7 **SECTION 9330. Initial applicability; judicial commission.**

8 **SECTION 9331. Initial applicability; justice.**

9 **SECTION 9332. Initial applicability; legislature.**

10 (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES. The treatment of section
11 13.525 (5) of the statutes first applies to bills introduced on the effective date of this
12 subsection.

13 **SECTION 9333. Initial applicability; lieutenant governor.**

14 **SECTION 9334. Initial applicability; lower Wisconsin state riverway**
15 **board.**

16 **SECTION 9335. Initial applicability; Medical College of Wisconsin.**

17 **SECTION 9336. Initial applicability; military affairs.**

18 **SECTION 9337. Initial applicability; natural resources.**

19 **SECTION 9338. Initial applicability; personnel commission.**

20 **SECTION 9339. Initial applicability; public defender board.**

21 **SECTION 9340. Initial applicability; public instruction.**

22 (1) PRIMARY GUARANTEED VALUATION. The treatment of section 121.07 (7) (a) of
23 the statutes first applies to school aid paid in the 2002–03 school year.

24 **SECTION 9341. Initial applicability; public lands, board of**
25 **commissioners of.**

1 **SECTION 9342. Initial applicability; public service commission.**

2 **SECTION 9343. Initial applicability; regulation and licensing.**

3 **SECTION 9344. Initial applicability; revenue.**

4 (1b) DEPRECIATION DEDUCTIONS. The treatment of sections 71.01 (7r), 71.26 (3)
5 (y), 71.365 (1m), and 71.45 (2) (a) 13. of the statutes first applies to property placed
6 in service in taxable years beginning on January 1, 2001.

7 (2b) SALES FACTOR APPORTIONMENT. The treatment of section 71.45 (3) (intro.),
8 (a), and (b) and (3m) of the statutes first applies to taxable years beginning after
9 December 31, 2003.

10 (2z) PUBLIC UTILITY DISTRIBUTION PAYMENTS. The treatment of section 79.04 (4)
11 (a) and (b) of the statutes, as it applies to payments under section 79.04 (6) and (7)
12 of the statutes, first applies to payments distributed in 2004.

13 **SECTION 9345. Initial applicability; secretary of state.**

14 **SECTION 9346. Initial applicability; state fair park board.**

15 **SECTION 9347. Initial applicability; supreme court.**

16 **SECTION 9348. Initial applicability; technical college system.**

17 **SECTION 9349. Initial applicability; technology for educational**
18 **achievement in Wisconsin board.**

19 **SECTION 9350. Initial applicability; tobacco control board.**

20 **SECTION 9351. Initial applicability; tourism.**

21 **SECTION 9352. Initial applicability; transportation.**

22 **SECTION 9353. Initial applicability; treasurer.**

23 **SECTION 9354. Initial applicability; University of Wisconsin Hospitals**
24 **and Clinics Authority.**

1 **SECTION 9355. Initial applicability; University of Wisconsin Hospitals**
2 **and Clinics Board.**

3 **SECTION 9356. Initial applicability; University of Wisconsin System.**

4 **SECTION 9357. Initial applicability; veterans affairs.**

5 **SECTION 9358. Initial applicability; workforce development.**

6 (1f) WAGE CLAIM LIEN PRIORITY. The treatment of section 109.09 (2) (c) of the
7 statutes first applies to a lien under section 109.09 (2), 1995 stats., that takes effect
8 on the effective date of this subsection.

9 **SECTION 9359. Initial applicability; other.**

10 (3) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32
11 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2),
12 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195
13 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r),
14 943.70 (2) (b) 3., 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35,
15 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1)
16 (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1) (hm) 5., 961.41 (1) (hm) 6., 961.41
17 (1) (im) 5., 961.41 (1) (im) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d)
18 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (1m) (hm) 5., 961.41
19 (1m) (hm) 6., 961.41 (1m) (im) 5., 961.41 (1m) (im) 6., 961.41 (2) (c), 961.41 (3g) (a)
20 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48
21 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.
22 of the statutes; the renumbering of section 351.07 (2) (a) of the statutes; the
23 renumbering and amendment of sections 49.95 (1), 125.075 (2), 939.63 (1), 943.20 (3)
24 (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm) 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a)
25 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2) (b) 6., 973.01 (2) (c) and 973.01 (2) (d)

1 of the statutes; the amendment of sections 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a),
2 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14 (8), 29.971 (1) (c), 29.971 (1m) (c),
3 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b), 30.80 (2g) (c), 30.80 (2g) (d), 30.80
4 (3m), 36.25 (6) (d), 47.03 (3) (d), 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a), 49.141
5 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49 (2) (a),
6 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 49.688 (9) (b), 49.688 (9) (c), 49.795
7 (8) (a) 2., 49.795 (8) (b) 2., 49.795 (8) (c), 51.15 (12), 55.06 (11) (am), 66.1207 (1) (b),
8 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b), 86.192 (4), 97.43 (4),
9 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5), 100.26 (7), 101.10
10 (4) (b), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11), 102.835 (18), 102.85
11 (3), 108.225 (11), 108.225 (18), 114.20 (18) (c), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66
12 (3), 125.68 (12) (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4),
13 134.16, 134.20 (1) (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2),
14 139.44 (8) (c), 139.85 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9)
15 (am), 146.70 (10) (a), 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3),
16 180.0129 (2), 181.0129 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21
17 (21), 218.21 (7), 220.06 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004
18 (2), 253.06 (4) (b), 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53
19 (4) (c) 2., 301.45 (6) (a) 2., 302.095 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155
20 (4) (b), 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3)
21 (b), 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b),
22 346.175 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e),
23 346.65 (5), 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09,
24 450.11 (9) (b), 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2),
25 562.13 (3), 562.13 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b),

1 753.061 (2m), 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07,
2 938.208 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b),
3 938.78 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.),
4 939.50 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a),
5 939.62 (1) (b), 939.62 (1) (c), 939.623 (2), 939.624 (2), 939.632 (1) (e) 1., 939.632 (2),
6 939.645 (2), 939.72 (1), 939.75 (1), 940.02 (2) (intro.), 940.03, 940.04 (1), 940.04 (2)
7 (intro.), 940.04 (4), 940.06 (1), 940.06 (2), 940.07, 940.08 (1), 940.08 (2), 940.09 (1)
8 (intro.), 940.10 (1), 940.10 (2), 940.11 (1), 940.11 (2), 940.12, 940.15 (2), 940.15 (5),
9 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5), 940.19 (6) (intro.), 940.195 (2), 940.195
10 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20 (1m), 940.20 (2), 940.20 (2m) (b),
11 940.20 (3), 940.20 (4), 940.20 (5) (b), 940.20 (6) (b) (intro.), 940.20 (7) (b), 940.201 (2)
12 (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.), 940.207 (2) (intro.), 940.21, 940.22
13 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a), 940.23 (1) (b), 940.23 (2) (a), 940.23
14 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.), 940.285 (2) (b) 1g., 940.285 (2) (b) 1m.,
15 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29, 940.295 (3) (b) 1g., 940.295 (3) (b) 1m.,
16 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295 (3) (b) 3., 940.30, 940.305 (1), 940.305
17 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2) (b), 940.32 (2) (intro.), 940.32 (2m),
18 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43 (intro.), 940.45 (intro.), 941.11 (intro.),
19 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a) (intro.), 941.21, 941.235 (1), 941.26 (2) (a),
20 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f), 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e),
21 941.28 (3), 941.29 (2) (intro.), 941.295 (1), 941.296 (2) (intro.), 941.298 (2), 941.30 (1),
22 941.30 (2), 941.31 (1), 941.31 (2) (b), 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2)
23 (b) 1., 941.327 (2) (b) 2., 941.327 (2) (b) 3., 941.327 (2) (b) 4., 941.327 (3), 941.37 (3),
24 941.37 (4), 941.38 (1) (b) 4., 941.38 (2), 942.09 (2) (intro.), 943.01 (2) (intro.), 943.01
25 (2d) (b) (intro.), 943.01 (2g) (intro.), 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2)

1 (intro.), 943.014 (2), 943.015 (2) (intro.), 943.017 (2) (intro.), 943.017 (2m) (b) (intro.),
2 943.02 (1) (intro.), 943.03, 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.),
3 943.10 (2) (intro.), 943.12, 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20
4 (3) (d) 3., 943.20 (3) (d) 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207
5 (3m) (c) (intro.), 943.208 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21
6 (3) (b), 943.23 (1g), 943.23 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25
7 (1), 943.25 (2) (intro.), 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1),
8 943.30 (2), 943.30 (3), 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2),
9 943.34 (1) (c), 943.38 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (b), 943.40
10 (intro.), 943.41 (8) (b), 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c),
11 943.455 (4) (d), 943.46 (4) (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2)
12 (b) 2., 943.50 (4) (c), 943.60 (1), 943.61 (5) (c), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70
13 (2) (b) 3g., 943.70 (2) (b) 3r., 943.70 (2) (b) 4., 943.70 (2) (c) 1., 943.70 (3) (b) 2., 943.70
14 (3) (b) 3., 943.70 (3) (b) 4., 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2) (b), 944.05
15 (1) (intro.), 944.06, 944.16 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2),
16 944.34 (intro.), 945.03 (1m) (intro.), 945.05 (1) (intro.), 945.08 (1), 946.02 (1) (intro.),
17 946.03 (1) (intro.), 946.03 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12
18 (intro.), 946.13 (1) (intro.), 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32
19 (1) (intro.), 946.41 (2m) (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1),
20 946.425 (1m) (b), 946.425 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44
21 (1) (intro.), 946.44 (1g), 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b),
22 946.49 (2), 946.60 (1), 946.60 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a),
23 946.68 (1r) (b), 946.68 (1r) (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2),
24 946.76, 946.82 (4), 946.84 (1), 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x)
25 (intro.), 947.015, 948.02 (2), 948.02 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c),

1 948.03 (3) (a), 948.03 (3) (b), 948.03 (3) (c), 948.03 (4) (a), 948.03 (4) (b), 948.04 (1),
2 948.04 (2), 948.05 (1) (intro.), 948.05 (1m), 948.05 (2), 948.055 (2) (a), 948.055 (2) (b),
3 948.06 (intro.), 948.07 (intro.), 948.08, 948.095 (2) (intro.), 948.11 (2) (a) (intro.),
4 948.11 (2) (am) (intro.), 948.12 (1m) (intro.), 948.12 (2m) (intro.), 948.13 (2), 948.20,
5 948.21 (1), 948.22 (2), 948.23, 948.24 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.),
6 948.31 (1) (b), 948.31 (2), 948.31 (3) (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3)
7 (b), 948.60 (2) (b), 948.60 (2) (c), 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62
8 (1) (a), 948.62 (1) (b), 948.62 (1) (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m),
9 961.41 (1) (intro.), 961.41 (1) (a), 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm)
10 2., 961.41 (1) (cm) 3., 961.41 (1) (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41
11 (1) (d) 2., 961.41 (1) (d) 3., 961.41 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1.,
12 961.41 (1) (e) 2., 961.41 (1) (e) 3., 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f)
13 1., 961.41 (1) (f) 2., 961.41 (1) (f) 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1)
14 (g) 2., 961.41 (1) (g) 3., 961.41 (1) (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41
15 (1) (h) 3., 961.41 (1) (hm) (intro.), 961.41 (1) (hm) 1., 961.41 (1) (hm) 2., 961.41 (1) (hm)
16 3., 961.41 (1) (hm) 4., 961.41 (1) (i), 961.41 (1) (im) (intro.), 961.41 (1) (im) 1., 961.41
17 (1) (im) 2., 961.41 (1) (im) 3., 961.41 (1) (im) 4., 961.41 (1) (j), 961.41 (1m) (intro.),
18 961.41 (1m) (a), 961.41 (1m) (b), 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41
19 (1m) (cm) 3., 961.41 (1m) (cm) 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41
20 (1m) (d) 2., 961.41 (1m) (d) 3., 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m)
21 (e) 1., 961.41 (1m) (e) 2., 961.41 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.),
22 961.41 (1m) (f) 1., 961.41 (1m) (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41
23 (1m) (g) 1., 961.41 (1m) (g) 2., 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m)
24 (h) 1., 961.41 (1m) (h) 2., 961.41 (1m) (h) 3., 961.41 (1m) (hm) (intro.), 961.41 (1m)
25 (hm) 1., 961.41 (1m) (hm) 2., 961.41 (1m) (hm) 3., 961.41 (1m) (hm) 4., 961.41 (1m)

1 (i), 961.41 (1m) (im) (intro.), 961.41 (1m) (im) 1., 961.41 (1m) (im) 2., 961.41 (1m) (im)
2 3., 961.41 (1m) (im) 4., 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (2) (intro.), 961.41 (2)
3 (a), 961.41 (2) (b), 961.41 (2) (cm) (title), 961.41 (2) (d), 961.41 (3g) (b), 961.41 (3g) (c),
4 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43
5 (2), 961.437 (4) (a), 961.437 (4) (b), 961.455 (1), 961.455 (3), 961.472 (2), 961.48 (2m)
6 (a), 961.48 (3), 961.55 (1) (d) 3., 961.573 (3), 961.574 (3), 961.575 (3), 968.255 (1) (a)
7 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10) (b), 973.01 (2)
8 (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01
9 (2) (b) 5., 973.03 (3) (e) 1. and 2., 973.09 (2) (b) 1., and 977.06 (2) (b) of the statutes;
10 the repeal and recreation of section 944.15 (title) of the statutes; and the creation of
11 sections 49.95 (1) (e) and (f), 125.075 (2) (b), 346.04 (2t), 346.04 (4), 346.17 (2t), 939.32
12 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title), 939.50 (1) (f),
13 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g), 939.50 (3) (h),
14 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bf) and (bm), 943.23 (3m), 943.34 (1) (bf) and
15 (bm), 943.50 (4) (bf) and (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50 (5t),
16 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 961.41 (1) (cm) 1g.,
17 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m) (h) 4., 961.41 (1m)
18 (h) 5., 961.48 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b) 7., 973.01 (2) (b) 8., 973.01
19 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01 (2) (d) 1. to 6., and 973.017
20 of the statutes first apply to offenses committed on the effective date of this
21 subsection.

22 (4) RETURNING PERSONS TO PRISON UPON REVOCATION. The treatment of sections
23 302.113 (9) (a), (at), (b), (c), and (g) and 302.114 (9) (a), (b), (bm), and (f) of the statutes
24 first applies to persons who are the subjects of extended supervision revocation

1 proceedings that are commenced by the department of corrections on the effective
2 date of this subsection.

3 (5) CONCURRENT AND CONSECUTIVE SENTENCES. The treatment of section 973.15
4 (2m) of the statutes first applies to persons sentenced for crimes committed on the
5 effective date of this subsection.

6 (6) TERRORISM RESPONSE TRAINING FOR LAW ENFORCEMENT OFFICERS. The
7 treatment of section 165.85 (4) (b) 1. and 1d. of the statutes first applies to persons
8 being appointed law enforcement officers or tribal law enforcement officers on
9 January 1, 2003.

10 (7) LIMIT ON OPERATING LEVY INCREASE. The treatment of section 66.0602 of the
11 statutes first applies to the property tax assessment as of January 1, 2002.

12 **SECTION 9400. Effective dates; general.** Except as otherwise provided in
13 SECTIONS 9401 to 9459 of this act, this act takes effect on the day after publication.

14 **SECTION 9401. Effective dates; administration.**

15 (1) GRANTS TO WISCONSIN PATIENT SAFETY INSTITUTE, INC. The treatment of
16 sections 16.40 (24) and 20.505 (1) (fe) of the statutes takes effect on July 1, 2002.

17 (2z) SURPLUS FUND TRANSFER FOR HOUSING GRANTS AND LOANS. The treatment of
18 sections 16.33 (1) (a) (by SECTION 15c) and 234.165 (2) (c) (intro.) (by SECTION 366c)
19 of the statutes and the repeal of sections 20.505 (7) (j) and 234.165 (3) of the statutes
20 take effect on July 1, 2003.

21 (3) UTILITY PUBLIC BENEFITS FUND. The repeal and recreation of section 20.505
22 (3) (s) of the statutes takes effect on July 1, 2003.

23 (3v) RACING GENERAL PROGRAM OPERATIONS. The treatment of section 20.505 (8)
24 (b) of the statutes takes effect on July 1, 2002.

1 **SECTION 9402. Effective dates; adolescent pregnancy prevention and**
2 **pregnancy services board.**

3 **SECTION 9403. Effective dates; aging and long-term care board.**

4 **SECTION 9404. Effective dates; agriculture, trade and consumer**
5 **protection.**

6 **SECTION 9405. Effective dates; arts board.**

7 **SECTION 9406. Effective dates; boundary area commission,**
8 **Minnesota-Wisconsin.**

9 **SECTION 9407. Effective dates; building commission.**

10 **SECTION 9408. Effective dates; child abuse and neglect prevention**
11 **board.**

12 **SECTION 9409. Effective dates; circuit courts.**

13 **SECTION 9410. Effective dates; commerce.**

14 **SECTION 9411. Effective dates; corrections.**

15 (2) INMATE SECURE WORK PROGRAM. The treatment of sections 303.063 and 303.21
16 (1) (b) of the statutes takes effect on July 1, 2002.

17 **SECTION 9412. Effective dates; court of appeals.**

18 **SECTION 9413. Effective dates; district attorneys.**

19 **SECTION 9414. Effective dates; educational communications board.**

20 **SECTION 9415. Effective dates; elections board.**

21 **SECTION 9416. Effective dates; employee trust funds.**

22 **SECTION 9417. Effective dates; employment relations commission.**

23 **SECTION 9418. Effective dates; employment relations department.**

24 **SECTION 9419. Effective dates; ethics board.**

25 **SECTION 9420. Effective dates; financial institutions.**

1 **SECTION 9421. Effective dates; governor.**

2 **SECTION 9422. Effective dates; Health and Educational Facilities**
3 **Authority.**

4 **SECTION 9423. Effective dates; health and family services.**

5 (2) COMMUNITY HEALTH CENTER GRANTS. The treatment of sections 20.435 (5) (fh)
6 and 250.15 of the statutes takes effect on July 1, 2002.

7 **SECTION 9424. Effective dates; higher educational aids board.**

8 **SECTION 9425. Effective dates; historical society.**

9 (1f) APPROPRIATION CONSOLIDATION. The treatment of section 20.245 (1) (ag) of
10 the statutes takes effect on July 1, 2002.

11 **SECTION 9426. Effective dates; Housing and Economic Development**
12 **Authority.**

13 **SECTION 9427. Effective dates; insurance.**

14 **SECTION 9428. Effective dates; investment board.**

15 **SECTION 9429. Effective dates; joint committee on finance.**

16 **SECTION 9430. Effective dates; judicial commission.**

17 **SECTION 9431. Effective dates; justice.**

18 (1g) GAMING LAW ENFORCEMENT. The treatment of section 20.455 (2) (fm) of the
19 statutes takes effect on July 1, 2002.

20 **SECTION 9432. Effective dates; legislature.**

21 (1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES.

22 (a) The treatment of section 13.525 (5) of the statutes, the creation of section
23 13.525 (5m) of the statutes, and SECTION 9332 (1) of this act take effect on January
24 1, 2003.

1 (b) The repeal of section 13.525 (5m) of the statutes takes effect on January 1,
2 2004.

3 **SECTION 9433. Effective dates; lieutenant governor.**

4 **SECTION 9434. Effective dates; lower Wisconsin state riverway board.**

5 **SECTION 9435. Effective dates; Medical College of Wisconsin.**

6 **SECTION 9436. Effective dates; military affairs.**

7 (1) YOUTH CHALLENGE PROGRAM. The treatment of sections 20.465 (4) (c), 21.26,
8 121.05 (1) (a) 13., 121.095, 121.90 (1) (intro.), and 301.26 (2) (c) of the statutes takes
9 effect on July 1, 2002.

10 **SECTION 9437. Effective dates; natural resources.**

11 (1c) FOREST FIRE PROTECTION GRANT PROGRAM.

12 (a) *Effect of other financial assistance.* The creation of section 26.145 (2m) of
13 the statutes of this act takes effect on July 1, 2002.

14 (b) *Sunset.* The repeal of section 26.145 (2m) of the statutes of this act takes
15 effect on July 1, 2004.

16 (1q) WHEELCHAIR RECYCLING PROJECT. The repeal of section 20.370 (6) (bw) of the
17 statutes takes effect on July 1, 2003.

18 (1w) ANIMAL HEALTH PROTECTION. The treatment of section 20.370 (1) (mu) (by
19 SECTION 36db) of the statutes takes effect on July 1, 2003.

20 **SECTION 9438. Effective dates; personnel commission.**

21 **SECTION 9439. Effective dates; public defender board.**

22 **SECTION 9440. Effective dates; public instruction.**

23 (1) GENERAL SCHOOL AID. The treatment of section 20.255 (2) (ac) of the statutes
24 takes effect on July 1, 2002.

25 **SECTION 9441. Effective dates; public lands, board of commissioners of.**

1 **SECTION 9442. Effective dates; public service commission.**

2 **SECTION 9443. Effective dates; regulation and licensing.**

3 **SECTION 9444. Effective dates; revenue.**

4 **SECTION 9445. Effective dates; secretary of state.**

5 **SECTION 9446. Effective dates; state fair park board.**

6 **SECTION 9447. Effective dates; supreme court.**

7 **SECTION 9448. Effective dates; technical college system.**

8 (1) GRANTS TO STUDENTS. The treatment of sections 20.292 (1) (ep), 38.28 (1m)

9 (a) 1., and 38.305 of the statutes takes effect on July 1, 2002.

10 (2x) COMPENSATION FOR CERTAIN TECHNICAL COLLEGE SYSTEM BOARD EMPLOYEES.

11 The treatment of sections 19.42 (13) (c), 20.923 (16), 40.02 (30), and 230.35 (1m) (a)

12 2. and (2) of the statutes takes effect retroactively to February 1, 2002.

13 **SECTION 9449. Effective dates; technology for educational**
14 **achievement in Wisconsin board.**

15 **SECTION 9450. Effective dates; tobacco control board.**

16 **SECTION 9451. Effective dates; tourism.**

17 **SECTION 9452. Effective dates; transportation.**

18 (1) TRANSFERS TO GENERAL FUND. The repeal of section 20.855 (4) (v) of the
19 statutes takes effect on June 30, 2003.

20 **SECTION 9453. Effective dates; treasurer.**

21 **SECTION 9454. Effective dates; University of Wisconsin Hospitals and**
22 **Clinics Authority.**

23 **SECTION 9455. Effective dates; University of Wisconsin Hospitals and**
24 **Clinics Board.**

25 **SECTION 9456. Effective dates; University of Wisconsin System.**

1 **SECTION 9457. Effective dates; veterans affairs.**

2 **SECTION 9458. Effective dates; workforce development.**

3 (1f) WAGE CLAIM LIEN PRIORITY. The treatment of section 109.09 (2) (c) of the
4 statutes and SECTION 9358 (1f) of this act take effect retroactively to February 1,
5 1998.

6 **SECTION 9459. Effective dates; other.**

7 (1) PENALTY PROVISIONS GENERALLY. The repeal of sections 351.07 (2) (b), 939.32
8 (1) (b), 939.50 (1) (bc), 939.50 (3) (bc), 939.615 (7) (c), 939.622, 939.625, 939.63 (2),
9 939.635, 939.64, 939.641, 939.646, 939.647, 939.648, 940.09 (1b), 940.19 (3), 940.195
10 (3), 940.25 (1b), 940.285 (2) (b) 3., 941.29 (2m), 941.296 (3), 943.23 (1m), 943.23 (1r),
11 943.70 (2) (b) 3., 946.42 (4), 946.425 (2), 948.02 (3m), 948.025 (2m), 948.03 (5), 948.35,
12 948.36, 948.605 (4), 961.41 (1) (cm) 5., 961.41 (1) (d) 5., 961.41 (1) (d) 6., 961.41 (1)
13 (e) 5., 961.41 (1) (e) 6., 961.41 (1) (em), 961.41 (1) (hm) 5., 961.41 (1) (hm) 6., 961.41
14 (1) (im) 5., 961.41 (1) (im) 6., 961.41 (1m) (cm) 5., 961.41 (1m) (d) 5., 961.41 (1m) (d)
15 6., 961.41 (1m) (e) 5., 961.41 (1m) (e) 6., 961.41 (1m) (em), 961.41 (1m) (hm) 5., 961.41
16 (1m) (hm) 6., 961.41 (1m) (im) 5., 961.41 (1m) (im) 6., 961.41 (2) (c), 961.41 (3g) (a)
17 2., 961.41 (3g) (a) 3., 961.41 (3g) (dm), 961.438, 961.46 (2), 961.46 (3), 961.465, 961.48
18 (2), 961.48 (4), 961.49 (2), 961.49 (3), 961.492, 973.01 (2) (b) 2. and 973.03 (3) (e) 3.
19 of the statutes; the renumbering of section 351.07 (2) (a) of the statutes; the
20 renumbering and amendment of sections 49.95 (1), 125.075 (2), 302.113 (9) (a),
21 302.114 (9) (a), 939.63 (1), 943.20 (3) (d) 2., 948.025 (1), 948.025 (2), 961.41 (1) (cm)
22 1., 961.41 (1m) (cm) 1., 961.41 (3g) (a) 1., 961.46 (1), 961.48 (1), 961.49 (1), 973.01 (2)
23 (b) 6., 973.01 (2) (c) and 973.01 (2) (d) of the statutes; the amendment of sections 6.18,
24 11.61 (1) (a), 11.61 (1) (b), 12.60 (1) (a), 13.05, 13.06, 13.69 (6m), 23.33 (13) (cg), 26.14
25 (8), 29.971 (1) (c), 29.971 (1m) (c), 29.971 (11m) (a), 29.971 (11p) (a), 30.80 (2g) (b),

1 30.80 (2g) (c), 30.80 (2g) (d), 30.80 (3m), 36.25 (6) (d), 47.03 (3) (d), 48.355 (2d) (b) 3.,
2 48.415 (9m) (b) 2., 48.417 (1) (d), 48.57 (3p) (g) 2., 48.685 (1) (c), 48.685 (5) (bm) 2.,
3 48.685 (5) (bm) 3., 48.685 (5) (bm) 4., 49.141 (7) (a), 49.141 (7) (b), 49.141 (9) (a),
4 49.141 (9) (b), 49.141 (10) (b), 49.195 (3n) (k), 49.195 (3n) (r), 49.49 (1) (b) 1., 49.49
5 (2) (a), 49.49 (2) (b), 49.49 (3), 49.49 (3m) (b), 49.49 (4) (b), 49.688 (9) (b), 49.688 (9)
6 (c), 49.795 (8) (a) 2., 49.795 (8) (b) 2., 49.795 (8) (c), 50.065 (1) (e) 1., 51.15 (12), 55.06
7 (11) (am), 66.1207 (1) (b), 66.1207 (1) (c), 69.24 (1) (intro.), 70.47 (18) (a), 71.83 (2) (b),
8 86.192 (4), 97.43 (4), 97.45 (2), 100.171 (7) (b), 100.2095 (6) (d), 100.26 (2), 100.26 (5),
9 100.26 (7), 101.10 (4) (b), 101.143 (10) (b), 101.9204 (2), 101.94 (8) (b), 102.835 (11),
10 102.835 (18), 102.85 (3), 108.225 (11), 108.225 (18), 110.07 (5) (a), 114.20 (18) (c),
11 115.31 (2g), 118.19 (4) (a), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12)
12 (b), 125.68 (12) (c), 132.20 (2), 133.03 (1), 133.03 (2), 134.05 (4), 134.16, 134.20 (1)
13 (intro.), 134.205 (4), 134.58, 139.44 (1), 139.44 (1m), 139.44 (2), 139.44 (8) (c), 139.85
14 (1), 139.95 (2), 139.95 (3), 146.345 (3), 146.35 (5), 146.60 (9) (am), 146.70 (10) (a),
15 154.15 (2), 154.29 (2), 166.20 (11) (b), 167.10 (9) (g), 175.20 (3), 180.0129 (2), 181.0129
16 (2), 185.825, 201.09 (2), 214.93, 215.02 (6) (b), 215.12, 215.21 (21), 218.21 (7), 220.06
17 (2), 221.0625 (2) (intro.), 221.0636 (2), 221.0637 (2), 221.1004 (2), 253.06 (4) (b),
18 285.87 (2) (b), 291.97 (2) (b) (intro.), 291.97 (2) (c) 1. and 2., 299.53 (4) (c) 2., 301.048
19 (2) (bm) 1. a., 301.26 (4) (cm) 1., 301.45 (6) (a) 2., 302.095 (2), 302.11 (1g) (a) 2., 302.11
20 (1p), 302.113 (7), 302.113 (9) (b), 302.113 (9) (c), 302.114 (9) (b), 302.114 (9) (bm),
21 304.06 (1) (b), 304.071 (2), 341.605 (3), 342.06 (2), 342.065 (4) (b), 342.155 (4) (b),
22 342.156 (6) (b), 342.30 (3) (a), 342.32 (3), 344.48 (2), 346.17 (3) (a), 346.17 (3) (b),
23 346.17 (3) (c), 346.17 (3) (d), 346.175 (1) (a), 346.175 (1) (b), 346.175 (4) (b), 346.175
24 (4) (c), 346.175 (4) (d), 346.175 (5) (intro.), 346.175 (5) (a), 346.65 (2) (e), 346.65 (5),
25 346.74 (5) (b), 346.74 (5) (c), 346.74 (5) (d), 350.11 (2m), 446.07, 447.09, 450.11 (9) (b),

1 450.14 (5), 450.15 (2), 551.58 (1), 552.19 (1), 553.52 (1), 553.52 (2), 562.13 (3), 562.13
2 (4), 565.50 (2), 565.50 (3), 601.64 (4), 641.19 (4) (a), 641.19 (4) (b), 753.061 (2m),
3 765.30 (1) (intro.), 765.30 (2) (intro.), 767.242 (8), 768.07, 783.07, 908.08 (1), 938.208
4 (1) (a), 938.34 (4h) (a), 938.34 (4m) (b) 1., 938.355 (2d) (b) 3., 938.355 (4) (b), 938.78
5 (3), 939.22 (21) (d), 939.30 (1), 939.30 (2), 939.32 (1) (intro.), 939.50 (1) (intro.), 939.50
6 (2), 939.50 (3) (c), 939.50 (3) (d), 939.50 (3) (e), 939.615 (7) (b) 2., 939.62 (1) (a), 939.62
7 (1) (b), 939.62 (1) (c), 939.62 (2m) (a) 2m. a., 939.62 (2m) (a) 2m. b., 939.623 (2),
8 939.624 (2), 939.632 (1) (e) 1., 939.632 (2), 939.645 (2), 939.72 (1), 939.75 (1), 940.02
9 (2) (intro.), 940.03, 940.04 (1), 940.04 (2) (intro.), 940.04 (4), 940.06 (1), 940.06 (2),
10 940.07, 940.08 (1), 940.08 (2), 940.09 (1) (intro.), 940.10 (1), 940.10 (2), 940.11 (1),
11 940.11 (2), 940.12, 940.15 (2), 940.15 (5), 940.15 (6), 940.19 (2), 940.19 (4), 940.19 (5),
12 940.19 (6) (intro.), 940.195 (2), 940.195 (4), 940.195 (5), 940.195 (6), 940.20 (1), 940.20
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14 (intro.), 940.20 (7) (b), 940.201 (2) (intro.), 940.203 (2) (intro.), 940.205 (2) (intro.),
15 940.207 (2) (intro.), 940.21, 940.22 (2), 940.225 (2) (intro.), 940.225 (3), 940.23 (1) (a),
16 940.23 (1) (b), 940.23 (2) (a), 940.23 (2) (b), 940.24 (1), 940.24 (2), 940.25 (1) (intro.),
17 940.285 (2) (b) 1g., 940.285 (2) (b) 1m., 940.285 (2) (b) 1r., 940.285 (2) (b) 2., 940.29,
18 940.295 (3) (b) 1g., 940.295 (3) (b) 1m., 940.295 (3) (b) 1r., 940.295 (3) (b) 2., 940.295
19 (3) (b) 3., 940.30, 940.305 (1), 940.305 (2), 940.31 (1) (intro.), 940.31 (2) (a), 940.31 (2)
20 (b), 940.32 (2) (intro.), 940.32 (2m), 940.32 (3) (intro.), 940.32 (3m) (intro.), 940.43
21 (intro.), 940.45 (intro.), 941.11 (intro.), 941.12 (1), 941.20 (2) (intro.), 941.20 (3) (a)
22 (intro.), 941.21, 941.235 (1), 941.26 (2) (a), 941.26 (2) (b), 941.26 (2) (e), 941.26 (2) (f),
23 941.26 (2) (g), 941.26 (4) (d), 941.26 (4) (e), 941.28 (3), 941.29 (2) (intro.), 941.295 (1),
24 941.296 (2) (intro.), 941.298 (2), 941.30 (1), 941.30 (2), 941.31 (1), 941.31 (2) (b),
25 941.315 (3) (intro.), 941.32, 941.325, 941.327 (2) (b) 1., 941.327 (2) (b) 2., 941.327 (2)

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2 (2), 942.09 (2) (intro.), 943.01 (2) (intro.), 943.01 (2d) (b) (intro.), 943.01 (2g) (intro.),
3 943.011 (2) (intro.), 943.012 (intro.), 943.013 (2) (intro.), 943.014 (2), 943.015 (2)
4 (intro.), 943.017 (2) (intro.), 943.017 (2m) (b) (intro.), 943.02 (1) (intro.), 943.03,
5 943.04, 943.06 (2), 943.07 (1), 943.07 (2), 943.10 (1) (intro.), 943.10 (2) (intro.), 943.12,
6 943.20 (3) (c), 943.20 (3) (d) (intro.), 943.20 (3) (d) 1., 943.20 (3) (d) 3., 943.20 (3) (d)
7 4., 943.201 (2), 943.205 (3), 943.207 (3m) (b) (intro.), 943.207 (3m) (c) (intro.), 943.208
8 (2) (b), 943.208 (2) (c), 943.209 (2) (b), 943.209 (2) (c), 943.21 (3) (b), 943.23 (1g), 943.23
9 (2), 943.23 (3), 943.23 (4m), 943.23 (5), 943.24 (2), 943.25 (1), 943.25 (2) (intro.),
10 943.26 (2), 943.27, 943.28 (2), 943.28 (3), 943.28 (4), 943.30 (1), 943.30 (2), 943.30 (3),
11 943.30 (4), 943.30 (5) (b), 943.31, 943.32 (1) (intro.), 943.32 (2), 943.34 (1) (c), 943.38
12 (1) (intro.), 943.38 (2), 943.39 (intro.), 943.395 (2) (b), 943.40 (intro.), 943.41 (8) (b),
13 943.41 (8) (c), 943.45 (3) (c), 943.45 (3) (d), 943.455 (4) (c), 943.455 (4) (d), 943.46 (4)
14 (c), 943.46 (4) (d), 943.47 (3) (c), 943.47 (3) (d), 943.49 (2) (b) 2., 943.50 (4) (c), 943.60
15 (1), 943.61 (5) (c), 943.62 (4) (c), 943.70 (2) (b) 2., 943.70 (2) (b) 3g., 943.70 (2) (b) 3r.,
16 943.70 (2) (b) 4., 943.70 (2) (c) 1., 943.70 (3) (b) 2., 943.70 (3) (b) 3., 943.70 (3) (b) 4.,
17 943.75 (2), 943.75 (2m), 943.76 (2) (a), 943.76 (2) (b), 944.05 (1) (intro.), 944.06, 944.16
18 (intro.), 944.21 (5) (c), 944.21 (5) (e), 944.32, 944.33 (2), 944.34 (intro.), 945.03 (1m)
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20 (2), 946.05 (1), 946.10 (intro.), 946.11 (1) (intro.), 946.12 (intro.), 946.13 (1) (intro.),
21 946.14, 946.15 (1), 946.15 (3), 946.31 (1) (intro.), 946.32 (1) (intro.), 946.41 (2m)
22 (intro.), 946.415 (2) (intro.), 946.42 (3) (intro.), 946.425 (1), 946.425 (1m) (b), 946.425
23 (1r) (b), 946.43 (1m) (intro.), 946.43 (2m) (a) (intro.), 946.44 (1) (intro.), 946.44 (1g),
24 946.44 (1m), 946.47 (1) (intro.), 946.48 (1), 946.49 (1) (b), 946.49 (2), 946.60 (1), 946.60
25 (2), 946.61 (1) (intro.), 946.64, 946.65 (1), 946.68 (1r) (a), 946.68 (1r) (b), 946.68 (1r)

1 (c), 946.69 (2) (intro.), 946.70 (2), 946.72 (1), 946.74 (2), 946.76, 946.82 (4), 946.84 (1),
2 946.85 (1), 947.013 (1t), 947.013 (1v), 947.013 (1x) (intro.), 947.015, 948.02 (2), 948.02
3 (3), 948.03 (2) (a), 948.03 (2) (b), 948.03 (2) (c), 948.03 (3) (a), 948.03 (3) (b), 948.03
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6 948.08, 948.095 (2) (intro.), 948.11 (2) (a) (intro.), 948.11 (2) (am) (intro.), 948.12 (1m)
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8 (1) (intro.), 948.30 (1) (intro.), 948.30 (2) (intro.), 948.31 (1) (b), 948.31 (2), 948.31 (3)
9 (intro.), 948.40 (4) (a), 948.40 (4) (b), 948.51 (3) (b), 948.60 (2) (b), 948.60 (2) (c),
10 948.605 (2) (a), 948.605 (3) (a), 948.61 (2) (b), 948.62 (1) (a), 948.62 (1) (b), 948.62 (1)
11 (c), 949.03 (1) (b), 951.18 (1), 951.18 (2), 951.18 (2m), 961.41 (1) (intro.), 961.41 (1) (a),
12 961.41 (1) (b), 961.41 (1) (cm) (intro.), 961.41 (1) (cm) 2., 961.41 (1) (cm) 3., 961.41 (1)
13 (cm) 4., 961.41 (1) (d) (intro.), 961.41 (1) (d) 1., 961.41 (1) (d) 2., 961.41 (1) (d) 3., 961.41
14 (1) (d) 4., 961.41 (1) (e) (intro.), 961.41 (1) (e) 1., 961.41 (1) (e) 2., 961.41 (1) (e) 3.,
15 961.41 (1) (e) 4., 961.41 (1) (f) (intro.), 961.41 (1) (f) 1., 961.41 (1) (f) 2., 961.41 (1) (f)
16 3., 961.41 (1) (g) (intro.), 961.41 (1) (g) 1., 961.41 (1) (g) 2., 961.41 (1) (g) 3., 961.41 (1)
17 (h) (intro.), 961.41 (1) (h) 1., 961.41 (1) (h) 2., 961.41 (1) (h) 3., 961.41 (1) (hm) (intro.),
18 961.41 (1) (hm) 1., 961.41 (1) (hm) 2., 961.41 (1) (hm) 3., 961.41 (1) (hm) 4., 961.41
19 (1) (i), 961.41 (1) (im) (intro.), 961.41 (1) (im) 1., 961.41 (1) (im) 2., 961.41 (1) (im) 3.,
20 961.41 (1) (im) 4., 961.41 (1) (j), 961.41 (1m) (intro.), 961.41 (1m) (a), 961.41 (1m) (b),
21 961.41 (1m) (cm) (intro.), 961.41 (1m) (cm) 2., 961.41 (1m) (cm) 3., 961.41 (1m) (cm)
22 4., 961.41 (1m) (d) (intro.), 961.41 (1m) (d) 1., 961.41 (1m) (d) 2., 961.41 (1m) (d) 3.,
23 961.41 (1m) (d) 4., 961.41 (1m) (e) (intro.), 961.41 (1m) (e) 1., 961.41 (1m) (e) 2., 961.41
24 (1m) (e) 3., 961.41 (1m) (e) 4., 961.41 (1m) (f) (intro.), 961.41 (1m) (f) 1., 961.41 (1m)
25 (f) 2., 961.41 (1m) (f) 3., 961.41 (1m) (g) (intro.), 961.41 (1m) (g) 1., 961.41 (1m) (g) 2.,

1 961.41 (1m) (g) 3., 961.41 (1m) (h) (intro.), 961.41 (1m) (h) 1., 961.41 (1m) (h) 2.,
2 961.41 (1m) (h) 3., 961.41 (1m) (hm) (intro.), 961.41 (1m) (hm) 1., 961.41 (1m) (hm)
3 2., 961.41 (1m) (hm) 3., 961.41 (1m) (hm) 4., 961.41 (1m) (i), 961.41 (1m) (im) (intro.),
4 961.41 (1m) (im) 1., 961.41 (1m) (im) 2., 961.41 (1m) (im) 3., 961.41 (1m) (im) 4.,
5 961.41 (1m) (j), 961.41 (1n) (c), 961.41 (1q), 961.41 (1r), 961.41 (2) (intro.), 961.41 (2)
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7 961.41 (3g) (d), 961.41 (3g) (e), 961.41 (3g) (f), 961.41 (4) (am) 3., 961.42 (2), 961.43
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10 968.255 (1) (a) 2., 968.31 (1) (intro.), 968.34 (3), 968.43 (3), 969.08 (10) (a), 969.08 (10)
11 (b), 971.365 (1) (a), 971.365 (1) (b), 971.365 (1) (c), 971.365 (2), 973.01 (1), 973.01 (2)
12 (intro.), 973.01 (2) (a), 973.01 (2) (b) (intro.), 973.01 (2) (b) 3., 973.01 (2) (b) 4., 973.01
13 (2) (b) 5., 973.0135 (1) (b) 2., 973.03 (3) (e) 1. and 2., 973.032 (4) (c) 2., 973.09 (2) (b)
14 1., 977.06 (2) (b), 978.13 (1) (intro.), 978.13 (1) (b), 978.13 (1) (c), and 978.13 (1) (d)
15 of the statutes; the repeal and recreation of section 944.15 (title) of the statutes; the
16 creation of sections 49.95 (1) (e) and (f), 125.075 (2) (b), 302.113 (7m), 302.113 (9) (ag),
17 302.113 (9) (at), 302.113 (9) (d), 302.113 (9) (e), 302.113 (9) (f), 302.113 (9) (g), 302.114
18 (9) (ag), 302.114 (9) (d), 302.114 (9) (e), 302.114 (9) (f), 346.04 (2t), 346.04 (4), 346.17
19 (2t), 939.32 (1) (bm), 939.32 (1g), 939.32 (1m), 939.32 (2) (title), 939.32 (3) (title),
20 939.50 (1) (f), 939.50 (1) (g), 939.50 (1) (h), 939.50 (1) (i), 939.50 (3) (f), 939.50 (3) (g),
21 939.50 (3) (h), 939.50 (3) (i), 940.09 (1c), 943.20 (3) (bf) and (bm), 943.23 (3m), 943.34
22 (1) (bf) and (bm), 943.50 (4) (bf) and (bm), 946.50 (5d), 946.50 (5h), 946.50 (5p), 946.50
23 (5t), 948.025 (1) (b), 948.025 (2) (a), 948.51 (3) (c), 948.62 (1) (bm), 950.04 (1v) (nt),
24 961.41 (1) (cm) 1g., 961.41 (1) (h) 4., 961.41 (1) (h) 5., 961.41 (1m) (cm) 1g., 961.41 (1m)
25 (h) 4., 961.41 (1m) (h) 5., 961.48 (1) (a) and (b), 973.01 (2) (b) 6m., 973.01 (2) (b) 7.,

1 973.01 (2) (b) 8., 973.01 (2) (b) 9., 973.01 (2) (b) 10. a. and b., 973.01 (2) (c) 2., 973.01
2 (2) (d) 1. to 6., 973.017, 973.15 (2m), and 978.13 (1m) of the statutes; and SECTION
3 9359 (3), (4), and (5) of this act take effect on the first day of the 7th month beginning
4 after publication.

5 (2) PERMANENT ENDOWMENT FUND MONEYS. The repeal of section 20.855 (4) (rb)
6 of the statutes and the repeal and recreation of section 25.69 of the statutes take
7 effect on July 1, 2003.

8 (END)