

1 ***b3034/1.7* SECTION 533ed.** 938.38 (4) (dr) of the statutes is created to read:
2 938.38 (4) (dr) Medical information relating to the juvenile, including all of the
3 following:

4 1. The names and addresses of the juvenile’s physician, dentist, and any other
5 health care provider that is or was previously providing health care services to the
6 juvenile.

7 2. The juvenile’s immunization record, including the name and date of each
8 immunization administered to the juvenile.

9 3. Any known medical condition for which the juvenile is receiving medical care
10 or treatment and any known serious medical condition for which the juvenile has
11 previously received medical care or treatment.

12 4. The name, purpose, and dosage of any medication that is being administered
13 to the juvenile and the name of any medication that causes the juvenile to suffer an
14 allergic or other negative reaction.

15 ***b3034/1.7* SECTION 533ef.** 938.38 (4) (e) of the statutes is amended to read:

16 938.38 (4) (e) ~~The A plan for ensuring the safety~~ and appropriateness of the
17 placement and a description of the services provided to meet the needs of the juvenile
18 and family, including a discussion of services that have been investigated and
19 considered and are not available or likely to become available within a reasonable
20 time to meet the needs of the juvenile or, if available, why such services are not safe
21 or appropriate.

22 ***b3034/1.7* SECTION 533eh.** 938.38 (4) (f) (intro.) of the statutes is amended
23 to read:

24 938.38 (4) (f) (intro.) ~~The A description of the~~ services that will be provided to
25 the juvenile, the juvenile’s family, and the juvenile’s foster parent, the juvenile’s

1 treatment foster parent ~~or~~ the operator of the facility where the juvenile is living,
2 or the relative with whom the juvenile is living to carry out the dispositional order,
3 including services planned to accomplish all of the following:

4 *b3034/1.7* SECTION 533ej. 938.38 (4) (fg) of the statutes is created to read:

5 938.38 (4) (fg) The goal of the permanency plan or, if the agency is making
6 concurrent reasonable efforts under s. 938.355 (2b), the goals of the permanency
7 plan. If a goal of the permanency plan is any goal other than return of the juvenile
8 to his or her home, the permanency plan shall include the rationale for deciding on
9 that goal. If a goal of the permanency plan is an alternative permanent placement
10 under subd. 5., the permanency plan shall document a compelling reason why it
11 would not be in the best interest of the juvenile to pursue a goal specified in subds.
12 1. to 4. The agency shall determine one or more of the following goals to be the goal
13 or goals of a juvenile's permanency plan:

- 14 1. Return of the juvenile to the juvenile's home.
- 15 2. Placement of the juvenile for adoption.
- 16 3. Placement of the juvenile with a guardian.
- 17 4. Permanent placement of the juvenile with a fit and willing relative.
- 18 5. Some other alternative permanent placement, including sustaining care,
19 independent living, or long-term foster care.

20 *b3034/1.7* SECTION 533eL. 938.38 (4) (fm) of the statutes is amended to read:

21 938.38 (4) (fm) If the goal of the permanency plan calls for placing is to place
22 the juvenile for adoption, with a guardian, with a fit and willing relative, or in some
23 other alternative permanent placement, the efforts made to ~~place the juvenile for~~
24 ~~adoption, with a guardian or in some other alternative permanent placement~~ achieve
25 that goal.

1 ***b3034/1.7* SECTION 533en.** 938.38 (4) (h) of the statutes is created to read:

2 938.38 (4) (h) If the juvenile is 15 years of age or over, a description of the
3 programs and services that are or will be provided to assist the juvenile in preparing
4 for the transition from out-of-home care to independent living. The description
5 shall include all of the following:

6 1. The anticipated age at which the juvenile will be discharged from
7 out-of-home care.

8 2. The anticipated amount of time available in which to prepare the juvenile
9 for the transition from out-of-home care to independent living.

10 3. The anticipated location and living situation of the juvenile on discharge
11 from out-of-home care.

12 4. A description of the assessment processes, tools, and methods that have been
13 or will be used to determine the programs and services that are or will be provided
14 to assist the juvenile in preparing for the transition from out-of-home care to
15 independent living.

16 5. The rationale for each program or service that is or will be provided to assist
17 the juvenile in preparing for the transition from out-of-home care to independent
18 living, the time frames for delivering those programs or services, and the intended
19 outcome of those programs or services.

20 ***b3034/1.7* SECTION 533ep.** 938.38 (5) (a) of the statutes, as affected by 2001
21 Wisconsin Act 69, is amended to read:

22 938.38 (5) (a) Except as provided in s. 48.63 (5) (d), the court or a panel
23 appointed under ~~this paragraph~~ par. (a) shall review the permanency plan every in
24 the manner provided in this subsection not later than 6 months from after the date
25 on which the juvenile was first held in physical custody or placed outside of removed

1 from his or her home and every 12 months after a previous review under this
2 subsection for as long as the juvenile is placed outside the home, except that for the
3 review that is required to be conducted not later than 12 months after the juvenile
4 was first removed from his or her home and the reviews that are required to be
5 conducted every 12 months after that review the court shall hold a hearing under
6 sub. (5m) to review the permanency plan, which hearing may be instead of or in
7 addition to the review under this subsection.

8 (ag) If the court elects not to review the permanency plan, the court shall
9 appoint a panel to review the permanency plan. The panel shall consist of 3 persons
10 who are either designated by an independent agency that has been approved by the
11 chief judge of the judicial administrative district or designated by the agency that
12 prepared the permanency plan. A voting majority of persons on each panel shall be
13 persons who are not employed by the agency that prepared the permanency plan and
14 who are not responsible for providing services to the juvenile or the parents of the
15 juvenile whose permanency plan is the subject of the review.

16 *b3034/1.7* SECTION 533er. 938.38 (5) (b) of the statutes is amended to read:

17 938.38 (5) (b) The court or the agency shall notify the parents of the juvenile,
18 the juvenile, if he or she is 10 years of age or older, and the juvenile's foster parent,
19 the juvenile's treatment foster parent ~~or~~, the operator of the facility in which the
20 juvenile is living, or the relative with whom the juvenile is living of the date, time,
21 and place of the review, of the issues to be determined as part of the review, and of
22 the fact that they may have an opportunity to be heard at the review by submitting
23 written comments not less than 10 working days before the review or by
24 participating at the review. The court or agency shall notify the person representing
25 the interests of the public, the juvenile's counsel, and the juvenile's guardian ad litem

1 of the date of the review, of the issues to be determined as part of the review, and of
2 the fact that they may submit written comments not less than 10 working days before
3 the review. The notices under this paragraph shall be provided in writing not less
4 than 30 days before the review and copies of the notices shall be filed in the juvenile's
5 case record.

6 ***b3034/1.7* SECTION 533et.** 938.38 (5) (c) 6. (intro.) of the statutes is amended
7 to read:

8 938.38 (5) (c) 6. (intro.) If the juvenile has been placed outside of his or her
9 home, as described in s. 938.365 (1), for 15 of the most recent 22 months, not including
10 any period during which the juvenile was a runaway from the out-of-home
11 placement or the first 6 months of any period during which the juvenile was returned
12 to his or her home for a trial home visit, the appropriateness of the permanency plan
13 and the circumstances which prevent the juvenile from any of the following:

14 ***b3034/1.7* SECTION 533ev.** 938.38 (5) (c) 6. am. of the statutes is renumbered
15 938.38 (5) (c) 6. cm. and amended to read:

16 938.38 (5) (c) 6. cm. Being placed in the home of a fit and willing relative of the
17 juvenile.

18 ***b3034/1.7* SECTION 533ex.** 938.38 (5) (c) 6. cg. of the statutes is created to
19 read:

20 938.38 (5) (c) 6. cg. Being placed with a guardian.

21 ***b3034/1.7* SECTION 533ez.** 938.38 (5) (c) 6. d. of the statutes is amended to
22 read:

23 938.38 (5) (c) 6. d. Being placed in some other alternative permanent
24 placement, including sustaining care, independent living, or long-term foster care.

25 ***b3034/1.7* SECTION 533f.** 938.38 (5) (c) 7. of the statutes is amended to read:

1 938.38 (5) (c) 7. Whether reasonable efforts were made by the agency to ~~make~~
2 ~~it possible for the juvenile to return safely to his or her home, except that the court~~
3 ~~or panel need not determine whether those reasonable efforts were made with~~
4 ~~respect to a parent of the juvenile if any of the circumstances specified in s. 938.355~~
5 ~~(2d) (b) 1., 2., 3. or 4. apply to that parent~~ achieve the goal of the permanency plan,
6 unless return of the juvenile to the home is the goal of the permanency plan and any
7 of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies.

8 ***b3034/1.7* SECTION 533fb.** 938.38 (5m) of the statutes is created to read:

9 938.38 (5m) PERMANENCY PLAN HEARING. (a) The court shall hold a hearing to
10 review the permanency plan and to make the determinations specified in sub. (5) (c)
11 no later than 12 months after the date on which the juvenile was first removed from
12 the home and every 12 months after a previous hearing under this subsection for as
13 long as the juvenile is placed outside the home.

14 (b) Not less than 30 days before the date of the hearing, the court shall notify
15 the juvenile; the juvenile's parent, guardian, and legal custodian; the juvenile's foster
16 parent or treatment foster parent, the operator of the facility in which the juvenile
17 is living, the juvenile's counsel, and the juvenile's guardian ad litem; or the relative
18 with whom the juvenile is living; the agency that prepared the permanency plan; and
19 the person representing the interests of the public of the date, time, and place of the
20 hearing.

21 (c) Any person who is provided notice of the hearing may have an opportunity
22 to be heard at the hearing by submitting written comments relevant to the
23 determinations specified in sub. (5) (c) not less than 10 working days before the date
24 of the hearing or by participating at the hearing. A foster parent, treatment foster
25 parent, operator of a facility in which a juvenile is living, or relative with whom a

1 juvenile is living who receives notice of a hearing under par. (b) and an opportunity
2 to be heard under this paragraph does not become a party to the proceeding on which
3 the hearing is held solely on the basis of receiving that notice and opportunity to be
4 heard.

5 (d) At least 5 days before the date of the hearing the agency that prepared the
6 permanency plan shall provide a copy of the permanency plan and any written
7 comments submitted under par. (c) to the court, to the juvenile's parent, guardian,
8 and legal custodian, to the person representing the interests of the public, and to the
9 juvenile's counsel or guardian ad litem. Notwithstanding s. 938.78 (2) (a), the person
10 representing the interests of the public and the juvenile's counsel or guardian ad
11 litem may have access to any other records concerning the juvenile for the purpose
12 of participating in the review. A person permitted access to a juvenile's records under
13 this paragraph may not disclose any information from the records to any other
14 person.

15 (e) After the hearing, the court shall make written findings of fact and
16 conclusions of law relating to the determinations under sub. (5) (c) and shall provide
17 a copy of those findings of fact and conclusions of law to the juvenile; the juvenile's
18 parent, guardian, and legal custodian; the juvenile's foster parent or treatment foster
19 parent, the operator of the facility in which the juvenile is living, or the relative with
20 whom the juvenile is living; the agency that prepared the permanency plan; and the
21 person representing the interests of the public. The court shall make the findings
22 specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances specific to
23 the juvenile and shall document or reference the specific information on which those
24 findings are based in the findings of fact and conclusions of law prepared under this
25 paragraph. Findings of fact and conclusions of law that merely reference sub. (5) (c)

1 7. without documenting or referencing that specific information in the findings of fact
2 and conclusions of law or amended findings of fact and conclusions of law that
3 retroactively correct earlier findings of fact and conclusions of law that do not comply
4 with this paragraph are not sufficient to comply with this paragraph.

5 (f) If the findings of fact and conclusions of law under par. (e) conflict with the
6 juvenile's dispositional order or provide for any additional services not specified in
7 the dispositional order, the court shall revise the dispositional order under s. 938.363
8 or order a change in placement under s. 938.357, as appropriate.

9 *b3034/1.7* **SECTION 533fd.** 938.78 (2) (a) of the statutes is amended to read:

10 938.78 (2) (a) No agency may make available for inspection or disclose the
11 contents of any record kept or information received about an individual in its care
12 or legal custody, except as provided under sub. (3) or s. 938.371, 938.38 (5) (b) or (d)
13 or (5m) (d), or 938.51 or by order of the court.”.

14 *b2369/1.1* **445.** Page 228, line 3: after that line insert:

15 *b2369/1.1* **SECTION 535m.** 939.24 (2) of the statutes is amended to read:

16 939.24 (2) Except as provided in ss. 940.285, 940.29 ~~and~~, 940.295, and 943.76,
17 if criminal recklessness is an element of a crime in chs. 939 to 951, the recklessness
18 is indicated by the term “reckless” or “recklessly”.

19 *b2613/1.6* **446.** Page 232, line 6: after that line insert:

20 *b2613/1.6* **SECTION 559v.** 939.615 (1) (b) 1. of the statutes is amended to
21 read:

22 939.615 (1) (b) 1. A violation, or the solicitation, conspiracy, or attempt to
23 commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 948.02 (1) or (2), 948.025

1 (1), 948.05 (1) or (1m), 948.055 (1), 948.06, 948.07, 948.075, 948.08, 948.11 (2) (a),
2 948.12, or 948.13.”

3 ***b2613/1.7* 447.** Page 233, line 3: delete lines 3 to 9 and substitute:

4 ***b2613/1.7* “SECTION 566d.** 939.62 (2m) (a) 2m. b. of the statutes is amended
5 to read:

6 939.62 (2m) (a) 2m. b. Any felony under s. 940.01, 940.02, 940.03, 940.05,
7 940.09 (1), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305, 940.31,
8 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m), or (1r), 943.32 (2), 946.43 (1m),
9 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.075, 948.08,
10 948.30 (2), 948.35 (1) (b) or (c), or 948.36.

11 ***b2613/1.7* SECTION 566f.** 939.62 (2m) (a) 2m. b. of the statutes, as affected
12 by 2001 Wisconsin (this act), is amended to read:

13 939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
14 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.
15 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
16 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
17 (1m), or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
18 948.05, 948.06, 948.07, 948.075, 948.08, or 948.30 (2), 948.35 (1) (b) or (c), or 948.36.”

19 ***b2613/1.8* 448.** Page 235, line 25: after that line insert:

20 ***b2613/1.8* “SECTION 582p.** 939.74 (2) (c) of the statutes, as affected by 2001
21 Wisconsin Act 16, is amended to read:

22 939.74 (2) (c) A prosecution for violation of s. 948.02, 948.025, 948.03 (2) (a),
23 948.05, 948.06, 948.07 (1), (2), (3), or (4), 948.075, 948.08, or 948.095 shall be

1 commenced before the victim reaches the age of 31 years or be barred, except as
2 provided in sub. (2d) (c).”.

3 *b2892/3.5* **449.** Page 248, line 19: after that line insert:

4 *b2892/3.5* **SECTION 657b.** 940.32 (1) (a) of the statutes is renumbered 940.32
5 (1) (a) (intro.) and amended to read:

6 940.32 (1) (a) (intro.) “Course of conduct” means ~~repeatedly maintaining a~~
7 ~~visual or physical proximity to a person. a series of 2 or more acts carried out over~~
8 ~~time, however short or long, that show a continuity of purpose, including any of the~~
9 following:

10 *b2892/3.5* **SECTION 657c.** 940.32 (1) (a) 1. of the statutes is created to read:

11 940.32 (1) (a) 1. Maintaining a visual or physical proximity to the victim.

12 *b2892/3.5* **SECTION 657d.** 940.32 (1) (a) 2. of the statutes is created to read:

13 940.32 (1) (a) 2. Approaching or confronting the victim.

14 *b2892/3.5* **SECTION 657e.** 940.32 (1) (a) 3. of the statutes is created to read:

15 940.32 (1) (a) 3. Appearing at the victim’s workplace or contacting the victim’s
16 employer or coworkers.

17 *b2892/3.5* **SECTION 657f.** 940.32 (1) (a) 4. of the statutes is created to read:

18 940.32 (1) (a) 4. Appearing at the victim’s home or contacting the victim’s
19 neighbors.

20 *b2892/3.5* **SECTION 657g.** 940.32 (1) (a) 5. of the statutes is created to read:

21 940.32 (1) (a) 5. Entering property owned, leased, or occupied by the victim.

22 *b2892/3.5* **SECTION 657h.** 940.32 (1) (a) 6. of the statutes is created to read:

1 940.32 (1) (a) 6. Contacting the victim by telephone or causing the victim's
2 telephone or any other person's telephone to ring repeatedly or continuously,
3 regardless of whether a conversation ensues.

4 ***b2892/3.5* SECTION 657i.** 940.32 (1) (a) 7. of the statutes is created to read:
5 940.32 (1) (a) 7. Sending material by any means to the victim or, for the purpose
6 of obtaining information about, disseminating information about, or communicating
7 with the victim, to a member of the victim's family or household or an employer,
8 coworker, or friend of the victim.

9 ***b2892/3.5* SECTION 657j.** 940.32 (1) (a) 8. of the statutes is created to read:
10 940.32 (1) (a) 8. Placing an object on or delivering an object to property owned,
11 leased, or occupied by the victim.

12 ***b2892/3.5* SECTION 657k.** 940.32 (1) (a) 9. of the statutes is created to read:
13 940.32 (1) (a) 9. Delivering an object to a member of the victim's family or
14 household or an employer, coworker, or friend of the victim or placing an object on,
15 or delivering an object to, property owned, leased, or occupied by such a person with
16 the intent that the object be delivered to the victim.

17 ***b2892/3.5* SECTION 657m.** 940.32 (1) (a) 10. of the statutes is created to read:
18 940.32 (1) (a) 10. Causing a person to engage in any of the acts described in
19 subds. 7. to 9.

20 ***b2892/3.5* SECTION 657n.** 940.32 (1) (am) of the statutes is created to read:
21 940.32 (1) (am) "Domestic abuse" has the meaning given in s. 813.12 (1) (am).

22 ***b2892/3.5* SECTION 657no.** 940.32 (1) (ap) of the statutes is created to read:
23 940.32 (1) (ap) "Domestic abuse offense" means an act of domestic abuse that
24 constitutes a crime.

1 ***b2892/3.5* SECTION 657p.** 940.32 (1) (b) of the statutes is renumbered 940.32
2 (1) (cb) and amended to read:

3 940.32 (1) (cb) ~~“Immediate family”~~ “Member of a family” means a spouse,
4 parent, child, sibling, or any other person ~~who regularly resides in the household or~~
5 ~~who within the prior 6 months regularly resided in the household~~ who is related by
6 blood or adoption to another.

7 ***b2892/3.5* SECTION 657q.** 940.32 (1) (cd) of the statutes is created to read:

8 940.32 (1) (cd) “Member of a household” means a person who regularly resides
9 in the household of another or who within the previous 6 months regularly resided
10 in the household of another.

11 ***b2892/3.5* SECTION 657r.** 940.32 (1) (d) of the statutes is repealed.

12 ***b2892/3.5* SECTION 657s.** 940.32 (2) (intro.) of the statutes is amended to
13 read:

14 940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class
15 ~~A misdemeanor~~ E felony.”.

16 ***b2892/3.6* 450.** Page 248, line 20: delete lines 20 to 22 and substitute:

17 ***b2892/3.6* “SECTION 658b.** 940.32 (2) (intro.) of the statutes, as affected by
18 2001 Wisconsin Act (this act), is amended to read:

19 940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class
20 E I felony:

21 ***b2892/3.6* SECTION 658c.** 940.32 (2) (a) of the statutes is amended to read:

22 940.32 (2) (a) The actor intentionally engages in a course of conduct directed
23 at a specific person that would cause a reasonable person under the same
24 circumstances to fear bodily injury to ~~himself or herself or a member of his or her~~

1 ~~immediate family or to fear~~ the death of himself or herself or a member of his or her
2 ~~immediate family~~ or household.

3 *b2892/3.6* SECTION 658d. 940.32 (2) (b) of the statutes is amended to read:

4 940.32 (2) (b) The actor ~~has knowledge or should have knowledge~~ intends that
5 at least one of the acts that constitute the course of conduct will place the specific
6 person ~~will be placed~~ in reasonable fear of bodily injury to ~~himself or herself or a~~
7 ~~member of his or her immediate family~~ or ~~will be placed in reasonable fear of the~~
8 death of himself or herself or a member of his or her ~~immediate family~~ or household.

9 *b2892/3.6* SECTION 658e. 940.32 (2) (c) of the statutes is amended to read:

10 940.32 (2) (c) The actor's acts induce fear in the specific person of bodily injury
11 to ~~himself or herself or a member of his or her immediate family~~ or induce fear in the
12 specific person of the death of himself or herself or a member of his or her ~~immediate~~
13 family or household.

14 *b2892/3.6* SECTION 658f. 940.32 (2e) of the statutes is created to read:

15 940.32 (2e) Whoever meets all of the following criteria is guilty of a Class E
16 felony:

17 (a) After having been convicted of sexual assault under s. 940.225, 948.02, or
18 948.025 or a domestic abuse offense, the actor engages in any of the acts listed in sub.
19 (1) (a) 1. to 10., if the act is directed at the victim of the sexual assault or the domestic
20 abuse offense.

21 (b) The actor intends that the act will place the specific person in reasonable
22 fear of bodily injury to or the death of himself or herself or a member of his or her
23 family or household.

24 (c) The actor's act induces fear in the specific person of bodily injury to or the
25 death of himself or herself or a member of his or her family or household.

1 ***b2892/3.6* SECTION 658g.** 940.32 (2e) (intro.) of the statutes, as created by
2 2001 Wisconsin Act (this act), is amended to read:

3 940.32 (2e) (intro.) Whoever meets all of the following criteria is guilty of a
4 Class ~~E~~ I felony:

5 ***b2892/3.6* SECTION 658h.** 940.32 (2m) of the statutes is renumbered 940.32
6 (2m) (intro.) and amended to read:

7 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class D felony if ~~he~~
8 ~~or she~~ any of the following applies:

9 (c) The actor intentionally gains access or causes another person to gain access
10 to a record in electronic format that contains personally identifiable information
11 regarding the victim in order to facilitate the violation ~~under sub. (2).~~”.

12 ***b2892/3.7* 451.** Page 248, line 23: delete the material beginning with that
13 line and ending ^{with} ~~on~~ page 249, line 2, and substitute:

14 ***b2892/3.7* “SECTION 659b.** 940.32 (2m) (intro.) of the statutes, as affected by
15 2001 Wisconsin Act (this act), is amended to read:

16 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class ~~D~~ H felony if
17 any of the following applies:

18 ***b2892/3.7* SECTION 659c.** 940.32 (2m) (a) of the statutes is created to read:

19 940.32 (2m) (a) The actor has a previous conviction for a violent crime, as
20 defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013
21 (1r), (1t), (1v), or (1x).

22 ***b2892/3.7* SECTION 659d.** 940.32 (2m) (b) of the statutes is created to read:

1 940.32 (2m) (b) The actor has a previous conviction for a crime, the victim of
2 that crime is the victim of the present violation of sub. (2), and the present violation
3 occurs within 7 years after the prior conviction.

4 ***b2892/3.7* SECTION 659e.** 940.32 (2m) (d) of the statutes is created to read:

5 940.32 (2m) (d) The person violates s. 968.31 (1) or 968.34 (1) in order to
6 facilitate the violation.

7 ***b2892/3.7* SECTION 659f.** 940.32 (2m) (e) of the statutes is created to read:

8 940.32 (2m) (e) The victim is under the age of 18 years at the time of the
9 violation.

10 ***b2892/3.7* SECTION 659g.** 940.32 (3) (intro.) of the statutes is amended to
11 read:

12 940.32 (3) (intro.) Whoever violates sub. (2) ~~under any of the following~~
13 ~~circumstances~~ is guilty of a Class ~~E C~~ felony if any of the following applies:”.

14 ***b2892/3.8* 452.** Page 249, line 3: delete lines 3 to 5 and substitute:

15 ***b2892/3.8* “SECTION 660b.** 940.32 (3) (intro.) of the statutes, as affected by
16 2001 Wisconsin Act (this act), is amended to read:

17 940.32 (3) (intro.) Whoever violates sub. (2) is guilty of a Class ~~C F~~ felony if any
18 of the following applies:

19 ***b2892/3.8* SECTION 660c.** 940.32 (3) (a) of the statutes is amended to read:

20 940.32 (3) (a) The act results in bodily harm to the victim or a member of the
21 victim’s family or household.

22 ***b2892/3.8* SECTION 660d.** 940.32 (3) (b) of the statutes is amended to read:

23 940.32 (3) (b) The actor has a previous conviction for a violent crime, as defined
24 in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r),

1 (1t), (1v) or (1x) ~~for a violation against, the same victim of that crime is the victim of~~
2 the present violation of sub. (2), and the present violation occurs within 7 years after
3 the prior conviction.

4 *b2892/3.8* SECTION 660e. 940.32 (3) (c) of the statutes is created to read:

5 940.32 (3) (c) The actor uses a dangerous weapon in carrying out any of the acts
6 listed in sub. (1) (a) 1. to 9.”.

7 *b2892/3.9* 453. Page 249, line 6: delete lines 6 to 8 and substitute:

8 *b2892/3.9* “SECTION 661b. 940.32 (3m) of the statutes is repealed.”.

9 *b2369/1.2* 454. Page 271, line 8: after that line insert:

10 *b2369/1.2* “SECTION 810g. 943.76 (1) of the statutes, as created by 2001
11 Wisconsin Act 16, is renumbered 943.76 (1) (intro.) and amended to read:

12 943.76 (1) (intro.) In this section, ~~“livestock”~~:

13 (a) “Livestock” means cattle, horses, swine, sheep, goats, farm-raised deer, as
14 defined in s. 95.001 (1) (a), poultry, and other animals used or to be used in the
15 production of food, fiber, or other commercial products.

16 *b2369/1.2* SECTION 810k. 943.76 (1) (b) of the statutes is created to read:

17 943.76 (1) (b) “Paratuberculosis” has the meaning given in s. 95.001 (1) (c).

18 *b2369/1.2* SECTION 810n. 943.76 (1) (c) of the statutes is created to read:

19 943.76 (1) (c) “Reckless conduct” means conduct which creates a substantial
20 risk of an animal’s death or a substantial risk of bodily harm to an animal if the actor
21 is aware of that risk.”.

22 *b2369/1.3* 455. Page 271, line 18: after that line insert:

23 *b2369/1.3* “SECTION 812m. 943.76 (3) of the statutes is created to read:

1 943.76 (3) (a) Whoever, through reckless conduct, introduces a contagious or
2 infectious disease other than paratuberculosis into livestock without the consent of
3 the owner of the livestock is guilty of a Class A misdemeanor.

4 (b) Whoever, through reckless conduct, introduces a contagious or infectious
5 disease other than paratuberculosis into wild deer without the consent of the
6 department of natural resources is guilty of a Class A misdemeanor.

7 (c) This subsection does not apply if the actor's conduct is undertaken pursuant
8 to a directive issued by the department of agriculture, trade and consumer protection
9 or an agreement between the actor and the department of agriculture, trade and
10 consumer protection, if the purpose of the directive or the agreement is to prevent
11 or control the spread of the disease.”.

12 ***b3072/1.1* 456.** Page 271, line 18: after that line insert:

13 ***b3072/1.1* “SECTION 812t.** 943.76 (4) of the statutes is created to read:

14 943.76 (4) (a) Whoever intentionally threatens to introduce a contagious or
15 infectious disease into livestock located in this state without the consent of the owner
16 of the livestock is guilty of a Class D felony if one of the following applies:

17 1. The owner of the livestock is aware of the threat and reasonably believes that
18 the actor will attempt to carry out the threat.

19 2. The owner of the livestock is unaware of the threat, but if the owner were
20 apprised of the threat, it would be reasonable for the owner to believe that the actor
21 would attempt to carry out the threat.

22 (b) Whoever intentionally threatens to introduce a contagious or infectious
23 disease into wild deer located in this state without the consent of the department of
24 natural resources is guilty of a Class D felony if one of the following applies:

1 1. The department of natural resources is aware of the threat and reasonably
2 believes that the actor will attempt to carry out the threat.

3 2. The department of natural resources is unaware of the threat, but if the
4 department were apprised of the threat, it would be reasonable for the department
5 to believe that the actor would attempt to carry out the threat.

6 ***b3072/1.1* SECTION 812u.** 943.76 (4) (a) (intro.) of the statutes, as created by
7 2001 Wisconsin Act (this act), is amended to read:

8 943.76 (4) (a) (intro.) Whoever intentionally threatens to introduce a
9 contagious or infectious disease into livestock located in this state without the
10 consent of the owner of the livestock is guilty of a Class ~~D~~ H felony if one of the
11 following applies:

12 ***b3072/1.1* SECTION 812v.** 943.76 (4) (b) (intro.) of the statutes, as created by
13 2001 Wisconsin Act (this act), is amended to read:

14 943.76 (4) (b) (intro.) Whoever intentionally threatens to introduce a
15 contagious or infectious disease into wild deer located in this state without the
16 consent of the department of natural resources is guilty of a Class ~~D~~ H felony if one
17 of the following applies:”.

18 ***b2892/3.10* 457.** Page 282, line 8: after that line insert:

19 ***b2892/3.10* “SECTION 874x.** 947.013 (1t) of the statutes is amended to read:
20 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E felony if the person
21 has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s. 940.32 (2),
22 (2e), (2m), or (3) ~~or (3m)~~ involving the same victim and the present violation occurs
23 within 7 years of the prior conviction.”.

24 ***b2892/3.11* 458.** Page 282, line 9: delete lines 9 to 13 and substitute:

1 ***b2892/3.11*** “SECTION 875b. 947.013 (1t) of the statutes, as affected by 2001
2 Wisconsin Act (this act), is amended to read:

3 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E I felony if the
4 person has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s.
5 940.32 (2), (2e), (2m), or (3) involving the same victim and the present violation
6 occurs within 7 years of the prior conviction.”

7 ***b2892/3.12* 459.** Page 282, line 21: after that line insert:

8 ***b2892/3.12*** “SECTION 877g. 947.013 (1x) (a) of the statutes is amended to
9 read:

10 947.013 (1x) (a) The person has a prior conviction under sub. (1r), (1t) or (1v)
11 or this subsection or s. 940.32 (2), (2e), (2m), or (3) ~~or (3m)~~.”

12 ***b2613/1.9* 460.** Page 284, line 14: after that line insert:

13 ***b2613/1.9*** “SECTION 886f. 948.025 (3) of the statutes is amended to read:

14 948.025 (3) The state may not charge in the same action a defendant with a
15 violation of this section and with a felony violation involving the same child under
16 ch. 944 or a violation involving the same child under s. 948.02, 948.05, 948.06,
17 948.07, 948.075, 948.08, 948.10, 948.11, or 948.12, unless the other violation
18 occurred outside of the time period applicable under sub. (1). This subsection does
19 not prohibit a conviction for an included crime under s. 939.66 when the defendant
20 is charged with a violation of this section.”

21 ***b2613/1.10* 461.** Page 287, line 17: after that line insert:

22 ***b2613/1.10*** “SECTION 904m. 948.075 of the statutes is created to read:

23 **948.075 Use of a computer to facilitate a child sex crime.** (1) Whoever
24 uses a computerized communication system to communicate with an individual who

1 the actor believes or has reason to believe has not attained the age of 16 years with
2 intent have sexual contact or sexual intercourse with the individual in violation of
3 s. 948.02 (1) or (2) is guilty of a Class BC felony.

4 (2) This section does not apply if, at the time of the communication, the actor
5 reasonably believed that the age of the person to whom the communication was sent
6 was no more than 24 months less than the age of the actor.

7 (3) Proof that the actor did an act, other than use a computerized
8 communication system to communicate with the individual, to effect the actor's
9 intent under sub. (1) shall be necessary to prove that intent.

10 *b2613/1.10* **SECTION 904n.** 948.075 (1) of the statutes, as created by 2001
11 Wisconsin Act (this act), is amended to read:

12 948.075 (1) Whoever uses a computerized communication system to
13 communicate with an individual who the actor believes or has reason to believe has
14 not attained the age of 16 years with intent have sexual contact or sexual intercourse
15 with the individual in violation of s. 948.02 (1) or (2) is guilty of a ~~Class BC~~ Class D
16 felony.”.

17 *b2613/1.11* **462.** Page 288, line 23: after that line insert:

18 *b2613/1.11* **SECTION 910v.** 948.13 (1) (a) of the statutes is amended to read:

19 948.13 (1) (a) A crime under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim
20 is under 18 years of age at the time of the offense, or a crime under s. 948.02 (1),
21 948.025 (1), 948.05 (1) or (1m), 948.06 ~~or~~, 948.07 (1), (2), (3), or (4), or 948.075.”.

22 *b3085/1.5* **463.** Page 293, line 14: after that line insert:

23 *b3085/1.5* **SECTION 939m.** 950.04 (1v) (gm) of the statutes is created to read:

1 950.04 (1v) (gm) To have reasonable attempts made to notify the victim of
2 petitions for sentence adjustment as provided under s. 973.195 (1r) (d).”.

3 ***b2613/1.12* 464.** Page 327, line 10: after that line insert:

4 ***b2613/1.12* “SECTION 1108d.** 971.17 (1m) (b) 2m. of the statutes is amended
5 to read:

6 971.17 (1m) (b) 2m. If the defendant under sub. (1) is found not guilty by reason
7 of mental disease or defect for a violation, or for the solicitation, conspiracy, or
8 attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02
9 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.095, 948.11
10 (2) (a) or (am), 948.12, 948.13, or 948.30, or of s. 940.30 or 940.31 if the victim was
11 a minor and the defendant was not the victim’s parent, the court shall require the
12 defendant to comply with the reporting requirements under s. 301.45 unless the
13 court determines, after a hearing on a motion made by the defendant, that the
14 defendant is not required to comply under s. 301.45 (1m).”.

15 ***b2613/1.13* 465.** Page 332, line 7: after that line insert:

16 ***b2613/1.13* “SECTION 1131m.** 973.01 (3m) of the statutes is amended to read:

17 973.01 (3m) CHALLENGE INCARCERATION PROGRAM ELIGIBILITY. When imposing
18 a bifurcated sentence under this section on a person convicted of a crime other than
19 a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06,
20 948.07, 948.075, 948.08, or 948.095, the court shall, as part of the exercise of its
21 sentencing discretion, decide whether the person being sentenced is eligible or
22 ineligible for the challenge incarceration program under s. 302.045 during the term
23 of confinement in prison portion of the bifurcated sentence.”.

1 ***b3085/1.6* 466.** Page 332, line 13: substitute “302.113 (9g), or 973.195 (1r)”
2 for “or 302.113 (9g)”.

3 ***b2613/1.14* 467.** Page 332, line 17: delete lines 17 to 23 and substitute:

4 ***b2613/1.14* “SECTION 1134f.** 973.0135 (1) (b) 2. of the statutes is amended to
5 read:

6 973.0135 (1) (b) 2. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09
7 (1), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305, 940.31,
8 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m), or (1r), 943.32 (2), 946.43 (1m),
9 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.075, 948.08,
10 948.30 (2), 948.35 (1) (b) or (c), or 948.36.

11 ***b2613/1.14* SECTION 1134g.** 973.0135 (1) (b) 2. of the statutes, as affected by
12 2001 Wisconsin Act (this act), is amended to read:

13 973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
14 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.
15 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
16 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
17 (1m), or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
18 948.05, 948.06, 948.07, 948.075, 948.08, or 948.30 (2), 948.35 (1) (b) or (c), or 948.36.”.

19 ***b3085/1.7* 468.** Page 338, line 20: delete “only”.

20 ***b3085/1.8* 469.** Page 338, line 21: after “decision” insert “or there is not
21 substantial evidence in the record to support the sentencing decision”.

22 ***b2613/1.15* 470.** Page 339, line 13: after that line insert:

23 ***b2613/1.15* “SECTION 1138k.** 973.034 of the statutes is amended to read:

1 **973.034 Sentencing; restriction on child sex offender working with**
2 **children.** Whenever a court imposes a sentence or places a defendant on probation
3 regarding a conviction under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim is
4 under 18 years of age at the time of the offense, or a conviction under s. 948.02 (1),
5 948.025 (1), 948.05 (1) or (1m), 948.06 ~~or~~, 948.07 (1), (2), (3), or (4), or 948.075, the
6 court shall inform the defendant of the requirements and penalties under s. 948.13.

7 ***b2613/1.15* SECTION 1138n.** 973.048 (2m) of the statutes is amended to read:
8 **973.048 (2m)** If a court imposes a sentence or places a person on probation for
9 a violation, or for the solicitation, conspiracy or attempt to commit a violation, of s.
10 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,
11 948.06, 948.07, 948.075, 948.08, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or
12 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the person was not the
13 victim's parent, the court shall require the person to comply with the reporting
14 requirements under s. 301.45 unless the court determines, after a hearing on a
15 motion made by the person, that the person is not required to comply under s. 301.45
16 (1m).”.

17 ***b3085/1.9* 471.** Page 342, line 6: after that line insert:

18 ***b3085/1.9* “SECTION 1143m.** 973.195 of the statutes is created to read:

19 **973.195 Sentence adjustment. (1g)** In this section, “applicable percentage”
20 means 85 percent for a Class C to E felony and 75 percent for a Class F to I felony.

21 **(1r) CONFINEMENT IN PRISON.** (a) An inmate who is serving a sentence imposed
22 under s. 973.01 for a crime other than a Class B felony may petition the sentencing
23 court to adjust the sentence if the inmate has served at least the applicable
24 percentage of the term of confinement in prison portion of the sentence. If an inmate

1 is subject to more than one sentence imposed under this section, the sentences shall
2 be treated individually for purposes of sentence adjustment under this subsection.

3 (b) Any of the following is a ground for a petition under par. (a):

4 1. The inmate's conduct, efforts at and progress in rehabilitation, or
5 participation and progress in education, treatment, or other correctional programs
6 since he or she was sentenced.

7 3. A change in law or procedure related to sentencing or revocation of extended
8 supervision effective after the inmate was sentenced that would have resulted in a
9 shorter term of confinement in prison or, if the inmate was returned to prison upon
10 revocation of extended supervision, a shorter period of confinement in prison upon
11 revocation, if the change had been applicable when the inmate was sentenced.

12 4. The inmate is subject to a sentence of confinement in another state or the
13 inmate is in the United States illegally and may be deported.

14 5. Sentence adjustment is otherwise in the interests of justice.

15 (c) Upon receipt of a petition filed under par. (a), the sentencing court may deny
16 the petition or hold the petition for further consideration. If the court holds the
17 petition for further consideration, the court shall notify the district attorney of the
18 inmate's petition. If the district attorney objects to adjustment of the inmate's
19 sentence within 45 days of receiving notification under this paragraph, the court
20 shall deny the inmate's petition.

21 (d) If the sentence for which the inmate seek's adjustment is for an offense
22 under s. 940.225 (2) or (3), 948.02 (2), or 948.08 and the district attorney does not
23 object to the petition within 10 days of receiving notice under par. (c), the district
24 attorney shall notify the the victim, as defined under s. 950.02 (4), of the inmate's
25 petition. The notice to the victim shall include information on the sentence

1 adjustment petition process under this subsection, including information on how to
2 object to the inmate's petition. If the victim objects to adjustment of the inmate's
3 sentence within 45 days of the date on which the district attorney received notice
4 under par. (c), the court shall deny the inmate's petition.

5 (e) Notwithstanding the confidentiality of victim address information obtained
6 under s. 302.113 (9g) (g) 3., a district attorney who is required to send notice to a
7 victim under par. (d) may obtain from the clerk of the circuit court victim address
8 information that the victim provided to the clerk under s. 302.113 (9g) (g) 3.

9 (f) If the sentencing court receives no objection to sentence adjustment from the
10 district attorney under par. (c) or the victim under par. (d) and the court determines
11 that sentence adjustment is in the public interest, the court may adjust the inmate's
12 sentence as provided under par. (g). The court shall include in the record written
13 reasons for any sentence adjustment granted under this subsection.

14 (g) Except as provided under par. (h), the only sentence adjustments that a
15 court may make under this subsection are as follows:

16 1. If the inmate is serving the term of confinement in prison portion of the
17 sentence, a reduction in the term of confinement in prison by the amount of time
18 remaining in the term of confinement in prison portion of the sentence, less up to 30
19 days, and a corresponding increase in the term of extended supervision.

20 2. If the inmate is confined in prison upon revocation of extended supervision,
21 a reduction in the amount of time remaining in the period of confinement in prison
22 imposed upon revocation, less up to 30 days, and a corresponding increase in the term
23 of extended supervision.

24 (h) 1. If the court adjusts a sentence under par. (g) on the basis of a change in
25 law or procedure as provided under par. (b) 3. and the total sentence length of the

1 adjusted sentence is greater than the maximum sentence length that the offender
2 could have received if the change in law or procedure had been applicable when the
3 inmate was originally sentenced, the court may reduce the length of the term of
4 extended supervision so that the total sentence length does not exceed the maximum
5 sentence length that the offender could have received if the change in law or
6 procedure had been applicable when the inmate was originally sentenced.

7 2. If the court adjusts a sentence under par. (g) on the basis of a change in law
8 or procedure as provided under par. (b) 3. and the adjusted term of extended
9 supervision is greater than the maximum term of extended supervision that the
10 offender could have received if the change in law or procedure had been applicable
11 when the inmate was originally sentenced, the court may reduce the length of the
12 term of extended supervision so that the term of extended supervision does not
13 exceed the maximum term of extended supervision that the offender could have
14 received if the change in law or procedure had been applicable when the inmate was
15 originally sentenced.

16 (i) An inmate may submit only one petition under this subsection for each
17 sentence imposed under s. 973.01.”.

18 *b2391/1.13* **472.** Page 345, line 19: after that line insert:

19 *b2391/1.13* **SECTION 1151r.** 979.012 of the statutes is created to read:

20 **979.012 Reporting deaths of public health concern.** (1) If a coroner or
21 medical examiner is aware of the death of a person who, at the time of his or her
22 death, had an illness or a health condition that satisfies s. 166.02 (7) (a), the coroner
23 or medical examiner shall report the illness or health condition to the department
24 of health and family services and to the local health department, as defined in s.

1 250.01 (4), in whose jurisdiction the coroner or medical examiner is located in writing
2 or by electronic transmission within 24 hours of learning of the deceased's illness or
3 health condition.

4 (2) In a report under sub. (1), the coroner or medical examiner shall include all
5 of the following information if such information is available:

6 (a) The illness or health condition of the deceased.

7 (b) The name, date of birth, gender, race, occupation, and home and work
8 addresses of the deceased.

9 (c) The name and address of the coroner or medical examiner.

10 (d) If the illness or health condition was related to an animal or insect bite, the
11 suspected location where the bite occurred and the name and address of the owner
12 of the animal or insect, if an owner is identified.”.

13 *b3109/1.1* **473.** Page 345, line 25: after that line insert:

14 *b3109/1.1* “SECTION 1157s. 1999 Wisconsin Act 9, section 9158 (8w) (e) is
15 amended to read:

16 *b3109/1.1* [1999 Wisconsin Act 9] Section 9158 (8w) (e) Notwithstanding the
17 procedures for dissolution of a regional planning commission that are specified under
18 section 66.945 (15) of the statutes, the Dane County regional planning commission
19 shall be dissolved on October 1, ~~2002~~ 2004. All unexpended funds of the commission
20 on that date shall be applied to any outstanding indebtedness of the commission. If
21 any outstanding indebtedness of the commission remains after the application of the
22 unexpended funds to such debts, the remaining indebtedness shall be assessed to
23 Dane County. If the commission has no outstanding indebtedness and has

1 unexpended funds, such funds shall be returned to the cities, villages, towns or
2 county that supplied them.”.

3 *b2816/1.2* **474.** Page 346, line 8: after that line insert:

4 *b2816/1.2* “SECTION 1160p. 2001 Wisconsin Act 16, section 9157 (7e) is
5 amended to read:

6 [2001 Wisconsin Act 16] Section 9157 (7e) COST-EFFECTIVE TRANSPORTATION
7 SERVICES FOR VETERANS. The department of veterans affairs and the department of
8 administration, jointly, shall determine the most cost-effective methods for
9 providing statewide transportation services to disabled veterans under section 45.43
10 (7m) of the statutes, as created by this act.”.

11 *b2909/2.2* **475.** Page 346, line 8: after that line insert:

12 *b2909/2.2* “SECTION 1160p. 2001 Wisconsin Act 16, section 9158 (8x) is
13 amended to read:

14 [2001 Wisconsin Act 16] Section 9158 (8x) COMMUNITY YOUTH GRANTS.
15 Notwithstanding section 49.175 (1) (z) of the statutes, as affected by this act, from
16 the moneys allocated under section 49.175 (1) (z) of the statutes, as affected by this
17 act, the department of workforce development shall provide grants in each fiscal year
18 of the 2001–03 fiscal biennium to the Wisconsin chapters of the Boys and Girls Clubs
19 of America to improve social, academic, and employment skills of youth who are
20 eligible to receive temporary assistance for needy families under 42 USC 601 et seq.
21 The total amount of grants that are provided under this subsection in each fiscal year
22 of the 2001–03 fiscal biennium shall be ~~\$50,000~~ \$300,000.”.

23 *b2863/1.6* **476.** Page 346, line 13: after that line insert:

1 ***b2863/1.6*** "SECTION 1160rd. 2001 Wisconsin Act 16, section 9323 (18k),
2 (18m), (18n), (18pk), (18pm) and (18pn) are repealed.

3 ***b2863/1.6*** SECTION 1160ut. 2001 Wisconsin Act 16, section 9423 (18k) is
4 repealed."

5 ***b2470/2.1* 477.** Page 348, line 9: after that line insert:

6 ***b2470/2.1*** "(6e) LAPSES FROM CERTAIN APPROPRIATIONS FROM WHICH MEMBERSHIP
7 DUES IN NATIONAL, STATE, AND LOCAL NONGOVERNMENTAL ORGANIZATIONS ARE PAID.

8 (a) In this subsection:

9 1. "Secretary" means the secretary of administration.

10 2. "State agency" has the meaning given in section 20.001 (1) of the statutes.

11 ***b2470/2.1*** (b) The secretary shall determine for each state agency the
12 amount expended by the state agency for membership dues for any national, state,
13 or local nongovernmental organization in the 2000–01 fiscal year that was funded
14 from general purpose revenue and the appropriation from which the dues were paid.

15 (c) From each sum certain appropriation of general purpose revenue identified
16 in paragraph (b), the secretary shall lapse to the general fund in the 2002–03 fiscal
17 year an amount that equals 20% of the amount specified in paragraph (b) for that
18 appropriation. After the secretary makes the lapse, each of the sum certain
19 appropriations is decreased by the amount of the lapse.

20 (d) For each sum sufficient appropriation of general purpose revenue identified
21 in paragraph (b), the expenditure estimate for the appropriation during the 2002–03
22 fiscal year is reestimated to subtract an amount that equals 20% of the amount
23 specified in paragraph (b) for that appropriation."

24 ***b3044/2.2* 478.** Page 350, line 2: after that line insert:

1 ***b3044/2.2*** “(8w) TUITION APPROPRIATION EXPENDITURE ESTIMATE INCREASE.
2 When amending the schedule under section 20.004 (2) of the statutes, in addition to
3 making any other reduction required by law, the department of administration shall
4 increase the estimated expenditure amount that appears in the schedule for the
5 appropriation account under section 20.285 (1) (im) of the statutes by \$6,700,000 to
6 reflect additional academic fees and tuition that may be received under section 36.27
7 (1) (cm) of the statutes, as created by this act.”.

8 ***b2943/1.1* 479.** Page 350, line 3: delete lines 3 to 11.

9 ***b3042/2.3* 480.** Page 352, line 12: after that line insert:

10 ***b3042/2.3*** “(9b) SALE OR LEASE OF STATE SURPLUS PROPERTY.

11 (a) In this subsection:

12 1. “State agency” has the meaning given in section 20.001 (1) of the statutes.

13 2. “State property” means land and improvements thereto that are owned by
14 this state.

15 3. “Surplus property” means state property under the jurisdiction of the
16 building commission or any other state agency that is not used or needed to carry out
17 the program responsibilities of a state agency and is not included in the plan of a state
18 agency for construction or development.

19 ***b3042/2.3*** (b) The department of administration shall compile an inventory
20 of surplus property that has the potential to be sold or leased by the state no later
21 than March 15, 2003.

22 ***b3042/2.3*** (c) No later than October 1, 2003, the department of
23 administration shall submit to the cochairpersons of the joint committee on finance
24 a report containing a list of surplus property that the department recommends be

1 offered for sale or lease. In the report, the department shall specify, for each property
2 listed, whether a sale or lease is recommended. If the cochairpersons of the
3 committee do not notify the department that the committee has scheduled a meeting
4 for the purpose of reviewing the proposed sale or lease of a particular surplus
5 property that is included in the report, the department shall direct the building
6 commission to proceed with the sale or lease. If, within 14 working days after the
7 date of the department's submittal, the cochairpersons of the committee notify the
8 department that the committee has scheduled a meeting for the purpose of reviewing
9 the proposed sale or lease of a particular surplus property, the department and the
10 building commission shall not proceed with the proposed sale or lease unless the sale
11 or lease is approved by the committee.”.

12 *b3052/1.18* **481**. Page 352, line 18: after that line insert:

13 *b3052/1.18* “(4xv) TRANSFER OF CONSUMER PROTECTION FUNCTIONS.

14 (a) *Assets and liabilities*. All assets and liabilities of the department of
15 agriculture, trade and consumer protection that are primarily related to programs
16 or functions transferred to the department of justice under this act shall become the
17 assets and liabilities of the department of justice. The departments of justice and
18 agriculture, trade and consumer protection shall jointly determine these assets and
19 liabilities and shall jointly develop and implement a plan for their orderly transfer.
20 In the event of any disagreement between the departments, the secretary of
21 administration shall decide the question. If either department is dissatisfied with
22 the secretary's decision, the department may bring the matter to the cochairpersons
23 of the joint committee on finance for consideration by the committee, and the
24 committee shall affirm or modify the decision.

1 (b) *Employee transfers.* In the department of agriculture, trade and consumer
2 protection 21.0 FTE positions that are primarily related to programs or functions
3 that are transferred to the department of justice under this act, and the incumbents
4 holding these positions are transferred to the department of justice. The secretary
5 of administration shall determine which incumbents will be transferred. If either
6 department is dissatisfied with the secretary's decision, the department may bring
7 the matter to the cochairpersons of the joint committee on finance for consideration
8 by the committee, and the committee shall affirm or modify the decision.

9 (c) *Employee status.* Employees transferred under paragraph (b) have all the
10 rights and same status under subchapter V of chapter 111 and chapter 230 of the
11 statutes in the department of justice that they enjoyed in the department of
12 agriculture, trade and consumer protection immediately before the transfer.
13 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
14 has attained permanent status in class is required to serve a probationary period.

15 (d) *Supplies and equipment.* All tangible personal property, including records,
16 of the department of agriculture, trade and consumer protection that are primarily
17 related to programs or functions that are transferred to the department of justice
18 under this act are transferred to the department of justice. The departments of
19 justice and agriculture, trade and consumer protection shall jointly identify the
20 tangible personal property, including records, and shall jointly develop and
21 implement a plan for their orderly transfer. In the event of any disagreement
22 between the departments, the secretary of administration shall decide the question.
23 If either department is dissatisfied with the secretary's decision, the department
24 may bring the matter to the cochairpersons of the joint committee on finance for

1 consideration by the committee, and the committee shall affirm or modify the
2 decision.

3 (e) *Pending matters.* Any matter pending with the department of agriculture,
4 trade and consumer protection that is primarily related to a program or function that
5 is transferred to the department of justice under this act is transferred to the
6 department of justice. All materials submitted or actions taken by the department
7 of agriculture, trade and consumer protection with respect to the pending matter are
8 considered as having been submitted to or taken by the department of justice.

9 (f) *Contracts.* All contracts entered into by the department of agriculture, trade
10 and consumer protection or the department of justice that are primarily related to
11 programs or functions transferred to the department of justice under this act, and
12 that are in effect on the effective date of this paragraph, remain in effect and those
13 contracts entered into by the department of agriculture, trade and consumer
14 protection are transferred to the department of justice. The departments of justice
15 and agriculture, trade and consumer protection shall jointly identify these contracts
16 and shall jointly develop and implement a plan for their orderly transfer. In the event
17 of any disagreement between the departments, the secretary of administration shall
18 decide the question. If either department is dissatisfied with the secretary's decision,
19 the department may bring the matter to the cochairpersons of the joint committee
20 on finance for consideration by the committee, and the committee shall affirm or
21 modify the decision. The department of justice shall carry out the obligations under
22 these contracts until the obligations are modified or rescinded by the department of
23 justice to the extent allowed under the contract.

24 (g) *Rules and orders.* All rules promulgated by the department of agriculture,
25 trade and consumer protection that are in effect on the effective date of this

1 paragraph and that are primarily related to programs or functions that are
2 transferred to the department of justice under this act remain in effect until their
3 specified expiration date or until amended or repealed by the department of justice.
4 All orders issued by the department of agriculture, trade and consumer protection
5 that are in effect on the effective date of this paragraph and that are primarily related
6 to programs or functions transferred to the department of justice under this act
7 remain in effect until their specified expiration date or until modified or rescinded
8 by the department of justice.

9 (h) *Decrease in positions.* The authorized FTE positions for the department of
10 agriculture, trade and consumer protection, funded from the appropriation under
11 section 20.115 (8) (jm), 1999 stats., are decreased by 5.5 PR positions.”.

12 *b2997/1.3* **482.** Page 352, line 19: after that line insert:

13 “(1c) MILWAUKEE ART MUSEUM. The arts board shall spend the amount in the
14 appropriation account under section 20.215 (1) (cm) of the statutes, as created by this
15 act, for the Leonardo da Vinci and the Splendor of Poland art exhibitions at the
16 Milwaukee Art Museum.”.

17 *b3042/2.4* **483.** Page 353, line 12: after that line insert:

18 *b3042/2.4* “(1b) SALE OR LEASE OF STATE SURPLUS PROPERTY. Notwithstanding
19 section 13.48 (14) (am) of the statutes, the building commission shall offer for sale
20 or lease the surplus property authorized under SECTION 9107 (9b) of this act in
21 accordance with section 13.48 (14) (b) of the statutes. Notwithstanding section 13.48
22 (14) (c) of the statutes, the commission shall deposit any net proceeds from sales or
23 leases of those properties, after depositing any amount required to be deposited into

1 the bond security and redemption fund, into the budget stabilization fund. Section
2 13.48 (14) (d) of the statutes does not apply to that property.”.

3 ***b3034/1.8* 484.** Page 353, line 15: after that line insert:

4 ***b3034/1.8*** “(1z) RELATIVE PLACEMENT PERMANENCY PLANS.

5 (a) Notwithstanding sections 48.38 (3) and 938.38 (3) of the statutes, for
6 children or juveniles who are living in the home of a relative, as defined in section
7 48.02 (15) or 938.02 (15) of the statutes, under the supervision of an agency under
8 section 48.64 (2) of the statutes, under a consent decree under section 48.32 or 938.32
9 of the statutes, or under an order under section 48.355 or 938.355 of the statutes on
10 the day before the effective date of this paragraph, the agency assigned primary
11 responsibility for providing services to those children or juveniles shall file a
12 permanency plan with that court with respect to not less than 33% of those children
13 or juveniles by September 1, 2002, with respect to not less than 67% of those children
14 or juveniles by November 1, 2002, and with respect to all of those children or
15 juveniles by January 1, 2003, giving priority to those children or juveniles who have
16 been living in the home of a relative for the longest period of time.

17 (b) The agency shall request the court assigned to exercise jurisdiction under
18 chapters 48 and 938 of the statutes, as affected by this act, to make a finding under
19 section 48.363 or 938.363 of the statutes that reasonable efforts have been made to
20 prevent the removal of the child or juvenile from the home or that those efforts are
21 not required to be made because a circumstance specified in section 48.355 (2d) (b)
22 1. to 5. of the statutes, as affected by this act, or section 938.355 (2d) (b) 1. to 4. of the
23 statutes, as affected by this act, applies, not more than 60 days after the date on
24 which the permanency plan is filed.

1 (c) Notwithstanding section 48.38 (5) (a) of the statutes, as affected by this act,
2 section 48.38 (5m) of the statutes, as created by this act, section 938.38 (5) (a) of the
3 statutes, as affected by this act, and section 938.38 (5m) of the statutes, as created
4 by this act, a permanency plan filed under this subsection shall be reviewed within
5 6 months after the date on which the permanency plan is filed and a permanency
6 plan hearing shall be had to review a permanency plan filed under this subsection
7 within 12 months after the date on which the permanency plan is filed.”

8 *b2392/1.1* **485**. Page 353, line 16: after that line insert:

9 *b2392/1.1* “(1v) PROPOSAL FOR RURAL FINANCE AUTHORITY. The department of
10 commerce shall work with the department of administration, the department of
11 agriculture, trade and consumer protection, and the Wisconsin Housing and
12 Economic Development Authority to develop a proposal, to be included in the
13 department of commerce’s budget request that is submitted to the department of
14 administration, for the 2003–05 biennium for the creation of a rural finance
15 authority. In developing the proposal, the departments and the authority shall do
16 all of the following:

17 (a) Consider proposing that the rural finance authority be created to offer
18 low–interest loans to agricultural producers in this state.

19 (b) Include a governing board to head the authority and consider the feasibility
20 of an 11–member board consisting of 3 agricultural producers; 3 commercial bankers;
21 2 other members appointed by the governor; the secretary of commerce and the
22 secretary of agriculture, trade and consumer protection or their designees; and the
23 executive director of the Wisconsin Housing and Economic Development Authority
24 or his or her designee.

1 (c) Consider including programs such as farm purchase assistance loans,
2 including seller assisted loans; beginning farmer loans for the purchase of animals,
3 machinery, and real estate; an agricultural improvement program to finance
4 physical improvements of farm operations; a livestock modernization program; and
5 a program to finance purchases by agricultural producers of stock in cooperatives
6 that engage in agricultural processing.

7 (d) Consider transferring agricultural programs administered by the
8 Wisconsin Housing and Economic Development Authority to the rural finance
9 authority.”.

10 *b3045/1.4* **486.** Page 353, line 16: after that line insert:

11 *b3045/1.4* “(1c) GRANT TO FORWARD WISCONSIN, INC., FOR STUDY AND PROPOSAL
12 ON BRAND IMAGE. From the appropriation under section 20.143 (1) (bp) of the statutes,
13 as created by this act, the department of commerce shall provide a grant of \$50,000
14 in fiscal year 2002–03 to Forward Wisconsin, Inc., to contract for a study and the
15 creation of a proposal for a national brand image for the state related to technology
16 and biotechnology. The department of commerce shall enter into an agreement with
17 Forward Wisconsin, Inc., that specifies the uses for the grant proceeds under this
18 subsection and reporting and auditing requirements. No later than December 31,
19 2003, the department of commerce shall submit to the appropriate standing
20 committees of the legislature in the manner provided under section 13.172 (3) of the
21 statutes a report that includes the results of the study and the conclusions and
22 recommendations of Forward Wisconsin, Inc., with respect to a proposal for a
23 national brand image for the state.”.

24 *b3093/1.3* **487.** Page 353, line 16: after that line insert:

ered/c

1 ***b3093/1.3*** “(1z) DIVISION OF INTERNATIONAL AND EXPORT SERVICES. The
2 authorized FTE positions for the department of commerce are increased by 2.5 PR
3 positions on July 1, 2002, or on the day after publication, whichever is later, to be
4 funded from the appropriation under section 20.143 (1) (g) of the statutes, for the
5 division of international and export services.”.

6 ***b3053/3.5* 488.** Page 355, line 15: after that line insert:

7 ***b3053/3.5*** “(1v) HIRING FREEZE EXEMPTION. Notwithstanding any action of the
8 governor or the secretary of administration under section 16.505 (3) of the statutes
9 before the effective date of this subsection, the department of employee trust funds
10 may fill 3.5 FTE GPR positions that are vacant on the effective date of this
11 subsection, that are authorized to the department under section 16.505 of the
12 statutes, and that are funded from the appropriation under section 20.512 (2) (a) of
13 the statutes.”.

14 ***b2879/1.7* 489.** Page 356, line 1: delete lines 1 to 4.

15 ***b3058/1.3* 490.** Page 356, line 4: after that line insert:

16 ***b3058/1.3*** “(1z) RURAL HEALTH DENTAL CLINICS.

17 (a) Notwithstanding the amounts specified for expenditure in state fiscal year
18 2001–02 under section 146.65 (1) (a) and (b) of the statutes, the department of health
19 and family services shall, in state fiscal year 2002–03, distribute moneys under
20 section 146.65 (1) (a) of the statutes that were unexpended under that paragraph on
21 July 1, 2002, and distribute moneys under section 146.65 (1) (b) of the statutes that
22 were unexpended under that paragraph on July 1, 2002.

23 (b) Notwithstanding section 16.42 of the statutes, in submitting information
24 under section 16.42 of the statutes for purposes of the 2003–2005 biennial budget

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