

1 (b) Paragraph (a) does not apply with respect to solid waste to which the
2 prohibitions in subs. (3) and (4) do not apply because of sub. (7) (b), (bg), (c) 2., (d),
3 (f), (g), or (h).

4 *b2179/2.11* SECTION 3222m. 287.11 (4) of the statutes is created to read:

5 287.11 (4) PILOT PROGRAM FOR ALTERNATE METHOD OF COMPLIANCE. (a) The
6 department shall administer a pilot program that provides an alternate method of
7 complying with sub. (2) (b). The department shall promulgate rules for the pilot
8 program under this subsection that do all of the following:

9 1. Set goals for amounts of materials to be recycled as a percentage of solid
10 waste generated in the geographic area served by a responsible unit.

11 2. Include a list of recyclable materials, including the materials identified
12 under s. 287.07 (3) and (4), that a responsible unit may choose under this subsection
13 to require to be separated for recycling under its recycling program.

14 3. Specify a procedure for a responsible unit to identify the materials that it will
15 require to be separated for recycling under its recycling program.

16 4. Specify a procedure to be used by the department to determine whether a
17 responsible unit has achieved the goals under par. (a).

18 (b) The department shall select 3 responsible units with a population of less
19 than 5,000, 3 responsible units with a population of at least 5,000 but less than
20 25,000, and 3 responsible units with a population of at least 25,000 to participate in
21 the pilot program under this subsection.

22 (c) A responsible unit participating in the pilot program under this subsection
23 shall be considered to comply with sub. (2) (b).

24 (d) The department shall submit reports on the pilot program under this
25 subsection to the appropriate standing committees of the legislature, under s. 13.172

1 (3), and to the joint committee on finance no later than January 1, 2003, and no later
2 than January 1, 2005. The department shall include all of the following in its reports:

3 1. A description of the participation in the pilot program and of the results to
4 the date of the report.

5 2. A description of any changes in the recycling percentage rate achieved by the
6 participants.

7 3. A description of any cost or program efficiencies obtained by participants.

8 4. Any recommendations for statutory changes to modify the pilot program or
9 to expand it statewide.

10 5. Any recommendations about whether s. 287.07 (3) and (4) should be modified
11 and, if so, in what manner.

12 (e) The pilot program under this subsection ends on December 31, 2005.

13 *b2179/2.11* SECTION 3222p. 287.23 (2) of the statutes is renumbered 287.23
14 (2) (a) and amended to read:

15 287.23 (2) (a) The department shall develop, implement, and administer a
16 program to provide financial assistance to responsible units. The department shall
17 develop criteria for reporting on and evaluating the program.

18 (b) Each year the department, in cooperation with the University of
19 Wisconsin–Extension, shall audit review the recycling programs of at least 5% of the
20 recipients of grants in the previous year to ~~ensure that programs and activities~~
21 ~~funded by grants under this section meet the requirements of this section.~~ do all of
22 the following:

23 *b2179/2.11* SECTION 3222q. 287.23 (2) (b) 1. to 3. of the statutes are created
24 to read:

25 287.23 (2) (b) 1. Ensure compliance with s. 287.07 (1m), (2), (3), and (4).

1 2. Ensure compliance with s. 287.11 and rules promulgated under that section.

2 3. Identify activities, methods, or procedures that would enable the responsible
3 units to make their recycling programs more efficient or effective.

4 ***b2179/2.11* SECTION 3222r.** 287.23 (2) (c) of the statutes is created to read:

5 287.23 (2) (c) By June 30 annually, the department shall report to the joint
6 committee on finance the number of recycling programs reviewed under par. (b)
7 during the previous year.

8 ***-0290/2.4* SECTION 3225.** 287.23 (5) (c) 2. of the statutes is amended to read:

9 287.23 (5) (c) 2. Except as provided in subd. 5. or sub. (5e), for all other
10 responsible units, the amount of the grant for 1993 through 2000 1999 equals either
11 66% of the difference between eligible expenses and avoided disposal costs or \$8
12 times the population of the responsible unit, whichever is less.

13 ***b2179/2.12* SECTION 3225c.** 287.23 (5b) (title) and (intro.) of the statutes are
14 amended to read:

15 287.23 (5b) (title) GRANT AWARD FOR 2000 AND 2001. (intro.) The For 2000 and
16 2001, the department shall award a grant under this subsection to each eligible
17 responsible unit that submits a complete grant application under sub. (4) for
18 expenses allowable under sub. (3) (b). The department shall determine the amount
19 of the grants under this subsection as follows:

20 ***b2179/2.12* SECTION 3225f.** 287.23 (5d) of the statutes is created to read:

21 287.23 (5d) GRANT AMOUNT FOR YEARS AFTER 2001. (a) Beginning with grants for
22 the year 2002, the department shall award a grant under this subsection to each
23 eligible responsible unit that submits a complete grant application under sub. (4) for
24 expenses allowable under sub. (3) (b).

1 (b) Except as provided in pars. (c), (d), (e), (f), and (g) and sub. (5p), the
2 department shall award an eligible responsible unit a grant under this subsection
3 equal to \$5.30 times the population of the responsible unit.

4 (c) A grant under this subsection may not exceed the allowable expenses under
5 sub. (3) (b) that the responsible unit incurred in the year 2 years before the year for
6 which the grant is made.

7 (d) For a county that is the responsible unit for at least 75% of the population
8 of the county, the department shall award a grant under this subsection equal to the
9 greater of \$100,000 or the amount determined under par. (a), but not more than the
10 allowable expenses under sub. (3) (b).

11 (e) For grants for the year 2002, the department shall award a grant to a
12 responsible unit that received an award in 2001 that is equal to at least 80% of the
13 amount received in 2001.

14 (f) Beginning with grants for the year 2005, the department shall reduce a
15 grant calculated under par. (b) by \$1.50 times the population of the responsible unit
16 if the responsible unit is not eligible for a grant under s. 287.235.

17 (g) If the available funds are insufficient to pay the grant amounts determined
18 under this subsection, the department shall achieve the necessary reduction in the
19 total amount of the grants by reducing the amount of each grant determined under
20 this subsection, except a grant determined under par. (d) or (e), by an equal
21 percentage.

22 ***-0290/2.5* SECTION 3226.** 287.23 (5m) of the statutes is amended to read:

23 287.23 (5m) ALTERNATE PROCESS. The department shall establish, by rule, a
24 process for distributing grants if the amount that would be awarded under sub. (5)
25 or (5e) exceeds the amount of funds available under s. 20.370 (6) (bq).

1 ***b2179/2.13* SECTION 3226c.** 287.23 (6) of the statutes is renumbered 287.23
2 (6) (a) and amended to read:

3 287.23 (6) (a) ~~The~~ Except as provided in par. (b), the department shall disburse
4 a grant to the applicant after approval, but no later than June 1 of the year for which
5 the grant is made.

6 ***b2179/2.13* SECTION 3226d.** 287.23 (6) (b) of the statutes is created to read:
7 287.23 (6) (b) For grants for the year 2002, the department shall disburse a
8 total of \$19,500,000 no later than June 1, 2002, and a total of \$5,000,000 after June
9 30, 2002, but no later than December 1, 2002.

10 ***b2179/2.13* SECTION 3226k.** 287.235 of the statutes is created to read:

11 **287.235 Recycling efficiency incentive grants. (1) ELIGIBILITY.** Beginning
12 in fiscal year 2002–03 the department shall make a recycling efficiency incentive
13 grant to a responsible unit that satisfies all of the following criteria:

14 (a) The responsible unit is one of the following:

- 15 1. A county.
16 2. A responsible unit, other than a county, with a population of 50,000 or more.
17 3. A responsible unit that is formed by the merger of 3 or more responsible units
18 or that is the responsible unit for 3 or more municipalities.

19 (b) The responsible unit engages in coordinated program delivery, as specified
20 under s. 287.03 (1) (f).

21 **(2) GRANT AMOUNT.** (a) Except as provided in pars. (b) and (c) and sub. (3) (a),
22 the department shall provide a grant amount to an eligible responsible unit equal to
23 \$1 times the population of the responsible unit.

24 (b) If the available funds are insufficient to pay the grant amount determined
25 under par. (a), the department shall achieve the necessary reduction in the total

1 amount of the grants by reducing the grant amount determined under par. (a) for
2 each eligible responsible unit by an equal percentage.

3 (c) A grant under this section plus a grant under s. 287.23 may not exceed the
4 allowable expenses under s. 287.23 (3) (b) that the responsible unit incurred in the
5 year 2 years before the year for which the grants are made.

6 (3) APPLICATION AND PAYMENT. (a) Applications for grants under this subsection
7 are due on October 1 of the year preceding the year for which the grant is sought.
8 If a responsible unit submits its application after that date, the department shall
9 reduce the grant, or deny the application, as provided in s. 287.23 (5p).

10 (b) The department shall disburse 50% of a grant to the applicant no later than
11 June 1 of the year for which the grant is made and the balance no later than
12 December 1 of the year for which the grant is made. For grants for 2002, the
13 department shall disburse a total of \$3,800,000.

14 *b2179/2.13* SECTION 3227e. 287.95 (3) (b) of the statutes is amended to read:

15 287.95 (3) (b) After December 31, 1996, any person who violates s. 287.07 (3)
16 and, (4), (9), or (10) may be required to forfeit \$50 for a first violation, may be required
17 to forfeit \$200 for a 2nd violation, and may be required to forfeit not more than \$2,000
18 for a 3rd or subsequent violation.

19 *b0418/2.1* SECTION 3227q. 289.41 (6) (a) of the statutes is amended to read:

20 289.41 (6) (a) *Compliance*. Except as provided under par. (j), (k), or (L) or sub.
21 (7), calculations and determinations based on data and information provided in the
22 opinion of the certified public accountant are required to establish that the company
23 satisfies each of the criteria under pars. (b) to (i) in order to comply with minimum
24 financial standards.

25 *b0418/2.1* SECTION 3227r. 289.41 (6) (k) of the statutes is created to read:

1 289.41 (6) (k) *Exception from one criterion.* Paragraph (e) does not apply to a
2 company that owns a solid waste facility at which more than one-half, by volume,
3 of the solid waste disposed of is high-volume industrial waste if the company
4 satisfies the criteria under pars. (b) to (d) and (f) to (i).

5 ***b0418/2.1* SECTION 3227s.** 289.41 (6) (L) of the statutes is created to read:

6 289.41 (6) (L) *Alternative criteria for certain companies.* Paragraphs (e) and
7 (f) do not apply to a company that owns a solid waste facility at which more than
8 one-half, by volume, of the solid waste disposed of is high-volume industrial waste
9 if the company satisfies the criteria under pars. (b) to (d) and (g) to (i) and one of the
10 following criteria:

11 1. The company received a rating for its senior unsubordinated debt of “AAA,”
12 “AA,” “A,” or “BBB” from Standard and Poor’s Corporation, or of “Aaa,” “Aa,” “A,” or
13 “Baa” from Moody’s Investor Service, Incorporated, in the most recent issuance of
14 ratings by either firm.

15 2. The quotient of the sum of net income plus depreciation, plus depletion, plus
16 amortization, minus \$10,000,000, divided by total liabilities at the end of the
17 company’s most recently completed fiscal year exceeds 0.1.

18 ***b2179/2.14* SECTION 3228db.** 289.645 (3) (intro.) and (a) of the statutes are
19 consolidated, renumbered 289.645 (3) and amended to read:

20 289.645 (3) AMOUNT OF RECYCLING FEE. The fee imposed under this section is
21 as follows: ~~(a) For \$3 per ton for all solid waste other than high-volume industrial~~
22 ~~waste, 30 cents per ton.~~

23 ***b0416/1.2* SECTION 3228h.** 289.83 of the statutes, as affected by 2001
24 Wisconsin Act (this act), is repealed.

25 ***b0416/1.2* SECTION 3228j.** 289.83 (5) of the statutes is amended to read:

1 289.83 (5) PAYMENT OF GRANT. The department shall make 10 annual grant
2 payments ~~annually over a 10-year period~~ to recipients who applied in fiscal years
3 1992–93 and 1993–94. Each grant payment shall equal 10% of the total grant to a
4 political subdivision.

5 ***b1640/1.1* SECTION 3229.** 292.11 (9) (e) 1m. f. of the statutes is amended to
6 read:

7 292.11 (9) (e) 1m. f. The local governmental unit acquired the property using
8 funds appropriated under s. 20.866 (2) (ta) or (tz).

9 ***b1640/1.1* SECTION 3230.** 292.13 (1m) (intro.) of the statutes is amended to
10 read:

11 292.13 (1m) EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. (intro.) A
12 person is exempt from s. 292.11 (3), (4) and (7) (b) and (c) with respect to the existence
13 of a hazardous substance in the soil, including sediments, on property possessed or
14 controlled by the person if all of the following apply:

15 ***b1640/1.1* SECTION 3231.** 292.15 (2) (a) 4. of the statutes is amended to read:

16 292.15 (2) (a) 4. The If the voluntary party owns or controls the property, the
17 voluntary party maintains and monitors the property as required under rules
18 promulgated by the department and any contract entered into under those rules.

19 ***b1640/1.1* SECTION 3232.** 292.15 (2) (ae) 4. of the statutes is amended to read:

20 292.15 (2) (ae) 4. The If the voluntary party owns or controls the property, the
21 voluntary party maintains and monitors the property as required under rules
22 promulgated by the department and any contract entered into under those rules.

23 ***b1640/1.1* SECTION 3234.** 292.15 (2) (ag) of the statutes is amended to read:

24 292.15 (2) (ag) *Property affected by off-site discharge.* Except as provided in
25 sub. (6) or (7), for a property on which there exists a hazardous substance for which

1 a voluntary party is exempt from liability under s. 292.13 (1) or (1m), a voluntary
2 party is exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1),
3 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31
4 (8), and rules promulgated under those provisions, with respect to discharges of
5 hazardous substances on or originating from the property, if the release of those
6 hazardous substances occurred prior to the date on which the department approves
7 the environmental investigation of the property under par. (a) 1., if par. (a) 1. and 4.
8 to 6. apply and all of the following occur at any time before or after the date of
9 acquisition:

10 1. The environment is restored to the extent practicable with respect to the
11 discharges and the harmful effects from the discharges are minimized in accordance
12 with rules promulgated by the department and any contract entered into under those
13 rules, except that this requirement does not apply with respect to the hazardous
14 substance for which the voluntary party is exempt from liability under s. 292.13 (1)
15 or (1m).

16 2. The voluntary party obtains a certificate of completion from the department
17 stating that the environment has been satisfactorily restored to the extent
18 practicable with respect to the discharges and that the harmful effects from the
19 discharges have been minimized, except with respect to the hazardous substance for
20 which the voluntary party is exempt from liability under s. 292.13 (1) or (1m).

21 3. The voluntary party obtains a written determination from the department
22 under s. 292.13 (2) with respect to the hazardous substance for which the voluntary
23 party is exempt from liability under s. 292.13 (1) or (1m).

24 4. The voluntary party continues to satisfy the conditions under s. 292.13 (1)
25 (d) to (g) or (1m) (d) to (g).

1 ***b1640/1.1* SECTION 3236.** 292.15 (2) (b) 4. of the statutes is created to read:

2 292.15 (2) (b) 4. If the voluntary party does not own or control the property, the
3 person who owns or controls the property fails to maintain and monitor the property
4 as required under rules promulgated by the department or any contract entered into
5 under those rules.

6 ***-0333/1.1* SECTION 3259.** 292.31 (7) (am) of the statutes is created to read:

7 292.31 (7) (am) 1. The department may accept the transfer of an interest in
8 property that was acquired by the federal environmental protection agency as part
9 of a remedial action under the federal Comprehensive Environmental Response,
10 Compensation, and Liability Act, 42 USC 9601 to 9675.

11 2. The department may acquire an interest in property from any person as part
12 of a remedial action conducted in cooperation with the federal environmental
13 protection agency if the acquisition is necessary to implement the remedy. Under
14 this subdivision, the department may acquire an interest in property that is
15 necessary to ensure that restrictions on the use of land or groundwater are
16 enforceable. The department may expend moneys from the appropriations under ss.
17 20.370 (2) (dv) and 20.866 (2) (tg) if necessary to compensate a person for an interest
18 in property acquired by the department under this subdivision.

19 3. The department may enforce the terms of any interest in property that it
20 acquires under this paragraph.

21 ***b1641/1.1* SECTION 3260b.** 292.35 (1) (am) of the statutes is created to read:

22 292.35 (1) (am) “Financial assistance” means money, other than a loan,
23 provided by a governmental unit that is not a responsible party to pay a portion of
24 the cost of investigation and remedial action for a site or facility.

1 ***b1641/1.1* SECTION 3262b.** 292.35 (2) of the statutes is renumbered 292.35
2 (2) (intro.) and amended to read:

3 292.35 (2) APPLICABILITY. (intro.) This section only applies to a site or facility
4 if the one of the following criteria is satisfied:

5 (a) The site or facility is owned by a local governmental unit. ~~This section does~~
6 ~~not apply to a landfill until January 1, 1996.~~

7 ***b1641/1.1* SECTION 3263b.** 292.35 (2) (b) of the statutes is created to read:

8 292.35 (2) (b) A local governmental unit that owns a portion of the site or
9 facility commits itself, by resolution of its governing body, to paying more than 50%
10 of the amount equal to the difference between the cost of investigation and remedial
11 action for the site or facility and any financial assistance received for the site or
12 facility.

13 ~~*-0320/5.8* SECTION 3288.~~ 292.65 (1) (intro.) of the statutes is amended to
14 read:

15 292.65 (1) DEFINITIONS. (intro.) In this section ~~and s. 292.66:~~

16 ~~*-0320/5.9* SECTION 3289.~~ 292.65 (1) (b) of the statutes is amended to read:

17 292.65 (1) (b) “Case closure letter” means a letter provided by the department
18 that states that, based on information available to the department, no further
19 remedial action is necessary with respect to a dry cleaning solvent product discharge.

20 ~~*-0320/5.10* SECTION 3290.~~ 292.65 (1) (d) (intro.) of the statutes is amended
21 to read:

22 292.65 (1) (d) (intro.) “Dry cleaning facility” means a facility for ~~dry~~ cleaning
23 apparel or household fabrics for the general public using a dry cleaning product,
24 other than a facility that is one of the following:

25 ~~*-0320/5.11* SECTION 3291.~~ 292.65 (1) (e) of the statutes is amended to read:

1 292.65 (1) (e) “Dry cleaning solvent product” means a ~~chlorine-based or~~
2 ~~hydrocarbon-based formulation or product that is used as a primary cleaning agent~~
3 ~~in dry cleaning facilities~~ hazardous substance used to clean apparel or household
4 fabrics, except for a hazardous substance used to launder apparel or household
5 fabrics.

6 ***-0320/5.12*** SECTION 3292. 292.65 (1) (gm) of the statutes is amended to read:

7 292.65 (1) (gm) “Immediate action” means a remedial action that is taken
8 within a short time after a discharge of dry cleaning ~~solvent~~ product occurs, or after
9 the discovery of a discharge of dry cleaning ~~solvent~~ product, to halt the discharge,
10 contain or remove discharged dry cleaning ~~solvent~~ product, or remove contaminated
11 soil or water in order to restore the environment to the extent practicable and to
12 minimize the harmful effects of the discharge to air, lands, and waters of the state
13 and to eliminate any imminent threat to public health, safety, or welfare.

14 ***-0320/5.13*** SECTION 3293. 292.65 (1) (gs) of the statutes is created to read:

15 292.65 (1) (gs) “Interim action” means a remedial action that is taken to contain
16 or stabilize a discharge of a dry cleaning product, in order to minimize any threats
17 to public health, safety, or welfare or to the environment, while other remedial
18 actions are being planned.

19 ***-0320/5.14*** SECTION 3294. 292.65 (4) (b) of the statutes is amended to read:

20 292.65 (4) (b) *Report.* An owner or operator shall report a dry cleaning ~~solvent~~
21 product discharge to the department in a timely manner, as provided in s. 292.11.

22 ***-0320/5.15*** SECTION 3295. 292.65 (4) (e) of the statutes is amended to read:

23 292.65 (4) (e) *Investigation.* After notifying the department under par. (c) 1.,
24 if applicable, and before conducting remedial action activities, an owner or operator

1 shall complete an investigation to determine the extent of environmental impact of
2 the dry cleaning ~~solvent~~ product discharge, except as provided in pars. (g) and (h).

3 *–0320/5.16* SECTION 3296. 292.65 (4) (h) of the statutes is repealed and
4 recreated to read:

5 292.65 (4) (h) *Interim action.* An owner or operator is not required to complete
6 an investigation or prepare a remedial action plan before conducting an interim
7 action activity if the department determines that an interim action is necessary.

8 *–0320/5.17* SECTION 3297. 292.65 (4) (i) of the statutes is amended to read:

9 292.65 (4) (i) *Review of site investigation and remedial action plan.* The
10 department shall, at the request of an owner or operator, review the site
11 investigation results and the remedial action plan and advise the owner or operator
12 on the adequacy of the proposed remedial action activities in meeting the
13 requirements of this section. The department shall complete the review of the site
14 investigation and remedial action plan within 45 days. The department shall also
15 provide an estimate of when funding will be available to pay an award for remedial
16 action conducted in response to the dry cleaning ~~solvent~~ product discharge.

17 *–0320/5.18* SECTION 3298. 292.65 (4) (j) (intro.) and 1. of the statutes are
18 amended to read:

19 292.65 (4) (j) *Remedial action.* (intro.) The owner or operator shall conduct all
20 remedial action activities that are required under this section in response to the dry
21 cleaning ~~solvent~~ product discharge, including all of the following:

22 1. Recovering any recoverable dry cleaning solvent product from the
23 environment.

24 *–0320/5.19* SECTION 3299. 292.65 (5) (b) (intro.) of the statutes is amended
25 to read:

1 292.65 (5) (b) (intro.) An owner or operator who is required to implement
2 enhanced pollution prevention measures under par. (a) shall demonstrate all of the
3 following:

4 *~~0320/5.20~~* SECTION 3300. 292.65 (5) (b) 1. of the statutes is amended to read:

5 292.65 (5) (b) 1. That the owner or operator manages all wastes that are
6 generated at the dry cleaning facility and that contain dry cleaning solvent product
7 as hazardous wastes in compliance with ch. 291 and 42 USC 6901 to 6991i.

8 *~~0320/5.21~~* SECTION 3301. 292.65 (5) (b) 1. of the statutes, as affected by 2001
9 Wisconsin Act (this act), is renumbered 292.65 (5) (c) 1.

10 *~~0320/5.22~~* SECTION 3302. 292.65 (5) (b) 2. of the statutes is amended to read:

11 292.65 (5) (b) 2. That the dry cleaning facility does not discharge dry cleaning
12 solvent product or wastewater from dry cleaning machines into any sanitary sewer
13 or septic tank or into the waters of this state.

14 *~~0320/5.23~~* SECTION 3303. 292.65 (5) (b) 2. of the statutes, as affected by 2001
15 Wisconsin Act (this act), is renumbered 292.65 (5) (c) 2.

16 *~~0320/5.24~~* SECTION 3304. 292.65 (5) (b) 3. of the statutes is amended to read:

17 292.65 (5) (b) 3. That each machine or other piece of equipment in which dry
18 cleaning solvent product is used, or the entire area in which those machines or pieces
19 of equipment are located, is surrounded by a containment dike or other containment
20 structure that is able to contain any leak, spill, or other release of dry cleaning
21 solvent product from the machines or other pieces of equipment.

22 *~~0320/5.25~~* SECTION 3305. 292.65 (5) (b) 4. of the statutes is amended to read:

23 292.65 (5) (b) 4. That the floor within any area surrounded by a dike or other
24 containment structure under subd. 3. is sealed or is otherwise impervious to dry
25 cleaning solvent product.

1 ***-0320/5.26*** SECTION 3306. 292.65 (5) (b) 5. of the statutes is amended to read:
2 292.65 (5) (b) 5. That all ~~dry cleaning solvent~~ is any perchloroethylene
3 delivered to the dry cleaning facility is delivered by means of a closed, direct-coupled
4 delivery system.

5 ***-0320/5.27*** SECTION 3307. 292.65 (5) (b) 5. of the statutes, as affected by 2001
6 Wisconsin Act (this act), is renumbered 292.65 (5) (c) 3.

7 ***-0320/5.28*** SECTION 3308. 292.65 (5) (c) (intro.) of the statutes is created to
8 read:

9 292.65 (5) (c) The owner or operator of a dry cleaning facility is not eligible for
10 an award under this section unless the owner or operator has implemented the
11 following enhanced pollution prevention measures:

12 ***-0320/5.29*** SECTION 3309. 292.65 (7) (a) (intro.) of the statutes is amended
13 to read:

14 292.65 (7) (a) *General.* (intro.) Subject to pars. (c), (ce), (cm), and (d), eligible
15 costs for an award under this section include reasonable and necessary costs ~~paid~~
16 incurred by the owner or operator of a dry cleaning facility because of a discharge of
17 dry cleaning product at the dry cleaning facility for the following items only:

18 ***-0320/5.30*** SECTION 3310. 292.65 (7) (a) 2. of the statutes is amended to read:
19 292.65 (7) (a) 2. Investigation and assessment of contamination caused by a dry
20 cleaning solvent product discharge from a dry cleaning facility.

21 ***-0320/5.31*** SECTION 3311. 292.65 (7) (a) 8. of the statutes is amended to read:
22 292.65 (7) (a) 8. Maintenance of equipment for dry cleaning solvent product
23 recovery performed as part of remedial action activities.

24 ***-0320/5.32*** SECTION 3312. 292.65 (7) (a) 13. of the statutes is repealed.

25 ***-0320/5.33*** SECTION 3313. 292.65 (7) (c) 3. of the statutes is amended to read:

1 292.65 (7) (c) 3. Other costs that the department determines to be associated
2 with, but not integral to, the investigation and remediation of a dry cleaning solvent
3 product discharge from a dry cleaning facility.

4 *~~0320/5.34~~* SECTION 3314. 292.65 (7) (d) of the statutes is amended to read:

5 292.65 (7) (d) *Discharges from multiple activities.* If hazardous substances are
6 discharged at a dry cleaning facility as a result of dry cleaning operations and as a
7 result of other activities, eligible costs under this section are limited to activities
8 necessitated by the discharge of dry cleaning solvent product.

9 *~~0320/5.35~~* SECTION 3315. 292.65 (8) (a) (intro.) of the statutes is amended
10 to read:

11 292.65 (8) (a) *Application.* (intro.) An owner or operator shall submit an
12 application on a form provided by the department. An owner or operator may not
13 submit an application before September 1, 1998. An owner or operator may not
14 submit an application after August 30, ~~2003~~ 2005, if the application relates to a dry
15 cleaning facility that ceased to operate before September 1, 1998. An owner or
16 operator may not submit an application after August 20, 2008, if the application
17 relates to any other dry cleaning facility. The department shall authorize owners and
18 operators to apply for awards at stages in the process under sub. (4) that the
19 department specifies by rule. An application shall include all of the following
20 documentation of activities, plans, and expenditures associated with the eligible
21 costs incurred because of a dry cleaning solvent product discharge from a dry
22 cleaning facility:

23 *~~0320/5.36~~* SECTION 3316. 292.65 (8) (d) 7. of the statutes is amended to read:

24 292.65 (8) (d) 7. The applicant has not paid all of the fees under ss. ~~77.9961,~~
25 and 77.9962 and 77.9963.

1 *~~0320/5.37~~* SECTION 3317. 292.65 (8) (d) 8. of the statutes is amended to read:

2 292.65 (8) (d) 8. The dry cleaning solvent product discharge was caused on or
3 after October 14, 1997, by a person who provided services or products to the owner
4 or operator or to a prior owner or operator of the dry cleaning facility, including a
5 person who provided perchloroethylene to the owner or operator or prior owner or
6 operator of a dry cleaning facility using a system other than a closed, direct-coupled
7 delivery system.

8 *~~0320/5.38~~* SECTION 3318. 292.65 (8) (e) 1. of the statutes is renumbered
9 292.65 (8) (e), and 292.65 (8) (e) (intro.), as renumbered, is amended to read:

10 292.65 (8) (e) *Deductible*. (intro.) The department may reimburse the owner
11 or operator of a dry cleaning facility ~~that is operating at the time that the owner or~~
12 ~~operator applies under par. (a) only~~ for eligible costs incurred at each dry cleaning
13 facility that exceed the following deductible:

14 *~~0320/5.39~~* SECTION 3319. 292.65 (8) (e) 3. of the statutes is repealed.

15 *~~0320/5.40~~* SECTION 3320. 292.65 (11) of the statutes is amended to read:

16 292.65 (11) ENVIRONMENTAL FUND REIMBURSEMENT. If the department expends
17 funds from the environmental fund under s. 292.11 (7) (a) or 292.31 (3) (b) because
18 of a discharge of dry cleaning solvent product at a dry cleaning facility, the
19 department shall transfer from the appropriation account under s. 20.370 (6) (eq) to
20 the environmental fund an amount equal to the amount expended under s. 292.11
21 (7) (a) or 292.31 (3) (b). The department shall make transfers under this subsection
22 when the department determines that sufficient funds are available in the
23 appropriation account under s. 20.370 (6) (eq).

24 *~~0320/5.41~~* SECTION 3321. 292.65 (13) of the statutes is amended to read:

1 292.65 (13) COUNCIL. The dry cleaner environmental response council shall
2 advise the department concerning the ~~programs~~ program under this section ~~and s.~~
3 ~~292.66~~. The dry cleaner environmental response council shall evaluate the program
4 under this section at least every 5 years, using criteria developed by the council.

5 *~~0320/5.42~~* SECTION 3322. 292.66 of the statutes is repealed.

6 *b0409/1.4* SECTION 3323b. 292.75 (1) (a) of the statutes is amended to read:

7 292.75 (1) (a) “Eligible site or facility” means ~~an abandoned, idle or underused~~
8 one or more contiguous industrial or commercial facility or site facilities or sites with
9 common or multiple ownership that are abandoned, idle, or underused, the
10 expansion or redevelopment of which is adversely affected by actual or perceived
11 environmental contamination.

12 *b0409/1.4* SECTION 3323e. 292.75 (3) (d) of the statutes is amended to read:

13 292.75 (3) (d) Asbestos abatement activities, as defined in s. 254.11 (2),
14 conducted as part of activities described in par. (b) on an eligible site or facility.

15 *b0411/1.2* SECTION 3324b. 292.77 (2) of the statutes is amended to read:

16 292.77 (2) The department shall develop and, beginning no later than
17 January 1, 2001, administer a ~~pilot program in the city of Beloit, the city of Green~~
18 ~~Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh that~~
19 ~~promotes the use of financial incentives to clean up and redevelop brownfields.~~
20 ~~Funds provided under the program may be used to investigate environmental~~
21 ~~contamination and to conduct cleanups of brownfields in those cities the city of~~
22 Platteville, the city of Fond du Lac and other municipalities that are selected by the
23 department from those municipalities that apply for funding under this section.

24 *b0411/1.2* SECTION 3324c. 292.77 (3) of the statutes is amended to read:

1 292.77 (3) In developing and administering the ~~pilot~~ program under sub. (2),
2 the department shall consult and coordinate with the department of administration,
3 and the department of commerce and the cities specified in sub. (2).

4 ***b1642/1.2* SECTION 3324db.** 292.77 (4) of the statutes is repealed and
5 recreated to read:

6 292.77 (4) During the 2001–03 fiscal biennium, the department shall make
7 \$150,000 available to the City of Platteville and \$250,000 available to the City of
8 Fond du Lac under sub. (2).

9 ***b0414/2.2* SECTION 3324h.** 292.79 of the statutes is created to read:

10 **292.79 Brownfields green space grants. (1)** In this section:

11 (a) “Brownfields” has the meaning given in s. 560.13 (1) (a).

12 (b) “Local governmental units” has the meaning given in s. 292.75 (1) (b).

13 **(2)** The department shall administer a program under which the department
14 awards grants to local governmental units for projects to remedy environmental
15 contamination of brownfields. A project is eligible for a grant under this section if
16 it has a long-term public benefit, including the preservation of green space, the
17 development of recreational areas, or the use of a property by the local government.

18 ***-0320/5.43* SECTION 3325.** 292.99 (1m) of the statutes is amended to read:

19 292.99 **(1m)** Any person who violates s. 292.65 (12m) ~~or 292.66 (5)~~ shall forfeit
20 not less than \$10 nor more than \$10,000.

21 ***b0827/1.1* SECTION 3325k.** 295.33 (4) of the statutes is amended to read:

22 295.33 **(4)** No person may conduct drilling operations for the exploration for or
23 production of oil or gas ~~from~~ if the drilling extends beneath the beds of the Great
24 Lakes or bays or harbors that are adjacent to the Great Lakes, ~~unless all drilling~~
25 ~~operations originate from locations above and on the landward side of the ordinary~~

1 ~~high-water mark and are conducted according to the terms of a written lease~~
2 ~~obtained from the department under, notwithstanding s. 30.20 (2) (b).~~

3 *b0993/2.4* SECTION 3325q. 301.029 (2) (a) of the statutes is amended to read:

4 301.029 (2) (a) The department may not enter into any contract or other
5 agreement if, in the performance of the contract or agreement, a prisoner would
6 perform data entry or telemarketing services and have access to an individual's
7 financial transaction card numbers, checking or savings account numbers; or social
8 security number or to any personal identifying information, as defined in s. 943.201
9 (1) (b), of an individual who is not a prisoner.

10 *b0795/1.1* SECTION 3327q. 301.03 (2p) of the statutes is created to read:

11 301.03 (2p) Offer the same level of alcohol or other drug abuse treatment to
12 female inmates as to male inmates.

13 *b2012/2.5* SECTION 3327r. 301.03 (2t) of the statutes is created to read:

14 301.03 (2t) Promote efficient use of resources for alcohol and other drug abuse
15 intervention and treatment services by doing all of the following:

16 (a) Developing one or more methods to evaluate the effectiveness of, and
17 developing performance standards for, alcohol and other drug abuse intervention
18 and treatment services that are administered by the department.

19 (b) Adopting policies to ensure that, to the extent possible under state and
20 federal law, funding for alcohol and other drug abuse intervention and treatment
21 services that are administered by the department is distributed giving primary
22 consideration to the effectiveness of the services in meeting department performance
23 standards for alcohol and other drug abuse services.

24 (c) Requiring every application for funding from the department for alcohol and
25 other drug abuse intervention or treatment services to include a plan for the

1 evaluation of the effectiveness of the services in reducing alcohol and other drug
2 abuse by recipients of the services.

3 (d) Requiring every person receiving funding from the department for alcohol
4 and other drug abuse intervention or treatment services to provide the department
5 the results of the evaluation conducted under par. (c).

6 ***b0588/2.1* SECTION 3329e.** 301.03 (16) of the statutes is created to read:

7 301.03 (16) (a) In this subsection, “Intranet site” means an Internet site that
8 is only accessible to officials and employees of the department.

9 (b) Create and maintain an Intranet site that includes the medical histories of
10 all inmates who are sentenced to the Wisconsin state prisons. The site shall be
11 created no later than June 30, 2003, and shall include the prescriptions, laboratory
12 reports, and X-rays ordered for each inmate.

13 ***b0568/1.1* SECTION 3329m.** 301.03 (19) of the statutes is created to read:

14 301.03 (19) Work with the parole commission to minimize, to the greatest
15 extent possible, the residential population density of sex offenders, as defined in s.
16 302.116 (1) (b), who are on probation, parole, or extended supervision or placed on
17 supervised release under s. 980.06 (2) (c), 1997 stats., or 980.08 (5).

18 ***b0575/3.1* SECTION 3329p.** 301.03 (19m) of the statutes is created to read:

19 301.03 (19m) Examine the allocation of mental health services within the
20 department to ensure that, within available resources, the mental health needs of
21 inmates are met in an equitable and efficient manner and evaluate the effectiveness
22 of providing for those needs in an equitable and efficient manner.

23 ***b0575/3.1* SECTION 3329q.** 301.03 (20) of the statutes is created to read:

24 301.03 (20) Require a physician to randomly review on a regular basis the
25 medical charts of inmates to ensure that proper medical procedures are followed in

1 the provision of medical care to those inmates and evaluate the outcome and findings
2 of those medical chart reviews.

3 ***b0575/3.1* SECTION 3329r.** 301.03 (21) of the statutes is created to read:

4 301.03 (21) Prepare written contracts for all health care providers that deliver
5 basic health care services at correctional facilities.

6 ***b0575/3.1* SECTION 3329s.** 301.03 (22) of the statutes is created to read:

7 301.03 (22) Submit all contracts, agreements, or extensions of contracts or
8 agreements for the delivery of health care services at correctional facilities that
9 exceed \$500,000 to the joint committee on finance for that committee's review and
10 approval.

11 ***b0575/3.1* SECTION 3329t.** 301.03 (23) of the statutes is created to read:

12 301.03 (23) Negotiate in all contracts entered into on or after the effective date
13 of this subsection [revisor inserts date], with hospitals that provide inmate care
14 a provision that the hospital will accept the medical assistance reimbursement rate
15 under s. 49.45 for all inmates eligible for that program and evaluate the outcome of
16 those negotiation efforts.

17 ***b0575/3.1* SECTION 3329u.** 301.03 (24) of the statutes is created to read:

18 301.03 (24) In cooperation with the department of health and family services,
19 explore options for determining the medical assistance eligibility of inmates and
20 evaluate the progress of the efforts made to determine that eligibility.

21 ***b0788/2.1* SECTION 3329x.** 301.03 (25) of the statutes is created to read:

22 301.03 (25) Jointly, with the department of health and family services, develop
23 a gender-specific program for addressing the individual treatment needs of female
24 inmates.

25 ***b0992/1.1* SECTION 3330c.** 301.03 (30) of the statutes is created to read:

1 301.03 (30) Create and maintain an inmate tracking system that includes the
2 inmate's criminal history, medical and mental health history, alcohol and other drug
3 abuse history, victimization history, violence history, education and vocational
4 history, religion, marital status, and status of all of his or her children.

5 ***b0992/1.1* SECTION 3330d.** 301.03 (31) of the statutes is created to read:

6 301.03 (31) Collect and maintain information that determines the number of
7 inmates that return to prison due to a probation or parole revocation and whether
8 the revocation is due to the inmate committing a new crime or violating a condition
9 or rule of probation or parole.

10 ***b0991/1.1* SECTION 3330e.** 301.03 (32) of the statutes is created to read:

11 301.03 (32) On its Internet web site that is accessible to the public, publish
12 statistical information regarding adult corrections, including the total adult
13 population; adult population in each institution; commitments to the adult
14 correctional system; releases from the adult correctional system; average adult
15 inmate sentence length; and offenses, race, gender, educational level, marital status,
16 parental status, religion, and county of commitment of adult inmates.

17 ***b0991/1.1* SECTION 3330f.** 301.03 (33) of the statutes is created to read:

18 301.03 (33) On its Internet web site that is accessible to the public, publish
19 statistical information regarding juvenile corrections, including the total juvenile
20 population; juvenile population in each institution; average juvenile population;
21 admissions to the juvenile correctional system; releases from the juvenile
22 correctional system; and offenses, race, gender, average age, and county of
23 commitment of juveniles.

24 ***b0988/1.1* SECTION 3330g.** 301.03 (34) of the statutes is created to read:

1 301.03 (34) Comply with guidelines established by the U.S. attorney general
2 under 42 USC 13704 (2) in reporting, on a quarterly basis, information regarding the
3 death of any person in the custody of the department, including inmates incarcerated
4 in facilities located outside this state, and provide this information to the Wisconsin
5 attorney general at the same time that it is submitted to the U.S. attorney general.

6 ***b2012/2.6* SECTION 3333j.** 301.047 of the statutes is created to read:

7 **301.047 Inmate rehabilitation and aftercare.** (1) PROGRAM. The
8 department may permit one or more nonprofit community-based organizations
9 meeting the requirements of this section to operate an inmate rehabilitation
10 program in any department facility if the department determines that operation of
11 that program does not constitute a threat to the security of the facility or the safety
12 of inmates or the public and that operation of the program is in the best interest of
13 the inmates.

14 (2) PROGRAM REQUIREMENTS. (a) An organization seeking to operate a
15 rehabilitation program under sub. (1) shall submit to the department a detailed
16 proposal for the operation of the program. The proposal shall include all of the
17 following:

18 1. A description of the services to be provided, including aftercare services, and
19 a description of the geographic area in which aftercare services will be provided.

20 2. A description of the activities to be undertaken and the approximate daily
21 schedule of programming for inmates participating in the program.

22 3. A statement of the qualifications of the individuals providing services.

23 4. A statement of the organization's policies regarding eligibility of inmates to
24 participate in the program.

25 5. A statement of the goals of the program.

1 6. A description of the methods by which the organization will evaluate the
2 effectiveness of the program in attaining the goals under subd. 5.

3 7. Any other information specified by the department.

4 (b) An organization seeking to operate a rehabilitation program under sub. (1)
5 shall agree in writing to all of the following:

6 1. The organization may not receive compensation from the department for
7 services provided in the rehabilitation program.

8 2. The organization may not deny an inmate the opportunity to participate in
9 the program for any reason related to the inmate's religious beliefs or nonbelief.

10 3. An inmate may stop participating in the program at any time.

11 4. Upon the inmate's release, the organization shall provide community-based
12 aftercare services for each inmate who completes the program and who resides in the
13 geographic area described in par. (a) 1.

14 **(3) DUTIES AND AUTHORITY OF THE DEPARTMENT.** (a) The department shall
15 establish policies that provide an organization operating a rehabilitation program
16 under sub. (1) reasonable access to inmates.

17 (b) The department shall designate a specific portion of the facility for
18 operation of a rehabilitation program, if one is established, under sub. (1). To the
19 extent possible, inmates participating in the program shall be housed in the portion
20 of the facility in which the program is operated.

21 (c) The department may not require an inmate to participate in a rehabilitation
22 program under sub. (1).

23 (d) The department may not base any decision regarding an inmate's conditions
24 of confinement, including discipline, or an inmate's eligibility for release, on an

1 inmate's decision to participate or not to participate in a rehabilitation program
2 under sub. (1).

3 (e) The treatment of inmates, including the provision of housing, activities in
4 which an inmate may participate, freedom of movement, and work assignments,
5 shall be substantially the same for inmates who participate in a rehabilitation
6 program under sub. (1) and inmates who do not participate in such a program.

7 (f) The department may restrict an inmate's participation in a rehabilitation
8 program under sub. (1) only if the restriction is necessary for the security of the
9 facility or the safety of the inmates or the public.

10 (g) The department may suspend or terminate operation of a rehabilitation
11 program under sub. (1) if the organization operating the program fails to comply with
12 any of the requirements under this section and shall suspend or terminate the
13 operation of a program if the department determines that suspension or termination
14 of the program is necessary for the security of the facility or the safety of the inmates
15 or the public or is in the best interests of the inmates.

16 (h) 1. Except as provided in subd. 2., if an organization operating a
17 rehabilitation program under sub. (1) promotes or informs the department that the
18 organization intends to promote sectarian worship, instruction, or proselytization in
19 connection with the rehabilitation program, the department shall permit all other
20 religious organizations meeting the requirements of this section to operate an
21 inmate rehabilitation program under sub. (1).

22 2. The department is not required under subd. 1. to permit a religious
23 organization to operate an inmate rehabilitation program under sub. (1) if the
24 department determines that the organization's operation of that program

1 constitutes a threat to the security of the facility or the safety of the inmates or the
2 public.

3 (4) EVALUATION. The department shall evaluate or contract with a public or
4 private agency for an evaluation of the effectiveness of each rehabilitation program
5 operated under sub. (1) in reducing recidivism and alcohol and other drug abuse
6 among program participants. The department shall collect the data and information
7 necessary to evaluate the program. No later than 3 years from the date on which the
8 rehabilitation program begins operating, the department shall submit a report of the
9 evaluation to the governor and to the appropriate standing committees of the
10 legislature, as determined by the speaker of the assembly and the president of the
11 senate, under s. 13.172 (3).

12 (5) SUSPENSION OR TERMINATION OF AN INMATE'S PARTICIPATION. Notwithstanding
13 sub. (2) (b) 2., an organization operating a rehabilitation program under sub. (1) may
14 suspend or terminate an inmate's participation in a program for reasons unrelated
15 to religious beliefs, including the inmate's failure to participate meaningfully in the
16 program.

17 *b2012/2.6* SECTION 3334j. 301.065 of the statutes is created to read:

18 **301.065 Religious organizations; contract powers.** (1) RELIGIOUS
19 ORGANIZATIONS; LEGISLATIVE PURPOSE. The purpose of this section is to allow the
20 department to contract with, or award grants to, religious organizations, under any
21 program administered by the department relating to the prevention of delinquency
22 and crime or the rehabilitation of offenders, on the same basis as any other
23 nongovernmental provider, without impairing the religious character of such
24 organizations, and without diminishing the religious freedom of beneficiaries of
25 assistance funded under such program.

1 **(2) NONDISCRIMINATION AGAINST RELIGIOUS ORGANIZATIONS.** If the department is
2 authorized under ch. 16 to contract with a nongovernmental entity, or to award
3 grants to a nongovernmental entity, religious organizations are eligible, on the same
4 basis as any other private organization, to be contractors and grantees under any
5 program administered by the department so long as the programs are implemented
6 consistently with the first amendment to the U.S. Constitution and article I, section
7 18, of the Wisconsin Constitution. Except as provided in sub. (11), the department
8 may not discriminate against an organization that is or applies to be a contractor or
9 grantee on the basis that the organization does or does not have a religious character
10 or because of the specific religious nature of the organization.

11 **(3) RELIGIOUS CHARACTER AND FREEDOM.** (a) The department shall allow a
12 religious organization with which the department contracts or to which the
13 department awards a grant to retain its independence from government, including
14 the organization's control over the definition, development, practice, and expression
15 of its religious beliefs.

16 (b) The department may not require a religious organization to alter its form
17 of internal governance or to remove religious art, icons, scripture, or other symbols
18 to be eligible for a contract or grant.

19 **(4) RIGHTS OF BENEFICIARIES OF ASSISTANCE.** (a) If the department contracts with
20 or awards grants to a religious organization for the provisions of crime prevention
21 or offender rehabilitation assistance under a program administered by the
22 department, an individual who is eligible for this assistance shall be informed in
23 writing that assistance of equal value and accessibility is available from a
24 nonreligious provider upon request.

1 (b) The department shall provide an individual who is otherwise eligible for
2 assistance from an organization described under par. (a) with assistance of equal
3 value from a nonreligious provider if the individual objects to the religious character
4 of the organization described under par. (a) and requests assistance from a
5 nonreligious provider. The department shall provide such assistance within a
6 reasonable period of time after the date of the objection and shall ensure that it is
7 accessible to the individual.

8 **(6) NONDISCRIMINATION AGAINST BENEFICIARIES.** A religious organization may not
9 discriminate against an individual in regard to rendering assistance that is funded
10 under any program administered by the department on the basis of religion, a
11 religious belief or nonbelief, or a refusal to actively participate in a religious practice.

12 **(7) FISCAL ACCOUNTABILITY.** (a) Except as provided in par. (b), any religious
13 organization that contracts with, or receives a grant from, the department is subject
14 to the same laws and rules as other contractors and grantees regarding accounting,
15 in accord with generally accepted auditing principles, for the use of the funds
16 provided under such programs.

17 (b) If the religious organization segregates funds provided under programs
18 administered by the department into separate accounts, only the financial
19 assistance provided with those funds shall be subject to audit.

20 **(8) COMPLIANCE.** Any party that seeks to enforce its rights under this section
21 may bring a civil action for injunctive relief against the entity that allegedly commits
22 the violation.

23 **(9) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.** No funds provided
24 directly to religious organizations by the department may be expended for sectarian
25 worship, instruction, or proselytization.

1 **(10) CERTIFICATION OF COMPLIANCE.** Every religious organization that contracts
2 with, or receives a grant from, the department to provide delinquency and crime
3 prevention or offender rehabilitation services to eligible recipients shall certify in
4 writing that it has complied with the requirements of subs. (6) and (9) and submit
5 to the department a copy of this certification and a written description of the policies
6 the organization has adopted to ensure that it has complied with the requirements
7 under subs. (6) and (9).

8 **(11) PREEMPTION.** Nothing in this section may be construed to preempt any
9 other statute that prohibits or restricts the expenditure of federal or state funds by
10 or the granting of federal or state funds to religious organizations.

11 ***-0475/3.6*** SECTION 3336. 301.16 (1s) of the statutes is created to read:

12 301.16 (1s) In addition to the institutions under sub. (1), the department shall
13 establish a medium security correctional institution that is a part of the correctional
14 facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is
15 located in Redgranite.

16 ***-0475/3.7*** SECTION 3337. 301.16 (1t) of the statutes is created to read:

17 301.16 (1t) In addition to the institutions under sub. (1), the department shall
18 establish a medium security correctional institution that is a part of the correctional
19 facilities enumerated in 1997 Wisconsin Act 27, section 9107 (1) (b), and that is
20 located in New Lisbon.

21 ***b0622/2.3*** SECTION 3337m. 301.19 of the statutes is created to read:

22 **301.19 Restriction on construction of correctional facilities.** (1) In this
23 section:

1 (a) “Authorized jurisdiction” means a county, 2 counties acting jointly under s.
2 302.44, the United States, or a federally recognized American Indian tribe or band
3 in this state.

4 (b) “Correctional facility” means an institution or facility, or a portion of an
5 institution or facility, that is used to confine juveniles alleged or found to be
6 delinquent or a prison, jail, house of correction, or lockup facility but does not include
7 a secured group home, as defined in s. 938.02 (15p).

8 (2) No person may commence construction of a correctional facility or
9 commence conversion of an existing building, structure, or facility into a correctional
10 facility unless the building, structure, or facility is enumerated in the authorized
11 state building program.

12 (3) Subsection (2) does not apply to any of the following:

13 (a) A building, structure, or facility that is constructed or converted under a
14 contract with and for use by an authorized jurisdiction.

15 (b) A building, structure, or facility the construction of which was completed
16 before January 1, 2001, if the building, structure, or facility was designed to confine
17 persons convicted of a criminal offense.

18 ***-0449/4.1* SECTION 3338.** 301.26 (4) (b) of the statutes is amended to read:

19 301.26 (4) (b) Assessment of costs under par. (a) shall be made periodically on
20 the basis of the per person per day cost estimate specified in par. (d) 2. ~~to 4.~~ and 3.
21 Except as provided in pars. (bm), (c), and (cm), liability shall apply to county
22 departments under s. 46.21, 46.22, or 46.23 in the county of the court exercising
23 jurisdiction under chs. 48 and 938 for each person receiving services from the
24 department of corrections under s. 48.366, 938.183, or 938.34 or the department of
25 health and family services under s. 46.057 or 51.35 (3). Except as provided in pars.

1 (bm), (c), and (cm), in multicounty court jurisdictions, the county of residency within
2 the jurisdiction shall be liable for costs under this subsection. Assessment of costs
3 under par. (a) shall also be made according to the general placement type or level of
4 care provided, as defined by the department, and prorated according to the ratio of
5 the amount designated under sub. (3) (c) to the total applicable estimated costs of
6 care, services, and supplies provided by the department of corrections under ss.
7 48.366, 938.183, and 938.34 and the department of health and family services under
8 s. 46.057 or 51.35 (3).

9 ***-0449/4.2* SECTION 3339.** 301.26 (4) (cm) 3. of the statutes is amended to read:

10 301.26 (4) (cm) 3. The per person daily reimbursement rate for juvenile
11 correctional services under this paragraph shall be equal to the per person daily cost
12 assessment to counties under par. (d) 2. ~~to 4.~~ and 3. for juvenile correctional services.

13 ***b0342/4.2* SECTION 3340d.** 301.26 (4) (d) 2. of the statutes is amended to
14 read:

15 301.26 (4) (d) 2. Beginning on July 1, ~~1999~~ 2001, and ending on
16 ~~December 31, 1999~~ June 30, 2002, the per person daily cost assessment to counties
17 shall be ~~\$153.01~~ \$167.57 for care in a Type 1 secured correctional facility, as defined
18 in s. 938.02 (19), ~~\$153.01~~ \$167.57 for care for juveniles transferred from a juvenile
19 correctional institution under s. 51.35 (3), ~~\$183.72~~ \$213 for care in a child caring
20 institution, including a secured child caring institution, ~~\$118.93~~ \$129 for care in a
21 group home for children, ~~\$26.17~~ \$41 for care in a foster home, ~~\$75.37~~ \$81 for care in
22 a treatment foster home, ~~\$72.66~~ \$82.56 for departmental corrective sanctions
23 services, and ~~\$19.76~~ \$21.96 for departmental aftercare services.

24 ***b0342/4.2* SECTION 3341d.** 301.26 (4) (d) 3. of the statutes is amended to
25 read:

1 301.26 (4) (d) 3. ~~In calendar year 2000~~ Beginning on July 1, 2002, and ending
2 on June 30, 2003, the per person daily cost assessment to counties shall be ~~\$153.55~~
3 \$172.51 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19),
4 ~~\$153.55~~ \$172.51 for care for juveniles transferred from a juvenile correctional
5 institution under s. 51.35 (3), ~~\$187.21~~ \$226 for care in a child caring institution,
6 including a secured child caring institution, ~~\$121.19~~ \$135 for care in a group home
7 for children, ~~\$26.67~~ \$43 for care in a foster home, ~~\$76.80~~ \$85 for care in a treatment
8 foster home, ~~\$74.68~~ \$84.50 for departmental corrective sanctions services, and
9 ~~\$19.15~~ \$22.66 for departmental aftercare services.

10 *~~0449/4.5~~* SECTION 3342. 301.26 (4) (d) 4. of the statutes is repealed.

11 *~~0450/1.1~~* SECTION 3343. 301.26 (7) (intro.) of the statutes is amended to
12 read:

13 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
14 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the
15 department shall allocate funds for community youth and family aids for the period
16 beginning on July 1, ~~1999~~ 2001, and ending on June 30, ~~2001~~ 2003, as provided in
17 this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

18 *~~b1992/2.2~~* SECTION 3344e. 301.26 (7) (a) (intro.) of the statutes is
19 renumbered 301.26 (7) (a) and amended to read:

20 301.26 (7) (a) For community youth and family aids under this section,
21 amounts not to exceed ~~\$42,091,800~~ \$43,615,200 for the last 6 months of ~~1999~~,
22 ~~\$85,183,700~~ for ~~2000~~ 2001, ~~\$87,760,300~~ for 2002, and ~~\$43,091,900~~ \$44,145,100 for
23 the first 6 months of ~~2001~~ 2003.

24 (b) ~~Of these~~ the amounts specified in par. (a), the department shall allocate
25 ~~\$1,000,000~~ \$2,000,000 for the last 6 months of ~~1999~~, ~~\$3,000,000~~ for ~~2000~~ and

1 \$2,000,000 ~~2001~~, \$4,000,000 for 2002, and \$2,000,000 for the first 6 months of ~~2001~~
2 2003 to counties based on each of the following factors weighted equally:

3 ***b1992/2.2* SECTION 3344f.** 301.26 (7) (a) 1. to 3. of the statutes are
4 renumbered 301.26 (7) (b) 1. to 3.

5 ***b1992/2.2* SECTION 3344g.** 301.26 (7) (c) of the statutes is created to read:

6 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
7 \$523,300 for the last 6 months of 2001, \$1,576,600 for 2002, and \$1,053,300 for the
8 first 6 months of 2003 to counties based on each of the factors specified in par. (b) 1.
9 to 3. weighted equally, except that no county may receive an allocation under this
10 paragraph that is less than 93% nor more than 115% of the amount that the county
11 would have received under this paragraph if the allocation had been distributed only
12 on the basis of the factor specified in par. (b) 3.

13 ***-0450/1.3* SECTION 3345.** 301.26 (7) (e) of the statutes is amended to read:

14 301.26 (7) (e) For emergencies related to community youth and family aids
15 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~1999~~
16 2001, \$250,000 for ~~2000~~ 2002 and \$125,000 for the first 6 months of ~~2001~~ 2003. A
17 county is eligible for payments under this paragraph only if it has a population of not
18 more than 45,000.

19 ***-0450/1.4* SECTION 3346.** 301.26 (7) (h) of the statutes is amended to read:

20 301.26 (7) (h) For counties that are participating in the corrective sanctions
21 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~1999~~ 2001,
22 \$2,124,800 in ~~2000~~ 2002 and \$1,062,400 in the first 6 months of 2001 2003 for the
23 provision of corrective sanctions services for juveniles from that county. In
24 distributing funds to counties under this paragraph, the department shall determine
25 a county's distribution by dividing the amount allocated under this paragraph by the

1 number of slots authorized for the program under s. 938.533 (2) and multiplying the
2 quotient by the number of slots allocated to that county by agreement between the
3 department and the county. The department may transfer funds among counties as
4 necessary to distribute funds based on the number of slots allocated to each county.

5 ***-0450/1.5* SECTION 3347.** 301.26 (8) of the statutes is amended to read:

6 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
7 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last
8 6 months of ~~1999~~ 2001, \$1,333,400 in ~~2000~~ 2002 and \$666,700 in the first 6 months
9 of ~~2001~~ 2003 for alcohol and other drug abuse treatment programs.

10 ***-0166/4.9* SECTION 3348.** 301.265 (title) of the statutes is repealed.

11 ***b0612/3.6* SECTION 3349d.** 301.265 (1) of the statutes is renumbered 16.964
12 (8) (a) and amended to read:

13 16.964 (8) (a) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and
14 (kj), the department office shall allocate \$500,000 in each fiscal year to enter into a
15 contract with an organization to provide services in a county having a population of
16 500,000 or more for the diversion of youths from gang activities into productive
17 activities, including placement in appropriate educational, recreational and
18 employment programs. Notwithstanding s. 16.75, the department office may enter
19 into a contract under this ~~subsection~~ paragraph without soliciting bids or proposals
20 and without accepting the lowest responsible bid or offer.

21 ***-0166/4.11* SECTION 3350.** 301.265 (2) of the statutes is renumbered 16.964
22 (8) (b) and amended to read:

23 16.964 (8) (b) From the appropriation under s. ~~20.410 (3) (kp)~~ 20.505 (6) (km),
24 the department office may not distribute more than \$300,000 in each fiscal year to
25 the organization that it has contracted with under ~~sub. (1) par. (a)~~ for alcohol and

1 other drug abuse education and treatment services for participants in that
2 organization's youth diversion program.

3 ***b0612/3.8* SECTION 3351d.** 301.265 (3) of the statutes is renumbered 16.964
4 (8) (c) and amended to read:

5 16.964 (8) (c) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and (kj),
6 the ~~department~~ office shall allocate \$150,000 in each fiscal year to enter into a
7 contract with an organization to provide services in Racine County, \$150,000 in each
8 fiscal year to enter into a contract with an organization to provide services in
9 Kenosha County, \$150,000 in each fiscal year to enter into a contract with an
10 organization that is located in ward 1 in the city of Racine to provide services in
11 Racine County, and \$150,000 in each fiscal year to enter into a contract with an
12 organization to provide services in Brown County, for the diversion of youths from
13 gang activities into productive activities, including placement in appropriate
14 educational, recreational, and employment programs, and for alcohol or other drug
15 abuse education and treatment services for participants in that organization's youth
16 diversion program. The organization that is located in ward 1 in the city of Racine
17 shall have a recreational facility, shall offer programs to divert youths from gang
18 activities, may not be affiliated with any national or state association, and may not
19 have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.
20 16.75, the ~~department~~ office may enter into a contract under this subsection
21 paragraph without soliciting bids or proposals and without accepting the lowest
22 responsible bid or offer.

23 ***b0629/2.1* SECTION 3352m.** 301.295 of the statutes is created to read:

24 **301.295 Recruitment of department employees.** The department may not
25 use billboards or similar structures to recruit its employees.

1 ***b1740/1.2* SECTION 3352p.** 301.46 (2s) of the statutes is created to read:

2 301.46 (2s) PROVIDING INFORMATION TO THE UNIVERSITY OF WISCONSIN SYSTEM.

3 (a) In this subsection:

4 1. “Board of regents” means the board of regents of the University of Wisconsin
5 System.

6 2. “University of Wisconsin employee” means a person employed by the board
7 of regents.

8 3. “University of Wisconsin student” means a person attending an institution
9 within the University of Wisconsin System.

10 (b) When a University of Wisconsin employee or student registers with the
11 department under s. 301.45 (2) or a person who is registered with the department
12 under s. 301.45 (2) becomes a University of Wisconsin employee or student, the
13 department shall immediately provide in writing the following information about
14 the person to the board of regents:

15 1. The person’s name, including any aliases used by the person.

16 2. Information sufficient to identify the person, including date of birth, gender,
17 race, height, weight, and hair and eye color.

18 3. The statute that the person violated, the date of conviction, adjudication, or
19 commitment, and the county or, if the state is not this state, the state in which the
20 person was convicted, adjudicated, or committed.

21 4. The address at which the person is residing.

22 5. If the person is a University of Wisconsin employee, the name and address
23 of any institution at which the person works.

24 6. If the person is a University of Wisconsin student, the name and address of
25 the institution that the person attends.

1 7. The most recent date on which the information under s. 301.45 was updated.

2 (c) When an individual described in par. (b) (intro.) updates information under
3 s. 301.45 (4), the department shall immediately provide the updated information in
4 writing to the board of regents.

5 ***b2056/1.1* SECTION 3352r.** 301.46 (4) (d) of the statutes is created to read:

6 301.46 (4) (d) The department shall coordinate with the department of health
7 and family services the sharing of address information of persons regarding whom
8 notification bulletins are issued under sub. (2m) (a) or (am).

9 ***b1740/1.2* SECTION 3352w.** 301.46 (5) (a) (intro.) of the statutes is amended
10 to read:

11 301.46 (5) (a) (intro.) The department or a police chief or sheriff may provide
12 the information specified in par. (b) concerning a specific person required to register
13 under s. 301.45 to a person who is not provided notice or access under subs. sub. (2)
14 to, (2m), (3), or (4) if, in the opinion of the department or the police chief or sheriff,
15 providing the information is necessary to protect the public and if the person
16 requesting the information does all of the following:

17 ***b0112/1.5* SECTION 3353m.** 302.01 of the statutes is amended to read:

18 **302.01 State prisons named and defined.** The penitentiary at Waupun is
19 named "Waupun Correctional Institution".," The correctional treatment center at
20 Waupun is named "Dodge Correctional Institution".," The penitentiary at Green Bay
21 is named "Green Bay Correctional Institution".," The medium/maximum
22 penitentiary at Portage is named "Columbia Correctional Institution".," The
23 medium security institution at Oshkosh is named "Oshkosh Correctional
24 Institution".," The medium security penitentiary near Fox Lake is named "Fox Lake
25 Correctional Institution".," The penitentiary at Taycheedah is named "Taycheedah

1 Correctional Institution”.” The medium security penitentiary at Plymouth is named
2 “Kettle Moraine Correctional Institution”.” The penitentiary at the village of
3 Sturtevant in Racine county is named “Racine Correctional Institution”.” The
4 medium security correctional institution near Black River Falls is named “Jackson
5 Correctional Institution.” The medium security penitentiary at Racine is named
6 “Racine Youthful Offender Correctional Facility”.” The resource facility at Oshkosh
7 is named “Wisconsin Resource Center”.” The institutions named in this section, the
8 medium security correctional institutions at Redgranite and New Lisbon, the
9 correctional institutions authorized under s. 301.16 (1n) and (1v), correctional
10 institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), correctional
11 institution authorized under s. 301.046 (1), correctional institution authorized under
12 s. 301.048 (4) (b), the correctional institution at Stanley authorized under 2001
13 Wisconsin Act (this act), section 9107 (1) (b), minimum security correctional
14 institutions authorized under s. 301.13, the probation and parole holding facilities
15 authorized under s. 301.16 (1q), and state–local shared correctional facilities when
16 established under s. 301.14, are state prisons.

17 *b0568/1.2* SECTION 3354g. 302.11 (1) of the statutes is amended to read:

18 302.11 (1) The warden or superintendent shall keep a record of the conduct of
19 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),
20 (1m), (1q), (1z), (4m), (7) and (10), each inmate is entitled to mandatory release on
21 parole by the department. The mandatory release date is established at two–thirds
22 of the sentence. Any calculations under this subsection or sub. (1q) (b) or (2) (b)
23 resulting in fractions of a day shall be rounded in the inmate’s favor to a whole day.

24 *b2012/2.7* SECTION 3354j. 302.11 (1g) (b) 2. of the statutes is amended to
25 read:

1 302.11 (1g) (b) 2. Refusal by the inmate to participate in counseling or
2 treatment that the social service and clinical staff of the institution determines is
3 necessary for the inmate, including pharmacological treatment using an
4 antiandrogen or the chemical equivalent of an antiandrogen if the inmate is a serious
5 child sex offender as defined in s. 304.06 (1q) (a). The parole commission may not
6 deny presumptive mandatory release to an inmate because of the inmate's refusal
7 to participate in a rehabilitation program under s. 301.047.

8 ***b0568/1.2* SECTION 3354r.** 302.11 (1g) (b) 3. of the statutes is created to read:

9 302.11 (1g) (b) 3. Refusal by the inmate to live in a residence that the parole
10 commission has approved under s. 304.06 (2m) (ak), if applicable.

11 ***b0568/1.3* SECTION 3357m.** 302.11 (4m) of the statutes is amended to read:

12 302.11 (4m) An inmate may not be paroled under this section is subject to the
13 restriction unless he or she agrees to live in a residence that the parole commission
14 or the department has approved under s. 304.06 (2m) (ak), if applicable, relating to
15 the counties to which inmates may be paroled.

16 ***b0568/1.4* SECTION 3367g.** 302.113 (7) of the statutes is amended to read:

17 302.113 (7) Any inmate released to extended supervision under this section is
18 subject to all conditions and rules of extended supervision until the expiration of the
19 term of extended supervision portion of the bifurcated sentence. The department
20 may set conditions of extended supervision in addition to any conditions of extended
21 supervision required under s. 302.116, if applicable, or set by the court under s.
22 973.01 (5) if the conditions set by the department do not conflict with the court's
23 conditions.

24 ***b0568/1.4* SECTION 3377m.** 302.114 (8) of the statutes is amended to read:

1 302.114 (8) Any inmate released to extended supervision under this section is
2 subject to all conditions and rules of extended supervision. The department may set
3 conditions of extended supervision in addition to any conditions of extended
4 supervision required under s. 302.116, if applicable, or set by the court under sub.
5 (5) (d) if the conditions set by the department do not conflict with the court's
6 conditions.

7 ***b0568/1.5* SECTION 3385g.** 302.115 of the statutes is renumbered 302.105.

8 ***b0568/1.5* SECTION 3385r.** 302.116 of the statutes is created to read:

9 **302.116 Extended supervision conditions for sex offenders.** (1) In this
10 section:

11 (a) "Serious sex offense" means a violation of s. 940.225 (1) or (2), 948.02 (1) or
12 (2), 948.025, 948.06, or 948.07 or a solicitation, conspiracy, or attempt to commit a
13 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06, or 948.07.

14 (b) "Sex offender" means a person serving a sentence for a serious sex offense.

15 (2) As a condition of extended supervision, a sex offender shall agree to live in
16 a residence that the department has approved under sub. (3).

17 (3) Subject to the requirements of subs. (4) to (6) and s. 301.03 (19), before
18 releasing a sex offender to extended supervision, the department shall assess the
19 appropriateness of the sex offender's prospective residence by doing at least all of the
20 following:

21 (a) Considering the sex offender's access to potential victims if he or she lives
22 there. If the victim of the serious sex offense that the sex offender committed was
23 a child, the department, in meeting this requirement, shall contact the department
24 of health and family services, the local county department responsible for
25 certification of child care providers under s. 48.651, and the local school board to

1 determine whether there are any day care providers located near the sex offender's
2 prospective residence.

3 (b) Ensuring that others living in the prospective residence are aware of the sex
4 offender's offense history.

5 (4) The department shall use its best efforts to select a residence under sub.
6 (3) that is in the sex offender's county of residence.

7 (5) If the victim of the serious sex offense that the sex offender committed was
8 a child who resided with the sex offender at the time of the offense, the department
9 may not permit the sex offender to return home, unless the extended supervision
10 officer and any person providing sex offender treatment to the sex offender
11 determines that the sex offender's return will not jeopardize the safety of anyone
12 residing in the home.

13 (6) The department may not approve a residence under sub. (3) if it is located
14 in a county where there is a correctional institution that has a specialized sex
15 offender treatment program, unless that county is also the sex offender's county of
16 residence.

17 (7) The department shall determine a sex offender's county of residence under
18 this section by doing all of the following:

19 (a) Considering residence as the voluntary concurrence of physical presence
20 with intent to remain in a place of fixed habitation and considering physical presence
21 as prima facie evidence of intent to remain.

22 (b) Applying the criteria for consideration of residence and physical presence
23 under par. (a) to the facts that existed on the date on which the sex offender
24 committed the serious sex offense that resulted in the sentence that the sex offender
25 is serving.

1 ***b0924/2.3* SECTION 3386d.** 302.18 (7) of the statutes is amended to read:

2 302.18 (7) Except as provided in s. 973.013 (3m), the department shall keep ~~all~~
3 ~~prisoners~~ a person under 15 years of age who has been sentenced to the Wisconsin
4 state prisons in a secured juvenile correctional facilities or facility or a secured child
5 caring institutions institution, but the department may transfer them that person
6 to an adult correctional ~~institutions~~ institution after ~~they attain~~ the person attains
7 15 years of age. The department may not transfer any person under 18 years of age
8 to the correctional institution authorized in s. 301.16 (1n).

9 ***-0470/1.1* SECTION 3388.** 302.386 (3) (a) of the statutes is amended to read:

10 302.386 (3) (a) Except as provided in par. (b), the department may require a
11 resident housed in a prison identified in s. 302.01 or in a secured correctional facility,
12 as defined in s. 938.02 (15m), ~~who earns wages during residency and who receives~~
13 medical or dental services to pay a deductible, coinsurance, copayment, or similar
14 charge upon the medical or dental service that he or she receives. The department
15 shall collect the allowable deductible, coinsurance, copayment, or similar charge.

16 ***b0338/1.4* SECTION 3389f.** 302.46 (1) (a) of the statutes is amended to read:

17 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
18 for a violation of state law or for a violation of a municipal or county ordinance except
19 for a violation of s. 101.123 (2) (a), (am) 1., (ar) ~~or~~, (bm), or (br) or (5) or state laws or
20 municipal or county ordinances involving nonmoving traffic violations or safety belt
21 use violations under s. 347.48 (2m), the court, in addition, shall impose a jail
22 assessment in an amount of 1% of the fine or forfeiture imposed or \$10, whichever
23 is greater. If multiple offenses are involved, the court shall determine the jail
24 assessment on the basis of each fine or forfeiture. If a fine or forfeiture is suspended

1 in whole or in part, the court shall reduce the jail assessment in proportion to the
2 suspension.

3 *b0576/1.1* SECTION 3389g. 303.01 (2) (em) of the statutes is amended to read:

4 303.01 (2) (em) Lease space, with or without equipment, within the precincts
5 of state prisons, as specified in s. 302.02, or within the confines of correctional
6 institutions operated by the department for holding in secure custody persons
7 adjudged delinquent, to not more than 6 2 private businesses to employ prison
8 inmates and institution residents to manufacture products or components or to
9 provide services for sale on the open market. The department shall comply with s.
10 16.75 in selecting businesses under this paragraph. The department may enter into
11 a contract under this paragraph only with the approval of the joint committee on
12 finance. The department may not enter into or amend a contract under this
13 paragraph unless the contract or amendment specifies each state prison or juvenile
14 correctional institution at which the private business will employ inmates or
15 institution residents. The department shall consult with appropriate trade
16 organizations and labor unions prior to issuing requests for proposals and prior to
17 selecting proposals under this paragraph. Each such private business may conduct
18 its operations as a private business, subject to the wage standards under sub. (4), the
19 disposition of earnings under sub. (8), the provisions regarding displacement in sub.
20 (11), the requirements for notification and hearing under sub. (1) (c), the requirement
21 for prison industries board approval under s. 303.015 (1) (b) and the authority of the
22 department to maintain security and control in its institutions. The private business
23 and its operations are not a prison industry. Inmates employed by the private
24 business are not subject to the requirements of inmates participating in prison
25 industries, except as provided in this paragraph;

1 ***b2221/3.134* SECTION 3389gm.** 303.04 of the statutes is amended to read:

2 **303.04 Correctional farms.** The board of commissioners of public lands, the
3 department of natural resources, the department of forestry, and the department
4 may select from the state forest reserves a quantity of land not to exceed 5,000 acres
5 and convert the same into farms for the state prisons.

6 ***b0568/1.6* SECTION 3389m.** 304.01 (3) of the statutes is created to read:

7 304.01 (3) The parole commission shall work with the department to minimize,
8 to the greatest extent possible, the residential population density of sex offenders,
9 as defined in s. 304.06 (2m) (a) 2., who are on probation, parole, or extended
10 supervision or placed on supervised release under s. 980.06 (2) (c), 1997 stats., or s.
11 980.08 (5).

12 ***b0568/1.6* SECTION 3389p.** 304.02 (4m) of the statutes is amended to read:

13 304.02 (4m) A prisoner may not be paroled under this section ~~is subject to the~~
14 restriction unless he or she agrees to live in a residence that the department has
15 approved under s. 304.06 (2m) (ak), if applicable, ~~relating to the counties to which~~
16 prisoners may be paroled.

17 ***b0568/1.6* SECTION 3389q.** 304.06 (2m) (a) of the statutes is renumbered
18 304.06 (2m) (a) (intro.) and amended to read:

19 304.06 (2m) (a) (intro.) In this subsection, “serious:

20 1. “Serious sex offense” means a violation of s. 940.225 (1) or (2), 948.02 (1) or
21 (2), 948.025, 948.06 or 948.07 or a solicitation, conspiracy or attempt to commit a
22 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06 or 948.07.

23 ***b0568/1.6* SECTION 3389r.** 304.06 (2m) (a) 2. of the statutes is created to read:

24 304.06 (2m) (a) 2. “Sex offender” means a person serving a sentence for a
25 serious sex offense.

1 ***b0568/1.6* SECTION 3389s.** 304.06 (2m) (af) of the statutes is created to read:

2 304.06 (2m) (af) Neither the parole commission nor the department may parole
3 a sex offender unless he or she agrees to live in a residence that the parole
4 commission or the department has approved under par. (ak).

5 ***b0568/1.6* SECTION 3389t.** 304.06 (2m) (ak) of the statutes is created to read:

6 304.06 (2m) (ak) Subject to the requirements of pars. (ap), (at), and (b) and ss.
7 301.03 (19) and 304.01 (3), before releasing a sex offender on parole, the parole
8 commission or the department shall assess the appropriateness of the sex offender's
9 prospective residence by doing at least all of the following:

10 1. Considering the sex offender's access to potential victims if he or she lives
11 there. If the victim of the serious sex offense that the sex offender committed was
12 a child, the parole commission or the department, in meeting this requirement, shall
13 contact the department of health and family services, the local county department
14 responsible for certification of child care providers under s. 48.651, and the local
15 school board to determine whether there are any day care providers located near the
16 sex offender's prospective residence.

17 2. Ensuring that others living in the prospective residence are aware of the sex
18 offender's offense history.

19 ***b0568/1.6* SECTION 3389u.** 304.06 (2m) (ap) of the statutes is created to read:

20 304.06 (2m) (ap) The parole commission or the department shall use its best
21 efforts to select a residence under par. (ak) that is in the sex offender's county of
22 residence.

23 ***b0568/1.6* SECTION 3389v.** 304.06 (2m) (at) of the statutes is created to read:

24 304.06 (2m) (at) If the victim of the serious sex offense that the sex offender
25 committed was a child who resided with the sex offender at the time of the offense,

1 neither the parole commission nor the department may permit the sex offender to
2 return home, unless the parole officer and any person providing sex offender
3 treatment to the sex offender determines that the sex offender's return will not
4 jeopardize the safety of anyone residing in the home.

5 *b0568/1.6* SECTION 3389w. 304.06 (2m) (b) of the statutes is amended to
6 read:

7 304.06 (2m) (b) Except as provided in par. (c), no ~~prisoner who is serving a~~
8 ~~sentence for a serious sex offense~~ offender may be paroled to any county where there
9 is a correctional institution that has a specialized sex offender treatment program.

10 *b0568/1.6* SECTION 3389x. 304.06 (2m) (c) of the statutes is amended to read:

11 304.06 (2m) (c) A ~~prisoner who is serving a sentence for a serious sex offense~~
12 offender may be paroled to a county where there is a correctional institution that has
13 a specialized sex offender treatment program if that county is also the ~~prisoner's~~ sex
14 offender's county of residence.

15 *b0568/1.6* SECTION 3389y. 304.06 (2m) (d) of the statutes is amended to read:

16 304.06 (2m) (d) The parole commission or the department shall determine a
17 ~~prisoner's~~ sex offender's county of residence for the purposes of this subsection by
18 doing all of the following:

19 1. ~~The parole commission or the department shall consider~~ Considering
20 residence as the voluntary concurrence of physical presence with intent to remain
21 in a place of fixed habitation and ~~shall consider~~ considering physical presence as
22 prima facie evidence of intent to remain.

23 2. ~~The parole commission or the department shall apply~~ Applying the criteria
24 for consideration of residence and physical presence under subd. 1. to the facts that

1 existed on the date ~~that the prisoner~~ on which the sex offender committed the serious
2 sex offense that resulted in the sentence that the prisoner ~~sex offender~~ is serving.

3 ***b0283/2.1* SECTION 3390b.** 340.01 (2g) of the statutes is amended to read:

4 340.01 (2g) “All-terrain vehicle” means an engine-driven device which has a
5 net weight of ~~650~~ 900 pounds or less, which has a width of 48 inches or less, which
6 is equipped with a seat designed to be straddled by the operator and which is
7 designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which
8 has a minimum width of 6 inches, which is designed to be mounted on a rim with a
9 maximum diameter of 12 inches and which is designed to be inflated with an
10 operating pressure not to exceed 6 pounds per square inch as recommended by the
11 manufacturer.

12 ***b2221/3.135* SECTION 3390m.** 340.01 (3) (b) of the statutes is amended to
13 read:

14 340.01 (3) (b) Conservation wardens’ vehicles, state forest rangers’ vehicles or
15 foresters’ trucks, whether publicly or privately owned.

16 ***b1281/1.5* SECTION 3390u.** 340.01 (4) (a) of the statutes is amended to read:

17 340.01 (4) (a) Type 1 is a motor vehicle designed and used primarily for carrying
18 persons but which does not come within the definition of a low-speed vehicle, motor
19 bus, motorcycle, moped or motor bicycle.

20 ***b1281/1.5* SECTION 3390v.** 340.01 (19d) of the statutes is created to read:

21 340.01 (19d) “Golf cart” means a vehicle whose speed attainable in one mile
22 does not exceed 20 miles per hour on a paved, level surface, and is used to convey one
23 or more persons and equipment to play the game of golf in an area designated as a
24 golf course.

25 ***b1281/1.5* SECTION 3390x.** 340.01 (27m) of the statutes is created to read:

1 340.01 (27m) “Low-speed vehicle” means a low-speed vehicle, as defined in 49
2 CFR 571.3, that satisfies the equipment standards under 49 CFR 571.500 and which
3 was originally manufactured to meet the applicable equipment standards under 49
4 CFR 571.500. “Low-speed vehicle” does not include a golf cart.

5 ***b1281/1.5* SECTION 3390y.** 341.067 of the statutes is amended to read:

6 **341.067 Registration of special vehicles.** The department shall register a
7 specially designed vehicle which is authorized for operation by a person holding a
8 special restricted operator’s license under s. 343.135 if the special vehicle meets the
9 equipment standards established under s. 347.02 (6) or (8).

10 ***b2001/1.2* SECTION 3390yd.** 341.09 (8) of the statutes is amended to read:

11 341.09 (8) The department may issue a temporary operation plate to a person
12 who is eligible for the issuance of a special plate for a motorcycle under s. 341.14 (1e)
13 if the department determines that the person’s disability is temporary. The plate
14 shall contain the information specified in sub. (1m) and comply with s. 341.13 (2m),
15 if applicable. The plate shall otherwise be similar to or identical to plates issued
16 under s. 341.14 (1e). No charge in addition to the registration fee may be made for
17 the issuance of a plate under this subsection.

18 ***b2001/1.2* SECTION 3390yw.** 341.13 (2m) of the statutes is created to read:

19 341.13 (2m) A registration plate issued for a motorcycle shall have a white
20 background and black lettering and shall be 4 inches by 7 inches in size. No plates
21 may be issued under this subsection until the manufacturer of such plates for the
22 department has depleted the existing stock of sheeting material used to manufacture
23 the plates or until July 1, 2003, whichever occurs first.

24 ***-0019/3.1* SECTION 3391.** 341.135 (1) of the statutes is amended to read:

1 341.135 (1) DESIGN. Every ~~6th~~ 7th year, the department shall establish new
2 designs of registration plates to be issued under ss. 341.14 (1a), (1m), (1q), (2), (2m),
3 (6m) ~~or, and~~ (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2)
4 and (3) (a) 1. and (am). Any design for registration plates issued for automobiles and
5 for vehicles registered on the basis of gross weight shall comply with the applicable
6 design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for
7 registration plates specified in this subsection shall be as similar in appearance as
8 practicable during each ~~6-year~~ 7-year design interval. Each registration plate
9 issued under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h),
10 or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) during each ~~6-year~~ 7-year
11 design interval shall be of the design established under this subsection. The
12 department may not redesign registration plates for the special ~~group~~ groups under
13 s. 341.14 (6r) (f) ~~53., 54., or 55.~~ until January 1, 2005 July 1, 2007. Except for
14 registration plates issued under s. 341.14 (6r) (f) 53., 54., or 55., the first design cycle
15 for registration plates issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m), and
16 (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3) (a)
17 1. and (am) began July 1, 2000.

18 ***-0019/3.2*** SECTION 3392. 341.135 (2) (a) 1. of the statutes is amended to read:

19 341.135 (2) (a) 1. Beginning with registrations initially effective on
20 July 1, 2000, upon receipt of a completed application to initially register a vehicle
21 under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) ~~53.,~~
22 ~~54., or 55.,~~ or s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or (3) (a)
23 1. or (am), the department shall issue and deliver prepaid to the applicant ~~2~~ new
24 registration plates of the design established under sub. (1).

25 ***-0019/3.3*** SECTION 3393. 341.135 (2) (a) 2. of the statutes is amended to read: