

1 ***-0795/2.5*** SECTION 3945. 943.70 (2) (a) 3. of the statutes is amended to read:
2 943.70 (2) (a) 3. Accesses data, computer programs or supporting
3 documentation.

4 ***-0795/2.6*** SECTION 3946. 943.70 (2) (am) of the statutes is created to read:
5 943.70 (2) (am) Whoever intentionally causes an interruption in service by
6 submitting a message, or multiple messages, to a computer, computer program,
7 computer system, or computer network that exceeds the processing capacity of the
8 computer, computer program, computer system, or computer network may be
9 penalized as provided in pars. (b) and (c).

10 ***-0795/2.7*** SECTION 3947. 943.70 (2) (b) (intro.) of the statutes is amended to
11 read:

12 943.70 (2) (b) (intro.) Whoever violates ~~this subsection~~ par. (a) or (am) is guilty
13 of:

14 ***-0795/2.8*** SECTION 3948. 943.70 (2) (b) 1. of the statutes is amended to read:
15 943.70 (2) (b) 1. A Class A misdemeanor unless ~~subd. any of subds. 2., 3. or to~~
16 4. applies.

17 ***-0795/2.9*** SECTION 3949. 943.70 (2) (b) 3. of the statutes is amended to read:
18 943.70 (2) (b) 3. A Class D E felony if the offense results in damage is greater
19 valued at more than \$1,000 but not more than \$2,500 or if it ~~causes an interruption~~
20 ~~or impairment of governmental operations or public communication, of~~
21 ~~transportation or of a supply of water, gas or other public service.~~

22 ***-0795/2.10*** SECTION 3950. 943.70 (2) (b) 3g. of the statutes is created to read:
23 943.70 (2) (b) 3g. A Class C felony if the offense results in damage valued at
24 more than \$2,500.

25 ***-0795/2.11*** SECTION 3951. 943.70 (2) (b) 3r. of the statutes is created to read:

1 943.70 (2) (b) 3r. A Class C felony if the offense causes an interruption or
2 impairment of governmental operations or public communication, of transportation,
3 or of a supply of water, gas, or other public service.

4 ***-0795/2.12*** SECTION 3952. 943.70 (2) (c) of the statutes is created to read:

5 943.70 (2) (c) If a person disguises the identity or location of the computer at
6 which he or she is working while committing an offense under par. (a) or (am) with
7 the intent to make it less likely that he or she will be identified with the crime, the
8 penalties under par. (b) may be increased as follows:

9 1. In the case of a misdemeanor, the maximum fine prescribed by law for the
10 crime may be increased by not more than \$1,000 and the maximum term of
11 imprisonment prescribed by law for the crime may be increased so that the revised
12 maximum term of imprisonment is 12 months.

13 2. In the case of a felony, the maximum fine prescribed by law for the crime may
14 be increased by not more than \$2,500 and the maximum term of imprisonment
15 prescribed by law for the crime may be increased by not more than 2 years.

16 ***-0795/2.13*** SECTION 3953. 944.205 (title) of the statutes is amended to read:

17 **944.205 (title) Photographs, motion pictures, videotapes or other**
18 **visual representations Recordings showing nudity.**

19 ***-0795/2.14*** SECTION 3954. 944.205 (1) of the statutes is renumbered 944.205
20 (1) (intro.) and amended to read:

21 944.205 (1) (intro.) In this section, ~~“nudity”~~;

22 **(b) “Nudity”** has the meaning given in s. 948.11 (1) (d).

23 ***-0795/2.15*** SECTION 3955. 944.205 (1) (a) of the statutes is created to read:

24 944.205 (1) (a) “Exhibit” has the meaning given in s. 948.01 (1d).

25 ***-0795/2.16*** SECTION 3956. 944.205 (1) (c) of the statutes is created to read:

1 944.205 (1) (c) "Recording" has the meaning given in 948.01 (3r).

2 ***-0795/2.17* SECTION 3957.** 944.205 (2) (a) of the statutes is amended to read:

3 944.205 (2) (a) ~~Takes a photograph or makes a motion picture, videotape or~~
4 ~~other visual representation or reproduction that depicts~~ Records an image of nudity
5 without the knowledge and consent of the person who is depicted nude while that
6 person is nude in a place and circumstance in which he or she has a reasonable
7 expectation of privacy, if the person recording the image knows or has reason to know
8 that the person who is depicted nude does not know of and consent to the ~~taking or~~
9 ~~making of the photograph, motion picture, videotape or other visual representation~~
10 ~~or reproduction~~ recording.

11 ***-0795/2.18* SECTION 3958.** 944.205 (2) (b) of the statutes is repealed and
12 recreated to read:

13 944.205 (2) (b) Copies, possesses, exhibits, stores, or distributes a recording of
14 an image if all of the following apply:

15 1. The recording was done in violation of par. (a) or was previously copied in
16 violation of this paragraph.

17 2. The actor knows or has reason to know that the violation described under
18 subd. 1. has occurred.

19 3. The person depicted nude in the recording did not consent to the copying,
20 possession, exhibition, storage, or distribution of the recording under par. (b) (intro.).

21 4. The recording depicts the same nudity recorded in violation of par. (a).

22 ***-0795/2.19* SECTION 3959.** 944.205 (3) of the statutes is amended to read:

23 944.205 (3) Notwithstanding sub. (2) (a) and (b), if the person depicted in a
24 ~~photograph, motion picture, videotape or other visual representation or reproduction~~
25 recording of an image is a child and the ~~making~~ recording, copying, possession,

1 ~~exhibition, storage, or distribution of the photograph, motion picture, videotape or~~
2 ~~other visual representation or reproduction~~ recording does not violate s. 948.05 or
3 948.12, a parent, guardian, or legal custodian of the child may do any of the following:

4 (a) ~~Make and~~ Record, copy, possess, exhibit, or store the ~~photograph, motion~~
5 ~~picture, videotape or other visual representation reproduction of the child~~ recording.

6 (b) Distribute a ~~photograph, motion picture, videotape or other visual~~
7 ~~representation or reproduction made or~~ recording that was recorded, copied,
8 possessed, exhibited, or stored under par. (a) if the distribution is not for commercial
9 purposes.

10 ***-0795/2.20* SECTION 3960.** 944.205 (4) of the statutes is amended to read:

11 944.205 (4) This section does not apply to a person who receives a ~~photograph,~~
12 ~~motion picture, videotape or other visual representation or reproduction of~~ recording
13 of an image depicting a child from a parent, guardian, or legal custodian of the child
14 under sub. (3) (b), if the possession ~~and, copying, exhibition, storage, or distribution~~
15 ~~are~~ is not for commercial purposes.

16 ***-0795/2.21* SECTION 3961.** 944.21 (2) (am) of the statutes is created to read:

17 944.21 (2) (am) "Exhibit" has the meaning given in s. 948.01 (1d).

18 ***-0795/2.22* SECTION 3962.** 944.21 (2) (c) (intro.) of the statutes is amended
19 to read:

20 944.21 (2) (c) (intro.) "Obscene material" means a writing, picture, sound
21 ~~recording or film which, or other recording that:~~

22 ***-0795/2.23* SECTION 3963.** 944.21 (2) (dm) of the statutes is created to read:

23 944.21 (2) (dm) "Recording" has the meaning given in s. 948.01 (3r).

24 ***-0795/2.24* SECTION 3964.** 944.21 (3) (a) of the statutes is amended to read:

1 944.21 (3) (a) Imports, prints, sells, has in his or her possession for sale,
2 publishes, exhibits, plays, or ~~transfers~~ distributes any obscene material.

3 ***-0795/2.25*** SECTION 3965. 944.21 (4) (a) and (b) of the statutes are amended
4 to read:

5 944.21 (4) (a) ~~Transfers or~~ Distributes, exhibits, or plays any obscene material
6 to a person under the age of 18 years.

7 (b) Has in his or her possession with intent to ~~transfer or~~ distribute, exhibit,
8 or play to a person under the age of 18 years any obscene material.

9 ***-0795/2.26*** SECTION 3966. 944.21 (9) of the statutes is amended to read:

10 944.21 (9) In determining whether material is obscene under sub. (2) (c) 1. and
11 3., a judge or jury shall examine individual pictures, recordings of images, or
12 passages in the context of the work in which they appear.

13 ***-0795/2.27*** SECTION 3967. 944.25 of the statutes is created to read:

14 **944.25 Sending obscene or sexually explicit electronic messages. (1)**

15 In this section:

16 (a) “Electronic mail solicitation” means an electronic mail message, including
17 any attached program or document, that is sent for the purpose of encouraging a
18 person to purchase property, goods, or services.

19 (b) “Obscene material” has the meaning given in s. 944.21 (2) (c).

20 (c) “Sexually explicit conduct” has the meaning given in s. 948.01 (7).

21 (2) Whoever sends an unsolicited electronic mail solicitation to a person that
22 contains obscene material or a depiction of sexually explicit conduct without
23 including the words “ADULT ADVERTISEMENT” in the subject line of the
24 electronic mail solicitation is guilty of a Class A misdemeanor.

25 ***-0795/2.28*** SECTION 3968. 948.01 (1d) of the statutes is created to read:

1 948.01 (1d) “Exhibit,” with respect to a recording of an image that is not
2 viewable in its recorded form, means to convert the recording of the image into a form
3 in which the image may be viewed.

4 *~~0795/2.29~~* SECTION 3969. 948.01 (3r) of the statutes is created to read:

5 948.01 (3r) “Recording” includes the creation of a reproduction of an image or
6 a sound or the storage of data representing an image or a sound.

7 *~~0795/2.30~~* SECTION 3970. 948.05 (1) (a) of the statutes is amended to read:

8 948.05 (1) (a) Employs, uses, persuades, induces, entices, or coerces any child
9 to engage in sexually explicit conduct for the purpose of ~~photographing, filming,~~
10 ~~videotaping, recording the sounds of~~ or displaying in any way the conduct.

11 *~~0795/2.31~~* SECTION 3971. 948.05 (1) (b) of the statutes is amended to read:

12 948.05 (1) (b) ~~Photographs, films, videotapes, records the sounds of~~ Records or
13 displays in any way a child engaged in sexually explicit conduct.

14 *~~0795/2.32~~* SECTION 3972. 948.05 (1m) of the statutes is amended to read:

15 948.05 (1m) Whoever produces, performs in, profits from, promotes, imports
16 into the state, reproduces, advertises, sells, distributes, or possesses with intent to
17 sell or distribute, any undeveloped film, photographic negative, photograph, motion
18 picture, videotape, sound recording or other reproduction of a child engaging in
19 sexually explicit conduct is guilty of a Class C felony if the person knows the
20 character and content of the sexually explicit conduct involving the child and if the
21 person knows or reasonably should know that the child engaging in the sexually
22 explicit conduct has not attained the age of 18 years.

23 *~~0795/2.33~~* SECTION 3973. 948.07 (4) of the statutes is amended to read:

24 948.07 (4) ~~Taking a picture or making an audio recording of~~ Recording the child
25 engaging in sexually explicit conduct.

1 ***-0795/2.34*** SECTION 3974. 948.11 (1) (ar) 2. of the statutes is amended to
2 read:

3 948.11 (1) (ar) 2. Any book, pamphlet, magazine, printed matter however
4 reproduced or sound recording that contains any matter enumerated in subd. 1., or
5 explicit and detailed verbal descriptions or narrative accounts of sexual excitement,
6 sexually explicit conduct, sadomasochistic abuse, physical torture or brutality and
7 that, taken as a whole, is harmful to children.

8 ***-0795/2.35*** SECTION 3975. 948.11 (1) (bm) of the statutes is repealed.

9 ***-0795/2.36*** SECTION 3976. 948.11 (1) (c) of the statutes is repealed.

10 ***-0795/2.37*** SECTION 3977. 948.11 (2) (a) of the statutes is renumbered 948.11
11 (2) (a) (intro.) and amended to read:

12 948.11 (2) (a) (intro.) Whoever, with knowledge of the nature the character and
13 content of the material, sells, rents, exhibits, transfers plays, distributes, or loans to
14 a child any harmful material, with or without monetary consideration, is guilty of a
15 Class E felony. if any of the following applies:

16 ***-0795/2.38*** SECTION 3978. 948.11 (2) (a) 1. and 2. of the statutes are created
17 to read:

18 948.11 (2) (a) 1. The person knows or reasonably should know that the child
19 has not attained the age of 18 years.

20 2. The person has face-to-face contact with the child before or during the sale,
21 rental, exhibit, playing, distribution, or loan.

22 ***-0795/2.39*** SECTION 3979. 948.11 (2) (am) of the statutes is renumbered
23 948.11 (2) (am) (intro.) and amended to read:

24 948.11 (2) (am) (intro.) Any person who has attained the age of 17 and who, with
25 knowledge of the nature character and content of the description or narrative

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1 account, verbally communicates, by any means, a harmful description or narrative
2 account to a child, with or without monetary consideration, is guilty of a Class E
3 felony. if any of the following applies:

4 ***-0795/2.40*** SECTION 3980. 948.11 (2) (am) 1. and 2. of the statutes are created
5 to read:

6 948.11 (2) (am) 1. The person knows or reasonably should know that the child
7 has not attained the age of 18 years.

8 2. The person has face-to-face contact with the child before or during the
9 communication.

10 ***-0795/2.41*** SECTION 3981. 948.11 (2) (b) of the statutes is renumbered 948.11
11 (2) (b) (intro.) and amended to read:

12 948.11 (2) (b) (intro.) Whoever, with knowledge of the nature character and
13 content of the material, possesses harmful material with the intent to sell, rent,
14 exhibit, transfer play, distribute, or loan the material to a child is guilty of a Class A
15 misdemeanor. if any of the following applies:

16 ***-0795/2.42*** SECTION 3982. 948.11 (2) (b) 1. and 2. of the statutes are created
17 to read:

18 948.11 (2) (b) 1. The person knows or reasonably should know that the child
19 has not attained the age of 18 years.

20 2. The person has face-to-face contact with the child.

21 ***-0795/2.43*** SECTION 3983. 948.11 (2) (c) of the statutes is amended to read:

22 948.11 (2) (c) It is an affirmative defense to a prosecution for a violation of ~~this~~
23 section pars. (a) 2., (am) 2., and (b) 2. if the defendant had reasonable cause to believe
24 that the child had attained the age of 18 years, and the child exhibited to the
25 defendant a draft card, driver's license, birth certificate or other official or

1 apparently official document purporting to establish that the child had attained the
2 age of 18 years. A defendant who raises this affirmative defense has the burden of
3 proving this defense by a preponderance of the evidence.

4 ***-0795/2.44*** SECTION 3984. 948.12 of the statutes is renumbered 948.12 (1m),
5 and 948.12 (1m) (intro.) and (b), as renumbered, are amended to read:

6 948.12 (1m) (intro.) Whoever possesses any undeveloped film, photographic
7 negative, photograph, motion picture, videotape, or other ~~pietorial reproduction, or~~
8 ~~audio~~ recording of a child engaged in sexually explicit conduct under all of the
9 following circumstances is guilty of a Class E felony:

10 (b) The person knows the character and content of the sexually explicit conduct
11 shown in the material.

12 ***-0795/2.45*** SECTION 3985. 948.12 (2m) of the statutes is created to read:

13 948.12 (2m) Whoever exhibits or plays a recording of a child engaged in
14 sexually explicit conduct, if all of the following apply, is guilty of a Class E felony:

15 (a) The person knows that he or she has exhibited or played the recording.

16 (b) Before the person exhibited or played the recording, he or she knew the
17 character and content of the sexually explicit conduct.

18 (c) Before the person exhibited or played the recording, he or she knew or
19 reasonably should have known that the child engaged in sexually explicit conduct
20 had not attained the age of 18 years.

21 ***-0991/P1.1*** SECTION 3986. 961.14 (7) (p) of the statutes is created to read:

22 961.14 (7) (p) 4-methylthioamphetamine, commonly known as "4-MTA."

23 ***-0991/P1.2*** SECTION 3987. 961.41 (1) (b) of the statutes is amended to read:

24 961.41 (1) (b) Except as provided in pars. (cm) and (e) to ~~(h)~~ (hm), any other
25 controlled substance included in schedule I, II or III, or a controlled substance analog

1 of any other controlled substance included in schedule I or II, may be fined not more
2 than \$15,000 or imprisoned for not more than 7 years and 6 months or both.

3 ***-0991/P1.3* SECTION 3988.** 961.41 (1) (hm) of the statutes is created to read:

4 961.41 (1) (hm) Gamma-hydroxybutyric acid, gamma-butyrolactone,
5 3,4-methylenedioxyamphetamine,
6 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,
7 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,
8 gamma-butyrolactone, 3,4-methylenedioxyamphetamine,
9 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is
10 subject to the following penalties if the amount manufactured, distributed, or
11 delivered is:

12 1. Three grams or less, the person shall be fined not less than \$1,000 nor more
13 than \$200,000 and may be imprisoned for not more than 7 years and 6 months.

14 2. More than 3 grams but not more than 10 grams, the person shall be fined
15 not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not less than
16 6 months nor more than 7 years and 6 months.

17 3. More than 10 grams but not more than 50 grams, the person shall be fined
18 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
19 one year nor more than 22 years and 6 months.

20 4. More than 50 grams but not more than 200 grams, the person shall be fined
21 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
22 3 years nor more than 22 years and 6 months.

23 5. More than 200 grams but not more than 400 grams, the person shall be fined
24 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
25 5 years nor more than 22 years and 6 months.

1 6. More than 400 grams, the person shall be fined not less than \$1,000 nor more
2 than \$500,000 and shall be imprisoned for not less than 10 years nor more than 45
3 years.

4 ***-0991/P1.4*** SECTION 3989. 961.41 (1) (im) of the statutes is renumbered
5 961.41 (1) (im) (intro.) and amended to read:

6 961.41 (1) (im) (intro.) Flunitrazepam, ~~may be fined not more than \$15,000 or~~
7 ~~imprisoned for not more than 7 years and 6 months or both.~~ is subject to the following
8 penalties if the amount manufactured, distributed, or delivered is:

9 ***-0991/P1.5*** SECTION 3990. 961.41 (1) (im) 1. to 6. of the statutes are created
10 to read:

11 961.41 (1) (im) 1. Three grams or less, the person shall be fined not less than
12 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and
13 6 months.

14 2. More than 3 grams but not more than 10 grams, the person shall be fined
15 not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not less than
16 6 months nor more than 7 years and 6 months.

17 3. More than 10 grams but not more than 50 grams, the person shall be fined
18 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
19 one year nor more than 22 years and 6 months.

20 4. More than 50 grams but not more than 200 grams, the person shall be fined
21 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
22 3 years nor more than 22 years and 6 months.

23 5. More than 200 grams but not more than 400 grams, the person shall be fined
24 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
25 5 years nor more than 22 years and 6 months.

1 6. More than 400 grams, the person shall be fined not less than \$1,000 nor more
2 than \$500,000 and shall be imprisoned for not less than 10 years nor more than 45
3 years.

4 ***-0991/P1.6*** SECTION 3991. 961.41 (1m) (b) of the statutes is amended to read:
5 961.41 (1m) (b) Except as provided in pars. (cm) and (e) to ~~(h)~~ (hm), any other
6 controlled substance included in schedule I, II or III, or a controlled substance analog
7 of any other controlled substance included in schedule I or II, may be fined not more
8 than \$15,000 or imprisoned for not more than 7 years and 6 months or both.

9 ***-0991/P1.7*** SECTION 3992. 961.41 (1m) (hm) of the statutes is created to
10 read:

11 961.41 (1m) (hm) Gamma-hydroxybutyric acid, gamma-butyrolactone,
12 3,4-methylenedioxyamphetamine
13 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,
14 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,
15 gamma-butyrolactone, 3,4-methylenedioxyamphetamine
16 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is
17 subject to the following penalties if the amount possessed, with intent to
18 manufacture, distribute, or deliver is :

19 1. Three grams or less, the person shall be fined not less than \$1,000 nor more
20 than \$200,000 and may be imprisoned for not more than 7 years and 6 months.

21 2. More than 3 grams but not more than 10 grams, the person shall be fined
22 not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not less than
23 6 months nor more than 7 years and 6 months.

1 3. More than 10 grams but not more than 50 grams, the person shall be fined
2 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
3 one year nor more than 22 years and 6 months.

4 4. More than 50 grams but not more than 200 grams, the person shall be fined
5 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
6 3 years nor more than 22 years and 6 months.

7 5. More than 200 grams but not more than 400 grams, the person shall be fined
8 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
9 5 years nor more than 22 years and 6 months.

10 6. More than 400 grams, the person shall be fined not less than \$1,000 nor more
11 than \$500,000 and shall be imprisoned for not less than 10 years nor more than 45
12 years.

13 ***-0991/P1.8*** SECTION 3993. 961.41 (1m) (im) of the statutes is renumbered
14 961.41 (1m) (im) (intro.) and amended to read:

15 961.41 (1m) (im) (intro.) Flunitrazepam, ~~may be fined not more than \$15,000~~
16 ~~or imprisoned for not more than 7 years and 6 months or both.~~ is subject to the
17 following penalties if the amount possessed, with intent to manufacture, distribute,
18 or deliver, is:

19 ***-0991/P1.9*** SECTION 3994. 961.41 (1m) (im) 1. to 6. of the statutes are created
20 to read:

21 961.41 (1m) (im) 1. Three grams or less, the person shall be fined not less than
22 \$1,000 nor more than \$200,000 and may be imprisoned for not more than 7 years and
23 6 months.

1 2. More than 3 grams but not more than 10 grams, the person shall be fined
2 not less than \$1,000 nor more than \$250,000 and shall be imprisoned for not less than
3 6 months nor more than 7 years and 6 months.

4 3. More than 10 grams but not more than 50 grams, the person shall be fined
5 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
6 one year nor more than 22 years and 6 months.

7 4. More than 50 grams but not more than 200 grams, the person shall be fined
8 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
9 3 years nor more than 22 years and 6 months.

10 5. More than 200 grams but not more than 400 grams, the person shall be fined
11 not less than \$1,000 nor more than \$500,000 and shall be imprisoned for not less than
12 5 years nor more than 22 years and 6 months.

13 6. More than 400 grams, the person shall be fined not less than \$1,000 nor more
14 than \$500,000 and shall be imprisoned for not less than 10 years nor more than 45
15 years.

16 *-0991/P1.10* SECTION 3995. 961.41 (2) (b) of the statutes is amended to read:
17 961.41 (2) (b) Any other Except as provided in pars. (a) and (bm), any
18 counterfeit substance included in schedule I, II or III, may be fined not more than
19 \$15,000 or imprisoned for not more than 7 years and 6 months or both.

20 *-0991/P1.11* SECTION 3996. 961.41 (2) (bm) of the statutes is created to read:
21 961.41 (2) (bm) A counterfeit substance that is a counterfeit of phencyclidine,
22 methamphetamine, lysergic acid diethylamide, gamma-hydroxybutyric acid,
23 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine
24 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine, or
25 ketamine is punishable by the applicable fine and imprisonment for manufacture,

1 distribution, delivery, or possession with intent to manufacture, distribute, or
2 deliver, of the genuine controlled substance under sub. (1) or (1m).

3 ***-0991/P1.12* SECTION 3997.** 961.41 (2) (cm) of the statutes is amended to
4 read:

5 961.41 (2) (cm) A counterfeit substance which is flunitrazepam, ~~may be fined~~
6 ~~not more than \$15,000 or imprisoned for not more than 7 years and 6 months or both~~
7 is punishable by the applicable fine and imprisonment for manufacture,
8 distribution, delivery, or possession with intent to manufacture, distribute, or
9 deliver, of the genuine controlled substance under sub. (1) or (1m).

10 ***-1394/2.112* SECTION 3998.** 961.41 (5) (a) of the statutes is amended to read:

11 961.41 (5) (a) When a court imposes a fine for a violation of this section, it shall
12 also impose a drug abuse program improvement surcharge in an amount of 50% of
13 the fine ~~and, penalty assessment, and law enforcement training fund assessment~~
14 imposed.

15 ***-1855/2.36* SECTION 3999.** 967.04 (9) of the statutes is amended to read:

16 967.04 (9) In any criminal prosecution or juvenile fact-finding hearing under
17 s. 48.31 or 938.31, the court may admit into evidence a videotaped deposition taken
18 under subs. (7) and (8) without an additional hearing under s. 908.08. In any
19 proceeding under s. 302.113 (9) (am), 302.114 (9) (am), 304.06 (3), or 973.10 (2), the
20 hearing examiner may order and preside at the taking of a videotaped deposition
21 using the procedure provided in subs. (7) and (8) and may admit the videotaped
22 deposition into evidence without an additional hearing under s. 908.08.

23 ***-0423/1.3* SECTION 4000.** 971.14 (2) (d) of the statutes is amended to read:

24 971.14 (2) (d) If the court orders that the examination be conducted on an
25 inpatient basis, ~~it shall arrange for the transportation of the sheriff of the defendant's~~

1 county of residence shall transport any defendant not free on bail to the examining
2 facility within a reasonable time after the examination is ordered and ~~for~~ shall
3 transport the defendant ~~to be returned~~ to the jail within a reasonable time after
4 receiving the sheriff and county department of community programs of the
5 defendant's county of residence receive notice from the examining facility that the
6 examination has been completed.

7 *~~1855/2.37~~* *~~0590/P5.409~~* SECTION 4001. 971.17 (1) of the statutes is
8 renumbered 971.17 (1) (a) and amended to read:

9 971.17 (1) (a) *Felonies committed before the effective date of this paragraph*
10 *[revisor inserts date].* ~~When~~ Except as provided in par. (c), when a defendant is found
11 not guilty by reason of mental disease or mental defect of a felony committed before
12 the effective date of this paragraph [revisor inserts date], the court shall commit
13 the person to the department of health and family services for a specified period not
14 exceeding two-thirds of the maximum term of imprisonment that could be imposed
15 ~~under s. 973.15 (2) (a) against an offender convicted of the same crime or crimes~~
16 felony, including imprisonment authorized by ss. 346.65 (2) (f), (2j) (d) or (3m),
17 939.62, 939.621, 939.63, 939.635, 939.64, 939.641, 939.645, 940.09 (1b), 940.25 (1b)
18 and 961.48 and other any applicable penalty enhancement statutes, as applicable,
19 subject to the credit provisions of s. 973.155.

20 (c) Felonies punishable by life imprisonment. ~~If the maximum term of~~
21 ~~imprisonment is a~~ defendant is found not guilty by reason of mental disease or
22 mental defect of a felony that is punishable by life imprisonment, the commitment
23 period specified by the court may be life, subject to termination under sub. (5).

24 *~~1855/2.38~~* *~~0590/P5.410~~* SECTION 4002. 971.17 (1) (b) of the statutes is
25 created to read:

1 971.17 (1) (b) *Crimes committed on or after the effective date of this paragraph*
2 [revisor inserts date] *for which a bifurcated sentence may be imposed.* When a
3 defendant is found not guilty by reason of mental disease or mental defect of a crime
4 committed on or after the effective date of this paragraph ... [revisor inserts date],
5 and the crime is one for which a court may impose a bifurcated sentence under s.
6 973.01, the court shall commit the person to the department of health and family
7 services for a specified period not exceeding the maximum term of confinement in
8 prison that could be imposed on an offender convicted of the same crime, including
9 imprisonment authorized by any applicable penalty enhancement statutes, subject
10 to the credit provisions of s. 973.155.

11 *~~1855/2.39~~* *~~0590/P5.411~~* SECTION 4003. 971.17 (1) (d) of the statutes is
12 created to read:

13 971.17 (1) (d) *Misdemeanors for which a bifurcated sentence may not be*
14 *imposed.* When a defendant is found not guilty by reason of mental disease or mental
15 defect of one of the following misdemeanors, the court shall commit the person to the
16 department of health and family services for a specified period not exceeding
17 two-thirds of the maximum term of imprisonment that could be imposed against an
18 offender convicted of the same misdemeanor, including imprisonment authorized by
19 any applicable penalty enhancement statutes, subject to the credit provisions of s.
20 973.155:

21 1. A misdemeanor committed before the effective date of this subdivision
22 [revisor inserts date].

23 2. A misdemeanor committed on or after the effective date of this subdivision
24 [revisor inserts date], for which a court may not impose a bifurcated sentence
25 under s. 973.01.

SECTION 4004

1 ***-0181/2.3* SECTION 4004.** 971.23 (10) of the statutes is amended to read:

2 **971.23 (10) PAYMENT OF PHOTOCOPY COSTS IN CASES INVOLVING INDIGENT**
3 **DEFENDANTS.** When the state public defender or a private attorney appointed under
4 s. 977.08 requests photocopies of any item that is discoverable under this section, the
5 state public defender shall pay any fee charged for the photocopies from the
6 appropriation under s. 20.550 (1) ~~(a)~~ (f). If the person providing photocopies under
7 this section charges the state public defender a fee for the photocopies, the fee may
8 not exceed the actual, necessary and direct cost of photocopying.

9 ***-1855/2.40* SECTION 4005.** 972.15 (2c) of the statutes is amended to read:

10 **972.15 (2c)** If the defendant is subject to being sentenced under s. 973.01 and
11 he or she satisfies the criteria under s. 302.045 (2) (b) and (c), the person preparing
12 the presentence investigation report shall include in the report a recommendation
13 as to whether the defendant should be eligible for the challenge incarceration
14 program under s. 302.045.

15 ***-1855/2.41* SECTION 4006.** 973.01 (1) of the statutes is amended to read:

16 **973.01 (1) BIFURCATED SENTENCE REQUIRED.** Except as provided in sub. (3),
17 whenever a court sentences a person to imprisonment in the Wisconsin state prisons
18 for a felony committed on or after December 31, 1999, or a misdemeanor committed
19 on or after the effective date of this subsection ... [revisor inserts date], the court
20 shall impose a bifurcated sentence that consists of a term of confinement in prison
21 followed by a term of extended supervision under s. 302.113.

22 ***-1855/2.42* SECTION 4007.** 973.01 (2) (intro.) of the statutes is amended to
23 read:

1 973.01 (2) STRUCTURE OF BIFURCATED SENTENCES. (intro.) ~~The court shall ensure~~
2 that An order imposing a bifurcated sentence imposed under sub. (1) complies shall
3 comply with all of the following:

4 *~~1855/2.43~~* SECTION 4008. 973.01 (2) (a) of the statutes is amended to read:

5 973.01 (2) (a) *Total length of bifurcated sentence.* Except as provided in par. (c),
6 the total length of the bifurcated sentence may not exceed the maximum period of
7 imprisonment for the felony crime.

8 *~~1855/2.44~~* SECTION 4009. 973.01 (2) (b) (intro.) of the statutes is amended
9 to read:

10 973.01 (2) (b) *Imprisonment Confinement portion of bifurcated sentence.*
11 (intro.) The portion of the bifurcated sentence that imposes a term of confinement
12 in prison may not be less than one year, subject to any minimum sentence prescribed
13 for the felony crime, and, except as provided in par. (c), may not exceed is subject to
14 whichever of the following limits is applicable:

15 *~~1855/2.45~~* SECTION 4010. 973.01 (2) (b) 6. of the statutes is renumbered
16 973.01 (2) (b) 6. (intro.) and amended to read:

17 973.01 (2) (b) 6. (intro.) For any felony crime other than a ~~felony specified in~~
18 ~~subds. 1. to 5.~~ one of the following, the term of confinement in prison may not exceed
19 75% of the total length of the bifurcated sentence;

20 *~~1855/2.46~~* SECTION 4011. 973.01 (2) (b) 6. a. and b. of the statutes are created
21 to read:

22 973.01 (2) (b) 6. a. A felony specified in subds. 1. to 5.

23 b. An attempt to commit a classified felony if the attempt is punishable under
24 s. 939.32 (1) (intro.).

25 *~~1855/2.47~~* SECTION 4012. 973.01 (2) (d) of the statutes is amended to read:

1 973.01 (2) (d) *Minimum term of extended supervision.* The term of extended
2 supervision ~~that follows the term of confinement in prison~~ may not be less than 25%
3 of the length of the term of confinement in prison imposed under par. (b).

4 *~~-2142/4.6~~* SECTION 4013. 973.01 (4) of the statutes is amended to read:

5 973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A
6 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of
7 confinement in prison portion of the sentence without reduction for good behavior.
8 The term of confinement in prison portion is subject to extension under s. 302.113 (3)
9 and, if applicable, to reduction under s. 302.045 (3m) or 302.113 (2m).

10 *~~-1855/2.48~~* SECTION 4014. 973.01 (6) of the statutes is amended to read:

11 973.01 (6) NO PAROLE. A person serving a bifurcated sentence imposed under
12 sub. (1) is not eligible for release on parole under that sentence.

13 *~~-0447/3.15~~* SECTION 4015. 973.013 (3m) of the statutes is amended to read:

14 973.013 (3m) If a person who has not attained the age of ~~16~~ 15 years is
15 sentenced to the Wisconsin state prisons, the department of corrections shall place
16 the person at a secured juvenile correctional facility or a secured child caring
17 institution, unless the department of corrections determines that placement in an
18 institution under s. 302.01 is appropriate based on the person's prior record of
19 adjustment in a correctional setting, if any; the person's present and potential
20 vocational and educational needs, interests, and abilities; the adequacy and
21 suitability of available facilities; the services and procedures available for treatment
22 of the person within the various institutions; the protection of the public; and any
23 other considerations promulgated by the department of corrections by rule. This
24 subsection does not preclude the department of corrections from designating an
25 adult correctional institution as a reception center for the person and subsequently

1 transferring the person to a secured juvenile correctional facility or a secured child
2 caring institution. Section 302.11 and ch. 304 apply to all persons placed in a secured
3 juvenile correctional facility or a secured child caring institution under this
4 subsection.

5 ***-1394/2.113*** SECTION 4016. 973.05 (1) of the statutes is amended to read:

6 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
7 permission for the payment of the fine, of the penalty assessment imposed by s.
8 757.05, the law enforcement training fund assessment imposed by s. 165.87 (1), the
9 jail assessment imposed by s. 302.46 (1), the crime victim and witness assistance
10 surcharge under s. 973.045, the crime laboratories and drug law enforcement
11 assessment imposed by s. 165.755, any applicable deoxyribonucleic acid analysis
12 surcharge under s. 973.046, any applicable drug abuse program improvement
13 surcharge imposed by s. 961.41 (5), any applicable consumer ~~information~~ protection
14 assessment imposed by s. 100.261, any applicable domestic abuse assessment
15 imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver improvement
16 surcharge imposed by s. 346.655, any applicable enforcement assessment imposed
17 by s. 253.06 (4) (c), any applicable weapons assessment imposed by s. 167.31, any
18 applicable uninsured employer assessment imposed by s. 102.85 (4), any applicable
19 environmental assessment imposed by s. 299.93, any applicable wild animal
20 protection assessment imposed by s. 29.983, any applicable natural resources
21 assessment imposed by s. 29.987, and any applicable natural resources restitution
22 payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If
23 no such permission is embodied in the sentence, the fine, the penalty assessment, the
24 law enforcement training fund assessment, the jail assessment, the crime victim and
25 witness assistance surcharge, the crime laboratories and drug law enforcement

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1 assessment, any applicable deoxyribonucleic acid analysis surcharge, any applicable
2 drug abuse program improvement surcharge, any applicable consumer ~~information~~
3 protection assessment, any applicable domestic abuse assessment, any applicable
4 driver improvement surcharge, any applicable enforcement assessment, any
5 applicable weapons assessment, any applicable uninsured employer assessment,
6 any applicable environmental assessment, any applicable wild animal protection
7 assessment, any applicable natural resources assessment, and any applicable
8 natural resources restitution payment shall be payable immediately.

****NOTE: This is reconciled s. 973.05 (1). This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

9 ***-1394/2.114*** SECTION 4017. 973.05 (2) of the statutes is amended to read:

10 973.05 (2) When a defendant is sentenced to pay a fine and is also placed on
11 probation, the court may make the payment of the fine, the penalty assessment, the
12 law enforcement training fund assessment, the jail assessment, the crime victim and
13 witness assistance surcharge, the crime laboratories and drug law enforcement
14 assessment, any applicable deoxyribonucleic acid analysis surcharge, any applicable
15 drug abuse program improvement surcharge, any applicable consumer ~~information~~
16 protection assessment, any applicable domestic abuse assessment, any applicable
17 uninsured employer assessment, any applicable driver improvement surcharge, any
18 applicable enforcement assessment under s. 253.06 (4) (c), any applicable weapons
19 assessment, any applicable environmental assessment, any applicable wild animal
20 protection assessment, any applicable natural resources assessment, and any
21 applicable natural resources restitution payments a condition of probation. When
22 the payments are made a condition of probation by the court, payments thereon shall
23 be applied first to payment of the penalty assessment until paid in full, shall then

1 be applied to the law enforcement training fund assessment until paid in full, shall
2 then be applied to the payment of the jail assessment until paid in full, shall then be
3 applied to the payment of part A of the crime victim and witness assistance surcharge
4 until paid in full, shall then be applied to part B of the crime victim and witness
5 assistance surcharge until paid in full, shall then be applied to the crime laboratories
6 and drug law enforcement assessment until paid in full, shall then be applied to the
7 deoxyribonucleic acid analysis surcharge until paid in full, shall then be applied to
8 the drug abuse improvement surcharge until paid in full, shall then be applied to
9 payment of the driver improvement surcharge until paid in full, shall then be applied
10 to payment of the domestic abuse assessment until paid in full, shall then be applied
11 to payment of the consumer ~~information~~ protection assessment until paid in full,
12 shall then be applied to payment of the natural resources assessment if applicable
13 until paid in full, shall then be applied to payment of the natural resources
14 restitution payment until paid in full, shall then be applied to the payment of the
15 environmental assessment if applicable until paid in full, shall then be applied to the
16 payment of the wild animal protection assessment if applicable until paid in full,
17 shall then be applied to payment of the weapons assessment until paid in full, shall
18 then be applied to payment of the uninsured employer assessment until paid in full,
19 shall then be applied to payment of the enforcement assessment under s. 253.06 (4)
20 (c), if applicable, until paid in full, and shall then be applied to payment of the fine.

****NOTE: This is reconciled s. 973.05 (2). This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

21 ***-1394/2.115* SECTION 4018.** 973.055 (2) (b) of the statutes is amended to read:
22 973.055 (2) (b) If the assessment is imposed by a municipal court, after a
23 determination by the court of the amount due, the court shall collect and transmit

1 the amount to the treasurer of the county, city, town, or village, and that treasurer
2 shall make payment to the state treasurer as provided in s. 66.0114 (1) (b) (bm).

3 *-1394/2.116* SECTION 4019. 973.07 of the statutes is amended to read:

4 **973.07 Failure to pay fine or costs or to comply with certain**
5 **community service work.** If the fine, costs, penalty assessment, law enforcement
6 training fund assessment, jail assessment, crime victim and witness assistance
7 surcharge, crime laboratories and drug law enforcement assessment, applicable
8 deoxyribonucleic acid analysis surcharge, applicable drug abuse program
9 improvement surcharge, applicable consumer ~~information~~ protection assessment,
10 applicable domestic abuse assessment, applicable driver improvement surcharge,
11 applicable enforcement assessment under s. 253.06 (4) (c), applicable weapons
12 assessment, applicable uninsured employer assessment, applicable environmental
13 assessment, applicable wild animal protection assessment, applicable natural
14 resources assessment, and applicable natural resources restitution payments are
15 not paid or community service work under s. 943.017 (3) is not completed as required
16 by the sentence, the defendant may be committed to the county jail until the fine,
17 costs, penalty assessment, law enforcement training fund assessment, jail
18 assessment, crime victim and witness assistance surcharge, crime laboratories and
19 drug law enforcement assessment, applicable deoxyribonucleic acid analysis
20 surcharge, applicable drug abuse program improvement surcharge, applicable
21 consumer ~~information~~ protection assessment, applicable domestic abuse
22 assessment, applicable driver improvement surcharge, applicable enforcement
23 assessment under s. 253.06 (4) (c), applicable weapons assessment, applicable
24 uninsured employer assessment, applicable environmental assessment, applicable
25 wild animal protection assessment, applicable natural resources assessment or

1 applicable natural resources restitution payments are paid or discharged, or the
2 community service work under s. 943.017 (3) is completed, for a period fixed by the
3 court not to exceed 6 months.

****NOTE: This is reconciled s. 973.07. This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

4 ***-1855/2.49* SECTION 4020.** 973.09 (1) (a) of the statutes is amended to read:

5 973.09 (1) (a) Except as provided in par. (c) or if probation is prohibited for a
6 particular offense by statute, if a person is convicted of a crime, the court, by order,
7 may withhold sentence or impose sentence under s. 973.15 and stay its execution,
8 and in either case place the person on probation to the department for a stated period,
9 stating in the order the reasons therefor. The court may impose any conditions which
10 appear to be reasonable and appropriate. The period of probation may be made
11 consecutive to a sentence on a different charge, whether imposed at the same time
12 or previously. If the court imposes an increased term of probation, as authorized
13 under sub. (2) ~~(a)~~ (am) 2. or (b) 2., it shall place its reasons for doing so on the record.

14 ***-1855/2.50* SECTION 4021.** 973.09 (2) (intro.) and (a) 1. of the statutes are
15 consolidated, renumbered 973.09 (2) (am) 1. and amended to read:

16 973.09 (2) (am) 1. The Subject to subd. 2., the original term of probation for an
17 indeterminate sentence misdemeanor shall be: ~~(a) 1. Except as provided in subd. 2.,~~
18 ~~for misdemeanors,~~ not less than 6 months nor more than 2 years.

19 ***-1855/2.51* SECTION 4022.** 973.09 (2) (a) 2. of the statutes is renumbered
20 973.09 (2) (am) 2. and amended to read:

21 973.09 (2) (am) 2. If the probationer is convicted of not less than 2 nor more than
22 4 indeterminate sentence misdemeanors at the same time, the maximum original
23 term of probation may be increased by one year. If the probationer is convicted of 5

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1 or more indeterminate sentence misdemeanors at the same time, the maximum
2 original term of probation may be increased by 2 years.

3 ***-1855/2.52*** SECTION 4023. 973.09 (2) (ag) of the statutes is created to read:

4 973.09 (2) (ag) *Definitions*. In this subsection:

5 1. "Bifurcated sentence misdemeanor" means a misdemeanor committed on or
6 after the effective date of this subdivision ... [revisor inserts date], for which a court
7 may impose a bifurcated sentence under s. 973.01.

8 2. "Indeterminate sentence misdemeanor" means a misdemeanor other than
9 a bifurcated sentence misdemeanor.

10 ***-1855/2.53*** SECTION 4024. 973.09 (2) (am) (title) of the statutes is created to
11 read:

12 973.09 (2) (am) (title) *Misdemeanors for which a bifurcated sentence may not*
13 *be imposed*.

14 ***-1855/2.54*** SECTION 4025. 973.09 (2) (b) (title) of the statutes is created to
15 read:

16 973.09 (2) (b) (title) *Crimes for which a bifurcated sentence may be imposed*.

17 ***-1855/2.55*** SECTION 4026. 973.09 (2) (b) 1. of the statutes is amended to read:

18 973.09 (2) (b) 1. ~~Except as provided in~~ Subject to subd. 2., the original term of
19 probation for felonies, and bifurcated sentence misdemeanors shall be not less than
20 one year nor more than either the statutory maximum term of imprisonment
21 confinement in prison for the crime or 3 years, whichever is greater.

22 ***-1855/2.56*** SECTION 4027. 973.09 (2) (b) 2. of the statutes is amended to read:

23 973.09 (2) (b) 2. If the probationer is convicted of 2 or more crimes, including
24 at least one felony or bifurcated sentence misdemeanor, at the same time, the

1 maximum original term of probation may be increased by one year for each felony
2 conviction for a felony or a bifurcated sentence misdemeanor.

3 *–1855/2.57* SECTION 4028. 973.15 (2m) of the statutes is created to read:

4 973.15 (2m) (a) *Definitions.* In this subsection:

5 1. “Determinate sentence” means a bifurcated sentence imposed under s.
6 973.01 or a life sentence under which a person is eligible for release to extended
7 supervision under s. 973.014 (1g) (a) 1. or 2.

8 2. “Indeterminate sentence” means a sentence to the Wisconsin state prisons
9 other than one of the following:

10 a. A determinate sentence.

11 b. A sentence under which the person is not eligible for release on parole under
12 s. 939.62 (2m) (c) or 973.014 (1) (c).

13 3. “Period of confinement in prison,” with respect to any sentence to the
14 Wisconsin state prisons, means any time during which a person is incarcerated
15 under that sentence, including any extensions imposed under s. 302.11 (3), 302.113
16 (3), or 302.114 (3) and any period of confinement in prison required to be served under
17 s. 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

18 (b) *Determinate sentences imposed to run concurrent with or consecutive to*
19 *determinate sentences.* 1. If a court provides that a determinate sentence is to run
20 concurrent with another determinate sentence, the person sentenced shall serve the
21 periods of confinement in prison under the sentences concurrently and the terms of
22 extended supervision under the sentences concurrently.

23 2. If a court provides that a determinate sentence is to run consecutive to
24 another determinate sentence, the person sentenced shall serve the periods of
25 confinement in prison under the sentences consecutively and the terms of extended

1 supervision under the sentences consecutively and in the order in which the
2 sentences have been pronounced.

3 (c) *Determinate sentences imposed to run concurrent with or consecutive to*
4 *indeterminate sentences.* 1. If a court provides that a determinate sentence is to run
5 concurrent with an indeterminate sentence, the person sentenced shall serve the
6 period of confinement in prison under the determinate sentence concurrent with the
7 period of confinement in prison under the indeterminate sentence and the term of
8 extended supervision under the determinate sentence concurrent with the parole
9 portion of the indeterminate sentence.

10 2. If a court provides that a determinate sentence is to run consecutive to an
11 indeterminate sentence, the person sentenced shall serve the period of confinement
12 in prison under the determinate sentence consecutive to the period of confinement
13 in prison under the indeterminate sentence and the parole portion of the
14 indeterminate sentence consecutive to the term of extended supervision under the
15 determinate sentence.

16 (d) *Indeterminate sentences imposed to run concurrent with or consecutive to*
17 *determinate sentences.* 1. If a court provides that an indeterminate sentence is to run
18 concurrent with a determinate sentence, the person sentenced shall serve the period
19 of confinement in prison under the indeterminate sentence concurrent with the
20 period of confinement in prison under the determinate sentence and the parole
21 portion of the indeterminate sentence concurrent with the term of extended
22 supervision required under the determinate sentence.

23 2. If a court provides that an indeterminate sentence is to run consecutive to
24 a determinate sentence, the person sentenced shall serve the period of confinement
25 in prison under the indeterminate sentence consecutive to the period of confinement

1 in prison under the determinate sentence and the parole portion of the
2 indeterminate sentence consecutive to the term of extended supervision under the
3 determinate sentence.

4 (e) *Revocation in multiple sentence cases.* If a person is serving concurrent
5 determinate sentences and extended supervision is revoked in each case, or if a
6 person is serving a determinate sentence concurrent with an indeterminate sentence
7 and both extended supervision and parole are revoked, the person shall concurrently
8 serve any periods of confinement in prison required under those sentences under s.
9 302.11 (7) (am), 302.113 (9) (am), or 302.114 (9) (am).

10 ***-1855/2.58* SECTION 4029.** 973.155 (1) (b) of the statutes is amended to read:

11 973.155 (1) (b) The categories in par. (a) include custody of the convicted
12 offender which is in whole or in part the result of a probation, extended supervision
13 or parole hold under s. 302.113 (8m), 302.114 (8m), 304.06 (3), or 973.10 (2) placed
14 upon the person for the same course of conduct as that resulting in the new
15 conviction.

16 ***-0447/3.16* SECTION 4030.** 976.08 of the statutes is amended to read:

17 **976.08 Additional applicability.** In this chapter, "prisoner" includes any
18 person subject to an order under s. 48.366 or 938.183 who is confined to a Wisconsin
19 state prison ~~and any person subject to an order under s. 938.34 (4h) who is 17 years~~
20 ~~of age or older.~~

21 ***-0052/1.1* SECTION 4031.** 977.05 (6) (c) of the statutes is repealed.

22 ***-0052/1.2* SECTION 4032.** 977.05 (6) (cm) of the statutes is repealed.

23 ***-0638/3.4* SECTION 4033.** 978.13 (1) (intro.) and (d) of the statutes are
24 consolidated, renumbered 978.13 (1) and amended to read:

1 978.13 (1) The In counties having a population of 500,000 or more, the state
2 shall assume financial responsibility for all of the following: ~~(d) In counties having~~
3 ~~a population of 500,000 or more,~~ the salary and fringe benefit costs of 2 clerk positions
4 providing clerical services to the prosecutors in the district attorney's office handling
5 cases involving the unlawful possession or use of firearms. The state treasurer shall
6 pay the amount authorized under this ~~paragraph subsection~~ to the county treasurer
7 from the appropriation under s. 20.475 (1) (f) pursuant to a voucher submitted by the
8 district attorney to the department of administration. The amount paid under this
9 ~~paragraph subsection~~ may not exceed \$51,300 in the 1999-2000 fiscal year and
10 \$64,400 in the 2000-01 fiscal year the amount appropriated under s. 20.475 (1) (f).

****NOTE: This is reconciled s. 978.13 (1) (intro.) and (d) [consolidated as s. 978.13
(1)]. This SECTION has been affected by drafts with the following LRB numbers: -0618
and -0638.

11 ***-0638/3.5* SECTION 4034.** 978.13 (1) (b) and (c) of the statutes are repealed.

12 ***-1606/3.1* SECTION 4035.** 979.025 of the statutes is created to read:

13 **979.025 Autopsy of correctional inmate.** (1) INMATE CONFINED TO AN
14 INSTITUTION IN THIS STATE. If an individual dies while he or she is in the legal custody
15 of the department and confined to a correctional facility located in this state, the
16 coroner or medical examiner of the county where the death occurred shall perform
17 an autopsy on the deceased individual. If the coroner or medical examiner who
18 performs the autopsy determines that the individual's death may have been the
19 result of any of the situations that would permit the district attorney to order an
20 inquest under s. 979.04 (1), the coroner or medical examiner shall follow the
21 procedures under s. 979.04 (2).

22 (2) INMATE CONFINED IN AN INSTITUTION IN ANOTHER STATE. If an individual dies
23 while he or she is in the legal custody of the department and confined to a correctional

1 facility in another state under a contract under s. 301.07, 301.21, or 302.25, the
2 department shall have an autopsy performed by an appropriate authority in the
3 other state or by the coroner or medical examiner of the county in which the circuit
4 court is located that sentenced the individual to the custody of the department. If
5 the coroner or medical examiner who performs the autopsy in this state determines
6 that the individual's death may have been the result of any of the situations that
7 would permit the district attorney to order an inquest under s. 979.04 (1), the coroner
8 or medical examiner shall forward the results of the autopsy to the appropriate
9 authority in the other state.

10 (3) COSTS OF AN AUTOPSY. The costs of an autopsy performed under sub. (1) or
11 (2) shall be paid by the department.

12 *-0451/1.1* SECTION 4036. 1997 Wisconsin Act 4, section 4 (1) (a), as last
13 affected by 1999 Wisconsin Act 9, section 3261, is amended to read:

14 [1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act
15 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997,
16 until July 1, ~~2001~~ 2003, operate the secured correctional facility, as defined in section
17 938.02 (15m) of the statutes, authorized under 1995 Wisconsin Act 27, section 9126
18 (26v), as a state prison named in section 302.01 of the statutes, as affected by this
19 act, for the placement of prisoners, as defined in section 301.01 (2) of the statutes,
20 who are not more than 21 years of age and who are not violent offenders, as
21 determined by the department of corrections.

22 *-1825/1.2* SECTION 4037. 1997 Wisconsin Act 27, section 1622d is repealed.

23 *-1825/1.3* SECTION 4038. 1997 Wisconsin Act 27, section 1623d is repealed.

24 *-1825/1.4* SECTION 4039. 1997 Wisconsin Act 27, section 1624d is repealed.

*needs
new component*

- 1 ***-1634/P6.44*** SECTION 4040. 1997 Wisconsin Act 27, section 9101 (11m) is
- 2 repealed.
- 3 ***-1825/1.5*** SECTION 4041. 1997 Wisconsin Act 27, section 9423 (10f) is
- 4 repealed.
- 5 ***-1634/P6.45*** SECTION 4042. 1997 Wisconsin Act 27, section 9456 (3m) is
- 6 repealed.
- 7 ***-1825/1.6*** SECTION 4043. 1997 Wisconsin Act 252, section 51 is repealed.
- 8 ***-1825/1.7*** SECTION 4044. 1997 Wisconsin Act 252, section 53 is repealed.
- 9 ***-1825/1.8*** SECTION 4045. 1997 Wisconsin Act 252, section 201 (1) is repealed.
- 10 ***-2309/3.2*** SECTION 4046. 1999 Wisconsin Act 9, section 11ac is repealed.
- 11 ***-2309/3.3*** SECTION 4047. 1999 Wisconsin Act 9, section 593ac is repealed.
- 12 ***-1394/2.117*** SECTION 4048. 1999 Wisconsin Act 9, section 9201 (2m) is
- 13 repealed.
- 14 ***-1394/2.118*** SECTION 4049. 1999 Wisconsin Act 9, section 9201 (2n) is
- 15 repealed.
- 16 ***-1394/2.119*** SECTION 4050. 1999 Wisconsin Act 9, section 9201 (2p) is
- 17 repealed.
- 18 ***-1394/2.120*** SECTION 4051. 1999 Wisconsin Act 9, section 9211 (title) and
- 19 (2g) are repealed.
- 20 ***-1394/2.121*** SECTION 4052. 1999 Wisconsin Act 9, section 9230 (title) and (1)
- 21 are repealed.
- 22 ***-1394/2.122*** SECTION 4053. 1999 Wisconsin Act 9, section 9230 (2m) is
- 23 repealed.
- 24 ***-1394/2.123*** SECTION 4054. 1999 Wisconsin Act 9, section 9230 (3m) is
- 25 repealed.

1 ***-1394/2.124*** SECTION 4055. 1999 Wisconsin Act 9, section 9238 (title) and
2 (1h) are repealed.

3 ***-1394/2.125*** SECTION 4056. 1999 Wisconsin Act 9, section 9239 (title) and
4 (1h) are repealed.

5 ***-1394/2.126*** SECTION 4057. 1999 Wisconsin Act 9, section 9239 (2h) is
6 repealed.

7 ***-0529/6.13*** SECTION 4058. 1999 Wisconsin Act 9, section 9357 (3) is amended
8 to read:

9 [1999 Wisconsin Act 9] Section 9357 (3) ASSIGNMENT OF RECEIVING AND
10 DISBURSING FEES. The treatment of sections 767.265 (1), (2h) (by SECTION 3059) and
11 (2r) and 767.29 (1) (d) (intro.), 1. and 2. of the statutes and the amendment of section
12 767.265 (1m) of the statutes first apply applies to annual receiving and disbursing
13 fees that are ordered on the effective date of this subsection.

14 ***-1634/P6.46*** SECTION 4059. 1999 Wisconsin Act 9, section 9401 (2zt) is
15 repealed.

16 ***-1634/P6.47*** SECTION 4060. 1999 Wisconsin Act 9, section 9401 (2zu) is
17 repealed.

18 ***-2309/3.4*** SECTION 4061. 1999 Wisconsin Act 9, section 9421 (1x) is amended
19 to read:

20 [1999 Wisconsin Act] Section 9421 (1x) ASSISTANCE FROM DEPARTMENT OF
21 WORKFORCE DEVELOPMENT. The treatment of section 20.445 (3) (mc) (by SECTION
22 474ac) of the statutes and the repeal of sections ~~14.18 and 20.525 (1) (kb)~~ of the
23 statutes ~~take~~ takes effect on January 6, 2003.

24 ***-0664/2.9101*** SECTION **9101. Nonstatutory provisions;**
25 **administration.**

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SECTION 9101

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1 (1) TANK PLAN REVIEW AND INSPECTION FEES. The secretary of administration
 2 shall calculate the amount of fees collected for plan review and inspection of tanks
 3 for the storage, handling, or use of flammable or combustible liquids and for any
 4 certification or registration required under section 101.09 (3) (c) of the statutes
 5 beginning on July 1, 2000, and ending on the effective date of this subsection, less
 6 the costs encumbered under the appropriation under section 20.143 (3) (j) of the
 7 statutes during that period for 2 program specialists for the program under section
 8 101.143 of the statutes.

9 ***-0762/P1.9101*** SECTION **9101. Nonstatutory** **provisions;**
 10 **administration.**

11 ***-0869/1.9101*** SECTION **9101. Nonstatutory** **provisions;**
 12 **administration.** ~~SECTION~~ copy/paste

13 (1) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program
 14 revenue moneys appropriated to the department of administration for the office of
 15 justice assistance under section 20.505 (6) (kp) and (p⁶) of the statutes, the
 16 department shall expend \$84,000 in fiscal year 2001-02 and \$91,000 in fiscal year
 17 2002-03 to provide the multijurisdictional enforcement group serving Dane County
 18 with funding for one assistant district attorney to prosecute criminal violations of
 19 chapter 961 of the statutes.

20 (2) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and
 21 program revenue moneys appropriated to the department of administration for the
 22 office of justice assistance under section 20.505 (6) (kp) and (p⁶) of the statutes, the
 23 department shall expend \$277,900 in fiscal year 2001-02 and \$291,400 in fiscal year
 24 2002-03 to provide the multijurisdictional enforcement group serving Milwaukee

mgd

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1 County with funding for 3 assistant district attorneys to prosecute criminal
2 violations of chapter 961 of the statutes.

3 ***-0985/8.9101*** SECTION 9101. Nonstatutory provisions;
4 **administration.** ~~copy/paste~~

5 ✓ (1) EDUCATIONAL BROADCASTING.

6 (a) *Determination of license fee transfer date.* If the secretary of administration
7 determines that the federal communications commission has approved the transfer
8 of all broadcasting licenses held by the educational communications board or all
9 broadcasting license, except licenses for student radio, held by the board of regents
10 of the University of Wisconsin, or both, to the corporation described under section
11 39.82 (1) of the statutes, as created by this act, the secretary shall immediately notify
12 the revisor of statutes in writing of the effective date of the last license transferred.

13 (b) *Transfer of University of Wisconsin System funds.* If the secretary of
14 administration determines that the federal communications commission has
15 approved the transfer of all broadcasting licenses held by the educational
16 communications board and the board of regents of the University of Wisconsin
17 System, except licenses for student radio, to the corporation described under section
18 39.82 (1) of the statutes, as created by this act, on the effective date of the last license
19 transferred, all unencumbered balances appropriated to the board of regents of the
20 University of Wisconsin System under section 20.285 of the statutes for public
21 broadcasting, as determined by the secretary of administration, are transferred to
22 the corporation described under section 39.82 (1) of the statutes, as created by this
23 act.

24 ***-1536/3.9101*** SECTION 9101. Nonstatutory provisions;
25 **administration.**

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1 (1) USE OF ELECTRONIC RECORDS AND ELECTRONIC SIGNATURES BY GOVERNMENTAL
 2 UNITS. Using the procedure under section 227.24 of the statutes, the department of
 3 administration may promulgate emergency rules under section 137.25 (2) of the
 4 statutes, as created by this act, for the period before the effective date of permanent
 5 rules initially promulgated under section 137.25 (2) of the statutes, as created by this
 6 act, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the
 7 statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the
 8 department is not required to provide evidence that promulgating a rule under this
 9 subsection as an emergency rule is necessary for the preservation of the public peace,
 10 health, safety, or welfare and is not required to provide a finding of emergency for a
 11 rule promulgated under this subsection.

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12 (2) USE OF ELECTRONIC SIGNATURES BY NOTARIES PUBLIC. The secretary of state
 13 and department of administration shall promulgate initial rules under section
 14 137.25 (2) (b) of the statutes, as created by this act, to become effective no later than
 15 January 1, 2004.

16 ***-1555/2.9101*** SECTION 9101. Nonstatutory provisions;
 17 **administration.** ~~copy/paste~~

18 (1) CONSOLIDATION OF APPROPRIATIONS. On the effective date of this subsection,
 19 the secretary of administration shall apportion and transfer the unencumbered
 20 moneys and accounts receivable from the appropriation account under section
 21 20.505 (1) (kd) of the statutes to the appropriation accounts under sections 20.505
 22 (1) (kb) and 20.530 (1) (ke) of the statutes, as affected by this act, and shall apportion
 23 and transfer the liabilities, including any liabilities incurred under section 20.903
 24 (2) (b) of the statutes, from the appropriation sections 20.505 (1) (kd) of the statutes

1 to the appropriations under sections 20.505 (1) (kb) and 20.530 (1) (ke) of the
2 statutes, as affected by this act, in the manner determined by the secretary.

3 *copy/paste* *-1634/P6.9101* SECTION 9101. Nonstatutory provisions;
4 **administration.**

5 (1) ABOLITION OF LAND INFORMATION BOARD. *copy/paste to next page, line 6 →*

6 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
7 liabilities of the land information board, as determined by the secretary of
8 administration, shall become the assets and liabilities of the department of
9 administration.

10 (b) *Tangible personal property.* On the effective date of this paragraph, all
11 tangible personal property, including records, of the land information board, as
12 determined by the secretary of administration, is transferred to the department of
13 administration.

14 (c) *Contracts.* All contracts entered into by the land information board in effect
15 on the effective date of this paragraph remain in effect and are transferred to the
16 department of administration. The department of administration shall carry out
17 any obligations under such a contract until the contract is modified or rescinded by
18 the department of administration to the extent allowed under the contract.

19 (d) *Rules and orders.* All rules promulgated by the land information board that
20 are in effect on the effective date of this paragraph remain in effect until their
21 specified expiration dates or until amended or repealed by the department of
22 administration. All orders issued by the land information board that are in effect on
23 the effective date of this paragraph remain in effect until their specified expiration
24 date or until modified or rescinded by the department of administration.

SECTION 9101

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1 (e) Pending matters. Any matter pending with the land information board on
2 the effective date of this paragraph is transferred to the department of
3 administration and all materials submitted to or actions by the land information
4 board with respect to the pending matter are considered as having been submitted
5 to or taken by the department of administration.

6 (2) LAND INFORMATION REPORT. Notwithstanding section 16.967 (3) (f) of the
7 statutes, as affected by this act, the department of administration shall submit a
8 report under that paragraph to the Wisconsin land council for the 2001-02 fiscal year
9 no later than 10 days after the date of publication of this act.

10 *copy/paste* *-1694/11.9101* SECTION 9101. Nonstatutory provisions;
11 administration.

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12 (1) WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION FUNDS. *Paragraph 1*
13 (a) Determination by secretary of administration. If the secretary of
14 administration determines that the Wisconsin advanced telecommunications
15 foundation has granted in *the year 2001-02* to the department of administration
16 the unencumbered balances of the endowment fund established under section 14.28

MDK

17 (2) (g), 1999 stats., and the fast start fund established under section 14.28 (6) (a),
18 1999 stats., each of the following applies on the effective date of *the start as*
19 ~~determined by the secretary of administration.~~ *this paragraph*

20 1. 'Wisconsin Informational Network for School Success.' An amount equal to
21 \$579,000 is transferred from the appropriation account under section 20.505 (1) (j)
22 of the statutes to the appropriation account under section 20.255 (1) (ke) of the
23 statutes, for the purpose of upgrading the Wisconsin Informational Network for
24 School Success.

1 2. ‘State school finance information system.’ An amount equal to \$77,800 is
2 transferred from the appropriation account under section 20.505 (1) (j) of the statutes
3 to the appropriation account under section 20.255 (1) (ke) of the statutes, for the
4 purpose of upgrading the state school finance information system.

5 3. ‘Wisconsin Center for the Blind and Visually Impaired.’ An amount equal
6 to \$526,000 is transferred from the appropriation account under section 20.505 (1)
7 (j) of the statutes to the appropriation account under section 20.255 (1) (ke) of the
8 statutes, for the purpose of upgrading and replacing assistive technology devices and
9 related software programs at the Janesville facility of the Wisconsin Center for the
10 Blind and Visually Impaired and the regional satellite facilities of the center and for
11 completing a network upgrade at the Janesville facility.

12 4. ‘Wisconsin Regional Library for the Blind and Physically Handicapped.’ An
13 amount equal to \$161,600 is transferred from the appropriation account under
14 section 20.505 (1) (j) of the statutes to the appropriation account under section 20.255
15 (1) (ke) of the statutes, for the purpose of replacing the automated system at the
16 Wisconsin Regional Library for the Blind and Physically Handicapped.

17 5. ‘Technology for educational achievement in Wisconsin board.’ An amount
18 equal to \$136,200 is transferred from the appropriation account under section 20.505
19 (1) (j) of the statutes to the appropriation account under section 20.275 (1) (k) of the
20 statutes, as created by this act, for the purpose of providing administrative and
21 support services to resolve the outstanding business of the Wisconsin advanced
22 telecommunications foundation and performing other duties, as determined by the
23 secretary of the technology for educational achievement in Wisconsin board,
24 including duties related to the state’s administration of any federal funding available
25 under 47 USC 254.

1 6. 'Technical college system board.' An amount equal to \$2,000,000 is
2 transferred from the appropriation account under section 20.505 (1) (j) of the statutes
3 to the appropriation account under section 20.292 (1) (km) of the statutes, as created
4 by this act.

5 7. 'Wisconsin advanced telecommunications foundation grants.' An amount
6 equal to \$566,200 is transferred from the appropriation account under section 20.505
7 (1) (j) of the statutes to the appropriation account under section 20.275 (1) (k) of the
8 statutes, as created by this act, for the purpose of closing out any existing grants
9 made by the Wisconsin advanced telecommunications foundation.

10 8. 'Wisconsin advanced distributed co-laboratory.' An amount equal to
11 \$1,000,000 is transferred from the appropriation account under section 20.505 (1) (j)
12 of the statutes to the appropriation account under section 20.285 (1) (k) of the
13 statutes for the purpose of funding the Wisconsin advanced distributed
14 co-laboratory. *After* the transfer described in this subdivision is made, the board of
15 regents of the University of Wisconsin System shall, by September 1, 2003, submit
16 a report to the department of administration that shows how the board of regents
17 used the amount transferred to benefit the Wisconsin advanced distributed
18 co-laboratory and describes any federal funding received for the co-laboratory.

19 9. 'Worldwide distance education.' An amount equal to \$250,000 is transferred
20 from the appropriation account under section 20.505 (1) (j) of the statutes to the
21 appropriation account under section 20.285 (1) (k) of the statutes for the purpose of
22 the University of Wisconsin. Learning Innovations at the University of
23 Wisconsin-Extension to establish a nonstock, nonprofit corporation that is described
24 in section 501 (c) (3) of the Internal Revenue Code, whose purpose is to establish

1 distance education classrooms in Wisconsin trade offices abroad and to offer
2 University of Wisconsin System distance education courses from those classrooms.

3 10. 'University of Wisconsin Learning Innovations.' An amount equal to
4 \$3,000,000 is transferred from the appropriation account under section 20.505 (1) (j)
5 of the statutes to the appropriation account under section 20.285 (1) (k) of the
6 statutes for the purpose of funding the activities of the University of Wisconsin
7 Learning Innovations at the University of Wisconsin--Extension.

8 11. 'Department of commerce grants for technology research.' An amount equal
9 to \$1,500,000 is transferred from the appropriation account under section 20.505 (1)
10 (j) of the statutes to the appropriation account under section 20.143 (1) ~~(j)~~ ^{KT} of the
11 statutes, as created by this act, for the purpose ^{allowing} of the department of commerce to
12 make grants, no later than June 30, 2003, to the University of
13 Wisconsin--Milwaukee, the University of Wisconsin--Parkside, Marquette
14 University, the Milwaukee School of Engineering, and the Medical College of
15 Wisconsin for research related to emerging technologies that will promote industrial
16 and economic development in southeastern Wisconsin. The department of commerce
17 may not make a grant under this subdivision unless the department and the
18 recipient enter into an agreement that specifies reporting and auditing
19 requirements for the grant.

20 12. 'University of Wisconsin System wireless networking.' An amount equal
21 to \$500,000 is transferred from the appropriation account under section 20.505 (1)
22 (j) of the statutes to the appropriation account under section 20.285 (1) (k) of the
23 statutes for the purpose of developing wireless networking systems that allow
24 students to use laptop computers and docking stations to connect to the Internet.

SECTION 9101

1 13. 'University of Wisconsin System Internet 2 project.' An amount equal to
 2 \$2,000,000 is transferred from the appropriation account under section 20.505 (1) (j)
 3 of the statutes to the appropriation account under section 20.285 (1) (k) of the
 4 statutes for the purpose of funding the project of the University of Wisconsin System
 5 designated as "Internet 2" that upgrades technology infrastructure on campuses for
 6 enhancing high-speed Internet activity.

7 14. 'University of Wisconsin-Madison Medical School.' An amount equal to
 8 \$500,000 is transferred from the appropriation account under section 20.505 (1) (j)
 9 of the statutes to the appropriation account under section 20.285 (1) (k) of the
 10 statutes for the purpose of purchasing a digital mammography machine for the
 11 University of Wisconsin-Madison Medical School.

12 15. 'Higher educational aids board.' An amount equal to \$168,300 is
 13 transferred from the appropriation account under section 20.505 (1) (j) of the statutes
 14 to the appropriation account under section 20.235 (1) (k) of the statutes, as created
 15 by this act, for the purpose of upgrading technology at the higher educational aids
 16 board.

17 (b) *Wisconsin geographical education program.* If the secretary of
 18 administration makes the determination under paragraph (a) (intro.) and
 19 determines that the National Geographical Society Education Foundation has
 20 provided ~~in~~ ^{of this} fiscal year 2001-02 the matching funds described in section 115.28 (42)
 21 (a) of the statutes, as created by this act, on the effective date ~~determined under~~
 22 paragraph ~~above~~ or on the date that the secretary makes the determination
 23 under this paragraph, whichever is later, an amount equal to \$500,000 is transferred
 24 from the appropriation account under section 20.505 (1) (j) of the statutes to the
 25 appropriation account under section 20.255 (1) (ke) of the statutes, for the purpose

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1 of making a grant to the National Geographical Society Education Foundation for
2 the geographical education program established under section 115.28 (42) of the
3 statutes, as created by this act.

4 *copy/paste* *-1728/1.9101* SECTION 9101. Nonstatutory provisions;
5 administration. ~~SECTION 9101. Nonstatutory provisions; administration.~~

6 (1) TRANSFER OF CAPACITY BUILDING GRANT PROGRAM.

7 (a) *Tangible personal property.* On the effective date of this paragraph, all
8 tangible personal property, including records, of the department of administration
9 that is primarily related to the capacity building grant program, as determined by
10 the secretary of administration, is transferred to the technical college system board.

11 (b) *Contracts.* All contracts entered into by the department of administration
12 in effect on the effective date of this paragraph that are primarily related to the
13 capacity building grant program, as determined by the secretary of administration,
14 remain in effect and are transferred to the technical college system board. The
15 technical college system board shall carry out any obligations under such a contract
16 until the contract is modified or rescinded by the technical college system board to
17 the extent allowed under the contract.

18 (c) *Rules.* All rules promulgated by the department of administration that are
19 primarily related to the capacity building grant program, as determined by the
20 secretary of administration, and that are in effect on the effective date of this
21 paragraph remain in effect until their specified expiration date or until amended or
22 repealed by the technical college system board.

23 (d) *Pending matters.* Any matter pending with the department of
24 administration on the effective date of this paragraph that is primarily related to the
25 capacity building grant program, as determined by the secretary of administration,

SECTION 9101

1 is transferred to the technical college system board and all materials submitted to
2 or actions taken by the department of administration with respect to the pending
3 matter are considered as having been submitted to or taken by the technical college
4 system board.

5 *copy/paste* ***-1792/2.9101*** SECTION 9101. Nonstatutory provisions;
6 **administration.**

RUR (8)
(9)

7 ↓ (1) MISDEMEANOR OFFENDER DIVERSION PROGRAM. The secretary of
8 administration ~~shall~~ ^{may} allocate up to \$2,000,000 in fiscal year 2002-03 from the
9 appropriation accounts under section 20.505 (6) ~~(a)~~ ^(kp) and ~~(b)~~ ^(m) of the statutes for
10 distribution to the public defender board, the director of state courts, and the
11 Wisconsin District Attorneys Association to fund activities to divert misdemeanor
12 offenders from imprisonment. No expenditure of the amount allocated under this
13 subsection may be made except upon approval of the department of administration
14 of a proposal for diversion programs submitted to the department of administration
15 by the public defender board.

16 *copy/paste* ***-1823/3.9101*** SECTION 9101. Nonstatutory provisions;
17 **administration.**

18 ↓ (1) ELECTRONIC PROCUREMENT AND COMMERCE ACTIVITIES. The department of
19 administration shall report to the governor and the cochairpersons of the joint
20 committee on finance concerning the status of the electronic procurement and
21 commerce activities of the department. The department shall include in the report
22 an assessment of the costs and benefits of those activities for the 2002-03 fiscal year
23 and an assessment of the effectiveness of state executive branch agencies in
24 increasing the volume of those activities.

~~DOA:.....Dombrowski - Transfer DOT printer position to DOA
FOR 2001-03 BUDGET NOT READY FOR INTRODUCTION~~

--0415/P1 ← "burning dot" number

1 AN ACT relating to: transferring an employee from the department of
2 transportation to the department of administration.

Analysis by the Legislative Reference Bureau

This bill transfers 1.0 employee who is performing duties primarily related to printing services from the department of transportation to the department of administration.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

~~SECTION 1. Nonstatutory provisions~~

↓ (1) POSITION AUTHORIZATION.

~~key~~ The authorized FTE positions for the department of administration are increased by 1.0 ~~(PR)~~ position for the performance of duties primarily related to printing services in the division of information technology services.

PR

1 *copy/paste* *-1857/5.9101* SECTION 9101. Nonstatutory provisions;
2 administration.

3 ✓ (1) TRANSFER OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS FUNCTIONS.

4 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
5 liabilities of the department of administration that are primarily related to its
6 information technology or telecommunications functions, except educational
7 technology functions, as determined by the secretary of administration, shall become
8 assets and liabilities of the department of electronic government, as created by this
9 act.

10 (b) *Positions and employees.*

11 1. On the effective date of this subdivision, all full-time equivalent positions
12 in the department of administration having duties that are primarily related to its
13 information technology or telecommunications functions, except educational
14 technology functions, as determined by the secretary of administration, are
15 transferred to the department of electronic government, as created by this act.

16 2. All incumbent employees holding positions specified in subdivision 1. are
17 transferred on the effective date of this subdivision to the department of electronic
18 government, as created by this act.

19 3. Employees transferred under subdivision 2. have all of the rights and the
20 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the
21 department of electronic government, as created by this act, that they enjoyed in the
22 department of administration immediately before the transfer. Notwithstanding
23 section 230.28 (4) of the statutes, no employee so transferred who has attained
24 permanent status in class is required to serve a probationary period.

1 (c) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the department of administration
3 that is primarily related to its information technology or telecommunications
4 functions, except educational technology functions, as determined by the secretary
5 of administration, is transferred to the department of electronic government, as
6 created by this act.

7 (d) *Contracts.* All contracts entered into by the department of administration
8 in effect on the effective date of this paragraph that are primarily related to its
9 information technology or telecommunications functions, except educational
10 technology functions, as determined by the secretary of administration, are
11 transferred to the department of electronic government, as created by this act. The
12 department of electronic government shall carry out any contractual obligations
13 under such a contract until the contract is modified or rescinded by the department
14 of electronic government to the extent allowed under the contract.

15 (e) *Rules and orders.* All rules promulgated by the department of
16 administration that are primarily related to its information technology or
17 telecommunications functions, except educational technology functions, and that
18 are in effect on the effective date of this paragraph remain in effect until their
19 specified expiration dates or until amended or repealed by the department of
20 electronic government, as created by this act. All orders issued by the department
21 of administration that are primarily related to its information technology or
22 telecommunications functions, except educational technology functions, and that
23 are in effect on the effective date of this paragraph remain in effect until their
24 specified expiration dates or until modified or rescinded by the department of
25 electronic government, as created by this act.

1 (f) *Pending matters.* Any matter pending with the department of
 2 administration that is primarily related to its information technology or
 3 telecommunications functions, except educational technology functions, on the
 4 effective date of this paragraph is transferred to the department of electronic
 5 government, as created by this act, and all materials submitted to or actions taken
 6 by the department of administration with respect to the pending matter are
 7 considered as having been submitted to or taken by the department of electronic
 8 government, as created by this act.

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SECTION 9101. Nonstatutory provisions;

administration.

11 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICE BOARD.

12 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
 13 liabilities of the department of administration primarily related to the functions of
 14 the national and community service board, as determined by the secretary of
 15 administration, shall become the assets and liabilities of the department of
 16 workforce development.

(b) *Positions and employees.*

18 1. The authorized FTE positions for the department of administration, funded
 19 from the appropriation under section 20.505 (4) (o), 1999 stats., are decreased by 3.0
 20 FED positions on the effective date of this subdivision for the functions of the
 21 national community service board under section 16.22, 1999 stats.

22 2. The authorized FTE positions for the department of workforce development,
 23 funded from the appropriation under section 20.445 (6) (n) of the statutes, are
 24 increased by 3.0 FED positions on the effective date of this subdivision for the

as affected by this act,

SECTION 9101

1 functions of the national and community service board under section 106.22 of the
2 statutes, as affected by this act.

3 3. All incumbent employees holding positions specified in subdivision 1. are
4 transferred on the effective date of this subdivision to the department of workforce
5 development.

6 4. Employees transferred under subdivision 3. have all the rights and the same
7 status under subchapter V of chapter 111 and chapter 230 of the statutes in the
8 department of workforce development that they enjoyed in the department of
9 administration immediately before the transfer. Notwithstanding section 230.28 (4)
10 of the statutes, no employee so transferred who has attained permanent status in
11 class is required to serve a probationary period.

12 (c) *Tangible personal property.* On the effective date of this paragraph, all
13 tangible personal property, including records, of the department of administration
14 that is primarily related to the functions of the national and community service
15 board, as determined by the secretary of administration, is transferred to the
16 department of workforce development.

17 (d) *Contracts.* All contracts entered into by the department of administration
18 in effect on the effective date of this paragraph that are primarily related to the
19 functions of the national and community service board, as determined by the
20 secretary of administration, remain in effect and are transferred to the department
21 of workforce development. The department of workforce development shall carry out
22 any contractual obligations under such a contract until the contract is modified or
23 rescinded by the department of workforce development to the extent allowed under
24 the contract.

governor and to the

1 *copy/paste* ***-1900/1.9101*** SECTION 9101. Nonstatutory provisions;
2 **administration.**

3 ↓ (1) STUDY ON FACILITY CONSTRUCTION PLANS. By June 30, 2002, the department
4 of administration shall conduct and present to the secretary of administration a
5 study that reviews the separate responsibilities of the department of health and
6 family services and the department of commerce to review capital construction and
7 remodeling plans of nursing homes, community-based residential facilities,
8 hospitals, and other medical facilities. The study shall address the feasibility of
9 centralizing the construction plan reviews in one of the departments.

10 *copy/paste* ***-1970/1.9101*** SECTION 9101. Nonstatutory provisions;
11 **administration.**

12 ↓ (1) RAILROAD CROSSING HEARINGS. The authorized FTE positions for the
13 department of administration are increased by 1.0 GPR attorney position on the
14 effective date of this subsection, to be funded from the appropriation under section
15 20.505 (4) (f) of the statutes, for providing services relating to railroad crossing
16 hearings.

17 *copy/paste* ***-2358/4.9101* *-1880/3.9101*** SECTION 9101. Nonstatutory provisions;
18 **administration.**

19 ↓ (1) BOARD ON EDUCATION EVALUATION AND ACCOUNTABILITY. Notwithstanding
20 section 15.105 (8) of the statutes, as created by this act, 2 of the initial members of
21 the board on education evaluation and accountability shall serve for terms expiring
22 on May 1, ~~2003~~ ²⁰⁰³ and 3 of the initial members shall serve for terms expiring on May
23 1, ~~2005~~ ²⁰⁰⁵

24 ***-0762/P1.9102*** SECTION 9102. Nonstatutory provisions; adolescent
25 **pregnancy prevention and pregnancy services board.**

1 *-0762/P1.9103* SECTION 9103. Nonstatutory provisions; aging and
2 long-term care board.

3 copy paste
4 *-0392/3.9104* SECTION 9104. Nonstatutory provisions; agriculture,
5 trade and consumer protection.

6 ↓ (1) AGRICULTURAL PRODUCER SECURITY COUNCIL. Notwithstanding the length of
7 terms specified for the members of the agricultural producer security council under
8 section 15.137 (1) (a) of the statutes, as created by this act, the initial members shall
9 be appointed for terms expiring on July 1, 2005.

10 ↓ (2) AGRICULTURAL PRODUCER SECURITY TRANSITION.

11 (a) *Vegetable contractors.* Notwithstanding SECTION 9404 (1) of this act, chapter
12 126 of the statutes, as created by this act, does not apply with respect to vegetable
13 contractors until February 1, 2002, except as follows:

14 1. All registration fees and surcharges paid under section 100.03 (3), 1999
15 stats., after December 31, 2001, shall be deposited in the agricultural producer
16 security fund.

17 2. A vegetable contractor applying for a license for the license year that begins
18 on February 1, 2002, shall submit an application that complies with section 126.56
19 of the statutes, as created by this act.

20 (b) *Milk contractors.* Notwithstanding SECTION 9404 (1) of this act, chapter 126
21 of the statutes, as created by this act, does not apply with respect to milk contractors
22 until May 1, 2002, except as follows:

23 1. All milk producer security fees paid under section 100.06 (9), 1999 stats.,
24 after December 31, 2001, shall be deposited in the agricultural producer security
fund.

1 2. A milk contractor applying for a license for the license year that begins on
2 May 1, 2002, shall submit an application that complies with section 126.41 of the
3 statutes, as created by this act.

4 (c) *Grain dealers and warehouse keepers.* Notwithstanding SECTION 9404 (1)
5 of this act, chapter 126 of the statutes, as created by this act, does not apply with
6 respect to grain dealers and grain warehouse keepers until September 1, 2002,
7 except as follows:

8 1. All license fees and surcharges paid under chapter 127, 1999 stats., after
9 December 31, 2001, shall be deposited in the agricultural producer security fund.

10 2. A grain dealer applying for a license for the license year that begins on
11 September 1, 2002, shall submit an application that complies with section 126.11 of
12 the statutes, as created by this act.

13 3. A grain warehouse keeper applying for a license for the license year that
14 begins on September 1, 2002, shall submit an application that complies with section
15 126.26 of the statutes, as created by this act.

16 ***-0762/P1.9104* SECTION 9104. Nonstatutory provisions; agriculture,
17 trade and consumer protection.**

18 ***-0762/P1.9105* SECTION 9105. Nonstatutory provisions; arts board.**

19 ***-0762/P1.9106* SECTION 9106. Nonstatutory provisions; boundary
20 area commission, Minnesota-Wisconsin.**

21 ***-0762/P1.9107* SECTION 9107. Nonstatutory provisions; building
22 commission.**

23 ***-0762/P1.9108* SECTION 9108. Nonstatutory provisions; child abuse
24 and neglect prevention board.**

25 ***-0762/P1.9109* SECTION 9109. Nonstatutory provisions; circuit courts.**

SECTION 9110

copy/paste

-0650/6.9110 SECTION 9110. Nonstatutory provisions; commerce.

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↓(1) GRANT FOR LINCOLN PARK CENTER. From the appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the department of commerce may make a grant of up to \$1,000,000 to the M7 Development Corporation for constructing a multipurpose center at Lincoln Park in the city of Milwaukee. The department of commerce may not award any grant proceeds under this subsection unless the M7 Development Corporation provides funding for the project from the city of Milwaukee in an amount that is at least equal to the grant amount. If the department of commerce makes a grant under this subsection, the department shall enter into an agreement with the M7 Development Corporation that provides for, among other things, reporting and auditing requirements.

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↓(2) GRANTS TO CHIPPEWA VALLEY TECHNICAL COLLEGE. From the appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the department of commerce may make grants of up to \$250,000 in fiscal year 2001-02 and up to \$250,000 in fiscal year 2002-03 to the Chippewa Valley Technical College for a health care education center. If the department of commerce makes a grant under this subsection, the department of commerce shall enter into an agreement with the Chippewa Valley Technical College that specifies the uses for the grant proceeds and reporting and auditing requirements.

20 copy/paste ***-0677/2.9110*** SECTION 9110. Nonstatutory provisions; commerce.

21
22

↓(1) MANUFACTURED BUILDING CODE.

(a) *Definitions.* In this subsection:

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24

1. "Installation" has the meaning given in section 101.71 (4) of the statutes.

2. "Manufactured building" has the meaning given in section 101.71 (6) of the

25
statutes.

1 3. "Municipality" has the meaning given in section 101.761 (1) of the statutes.

2 (b) *Building permit not required.* Notwithstanding section 101.761 (2m) of the
3 statutes, as created by this act, a person is not required to obtain a building permit
4 for installation of a manufactured building in a municipality, if the installation
5 begins before the effective date of this paragraph and if, at the time that the
6 installation begins, the municipality is exempt under section 101.761 (2), 1999 stats.,
7 the municipality has not enacted an ordinance requiring a building permit for the
8 installation, the municipality does not jointly exercise jurisdiction with a political
9 subdivision that requires a building permit for the installation, and the municipality
10 has not requested a county or the department of commerce to provide building permit
11 services under section 101.761 (3), 1999 stats.

12 ~~*-0762/P1.9110* SECTION 9110. Nonstatutory provisions; commerce.~~

13 *copy/paste* ~~*-1937/1.9110* SECTION 9110. Nonstatutory provisions; commerce.~~

14 (1) DWELLING CODE COUNCIL. Notwithstanding the length of terms specified for
15 members of the dwelling code council appointed under section 15.157 (3) of the
16 statutes, as affected by this act, the member appointed under that section as a
17 representative of remodeling contractors shall be initially appointed for a term
18 expiring on July 1, 2004. *copy/paste*

19 ~~*-1968/1.9110* SECTION 9110. Nonstatutory provisions; commerce.~~

20 (1) EMPLOYEE TRANSFER. On the effective date of this subsection, 1.0 FTE GPR
21 position in the department of commerce, funded from the appropriation under
22 section 20.143 (1) (a) of the statutes and primarily related to rural policy
23 development, as determined by the secretary of administration, and the incumbent
24 employee holding that position, is transferred to the office of the governor, to be
25 funded from the appropriation under section 20.525 (1) (a) of the statutes, for the

1 purpose of rural policy development. The employee transferred under this
2 subsection has all the rights and the same status under subchapter V of chapter 111
3 and chapter 230 of the statutes in the office of the governor that the employee enjoyed
4 in the department of commerce immediately before the transfer. Notwithstanding
5 section 230.28 (4) of the statutes, no employee so transferred who has attained
6 permanent status in class is required to serve a probationary period.

7 *copy/paste* ***-2023/1.9110*** SECTION 9110. **Nonstatutory provisions; commerce.**

8 (1) REGULATORY FLEXIBILITY. There is created a regulatory flexibility committee,
9 which shall consist of 10 members appointed by the governor. At least one member
10 of the committee shall be appointed from a list of nominees submitted by the
11 Wisconsin chapter of the National Federation of Independent Businesses. At least
12 one member of the committee shall be appointed from a list of nominees submitted
13 by Wisconsin Manufacturers and Commerce. The governor shall designate one of the
14 members of the committee as the chairperson. The chairperson shall set the date for
15 the first meeting. A majority of the committee constitutes a quorum to do business.
16 The committee members shall be reimbursed for their actual and necessary expenses
17 incurred while performing their duties as committee members. The committee shall
18 issue a report, which may include recommendations for legislation, to the governor
19 and to the legislature for distribution to the appropriate standing committees in the
20 manner provided in section 13.172 (3) of the statutes. The department of commerce
21 shall provide staff support and any assistance necessary for the committee to
22 complete its report. The committee shall cease to exist when the committee has
23 submitted the report required under this section or on September 1, 2002, whichever
24 occurs sooner. The committee shall include discussions of all of the following in its
25 report:

1 (a) How to require an agency to consider the direct and indirect impacts of rules
2 proposed by the agency.

3 (b) Whether judicial enforcement of section 227.114 of the statutes is
4 appropriate or sufficient.

5 (c) What provisions are available or are needed to enable a business to
6 challenge an agency's regulatory flexibility analysis prepared under section 227.19
7 (3) (e) of the statutes.

8 (d) What additional authority is appropriate and necessary for the Joint
9 Committee for Review of Administrative Rules to suspend or modify a proposed or
10 existing agency rule.

11 (e) What action needs to be taken by what agencies to develop a no-fault audit
12 program and a compliance assistance program.

13 (f) What grace periods are appropriate during which a business may correct a
14 rule or statutory violation before being assessed a fine or forfeiture.

15 (g) Whether an agency should consider a small business's ability to pay when
16 assessing a fine or forfeiture against that business.

17 (h) What action needs to be taken, and by what agencies, to develop a program
18 that allows a business to pay a fine or forfeiture in installments.

19 *copy/paste* ***-0166/4.9111*** SECTION 9111. **Nonstatutory provisions; corrections.**

20 ↓ (1) YOUTH DIVERSION PROGRAM.

21 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
22 liabilities of the department of corrections primarily related to the youth diversion
23 from gang activities program under section 301.265, 1999 stats., as determined by
24 the secretary of administration, shall become the assets and liabilities of the
25 department of administration.

1 (b) *Positions and employees.*

2 1. The authorized FTE positions for the department of corrections, funded from
3 the appropriation under section 20.410 (3) (a) of the statutes, are decreased by 1.5
4 GPR positions on the effective date of this subdivision for the youth diversion from
5 gang activities program under section 301.265, 1999 stats.

6 2. The authorized FTE positions for the department of administration, funded
7 from the appropriation under section 20.505 (6) (a) of the statutes, as affected by this
8 act, are increased by 1.5 GPR positions on the effective date of this subdivision for
9 the youth diversion from gang activities program under section 16.964 (8) of the
10 statutes, as affected by this act.

11 3. The authorized FTE positions for the department of corrections, funded from
12 the appropriation under section 20.410 (3) (hm) of the statutes, are decreased by 0.5
13 PR position on the effective date of this subdivision for the youth diversion from gang
14 activities program under section 301.265, 1999 stats.

15 4. The authorized FTE positions for the department of administration, funded
16 from the appropriation under section 20.505 (6) (k) of the statutes, as affected by this
17 act, are increased by 0.5 PR position on the effective date of this subdivision for the
18 youth diversion from gang activities program under section 16.964 (8) of the statutes,
19 as affected by this act.

20 5. On the effective date of this subdivision, all incumbent employees holding
21 the positions specified in subdivisions 1. and 3.. are transferred to the department
22 of administration.

23 (c) *Employee status.* Employees transferred under paragraph (b) 5. have all the
24 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
25 statutes in the department of administration that they enjoyed in the department

1 of corrections immediately before the transfer. Notwithstanding section 230.28 (4)
2 of the statutes, no employee so transferred who has attained permanent status in
3 class is required to serve a probationary period.

4 (d) *Tangible personal property.* On the effective date of this paragraph, all
5 tangible personal property, including records, of the department of corrections that
6 is primarily related to the youth diversion from gang activities program under
7 section 301.265, 1999 stats., as determined by the secretary of administration, is
8 transferred to the department of administration.

9 (e) *Pending matters.* Any matter pending with the department of corrections
10 on the effective date of this paragraph that is primarily related to the youth diversion
11 from gang activities program under section 301.265, 1999 stats., as determined by
12 the secretary of administration, is transferred to the department of administration.
13 All materials submitted to or actions taken by the department of corrections with
14 respect to the pending matter are considered as having been submitted to or taken
15 by the department of administration.

16 (f) *Contracts.* All contracts entered into by the department of corrections in
17 effect on the effective date of this paragraph that are primarily related to the youth
18 diversion from gang activities program under section 301.265, 1999 stats., as
19 determined by the secretary of administration, remain in effect and are transferred
20 to the department of administration. The department of administration shall carry
21 out any obligations under those contracts unless modified or rescinded by the
22 department of administration to the extent allowed under the contract.

23 (g) *Rules and orders.* All rules promulgated by the department of corrections
24 in effect on the effective date of this paragraph that are primarily related to the youth
25 diversion from gang activities program under section 301.265, 1999 stats., remain

SECTION 9111

1 in effect until their specified expiration date or until amended or repealed by the
2 department of administration. All orders issued by the department of corrections in
3 effect on the effective date of this paragraph that are primarily related to the youth
4 diversion from gang activities program under section 301.265, 1999 stats., remain
5 in effect until their specified expiration date or until modified or rescinded by the
6 department of administration.

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~~*-0445/3.9111* SECTION 9111. Nonstatutory provisions; corrections.~~

8 (1) REPORT ON EDUCATIONAL TECHNOLOGY SAVINGS. The department of corrections
9 shall submit a report to the department of administration by June 30, 2002, that
10 specifies any funding the department of corrections saved because secured
11 correctional facilities received grants or subsidies from the technology for
12 educational achievement in Wisconsin board.

13 ~~*-0762/P1.9111* SECTION 9111. Nonstatutory provisions; corrections.~~

14 *-0762/P1.9112* SECTION 9112. Nonstatutory provisions; court of
15 appeals.

16 *-0762/P1.9113* SECTION 9113. Nonstatutory provisions; district
17 attorneys.

18 *-0762/P1.9114* SECTION 9114. Nonstatutory provisions; educational
19 communications board.

20 *-0762/P1.9115* SECTION 9115. Nonstatutory provisions; elections
21 board.

22 *-0762/P1.9116* SECTION 9116. Nonstatutory provisions; employee
23 trust funds.

24 *-0762/P1.9117* SECTION 9117. Nonstatutory provisions; employment
25 relations commission.

1 ***-0762/P1.9118*** SECTION 9118. Nonstatutory provisions; employment
2 relations department.

3 ***-0762/P1.9119*** SECTION 9119. Nonstatutory provisions; ethics board.

4 *copy/paste* ***-0601/1.9120*** SECTION 9120. Nonstatutory provisions; financial
5 institutions.

6 √ (1) EMERGENCY RULES; UNIVERSAL BANKING. Except as otherwise provided in this
7 subsection, using the procedure under section 227.24 of the statutes, the division of
8 banking may promulgate rules authorized under chapter 222 of the statutes, as
9 created by this act, for the period before permanent rules become effective, but not
10 to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
11 Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the division of
12 banking is not required to provide evidence that promulgating a rule under this
13 subsection as an emergency rule is necessary for the preservation of the public peace,
14 health, safety, or welfare and is not required to provide a finding of emergency for a
15 rule promulgated under this subsection. This subsection does not apply to the
16 promulgation of rules under section 222.0413 (2) (b) of the statutes, as created by this
17 act.

18 *copy/paste* ***-0712/4.9120*** SECTION 9120. Nonstatutory provisions; financial
19 institutions.

20 √ (1) FEES CHARGED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS.
21 Notwithstanding sections 178.48 (2) and (3), 179.16 (5), 179.88, 180.0122 (1) (z), (2),
22 and (4), 181.0122 (1) (zm), (2), and (4), 182.01 (4), 183.0114 (1) (t) and (u), and 185.83
23 (1) (d), (f), (fm), and (h) of the statutes, as affected by this act, the department of
24 financial institutions shall continue to charge and collect the fees established under
25 sections 178.48 (2) and (3), 179.16 (5), 179.88, 180.0122 (1) (z), (2), and (4), 181.0122

1 (1) (zm), (2), and (4), 182.01 (4), 183.0114 (1) (t) and (u), and 185.83 (1) (f), (fm), and
2 (h), 1999 stats., until the department has promulgated rules under section 182.01 (4)
3 of the statutes, as affected by this act. This subsection shall not apply after December
4 31, 2002.

5 ***-0762/P1.9120* SECTION 9120. Nonstatutory provisions; financial**
6 **institutions.**

7 ***-0762/P1.9121* SECTION 9121. Nonstatutory provisions; governor.**

8 *copy/paste* ***-2309/3.9121* SECTION 9121. Nonstatutory provisions; governor.**

9 ↓ (1) ASSISTANCE FROM DEPARTMENT OF WORKFORCE DEVELOPMENT. The repeal of
10 1999 Wisconsin Act 9, sections 11ac and 593ac, by this act applies notwithstanding
11 section 990.03 (3) of the statutes.

12 ***-0762/P1.9122* SECTION 9122. Nonstatutory provisions; Health and**
13 **Educational Facilities Authority.**

14 *copy/paste* ***-0264/4.9123* SECTION 9123. Nonstatutory provisions; health and**
15 **family services.**

16 ↓ (1) COURT-ORDERED RELATIVE PLACEMENT PERMANENCY PLANS. Notwithstanding
17 sections 48.38 (3) and 938.38 (3) of the statutes, for children or juveniles who are
18 living in the home of a relative, as defined in section 48.02 (15) or 938.02 (15) of the
19 statutes, under an order of the court assigned to exercise jurisdiction under chapters
20 48 and 938 of the statutes, as affected by this act, on the day before the effective date
21 of this subsection, the agency assigned primary responsibility for providing services
22 to those children or juveniles under section 48.355 or 938.355 of the statutes shall
23 file a permanency plan with that court with respect to not less than 33% of those
24 children or juveniles by November 1, 2001, with respect to not less than 67% of those
25 children or juveniles by January 1, 2002, and with respect to all of those children or

1 juveniles by March 1, 2002, giving priority to those children or juveniles who have
2 been living in the home of a relative for the longest period of time. Notwithstanding
3 section 48.38 (5) (a) of the statutes, as affected by this act, and section 938.38 (5) (a)
4 of the statutes, as affected by this act, a permanency plan filed under this subsection
5 shall be reviewed within 6 months after the date on which the permanency plan is
6 filed. *copy/paste*

7 ***-0441/6.9123*** SECTION 9123. Nonstatutory provisions; health and
8 **family services.**

9 √ (1) RELATIVE GUARDIANSHIPS. Notwithstanding section 48.977 (2) (a), 1999
10 stats., a petition under section 48.977 (4) of the statutes, as affected by this act, may
11 be filed for the appointment of a relative as the guardian of the person of a child who
12 has been placed, or continued in a placement, outside of his or her home for less than
13 one year on the effective date of this subsection.

14 *copy/paste* ***-0462/3.9123*** SECTION 9123. Nonstatutory provisions; health and
15 **family services.**

16 √ (1) CHILDREN'S HOME AND COMMUNITY-BASED WAIVER.

17 (a) The department of health and family services shall request a waiver of
18 federal medical assistance statutes and regulations from the federal department of
19 health and human services that are necessary to provide to disabled individuals
20 under 24 years of age, under one program, with uniform administration and service
21 delivery, the services available under sections 46.27 (11), 46.275, 46.277, 46.278,
22 46.985, and 51.44 of the statutes.

23 (b) If the department of health and family services receives the waiver under
24 paragraph (a), the department shall seek enactment of statutory language to
25 implement the waiver within the limits of available federal, state, and county funds.

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1 ***-0515/4.9123*** SECTION 9123. Nonstatutory provisions; health and
2 **family services.**

3 ✓ (1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES BOARD.

4 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
5 liabilities of the department of health and family services that are primarily related
6 to the functions of the adolescent pregnancy prevention and pregnancy services
7 board, as determined by the secretary of administration, shall become the assets and
8 liabilities of the department of administration.

9 (b) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the department of health and family
11 services that is primarily related to the functions of the adolescent pregnancy
12 prevention and pregnancy services board, as determined by the secretary of
13 administration, is transferred to the department of administration.

14 ***-0762/P1.9123*** SECTION 9123. Nonstatutory provisions; health and
15 **family services.**

16 ***-1825/1.9123*** SECTION 9123. Nonstatutory provisions; health and
17 **family services.**

18 ✓ (1) KINSHIP CARE BACKGROUND REVIEWS. The repeal of 1997 Wisconsin Act 27,
19 sections 1622d, 1623d, 1624d, and 9423 (10f) and 1997 Wisconsin Act 252, sections
20 51, 53, and 201 (1), by this act applies notwithstanding section 990.03 (3) of the
21 statutes.

22 ***-1939/5.9123*** SECTION 9123. Nonstatutory provisions; health and
23 **family services.**

24 ✓ (1) MEDICAL ASSISTANCE ELIGIBILITY POSITION INCREASES.

1 (a) On the effective date of this paragraph, the authorized FTE positions for the
2 department of health and family services are increased by 5.18 GPR positions, to be
3 funded from the appropriation under section 20.435 (4) (a) of the statutes, as affected
4 by the acts of 2001.

5 (b) On the effective date of this paragraph, the authorized FTE positions for the
6 department of health and family services are increased by 1.82 FED positions, to be
7 funded from the appropriation under section 20.435 (4) (n) of the statutes, as affected
8 by the acts of 2001.

9 *copy/paste* ***-2026/2.9123*** SECTION 9123. Nonstatutory provisions; health and
10 family services.

11 ↓ (1) BADGER CARE HEALTH CARE PROGRAM WAIVER; INSURANCE VERIFICATION. Not
12 later than January 1, 2002, the department of health and family services shall
13 request a waiver from the federal secretary of health and human services to permit
14 the department to verify whether a family, or child who does not reside with a parent,
15 has access or has had access to employer-subsidized health care within the time
16 period established under section 49.665 (4) (a) 3. of the statutes, prior to enrolling
17 the family or child in the badger care health care program under section 49.665 of
18 the statutes.

19 *copy/paste* ***-2027/2.9123*** SECTION 9123. Nonstatutory provisions; health and
20 family services.

21 ↓ (1) BADGER CARE HEALTH CARE PROGRAM WAIVER; ELIGIBILITY. Not later than
22 January 1, 2002, the department of health and family services shall request a waiver
23 from the federal secretary of health and human services to increase the period of time
24 that a family, or a child who does not reside with a parent, is required to be without
25 access to employer-subsidized health care coverage before the family or child is

1 eligible for the badger care health care program under section 49.665 of the statutes.

2 The waiver shall request that the period of time be increased to all of the following:

3 (a) Except as provided in paragraphs (b), (c), and (d), 6 months.

4 (b) If the family or child had access to employer–subsidized health care
5 coverage during the 6 months immediately preceding the date on which the family
6 or child applies for the badger care health care program, but the family or child no
7 longer has access to the health care because the coverage was terminated, and the
8 termination was not the fault of the family or child, as determined by the department
9 of health and family services, 45 days.

10 (c) If the family or child had access to employer–subsidized health care
11 coverage during the 6 months immediately preceding the date on which the family
12 or child applies for the badger care health care program, but the family or child no
13 longer has access to the health care because the family or child has exhausted the
14 health care coverage available under 42 USC 300bb–1 to 300bb–8 as provided in 29
15 CFR 2590.701–2 (4), at least 3 months.

16 (d) If the family or child had access to employer–subsidized health care
17 coverage during the 6 months immediately preceding the date on which the family
18 or child applies for the badger care health care program, but the family or child no
19 longer has access to health care because of the termination of employment, at least
20 3 months.

21 ***–0762/P1.9124* SECTION 9124. Nonstatutory provisions; higher**
22 **educational aids board.**

23 ***–0762/P1.9125* SECTION 9125. Nonstatutory provisions; historical**
24 **society.**

1 ***-0762/P1.9126*** SECTION 9126. Nonstatutory provisions; Housing and
2 **Economic Development Authority.**

3 ***-0762/P1.9127*** SECTION 9127. Nonstatutory provisions; insurance.

4 ***-0762/P1.9128*** SECTION 9128. Nonstatutory provisions; investment
5 **board.**

6 ***-0762/P1.9129*** SECTION 9129. Nonstatutory provisions; joint
7 **committee on finance.**

8 ***-0762/P1.9130*** SECTION 9130. Nonstatutory provisions; judicial
9 **commission.**

10 ***-0762/P1.9131*** SECTION 9131. Nonstatutory provisions; justice.

11 COPY/paste ***-2156/4.9131*** SECTION 9131. Nonstatutory provisions; justice.

12 ✓ (1) TRANSFER OF DEPARTMENT OF JUSTICE CONSUMER PROTECTION LEGAL SERVICES
13 TO THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
15 liabilities of the department of justice that are primarily related to the provision of
16 consumer protection legal services, as determined by the secretary of
17 administration, shall become the assets and liabilities of the department of
18 agriculture, trade and consumer protection.

19 (b) *Position increases.* The authorized FTE positions for the department of
20 justice are decreased by 9.30 GPR positions, funded from the appropriation under
21 section 20.455 (1) (a) of the statutes, for the performance of duties primarily related
22 to consumer protection legal services.

23 (c) *Employee transfers.* There are transferred from the department of justice
24 to the department of agriculture, trade and consumer protection 9.30 FTE

1 incumbent employees holding positions in the department of justice performing
2 duties primarily related to consumer protection legal services.

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

9 (e) *Tangible personal property.* On the effective date of this paragraph, all
10 tangible personal property, including records, of the department of justice that is
11 primarily related to the provision of consumer protection legal services, as
12 determined by the secretary of administration, shall be transferred to the
13 department of agriculture, trade and consumer protection.

14 (f) *Contracts.* All contracts entered into by the department of justice in effect
15 on the effective date of this paragraph that are primarily related to the provision of
16 consumer protection legal services, as determined by the secretary of
17 administration, remain in effect and are transferred to the department of
18 agriculture, trade and consumer protection. The department of agriculture, trade
19 and consumer protection shall carry out any such contractual obligations unless
20 modified or rescinded by the department of agriculture, trade and consumer
21 protection to the extent allowed under the contract.

22 (g) *Rules and orders.* All rules promulgated by the department of justice that
23 are primarily related to the provision of consumer protection legal services, as
24 determined by the secretary of administration, and that are in effect on the effective
25 date of this paragraph remain in effect until their specified expiration dates or until

1 amended or repealed by the department of agriculture, trade and consumer
2 protection. All orders issued by the department of justice that are primarily related
3 to the provision of consumer protection legal services, as determined by the secretary
4 of administration, and that are in effect on the effective date of this paragraph
5 remain in effect until their specified expiration dates or until modified or rescinded
6 by the department of agriculture, trade and consumer protection.

7 (h) *Pending matters.* Any matter pending with the department of justice on the
8 effective date of this paragraph that is primarily related to the provision of consumer
9 protection legal services, as determined by the secretary of administration, is
10 transferred to the department of agriculture, trade and consumer protection and all
11 materials submitted to or actions taken by the department of justice with respect to
12 the pending matter are considered as having been submitted to or taken by the
13 department of agriculture, trade and consumer protection.

14 ~~***~~ *-0762/P1.9132* SECTION 9132. Nonstatutory provisions; legislature.

15 *copy paste* *-1895/2.9132* SECTION 9132. Nonstatutory provisions; legislature.

16 (1) REVIEW OF KETTL COMMISSION REPORT. The joint committee on legislative
17 organization is requested to review the report issued by the Commission on
18 State-Local Partnerships for the 21st Century as it relates to the state aid to counties
19 for human services and justice services. The committee is requested to make
20 recommendations to the legislature based on that review, including
21 recommendations regarding all of the following issues:

22 (a) Which, if any, human services and justice services should become the state's
23 responsibility.

24 (b) What should be the timetable for any state takeover of any human services
25 and justice services.

1 (c) What performance outcomes should be established for any human services
2 and justice services assumed by the state.

3 (d) What state or local agency or department or other entity should deliver the
4 human services and justice services assumed by the state.

5 (e) How would the state fund any human services and justice services assumed
6 by the state, considering the funds currently available to the counties for these
7 services under the shared revenue program.

8 (f) Whether any of these human services and justice services should be provided
9 by a private agency or business.

10 ***-0762/P1.9133* SECTION 9133. Nonstatutory provisions; lieutenant**
11 **governor.**

12 ***-0762/P1.9134* SECTION 9134. Nonstatutory provisions; lower**
13 **Wisconsin state riverway board.**

14 ***-0762/P1.9135* SECTION 9135. Nonstatutory provisions; Medical**
15 **College of Wisconsin.**

16 ***-0762/P1.9136* SECTION 9136. Nonstatutory provisions; military**
17 **affairs.**

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18 ***-2146/1.9136* SECTION 9136. Nonstatutory provisions; military affairs.**

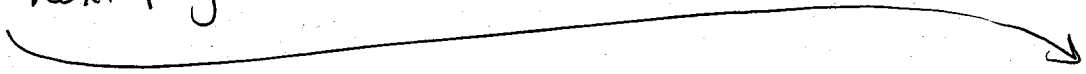
19 (1) REPORT ON BADGER CHALLENGE PROGRAM AND YOUTH CHALLENGE PROGRAM.

Notwithstanding section 16.42 (1) of the statutes, the

20 ~~the~~ department of military affairs shall include, as part of its 2003-05 biennial
21 budget request that it submits to the department of administration, a report on the
22 effectiveness of the Badger Challenge program under section 21.25 of the statutes
23 and of the Youth Challenge program under section 21.26 of the statutes.

24 ***-0320/5.9137* SECTION 9137. Nonstatutory provisions; natural**
25 **resources.**

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1 ↓ (1) DRY CLEANER ENVIRONMENTAL RESPONSE PROGRAM DEDUCTIBLE. The
2 department of natural resources shall identify any award made under section 292.65
3 of the statutes using the deductible under section 292.65 (8) (e) 3., 1999-stats., and
4 recalculate the award using the deductible under section 292.65 (8) (e) of the
5 statutes, as affected by this act. Before July 1, 2002, the department shall pay to the
6 recipient the difference between the amount of the original award and the amount
7 as recalculated under this subsection.

8 ***-0762/P1.9137*** SECTION 9137. Nonstatutory provisions; natural
9 resources.

10 copy/paste ***-1335/7.9137*** SECTION 9137. Nonstatutory provisions; natural
11 resources.

12 ↓ (1) FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY; INITIAL TERMS. Notwithstanding
13 the length of terms of the members of the board of directors of the authority specified
14 in section 237.02 (1) (a) of the statutes, as created by this act, the initial members
15 shall be appointed for the following terms:

- 16 (a) Three members for a term that expires on July 1, 2004.
- 17 (b) Three members for a term that expires on July 1, 2005.

18 copy/paste ***-1818/1.9137*** SECTION 9137. Nonstatutory provisions; natural
19 resources.

20 ↓ (1) FINANCIAL ASSISTANCE FOR REGIONAL RECYCLING PROGRAMS. On or before
21 September 15, 2002, the department of natural resources shall submit to the
22 department of administration a proposal for changing the method for determining
23 the amount of financial assistance provided under section 287.23 of the statutes to
24 encourage regional recycling programs.

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1 **-1819/5.9137** SECTION 9137. Nonstatutory provisions; natural
2 resources.

3 ✓ (1) REGIONAL RECYCLING PROGRAM GRANTS. Using the procedure under section
4 227.24 of the statutes, the department of natural resources may promulgate the
5 rules required under section 287.24 (4) of the statutes, as created by this act, for the
6 period before the effective date of the permanent rule promulgated under section
7 287.24 (4) of the statutes, as created by this act, but not to exceed the period
8 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
9 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required
10 to provide evidence that promulgating a rule under this subsection as an emergency
11 rule is necessary for the preservation of the public peace, health, safety, or welfare
12 and is not required to provide a finding of emergency for a rule promulgated under
13 this subsection.

14 *copy/paste* **-1938/2.9137** SECTION 9137. Nonstatutory provisions; natural
15 resources.

16 ✓ (1) STATE TRAILS PLAN. The department of natural resources shall, no later than
17 July 1, 2002, submit to the governor a plan to accomplish the objective of connecting
18 all trails that are designated as state trails under section 23.175 of the statutes on
19 the effective date of this subsection. The plan shall contain all of the following:

20 (a) A requirement that the department of natural resources work cooperatively
21 with other state agencies, political subdivisions, federal agencies, and
22 nongovernmental organizations to accomplish the plan's objective and a method for
23 obtaining this cooperation.

24 (b) An implementation schedule for accomplishing the plan's objective.

1 (c) A completion date by which the state trails that are covered by the plan will
2 be connected.

3 (d) A description of the costs that will be incurred in connecting the state trails
4 covered by the plan.

5 (e) A description of how the costs under paragraph (d) will be funded.

6 ***-0762/P1.9138* SECTION 9138. Nonstatutory provisions; personnel**
7 **commission.**

8 ***-0762/P1.9139* SECTION 9139. Nonstatutory provisions; public**
9 **defender board.**

10 *COPY*
PASTE ***-1792/2.9139* SECTION 9139. Nonstatutory provisions; public**
11 **defender board.**

12 ✓ (1) MISDEMEANOR OFFENDER DIVERSION PROGRAM. The public defender board, in
13 consultation with the director of state courts and the Wisconsin District Attorneys
14 Association, shall develop alternative charging and sentencing options for
15 misdemeanor crimes in order to divert misdemeanor offenders from imprisonment,
16 and shall submit a proposal describing the recommended options to the department
17 of administration by July 1, 2002. The proposal shall address, among other topics,
18 alternative charging and sentencing options for nonviolent crimes against property.
19 Upon approval of the proposal by the department of administration, the public
20 defender board and the director of state courts shall implement, in conjunction with
21 the Wisconsin District Attorneys Association, the portions of the proposal that are
22 permitted under state statutes or rules.

23 ***-0762/P1.9140* SECTION 9140. Nonstatutory provisions; public**
24 **instruction.**

1 *copy/paste* ***-1151/4.9140*** SECTION 9140. Nonstatutory provisions; public
 2 instruction.

3 (1) ESTIMATE OF MENTOR COSTS. By July 1, 2003, the department of public
 4 instruction shall submit to the department of administration and the legislative
 5 fiscal bureau an estimate of the costs of requiring school districts to provide a
 6 qualified mentor for each person who holds an initial educator license, as provided
 7 under section PI 34.17 (2) (c), Wisconsin Administrative Code.

8 *copy/paste* ***-1392/3.9140*** SECTION 9140. Nonstatutory provisions; public
 9 instruction.

10 (1) COMMENCEMENT OF SCHOOL TERM; STUDY.

11 (a) Notwithsta f the statutes, as affected by this act,
 12 a public school may *START* just 31, 2001, or on August 30, 2002.

13 (b) There is cre *HERE* the educational and economic effects
 14 of prohibiting school e school term until September 1. The

15 committee shall consist of 9 members appointed by the governor. One member shall
 16 be a teacher licensed by the department of public instruction; one member shall be
 17 a parent of a pupil enrolled in a public school in this state; one member shall be a
 18 school board member selected from a list of nominees submitted by the Wisconsin
 19 School Boards Association; one member shall be a school district administrator
 20 selected from a list of nominees submitted by the Wisconsin Association of School
 21 District Administrators; one member shall be an employer selected from a list of
 22 nominees submitted by Wisconsin manufacturers and commerce; one member shall
 23 be a person selected from a list of nominees submitted by the Wisconsin Restaurant
 24 Association; one member shall be a person selected from a list of nominees submitted
 25 by the Wisconsin Tourism Association; one member shall be a member of the general

no 9
The governor shall name the chairperson of the committee.

1 public; and one member shall be the secretary of commerce or his or her designee.)
2 By December 1, 2002, the committee shall report its findings and recommendations
3 to the governor and to the legislature in the manner provided in section 13.172 (2)
4 of the statutes. The committee terminates on the date it submits its findings and
5 recommendations.

6 *copy/paste* *1703/4.9140* SECTION 9140. Nonstatutory provisions; public
7 instruction.

8 ✓ (1) REVIEW OF THE DEPARTMENT'S RULES.

9 (a) There is created a committee for the review of rules promulgated by the
10 department of public instruction. The committee shall consist of the following
11 members appointed by the governor:

12 1. Three school board members selected from names submitted by the
13 Wisconsin Association of School Boards.

14 2. Three school district administrators selected from names submitted by the
15 Wisconsin Association of School District Administrators.

16 3. Three teachers selected from names submitted by organizations
17 representing teachers.

18 4. Two other members, one of whom is the parent of a school-aged child.

19 (b) The department of public instruction shall provide staff for the committee.

20 (c) The committee shall review all of the administrative rules promulgated by
21 the department of public instruction other than rules relating to special education
22 and health and safety issues. The committee shall identify those rules that are
23 outmoded, impede innovation, cause inefficiencies, or fail to promote academic
24 achievement, and those rules that should not apply to school districts that are
25 designated as school districts with expanded flexibility under ~~§~~ 118.39. By August

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The governor shall name the chairperson of the committee.

section
of the statutes, as created by
this act

1 1, 2002, the committee shall submit to the governor, the department of public
2 instruction, the secretary of administration, and the legislature in the manner
3 provided under section 13.172 (2) of the statutes, a report recommending
4 modifications to the rules. The committee terminates upon submission of its report.

5 (d) The department of public instruction shall review the committee's report.
6 By March 1, 2003, the department shall submit to the legislative council staff under
7 section 227.15 (1) of the statutes proposed modifications to the rules based on the
8 committee's recommendations.

***NOTE: This SECTION refers to s. 118.39, which is created in LRB-1693.

9 ***-1705/4.9140*** SECTION 9140. Nonstatutory provisions; public
10 *copy/paste* instruction.

11 (1) REORGANIZATION OF DEPARTMENT.

12 (a) In consultation with the secretary of administration, the state
13 superintendent of public instruction shall develop a plan for reorganizing the
14 division for learning support and instructional services in the department of public
15 instruction in order to enhance the department's ability to support the improvement
16 of schools. The plan shall do all of the following:

17 1. Establish in the division for learning support and instructional services a
18 bureau for school improvement composed of staff in that division and federally
19 funded staff in the division for learning support, equity, and advocacy.

20 2. Organize the bureau for school improvement into multidisciplinary school
21 improvement teams to provide on-site, technical assistance to school districts,
22 especially to school districts and schools that are identified as low in performance
23 under section 115.38 of the statutes, as affected by this act.

1 3. Include on each school improvement team licensed teachers who are
2 employed by school districts and temporarily assigned to the department.

3 4. Ensure that the department has the resources and staff necessary to assist
4 school districts in developing and implementing decentralized school governance
5 plans.

6 (b) By March 15, 2002, the department of public instruction shall submit the
7 reorganization plan under paragraph (a) to the governor and to the secretary of
8 administration.

9 (c) Of the amount appropriated to the department of public instruction under
10 section 20.255 (1) (a) of the statutes in the 2002-03 fiscal year, the department shall
11 allocate \$700,000 for the purpose of contracting with school districts for the services
12 of licensed teachers under section 115.385 (3) of the statutes, as created by this act.

13 The department of public instruction may not encumber or expend the money so
14 allocated unless the secretary of administration determines that the reorganization
15 plan under paragraph (a) has been implemented. *copy/paste*

16 ~~*-1775/4.9140* SECTION 9140. Nonstatutory provisions; public~~
17 ~~instruction.~~

18 ✓ (1) SCHOOL PERFORMANCE COMMITTEE. There is created a school performance
19 committee, composed of 3 employees of the department of public instruction,
20 appointed by the state superintendent of public instruction, and 3 members
21 appointed by the governor. The committee shall develop criteria for awarding grants
22 under section 115.415 of the statutes, as created by this act, and shall submit the
23 proposed criteria to the department of public instruction no later than June 30, 2002.
24 The committee terminates on June 30, 2002, or the date by which it submits the
25 proposed criteria, whichever is earlier.

The governor shall appoint the committee's chair

