

2001 Budget

Drafting file for:
SSA1-SB55 (LRBs0142)
&
ASA1-SB55 (LRBs0149)

The LFB / Joint Finance Superamendment
(LRBb0708) merged with SB-55 (LRB-2402)
to create the "P/1" version.

Part **M**

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1 the executive director that the committee has scheduled a meeting for the purpose
2 of reviewing the proposed new maximum amounts, the new maximum amounts that
3 the authority may guarantee shall be the maximum amounts approved by the
4 committee.”

5 ✓ ***b0078/2.12* 1429.** Page 1428, line 24: delete that line. ✓

6 ✓ ***b0474/4.2* 1430.** Page 1429, line 8: after that line insert:

7 “(4) “Lock” includes any spillway associated with the lock.” ✓

8 ✓ ***b0474/4.3* 1431.** Page 1429, line 13: delete that line and substitute:

9 “(a) Six members nominated by the governor, and with the advice and consent
10 of the senate appointed, for 3-year terms.” ✓

11 ✓ ***b0474/4.4* 1432.** Page 1429, line 16: after that line insert:

12 “(1m) (a) Two of the 6 members appointed under sub. (1) (a) shall be residents
13 of Brown County, 2 shall be residents of Outagamie County, and 2 shall be residents
14 of Winnebago County.

15 (b) At least one of the 2 members appointed from each of the counties specified
16 in par. (a) shall be a resident of a city, village, or town in which is located a lock that
17 is part of the navigational system.” ✓

18 ✓ ***b0474/4.5* 1433.** Page 1436, line 10: delete lines 10 to 12 and substitute:

19 “237.13 Exemption. (1) In this section, “lock structure” includes a spillway
20 of a lock and excludes the canal body of a lock.

21 (2) Any activity or work that is performed on a lock structure that is part of the
22 navigational system is exempt from any permit or other approval required under ch.
23 30 or 31.” ✓

24 ***b0690/2.8* 1434.** Page 1437, line 24: after that line insert:

1 ✓ *b0690/2.8* "SECTION 3128m. Chapter 247 of the statutes is created to read:

2 **CHAPTER 247**

3 **WISCONSIN ARTISTIC**

4 **ENDOWMENT FOUNDATION**

5 **247.02 Definition.** In this chapter, "foundation" means the Wisconsin Artistic
6 Endowment Foundation.

7 **247.03 Creation and organization.** (1) There is created a public body
8 corporate and politic, to be known as the "Wisconsin Artistic Endowment
9 Foundation." The foundation shall be a nonprofit corporation organized under ch.
10 181 so that contributions to it are deductible from adjusted gross income under
11 section 170 of the Internal Revenue Code.

12 (2) The board of directors of the foundation shall consist of the following
13 persons:

14 (a) Eight nominees of the governor, who are residents of this state, represent
15 the diverse artistic interests of the people of this state, and represent each of the
16 geographic regions of the state, appointed for 7-year terms with the advice and
17 consent of the senate. At least one of the nominees shall be knowledgeable in
18 marketing and fund raising. Each member appointed under this paragraph may
19 hold office until a successor is appointed.

20 (b) The chairperson of the arts board or the chairperson's designee.

21 (c) The executive secretary of the arts board as a nonvoting member.

22 (d) Two representatives to the assembly, one appointed by the speaker of the
23 assembly and one appointed by the minority leader of the assembly.

24 (e) Two senators, one appointed by the majority leader of the senate and one
25 appointed by the minority leader of the senate.

1 **(3)** The board of directors holds the powers of the foundation. The members
2 of the board of directors shall annually elect a chairperson and may elect other
3 officers as they consider appropriate. Seven voting members of the board of directors
4 constitute a quorum for the purpose of conducting the business and exercising the
5 powers of the foundation, notwithstanding the existence of any vacancy. The board
6 of directors may take action upon a vote of a majority of the voting members present,
7 unless the bylaws of the foundation require a larger number.

8 **(4)** No member of the board of directors may receive compensation for
9 performing his or her duties. Each member shall be reimbursed for actual and
10 necessary expenses, including travel expenses, incurred in performing those duties.

11 **247.05 General powers and duties. (1)** Except as otherwise provided in this
12 chapter, the foundation has all of the powers necessary and convenient to carry out
13 its duties under sub. (2) and s. 247.06, including the power to do all of the following:

- 14 (a) Make, amend, and repeal bylaws for the conduct of its affairs.
15 (b) Adopt a seal and alter that seal.
16 (c) Sue and be sued.
17 (d) Maintain an office.
18 (e) Solicit and accept donations of money, property, and art objects.
19 (f) Execute contracts and other instruments.
20 (g) Employ legal, financial, technical, or other experts and any other necessary
21 employees, and fix their qualifications, duties, and compensation.
22 (h) Establish arts programs with the advice of the arts board and statewide arts
23 organizations.
24 (i) Convert any noncash gift, grant, bequest, or other contribution to the
25 foundation to cash.

1 (2) The foundation shall do all of the following:

2 (a) In carrying out its responsibilities under this chapter, ensure to the greatest
3 extent possible the equitable distribution of funds and other support among all of the
4 following:

5 1. The various geographic regions of the state.

6 2. Urban, suburban, and rural areas of the state.

7 3. The various ethnic, racial, and cultural groups of the state.

8 (b) Appoint a licensed appraiser to evaluate each donated art object to establish
9 the current value of, potential appreciation of, degree of risk in holding, and
10 recommended timing for sale of, the art object.

11 (c) Adopt bylaws for accepting restricted donations.

12 (d) Annually submit to the governor and to the presiding officer of each house
13 of the legislature an audited financial statement of the operations of the foundation,
14 prepared in accordance with generally accepted accounting principles.

15 (e) Contract for all education and marketing activities.

16 (f) Deposit in the state treasury all cash, gifts, grants, bequests, or other
17 contributions made to the foundation, and all noncash gifts, grants, bequests, or
18 other contributions made to the foundation that have been converted to cash under
19 sub. (1) (i).

20 (g) Biennially review the foundation's priorities for expenditures under s.
21 247.06 (1) (b) and report those priorities to the presiding officer of each house of the
22 legislature.

23 **247.06 Support of arts programs.** (1) (a) The foundation may distribute
24 moneys appropriated under s. 20.220 (1) (r) to the arts board for programs that

1 provide operating support to arts organizations and for the Wisconsin regranting
2 program under s. 44.62.

3 (b) The foundation may distribute moneys appropriated under s. 20.220 (1) (r)
4 to an arts program established under s. 247.05 (1) (h) if the program is reviewed
5 biennially by the foundation with the advice of the arts board and statewide arts
6 organizations. To the extent possible, the programs funded under this paragraph
7 shall use existing arts board mechanisms and staff for administering and
8 distributing the moneys.

9 (2) (a) Of the total amount distributed by the foundation under sub. (1) in any
10 fiscal year that constitutes earnings on unrestricted donations, the foundation shall
11 distribute at least 50% to the arts board under sub. (1) (a).

12 (b) The foundation may not distribute moneys to the arts board under sub. (1)
13 (a) in any fiscal year in which the foundation determines that the amount of general
14 purpose revenue appropriated to the arts board under s. 20.215 is less than the
15 amount appropriated in the previous fiscal year.

16 **247.07 Dissolution.** The foundation may not dissolve and wind up its affairs
17 unless the legislature enacts a law ordering dissolution.” ✓

18 ✓ ***b0617/2.2* 1435.** Page 1441, line 9: after that line insert:

19 ***b0617/2.2* “SECTION 3142m.** 253.065 of the statutes is created to read:

20 **253.065 Grants for childhood asthma.** From the appropriation under s.
21 20.435 (5) (ca), annually, the department shall award grants to local health
22 departments established under s. 251.02 (2) for case management services for
23 children who have asthma and who are enrolled in the medical assistance program
24 under subch. IV of ch. 49 or the badger care health care program under s. 49.665.”.

1 ✓ ***b0624/1.4* 1436.** Page 1441, line 25: after that line insert:

2 ***b0624/1.4* "SECTION 3143m.** 254.11 (13) of the statutes is amended to read:

3 254.11 (13) "Third-party payer" means a disability insurance policy that is
4 required to provide coverage for a blood lead test under s. 632.895 (10) (a); a health
5 maintenance organization or preferred provider plan under ch. 609; a health care
6 coverage plan offered by the state under s. 40.51 (6); a self-insured health plan
7 offered by a city or village under s. 66.0137 (4), a political subdivision under s.
8 66.0137 (4m), a town under s. 60.23 (25), a county under s. 59.52 (11) (c), or a school
9 district under s. 120.13 (2) (b); or a sickness care plan operated by a cooperative
10 association under s. 185.981." ✓

11 ✓ ***b0479/2.2* 1437.** Page 1445, line 15: delete the material beginning with
12 that line and ending with page 1446, line 8, and substitute:

13 ***b0479/2.2* "SECTION 3155z.** 255.06 of the statutes is repealed and recreated
14 to read:

15 **255.06 Well-woman program. (1) DEFINITIONS.** In this section:

16 (a) "Hospital" has the meaning given in s. 50.33 (2).

17 (b) "Mammography" means the making of a record of a breast by passing X rays
18 through a body to act on specially sensitized film.

19 (c) "Medicare" has the meaning given in s. 49.498 (1) (f).

20 (d) "Nurse practitioner" means a registered nurse licensed under ch. 441 or in
21 a party state, as defined in s. 441.50 (2) (j), whose practice of professional nursing
22 under s. 441.11 (4) includes performance of delegated medical services under the
23 supervision of a physician, dentist, or podiatrist.

1 (e) "Poverty line" means the nonfarm federal poverty line for the continental
2 United States, as defined by the federal department of labor under 42 USC 9902 (2).

3 (2) WELL-WOMAN PROGRAM. From the appropriation under s. 20.435 (5) (cb), the
4 department shall administer a well-woman program to provide reimbursement for
5 health care screenings, referrals, follow-ups, and patient education provided to
6 low-income, underinsured, and uninsured women. Reimbursement to service
7 providers under this section shall be at the rate of reimbursement for identical
8 services provided under medicare, except that, if projected costs under this section
9 exceed the amounts appropriated under s. 20.435 (5) (cb), the department shall
10 modify services or reimbursement accordingly. Within this limitation, the
11 department shall implement the well-woman program to do all of the following:

12 (a) *Breast cancer screening services.* Provide not more than \$422,600 in each
13 fiscal year as reimbursement for the provision of breast cancer screening services to
14 women who are aged 40 years or older, by a hospital or organization that has a
15 mammography unit available for use and that is selected by the department under
16 procedures established by the department. Recipients of services under this
17 paragraph are subject to a copayment, payable to the service provider, for which the
18 department shall reduce reimbursement to the service provider, as follows:

19 1. For a woman for whom 3rd-party coverage for services is obtainable,
20 payment by the source of the 3rd-party coverage at full reasonable charge.

21 2. For a woman for whom 3rd-party coverage for services is not obtainable and
22 whose income is above 150% of the poverty line, a copayment for the provided service
23 that is based on a sliding scale, as developed by the department, according to the
24 woman's income.

1 3. For a woman for whom 3rd-party coverage is not obtainable and whose
2 income is at or below 150% of the poverty line, no copayment.

3 (b) *Media announcements and educational materials.* Allocate and expend at
4 least \$20,000 in each fiscal year to develop and provide media announcements and
5 educational materials to promote breast cancer screening services that are available
6 under pars. (a) and (c) and to promote health care screening services for women that
7 are available under par. (e).

8 (c) *Breast cancer screenings using mobile mammography van.* Reimburse the
9 city of Milwaukee public health department for up to \$115,200 in each fiscal year for
10 the performance of breast cancer screening activities with the use of a mobile
11 mammography van.

12 (d) *Specialized training to for rural colposcopic examinations and activities.*
13 Provide not more than \$25,000 in each fiscal year as reimbursement for the provision
14 of specialized training of nurse practitioners to perform, in rural areas, colposcopic
15 examinations and follow-up activities for the treatment of cervical cancer.

16 (e) *Health care screening, referral, follow-up, and patient education.*
17 Reimburse service providers for the provision of health care screening, referral,
18 follow-up, and patient education to low-income, underinsured, and uninsured
19 women.

20 (f) *Women's health campaign.* Conduct a women's health campaign to do all of
21 the following:

22 1. Increase women's awareness of issues that affect their health.

23 2. Reduce the prevalence of chronic and debilitating health conditions that
24 affect women.

1 (g) *Osteoporosis prevention and education.* Conduct an osteoporosis prevention
2 and education program to raise public awareness concerning the causes and nature
3 of osteoporosis, the risk factors for developing osteoporosis, the value of prevention
4 and early detection of osteoporosis, and options for diagnosing and treating
5 osteoporosis.

6 (3) SERVICE COORDINATION. The department shall coordinate the services
7 provided under this section with the services provided under the minority health
8 program under s. 146.185, to ensure that disparities in the health of women who are
9 minority group members are adequately addressed.

10 ***b0479/2.2* SECTION 3156m.** 255.07 of the statutes is repealed.

11 ***b0479/2.2* SECTION 3157b.** 255.075 of the statutes is repealed.”.

12 ✓***b0275/2.13* 1438.** Page 1446, line 11: delete “appropriation under s. 20.435
13 (5) (dg) and from the” and substitute “~~appropriation under s. 20.435 (5) (dg)~~”.

14 ✓***b0275/2.14* 1439.** Page 1446, line 18: delete “\$1,500,000” and substitute
15 “\$2,000,000”.

16 ✓***b0275/2.15* 1440.** Page 1446, line 19: delete “\$2,000,000”.

17 ✓***b0275/2.16* 1441.** Page 1446, line 20: after that line insert:

18 ***b0275/2.16* “SECTION 3160c.** 255.15 (4) of the statutes is amended to read:
19 255.15 (4) REPORTS. Not later than ~~July 1, 2001~~ April 15, 2002, and annually
20 thereafter, the board shall submit to the governor and to the chief clerk of each house
21 of the legislature for distribution under s. 13.172 (2) a report that evaluates the
22 success of the grant program under sub. (3). The report shall specify the number of
23 grants awarded during the immediately preceding fiscal year and the purpose for

1 which each grant was made. The report shall also specify donations and grants
2 accepted by the board under sub. (5).”.

3 ✓ *b0278/1.1* **1442.** Page 1446, line 20: after that line insert:

4 *b0278/1.1* **SECTION 3160t.** 281.17 (1) of the statutes is renumbered 281.17
5 (1) (a) and amended to read:

6 281.17 (1) (a) ~~No wells shall~~ A well may not be constructed, installed, or
7 operated to withdraw ~~water from underground sources for any purpose~~ groundwater
8 where the capacity and rate of withdrawal of all wells on one property is in excess
9 of 100,000 gallons a day without first obtaining the approval of the department. If
10 s. 281.35 applies to the proposed ~~construction~~ well, the application shall comply with
11 s. 281.35 (5) (a). ~~If the department finds that the proposed withdrawal will adversely~~
12 ~~affect or reduce the availability of water to any public utility in furnishing water to~~
13 ~~or for the public or does not meet the grounds for approval specified under s. 281.35~~
14 (5) (d), if applicable, it shall either

15 (b) The department shall withhold its approval or grant a limited approval
16 under which it imposes such conditions as to location, depth, pumping capacity, rate
17 of flow, and ultimate use ~~so~~ that will ensure all of the following:

18 1. That the water supply of any public utility engaged in furnishing water to
19 or for the public will not be impaired ~~and the withdrawal will conform to the~~
20 ~~requirements of.~~

21 2. That the well meets the grounds for approval under s. 281.35, if applicable.

22 (d) The department shall require each person issued an approval under this
23 subsection to report that person's volume and rate of withdrawal, as defined under
24 s. 281.35 (1) (m), and that person's volume and rate of water loss, as defined under

1 s. 281.35 (1) (L), if any, in the form and at the times specified by the department. The
2 department may issue general or special orders it considers necessary to ensure
3 prompt and effective administration of this subsection.

4 *b0278/1.1* SECTION 3160v. 281.17 (1) (c) of the statutes is created to read:

5 281.17 (1) (c) 1. Except as provided in subd. 3., the department shall impose
6 as a condition in each approval under this subsection that the person issued the
7 approval may not use, or permit another person to use, any water withdrawn from
8 the well to produce bottled drinking water, as defined in s. 97.34 (1) (a), unless the
9 department approves use of the well for that purpose.

10 2. The department shall withhold its approval, grant a limited approval, or
11 modify an approval in order to minimize adverse effects to the quality or quantity of
12 waters of the state caused by any well used to produce bottled drinking water, as
13 defined in s. 97.34 (1) (a). The department shall prepare an environmental impact
14 statement under s. 1.11 (2) for a decision by the department under this paragraph
15 to approve the use of a well to produce bottled drinking water.

16 3. This paragraph does not apply to a withdrawal of water by a public utility
17 engaged in furnishing water to or for the public.” ✓

18 ✓*b0214/1.1* 1443. Page 1447, line 5: delete lines 5 to 12.

19 ✓*b0212/2.3* 1444. Page 1447, line 14: after “If” insert “the department of
20 natural resources and the department of administration determine that”.

21 ✓*b0212/2.4* 1445. Page 1447, line 17: delete lines 17 to 23 and substitute “or
22 less of the amount of present value subsidy, general obligation bonding authority or
23 revenue bonding authority, respectively, requested for that biennium in the biennial
24 finance plan submitted under s. 281.59 (3) (bm) 1. insufficient to provide funding for

1 all projects for which applications will be approved during that biennium, the
2 department shall inform municipalities that, if the governor's recommendations are
3 approved, clean water fund program assistance during a fiscal year of that biennium
4 will only be available to municipalities that submit financial assistance applications
5 by the June 30 preceding that fiscal year." ✓

6 ✓ ***b0212/2.5* 1446.** Page 1448, line 1: after "If" insert "the department of
7 natural resources and the department of administration determine that". ✓

8 ✓ ***b0212/2.6* 1447.** Page 1448, line 3: delete lines 3 to 6 and substitute "(f) for
9 a biennium is ~~85% or less of the amount of present value subsidy, general obligation~~
10 ~~bonding authority or revenue bonding authority, respectively, requested for that~~
11 ~~biennium in the biennial finance plan submitted under s. 281.59 (3) (bm) 1.~~
12 insufficient to provide funding for all projects for which applications will be approved
13 during that biennium, all of the following apply:" ✓

14 ✓ ***b0279/1.1* 1448.** Page 1448, line 6: after that line insert:

15 ***b0279/1.1* "SECTION 3164j.** 281.58 (13) (be) 5. of the statutes is repealed.

16 ***b0279/1.1* SECTION 3164L.** 281.58 (13) (em) 3. of the statutes is created to
17 read:

18 281.58 (13) (em) 3. In a fiscal year, if federal financial hardship assistance has
19 been allocated to all eligible projects on the funding list and federal financial
20 hardship assistance remains to be allocated, the department may allocate federal
21 financial hardship assistance to a project of an eligible municipality that submits its
22 financial assistance application after June 30." ✓

23 ✓ ***b0213/1.1* 1449.** Page 1449, line 1: substitute "\$1,398,355,000" for
24 "\$1,389,755,000". ✓

1 ✓ *b0415/1.1* **1450.** Page 1449, line 2: after that line insert:

2 *b0415/1.1* **SECTION 3168n.** 281.60 (2) of the statutes is amended to read:

3 281.60 (2) GENERAL. The department and the department of administration
4 may administer a program to provide financial assistance to eligible applicants for
5 projects to remedy environmental contamination of sites or facilities at which
6 environmental contamination has affected groundwater or surface water or
7 threatens to affect groundwater or surface water. Eligible costs for a project include
8 costs of site assessment and site investigation, to the extent allowed under federal
9 law, if the eligible applicant demonstrates in its application that remediation will be
10 necessary and include costs of demolition that is a necessary part of the remediation.
11 The department and the department of administration may provide financial
12 assistance under this section to an eligible applicant only if the eligible applicant
13 owns the contaminated site or facility or, if the applicant is a political subdivision,
14 if a redevelopment authority or a housing authority owns the contaminated site or
15 facility. The department and the department of administration may not provide
16 financial assistance under this section to remedy environmental contamination at
17 a site or facility that is not a landfill if the eligible applicant caused the
18 environmental contamination.

19 *b0415/1.1* **SECTION 3168p.** 281.60 (3) of the statutes is repealed.

20 *b0415/1.1* **SECTION 3168r.** 281.60 (5) of the statutes is amended to read:

21 281.60 (5) APPLICATION. ~~After submitting a notice of intent to apply under sub.~~
22 ~~(3) (a) or obtaining a waiver under sub. (3) (b), an~~ An eligible applicant shall submit
23 an application for land recycling loan program financial assistance to the
24 department. The eligible applicant shall submit the application before the date

1 established by the department ~~by rule.~~ The department shall establish at least 2
2 application deadlines each year. The application shall be in the form and include the
3 information required by the department and the department of administration. An
4 eligible applicant may not submit more than one application per project per year.

5 ***b0415/1.1* SECTION 3168t.** 281.60 (8) (a) 1. of the statutes is amended to read:

6 281.60 (8) (a) 1. The department of administration may not allocate more than
7 40% of the available funds allocated in each fiscal year to projects to remedy
8 contamination at landfills.

9 ***b0415/1.1* SECTION 3168v.** 281.60 (8p) of the statutes is created to read:

10 281.60 (8p) SECURITY. Notwithstanding s. 281.59 (9) (b) 1., the department and
11 the department of administration may not require an applicant to use general
12 obligation bonds as security for financial assistance under this section but shall
13 accept other collateral that meets typical underwriting criteria.” ✓

14 ✓ ***b0297/5.10* 1451.** Page 1450, line 8: delete lines 8 to 25 and substitute:

15 ***b0297/5.10* “SECTION 3176b.** 281.65 (5q) of the statutes is created to read:

16 281.65 (5q) (a) Notwithstanding sub. (5s), neither the department nor the land
17 and water conservation board may extend funding under this section for a priority
18 watershed or priority lake project beyond the funding termination date that was in
19 effect for the priority watershed or priority lake project on January 1, 2001, except
20 as provided in par. (b).

21 (b) The department may authorize funding to be provided to a landowner under
22 a priority watershed or priority lake project for up to one year after the funding
23 termination date under par. (a) for that project if the department determines that a

1 delay in implementation of best management practices by the landowner was caused
2 by conditions beyond the control of the landowner.” ✓

3 ✓ *b0298/1.1* **1452.** Page 1450, line 25: after that line insert:

4 *b0298/1.1* “**SECTION 3176m.** 281.65 (11) of the statutes is amended to read:

5 281.65 (11) Notwithstanding subs. (3) (am) and (3m), the South Fork of the Hay
6 River is a priority watershed for the period ending on June 30, 2001 2006.
7 Notwithstanding subs. (2) (a), (4) (dm), (e), (em) and (g) 4., (4m) (b) 3. and (8) (b) and
8 (e), the department, in consultation with the local units of government involved with
9 the priority watershed project, shall establish guidelines for the types of nonpoint
10 source water pollution abatement practices to be eligible for cost-sharing grants in
11 the watershed. Notwithstanding sub. (8) (f), the amount of a cost-sharing grant in
12 the watershed may be based on the amount of pollution reduction achieved rather
13 than on the cost of the practices installed, using guidelines developed by the
14 department, in consultation with the local units of government involved with the
15 priority watershed project. In providing funding under s. 92.14 (3), the department
16 of agriculture, trade and consumer protection shall determine the amount of
17 matching funds required for staff for the priority watershed project as though the
18 funding termination date of June 30, 2006, had been in effect on October 6, 1998. The
19 department and the local governmental staff involved with the priority watershed
20 project shall evaluate the cost effectiveness of the project and the reduction in
21 nonpoint source water pollution associated with the project.”

****NOTE: The sentence added to s. 281.65 (11) is needed because of LRBb0297. If
that draft is not used to make the JCF sub., the sentence must be deleted. ✓

22 ✓ *b0281/1.2* **1453.** Page 1451, line 1: delete lines 1 to 9.

23 ✓ *b0281/1.3* **1454.** Page 1453, line 6: delete lines 6 to 13. ✓

1 ✓ ***b0281/1.4* 1455.** Page 1453, line 17: delete “premier lake associations.” ✓

2 ✓ ***b0281/1.5* 1456.** Page 1454, line 20: delete the material beginning with ✓
3 that line and ending with page 1456, line 5.

4 ✓ ***b0281/1.6* 1457.** Page 1456, line 10: delete lines 10 to 12. ✓

5 ✓ ***b0281/1.7* 1458.** Page 1456, line 21: delete the material beginning with ✓
6 “premier” and ending with “associations.” on line 22.

7 ✓ ***b0281/1.8* 1459.** Page 1456, line 25: delete the material beginning with ✓
8 that line and ending with page 1457, line 3.

9 ✓ ***b0281/1.9* 1460.** Page 1457, line 11: delete lines 11 to 15. ✓

10 ✓ ***b0110/1.1* 1461.** Page 1457, line 18: delete the material beginning with ✓
11 that line and ending with page 1458, line 9.

12 ✓ ***b0115/1.1* 1462.** Page 1460, line 19: delete the material beginning with ✓
13 that line and ending with page 1461, line 2.

14 ✓ ***b0579/1.1* 1463.** Page 1461, line 8: delete lines 8 to 17. ✓

15 ✓ ***b0580/1.2* 1464.** Page 1462, line 4: delete lines 4 to 17. ✓

16 ✓ ***b0418/2.1* 1465.** Page 1462, line 17: after that line insert:

17 ***b0418/2.1*** “SECTION 3227q. 289.41 (6) (a) of the statutes is amended to read:
18 289.41 (6) (a) *Compliance.* Except as provided under par. (j), (k), or (L) or sub.
19 (7), calculations and determinations based on data and information provided in the
20 opinion of the certified public accountant are required to establish that the company
21 satisfies each of the criteria under pars. (b) to (i) in order to comply with minimum
22 financial standards.

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

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

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

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

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

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

18 ✓ ***b0581/1.1* 1466.** Page 1462, line 17: after that line insert:

19 ***b0581/1.1* SECTION 3227t.** 289.33 (8) (b) 8. of the statutes is created to read:

20 289.33 (8) (b) 8. Compensation to any person for substantial economic impacts
21 that are a direct result of the facility’s receipt of waste generated outside of this
22 state.” ✓

23 ✓ ***b0121/1.1* 1467.** Page 1462, line 18: delete lines 18 and 19.

24 ✓ ***b0416/1.2* 1468.** Page 1462, line 19: after that line insert:

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

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

4 289.83 (5) PAYMENT OF GRANT. The department shall make 10 annual grant
5 payments annually over a 10-year period to recipients who applied in fiscal years
6 1992–93 and 1993–94. Each grant payment shall equal 10% of the total grant to a
7 political subdivision.” ✓

8 ✓ ***b0116/1.1*** **1469.** Page 1462, line 20: delete lines 20 to 22.

9 ✓ ***b0119/1.1*** **1470.** Page 1462, line 23: delete the material beginning with
10 that line and ending with page 1463, line 2. ✓

11 ✓ ***b0118/1.1*** **1471.** Page 1463, line 3: delete lines 3 to 10. ✓

12 ✓ ***b0117/1.1*** **1472.** Page 1463, line 11: delete lines 11 to 18. ✓

13 ✓ ***b0120/1.1*** **1473.** Page 1463, line 19: delete the material beginning with
14 that line and ending with page 1464, line 21. ✓

15 ✓ ***b0114/1.1*** **1474.** Page 1464, line 22: delete that line. ✓

16 ✓ ***b0118/1.2*** **1475.** Page 1464, line 23: delete the material beginning with
17 that line and ending with page 1465, line 2. ✓

18 ✓ ***b0117/1.2*** **1476.** Page 1465, line 3: delete lines 3 to 11. ✓

19 ✓ ***b0114/1.2*** **1477.** Page 1465, line 12: delete lines 12 to 21. ✓

20 ✓ ***b0117/1.3*** **1478.** Page 1465, line 22: delete the material beginning with
21 that line and ending with page 1466, line 5. ✓

22 ✓ ***b0114/1.3*** **1479.** Page 1466, line 6: delete lines 6 and 7. ✓

23 ✓ ***b0122/1.2*** **1480.** Page 1466, line 8: delete lines 8 to 18. ✓

1 ✓ ***b0116/1.2* 1481.** Page 1466, line 19: delete the material beginning with
2 that line and ending with page 1468, line 21.

3 ✓ ***b0122/1.3* 1482.** Page 1468, line 22: delete the material beginning with
4 that line and ending with page 1472, line 2. ✓

5 ✓ ***b0113/1.1* 1483.** Page 1472, line 18: delete the material beginning with
6 that line and ending with page 1483, line 20. ✓

7 ✓ ***b0417/2.1* 1484.** Page 1489, line 5: after “caused” insert “on or after
8 October 14, 1997,”. ✓

9 ✓ ***b0409/1.4* 1485.** Page 1490, line 7: delete lines 7 to 20 and substitute:
10 ***b0409/1.4* SECTION 3323b.** 292.75 (1) (a) of the statutes is amended to read:
11 292.75 (1) (a) “Eligible site or facility” means ~~an abandoned, idle or underused~~
12 one or more contiguous industrial or commercial facility or site facilities or sites with
13 common or multiple ownership that are abandoned, idle, or underused, the
14 expansion or redevelopment of which is adversely affected by actual or perceived
15 environmental contamination.

16 ***b0409/1.4* SECTION 3323e.** 292.75 (3) (d) of the statutes is amended to read:
17 292.75 (3) (d) Asbestos abatement activities, as defined in s. 254.11 (2),
18 conducted as part of activities described in par. (b) on an eligible site or facility.” ✓

19 ✓ ***b0411/1.2* 1486.** Page 1490, line 21: delete that line and substitute:
20 ***b0411/1.2* SECTION 3324b.** 292.77 (2) of the statutes is amended to read:
21 292.77 (2) The department shall develop and, beginning no later than
22 January 1, 2001, administer a pilot program ~~in the city of Beloit, the city of Green~~
23 ~~Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh~~ that
24 promotes the use of financial incentives to clean up and redevelop brownfields.

1 Funds provided under the program may be used to investigate environmental
2 contamination and to conduct cleanups of brownfields in ~~these cities~~ municipalities
3 selected by the department from those municipalities that apply for funding under
4 this section.

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

6 292.77 (3) In developing and administering the ~~pilot~~ program under sub. (2),
7 the department shall consult and coordinate with the department of administration,
8 and the department of commerce and the cities specified in sub. (2).

9 *b0411/1.2* SECTION 3324d. 292.77 (4) of the statutes is repealed.” ✓

10 ✓ *b0414/2.2* 1487. Page 1490, line 22: before that line insert: ✓

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

12 292.79 Brownfields green space grants. (1) In this section:

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

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

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

20 ✓ *b0123/1.3* 1488. Page 1490, line 25: delete the material beginning with
21 that line and ending with page 1512, line 20.

22 ✓ *b0343/1.1* 1489. Page 1512, line 21: delete lines 21 to 24. ✓

23 ✓ *b0343/1.2* 1490. Page 1513, line 1: delete lines 1 and 2. ✓

24 ✓ *b0111/1.1* 1491. Page 1513, line 3: delete lines 3 to 15. ✓

1 ✓ ***b0568/1.1* 1492.** Page 1513, line 22: after that line insert:

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

3 301.03 (19) Work with the parole commission to minimize, to the greatest
4 extent possible, the residential population density of sex offenders, as defined in s.
5 302.116 (1) (b), who are on probation, parole, or extended supervision or placed on
6 supervised release under s. 980.06 (2) (c) 1997 stats., or 980.08 (5)."/> ✓

7 ✓ ***b0575/3.1* 1493.** Page 1513, line 22: after that line insert:

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

9 301.03 (19m) Examine the allocation of mental health services within the
10 department to ensure that, within available resources, the mental health needs of
11 inmates are met in an equitable and efficient manner and evaluate the effectiveness
12 of providing for those needs in an equitable and efficient manner. ✓

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

14 301.03 (20) Require a physician to randomly review on a regular basis the
15 medical charts of inmates to ensure that proper medical procedures are followed in
16 the provision of medical care to those inmates and evaluate the outcome and findings
17 of those medical chart reviews. ✓

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

19 301.03 (21) Prepare written contracts for all health care providers that deliver
20 basic health care services at correctional facilities. ✓

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

22 301.03 (22) Submit all contracts, agreements, or extensions of contracts or
23 agreements for the delivery of health care services at correctional facilities that

1 exceed \$500,000 to the joint committee on finance for that committee's review and
2 approval. ✓

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

4 301.03 (23) Negotiate in all contracts entered into on or after the effective date
5 of this subsection [revisor inserts date], with hospitals that provide inmate care
6 a provision that the hospital will accept the medical assistance reimbursement rate
7 under s. 49.45 for all inmates eligible for that program and evaluate the outcome of
8 those negotiation efforts. ✓

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

10 301.03 (24) In cooperation with the department of health and family services,
11 explore options for determining the medical assistance eligibility of inmates and
12 evaluate the progress of the efforts made to determine that eligibility." ✓

13 (*b0588/2.1* 1494. Page 1513, line 22: after that line insert:

14 *b0588/2.1* "SECTION 3329p. 301.03 (16) of the statutes is created to read:

15 301.03 (16) (a) In this subsection, "Intranet site" means an Internet site that
16 is only accessible to officials and employees of the department.

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

21 (*b0061/2.18* 1495. Page 1513, line 23: delete the material beginning with
22 that line and ending with page 1514, line 2. ✓

23 (*b0112/1.3* 1496. Page 1514, line 12: delete the material beginning with
24 that line and ending with page 1516, line 7. ✓

1 ✓ ***b0622/2.3* 1497.** Page 1516, line 17: after that line insert:

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

3 **301.19 Restriction on construction of correctional facilities. (1)** In this
4 section:

5 (a) "Authorized jurisdiction" means a county, 2 counties acting jointly under s.
6 302.44, the United States, or a federally recognized American Indian tribe or band
7 in this state.

8 (b) "Correctional facility" means a building, structure, or facility or a portion
9 of a building, structure, or facility that is used to confine persons serving a sentence
10 of imprisonment to the Wisconsin state prisons or to confine juveniles alleged or
11 found to be delinquent.

12 (2) No person may commence construction of a correctional facility or
13 commence conversion of an existing building, structure, or facility into a correctional
14 facility unless the building, structure, or facility is enumerated in the authorized
15 state building program.

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

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

19 (b) A building, structure, or facility the construction of which was completed
20 before January 1, 2001, if the building, structure, or facility was designed to confine
21 persons convicted of a criminal offense." ✓

22 ✓ ***b0342/4.1* 1498.** Page 1517, line 13: delete lines 13 to 25.

23 ✓ ***b0342/4.2* 1499.** Page 1518, line 1: delete lines 1 to 7 and substitute:

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

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

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

14 301.26 (4) (d) 3. ~~In calendar year 2000~~ Beginning on July 1, 2002, and ending
15 on June 30, 2003, the per person daily cost assessment to counties shall be ~~\$153.55~~
16 \$172.51 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19),
17 ~~\$153.55~~ \$172.51 for care for juveniles transferred from a juvenile correctional
18 institution under s. 51.35 (3), ~~\$187.21~~ \$226 for care in a child caring institution,
19 including a secured child caring institution, ~~\$121.19~~ \$135 for care in a group home
20 for children, ~~\$26.67~~ \$43 for care in a foster home, ~~\$76.80~~ \$85 for care in a treatment
21 foster home, ~~\$74.68~~ \$84.50 for departmental corrective sanctions services, and
22 ~~\$19.15~~ \$22.66 for departmental aftercare services.”

23 ✓ ***b0344/1.1*** **1500.** Page 1518, line 15: delete lines 15 to 21 and substitute:

1 ***b0344/1.1*** “SECTION 3344d. 301.26 (7) (a) (intro.) of the statutes is amended
2 to read:

3 301.26 (7) (a) (intro.) For community youth and family aids under this section,
4 amounts not to exceed ~~\$42,091,800~~ \$43,091,800 for the last 6 months of ~~1999,~~
5 ~~\$85,183,700 for 2000~~ 2001, \$86,183,700 for 2002, and \$43,091,900 for the first 6
6 months of ~~2001~~ 2003. Of those amounts, the department shall allocate \$1,000,000
7 \$2,000,000 for the last 6 months of ~~1999,~~ ~~\$3,000,000 for 2000~~ 2001, \$4,000,000 for
8 2002, and \$2,000,000 for the first 6 months of ~~2001~~ 2003 to counties based on each
9 of the following factors weighted equally:” ✓

10 ✓ ***b0612/3.5* 1501.** Page 1519, line 20: delete lines 20 to 25. ✓

11 ✓ ***b0612/3.6* 1502.** Page 1520, line 1: delete lines 1 to 4 and substitute:

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

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

22 ✓ ***b0612/3.7* 1503.** Page 1520, line 12: delete lines 12 to 25.

23 ✓ ***b0612/3.8* 1504.** Page 1521, line 1: delete lines 1 to 6 and substitute:

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

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

21 ✓ ***b0112/1.4* 1505.** Page 1521, line 7: delete lines 7 to 10. ✓

22 ✓ ***b0629/2.1* 1506.** Page 1521, line 10: after that line insert:

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

1 **301.295 Recruitment of department employees.** The department may not
2 use billboards or similar structures to recruit its employees.”.

3 ✓ ***b0112/1.5* 1507.** Page 1521, line 11: delete the material beginning with
4 that line and ending with page 1522, line 13, and substitute:

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

6 **302.01 State prisons named and defined.** The penitentiary at Waupun is
7 named “Waupun Correctional Institution”.” The correctional treatment center at
8 Waupun is named “Dodge Correctional Institution”.” The penitentiary at Green Bay
9 is named “Green Bay Correctional Institution”.” The medium/maximum
10 penitentiary at Portage is named “Columbia Correctional Institution”. The medium
11 security institution at Oshkosh is named “Oshkosh Correctional Institution”.” The
12 medium security penitentiary near Fox Lake is named “Fox Lake Correctional
13 Institution”.” The penitentiary at Taycheedah is named “Taycheedah Correctional
14 Institution”.” The medium security penitentiary at Plymouth is named “Kettle
15 Moraine Correctional Institution”.” The penitentiary at the village of Sturtevant in
16 Racine county is named “Racine Correctional Institution”.” The medium security
17 correctional institution near Black River Falls is named “Jackson Correctional
18 Institution.” The medium security penitentiary at Racine is named “Racine Youthful
19 Offender Correctional Facility”.” The resource facility at Oshkosh is named
20 “Wisconsin Resource Center”.” The institutions named in this section, the medium
21 security correctional institutions at Redgranite and New Lisbon, the correctional
22 institutions authorized under s. 301.16 (1n) and (1v), correctional institution
23 authorized under 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution
24 authorized under s. 301.046 (1), correctional institution authorized under s. 301.048

1 (4) (b), the correctional institution at Stanley authorized under 2001 Wisconsin Act
2 (this act), section 9107 (1) (b), minimum security correctional institutions
3 authorized under s. 301.13, the probation and parole holding facilities authorized
4 under s. 301.16 (1q), and state–local shared correctional facilities when established
5 under s. 301.14, are state prisons.” ✓

6 ✓ ***b0568/1.2* 1508.** Page 1522, line 22: after that line insert:

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

8 302.11 (1) The warden or superintendent shall keep a record of the conduct of
9 each inmate, specifying each infraction of the rules. Except as provided in subs. (1g),
10 (1m), (1q), (1z), (4m), (7) and (10), each inmate is entitled to mandatory release on
11 parole by the department. The mandatory release date is established at two–thirds
12 of the sentence. Any calculations under this subsection or sub. (1q) (b) or (2) (b)
13 resulting in fractions of a day shall be rounded in the inmate’s favor to a whole day. ✓

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

15 302.11 (1g) (b) 3. Refusal by the inmate to live in a residence that the parole
16 commission has approved under s. 304.06 (2m) (ak), if applicable.” ✓

17 ✓ ***b0111/1.2* 1509.** Page 1523, line 4: delete the material beginning with that
18 line and ending with page 1524, line 5.

19 ✓ ***b0568/1.3* 1510.** Page 1524, line 8: after that line insert:

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

21 302.11 (4m) An inmate may not be paroled under this section is subject to the
22 restriction unless he or she agrees to live in a residence that the parole commission
23 or the department has approved under s. 304.06 (2m) (ak), if applicable, relating to
24 the counties to which inmates may be paroled.”

1 ✓ *b0111/1.3* **1511.** Page 1524, line 9: delete lines 9 to 18. ✓

2 ✓ *b0111/1.4* **1512.** Page 1524, line 24: delete “~~or~~” and substitute “or”. ✓

3 ✓ *b0111/1.5* **1513.** Page 1524, line 24: delete “, or (2m)”. ✓

4 ✓ *b0111/1.6* **1514.** Page 1525, line 17: delete lines 17 to 20. ✓

5 ✓ *b0111/1.7* **1515.** Page 1526, line 12: delete the material beginning with
6 that line and ending with page 1527, line 17. ✓

7 ✓ *b0568/1.4* **1516.** Page 1527, line 22: after that line insert:

8 *b0568/1.4* “SECTION 3367g. 302.113 (7) of the statutes is amended to read:
9 302.113 (7) Any inmate released to extended supervision under this section is
10 subject to all conditions and rules of extended supervision until the expiration of the
11 term of extended supervision portion of the bifurcated sentence. The department
12 may set conditions of extended supervision in addition to any conditions of extended
13 supervision required under s. 302.116, if applicable, or set by the court under s.
14 973.01 (5) if the conditions set by the department do not conflict with the court’s
15 conditions. ✓

16 *b0568/1.4* SECTION 3367r. 302.114 (8) of the statutes is amended to read:

17 302.114 (8) Any inmate released to extended supervision under this section is
18 subject to all conditions and rules of extended supervision. The department may set
19 conditions of extended supervision in addition to any conditions of extended
20 supervision required under s. 302.116, if applicable, or set by the court under sub.
21 (5) (d) if the conditions set by the department do not conflict with the court’s
22 conditions.” ✓

23 ✓ *b0568/1.5* **1517.** Page 1533, line 6: after that line insert:

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

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

2 **302.116 Extended supervision conditions for sex offenders.** (1) In this
3 section:

4 (a) “Serious sex offense” means a violation of s. 940.225 (1) or (2), 948.02 (1) or
5 (2), 948.025, 948.06, or 948.07 or a solicitation, conspiracy, or attempt to commit a
6 violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.06, or 948.07.

7 (b) “Sex offender” means a person serving a sentence for a serious sex offense.

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

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

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

21 (b) Ensuring that others living in the prospective residence are aware of the sex
22 offender’s offense history.

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

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

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

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

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

16 (b) Applying the criteria for consideration of residence and physical presence
17 under par. (a) to the facts that existed on the date on which the sex offender
18 committed the serious sex offense that resulted in the sentence that the sex offender
19 is serving.”

20 ✓ ***b0338/1.4* 1518.** Page 1534, line 5: after that line insert:

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

22 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
23 for a violation of state law or for a violation of a municipal or county ordinance except
24 for a violation of s. 101.123 (2) (a), (am) 1., (ar) ~~ex~~, (bm), or (br) or (5) or state laws or

1 municipal or county ordinances involving nonmoving traffic violations or safety belt
2 use violations under s. 347.48 (2m), the court, in addition, shall impose a jail
3 assessment in an amount of 1% of the fine or forfeiture imposed or \$10, whichever
4 is greater. If multiple offenses are involved, the court shall determine the jail
5 assessment on the basis of each fine or forfeiture. If a fine or forfeiture is suspended
6 in whole or in part, the court shall reduce the jail assessment in proportion to the
7 suspension.”.

8 ***b0568/1.6* 1519.** Page 1534, line 5: after that line insert:

9 ***b0568/1.6* “SECTION 3389m.** 304.01 (3) of the statutes is created to read:
10 304.01 (3) The parole commission shall work with the department to minimize,
11 to the greatest extent possible, the residential population density of sex offenders,
12 as defined in s. 304.06 (2m) (a) 2., who are on probation, parole, or extended
13 supervision or placed on supervised release under s. 980.06 (2) (c), 1997 stats., or s.
14 980.08 (5).

15 ***b0568/1.6* SECTION 3389p.** 304.02 (4m) of the statutes is amended to read:
16 304.02 (4m) A prisoner may not be paroled under this section ~~is subject to the~~
17 ~~restriction unless he or she agrees to live in a residence that the department has~~
18 approved under s. 304.06 (2m) (ak), if applicable, ~~relating to the counties to which~~
19 ~~prisoners may be paroled.~~

20 ***b0568/1.6* SECTION 3389q.** 304.06 (2m) (a) of the statutes is renumbered
21 304.06 (2m) (a) (intro.) and amended to read:

22 304.06 (2m) (a) (intro.) In this subsection, ~~“serious;~~

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

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

5 304.06 (2m) (a) 2. “Sex offender” means a person serving a sentence for a
6 serious sex offense.

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

8 304.06 (2m) (af) Neither the parole commission nor the department may parole
9 a sex offender unless he or she agrees to live in a residence that the parole
10 commission or the department has approved under par. (ak).

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

12 304.06 (2m) (ak) Subject to the requirements of pars. (ap), (at), and (b) and ss.
13 301.03 (19) and 304.01 (3), before releasing a sex offender on parole, the parole
14 commission or the department shall assess the appropriateness of the sex offender’s
15 prospective residence by doing at least all of the following:

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

23 2. Ensuring that others living in the prospective residence are aware of the sex
24 offender’s offense history.

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

1 304.06 (2m) (ap) The parole commission or the department shall use its best
2 efforts to select a residence under par. (ak) that is in the sex offender's county of
3 residence.

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

5 304.06 (2m) (at) If the victim of the serious sex offense that the sex offender
6 committed was a child who resided with the sex offender at the time of the offense,
7 neither the parole commission nor the department may permit the sex offender to
8 return home, unless the parole officer and any person providing sex offender
9 treatment to the sex offender determines that the sex offender's return will not
10 jeopardize the safety of anyone residing in the home.

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

13 304.06 (2m) (b) Except as provided in par. (c), no ~~prisoner who is serving a~~
14 ~~sentence for a serious sex offense~~ offender may be paroled to any county where there
15 is a correctional institution that has a specialized sex offender treatment program.

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

17 304.06 (2m) (c) A ~~prisoner who is serving a sentence for a serious sex offense~~
18 offender may be paroled to a county where there is a correctional institution that has
19 a specialized sex offender treatment program if that county is also the ~~prisoner's sex~~
20 offender's county of residence.

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

22 304.06 (2m) (d) The parole commission or the department shall determine a
23 ~~prisoner's sex offender's~~ sex offender's county of residence for the purposes of this subsection by
24 doing all of the following:

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

5 2. ~~The parole commission or the department shall apply~~ Applying the criteria
6 for consideration of residence and physical presence under subd. 1. to the facts that
7 existed on the date ~~that the prisoner~~ on which the sex offender committed the serious
8 sex offense that resulted in the sentence that the prisoner sex offender is serving.”

9 ***b0576/1.1* 1520.** Page 1534, line 5: after that line insert:

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

12 303.01 (2) (em) Lease space, with or without equipment, within the precincts
13 of state prisons, as specified in s. 302.02, or within the confines of correctional
14 institutions operated by the department for holding in secure custody persons
15 adjudged delinquent, to not more than ~~6~~ 2 private businesses to employ prison
16 inmates and institution residents to manufacture products or components or to
17 provide services for sale on the open market. The department shall comply with s.
18 16.75 in selecting businesses under this paragraph. The department may enter into
19 a contract under this paragraph only with the approval of the joint committee on
20 finance. The department may not enter into or amend a contract under this
21 paragraph unless the contract or amendment specifies each state prison or juvenile
22 correctional institution at which the private business will employ inmates or
23 institution residents. The department shall consult with appropriate trade
24 organizations and labor unions prior to issuing requests for proposals and prior to

1 selecting proposals under this paragraph. Each such private business may conduct
2 its operations as a private business, subject to the wage standards under sub. (4), the
3 disposition of earnings under sub. (8), the provisions regarding displacement in sub.
4 (11), the requirements for notification and hearing under sub. (1) (c), the requirement
5 for prison industries board approval under s. 303.015 (1) (b) and the authority of the
6 department to maintain security and control in its institutions. The private business
7 and its operations are not a prison industry. Inmates employed by the private
8 business are not subject to the requirements of inmates participating in prison
9 industries, except as provided in this paragraph;”.

10 ✓ ***b0283/2.1* 1521.** Page 1534, line 16: after that line insert:

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

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

20 ✓ ***b0690/2.9* 1522.** Page 1535, line 5: on lines 5, 6 and 14, delete “or 55.” and
21 substitute “55., or 56.”.

22 ✓ ***b0690/2.10* 1523.** Page 1536, line 5: delete “or 55.” and substitute “55., or
23 56.”.

24 ✓ ***b0690/2.11* 1524.** Page 1538, line 14: after that line insert:

1 ***b0690/2.11*** **SECTION 3401x.** 341.14 (6r) (b) 3. of the statutes is amended to
2 read:

3 341.14 (6r) (b) 3. An additional fee of \$15 shall be charged for the issuance or
4 reissuance of a plate issued on an annual basis for a special group specified under
5 par. (f) 35. to 47., 53., 54. ~~or 55., 55., or 56.~~ or designated by the department under
6 par. (fm). An additional fee of \$15 shall be charged for the issuance or reissuance of
7 a plate issued on a biennial basis for a special group specified under par. (f) 35. to 47.,
8 53., 54. ~~or 55., 55., or 56.~~ or designated by the department under par. (fm) if the plate
9 is issued during the first year of the biennial registration period or \$15 for the
10 issuance or reissuance if the plate is issued during the 2nd year of the biennial
11 registration period. The department shall deposit in the general fund and credit to
12 the appropriation account under s. 20.395 (5) (cj) all fees collected under this
13 subdivision for the issuance or reissuance of a plate for a special group designated
14 by the department under par. (fm).”.

15 ✓ ***b0690/2.12*** **1525.** Page 1538, line 15: after “statutes” insert “, as affected
16 by 2001 Wisconsin Act (this act),”.

17 ✓ ***b0690/2.13*** **1526.** Page 1538, line 18: on lines 18 and 20, delete “, or 55.”
18 and substitute “, 55., or 56.”. Ed:
Need to check w/ PG to ensure treatment
is correct

19 ✓ ***b0690/2.14*** **1527.** Page 1541, line 4: after that line insert:

20 ***b0690/2.14*** **SECTION 3406d.** 341.14 (6r) (b) 9. of the statutes is created to
21 read:

22 341.14 (6r) (b) 9. An additional fee of \$20 that is in addition to the fee under
23 subd. 3. shall be charged for the issuance or renewal of a plate issued on an annual
24 basis for the special group specified under par. (f) 56. An additional fee of \$40 that

1 is in addition to the fee under subd. 3. shall be charged for the issuance or renewal
2 of a plate issued on a biennial basis for the special group specified under par. (f) 56.,
3 if the plate is issued or renewed during the first year of the biennial registration
4 period or \$20 for the issuance or renewal if the plate is issued or renewed during the
5 2nd year of the biennial registration period. All moneys received under this
6 subdivision in excess of the initial costs of production of the special group plate under
7 par. (f) 56. or \$196,700, whichever is less, shall be deposited in the artistic
8 endowment fund under s. 25.78. To the extent permitted under ch. 71, the fee under
9 this subdivision is deductible as a charitable contribution for purposes of the taxes
10 under ch. 71. ✓

11 *b0690/2.14* SECTION 3406dm. 341.14 (6r) (b) 9. of the statutes, as created by
12 2001 Wisconsin Act (this act), is amended to read:

13 341.14 (6r) (b) 9. An additional fee of \$20 that is in addition to the fee under
14 subd. ~~3.~~ 2. shall be charged for the issuance or renewal of a plate issued on an annual
15 basis for the special group specified under par. (f) 56. An additional fee of \$40 that
16 is in addition to the fee under subd. ~~3.~~ 2. shall be charged for the issuance or renewal
17 of a plate issued on a biennial basis for the special group specified under par. (f) 56.,
18 if the plate is issued or renewed during the first year of the biennial registration
19 period or \$20 for the issuance or renewal if the plate is issued or renewed during the
20 2nd year of the biennial registration period. All moneys received under this
21 subdivision in excess of the initial costs of production of the special group plate under
22 par. (f) 56. or \$196,700, whichever is less, shall be deposited in the artistic
23 endowment fund under s. 25.78. To the extent permitted under ch. 71, the fee under
24 this subdivision is deductible as a charitable contribution for purposes of the taxes
25 under ch. 71.

1 ***b0690/2.14* SECTION 3406e.** 341.14 (6r) (c) of the statutes is amended to read:

2 341.14 (6r) (c) Special group plates shall display the word “Wisconsin”, the
3 name of the applicable authorized special group, a symbol representing the special
4 group, not exceeding one position, and identifying letters or numbers or both, not
5 exceeding 6 positions and not less than one position. The department shall specify
6 the design for special group plates, but the department shall consult the president
7 of the University of Wisconsin System before specifying the word or symbol used to
8 identify the special groups under par. (f) 35. to 47., the secretary of natural resources
9 before specifying the word or symbol used to identify for the special group under par.
10 (f) 50. and, the chief executive officer of the professional football team and an
11 authorized representative of the league of professional football teams described in
12 s. 229.823 to which that team belongs before specifying the design for the applicable
13 special group plate under par. (f) 55., and the executive secretary of the arts board
14 before specifying the word or symbol used to identify the special group under par. (f)
15 56. Special group plates under par. (f) 50. shall be as similar as possible to regular
16 registration plates in color and design. ✓

17 ***b0690/2.14* SECTION 3406f.** 341.14 (6r) (f) 56. of the statutes is created to
18 read: ✓

19 341.14 (6r) (f) 56. Persons interested in expressing their support of the arts.

20 ***b0690/2.14* SECTION 3406g.** 341.14 (6r) (fm) 7. of the statutes is amended to
21 read:

22 341.14 (6r) (fm) 7. ~~Except for the authorized special group enumerated under~~
23 ~~par. (f) 55., after~~ After October 1, 1998, additional authorized special groups may
24 only be special groups designated by the department under this paragraph. The
25 authorized special groups enumerated in par. (f) shall be limited solely to those

1 special groups specified under par. (f) on October 1, 1998, ~~except for the authorized~~
2 ~~special group enumerated under par. (f) 55.~~ This subdivision does not apply to the
3 special group groups specified under par. (f) 54., 55., and 56.”

4 ✓ ***b0396/1.2* 1528.** Page 1541, line 14: delete lines 14 to 18 and substitute:

5 ***b0396/1.2* “SECTION 3408g.** 342.14 (1r) of the statutes is amended to read:

6 342.14 (1r) ~~Upon filing an application under sub. (1) or (3) before December 1,~~
7 ~~1999, an environmental impact fee of \$5, by the person filing the application.~~ Upon
8 filing an application under sub. (1) or (3) ~~on or after December 1, 1999,~~ an
9 environmental impact fee of \$6, by the person filing the application. All moneys
10 collected under this subsection shall be credited to the environmental fund for
11 environmental management. This subsection does not apply after ~~June 30, 2001~~
12 December 31, 2003. ✓

13 ***b0396/1.2* SECTION 3408r.** 342.14 (1r) of the statutes, as affected by 2001
14 Wisconsin Act (this act), is amended to read:

15 342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental
16 impact fee of ~~\$6~~ \$9, by the person filing the application. All moneys collected under
17 this subsection shall be credited to the environmental fund for environmental
18 management. This subsection does not apply after December 31, 2003.” ✓

19 ✓ ***b0061/2.19* 1529.** Page 1541, line 19: delete the material beginning with
20 that line and ending with page 1542, line 2.

21 ✓ ***b0493/3.1* 1530.** Page 1542, line 3: before that line insert:

22 ***b0493/3.1* “SECTION 3409f.** 343.10 (5) (a) 3. of the statutes is amended to
23 read:

1 343.10 (5) (a) 3. If the applicant has 2 or more prior convictions, suspensions
2 or revocations, as counted under s. 343.307 (1), the occupational license of the
3 applicant shall restrict the applicant's operation under the occupational license to
4 vehicles that are equipped with a functioning ignition interlock device if the court
5 has ordered under s. ~~346.65 (6) (a) 1. that a motor vehicle owned by the person~~
6 343.301 (1) that each motor vehicle titled in the name of the person be equipped with
7 an ignition interlock device or has ordered under s. 346.65 (6) (a) 1. that the motor
8 vehicle owned by the person and used in the violation or improper refusal be
9 equipped with an ignition interlock device. A person to whom a restriction under this
10 subdivision applies violates that restriction if he or she requests or permits another
11 to blow into an ignition interlock device or to start a motor vehicle equipped with an
12 ignition interlock device for the purpose of providing the person an operable motor
13 vehicle without the necessity of first submitting a sample of his or her breath to
14 analysis by the ignition interlock device. If the occupational license restricts the
15 applicant's operation to a vehicle that is equipped with an ignition interlock device,
16 the applicant shall be liable for the reasonable costs of equipping the vehicle with the
17 ignition interlock device.

18 ***b0493/3.1* SECTION 3409g.** 343.10 (5) (a) 3. of the statutes, as affected by
19 2001 Wisconsin Act (this act), is amended to read:

20 343.10 (5) (a) 3. If the applicant has 2 or more prior convictions, suspensions,
21 or revocations, as counted under s. 343.307 (1), the occupational license of the
22 applicant shall restrict the applicant's operation under the occupational license to
23 vehicles that are equipped with a functioning ignition interlock device if the court
24 has ordered under s. 343.301 (1) that each motor vehicle titled in the name of the
25 person be equipped with an ignition interlock device or has ordered under s. 346.65

1 (6) (a) 1., 1999 stats., that the motor vehicle owned by the person and used in the
2 violation or improper refusal be equipped with an ignition interlock device. A person
3 to whom a restriction under this subdivision applies violates that restriction if he or
4 she requests or permits another to blow into an ignition interlock device or to start
5 a motor vehicle equipped with an ignition interlock device for the purpose of
6 providing the person an operable motor vehicle without the necessity of first
7 submitting a sample of his or her breath to analysis by the ignition interlock device.
8 If the occupational license restricts the applicant's operation to a vehicle that is
9 equipped with an ignition interlock device, the applicant shall be liable for the
10 reasonable costs of equipping the vehicle with the ignition interlock device.”

11 ✓ *b0241/2.3* **1531.** Page 1542, line 4: after that line insert:

12 *b0241/2.3* “SECTION 3410k. 343.24 (2) (a) of the statutes, as affected by 2001
13 Wisconsin Act (this act), is amended to read:

14 343.24 (2) (a) For each file search, ~~\$5~~ \$5.20.”

15 ✓ *b0241/2.4* **1532.** Page 1542, line 6: after that line insert:

16 *b0241/2.4* “SECTION 3411k. 343.24 (2) (b) of the statutes, as affected by 2001
17 Wisconsin Act (this act), is amended to read:

18 343.24 (2) (b) For each computerized search, ~~\$5~~ \$5.20.”

19 ✓ *b0241/2.5* **1533.** Page 1542, line 9: after that line insert:

20 *b0241/2.5* “SECTION 3412k. 343.24 (2) (c) of the statutes, as affected by 2001
21 Wisconsin Act (this act), is amended to read:

22 343.24 (2) (c) For each search requested by telephone, ~~\$6~~ \$6.20, or an
23 established monthly service rate determined by the department.”

24 ✓ *b0241/2.6* **1534.** Page 1542, line 24: after that line insert:

1 ***b0241/2.6*** “SECTION 3413k. 343.24 (2m) of the statutes, as affected by 2001
2 Wisconsin Act (this act), is amended to read:

3 343.24 (2m) If the department, in maintaining a computerized operating
4 record system, makes copies of its operating record file database, or a portion thereof,
5 on computer tape or other electronic media, copies of the tape or media may be
6 furnished to any person on request. The department may also furnish to any person
7 upon request records on computer tape or other electronic media that contain
8 information from files of uniform traffic citations or motor vehicle accidents and that
9 were produced for or developed by the department for purposes related to
10 maintenance of the operating record file database. The department shall charge a
11 fee of ~~\$5~~ \$5.20 for each file of vehicle operators’ records contained in the tape or
12 media. The department shall charge a fee of not more than ~~\$5~~ \$5.20 for each file of
13 uniform traffic citations or motor vehicle accidents contained in the tape or media.
14 Nothing in this subsection requires the department to produce records of particular
15 files or data in a particular format except as those records or data are made by the
16 department for its purposes.”

17 ***b0241/2.7*** **1535.** Page 1543, line 5: after that line insert:

18 ***b0241/2.7*** “SECTION 3414k. 343.245 (3m) (b) of the statutes, as affected by
19 2001 Wisconsin Act (this act), is amended to read:

20 343.245 (3m) (b) The department shall establish and collect reasonable fees
21 from employers in the program sufficient to defray the costs of instituting and
22 maintaining the program, including the registration and withdrawal of employees.
23 The fee for each notification by the department to an employer under par. (a) shall
24 be ~~\$5~~ \$5.20.”

1 ✓ ***b0493/3.2* 1536.** Page 1543, line 6: delete the material beginning with that
2 line and ending with page 1547, line 7, and substitute:

3 ***b0493/3.2* "SECTION 3415m.** 343.30 (1q) (b) 3. of the statutes is amended to
4 read:

5 343.30 (1q) (b) 3. Except as provided in subd. 4m., if the number of convictions
6 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
7 convictions, suspensions, and revocations counted under s. 343.307 (1) within a
8 10-year period, equals 2, the court shall revoke the person's operating privilege for
9 not less than one year nor more than 18 months. After the first 60 days of the
10 revocation period or, if the total number of convictions, suspensions, and revocations
11 counted under this subdivision within any 5-year period equals 2, after one year of
12 the revocation period has elapsed, the person is eligible for an occupational license
13 under s. 343.10 if he or she has completed the assessment and is complying with the
14 driver safety plan ordered under par. (c).

15 ***b0493/3.2* SECTION 3416m.** 343.30 (1q) (b) 4. of the statutes is amended to
16 read:

17 343.30 (1q) (b) 4. Except as provided in subd. 4m., if the number of convictions
18 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
19 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 3 or
20 more, the court shall revoke the person's operating privilege for not less than 2 years
21 nor more than 3 years. After the first 90 days of the revocation period or, if the total
22 number of convictions, suspensions, and revocations counted under this subdivision
23 within any 5-year period equals 2 or more, after one year of the revocation period has
24 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she

1 has completed the assessment and is complying with the driver safety plan ordered
2 under par. (c).

3 ***b0493/3.2* SECTION 3417m.** 343.301 of the statutes is created to read:

4 **343.301 Installation of ignition interlock device or immobilization of**
5 **a motor vehicle. (1) IGNITION INTERLOCK.** (a) If a person improperly refuses to take
6 a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the
7 person has a total of 2 or more convictions, suspensions, or revocations, counted
8 under s. 343.307 (1) within any 5-year period, the court shall order that the person's
9 operating privilege for the operation of "Class D" vehicles be restricted to operating
10 vehicles that are equipped with an ignition interlock device and shall order that each
11 motor vehicle titled in the name of the person be equipped with an ignition interlock
12 device. This paragraph does not apply if the court orders the immobilization of each
13 motor vehicle titled in the name of the person under sub. (2) or, if the person has 2
14 or more prior convictions, suspensions, or revocations for purposes of this paragraph,
15 to the motor vehicle that the court orders to be seized and forfeited under s. 346.65
16 (6).

17 (b) The court shall order the operating privilege restriction and the installation
18 of an ignition interlock device under par. (a) for a period of not less than one year nor
19 more than the maximum operating privilege revocation period permitted for the
20 refusal or violation, beginning one year after the operating privilege revocation
21 period begins.

22 (c) If the court restricts the person's operating privilege under par. (a), the
23 person shall be liable for the reasonable cost of equipping and maintaining any
24 ignition interlock device installed in his or her motor vehicle.

1 (d) A person to whom an order under par. (a) applies violates that order if he
2 or she requests or permits another to blow into an ignition interlock device or to start
3 a motor vehicle equipped with an ignition interlock device for the purpose of
4 providing the person an operable motor vehicle without the necessity of first
5 submitting a sample of his or her breath to analysis by the ignition interlock device.

6 (e) The court may not order a motor vehicle equipped with an ignition interlock
7 device if that would result in undue hardship or extreme inconvenience or would
8 endanger the health and safety of a person.

9 **(2) IMMOBILIZATION.** (a) If a person improperly refuses to take a test under s.
10 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total
11 of 2 or more convictions, suspensions, or revocations counted under s. 343.307 (1)
12 within any 5-year period, the court shall order that each motor vehicle titled in the
13 name of the person be immobilized. This paragraph does not apply if the court orders
14 the operating privilege restriction and the installation of an ignition interlock device
15 in each motor vehicle titled in the name of the person under sub. (1) or, if the person
16 has 2 or more prior convictions, suspensions, or revocations for purposes of this
17 paragraph, to the motor vehicle that the court orders to be seized and forfeited under
18 s. 346.65 (6).

19 (b) The court shall order the immobilization under par. (a) for a period of not
20 less than one year nor more than the maximum operating privilege revocation period
21 permitted for the refusal or violation, beginning on the first day of the operating
22 privilege revocation period.

23 (c) If the court orders that the person's motor vehicle be immobilized, the person
24 shall be liable for the reasonable cost of equipping and maintaining any
25 immobilization device installed on his or her motor vehicle.

1 (d) The court shall notify the department, in a form and manner prescribed by
2 the department, that an order to immobilize a motor vehicle has been entered. The
3 registration records of the department shall reflect that the order has been entered
4 against the motor vehicle and remains unexecuted. Any law enforcement officer may
5 execute that order based on the information provided by the department. The law
6 enforcement agency shall notify the department when an order has been executed
7 under this paragraph and the department shall amend its vehicle registration
8 records to reflect that notification.

9 (e) Within 10 days after immobilizing a motor vehicle under par. (d), the law
10 enforcement agency that immobilized the vehicle shall provide notice of the
11 immobilization to all lienholders of record. The notice shall set forth the year, make,
12 model, and vehicle identification number of the motor vehicle, where the motor
13 vehicle is located and the reason for the immobilization.

14 (f) The court may not order a motor vehicle immobilized if that would result in
15 undue hardship or extreme inconvenience or would endanger the health and safety
16 of a person.

17 ***b0493/3.2* SECTION 3418m.** 343.301 (1) (a) of the statutes, as created by 2001
18 Wisconsin Act (this act), is renumbered 343.301 (1) (a) 2. and amended to read:

19 343.301 (1) (a) 2. If a person improperly refuses to take a test under s. 343.305
20 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2
21 or more convictions, suspensions, or revocations, counted under s. 343.307 (1) within
22 any 5-year period, the court shall order that the person's operating privilege for the
23 operation of "Class D" vehicles be restricted to operating vehicles that are equipped
24 with an ignition interlock device and shall order that each motor vehicle titled in the
25 name of the person be equipped with an ignition interlock device. This paragraph

1 subdivision does not apply if the court orders the immobilization of each motor
2 vehicle titled in the name of the person under sub. (2) (a) 2. or, if the person has 2 or
3 more prior convictions, suspensions, or revocations for purposes of this paragraph,
4 to the motor vehicle that the court orders to be seized and forfeited under s. 346.65
5 (6).

6 ***b0493/3.2* SECTION 3419m.** 343.301 (1) (a) 1. of the statutes is created to
7 read:

8 343.301 (1) (a) 1. Except as provided in subd. 2., if a person improperly refuses
9 to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25,
10 and the person has a total of one or more prior convictions, suspensions, or
11 revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's
12 lifetime and other convictions, suspensions, and revocations counted under s.
13 343.307 (1), the court may order that the person's operating privilege for the
14 operation of "Class D" vehicles be restricted to operating "Class D" vehicles that are
15 equipped with an ignition interlock device.

16 ***b0493/3.2* SECTION 3420m.** 343.301 (1) (b) of the statutes, as created by 2001
17 Wisconsin Act (this act), is renumbered 343.301 (1) (b) 2. and amended to read:

18 343.301 (1) (b) 2. The court shall order the operating privilege restriction and
19 the installation of an ignition interlock device under par. (a) 2. for a period of not less
20 than one year nor more than the maximum operating privilege revocation period
21 permitted for the refusal or violation, beginning on the first day of the operating
22 privilege revocation period.

23 ***b0493/3.2* SECTION 3420n.** 343.301 (1) (b) 1. of the statutes is created to read:

1 343.301 (1) (b) 1. The court may restrict the operating privilege restriction
2 under par. (a) 1. for a period of not less than one year nor more than the maximum
3 operating privilege revocation period permitted for the refusal or violation.

4 ***b0493/3.2* SECTION 3420p.** 343.301 (2) (a) of the statutes, as created by 2001
5 Wisconsin Act (this act), is renumbered 343.301 (2) (a) 2. and amended to read:

6 343.301 (2) (a) 2. If a person improperly refuses to take a test under s. 343.305
7 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25, and the person has a total of 2
8 or more convictions, suspensions, or revocations counted under s. 343.307 (1) within
9 any 5-year period, the court shall order that each motor vehicle titled in the name
10 of the person be immobilized. This ~~paragraph~~ subdivision does not apply if the court
11 orders the the operating privilege restriction and the installation of an ignition
12 interlock device in each motor vehicle titled in the name of the person under sub. (1)
13 (a) 1. or, if the person has 2 or more prior convictions, suspensions, or revocations for
14 purposes of this paragraph, to they motor vehicle that the court orders to be seized
15 and forfeited under s. 346.65 (6).

16 ***b0493/3.2* SECTION 3420r.** 343.301 (2) (a) 1. of the statutes is created to read:

17 343.301 (2) (a) 1. Except as provided in subd. 2., if a person improperly refuses
18 to take a test under s. 343.305 or violates s. 346.63 (1) or (2), 940.09 (1), or 940.25,
19 and the person has a total of one or more prior convictions, suspensions, or
20 revocations, counting convictions under ss. 940.09 (1) and 940.25 in the person's
21 lifetime and other convictions, suspensions, and revocations counted under s.
22 343.307 (1), the court may order that the motor vehicle used during the refusal or
23 violation and titled in the name of the person be immobilized.

24 ***b0493/3.2* SECTION 3420s.** 343.301 (2) (b) of the statutes, as created by 2001
25 Wisconsin Act (this act), is renumbered 343.301 (2) (b) 2. and amended to read:

1 343.301 (2) (b) 2. The court shall order the immobilization under par. (a) 2 for
2 a period of not less than one year nor more than the maximum operating privilege
3 revocation period permitted for the refusal or violation, beginning on the first day of
4 the operating privilege revocation period.

5 ***b0493/3.2* SECTION 3420t.** 343.301 (2) (b) 1. of the statutes is created to read:

6 343.301 (2) (b) 1. The court may order the immobilization under par. (a) 1. for
7 a period of not less than one year nor more than the maximum operating privilege
8 revocation period permitted for the refusal or violation.

9 ***b0493/3.2* SECTION 3421m.** 343.305 (10) (b) 3. of the statutes is amended to
10 read:

11 343.305 (10) (b) 3. Except as provided in subd. 4m., if the number of convictions
12 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
13 convictions, suspensions, and revocations counted under s. 343.307 (2) within a
14 10-year period, equals 2, the court shall revoke the person's operating privilege for
15 2 years. After the first 90 days of the revocation period or, if the total number of
16 convictions, suspensions, and revocations counted under this subdivision within any
17 5-year period equals 2, after one year of the revocation period has elapsed, the person
18 is eligible for an occupational license under s. 343.10 if he or she has completed the
19 assessment and is complying with the driver safety plan.

20 ***b0493/3.2* SECTION 3422m.** 343.305 (10) (b) 4. of the statutes is amended to
21 read:

22 343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions
23 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
24 convictions, suspensions, and revocations counted under s. 343.307 (2) within a
25 10-year period, equals 2, the court shall revoke the person's operating privilege for

1 2 years. After the first 90 days of the revocation period or, if the total number of
2 convictions, suspensions, and revocations counted under this subdivision within any
3 5-year period equals 2, after one year of the revocation period has elapsed, the person
4 is eligible for an occupational license under s. 343.10 if he or she has completed the
5 assessment and is complying with the driver safety plan.

6 *b0493/3.2* SECTION 3423g. 343.305 (10m) of the statutes is amended to read:

7 343.305 (10m) REFUSALS; SEIZURE, IMMOBILIZATION OR IGNITION INTERLOCK OF A
8 MOTOR VEHICLE. If the person whose operating privilege is revoked under sub. (10)
9 has 2 or more ~~prior~~ convictions, suspensions, or revocations, as counted under s.
10 343.307 (1) within any 5-year period, the procedure under s. 343.301 shall be
11 followed if the court orders the immobilization of each motor vehicle titled in the
12 name of the person or if the court requires that the person's operating privilege for
13 the operation of "Class D" vehicles be restricted to operating "Class D" vehicles
14 equipped with an ignition interlock device and that each vehicle titled in the name
15 of the person be equipped with an ignition interlock device. If the number of
16 convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose
17 operating privilege is revoked under sub. (10), plus the total number of other
18 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or
19 more, the procedure under s. 346.65 (6) shall be followed regarding the
20 immobilization or seizure and forfeiture of a motor vehicle owned by the person or
21 the equipping of a motor vehicle owned by the person with an ignition interlock
22 device.

23 *b0493/3.2* SECTION 3423h. 343.305 (10m) of the statutes, as affected by 2001
24 Wisconsin Act (this act), is renumbered 343.305 (10m) (b) and amended to read:

1 343.305 (10m) (b) If the person whose operating privilege is revoked under sub.
2 (10) has 2 or more convictions, suspensions, or revocations, as counted under s.
3 343.307 (1) within any 5-year period, the procedure under s. 343.301 shall be
4 followed if the court orders the immobilization of each motor vehicle titled in the
5 name of the person or if the court requires that the person's operating privilege for
6 the operation of "Class D" vehicles be restricted to operating "Class D" vehicles
7 equipped with an ignition interlock device and that each vehicle titled in the name
8 of the person be equipped with an ignition interlock device. If the number of
9 convictions under ss. 940.09 (1) and 940.25 in the lifetime of the person whose
10 operating privilege is revoked under sub. (10), plus the total number of other
11 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 2 or
12 more, the procedure under s. 346.65 (6) shall be followed ~~regarding the~~
13 ~~immobilization or if the court orders~~ seizure and forfeiture of ~~a~~ the motor vehicle
14 used in the improper refusal and owned by the person ~~or the equipping of a motor~~
15 ~~vehicle owned by the person with an ignition interlock device.~~

16 ***b0493/3.2* SECTION 3423j.** 343.305 (10m) (a) of the statutes is created to read:
17 343.305 (10m) (a) Except as provided in par. (b), if the person whose operating
18 privilege is revoked under sub. (10) has one or more prior convictions, suspensions,
19 or revocations, as counted under s. 343.307 (1), the procedure under s. 343.301 shall
20 be followed if the court orders the immobilization of the motor vehicle used in the
21 violation and owned by the person or if the court requires that the person's operating
22 privilege for the operation of "Class D" vehicles be restricted to operating "Class D"
23 vehicles equipped with an ignition interlock device. If the number of convictions
24 under ss. 940.09 (1) and 940.25 in the lifetime of the person whose operating privilege
25 is revoked under sub. (10), plus the total number of other convictions, suspensions,

1 and revocations counted under s. 343.307 (1), equals 2 or more, the procedure under
2 s. 346.65 (6) shall be followed if the court orders seizure and forfeiture of the motor
3 vehicle used in the improper refusal and owned by the person.

4 ***b0493/3.2* SECTION 3424b.** 343.31 (3) (bm) 3. of the statutes is amended to
5 read:

6 343.31 (3) (bm) 3. Except as provided in subd. 4m., if the number of convictions
7 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of
8 suspensions, revocations, and other convictions counted under s. 343.307 (1) within
9 a 10-year period, equals 2, the department shall revoke the person's operating
10 privilege for not less than one year nor more than 18 months. If an Indian tribal court
11 in this state revokes the person's privilege to operate a motor vehicle on tribal lands
12 for not less than one year nor more than 18 months for the conviction specified in par.
13 (bm) (intro.), the department shall impose the same period of revocation. After the
14 first 60 days of the revocation period or, if the total number of convictions,
15 suspensions, and revocations counted under this subdivision within any 5-year
16 period equals 2, after one year of the revocation period has elapsed, the person is
17 eligible for an occupational license under s. 343.10.”

18 ✓ ***b0493/3.3* 1537.** Page 1547, line 19: delete the material beginning with
19 that line and ending with page 1548, line 7, and substitute: ✓

20 ***b0493/3.3* “SECTION 3426m.** 343.31 (3m) (a) of the statutes is amended to
21 read:

22 343.31 (3m) (a) Any person who has his or her operating privilege revoked
23 under sub. (3) (c) or (f) is eligible for an occupational license under s. 343.10 after the
24 first 120 days of the revocation period, except that if the total number of convictions,

1 suspensions, or revocations for any offense that is counted under s. 343.307 (1) within
2 any 5-year period equals 2 or more, the person is eligible for an occupational license
3 under s. 343.10 after one year of the revocation period has elapsed.

4 *b0493/3.3* SECTION 3427m. 343.31 (3m) (b) of the statutes is amended to
5 read:

6 343.31 (3m) (b) Any person who has his or her operating privilege revoked
7 under sub. (3) (e) is eligible for an occupational license under s. 343.10 after the first
8 60 days of the revocation period, except that if the total number of convictions,
9 suspensions, or revocations for any offense that is counted under s. 343.307 (1) within
10 any 5-year period equals 2 or more, the person is eligible for an occupational license
11 under s. 343.10 after one year of the revocation period has elapsed.”.

12 **1538.** Page 1548, line 12: delete the material beginning with “a law” and
13 ending with “(1).” on line 13.

14 *b0336/2.7* **1539.** Page 1548, line 14: after “(1),” insert “a truck driver
15 education assessment, if required by s. 349.04.”.

16 **1540.** Page 1548, line 22: delete “any applicable law enforcement training
17 fund assessment.”.

18 *b0336/2.8* **1541.** Page 1548, line 23: after “assessment,” insert “any
19 applicable truck driver education assessment.”.

20 **1542.** Page 1549, line 6: delete the material beginning with “law” and ending
21 with “fund assessment.” on line 7.

22 **1543.** Page 1549, line 8: before “crime” insert “truck driver education
23 assessment.”.