

1 ***b0783/2.14* SECTION 4014y.** 973.032 (6) of the statutes is amended to read:
2 973.032 (6) CREDIT. Any sentence credit under s. 973.155 (1) applies toward
3 ~~service of the period under sub. (3) (a) the term of confinement in prison portion of~~
4 ~~the bifurcated sentence of a person who is subject to this section~~ but does not apply
5 toward service of the period under sub. (3) (b).

6 ***b0783/2.14* SECTION 4014z.** 973.032 (7) of the statutes is created to read:
7 973.032 (7) PARTICIPANTS ON EXTENDED SUPERVISION. The court or the
8 department may require a person ordered to participate in the intensive sanctions
9 program under sub. (1) to remain in the intensive sanctions program as a condition
10 of extended supervision, but subs. (2) to (6) do not apply to such persons once they
11 are on extended supervision.”.

12 ***b1070/2.14* 1371.** Page 1265, line 12: delete the material beginning with
13 that line and ending with page 1267, line 7.

14 ***b1070/2.15* 1372.** Page 1268, line 17: delete the material beginning with
15 that line and ending with page 1271, line 6.

16 ***b0783/2.15* 1373.** Page 1271, line 6: after that line insert:

17 ***b0783/2.15* “SECTION 4028n.** 973.20 (10) of the statutes is amended to read:
18 973.20 (10) The court may require that restitution be paid immediately, within
19 a specified period or in specified ~~instalments~~ installments. If the defendant is placed
20 on probation or sentenced to imprisonment, the end of a specified period shall not be
21 later than the end of any period of probation, extended supervision, or parole. ~~If the~~
22 ~~defendant is sentenced to the intensive sanctions program, the end of a specified~~
23 ~~period shall not be later than the end of the sentence under s. 973.032 (3) (a).”.~~

24 ***b1056/1.15* 1374.** Page 1271, line 6: after that line insert:

1 ***b1056/1.15*** **SECTION 4028c.** 974.02 (1) of the statutes is amended to read:
2 974.02 (1) A motion for postconviction relief other than a motion under s.
3 805.15 (1) based on newly discovered evidence or a motion under s. 974.06 or 974.07
4 (2) by the defendant in a criminal case shall be made in the time and manner
5 provided in ss. 809.30 and 809.40. An appeal by the defendant in a criminal case from
6 a judgment of conviction or from an order denying a postconviction motion or from
7 both shall be taken in the time and manner provided in ss. 808.04 (3), 809.30 and
8 809.40. An appeal of an order or judgment on habeas corpus remanding to custody
9 a prisoner committed for trial under s. 970.03 shall be taken under ss. 808.03 (2) and
10 809.50, with notice to the attorney general and the district attorney and opportunity
11 for them to be heard.

12 ***b1056/1.15*** **SECTION 4028e.** 974.02 (1m) of the statutes is created to read:
13 974.02 (1m) In criminal cases, a motion under s. 805.15 (1) for a new trial based
14 on newly discovered evidence may be made at any time.

15 ***b1056/1.15*** **SECTION 4028g.** 974.05 (1) (b) of the statutes is amended to read:
16 974.05 (1) (b) Order granting postconviction relief under s. 974.02 ~~or~~, 974.06,
17 or 974.07.

18 ***b1056/1.15*** **SECTION 4028j.** 974.07 of the statutes is created to read:
19 **974.07 Motion for postconviction deoxyribonucleic acid testing of**
20 **certain evidence. (1)** In this section:

21 (a) “Movant” means a person who makes a motion under sub. (2).

22 (b) “Government agency” means any department, agency, or court of the federal
23 government, of this state, or of a city, village, town, or county in this state.

24 **(2)** At any time after being convicted of a crime, adjudicated delinquent, or
25 found not guilty by reason of mental disease or defect, a person may make a motion

1 in the court in which he or she was convicted, adjudicated delinquent, or found not
2 guilty by reason of mental disease or defect for an order requiring forensic
3 deoxyribonucleic acid testing of evidence to which all of the following apply:

4 (a) The evidence is relevant to the investigation or prosecution that resulted
5 in the conviction, adjudication, or finding of not guilty by reason of mental disease
6 or defect.

7 (b) The evidence is in the actual or constructive possession of a government
8 agency.

9 (c) The evidence has not previously been subjected to forensic deoxyribonucleic
10 acid testing or, if the evidence has previously been tested, it may now be subjected
11 to another test using a scientific technique that was not available or was not utilized
12 at the time of the previous testing and that provides a reasonable likelihood of more
13 accurate and probative results.

14 (3) A movant or, if applicable, his or her attorney shall serve a copy of the
15 motion made under sub. (2) on the district attorney's office that prosecuted the case
16 that resulted in the conviction, adjudication, or finding of not guilty by reason of
17 mental disease or defect. The court in which the motion is made shall also notify the
18 appropriate district attorney's office that a motion has been made under sub. (2) and
19 shall give the district attorney an opportunity to respond to the motion. Failure by
20 a movant to serve a copy of the motion on the appropriate district attorney's office
21 does not deprive the court of jurisdiction and is not grounds for dismissal of the
22 motion.

23 (4) (a) The clerk of the circuit court in which a motion under sub. (2) is made
24 shall send a copy of the motion and, if a hearing on the motion is scheduled, a notice
25 of the hearing to the victim of the crime or delinquent act committed by the movant,

1 if the clerk is able to determine an address for the victim. The clerk of the circuit court
2 shall make a reasonable attempt to send the copy of the motion to the address of the
3 victim within 7 days of the date on which the motion is filed and shall make a
4 reasonable attempt to send a notice of hearing, if a hearing is scheduled, to the
5 address of the victim, postmarked at least 10 days before the date of the hearing.

6 (b) Notwithstanding the limitation on the disclosure of mailing addresses from
7 completed information cards submitted by victims under ss. 51.37 (10) (dx), 301.046
8 (4) (d), 301.048 (4m) (d), 301.38 (4), 302.105 (4), 304.06 (1) (f), 304.063 (4), 938.51 (2),
9 971.17 (6m) (d), and 980.11 (4), the department of corrections, the parole commission,
10 and the department of health and family services shall, upon request, assist clerks
11 of court in obtaining information regarding the mailing address of victims for the
12 purpose of sending copies of motions and notices of hearings under par. (a).

13 (5) Upon receiving under sub. (3) a copy of a motion made under sub. (2) or
14 notice from a court that a motion has been made, whichever occurs first, the district
15 attorney shall take all actions necessary to ensure that all biological material that
16 was collected in connection with the investigation or prosecution of the case and that
17 remains in the actual or constructive custody of a government agency is preserved
18 pending completion of the proceedings under this section.

19 (6) (a) Upon demand the district attorney shall disclose to the movant or his
20 or her attorney whether biological material has been tested and shall make available
21 to the movant or his or her attorney the following material:

22 1. Findings based on testing of biological materials.

23 2. Physical evidence that is in the actual or constructive possession of a
24 government agency and that contains biological material or on which there is
25 biological material.

1 (b) Upon demand the movant or his or her attorney shall disclose to the district
2 attorney whether biological material has been tested and shall make available to the
3 district attorney the following material:

- 4 1. Findings based on testing of biological materials.
- 5 2. The movant's biological specimen.

6 (c) Upon motion of the district attorney or the movant, the court may impose
7 reasonable conditions on availability of material requested under pars. (a) 2. and (b)
8 2. in order to protect the integrity of the evidence.

9 (d) This subsection does not apply unless the information being disclosed or the
10 material being made available is relevant to the movant's claim of innocence at issue
11 in the motion made under sub. (2).

12 (7) (a) A court in which a motion under sub. (2) is filed shall order forensic
13 deoxyribonucleic acid testing if all of the following apply:

14 1. It is reasonably probable that the movant would not have been prosecuted,
15 convicted, found not guilty by reason of mental disease or defect, or adjudicated
16 delinquent for the offense at issue in the motion under sub. (2), if exculpatory
17 deoxyribonucleic acid testing results had been available before the prosecution,
18 conviction, finding of not guilty, or adjudication for the offense.

19 2. The evidence is in the actual or constructive possession of a government
20 agency.

21 3. The chain of custody of the evidence to be tested establishes that the evidence
22 has not been tampered with, replaced, or altered in any material respect or, if the
23 chain of custody does not establish the integrity of the evidence, the testing itself can
24 establish the integrity of the evidence.

1 4. The evidence has not previously been subjected to forensic deoxyribonucleic
2 acid testing or, if the evidence has previously been tested, it may now be subjected
3 to another test using a scientific technique that was not available or was not utilized
4 at the time of the previous testing and that provides a reasonable likelihood of more
5 accurate and probative results.

6 (b) A court in which a motion under sub. (2) is filed may order forensic
7 deoxyribonucleic acid testing if all of the following apply or if the court determines
8 that testing is in the interest of justice:

9 1. The conviction or sentence in a criminal proceeding, the finding of not guilty
10 by reason of mental disease or defect, the commitment under s. 971.17, or the
11 adjudication or disposition in a proceeding under ch. 938, would have been more
12 favorable to the movant if the results of deoxyribonucleic acid testing had been
13 available before he or she was prosecuted, convicted, found not guilty by reason of
14 mental disease or defect, or adjudicated delinquent for the offense.

15 2. The evidence is in the actual or constructive possession of a government
16 agency.

17 3. The chain of custody of the evidence to be tested establishes that the evidence
18 has not been tampered with, replaced, or altered in any material respect or, if the
19 chain of custody does not establish the integrity of the evidence, the testing itself can
20 establish the integrity of the evidence.

21 4. The evidence has not previously been subjected to forensic deoxyribonucleic
22 acid testing or, if the evidence has previously been tested, it may now be subjected
23 to another test using a scientific technique that was not available or was not utilized
24 at the time of the previous testing and that provides a reasonable likelihood of more
25 accurate and probative results.

1 (8) The court may impose reasonable conditions on any testing ordered under
2 this section in order to protect the integrity of the evidence and the testing process.
3 If appropriate and if stipulated to by the movant and the district attorney, the court
4 may order the state crime laboratories to perform the testing as provided under s.
5 165.77 (2m).

6 (9) If a court in which a motion under sub. (2) is filed does not order forensic
7 deoxyribonucleic acid testing, or if the results of forensic deoxyribonucleic acid
8 testing ordered under this section are not supportive of the movant's innocence
9 claim, the court shall determine the disposition of the evidence specified in the
10 motion subject to the following:

11 (a) If a person other than the movant is in custody, as defined in s. 968.205 (1)
12 (a), the evidence is relevant to the criminal, delinquency, or commitment proceeding
13 that resulted in the person being in custody, the person has not been denied
14 deoxyribonucleic acid testing or postconviction relief under this section, and the
15 person has not waived his or her right to preserve the evidence under s. 165.81 (3),
16 757.54 (2), 968.205, or 978.08, the court shall order the evidence preserved until all
17 persons entitled to have the evidence preserved are released from custody, and the
18 court shall designate who shall preserve the evidence.

19 (b) If the conditions in par. (a) are not present, the court shall determine the
20 disposition of the evidence, and, if the evidence is to be preserved, by whom and for
21 how long. The court shall issue appropriate orders concerning the disposition of the
22 evidence based on its determinations.

23 (10) (a) If the results of forensic deoxyribonucleic acid testing ordered under
24 this section support the movant's claim of innocence, the court shall schedule a
25 hearing to determine the appropriate relief to be granted to the movant. After the

1 hearing, and based on the results of the testing and any evidence or other matter
2 presented at the hearing, the court shall enter any order that serves the interests of
3 justice, including any of the following:

4 1. An order setting aside or vacating the movant's judgment of conviction,
5 judgment of not guilty by reason of mental disease or defect, or adjudication of
6 delinquency.

7 2. An order granting the movant a new trial or fact-finding hearing.

8 3. An order granting the movant a new sentencing hearing, commitment
9 hearing, or dispositional hearing.

10 4. An order discharging the movant from custody, as defined in s. 968.205 (1)
11 (a), if the movant is in custody.

12 5. An order specifying the disposition of any evidence that remains after the
13 completion of the testing, subject to sub. (9) (a) and (b).

14 (b) A court may order a new trial under par. (a) without making the findings
15 specified in s. 805.15 (3) (a) and (b).

16 (11) A court considering a motion made under sub. (2) by a movant who is not
17 represented by counsel shall, if the movant claims or appears to be indigent, refer the
18 movant to the state public defender for determination of indigency and appointment
19 of counsel under s. 977.05 (4) (j).

20 (12) (a) The court may order a movant to pay the costs of any testing ordered
21 by the court under this section if the court determines that the movant is not
22 indigent. If the court determines that the movant is indigent, the court shall order
23 the costs of the testing to be paid for from the appropriation account under s. 20.410
24 (1) (be).

25 (b) A movant is indigent for purposes of par. (a) if any of the following apply:

1 1. The movant was referred to the state public defender under sub. (11) for a
2 determination of indigency and was found to be indigent.

3 2. The movant was referred to the state public defender under sub. (11) for a
4 determination of indigency but was found not to be indigent, and the court
5 determines that the movant does not possess the financial resources to pay the costs
6 of testing.

7 3. The movant was not referred to the state public defender under sub. (11) for
8 a determination of indigency and the court determines that the movant does not
9 possess the financial resources to pay the costs of testing.

10 (13) An appeal may be taken from an order entered under this section as from
11 a final judgment.”.

12 ***b0936/1.25* 1375.** Page 1271, line 7: delete lines 7 to 11.

13 ***b1056/1.16* 1376.** Page 1271, line 13: after that line insert:

14 ***b1056/1.16*** “SECTION 4031c. 977.07 (1) (b) of the statutes is amended to read:

15 977.07 (1) (b) For referrals not made under ss. 809.30 ~~and~~, 974.06, and 974.07,
16 a representative of the state public defender is responsible for making indigency
17 determinations unless the county became responsible under s. 977.07 (1) (b) 2. or 3.,
18 1983 stats., for these determinations. Subject to the provisions of par. (bn), those
19 counties may continue to be responsible for making indigency determinations. Any
20 such county may change the agencies or persons who are designated to make
21 indigency determinations only upon the approval of the state public defender.

22 ***b1056/1.16* SECTION 4031e.** 977.07 (1) (c) of the statutes is amended to read:

23 977.07 (1) (c) For all referrals made under ss. 809.30 ~~and~~, 974.06 (3) (b) and
24 974.07 (11), except a referral of a child who is entitled to be represented by counsel

1 under s. 48.23 or 938.23, a representative of the state public defender shall
2 determine indigency, ~~and~~. For referrals made under ss. 809.30 and 974.06 (3) (b),
3 except a referral of a child who is entitled to be represented by counsel under s. 48.23
4 or 938.23, the representative of the state public defender may, unless a request for
5 redetermination has been filed under s. 809.30 (2) (d) or the defendant's request for
6 representation states that his or her financial circumstances have materially
7 improved, rely upon a determination of indigency made for purposes of trial
8 representation under this section.

9 *b1056/1.16* SECTION 4031s. 978.08 of the statutes is created to read:

10 **978.08 Preservation of certain evidence. (1)** In this section:

11 (a) "Custody" has the meaning given in s. 968.205 (1) (a).

12 (b) "Discharge date" has the meaning given in s. 968.205 (1) (b).

13 (2) Except as provided in sub. (3), if physical evidence that is in the possession
14 of a district attorney includes any biological material that was collected in connection
15 with a criminal investigation that resulted in a criminal conviction, delinquency
16 adjudication, or commitment under s. 971.17 or 980.06, the district attorney shall
17 preserve the physical evidence until every person in custody as a result of the
18 conviction, adjudication, or commitment has reached his or her discharge date.

19 (3) Subject to sub. (5), a district attorney may destroy biological material before
20 the expiration of the time period specified in sub. (2) if all of the following apply:

21 (a) The district attorney sends a notice of its intent to destroy the biological
22 material to all persons who remain in custody as a result of the criminal conviction,
23 delinquency adjudication, or commitment and to either the attorney of record for
24 each person in custody or the state public defender.

1 (b) No person who is notified under par. (a) does either of the following within
2 90 days after the date on which the person received the notice:

3 1. Files a motion for testing of the biological material under s. 974.07 (2).

4 2. Submits a written request to preserve the biological material to the district
5 attorney.

6 (c) No other provision of federal or state law requires the district attorney to
7 preserve the biological material.

8 (4) A notice provided under sub. (3) (a) shall clearly inform the recipient that
9 the biological material will be destroyed unless, within 90 days after the date on
10 which the person receives the notice, either a motion for testing of the material is
11 filed under s. 974.07 (2) or a written request to preserve the material is submitted
12 to the district attorney.

13 (5) If, after providing notice under sub. (3) (a) of its intent to destroy biological
14 material, a district attorney receives a written request to preserve the material, the
15 district attorney shall preserve the material until the discharge date of the person
16 who made the request or on whose behalf the request was made, subject to a court
17 order issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court authorizes
18 destruction of the biological material under s. 974.07 (9) (b) or (10) (a) 5.”.

19 *b0813/1.3* **1377.** Page 1280, line 9: after that line insert:

20 *b0813/1.3* **SECTION 4034ycc.** 980.01 (1) of the statutes is renumbered
21 980.01 (1r).

22 *b0813/1.3* **SECTION 4034ycd.** 980.01 (1g) of the statutes is created to read:
23 980.01 (1g) “County department” means a county department of community
24 programs created in accordance with s. 51.42 (3) (a).

1 ***b0813/1.3* SECTION 4034yce.** 980.01 (1m) of the statutes is created to read:
2 980.01 (1m) “County of residence” means the county in which a person is
3 considered to reside for purposes of this chapter as determined under s. 980.015 by
4 the agency with jurisdiction.

5 ***b0813/1.3* SECTION 4034ycf.** 980.015 (1) of the statutes is renumbered
6 980.01 (1d) and amended to read:

7 980.01 (1d) ~~In this section, “agency~~ “Agency with jurisdiction” means the
8 agency with the authority or duty to release or discharge ~~the a~~ a person.

9 ***b0813/1.3* SECTION 4034ycg.** 980.015 (2) (intro.) of the statutes is amended
10 to read:

11 980.015 (2) (intro.) If an agency with jurisdiction has control or custody over
12 a person who may meet the criteria for commitment as a sexually violent person,
13 after determining the person’s county of residence as provided under sub. (5), the
14 agency with jurisdiction shall inform each appropriate district attorney and the
15 department of justice regarding the person as soon as possible beginning 3 months
16 prior to the applicable date of the following:

17 ***b0813/1.3* SECTION 4034ych.** 980.02 (1) (a) of the statutes is amended to
18 read:

19 980.02 (1) (a) The department of justice at the request of the agency with
20 jurisdiction, ~~as defined in s. 980.015 (1),~~ over the person. If the department of justice
21 decides to file a petition under this paragraph, it shall file the petition before the date
22 of the release or discharge of the person.

23 ***b0813/1.3* SECTION 4034yci.** 980.02 (1) (am) of the statutes is created to
24 read:

1 980.02 (1) (am) If the department of justice does not file a petition under par.
2 (a), the district attorney for the person's county of residence.

3 ***b0813/1.3* SECTION 4034ycj.** 980.02 (1) (b) (intro.) of the statutes is amended
4 to read:

5 980.02 (1) (b) (intro.) If the department of justice does not file a petition under
6 par. (a), and the district attorney for the person's county of residence does not file a
7 petition under par. (am), the district attorney for one of the following:

8 ***b0813/1.3* SECTION 4034yck.** 980.02 (4) (c) of the statutes is created to read:
9 980.02 (4) (c) The circuit court in the person's county of residence.

10 ***b0813/1.3* SECTION 4034ycL.** 980.02 (6) of the statutes is created to read:
11 980.02 (6) Upon request from the district attorney for the person's county of
12 residence, an action commenced by filing a petition under this section in a circuit
13 court for a county other than the person's county of residence shall be transferred to
14 the circuit court for the person's county of residence.

15 ***b0813/1.3* SECTION 4034ycm.** 980.03 (1) of the statutes is amended to read:
16 980.03 (1) The circuit court in which a petition under s. 980.02 is filed or, if an
17 action is transferred under s. 980.02 (6), the court to which the action was
18 transferred, shall conduct all hearings under this chapter. The court shall give the
19 person who is the subject of the petition reasonable notice of the time and place of
20 each such hearing. The court may designate additional persons to receive these
21 notices.

22 ***b0813/1.3* SECTION 4034ycn.** 980.05 (5) of the statutes is amended to read:
23 980.05 (5) If the court or jury determines that the person who is the subject of
24 a petition under s. 980.02 is a sexually violent person, the court shall enter a
25 judgment on that finding, shall notify the county department for the person's county

1 of residence of that finding, and shall commit the person as provided under s. 980.06.
2 If the court or jury is not satisfied beyond a reasonable doubt that the person is a
3 sexually violent person, the court shall dismiss the petition and direct that the
4 person be released unless he or she is under some other lawful restriction.

5 ***b0813/1.3* SECTION 4034yc0.** 980.07 (2) of the statutes is amended to read:

6 980.07 (2) Any examiner conducting an examination under this section shall
7 prepare a written report of the examination no later than 30 days after the date of
8 the examination. The examiner shall place a copy of the report in the person's
9 medical records and shall provide a copy of the report to the court that committed the
10 person under s. 980.06 and to the county department for the person's county of
11 residence.

12 ***b0813/1.3* SECTION 4034ycp.** 980.08 (2) of the statutes is amended to read:

13 980.08 (2) If the person files a timely petition without counsel, the court shall
14 serve a copy of the petition on the district attorney or department of justice,
15 whichever is applicable, and on the county department for the person's county of
16 residence and, subject to s. 980.03 (2) (a), refer the matter to the authority for
17 indigency determinations under s. 977.07 (1) and appointment of counsel under s.
18 977.05 (4) (j). If the person petitions through counsel, his or her attorney shall serve
19 the district attorney or department of justice, whichever is applicable, and the county
20 department for the person's county of residence.

21 ***b0813/1.3* SECTION 4034ycq.** 980.08 (3) of the statutes is amended to read:

22 980.08 (3) Within 20 days after receipt of the petition, the court shall appoint
23 one or more examiners having the specialized knowledge determined by the court to
24 be appropriate, who shall examine the person and furnish a written report of the
25 examination to the court within 30 days after appointment. The examiners shall

1 have reasonable access to the person for purposes of examination and to the person's
2 past and present treatment records, as defined in s. 51.30 (1) (b), and patient health
3 care records, as provided under s. 146.82 (2) (c). If any ~~such~~ examiner appointed
4 under this subsection believes that the person is appropriate for supervised release
5 under the criterion specified in sub. (4), the examiner shall report on the type of
6 treatment and services that the person may need while in the community on
7 supervised release and shall furnish a copy of the written report of the examination
8 to the county department for the person's county of residence at the time that the
9 examiner furnishes the report to the court. The county shall pay the costs of an
10 examiner appointed under this subsection as provided under s. 51.20 (18) (a).

11 *b0813/1.3* SECTION 4034~~ycr.~~ 980.08 (3m) of the statutes is created to read:
12 980.08 (3m) A county department that receives a copy of an examiner's report
13 under sub. (3) shall identify a residence in which the person may live if the court
14 grants the person's petition under this section for supervised release. The
15 identification of a residence by the county department is subject to approval by the
16 department. The county department shall provide the court a written description
17 of the residence before the hearing under sub. (4).

18 *b0813/1.3* SECTION 4034~~ycs.~~ 980.08 (5) of the statutes is amended to read:
19 980.08 (5) If the court finds that the person is appropriate for supervised
20 release, the court shall notify the department and the county department for the
21 person's county of residence. The department and the county department ~~under s.~~
22 ~~51.42 in the~~ for the person's county of residence of the person, as determined under
23 ~~s. 980.105,~~ shall prepare a plan that identifies the treatment and services, if any, that
24 the person will receive in the community. The plan shall address the person's need,
25 if any, for supervision, counseling, medication, community support services,

1 residential services, vocational services, and alcohol or other drug abuse treatment.
2 If the person is a serious child sex offender, the plan shall address the person's need
3 for pharmacological treatment using an antiandrogen or the chemical equivalent of
4 an antiandrogen. The department may contract with a county department, ~~under s.~~
5 ~~51.42 (3) (aw) 1. d.~~, with another public agency, or with a private agency to provide
6 the treatment and services identified in the plan. The plan shall specify who will be
7 responsible for providing the treatment and services identified in the plan. The plan
8 shall be presented to the court for its approval within 60 days after the court finding
9 that the person is appropriate for supervised release, unless the department, county
10 department and person to be released request additional time to develop the plan.
11 ~~If the~~ The county department ~~of~~ for the person's county of residence ~~declines to~~
12 ~~prepare a plan,~~ the department may arrange for another county to prepare the plan
13 if that the other county agrees to prepare the plan and if the person will be living in
14 that county. ~~If the department is unable to arrange for another county to prepare a~~
15 ~~plan, the court shall designate a county department to prepare the plan, order the~~
16 ~~county department to prepare the plan and place the person on supervised release~~
17 ~~in that county, except that the court may not so designate the county department in~~
18 ~~any county where there is a facility in which persons committed to institutional care~~
19 ~~under this chapter are placed unless that county is also the person's county of~~
20 ~~residence."~~

21 *b0813/1.4* **1378.** Page 1280, line 22: after that line insert:

22 *b0813/1.4* "SECTION 4034yn. 980.105 (intro.) of the statutes is renumbered
23 980.015 (5) and amended to read:

1 980.015 (5) ~~Determination of county of residence.~~ The court agency with
2 jurisdiction shall determine a person's county of residence for the purposes of this
3 chapter ~~by doing all of the following: in accordance with the criteria set forth in this~~
4 subsection. A person's county of residence is the county in which a person's
5 habitation was voluntarily fixed and in which the person voluntarily intended to
6 remain on the date that the person committed the sexually violent offense that
7 resulted in the sentence, placement, or commitment that is in effect when the
8 determination under this subsection is made. A person's physical presence at a place
9 shall be considered prima facie evidence of the person's intent to remain at that place.

10 ***b0813/1.4* SECTION 4034yo.** 980.105 (1) of the statutes is repealed.

11 ***b0813/1.4* SECTION 4034yp.** 980.105 (2) of the statutes is repealed.”.

12 ***b0898/2.30* 1379.** Page 1280, line 22: after that line insert:

13 ***b0898/2.30* “SECTION 16034yr.** 985.01 (1g) of the statutes is amended to
14 read:

15 985.01 (1g) “Governing body” has the meaning given in s. 345.05 (1) (b) and
16 includes a family care district board under s. 46.2895 and the Milwaukee County
17 child welfare district board under s. 48.562.

18 ***b0898/2.30* SECTION 4034yt.** 985.01 (3) of the statutes is amended to read:

19 985.01 (3) “Municipality” has the meaning in s. 345.05 (1) (c) and includes a
20 family care district under s. 46.2895 and the Milwaukee County child welfare district
21 under s. 48.562.”.

22 ***b1056/1.17* 1380.** Page 1280, line 22: after that line insert:

23 ***b1056/1.17* “SECTION 4034ys.** 980.101 of the statutes is created to read:

1 (3) An appeal may be taken from an an order entered under sub. (2) as from
2 a final judgment.”.

3 *b0820/1.4* **1381.** Page 1281, line 6: after that line insert:

4 *b0820/1.4* “SECTION 4034r. Laws of 1975, chapter 105, section 1 (1) and (2)
5 are amended to read:

6 [Laws of 1975, chapter 105] Section 1 (1) The legislature finds that the existing
7 system of allocating aggregate property tax revenues among tax levying
8 municipalities has resulted in significant inequities and disincentives. The cost of
9 public works or improvements within a city ~~or, village, or town that is located in a~~
10 ~~county that does not contain any cities or villages~~ has been borne entirely by the city
11 ~~or, village, or town that is located in a county that does not contain any cities or~~
12 ~~villages,~~ while the expansion of tax base which is stimulated, directly or indirectly,
13 by such improvements, benefits not only the city ~~or, village, or town that is located~~
14 ~~in a county that does not contain any cities or villages~~ but also all municipalities
15 which share such tax base. This situation is inequitable. Moreover, when the cost
16 to a city ~~or, village, or town that is located in a county that does not contain any cities~~
17 ~~or villages~~ of a public improvement project exceeds the future benefit to the city ~~or,~~
18 ~~village, or town that is located in a county that does not contain any cities or villages~~
19 resulting therefrom, the city ~~or, village, or town that is located in a county that does~~
20 ~~not contain any cities or villages~~ may decide not to undertake such project. This
21 situation has resulted in the postponement or cancellation of socially desirable
22 projects.

23 (2) The legislature further finds that accomplishment of the vital and beneficial
24 public purposes of sections ~~66.405 to 66.425, 66.43, 66.431, 66.435 and 66.52~~ of the

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(3) An appeal may be taken from an ~~an order entered~~ under sub. (2) as from a final judgment."

***b0820/1.4* 1381.** Page 1281, line 6: after that line insert:

***b0820/1.4* "SECTION 4034r.** Laws of 1975, chapter 105, section 1 (1) and (2) are amended to read:

[Laws of 1975, chapter 105] Section 1 (1) The legislature finds that the existing system of allocating aggregate property tax revenues among tax levying municipalities has resulted in significant inequities and disincentives. The cost of public works or improvements within a city ~~or~~ village, or town that is located in a county that does not contain any cities or villages has been borne entirely by the city ~~or~~ village, or town that is located in a county that does not contain any cities or villages, while the expansion of tax base which is stimulated, directly or indirectly, by such improvements, benefits not only the city ~~or~~ village, or town that is located in a county that does not contain any cities or villages but also all municipalities which share such tax base. This situation is inequitable. Moreover, when the cost to a city ~~or~~ village, or town that is located in a county that does not contain any cities or villages of a public improvement project exceeds the future benefit to the city ~~or~~ village, or town that is located in a county that does not contain any cities or villages resulting therefrom, the city ~~or~~ village, or town that is located in a county that does not contain any cities or villages may decide not to undertake such project. This situation has resulted in the postponement or cancellation of socially desirable projects.

(2) The legislature further finds that accomplishment of the vital and beneficial public purposes of sections 66.405 to 66.425, 66.43, 66.431, 66.435 and 66.52 of the

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1 statutes, is being frustrated because of a lack of incentives and financial resources.
2 The purpose of this act is to create a viable procedure by which a city ~~or~~, village, or
3 town that is located in a county that does not contain any cities or villages, through
4 its own initiative and efforts, may finance projects which will tend to accomplish
5 these laudable objectives.”.

6 *b0973/1.1* **1382.** Page 1283, line 13: after that line insert:

7 *b0973/1.1* “SECTION 4046s. 1999 Wisconsin Act 9, section 9158 (8w) (e) is
8 repealed.”.

9 *b0757/2.51* **1383.** Page 1287, line 18: delete lines 18 to 25.

10 *b0757/2.52* **1384.** Page 1288, line 1: delete lines 1 to 11.

11 *b1094/2.109* **1385.** Page 1288, line 16: delete “20.530 (1)”.

12 *b1094/2.110* **1386.** Page 1288, line 20: delete “20.530 (1)”.

→ *Insert*
13 *b1052/2.13* **1387.** Page 1291, line 17: delete lines 17 to 25. ←

14 *b1052/2.14* **1388.** Page 1292, line 18: delete lines 18 to 23.

15 *b1052/2.15* **1389.** Page 1293, line 10: delete lines 10 to 14.

16 *b1069/1.3* **1390.** Page 1295, line 7: delete “\$1,864,700” and substitute
17 “\$1,484,700”.

18 *b1094/2.111* **1391.** Page 1295, line 23: delete lines 23 and 24.

19 *b1094/2.112* **1392.** Page 1296, line 1: delete lines 1 to 25.

20 *b1094/2.113* **1393.** Page 1297, line 1: delete lines 1 to 25.

21 *b1094/2.114* **1394.** Page 1298, line 1: delete lines 1 to 4 and substitute:

22 *b1094/2.114* “(15q) AUTHORIZED POSITIONS.

✓

#. Page 1288, line 22: delete lines 22 to 25.
✓ # Page 1289, line 1: delete lines 1 and 2.

1 (a) The authorized FTE positions for the department of administration, funded
2 from the appropriation under section 20.505 (1) (ja) of the statutes, are increased by
3 19.0 PR positions to reflect the deletion of the department of electronic government.

4 (b) The authorized FTE positions for the department of administration, funded
5 from the appropriation under section 20.505 (1) (ke) of the statutes, are increased by
6 29.0 PR positions to reflect the deletion of the department of electronic government.

7 (c) The authorized FTE positions for the department of administration, funded
8 from the appropriation under section 20.505 (1) (kL) of the statutes, are increased
9 by 168.30 PR positions to reflect the deletion of the department of electronic
10 government.

11 (d) The authorized FTE positions for the department of administration, funded
12 from the appropriation under section 20.505 (1) (kq) of the statutes, are increased by
13 3.0 PR positions to reflect the deletion of the department of electronic government.

14 (e) The authorized FTE positions for the department of administration, funded
15 from the appropriation under section 20.505 (4) (is) of the statutes are increased by
16 1.0 PR position to reflect the deletion of the department of electronic government.”.

17 *b1091/3.2* **1395.** Page 1298, line 17: delete lines 17 to 24.

18 *b0750/1.1* **1396.** Page 1298, line 24: after that line insert:

19 *b0750/1.1* “(21g) STUDY ON THE STATE PAYMENT OF TUITION. The department
20 of administration shall study the development and implementation of a tuition grant
21 program that would pay the cost of 2 years of postsecondary education. The
22 department shall ensure that representatives of all of the following agencies are
23 included on the study team: the higher educational aids board, the department of
24 public instruction, the board of regents of the University of Wisconsin System, the

1 state technical college system board, and the department of workforce development.
2 By July 1, 2002, the department of administration shall submit the results of the
3 study to the governor and to the legislature in the manner provided under section
4 13.172 (2) of the statutes.”.

5 *b0786/3.3* **1397.** Page 1298, line 24: after that line insert:

6 *b0786/3.3* “(21c) TRANSFER OF SENTENCING COMMISSION RECORDS. The
7 department of administration shall transfer all records of the sentencing commission
8 to the director of state courts as soon as possible after the effective date of this
9 subsection.”.

10 *b1069/1.4* **1398.** Page 1298, line 24: after that line insert:

11 “(21j) COMMUNITY JUSTICE CENTER GRANTS. (a) From the appropriation accounts
12 under section 20.505 (6) (kp) of the statutes and section 20.505 (6) (p) of the statutes,
13 as affected by this act, the office of justice assistance shall allocate \$150,000 in fiscal
14 year 2001–02 and \$150,000 in fiscal year 2002–03 in grants to consortiums
15 consisting of local government agencies and community–based organizations for
16 planning community justice center programs. The office of justice assistance shall
17 establish eligibility criteria for grants under this subsection, including specification
18 of the types of agencies and organizations that may receive grants. The maximum
19 amount that the office may award any single consortium under this subsection is a
20 one–time grant of \$50,000. The office of justice assistance shall establish guidelines
21 for administering the grant program under this subsection, including guidelines for
22 evaluating and selecting grant recipients. The office shall give priority for receipt
23 of funds under this subsection to consortiums that serve localities in which the
24 incidence of crime is high relative to other localities in the state and to localities for

1 which the ratio of persons placed at the county jail to the capacity of the jail is high
2 relative to other localities in the state.

3 (b) From the appropriation accounts under section 20.505 (6) (kp) of the
4 statutes and section 20.505 (6) (p) of the statutes, as affected by this act, the office
5 of justice assistance shall allocate \$50,000 of the amount available for grants for
6 planning community justice center programs under paragraph (a) to the community
7 justice center in Milwaukee in fiscal year 2001–02.”

8 *b1072/1.4* **1399.** Page 1300, line 1: delete lines 1 to 7.

9 *b1015/1.4* **1400.** Page 1300, line 8: delete lines 8 to 12.

10 *b0768/4.6* **1401.** Page 1300, line 12: after that line insert:

11 *b0768/4.6* “(4q) TELEPHONE SOLICITATION REGULATION. The authorized FTE
12 positions for the department of agriculture, trade and consumer protection are
13 increased by 5.5 PR positions, to be funded from the appropriation under section
14 20.115 (8) (jm) of the statutes, as created by this act, for the purpose of regulating
15 telephone solicitations under section 100.52 of the statutes, as created by this act.”

16 *b0845/3.29* **1402.** Page 1300, line 12: after that line insert:

17 *b0845/3.29* “(4f) SOIL AND WATER MANAGEMENT POSITIONS. The authorized FTE
18 positions for the department of agriculture, trade and consumer protection are
19 increased by 11.0 SEG positions, funded by the appropriation under section 20.115
20 (7) (qd) of the statutes, to reflect the transfer of funding for nonpoint source water
21 pollution control to the environmental fund.”

22 *b1029/2.26* **1403.** Page 1300, line 12: after that line insert:

23 *b1029/2.26* “(4xv) TRANSFER OF CONSUMER PROTECTION FUNCTIONS

1 (a) *Assets and liabilities.* All assets and liabilities of the department of
2 agriculture, trade and consumer protection that are primarily related to programs
3 or functions transferred to the department of justice under this act shall become the
4 assets and liabilities of the department of justice. The departments of justice and
5 agriculture, trade and consumer protection shall jointly determine these assets and
6 liabilities and shall jointly develop and implement a plan for their orderly transfer.
7 In the event of any disagreement between the departments, the secretary of
8 administration shall decide the question. If either department is dissatisfied with
9 the secretary's decision, the department may bring the matter to the cochairpersons
10 of the joint committee on finance for consideration by the committee, and the
11 committee shall affirm or modify the decision.

12 (b) *Employee transfers.* In the department of agriculture, trade and consumer
13 protection 15.5 FTE positions that are primarily related to programs or functions
14 that are transferred to the department of justice under this act, and the incumbents
15 holding these positions are transferred to the department of justice. The secretary
16 of administration shall determine which incumbents will be transferred. If either
17 department is dissatisfied with the secretary's decision, the department may bring
18 the matter to the cochairpersons of the joint committee on finance for consideration
19 by the committee, and the committee shall affirm or modify the decision.

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

1 (d) *Supplies and equipment.* All tangible personal property, including records,
2 of the department of agriculture, trade and consumer protection that are primarily
3 related to programs or functions that are transferred to the department of justice
4 under this act are transferred to the department of justice. The departments of
5 justice and agriculture, trade and consumer protection shall jointly identify the
6 tangible personal property, including records, and shall jointly develop and
7 implement a plan for their orderly transfer. In the event of any disagreement
8 between the departments, the secretary of administration shall decide the question.
9 If either department is dissatisfied with the secretary's decision, the department
10 may bring the matter to the cochairpersons of the joint committee on finance for
11 consideration by the committee, and the committee shall affirm or modify the
12 decision.

13 (e) *Pending matters.* Any matter pending with the department of agriculture,
14 trade and consumer protection that is primarily related to a program or function that
15 is transferred to the department of justice under this act is transferred to the
16 department of justice. All materials submitted or actions taken by the department
17 of agriculture, trade and consumer protection with respect to the pending matter are
18 considered as having been submitted to or taken by the department of justice.

19 (f) *Contracts.* All contracts entered into by the department of agriculture, trade
20 and consumer protection or the department of justice that are primarily related to
21 programs or functions transferred to the department of justice under this act, and
22 that are in effect on the effective date of this paragraph, remain in effect and those
23 contracts entered into by the department of agriculture, trade and consumer
24 protection are transferred to the department of justice. The departments of justice
25 and agriculture, trade and consumer protection shall jointly identify these contracts

1 and shall jointly develop and implement a plan for their orderly transfer. In the event
2 of any disagreement between the departments, the secretary of administration shall
3 decide the question. If either department is dissatisfied with the secretary's decision,
4 the department may bring the matter to the cochairpersons of the joint committee
5 on finance for consideration by the committee, and the committee shall affirm or
6 modify the decision. The department of justice shall carry out the obligations under
7 these contracts until the obligations are modified or rescinded by the department of
8 justice to the extent allowed under the contract.

9 (g) *Rules and orders.* All rules promulgated by the department of agriculture,
10 trade and consumer protection that are in effect on the effective date of this
11 paragraph and that are primarily related to programs or functions that are
12 transferred to the department of justice under this act remain in effect until their
13 specified expiration date or until amended or repealed by the department of justice.
14 All orders issued by the department of agriculture, trade and consumer protection
15 that are in effect on the effective date of this paragraph and that are primarily related
16 to programs or functions transferred to the department of justice under this act
17 remain in effect until their specified expiration date or until modified or rescinded
18 by the department of justice.

19 (h) *Decrease in positions.* The authorized FTE positions for the department of
20 agriculture, trade and consumer protection, funded from the appropriation under
21 section 20.115 (1) (c) of the statutes, as affected by this act, are decreased by 4.0 GPR
22 positions.”.

23 *b1093/2.3* **1404.** Page 1302, line 15: after that line insert (and adjust the
24 appropriate totals accordingly):

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1 “(e) STATE HISTORICAL SOCIETY

2 1. *Projects financed by program revenue supported*

3 *borrowing and gifts, grants and other receipts:*

4 Wisconsin History Center — Madison

⌘\$ 131,500,000

5 2. *Agency totals:*

6 Program revenue supported borrowing and gifts, grants and other receipts

⌘\$ 131,500,000

7

8 Total — all sources of funds

\$ 131,500,000”

9 *b1003/3.10* **1405.** Page 1302, line 22: after that line insert (and adjust the
10 appropriate totals accordingly):

11 “(g) KICKAPOO VALLEY RESERVE BOARD

12 1. *Projects financed by existing general fund supported*

13 *borrowing authority — stewardship funds:*

14 Kickapoo Valley Reserve Visitor Center and administration building

2 

⌘\$ 2,370,000 ✓

15 2. *Agency totals:*

16 Existing general fund supported borrowing authority — stewardship funds

2,370,000

17 Total — all sources of funds

\$ 2,370,000”

18 *b0999/1.2* **1406.** Page 1304, line 15: after that line insert (and adjust the
19 appropriate totals accordingly):

20 “Grant Park beach redevelopment — Milwaukee

21 County

648,100”.

1 ***b1003/3.11* 1407.** Page 1306, line 13: delete lines 13 to 15, and adjust the
2 appropriate totals accordingly.

3 ***b1090/1.4* 1408.** Page 1314, line 4: delete “45,500,000” and substitute
4 “140,500,000”, and adjust the appropriate totals accordingly.

5 ***b1090/1.5* 1409.** Page 1314, line 12: delete “45,500,000” and substitute
6 “149,500,000”.

7 ***b0853/1.6* 1410.** Page 1315, line 6: after that line insert the following (and
8 adjust the appropriate totals accordingly):

9 “(ob) HR ACADEMY, INC.

10 1. *Projects financed by general fund supported borrowing:*

11 Youth and family center \$1,500,000

12 2. *Projects financed by gifts, grants and other receipts:*

 Youth and family center 3,500,000

13 3. *Agency totals:*

14 General fund supported borrowing 1,500,000

15 Gifts, grants and other receipts 3,500,000

16 Total — All sources of funds \$5,000,000”.

17 ***b0918/1.7* 1411.** Page 1315, line 6: after that line insert the following (and
18 adjust the appropriate totals accordingly):

19 “(o) OTHER PROJECTS

20 1. *Projects financed by general fund supported borrowing:*

21 Milwaukee children’s village \$ 550,000

1 (Total project all funding sources \$3,820,000)

2 **2. Projects financed by gifts, grants, and other receipts:**

3 Milwaukee children’s village 3,270,000

4 (Total project all funding sources \$3,820,000)

5 **3. Agency totals:**

6 General fund supported borrowing 550,000

7 Gifts, grants, and other receipts 3,270,000

8 Total — all sources of funds \$ 3,820,000”

9 ***b0952/1.11* 1412.** Page 1315, line 6: after that line insert (and adjust the
10 appropriate totals accordingly):

11 **“(p) OTHER PROJECTS**

12 **1. Projects financed by general fund supported borrowing:**

13 Kenosha Civil War museum \$ 1,000,000

14 (Total project all funding sources \$2,000,000)

15 Discovery Place museum — Racine  \$ 1,000,000

16 (Total project all funding sources \$3,000,000)

17 **2. Project financed by segregated funds:**

18 Kenosha Civil War museum 1,000,000

19 (Total project all funding sources \$2,000,000)

20 Discovery Place museum — Racine 2,000,000

21 (Total project all funding sources \$3,000,000)

22 **3. Totals:**

1	General fund supported borrowing	2,000,000
2	Segregated funds	<u>3,000,000</u>
3	Total — all sources of funds	\$ 5,000,000”.

4 ***b1020/2.14* 1413.** Page 1315, line 6: after that line insert the following
5 (and adjust the appropriate totals accordingly):

6 “(od) MILWAUKEE PUBLIC SCHOOLS FOUNDATION, INC.

7 1. *Projects financed by general fund supported borrowing:*

8	Alumni center	2,000,000
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9 2. *Agency totals:*

10	General fund supported borrowing	<u>2,000,000</u>
11	Total — all sources of funds	\$ 2,000,000”.

12 ***b1091/3.3* 1414.** Page 1315, line 9: delete “44,838,500” and substitute
13 “128,552,500”, and adjust the appropriate totals accordingly.

14 ***b1091/3.4* 1415.** Page 1315, line 11: delete “21,338,000” and substitute
15 “42,140,000”, and adjust the appropriate totals accordingly.

16 ***b1091/3.5* 1416.** Page 1315, line 13: delete “11,922,000” and substitute
17 “23,544,000”, and adjust the appropriate totals accordingly.

18 ***b1091/3.6* 1417.** Page 1315, line 15: delete “3,038,000” and substitute
19 “6,000,000”, and adjust the appropriate totals accordingly.

20 ***b1124/3.3* 1418.** Page 1320, line 17: after that line insert:

21 ***b1124/3.3*** “(3c) UNIVERSITY OF WISCONSIN SYSTEM FACILITIES REPAIR AND
22 RENOVATION. Notwithstanding section 18.04 (1) and (2) of the statutes, the building
23 commission shall not authorize public debt to be contracted for the purpose for which

1 moneys are allocated under section 20.866 (2) (z) 4m. of the statutes, as created by
2 this act, prior to July 1, 2003.”

3 *b1020/2.15* **1419.** Page 1320, line 21: after that line insert:

4 *b1020/2.15* “(4d) PABST UNIVERSITY RESEARCH PARK. Notwithstanding section
5 18.04 (1) and (2) of the statutes, the building commission may not authorize public
6 debt to be contracted for the purpose of financing the acquisition, construction,
7 development, enlargement, or improvement of land on which was sited the former
8 Pabst Brewing Company, Inc., headquarters in the city of Milwaukee and any
9 structures on that land until the commission has determined that the department
10 of administration has not received a loan from the board of commissioners in an
11 amount equal to \$25,000,000.”

12 *b0853/1.7* **1420.** Page 1321, line 15: after that line insert:

13 *b0853/1.7* “(6q) HR ACADEMY, INC., YOUTH AND FAMILY CENTER.
14 Notwithstanding section 13.48 (35) of the statutes, as created by this act, the
15 building commission shall not make a grant to HR Academy, Inc., for the youth and
16 family center project enumerated in subsection (1) (ob) under section 13.48 (35) of the
17 statutes, as created by this act, unless the department of administration has
18 reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1)
19 and 16.855 (1) of the statutes, the department of administration shall not supervise
20 any services or work or let any contract for the project. Section 16.87 of the statutes
21 does not apply to the project.”

22 *b1020/2.16* **1421.** Page 1321, line 15: after that line insert:

23 *b1020/2.16* “(6k) MILWAUKEE PUBLIC SCHOOLS FOUNDATION, INC., ALUMNI
24 CENTER. Notwithstanding section 13.48 (36) of the statutes, as created by this act,

1 the building commission shall not make a grant to Milwaukee Public Schools
2 Foundation, Inc., for the alumni center project enumerated in subsection (1) (od)
3 under section 13.48 (36) of the statutes, as created by this act, unless the department
4 of administration has reviewed and approved the plans for the project.
5 Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of
6 administration shall not supervise any services or work or let any contract for the
7 project. Section 16.87 of the statutes does not apply to the project.”.

8 ***b1093/2.4* 1422.** Page 1321, line 15: after that line insert:

9 ***b1093/2.4*** “(7x) WISCONSIN HISTORY CENTER. Notwithstanding section 18.04
10 (1) and (2) of the statutes, the building commission shall not authorize public debt
11 to be contracted for the purpose of funding construction of the Wisconsin history
12 center, as enumerated under subsection (1) (e), until the building commission
13 determines that the historical society has secured funding commitments of at least
14 \$75,000,000 from gifts, grants, or other receipts to finance construction of the
15 center.”.

16 ***b0918/1.8* 1423.** Page 1322, line 12: after that line insert:

17 ***b0918/1.8*** “(13x) MILWAUKEE CHILDREN’S VILLAGE. Notwithstanding section
18 13.48 (35) of the statutes, as created by this act, the building commission shall not
19 make a grant to SOS Children’s Villages of Wisconsin — Milwaukee Chapter for the
20 children’s village project enumerated in subsection (1) (p) under section 13.48 (35)
21 of the statutes, as created by this act, unless the department of administration has
22 reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1)
23 of the statutes, as affected by this act, and section 16.855 (1) of the statutes, the
24 department of administration shall not supervise any services or work or let any

1 contract for the project. Section 16.87 of the statutes, as created by this act, does not
2 apply to the project.”.

3 *b0952/1.12* **1424.** Page 1322, line 12: after that line insert:

4 *b0952/1.12* “(13q) KENOSHA CIVIL WAR MUSEUM.

5 (a) Notwithstanding section 13.48 (32m) of the statutes, as created by this act,
6 the building commission shall not make any grant to the city of Kenosha for the Civil
7 War museum project enumerated in subsection (1) (p) under section 13.48 (32m) of
8 the statutes, as created by this act, unless the department of administration has
9 reviewed and approved the plans for the project. Notwithstanding sections 16.85 (1)
10 and 16.855 (1) of the statutes, the department of administration shall not supervise
11 any services or work or let any contract for the project. Section 16.87 of the statutes
12 does not apply to the project.

13 *b0952/1.12* (13r) DISCOVERY PLACE MUSEUM.

14 (a) Notwithstanding section 13.48 (32r) of the statutes, as created by this act,
15 the building commission shall not make any grant to the city of Racine for the
16 Discovery Place museum project enumerated in subsection (1) (p) under section
17 13.48 (32r) of the statutes, as created by this act, unless the department of
18 administration has reviewed and approved the plans for the project.
19 Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of
20 administration shall not supervise any services or work or let any contract for the
21 project. Section 16.87 of the statutes does not apply to the project.”.

22 *b1010/1.3* **1425.** Page 1322, line 15: after that line insert:

23 *b1010/1.3* “(1w) ELECTION OF CIRCUIT COURT JUDGES.

1 (a) The initial boundary of judicial subdistrict “A” created under section
2 753.015 (2) of the statutes, as created by this act, is the boundary that encloses
3 Milwaukee County supervisory districts 1 to 7, 9, 10, 13, 15, 18, and 25 as of January
4 1, 2001. The initial boundary of judicial subdistrict “B” created under section
5 753.015 (2) is the boundary that encloses Milwaukee County supervisory districts 8,
6 11, 12, 14, 16, 17, 19, and 20 to 24 as of January 1, 2001. These boundaries apply until
7 Milwaukee County initially adjusts the judicial subdistrict boundaries under section
8 753.015 (2) of the statutes, as created by this act.

9 (b) Notwithstanding paragraph (a), and section 753.015 (2) of the statutes, as
10 created by this act, if Milwaukee County adopts a final plan adjusting its supervisory
11 districts under section 59.10 (2) (a) of the statutes based on the results of the 2000
12 federal decennial census of population before the effective date of this paragraph, the
13 Milwaukee County board of supervisors shall, by November 1, 2001, designate the
14 supervisory districts that the judicial subdistricts are composed of so that, to the
15 extent possible, substantially the same territory exists in judicial subdistricts “A”
16 and “B” as existed in judicial subdistricts “A” and “B” described in paragraph (a).”.

17 ***b0852/1.3* 1426.** Page 1322, line 23: after that line insert:

18 ***b0852/1.3*** “(2k) GRANTS TO CHIPPEWA VALLEY TECHNICAL COLLEGE. From the
19 appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the
20 department of commerce may make grants of up to \$250,000 in fiscal year 2001–02
21 and up to \$250,000 in fiscal year 2002–03 to the Chippewa Valley Technical College
22 for a health care education center. If the department of commerce makes a grant
23 under this subsection, the department of commerce shall enter into an agreement

1 with the Chippewa Valley Technical College that specifies the uses for the grant
2 proceeds and reporting and auditing requirements.”.

3 *b1032/1.1* **1427.** Page 1325, line 12: after that line insert:

4 “2m. The plan provides for spending the grant proceeds for costs incurred in
5 Racine County.”.

6 *b0857/1.3* **1428.** Page 1326, line 5: after that line insert:

7 *b0857/1.3* “(9c) GRANT FOR DEMOLITION AND CLEANUP OF BROWNFIELDS SITE.

8 (a) In this subsection:

- 9 1. “Department” means the department of commerce.
10 2. “Secretary” means the secretary of commerce.

11 (b) Subject to paragraph (c), from the appropriation under section 20.143 (1)
12 (qm) of the statutes, as affected by this act, the department shall make a grant of
13 \$1,000,000 to the city of Kenosha for the demolition and rehabilitation of the former
14 American Brass factory site in the city of Kenosha if all of the following apply:

15 1. The city of Kenosha submits a plan to the department detailing the proposed
16 use of the grant and the secretary approves the plan.

17 2. The city of Kenosha complies with the requirements under section 560.13 (2)

18 (a) 1m. of the statutes, as created by this act, and with the requirements under
19 section 560.13 (2) (a) 1. and 3. of the statutes.

20 3. The city of Kenosha enters into a written agreement with the department
21 that specifies the conditions for the use of the grant proceeds, including reporting and
22 auditing requirements.

1 4. The city of Kenosha agrees in writing to submit to the department, within
2 6 months after spending the entire amount of the grant, a report detailing how the
3 grant proceeds were used.

4 (c) The department may not pay grant proceeds under this subsection after
5 June 30, 2003.”.

6 ***b0862/1.4* 1429.** Page 1326, line 5: after that line insert:

7 ***b0862/1.4*** “(10p) GRANT FOR GREAT LAKES FORESTRY MUSEUM. From the
8 appropriation under section 20.143 (1) (kj) of the statutes, as affected by this act, the
9 department of commerce shall make a grant of \$450,000 in fiscal biennium 2001–03
10 to the Great Lakes Forestry Museum in Rice Lake to develop a facility for educating
11 the public about the history of forestry and logging in the state. The department of
12 commerce shall enter into an agreement with the Great Lakes Forestry Museum that
13 specifies the uses for the grant proceeds and reporting and auditing requirements.”.

14 ***b0867/1.2* 1430.** Page 1326, line 5: after that line insert:

15 ***b0867/1.2*** “(10e) BUSINESS PLANNING GRANT. From the appropriation under
16 section 20.143 (1) (c) of the statutes, as affected by this act, the department of
17 commerce shall make a grant of \$25,000 to Clearwater Lake Distilling Company,
18 LLC., for business planning expenses related to a project that utilizes potatoes and
19 potato waste for vodka distillation. The department of commerce shall enter into an
20 agreement with Clearwater Lake Distilling Company, LLC., that specifies the uses
21 for the grant proceeds and reporting and auditing requirements. The department
22 of commerce may not pay grant proceeds under this subsection after June 30, 2003.”.

23 ***b0889/1.1* 1431.** Page 1326, line 5: after that line insert:

1 ***b0889/1.1*** “(10d) COMMUNITY DEVELOPMENT BLOCK GRANT FOR FIRE PROTECTION
2 NEEDS.

3 (a) In this subsection, “department” means the department of commerce.

4 (b) Subject to paragraph (c), the department shall make a grant of \$260,000
5 from the appropriation under section 20.143 (1) (n) of the statutes to the Westby fire
6 department for costs related to purchasing a new fire engine and constructing a new
7 fire station in the city of Westby. If the department makes the grant under this
8 paragraph, it shall pay the grant proceeds no later than June 30, 2003, and shall
9 enter into an agreement with the Westby fire department that specifies the uses for
10 the grant proceeds and reporting and auditing requirements.

11 (c) The department shall make the grant under paragraph (b) only if the federal
12 emergency management administration does not make a fire grant to the city of
13 Westby or the Westby fire department for the purposes specified in paragraph (b).”.

14 ***b0983/1.3* 1432.** Page 1326, line 5: after that line insert:

15 ***b0983/1.3*** “(9q) FEDERAL APPROVAL OF CRANE OPERATOR PROGRAM. No later than
16 the first day of the 3rd month beginning after the effective date of this subsection,
17 the department of commerce shall submit to the federal secretary of labor the plans
18 required under section 101.22 (4) of the statutes, as created by this act, if required
19 to do so under 29 USC 667 (b).

20 ***b0983/1.3*** (9qq) SUBMISSION OF PROPOSED CRANE OPERATOR RULES. No later
21 than the first day of the 9th month beginning after the effective date of this
22 subsection, the department of commerce shall submit in proposed form the rules
23 governing certified crane operator programs under section 101.22 (3) of the statutes,
24 as created by this act, and the fees permitted under section 101.19 (1) (ig) of the

1 statutes, as created by this act, to the legislative council staff under section 227.15
2 (1) of the statutes.

3 ***b0983/1.3*** (9qr) SHORT-TERM CRANE OPERATOR CERTIFICATES PENDING PRACTICAL
4 EXAMINATION. Notwithstanding section 101.22 (3) (b) 5. of the statutes and except as
5 otherwise provided in this subsection, the department of commerce may authorize
6 a crane operator certification program only if a crane operator certificate issued by
7 the program before the first day of the 12th month beginning after the effective date
8 of this subsection has a term that expires on the first day of the 12th month beginning
9 after the effective date of this subsection. This subsection does not apply to a crane
10 operator certificate issued to an individual who satisfactorily completes a practical
11 examination regarding safe crane operation that is approved by the department of
12 commerce.

13 ***b0983/1.3*** (9qs) FEDERAL APPROVAL OF IRONWORKER PROGRAM. No later than
14 the first day of the 3rd month beginning after the effective date of this subsection,
15 the department of commerce shall submit to the federal secretary of labor the plans
16 required under sections 101.25 (4) and 101.255 (3) of the statutes, as created by this
17 act, if required to do so under 29 USC 667 (b).

18 ***b0983/1.3*** (9qt) SUBMISSION OF PROPOSED IRONWORKER RULES. No later than
19 the first day of the 9th month beginning after the effective date of this subsection,
20 the department of commerce shall submit in proposed form the rules governing
21 master ironworkers, journeymen ironworkers, ironworker apprentices, and
22 individuals training as ironworkers under sections 101.25 (3) and 101.255 (2) of the
23 statutes, as created by this act, and the fees permitted under section 101.19 (1) (ir)
24 of the statutes, as created by this act, to the legislative council staff under section
25 227.15 (1) of the statutes.

1 ***b0983/1.3*** (9qu) GRANDFATHER PROVISION; CERTIFICATION OF CERTAIN MASTER
2 IRONWORKERS. Except as provided in section 101.02 (20) (b) and (21) (b) of the statutes
3 and notwithstanding section 101.25 (3) (a) of the statutes, as created by this act, if
4 approval of the department of commerce's plan to certify ironworkers under section
5 101.25 (4) of the statutes, as created by this act, is not required under 29 USC 667
6 (b) or if an approval that is consistent with all of the provisions of section 101.25 of
7 the statutes, as created by this act, is granted and in effect, the department shall
8 certify as a master ironworker any individual who applies for a master ironworker
9 certification within one year after the effective date of this subsection and who
10 provides the department with sufficient evidence that the individual safely
11 completed at least 15,000 hours of work in the ironworking trade during the 15-year
12 period before the date of the application for certification.

13 ***b0983/1.3*** (9r) GRANDFATHER PROVISION; CERTIFICATION OF CERTAIN
14 JOURNEYMEN IRONWORKERS. Except as provided in section 101.02 (20) (b) and (21) (b)
15 of the statutes and notwithstanding section 101.25 (3) (b) of the statutes, as created
16 by this act, if approval of the department of commerce's plan to certify ironworkers
17 under section 101.25 (4) of the statutes, as created by this act, is not required under
18 29 USC 667 (b) or if an approval that is consistent with all of the provisions of section
19 101.25 of the statutes, as created by this act, is granted and in effect, the department
20 shall certify as a journeyman ironworker any individual who applies for a
21 journeyman ironworker certification within one year after the effective date of this
22 subsection and who provides the department with sufficient evidence of any of the
23 following:

1 (b) That the individual, before the date of the application for certification,
2 successfully completed an apprenticeship program for ironworking that is approved
3 by the department of workforce development.

4 (c) That the individual safely completed at least 8,000 hours of work in the
5 ironworking trade during the 8-year period before the date of the application for
6 certification.”.

7 *b0794/1.3* **1433**. Page 1326, line 15: after that line insert:

8 *b0794/1.3* “(9d) GRANT FOR ACQUISITION AND CLEANUP OF ABANDONED RAIL
9 CORRIDOR.

10 (a) In this subsection:

- 11 1. “Department” means the department of commerce.
- 12 2. “Secretary” means the secretary of commerce.

13 (b) Subject to paragraph (c), from the appropriation under section 20.143 (1)
14 (qm) of the statutes, as affected by this act, the department shall make a grant of
15 \$100,000 to the city of Beloit for the acquisition, cleanup, and redevelopment of a
16 brownfields site in the Fourth and Fifth Street rail corridor and adjacent industrial
17 property in the city of Beloit if all of the following apply:

18 1. The city of Beloit submits a plan to the department detailing the proposed
19 use of the grant and the secretary approves the plan.

20 2. The city of Beloit complies with the requirements under section 560.13 (2)

21 (a) 1m. of the statutes, as created by this act, and with the requirements under
22 section 560.13 (2) (a) 1. and 3. of the statutes.

1 3. The city of Beloit enters into a written agreement with the department that
2 specifies the conditions for the use of the grant proceeds, including reporting and
3 auditing requirements.

4 4. The city of Beloit agrees in writing to submit to the department, within 6
5 months after spending the entire amount of the grant, a report detailing how the
6 grant proceeds were used.

7 (c) The department may not pay grant proceeds under this subsection after
8 June 30, 2003.”

9 ***b0788/2.2* 1434.** Page 1332, line 3: after that line insert:

10 ***b0788/2.2***“(6e) REPORT REGARDING GENDER-SPECIFIC TREATMENT PROGRAM. The
11 department of corrections and the department of health and family services shall
12 jointly prepare a report that includes a program plan regarding the gender-specific
13 treatment program required under section 301.03 (25) of the statutes, as created by
14 this act, and shall submit the report to the legislature under section 13.172 (2) of the
15 statutes by July 1, 2002.”

16 ***b0790/1.1* 1435.** Page 1332, line 3: after that line insert:

17 ***b0790/1.1***“(8c) REPORT ON OUT-OF-STATE INMATE TRANSFERS. The department
18 of corrections shall submit a report to the joint committee on finance by July 1, 2002,
19 regarding Wisconsin inmates transferred to and confined in other states under
20 section 301.21 (1m) and (2m) of the statutes. The report shall address all of the
21 following:

22 (a) The overall impact that transfers have on prison populations in Wisconsin
23 and projections regarding future out-of-state transfers.

1 (b) The total cost of out-of-state transfers to the department, including the cost
2 of incarceration and transportation.

3 (c) The types of inmates being transferred based on the crimes for which the
4 inmates have been sentenced.

5 (d) Department policies regarding how inmates are selected for out-of-state
6 transfers.

7 (e) The average length of an inmate's stay in an out-of-state prison.

8 (f) The specific services, programs, and treatment provided to inmates in
9 out-of-state prisons compared to inmates confined in Wisconsin prisons.

10 (g) Complaint procedures for inmates in out-of-state prisons, the number of
11 complaints that have been received, the types of complaints that have been
12 submitted, and the ways in which the out-of-state prisons have addressed the
13 complaints.

14 (h) The rate of recidivism for inmates who have been confined in out-of-state
15 prisons compared to those remaining in Wisconsin for the entire sentence, classified
16 by the crimes for which the inmates have been sentenced.

17 (i) The impact of transfers on inmates' families in Wisconsin, the information
18 that inmates' families receive on the treatment of inmates, and the ways in which
19 the department has attempted to respond to concerns of the families.

20 (j) The steps taken by the department to implement alternatives to prison
21 transfers, the number of persons involved in enhanced community supervision
22 programs, the success of those programs, and the feasibility of reducing prison
23 transfers through increasing the use of some combination of community supervision
24 programs.

1 (k) The effects that the elimination of parole and probation would have on the
2 number of prisoners who will be sentenced to a term of imprisonment in the
3 Wisconsin state prisons and on recidivism rates for all prisoners.

4 (L) An evaluation of the health of inmates in out-of-state prisons and the
5 health care provided to them.”.

6 ***b0795/1.2* 1436.** Page 1332, line 3: after that line insert:

7 ***b0795/1.2*** “(7d) REPORT REGARDING SERVICES FOR ALCOHOL AND OTHER DRUG
8 ABUSE BASED ON GENDER. The department of corrections shall submit a report to the
9 joint committee on finance no later than 6 months after the effective date of this
10 subsection comparing the evaluation and treatment services for alcohol and other
11 drug abuse that it provides to women to those that it provides to men.”.

12 ***b0807/1.1* 1437.** Page 1332, line 3: after that line insert:

13 ***b0807/1.1*** “(9q) CARRYING COSTS FOR THE CORRECTIONAL FACILITY AT STANLEY.
14 Of the amount appropriated under section 20.410 (1) (a) of the statutes, the
15 department of corrections shall pay the owners of the correctional facility at Stanley
16 \$650,000 per month for carrying costs for the period beginning on July 1, 2001, and
17 ending on the earlier of October 31, 2001, or the date on which the building
18 commission purchases the correctional facility. If the building commission
19 purchases the correctional facility before October 31, 2001, the carrying costs for the
20 month in which the purchase takes place shall be prorated.”.

21 ***b0811/2.31* 1438.** Page 1332, line 3: after that line insert:

22 ***b0811/2.31*** “(7w) DELAY OPENING OF CERTAIN FACILITIES. The department of
23 corrections may not open a new segregation unit at the Oshkosh Correctional

1 Institution or a new workhouse at the Winnebago Correctional Center until after
2 December 31, 2003.”.

3 *b0924/2.8* **1439.** Page 1332, line 3: after that line insert:

4 *b0924/2.8* “(6d) PLACEMENT OF PERSONS UNDER 18 YEARS OF AGE IN MAXIMUM
5 SECURITY PRISON LOCATED NEAR BOSCOBEL. If on the effective date of this subsection
6 any person under 18 years of age is incarcerated in the correctional institution
7 authorized under section 301.16 (1n) of the statutes, the department of corrections
8 shall transfer that person out of that correctional institution within 30 days after the
9 effective date of this subsection.”.

10 *b0989/2.1* **1440.** Page 1332, line 3: after that line insert:

11 *b0989/2.1* “(6g) SUPERMAX CORRECTIONAL FACILITY STUDY AND REPORT. The
12 department of corrections, in cooperation with the department of health and family
13 services and nonprofit community-based and faith-based organizations, shall study
14 the impact on inmates of being incarcerated in the facility created under section
15 301.16 (1n) of the statutes. The department shall report its findings and
16 recommendations by July 1, 2002 to the legislature in the manner provided in section
17 13.172 (2) of the statutes.”.

18 *b1096/2.26* **1441.** Page 1332, line 3: after that line insert:

19 *b1096/2.26* “(7z) REPORT ON TREATMENT PROGRAMS FOR PRISONERS. By March
20 15, 2002, the department of corrections shall study and report on the availability and
21 effectiveness of programs that provide prisoners with treatment for drug and alcohol
22 abuse, instruction in basic skills such as reading and math, and training in job skills.
23 The report shall include an analysis of the racial composition of the enrollment in
24 such programs compared to the racial composition of the prison population as a

1 whole. The report shall also include recommendations for establishing new
2 programs that would better prepare prisoners to enter the workforce and
3 suggestions about how current programs could be improved. The report shall be
4 submitted to the appropriate standing committees of the legislature in the manner
5 provided under section 13.172 (3) of the statutes, to the joint committee on finance,
6 and to the governor.”

7 *b0778/3.1* **1442.** Page 1332, line 5: after that line insert:

8 *b0778/3.1* “(1k) DISTRICT ATTORNEY POSITION REALLOCATIONS.
9 Notwithstanding sections 978.03 and 978.04 of the statutes, effective January 1,
10 2002, the department of administration shall reduce Juneau County’s and Rock
11 County’s allocation of FTE PR assistant district attorney positions funded from the
12 appropriation account under section 20.475 (1) (g) of the statutes, as created by this
13 act, by 0.25 position each and shall increase Ashland County’s allocation of FTE PR
14 assistant district attorney positions funded from the appropriation account under
15 section 20.475 (1) (g) of the statutes, as created by this act, by 0.5 position.

16 *b0778/3.1* (2k) DISTRICT ATTORNEY POSITION INCREASE FOR PEPIN COUNTY. The
17 authorized FTE positions for the department of administration are increased by 0.2
18 PR position on January 1, 2002, to be funded from the appropriation account under
19 section 20.475 (1) (g) of the statutes, as created by this act, for a 0.2 FTE district
20 attorney position in Pepin County.”

21 *b1021/1.4* **1443.** Page 1334, line 7: after that line insert:

22 *b1021/1.4* “(4g) FOOD PANTRY GRANT RULES. Not later than the first day of the
23 6th month beginning after the effective date of this subsection, the department of
24 health and family services shall promulgate any rules necessary to implement the

1 grant program under section 46.766 of the statutes, as created by this act. Prior to
2 promulgating the rules, the department of health and family services shall convene
3 a committee to advise the department regarding the department's proposed rules.

4 The committee shall be composed of all of the following:

5 (d) One representative of an emergency food provider.

6 (e) One representative of a food bank.

7 (f) One representative of a community action agency.

8 (g) One representative of a faith-based social services organization.

9 (h) One representative of the University of Wisconsin-Extension with
10 experience in hunger prevention policies.

11 (i) Two persons, other than those specified in paragraphs (d) to (h) with
12 experience in hunger prevention and emergency food distribution.”.

13 *b0863/2.1* **1444**. Page 1335, line 11: delete lines 11 to 17 and substitute:

14 *b0863/2.1*“(8kk) STUDY OF VITAL RECORDS ON-LINE ELECTRONIC FILING SYSTEM.

15 (a) By January 1, 2002, the secretary of health and family services shall appoint
16 a committee to develop recommended guidelines for an on-line electronic filing
17 system for vital records in Wisconsin that incorporates privacy, flexibility, and
18 productivity; to study methods employed by other states to protect against identity
19 theft in on-line electronic filing systems; to recommend increases, if necessary, in
20 vital records fees for implementation of an on-line electronic filing system; and to
21 recommend allocation of revenues resulting from the fee increases. The members of
22 the committee shall include all of the following:

23 1. The state registrar of vital statistics.

1 2. Three local registrars, including one from a county with a population that
2 does not exceed 22,000; one from a county with a population that exceeds 22,000 but
3 does not exceed 300,000; and one from a county with a population that exceeds
4 300,000.

5 3. Three representatives of the department of health and family services.

6 4. One genealogist.

7 (b) By July 1, 2002, the committee appointed under paragraph (a) shall develop
8 an outline of its proposals.

9 (c) By January 1, 2003, the committee appointed under paragraph (a) shall
10 report its findings and recommendations, including a proposed schedule of fees
11 chargeable for vital records that supports implementation of an on-line electronic
12 filing system and security measures to protect against identity theft, to the
13 legislature in the manner provided under section 13.172 (2) of the statutes and to the
14 governor.”.

15 ***b0906/3.5* 1445.** Page 1336, line 23: after that line insert:

16 ***b0906/3.5*** “(8zo) USE OF FEDERAL REIMBURSEMENT OF TARGETED CASE
17 MANAGEMENT COSTS FOR IMPLEMENTATION OF STATEWIDE AUTOMATED CHILD WELFARE
18 INFORMATION SYSTEM. If after the lapse under SECTION 9223 (5zo) of this act there
19 remains in the appropriation account under section 20.435 (8) (mb) of the statutes,
20 as affected by this act, any moneys received under 42 USC 1396 to 1396v in
21 reimbursement of the cost of providing case management services to children whose
22 care is not eligible for reimbursement under 42 USC 670 to 679a, the department of
23 health and family services shall allocate, from that appropriation account,
24 \$1,622,100 in fiscal year 2001–02 and \$1,839,000 in fiscal year 2002–03 to support

1 the counties' share of implementing the statewide automated child welfare
2 information system established by the department of health and family services
3 under section 46.03 (7) (g) of the statutes. If after the counties' full share of
4 implementing that system is met any of those moneys received under 42 USC 1396
5 to 1396v remain in that appropriation account, the department of health and family
6 services shall distribute those remaining moneys to counties having a population of
7 less than 500,000 for services and projects to assist children and families, and the
8 counties receiving those remaining moneys shall use not less than 50% of those
9 moneys for services for children who are at risk of abuse or neglect to prevent the
10 need for child abuse and neglect intervention services.”

11 ***b1031/1.3* 1446.** Page 1336, line 23: after that line insert:

12 ***b1031/1.3*** “(9bk) INCOME AUGMENTATION ACTIVITIES. The authorized FTE
13 positions for the department of health and family services are increased by 1.0 FED
14 position on October 1, 2001, to be funded from the appropriation under section 20.435
15 (8) (mb) of the statutes, for the purpose of performing income augmentation activities
16 under section 46.46 of the statutes.”

17 ***b0733/1.3* 1447.** Page 1338, line 20: after that line insert:

18 ***b0733/1.3*** “(14e) MILWAUKEE HEALTH CLINICS GRANTS. In fiscal year 2001–02,
19 from the appropriation account under section 20.435 (5) (fh) of the statutes, as
20 affected by this act, the department of health and family services shall provide all
21 of the following:

22 (a) One grant in the amount of \$410,000 to the Milwaukee Immediate Care
23 Center to allow continued operation of the facility.

1 (b) One grant in the amount of \$340,000 to the Martin Luther King Heritage
2 Health Center to expand primary care examination rooms and to create an
3 emergency care clinic at the Isaac Coggs Community Health Center.”.

4 *b0735/1.2* **1448.** Page 1338, line 20: after that line insert:

5 *b0735/1.2* “(13i) WISCONSIN IMMUNIZATION REGISTRY. The department of
6 health and family services shall allocate all of the following amounts to develop and
7 maintain an automated registry of child immunizations:

8 (a) From the appropriation under section 20.435 (4) (bm) of the statutes, as
9 affected by this act, \$299,000 in fiscal year 2001–02 and \$527,400 in fiscal year
10 2002–03.

11 (b) From the appropriation under section 20.435 (4) (o) of the statutes, \$793,500
12 in fiscal year 2001–02 and \$140,200 in fiscal year 2002–03.”.

13 *b0744/2.2* **1449.** Page 1338, line 20: after that line insert:

14 *b0744/2.2* “(13c) MEDICAL ASSISTANCE HOSPITAL REIMBURSEMENT RATE FUNDING.
15 No moneys appropriated in the 2001–03 fiscal biennium under section 20.435 (4) (o)
16 and (w) of the statutes, as affected by this act, for increasing the maximum
17 reimbursement rates paid to hospitals for outpatient services may be used to adjust
18 the rates paid to health maintenance organizations for reimbursement of health
19 services provided under the medical assistance program under subchapter IV of
20 chapter 49 of the statutes.”.

21 *b0796/1.1* **1450.** Page 1338, line 20: after that line insert:

22 *b0796/1.1* “(14d) ACCOUNTING METHOD USED FOR THE HEATH INSURANCE
23 RISK-SHARING PLAN. During the 2001–03 biennium, the department of health and
24 family services shall continue to use a cash–basis accounting method for purposes

1 of establishing, under section 149.143 of the statutes, as affected by this act, the
2 premiums, assessments, and rate adjustments for paying the costs of the health
3 insurance risk-sharing plan, unless the joint committee on finance, at a regularly
4 scheduled meeting of the committee under section 13.10 of the statutes, approves
5 using an accrual accounting method for those purposes.”.

6 ***b1039/1.3* 1451.** Page 1338, line 20: after that line insert:

7 ***b1039/1.3*** “(14g) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The
8 department of health and family services shall submit in proposed form the rules
9 required under section 146.83 (3m) of the statutes, as created by this act, to the
10 legislative council staff under section 227.15 (1) of the statutes no later than the first
11 day of the 5th month beginning after the effective date of this subsection.”.

12 ***b1052/2.16* 1452.** Page 1338, line 20: after that line insert:

13 ***b1052/2.16*** “(15j) ASSISTIVE TECHNOLOGY AND ADAPTIVE EQUIPMENT. (a) From
14 the appropriation account under section 20.435 (6) (a) of the statutes, the subunit in
15 the department of health and family services that deals with physical disabilities
16 shall expend \$30,000 in each of state fiscal year 2001–02 and 2002–03 to administer
17 funding for assistive technology and adaptive equipment for persons with physical
18 disabilities; develop statewide reporting mechanisms, contract performance
19 evaluation, and training; and work with vendors to obtain updated assistive
20 technology and adaptive equipment.

21 (b) From the appropriation account under section 20.435 (7) (bc) of the statutes,
22 the department of health and family services shall distribute \$60,000 in each of state
23 fiscal years 2001–02 and 2002–03 to the protection and advocacy agency designated
24 under section 51.62 (2) of the statutes to provide statewide systemic advocacy on

1 assistive technology issues, including assessing barriers to the provision of assistive
2 technology in school systems, human services programs, businesses, and public and
3 private insurance programs.

4 (c) From the appropriation account under section 20.435 (7) (bc) of the statutes,
5 the department of health and family services shall distribute \$30,000 in each of state
6 fiscal years 2001–02 and 2002–03 to the Easter Seals Society of Wisconsin, Inc., to
7 provide persons with disabilities in the agricultural industry with specialized
8 assistance regarding adaptations or modifications of agricultural equipment.

9 (d) From the appropriation account under section 20.435 (7) (bc) of the statutes,
10 the department of health and family services shall expend \$40,000 in each of state
11 fiscal years 2001–02 and 2002–03 to provide recycled medical equipment, including
12 wheelchairs, and equipment parts, maintenance, and distribution costs to persons
13 with disabilities.

14 (e) From the appropriation account under section 20.435 (7) (c) of the statutes,
15 the department of health and family services shall award grants of \$30,000 in each
16 of state fiscal years 2001–02 and 2002–03 to each of the eight independent living
17 centers for the severely disabled, to provide information, resources, and assessments
18 for the needs for assistive technology and adaptive equipment of persons with
19 disabilities who are residents of the independent living centers.”.

20 *b1055/1.3* **1453.** Page 1338, line 20: after that line insert:

21 *b1055/1.3* “(13e) HEALTH INSURANCE SUPPLEMENT FOR COMMUNITY DISABILITY
22 SERVICE PROVIDERS. From the appropriation under section 20.435 (4) (bu) of the
23 statutes, as created by this act, the department of health and family services shall
24 in state fiscal year 2001–02 distribute moneys to applying providers of services under

1 home and community-based waiver programs under 42 USC 1396n (c), including the
2 long-term support community options program under section 46.27 of the statutes
3 and the community integration programs under sections 46.275, 46.277, and 46.278
4 of the statutes, to offset costs of providing health insurance to employees of the
5 providers. Moncys distributed under this subsection to an applying provider are
6 limited to the amount the provider expends for employee health care insurance costs
7 or \$50,000, whichever is less.”.

8 *b1058/2.19* **1454.** Page 1338, line 20: after that line insert:

9 *b1058/2.19* “(13xx) TOPICAL FLUORIDE VARNISH. In state fiscal year 2002–03,
10 from the appropriation under section 20.435 (4) (b) of the statutes, as affected by this
11 act, the department of health and family services shall provide medical assistance
12 coverage under the early and periodic screening, diagnosis, and treatment program
13 under 42 CFR 441 for topical fluoride varnish, for the purpose of preventing early
14 childhood caries in eligible children 0 to 60 months of age, when rendered by health
15 care professionals providing services under the program and acting within their
16 scope of practice and licensure. The department shall promulgate rules relating to
17 coverage of fluoride varnish treatments under the early and periodic screening,
18 diagnosis and treatment program that contain the following provisions:

19 (a) The department shall provide payment for up to 3 applications per year of
20 topical fluoride varnish per eligible child.

21 (b) Application of topical fluoride varnish may be, but is not required to be,
22 provided in conjunction with an early and periodic screening, diagnosis, and
23 treatment examination that includes a limited oral screening.

1 (c) Health care professionals providing services under this program shall refer
2 or facilitate referral of children receiving applications of topical fluoride varnish for
3 comprehensive dental care rendered by a dental professional.

4 ***b1058/2.19*** (13xy) ORAL HEALTH DATA COLLECTION SYSTEM; PLAN. The
5 department of health and family services shall prepare a plan for development of a
6 comprehensive oral health data collection system. The plan shall identify data to be
7 collected, sources from which the data can be collected, costs of implementing the
8 system, and any statutory changes that are needed. The department shall submit
9 its plan to the legislature, in the manner provided under section 13.172 (2) of the
10 statutes, and to the governor by September 1, 2002.

11 ***b1058/2.19*** (13xz) PRIOR AUTHORIZATION FOR DENTAL SERVICES; REPORT. The
12 department of health and family services shall prepare a report on its efforts to
13 reduce the requirement for prior authorization for dental services under medical
14 assistance and to simplify the prior authorization process for dental services. The
15 department shall submit its report to the legislature, in the manner provided under
16 section 13.172 (2) of the statutes, and to the governor by the first day of the 6th month
17 beginning after the effective date of this subsection.

18 ***b1058/2.19*** (13xzz) ACCESS TO DENTAL SERVICES AND DENTAL HYGIENE SERVICES;
19 REPORT. The department of health and family services and the department of
20 regulation and licensing shall jointly prepare reports on whether the provisions of
21 this act that modify sections 447.06 and 447.065 of the statutes have improved access
22 to dental services and dental hygiene services. The departments shall submit the
23 reports to the legislature, in the manner provided under section 13.172 (2) of the
24 statutes, and to the governor by the first day of the 24th month and the first day of
25 the 48th month beginning after the effective date of this subsection.”

1 ***b1059/2.8* 1455.** Page 1338, line 20: after that line insert:

2 ***b1059/2.8***“(16h) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; ADMINISTRATION.

3 Before July 1, 2002, the department of health and family services may develop and
4 submit to the department of administration a proposal for expenditure of the funds
5 appropriated under section 20.865 (4) (a) of the statutes for administration of the
6 prescription drug assistance for elderly program under section 49.688 of the statutes,
7 as created by this act. The department of administration may approve, disapprove,
8 or modify and approve any proposal it receives under this subsection. If the
9 department of administration approves the proposal, the department shall submit
10 the proposal, together with any modifications, to the cochairpersons of the joint
11 committee on finance. If the cochairpersons of the committee do not notify the
12 secretaries of administration and health and family services within 14 working days
13 after receiving the proposal that the cochairpersons have scheduled a meeting for the
14 purpose of reviewing the proposal, the secretary of administration may transfer from
15 the appropriation account under section 20.865 (4) (a) of the statutes to the
16 appropriation account under section 20.435 (4) (a) of the statutes the amount
17 specified in the proposal or any proposed modifications of the proposal for
18 expenditure as specified in the proposal or any proposed modifications of the
19 proposal and may approve any position authority specified in the proposal or any
20 proposed modifications of the proposal. If, within 14 working days after receiving the
21 proposal, the cochairpersons notify the secretaries of administration and health and
22 family services that the cochairpersons have scheduled a meeting for the purpose of
23 reviewing the proposal, the secretary of administration may not transfer any amount
24 specified in the proposal or any proposed modifications of the proposal from the

1 appropriation account under section 20.865 (4) (a) of the statutes and may not
2 approve any position authority specified in the proposal or any proposed
3 modifications of the proposal, except as approved by the committee.

4 ***b1059/2.8*** (16j) NOTIFICATION OF ELIGIBILITY FOR THE HEALTH INSURANCE
5 RISK-SHARING PLAN. Before January 1, 2002, the department of health and family
6 services shall provide, to the extent permitted under federal law, to every resident
7 of this state who is covered by medicare because he or she is disabled under 42 USC
8 423 and who is not covered under the health insurance risk-sharing plan under
9 chapter 149 of the statutes, notice by mail of all of the following:

10 (a) That he or she may be eligible for coverage under the health insurance
11 risk-sharing plan.

12 (b) How to apply for coverage under the health insurance risk-sharing plan.”.

13 ***b1061/2.2* 1456.** Page 1338, line 20: after that line insert:

14 ***b1061/2.2*** “(13k) EXPANSION OF PROGRAM OF ALL-INCLUSIVE CARE OF THE
15 ELDERLY. From the appropriation under section 20.435 (7) (bc), the department of
16 health and family services shall provide \$60,000 for start-up costs to expand to
17 Racine County the program of all-inclusive care for persons aged 65 or older
18 authorized under 42 USC 1395 to 1395gg.”.

19 ***b1096/2.27* 1457.** Page 1338, line 22: after that line insert:

20 ***b1096/2.27*** “(1z) REPORT ON STUDENT LOAN FORGIVENESS TO ATTRACT WORKERS.
21 By January 1, 2002, the higher educational aids board shall study and report to the
22 legislature and to the appropriate standing committees of the legislature, in the
23 manner provided under section 13.172 (2) and (3) of the statutes, and to the governor
24 on the cost, desirability, and effectiveness of creating a general program of student

1 loan forgiveness for attracting workers to and retaining workers in this state. The
2 report shall include legislative recommendations.”.

3 *b1187/2.3* **1458.** Page 1338, line 22: after that line insert:

4 *b1187/2.3* “(1x) REPORT ON LOAN FORGIVENESS PROGRAM. The higher
5 educational aids board shall develop a program to forgive loans of students who
6 graduate from the University of Wisconsin System or from the technical college
7 system and farm for a period of 5 consecutive years. The board shall submit a report
8 summarizing the program to the governor, and to the legislature in the manner
9 provided under section 13.172 (2) of the statutes, by March 1, 2002.”.

10 *b1095/3.15* **1459.** Page 1338, line 24: delete “(1)mk)” and substitute
11 “(1mk)”.

****NOTE: Corrects numbering.

12 *b0830/1.3* **1460.** Page 1339, line 3: after that line insert:

13 *b0830/1.3* “(2x) CITY COMMEMORATIVE PROJECT. By June 30, 2002, the
14 historical society shall award a grant in the amount of \$30,000 from the
15 appropriation under section 20.245 (1) (d) of the statutes, as created by this act, to
16 the Greater Green Bay Area Foundation for the city stadium commemorative project
17 in Green Bay.”.

18 *b0838/1.1* **1461.** Page 1343, line 11: after that line insert:

19 *b0838/1.1* “(4q) RESTRICTION ON EXPENDITURES FOR LEGAL AND CONSULTING FEES
20 FOR REDISTRICTING.

21 (a) Notwithstanding section 20.001 (3) (d) of the statutes, of the amounts
22 appropriated to the assembly under section 20.765 (1) (a) of the statutes in the
23 2001–03 fiscal biennium, no more than \$350,000 may be expended for legal and

1 consulting services, other than for those performed by employees of the Wisconsin
2 legislature in the performance of their regular job responsibilities, to assist the
3 legislature, its committees, and its members in the redistricting of congressional and
4 legislative districts. The limit may be exceeded by an amount approved by all of the
5 members of the committee on assembly organization.

6 (b) Notwithstanding section 20.001 (3) (d) of the statutes, of the amounts
7 appropriated to the senate under section 20.765 (1) (b) of the statutes in the 2001–03
8 fiscal biennium, no more than \$350,000 may be expended for legal and consulting
9 services, other than for those performed by employees of the Wisconsin legislature
10 in the performance of their regular job responsibilities, to assist the legislature, its
11 committees, and its members in the redistricting of congressional and legislative
12 districts. The limit may be exceeded by an amount approved by all of the members
13 of the committee on senate organization.”.

14 *b0958/1.1* **1462.** Page 1343, line 11: after that line insert:

15 “(4z) STUDY ON NEW ECONOMY. The joint legislative council is requested to
16 conduct a study on how the state government, the state’s research universities, and
17 the state’s business community can foster economic development in this state by
18 assisting and developing businesses and industries that are based on science and
19 technology. If the joint legislative council conducts the study, the joint legislative
20 council shall report its findings, conclusions, and recommendations to the legislature
21 in the manner provided under section 13.172 (2) of the statutes by January 1, 2002,
22 and shall include in its report recommendations relating to all of the following:

23 (a) Ways to increase the number and percentage of jobs in this state in
24 businesses and industries that are based on science and technology.

1 (b) Ways to increase the average earnings of employees employed in this state
2 in businesses and industries that are based on science and technology.

3 (c) Ways to increase the amount of venture capital invested in this state and
4 the amount spent on research and development in this state.

5 (d) Ways to increase the number of homes in this state that have computers and
6 access to the Internet.

7 (e) A strategy to bring the best and brightest researchers to this state.”.

8 *b0967/1.1* **1463**. Page 1343, line 11: after that line insert:

9 *b0967/1.1* “(4b) JURY SELECTION STUDY AND REPORT. The joint legislative
10 council is requested to study how juries are selected, including what actions are
11 needed to increase the participation of racial and ethnic minorities on juries so that
12 juries reflect the racial and ethnic composition of the areas from which the juries
13 were selected. If the joint legislative council conducts the study, it shall report its
14 findings and recommendations to the legislature in the manner provided under
15 section 13.172 (2) of the statutes.”.

16 *b0834/3.13* **1464**. Page 1343, line 24: after that line insert:

17 *b0834/3.13* “(1k) RECYCLING EFFICIENCY PLANNING GRANTS.

18 (a) The department of natural resources shall establish and administer a
19 recycling efficiency planning grant program to obtain information to use in
20 implementing the recycling efficiency planning grant program under section
21 287.235 of the statutes, as created by this act, and to assist municipalities that are
22 responsible units in preparing to use recycling efficiency planning grants. The
23 department may award grants under this subsection only in fiscal year 2001–02.
24 The department may award grants under this subsection only to cities, villages, and

1 towns that are responsible units, as defined in section 287.01 (9) of the statutes. The
2 department shall award \$2,000,000 in grants under this subsection to municipalities
3 with populations of 50,000 or more and \$1,000,000 to municipalities with
4 populations of less than 50,000.

5 (b) A recipient of a grant under this subsection shall report information to the
6 department of natural resources concerning policies and activities that, if
7 implemented, would make its recycling program more efficient and effective,
8 including activities to provide coordinated program delivery as required under
9 section 287.235 (1) (b) of the statutes, as created by this act, and concerning any
10 barriers to implementation of these policies and procedures.

11 (c) The department of natural resources may promulgate rules for the program
12 under this subsection using the procedure under section 227.24 of the statutes.
13 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the rules may remain
14 in effect until June 30, 2003. Notwithstanding section 227.24 (1) (a) and (3) of the
15 statutes, the department is not required to provide evidence that promulgating a rule
16 under this paragraph as an emergency rule is necessary for the preservation of public
17 peace, health, safety, or welfare and is not required to provide a finding of emergency
18 for a rule promulgated under this paragraph.

19 *b0834/3.13* (1km) RECYCLING POSITION AUTHORIZATION. The authorized FTE
20 positions for the department of natural resources are increased by 1.0 SEG position
21 to be funded from the appropriation under section 20.370 (2) (hq) of the statutes, for
22 recycling program administration.”

23 *b0829/2.47* **1465.** Page 1344, line 8: delete lines 8 to 13.

24 *b0845/3.30* **1466.** Page 1344, line 13: after that line insert:

1 ***b0845/3.30*** “(2g) NONPOINT SOURCE POSITIONS. The authorized FTE positions
2 for the department of natural resources are increased by 5.5 SEG positions, funded
3 by the appropriation under section 20.370 (3) (mt) of the statutes, to reflect the
4 transfer of funding for nonpoint source water pollution control to the environmental
5 fund.

6 ***b0845/3.30*** (2h) NONPOINT SOURCE ADMINISTRATION. The authorized FTE
7 positions for the department of natural resources are increased by 8.0 SEG positions,
8 funded by the appropriation under section 20.370 (4) (mr) of the statutes, to reflect
9 the transfer of funding for nonpoint source water pollution control to the
10 environmental fund.”.

11 ***b1060/1.4* 1467.** Page 1344, line 14: delete lines 14 to 19.

12 ***b0804/2.3* 1468.** Page 1344, line 19: after that line insert:

13 ***b0804/2.3*** “(4p) SPARTA OVERPASS. During the 2001–03 fiscal biennium, the
14 department of natural resources shall provide \$124,000 from the appropriation
15 under section 20.370 (5) (cz) of the statutes, as created by this act, to the city of Sparta
16 in Monroe County for construction of the snowmobile–bicycle–pedestrian overpass
17 over I 90 specified in SECTION 9152 (4k) of this act.”.

18 ***b0998/3.2* 1469.** Page 1346, line 17: delete “\$50,000 in fiscal year 2001–02
19 and \$50,000” and substitute “\$150,000 in fiscal year 2001–02 and \$150,000”.

20 ***b0780/2.1* 1470.** Page 1348, line 6: after that line insert:

21 ***b0780/2.1*** “(8d) MANITOWOC RIVER PROJECT. From the appropriation under
22 section 20.370 (5) (cq) of the statutes, as affected by this act, and before applying the
23 percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural
24 resources in fiscal year 2001–02 shall provide \$340,000 to the city of Manitowoc to