

1           **SECTION 2629.** 562.02 (1) (g) of the statutes is amended to read:

2           562.02 (1) (g) At least once every 3 months, file a written report on the operation  
3 of racing in this state with the governor, the attorney general, the ~~state treasurer~~  
4 secretary of administration, the secretary of state, the legislative audit bureau, the  
5 president of the senate, and the speaker of the assembly. The report shall include  
6 information on racetrack operations, race attendance, and private, state, and local  
7 revenues derived from racing in this state.

8           **SECTION 2629d.** 562.057 (4m) (b) of the statutes is repealed.

9           **SECTION 2629e.** 562.057 (4m) (bm) of the statutes is created to read:

10          562.057 (4m) (bm) Wagering on simulcast races will be conducted at the  
11 racetrack only as an adjunct to, and not in a manner that will supplant, wagering on  
12 live on-track racing at that racetrack, and wagering on simulcast races will not be  
13 the primary source of wagering revenue at that racetrack.

14          **SECTION 2630g.** 565.25 (1m) of the statutes is renumbered 565.25 (1m) (a) and  
15 amended to read:

16          565.25 (1m) (a) Subject to approval by the secretary of revenue, the  
17 administrator may determine whether lottery functions shall be performed by  
18 department of revenue employees or by one or more persons under contract with the  
19 department of administration, except that ~~no~~ a contract may provide for the entire  
20 management of the lottery or for the entire operation of the lottery, other than  
21 services described in par. (c), by any a private person only if the joint committee on  
22 finance approves the contract, subject to par. (b), under s. 13.10. The department of  
23 administration may contract for management consultation services to assist in the  
24 management or operation of the lottery.

1           (c) The department of administration may not contract for financial auditing  
2 or security monitoring services, except that, if the department of administration  
3 delegates under s. 16.71 (1) to the department of revenue the authority to make a  
4 major procurement, the department of revenue may contract with the department  
5 of administration for warehouse and building protection services relating to the state  
6 lottery.

7           (d) If the department of administration delegates under s. 16.71 (1) to the  
8 department of revenue the authority to make a major procurement, the department  
9 of revenue shall assume the powers and duties of the department of administration  
10 and the administrator shall assume the powers and duties of the secretary of  
11 administration under this section and ss. 16.70 to 16.77, except under ss. 16.72 (4)  
12 (a), 16.76 (1) and 16.77 (1).

13           **SECTION 2630h.** 565.25 (1m) (b) of the statutes is created to read:

14           565.25 (1m) (b) The joint committee on finance may not approve a contract  
15 providing for the entire management of the lottery or for the entire operation of the  
16 lottery by any private person unless the departments of administration and revenue  
17 first jointly submit to the joint committee on finance a lottery privatization plan  
18 describing all of the following:

- 19           1. What functions the private person would perform under the contract.
- 20           2. What management authority the private person would have with respect to  
21 lottery advertising, prize payout levels, and any lottery function that the state would  
22 perform if the contract were approved.
- 23           3. How the private person would interact with other lottery vendors.
- 24           4. Whether the contract would require some form of profit sharing and, if so,  
25 a description of the profit-sharing mechanism.

1           5. A transition plan to ensure the successful conversion of the lottery to new  
2 management, including a schedule for phasing out state positions and a rationale for  
3 the number and classification of state positions that would be needed after the  
4 conversion.

5           **SECTION 2631.** 565.25 (2) (a) 4. of the statutes is repealed and recreated to read:

6           565.25 (2) (a) 4. The administrator shall develop specifications for major  
7 procurements. If security is a factor in the materials, supplies, equipment, property,  
8 or services to be purchased in any major procurement, then invitations for bids or  
9 competitive sealed proposals shall include specifications related to security. The  
10 administrator shall submit specifications for major procurement to the secretary of  
11 revenue for review and approval before the department of administration releases  
12 the specifications in invitations for bids or competitive sealed proposals. The  
13 department of administration shall require separate bids or separate competitive  
14 sealed proposals for management consultation services if the services are provided  
15 under contract as provided in sub. (1m) (a).

16           **SECTION 2632.** 565.37 (3) of the statutes is amended to read:

17           565.37 (3) DEPARTMENT REPORT. The department shall submit quarterly reports  
18 on the operation of the lottery to the chief clerk of each house of the legislature, for  
19 distribution to the legislature under s. 13.172 (2) and to the governor, attorney  
20 general, ~~state treasurer~~ secretary of administration, secretary of state, and state  
21 auditor.

22           **SECTION 2633m.** 569.06 of the statutes is amended to read:

23           **569.06 Indian gaming receipts.** Indian gaming receipts shall be credited to  
24 the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) ~~and (hm)~~ as  
25 specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) ~~and (hm)~~. Indian gaming receipts

1 shall be credited to the appropriation account under s. 20.505 (8) (hm) in the amount  
2 necessary to make the transfers specified under s. 20.505 (8) (hm). Indian gaming  
3 receipts not otherwise credited to appropriation accounts under this section shall be  
4 paid into the general fund.

5 **SECTION 2635.** 601.13 (1) (intro.) of the statutes is amended to read:

6 601.13 (1) RECEIPT OF DEPOSITS. (intro.) Subject to the approval of the  
7 commissioner, the ~~state treasurer~~ secretary of administration shall accept deposits  
8 or control of acceptable book–entry accounts from insurers and other licensees of the  
9 office as follows:

10 **SECTION 2636.** 601.13 (3) (intro.) of the statutes is amended to read:

11 601.13 (3) SECURITIES ELIGIBLE. (intro.) All deposits may consist of any of the  
12 securities authorized in this subsection. Each security must be approved by the  
13 commissioner, must be subject to disposition by the ~~state treasurer~~ secretary of  
14 administration, and must not be available to any other person except as expressly  
15 provided by law. The authorized securities are:

16 **SECTION 2637.** 601.13 (5) of the statutes is amended to read:

17 601.13 (5) RECEIPT, INSPECTION, AND RECORD. The ~~state treasurer~~ secretary of  
18 administration shall deliver to the depositor a receipt for all securities deposited or  
19 held under the control of the ~~state treasurer~~ secretary of administration and shall  
20 permit the depositor to inspect its physically held securities at any reasonable time.  
21 On application of the depositor the ~~treasurer~~ secretary of administration shall certify  
22 when required by any law of the United States or of any other state or foreign country  
23 or by the order of any court of competent jurisdiction that the deposit was made. The  
24 ~~treasurer~~ secretary of administration and the commissioner shall each keep a  
25 permanent record of securities deposited or held under the control of the state

1 ~~treasurer~~ secretary of administration and of any substitutions or withdrawals and  
2 shall compare records at least annually.

3 **SECTION 2638.** 601.13 (6) of the statutes is amended to read:

4 601.13 (6) TRANSFER OF SECURITIES. No transfer of a deposited security, whether  
5 voluntary or by operation of law, is valid unless approved in writing by the  
6 commissioner and countersigned by the ~~treasurer~~ secretary of administration.

7 **SECTION 2639.** 601.13 (8) (intro.) of the statutes is amended to read:

8 601.13 (8) INTEREST AND SUBSTITUTIONS. (intro.) Subject to s. 14.58 ~~(13)~~ 16.401  
9 (11), a depositor shall, while solvent and complying with the laws of this state, be  
10 entitled:

11 **SECTION 2640.** 601.13 (11) of the statutes is amended to read:

12 601.13 (11) ADVANCE DEPOSIT OF FEES. With the approval of the commissioner,  
13 any person required to pay fees or assessments to the state through the  
14 commissioner may make a deposit with the ~~treasurer~~ secretary of administration  
15 from which the fees or assessments shall be paid on order of the commissioner not  
16 less than twice each year. Upon request by the depositor, any balance remaining  
17 shall be returned on the certificate of the commissioner that all fees and assessments  
18 have been paid to date.

19 **SECTION 2641.** 601.17 of the statutes is repealed.

20 **SECTION 2642.** 601.34 of the statutes is repealed.

21 **SECTION 2642m.** 601.41 (12) of the statutes is created to read:

22 601.41 (12) SUBSTANTIALLY SIMILAR HEALTH CARE COVERAGE PLAN. The  
23 commissioner shall promulgate rules that set out a standardized summary of  
24 benefits provided under health care coverage plans, including plans offered under

1 s. 40.51 (7), for use in determining whether a health care coverage plan is  
2 substantially similar to a plan offered under s. 40.51 (7).

3 **SECTION 2643.** 601.45 (3) of the statutes is amended to read:

4 601.45 (3) DEPOSIT. The commissioner may require any examinee, before or  
5 from time to time during an examination, to deposit with the ~~state treasurer~~  
6 secretary of administration such deposits as the commissioner deems necessary to  
7 pay the costs of the examination. Any deposit and any payment made under subs.  
8 (1) and (2) shall be credited to the appropriation under s. 20.145 (1) (g) in the  
9 percentage specified in that paragraph.

10 **SECTION 2644.** 601.62 (4) of the statutes is amended to read:

11 601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS. The fees for stenographic  
12 services in investigations, examinations, and hearings may not exceed the sum  
13 provided for like services in the circuit court. The fees of officers, witnesses,  
14 interpreters, and stenographers on behalf of the commissioner or the state shall be  
15 paid by the ~~state treasurer upon the warrant of the department~~ secretary of  
16 administration, authorized by the certificate of the commissioner, and shall be  
17 charged to the appropriation under s. 20.145 (1) (g).

18 **SECTION 2645.** 604.04 (4) of the statutes is amended to read:

19 604.04 (4) PAYMENT PROCEDURE. Any charges against a fund under sub. (3) shall  
20 be certified by the commissioner, audited by the department of administration under  
21 s. 16.53, and paid by the ~~treasurer~~ secretary of administration out of the appropriate  
22 fund in accordance with procedures of the department of administration.

23 **SECTION 2646.** 604.05 of the statutes is amended to read:

24 **604.05 Investments.** Assets of all funds under chs. 605 to 607 shall be  
25 invested by the state investment board under s. 25.17. Each January 1 the state

1 ~~treasurer~~ secretary of administration shall credit each fund with earnings on the  
2 invested assets in each fund for the preceding 12 months. If any fund is indebted to  
3 the general fund of the state, the fund shall be charged, at the end of each calendar  
4 year, with interest on the indebtedness at the average rate earned by the state upon  
5 its deposits in public depositories during the period of indebtedness and that sum  
6 shall be credited to the general fund.

7 **SECTION 2647.** 604.06 (1) of the statutes is amended to read:

8 604.06 (1) CUSTODY. The ~~state treasurer~~ secretary of administration has sole  
9 custody of all assets of funds under chs. 605 to 607.

10 **SECTION 2648.** 604.07 of the statutes is amended to read:

11 **604.07 Bonds.** The commissioner as manager of the funds and the ~~treasurer~~  
12 secretary of administration shall file surety bonds, specifically conditioned on the  
13 performance of their duties under chs. 605 to 607, in amounts required by, and with  
14 sureties approved by, the governor.

15 **SECTION 2649.** 605.30 of the statutes is amended to read:

16 **605.30 Inadequacy of fund.** If the property fund does not have sufficient  
17 assets to pay claims that are due, the ~~department~~ secretary of administration shall  
18 ~~issue a warrant as a~~ transfer from the general fund to the property fund an amount  
19 sufficient to pay the losses and ~~the state treasurer~~ shall pay the warrant losses. The  
20 property fund shall thereafter repay the general fund this amount and the  
21 ~~department~~ secretary of administration shall ~~issue warrants for such~~ transfer the  
22 amount as soon as there are assets in the property fund.

23 **SECTION 2650.** 611.76 (4) (e) of the statutes is amended to read:

24 611.76 (4) (e) That no policyholder, other than a policyholder of a mutual life  
25 insurance company, may receive a distribution of shares valued in excess of the

1 amount to which he or she is entitled under s. 645.72 (4). Any excess over that  
2 amount shall be distributed in shares to the state treasury for the benefit of the  
3 common school fund. After 5 years the shares may be sold by the ~~treasurer~~ secretary  
4 of administration at his or her discretion and the proceeds credited to the common  
5 school fund; and

6 **SECTION 2651.** 632.746 (7m) of the statutes is created to read:

7 632.746 (7m) (a) In this subsection, “terms of the group health benefit plan”  
8 does not include any requirements under the group health benefit plan related to  
9 enrollment periods or waiting periods.

10 (b) An insurer offering a group health benefit plan shall permit, as provided in  
11 par. (c), an employee who is not enrolled but who is eligible for coverage under the  
12 terms of the group health benefit plan, or a participant’s or employee’s dependent  
13 who is not enrolled but who is eligible for coverage under the terms of the group  
14 health benefit plan, to enroll for coverage under the terms of the plan if all of the  
15 following apply:

16 1. The employee or dependent is eligible for benefits under the Medical  
17 Assistance program under s. 49.472 or for coverage under the Badger Care health  
18 care program under s. 49.665.

19 2. The department of health and family services will purchase coverage under  
20 the group health benefit plan on behalf of the employee or dependent because the  
21 department of health and family services has determined that paying the portion of  
22 the premium for which the employee is responsible will not be more costly than  
23 providing the medical assistance or the coverage under the Badger Care health care  
24 program, whichever is applicable.

1 (c) An insurer permitting an employee or dependent to enroll under this  
2 subsection shall provide for an enrollment period of not less than 30 days, beginning  
3 on the date on which the department of health and family services makes the  
4 determination under par. (b) 2.

5 **SECTION 2658.** 704.05 (5) (a) 2. of the statutes is amended to read:

6 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail  
7 addressed to the tenant's last-known address, of the landlord's intent to dispose of  
8 the personal property by sale or other appropriate means if the property is not  
9 repossessed by the tenant. If the tenant fails to repossess the property within 30 days  
10 after the date of personal service or the date of the mailing of the notice, the landlord  
11 may dispose of the property by private or public sale or any other appropriate means.  
12 The landlord may deduct from the proceeds of sale any costs of sale and any storage  
13 charges if the landlord has first stored the personalty under subd. 1. If the proceeds  
14 minus the costs of sale and minus any storage charges are not claimed within 60 days  
15 after the date of the sale of the personalty, the landlord is not accountable to the  
16 tenant for any of the proceeds of the sale or the value of the property. The landlord  
17 shall send the proceeds of the sale minus the costs of the sale and minus any storage  
18 charges to the department of administration for deposit in the appropriation under  
19 s. ~~20.505 (7)~~ 20.143 (2) (h).

20 **SECTION 2665.** 753.061 (5) of the statutes is amended to read:

21 753.061 (5) The state shall reimburse the county for the costs of operating one  
22 of the 2 circuit court branches designated under sub. (2m) that begin to primarily  
23 handle violent crime cases on September 1, 1991, including the one-time cost of  
24 courtroom construction. The costs reimbursable under this subsection shall be paid  
25 by the ~~state treasurer~~ secretary of administration to the county treasurer pursuant

1 to a voucher submitted by the clerk of circuit court to the director of state courts and  
2 shall be paid from the appropriation under s. 20.625 (1) (as). The amount  
3 reimbursable under this subsection may not exceed \$383,100 in the 1991–92 fiscal  
4 year and \$0 in the 1992–93 fiscal year.

5 **SECTION 2666.** 753.07 (2) (a) of the statutes is amended to read:

6 753.07 (2) (a) The persons shall continue to receive salaries directly payable  
7 from the state in the same amount as they were receiving on July 31, 1978, and such  
8 salaries are subject to s. 40.05. The balance of the salaries authorized under ss.  
9 230.12 and 751.02 for the judges and reporters shall be paid by the ~~state treasurer~~  
10 secretary of administration to the county treasurer pursuant to a voucher submitted  
11 by the clerk of circuit court to the director of state courts. The county treasurer shall  
12 pay the amounts directly to the judges and reporters and the amounts paid are  
13 subject to the retirement system established under chapter 201, laws of 1937.

14 **SECTION 2667.** 753.07 (3) (a) of the statutes is amended to read:

15 753.07 (3) (a) The salaries authorized under ss. 230.12 and 751.02 for the  
16 judges and reporters shall be paid by the ~~state treasurer~~ secretary of administration  
17 to the county treasurer pursuant to a voucher submitted by the clerk of circuit court  
18 to the director of state courts. The county treasurer shall pay the amounts directly  
19 to the judges and reporters and the amounts paid shall be subject to the retirement  
20 system established under chapter 201, laws of 1937.

21 **SECTION 2668.** 753.07 (4) of the statutes is amended to read:

22 753.07 (4) COURT PERSONNEL; OPTIONS. As state employees, county court judges,  
23 county court reporters, and assistant county court reporters, as specified in sub. (1),  
24 who are denominated or become circuit court judges and reporters on August 1, 1978,  
25 and persons serving as circuit court judges and circuit court reporters for Milwaukee

1 County on July 31, 1978, shall have the option of remaining as participants under  
2 county life and health insurance programs to the extent of their participation in such  
3 programs on February 1, 1978. The ~~state treasurer~~ secretary of administration shall  
4 semiannually pay to the county treasurer, pursuant to a voucher submitted by the  
5 clerk of circuit court to the director of state courts, an amount equal to the state  
6 contribution for life and health insurance for other comparable state employees. The  
7 county shall pay the cost of any premiums for life and health insurance exceeding the  
8 sum of the state contribution and the employee contribution as required under the  
9 county programs.

10 **SECTION 2669.** 757.05 (1) (b) of the statutes is amended to read:

11 757.05 (1) (b) If a fine or forfeiture is imposed by a court of record, after a  
12 determination by the court of the amount due, the clerk of the court shall collect and  
13 transmit the amount to the county treasurer as provided in s. 59.40 (2) (m). The  
14 county treasurer shall then make payment to the ~~state treasurer~~ secretary of  
15 administration as provided in s. 59.25 (3) (f) 2.

16 **SECTION 2670.** 757.05 (1) (c) of the statutes is amended to read:

17 757.05 (1) (c) If a fine or forfeiture is imposed by a municipal court, after a  
18 determination by the court of the amount due, the court shall collect and transmit  
19 the amount to the treasurer of the county, city, town, or village, and that treasurer  
20 shall make payment to the ~~state treasurer~~ secretary of administration as provided  
21 in s. 66.0114 (1) (bm).

22 **SECTION 2671.** 757.05 (1) (d) of the statutes is amended to read:

23 757.05 (1) (d) If any deposit of bail is made for a noncriminal offense to which  
24 this subsection applies, the person making the deposit shall also deposit a sufficient  
25 amount to include the assessment prescribed in this subsection for forfeited bail. If

1 bail is forfeited, the amount of the assessment shall be transmitted monthly to the  
2 ~~state treasurer~~ secretary of administration under this subsection. If bail is returned,  
3 the assessment shall also be returned.

4 **SECTION 2671g.** 757.05 (2) (a) of the statutes is amended to read:

5 757.05 (2) (a) *Law enforcement training fund.* ~~Eleven twenty-fourths~~  
6 Forty-eight percent of all moneys collected from penalty assessments under sub. (1)  
7 shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized in  
8 accordance with ss. 20.455 (2) and 165.85 (5). The moneys credited to the  
9 appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s.  
10 20.455 (2) (jb), constitute the law enforcement training fund.

11 **SECTION 2672.** 758.19 (7) of the statutes is amended to read:

12 758.19 (7) The director of state courts shall adopt, revise biennially and submit  
13 to the cochairpersons of the joint committee on information policy and technology, the  
14 governor and the ~~department of electronic government~~ secretary of administration,  
15 no later than September 15 of each even-numbered year, a strategic plan for the  
16 utilization of information technology to carry out the functions of the courts and  
17 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the  
18 business needs of the courts and judicial branch agencies and shall identify all  
19 resources relating to information technology which the courts and judicial branch  
20 agencies desire to acquire, contingent upon funding availability, the priority for such  
21 acquisitions and the justification for such acquisitions. The plan shall also identify  
22 any changes in the functioning of the courts and judicial branch agencies under the  
23 plan.

24 **SECTION 2683.** 778.135 of the statutes is amended to read:

1           **778.135 Campaign finance forfeitures; how recovered.** Notwithstanding  
2 s. 778.13, whenever any action or proposed action by the elections board under s. 5.05  
3 (1) (c) is settled as a result of agreement between the parties without approval of the  
4 court, the moneys accruing to the state on account of such settlement shall be paid  
5 to the board and deposited with the ~~state treasurer~~ secretary of administration.  
6 Whenever any proposed action by a county board of election commissioners under s.  
7 7.21 (2m) (a) is settled as a result of agreement between the parties, the moneys  
8 accruing to the county on account of such settlement shall be paid to the board of  
9 election commissioners and deposited with the county treasurer in the same manner  
10 as provided for forfeitures under s. 778.13.

11           **SECTION 2684.** 778.136 of the statutes is amended to read:

12           **778.136 Ethics and lobbying forfeitures; how recovered.**  
13 Notwithstanding s. 778.13, whenever any moneys are received by the ethics board  
14 or attorney general in settlement of a civil action or other civil matter for violation  
15 of the lobbying law or code of ethics for state public officials and employees under s.  
16 19.545, the moneys shall accrue to the state and be deposited with the ~~state treasurer~~  
17 secretary of administration.

18           **SECTION 2685.** 778.17 of the statutes is amended to read:

19           **778.17 Statement to county board; payment to state.** Every county  
20 treasurer shall, on the first day of the annual meeting of the county board, submit  
21 to it a verified statement of all moneys received by the county treasurer during the  
22 year next preceding from town, village, and city treasurers under this chapter,  
23 containing the names of such treasurers, the amount received from each, and the  
24 date of receipt. The county clerk shall deduct all expenses incurred by the county in  
25 recovering such forfeitures from the aggregate amount so received, and shall

1 immediately certify to the county treasurer the amount of clear proceeds of such  
2 forfeitures, so ascertained, who shall pay the same to the ~~state treasurer~~ secretary  
3 of administration.

4 **SECTION 2690.** 809.25 (2) (a) 1. of the statutes is amended to read:

5 809.25 (2) (a) 1. For filing an appeal, cross–appeal, petition for review, petition  
6 to bypass, or other proceeding, \$150 \$195.

7 **SECTION 2691.** 812.42 (2) (c) of the statutes is amended to read:

8 812.42 (2) (c) In addition to the \$15 garnishee fee, the garnishee shall receive  
9 a \$3 fee for each payment delivered to the creditor under s. 812.39 after the first  
10 payment. That additional fee shall be deducted from the moneys delivered to the  
11 creditor. Those fees become part of the funds of the state if the department of  
12 administration is the garnishee, or funds of the appropriate governmental  
13 subdivision if any other governmental entity is the garnishee. The judgment creditor  
14 shall pay the initial garnishee fee to the ~~treasurer of the state~~ secretary of  
15 administration or other governmental subdivision, as applicable.

16 **SECTION 2692.** 813.16 (7) of the statutes is amended to read:

17 813.16 (7) If the person seeking the appointment of a receiver under sub. (1)  
18 is a savings and loan association or savings bank supervised by the division of  
19 banking or a corporation supervised by the division of savings institutions, home  
20 loan bank board, U.S. federal office of thrift supervision, federal deposit insurance  
21 corporation, or resolution trust corporation, the court, unless the opposing party  
22 objects, shall appoint an officer of such corporation as receiver to act without  
23 compensation and to give such bond as the court requires.

24 **SECTION 2693.** 813.31 (1) of the statutes is amended to read:

1           813.31 (1) In each case of termination of receivership as provided in s. 813.28,  
2 the court, except in cases where the proceedings have been certified to the proper  
3 court under s. 813.26 (1), shall set aside the sum there named and direct its payment  
4 by the receiver, to the ~~state treasurer~~ secretary of administration.

5           **SECTION 2694.** 813.31 (2) of the statutes is amended to read:

6           813.31 (2) The ~~state treasurer~~ secretary of administration shall retain or invest  
7 the funds thus paid in.

8           **SECTION 2695.** 813.31 (3) of the statutes is amended to read:

9           813.31 (3) If at any time thereafter an absentee whose estate has been  
10 distributed under a final finding and judgment made as herein provided shall appear  
11 and make claim for reimbursement, the court may in a proceeding by the claimant  
12 against the ~~state treasurer~~ secretary of administration order payment to the  
13 claimant as in its opinion may be fair and adequate under the circumstances.

14           **SECTION 2696.** 814.60 (1) of the statutes is amended to read:

15           814.60 (1) In a criminal action, the clerk of circuit court shall collect a fee of \$20  
16 for all necessary filing, entering, or recording, to be paid by the defendant when  
17 judgment is entered against the defendant. Of the fees received by the clerk of circuit  
18 court under this subsection, the county treasurer shall pay 50% to the ~~state treasurer~~  
19 secretary of administration for deposit in the general fund and shall retain the  
20 balance for the use of the county.

21           **SECTION 2697.** 814.61 (1) (a) of the statutes is amended to read:

22           814.61 (1) (a) Except as provided under pars. (c), (d), and (e), at the  
23 commencement of all civil actions and special proceedings not specified in ss. 814.62  
24 to 814.66, \$75. Of the fees received by the clerk under this paragraph, the county  
25 treasurer shall pay \$45 to the ~~state treasurer~~ secretary of administration for deposit

1 in the general fund and shall retain the balance for the use of the county. The state  
2 ~~treasurer~~ secretary of administration shall credit \$15 of the \$45 to the appropriation  
3 under s. 20.680 (2) (j).

4 **SECTION 2698.** 814.61 (3) of the statutes is amended to read:

5 814.61 (3) THIRD-PARTY COMPLAINT. When any defendant files a 3rd-party  
6 complaint, the defendant shall pay a fee of \$45. The defendant shall pay only one  
7 such \$45 fee in an action. Of the fees received by the clerk under this subsection, the  
8 county treasurer shall pay \$25 to the ~~state treasurer~~ secretary of administration for  
9 deposit in the general fund and shall retain the balance for the use of the county. The  
10 ~~state treasurer~~ secretary of administration shall credit \$5 of the \$25 to the  
11 appropriation under s. 20.680 (2) (j).

12 **SECTION 2699.** 814.61 (7) (a) of the statutes is amended to read:

13 814.61 (7) (a) Except as provided in par. (b), upon the filing of any petition  
14 under s. 767.32 (1) or any motion, by either party, for the revision of a judgment or  
15 order in an action affecting the family, \$30. No fee may be collected under this  
16 paragraph for any petition or motion by either party for the revision of a judgment  
17 or order involving child support, family support, or maintenance if both parties have  
18 stipulated to the revision of the judgment or order. Of the fees received by the clerk  
19 under this paragraph, the county treasurer shall pay 50% to the ~~state treasurer~~  
20 secretary of administration for deposit in the general fund and shall retain the  
21 balance for the use of the county.

22 **SECTION 2700.** 814.61 (7) (b) of the statutes is amended to read:

23 814.61 (7) (b) Upon the filing of any petition, motion, or order to show cause  
24 by either party under s. 767.325 or 767.327, \$50. Of the fees received by the clerk  
25 under this paragraph, the county treasurer shall pay 25% to the ~~state treasurer~~

1 secretary of administration for deposit in the general fund, retain 25% for the use of  
2 the county, and deposit 50% in a separate account to be used by the county exclusively  
3 for the purposes specified in s. 767.11.

4 **SECTION 2701.** 814.61 (8) (c) of the statutes is amended to read:

5 814.61 (8) (c) Of the fees received by the clerk under par. (am) 1., the county  
6 treasurer shall pay \$22.50 to the ~~state treasurer~~ secretary of administration for  
7 deposit in the general fund and shall retain the balance for the use of the county. The  
8 ~~state treasurer~~ secretary of administration shall credit \$5 of the \$22.50 to the  
9 appropriation under s. 20.680 (2) (j).

10 **SECTION 2702.** 814.61 (8) (d) of the statutes is amended to read:

11 814.61 (8) (d) Of the fees received by the clerk under par. (am) 2., the county  
12 treasurer shall pay \$30 to the ~~state treasurer~~ secretary of administration for deposit  
13 in the general fund and shall retain the balance for the use of the county. The state  
14 treasurer shall credit \$5 of the \$30 to the appropriation under s. 20.680 (2) (j).

15 **SECTION 2704.** 814.62 (1) of the statutes is amended to read:

16 814.62 (1) GARNISHMENT ACTIONS. The fee for commencing a garnishment action  
17 under ch. 812, including actions under s. 799.01 (1) (d) 2., is \$20. Of the fees received  
18 by the clerk under this subsection, the county treasurer shall pay \$12.50 to the state  
19 ~~treasurer~~ secretary of administration for deposit in the general fund and shall retain  
20 the balance for the use of the county. The ~~state treasurer~~ secretary of administration  
21 shall credit \$5 of the \$12.50 to the appropriation under s. 20.680 (2) (j).

22 **SECTION 2705.** 814.62 (3) (d) 2. of the statutes is amended to read:

23 814.62 (3) (d) 2. Of the fees received by the clerk under par. (a), the county  
24 treasurer shall pay \$11.80 to the ~~state treasurer~~ secretary of administration for  
25 deposit in the general fund and shall retain the balance for the use of the county. The

1 ~~state treasurer~~ secretary of administration shall credit the \$11.80 to the  
2 appropriation under s. 20.680 (2) (j).

3 **SECTION 2706.** 814.62 (3) (d) 3. of the statutes is amended to read:

4 814.62 (3) (d) 3. Of the fees received by the clerk under par. (b), the county  
5 treasurer shall pay \$27.20 to the ~~state treasurer~~ secretary of administration for  
6 deposit in the general fund and shall retain the balance for the use of the county. The  
7 ~~state treasurer~~ secretary of administration shall credit \$10 of the \$27.20 to the  
8 appropriation under s. 20.680 (2) (j).

9 **SECTION 2707.** 814.63 (5) of the statutes is amended to read:

10 814.63 (5) Of the fees received by the clerk under sub. (1) (b), the county  
11 treasurer shall pay \$17.50 to the ~~state treasurer~~ secretary of administration for  
12 deposit in the general fund and shall retain the balance for the use of the county. The  
13 ~~state treasurer~~ secretary of administration shall credit \$5 of the \$17.50 to the  
14 appropriation under s. 20.680 (2) (j).

15 **SECTION 2708.** 814.634 (1) (a) of the statutes is amended to read:

16 814.634 (1) (a) Except for an action for a safety belt use violation under s.  
17 347.48 (2m), the clerk of circuit court shall charge and collect a \$52 ~~\$68~~ court support  
18 services fee from any person, including any governmental unit as defined in s. 108.02  
19 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

20 **SECTION 2709.** 814.634 (1) (b) of the statutes is amended to read:

21 814.634 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge  
22 and collect a \$130 ~~\$169~~ court support services fee from any person, including any  
23 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a) or  
24 (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and  
25 the amount claimed exceeds the amount under s. 799.01 (1) (d).

1           **SECTION 2710.** 814.634 (1) (c) of the statutes is amended to read:

2           814.634 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge  
3 and collect a \$39 \$51 court support services fee from any person, including any  
4 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.62 (3) (a) or  
5 (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party paying  
6 the fee seeks the recovery of money and the amount claimed is equal to or less than  
7 the amount under s. 799.01 (1) (d).

8           **SECTION 2711.** 814.634 (2) of the statutes is amended to read:

9           814.634 (2) The clerk shall pay the moneys collected under sub. (1) to the  
10 county treasurer under s. 59.40 (2) (m). The county treasurer shall pay those moneys  
11 to the ~~state treasurer~~ secretary of administration under s. 59.25 (3) (p).

12           **SECTION 2712.** 814.635 (1m) of the statutes is amended to read:

13           814.635 (1m) Beginning on October 1, 1995, whenever the clerk of circuit court  
14 for Milwaukee County charges and collects a fee under sub. (1), he or she shall also  
15 charge and collect a \$2 \$3.50 special prosecution clerks fee. The special prosecution  
16 clerks fee is in addition to the other fees listed in sub. (1).

17           **SECTION 2713.** 814.635 (2) of the statutes is amended to read:

18           814.635 (2) The clerk shall pay the moneys collected under subs. (1) and (1m)  
19 to the county treasurer under s. 59.40 (2) (m). The county treasurer shall pay those  
20 moneys to the ~~state treasurer~~ secretary of administration under s. 59.25 (3) (p).

21           **SECTION 2714.** 814.65 (1) of the statutes is amended to read:

22           814.65 (1) COURT COSTS. In a municipal court action, except an action for  
23 violation of an ordinance in conformity with s. 347.48 (2m), the municipal judge shall  
24 collect a fee of not less than \$15 nor more than \$23 on each separate matter, whether  
25 it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant

1 or summons, or the action is tried as a contested matter. Of each fee received by the  
2 judge under this subsection, the municipal treasurer shall pay monthly \$5 to the  
3 ~~state treasurer~~ secretary of administration for deposit in the general fund and shall  
4 retain the balance for the use of the municipality.

5 **SECTION 2715.** 814.66 (3) of the statutes is amended to read:

6 814.66 (3) The register in probate shall, on the first Monday of each month, pay  
7 into the office of the county treasurer all fees collected by him or her and in his or her  
8 hands and still unclaimed as of that day. Each county treasurer shall make a report  
9 under oath to the ~~state treasurer~~ secretary of administration on or before the 5th day  
10 of January, April, July, and October of all fees received by him or her under sub. (1)  
11 (a) to (f) up to the first day of each of those months and shall at the same time pay  
12 66.67% of the fees to the ~~state treasurer~~ secretary of administration for deposit in the  
13 general fund. Each county treasurer shall retain the balance of fees received by him  
14 or her under this section for the use of the county.

15 **SECTION 2722.** 885.38 (2) of the statutes is amended to read:

16 885.38 (2) The supreme court shall establish the procedures and policies for the  
17 recruitment, training, and certification of persons to act as qualified interpreters in  
18 a court proceeding and for the fees imposed for the training and certification, and for  
19 the coordination, discipline, retention, and training of those interpreters. Any fees  
20 collected under this subsection shall be credited to the appropriation under s. 20.680  
21 (2) (gc).

22 **SECTION 2725.** 895.48 (1m) (intro.) of the statutes, as affected by 2001  
23 Wisconsin Act 74, is amended to read:

24 895.48 (1m) (intro.) Any physician or athletic trainer licensed under ch. 448,  
25 chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency

1 medical technician licensed under s. 146.50, first responder certified under s. 146.50  
2 (8), physician assistant licensed under ch. 448, registered nurse licensed under ch.  
3 441, or a massage therapist or bodyworker issued a certificate under ch. 460 who  
4 renders voluntary health care to a participant in an athletic event or contest  
5 sponsored by a nonprofit corporation, as defined in s. ~~46.93 (1m) (e)~~ 66.0129 (6) (b),  
6 a private school, as defined in s. 115.001 (3r), a public agency, as defined in s. ~~46.93~~  
7 ~~(1m) (e)~~ 46.856 (1) (b), or a school, as defined in s. 609.655 (1) (c), is immune from civil  
8 liability for his or her acts or omissions in rendering that care if all of the following  
9 conditions exist:

10 **SECTION 2725k.** 895.55 (2) (intro.) of the statutes is amended to read:

11 895.55 (2) (intro.) Notwithstanding any provision of s. 93.57, 299.11, 299.13,  
12 299.31, ~~299.41~~, 299.43, 299.45, 299.51, 299.53 or 299.55, subchs. II and IV of ch. 30,  
13 ch. 29, 166, 281, 283, 289, 291 or 292 or subch. II of ch. 295, or any other provision  
14 of this chapter, a person is immune from liability for damages resulting from the  
15 person's acts or omissions and for the removal costs resulting from the person's acts  
16 or omissions if all of the following conditions are met:

17 **SECTION 2726.** 895.65 (2) of the statutes is amended to read:

18 895.65 (2) An employee may bring an action in circuit court against his or her  
19 employer or employer's agent, including this state, if the employer or employer's  
20 agent retaliates, by engaging in a disciplinary action, against the employee because  
21 the employee exercised his or her rights under the first amendment to the U.S.  
22 constitution or article I, section 3, of the Wisconsin constitution by lawfully disclosing  
23 information or because the employer or employer's agent believes the employee so  
24 exercised his or her rights. The employee shall bring the action within 2 years after  
25 the action allegedly occurred or after the employee learned of the action, whichever

1 occurs last. No employee may bring an action against the ~~department of employment~~  
2 ~~relations~~ office of state human resources management as an employer's agent.

3 **SECTION 2727.** 938.02 (15m) of the statutes is amended to read:

4 938.02 (15m) "Secured correctional facility" means a correctional institution  
5 operated or contracted for by the department of corrections or operated by the  
6 department of health and family services for holding in secure custody persons  
7 adjudged delinquent. "Secured correctional facility" includes the Mendota juvenile  
8 treatment center under s. 46.057, ~~the facility at which the juvenile boot camp~~  
9 ~~program under s. 938.532 is operated~~ and a facility authorized under s. 938.533 (3)  
10 (b), 938.538 (4) (b), or 938.539 (5).

11 **SECTION 2728.** 938.275 (2) (d) of the statutes is amended to read:

12 938.275 (2) (d) Reimbursement payments shall be made to the clerk of courts  
13 of the county where the proceedings took place. Each payment shall be transmitted  
14 to the county treasurer, who shall deposit 25% of the amount paid for state-provided  
15 counsel in the county treasury and transmit the remainder to the ~~state treasurer~~  
16 secretary of administration. Payments transmitted to the ~~state treasurer~~ secretary  
17 of administration shall be deposited in the general fund and credited to the  
18 appropriation account under s. 20.550 (1) (L). The county treasurer shall deposit  
19 100% of the amount paid for county-provided counsel in the county treasury.

20 **SECTION 2729.** 938.34 (4n) (intro.) of the statutes is amended to read:

21 938.34 (4n) AFTERCARE SUPERVISION. (intro.) Subject to ~~s. 938.532 (3)~~ and to any  
22 arrangement between the department and a county department regarding the  
23 provision of aftercare supervision for juveniles who have been released from a  
24 secured correctional facility, a secured child caring institution, or a secured group  
25 home, designate one of the following to provide aftercare supervision for the juvenile

1 following the juvenile's release from the secured correctional facility, secured child  
2 caring institution, or secured group home:

3 **SECTION 2730.** 938.34 (8d) (b) of the statutes is amended to read:

4 938.34 (8d) (b) The clerk of court shall collect and transmit the amount to the  
5 county treasurer under s. 59.40 (2) (m). The county treasurer shall then make  
6 payment to the ~~state treasurer~~ secretary of administration under s. 59.25 (3) (f) 2.

7 **SECTION 2731.** 938.34 (8d) (c) of the statutes is amended to read:

8 938.34 (8d) (c) If a juvenile placed in a secured correctional facility or a secured  
9 child caring institution fails to pay the surcharge under par. (a), the department shall  
10 assess and collect the amount owed from the juvenile's wages or other moneys. If a  
11 juvenile placed in a secured group home fails to pay the surcharge under par. (a), the  
12 county department shall assess and collect the amount owed from the juvenile's  
13 wages or other moneys. Any amount collected shall be transmitted to the state  
14 ~~treasurer~~ secretary of administration.

15 **SECTION 2732.** 938.532 of the statutes is repealed.

16 **SECTION 2733.** 938.538 (6m) (b) of the statutes is amended to read:

17 938.538 (6m) (b) In the selection of classified service employees for a secured  
18 correctional facility authorized under 1993 Wisconsin Act 377, section 9108 (1) (a),  
19 the appointing authority shall make every effort to use the expanded certification  
20 program under s. 230.25 (1n) or rules of the administrator of the division of merit  
21 recruitment and selection in the ~~department of employment relations~~ office of state  
22 human resources management to ensure that the percentage of employees who are  
23 minority group members approximates the percentage of the juveniles placed at that  
24 secured correctional facility who are minority group members. The administrator  
25 of the division of merit recruitment and selection in the ~~department of employment~~

1       relations office of state human resources management shall provide guidelines for  
2       the administration of this selection procedure.

3               **SECTION 2737d.** 943.13 (1e) (f) (intro.) of the statutes is amended to read:

4               943.13 (1e) (f) (intro.) “Undeveloped Open land” means land that meets all of  
5       the following criteria:

6               **SECTION 2737e.** 943.13 (1m) (a) of the statutes is amended to read:

7               943.13 (1m) (a) Enters any enclosed, cultivated or undeveloped land of another,  
8       other than undeveloped open land specified in par. (e) or (f), without the express or  
9       implied consent of the owner or occupant.

10              **SECTION 2737f.** 943.13 (1m) (e) of the statutes is amended to read:

11              943.13 (1m) (e) Enters or remains on undeveloped open land that is an  
12       inholding of another after having been notified by the owner or occupant not to enter  
13       or remain on the land.

14              **SECTION 2739.** 949.02 of the statutes is amended to read:

15              **949.02 Administration.** The department shall administer this chapter. The  
16       department shall appoint a program director to assist in administering this chapter.  
17       The department shall promulgate rules for the implementation and operation of this  
18       chapter. The rules shall include procedures to ensure that any limitation of an award  
19       ~~under s. 949.06 (5) (e)~~ is calculated in a fair and equitable manner.

20              **SECTION 2740.** 949.06 (5) of the statutes is repealed.

21              **SECTION 2743.** 961.01 (20g) of the statutes is amended to read:

22              961.01 (20g) “Public housing project” means any housing project or  
23       development administered by a housing authority, as defined in s. 16.30 560.9801 (2).

24              **SECTION 2744.** 961.41 (5) (b) of the statutes is amended to read:

1           961.41 (5) (b) The clerk of the court shall collect and transmit the amount to  
2 the county treasurer as provided in s. 59.40 (2) (m). The county treasurer shall then  
3 make payment to the ~~state treasurer~~ secretary of administration as provided in s.  
4 59.25 (3) (f) 2.

5           **SECTION 2745.** 961.41 (5) (c) of the statutes is amended to read:

6           961.41 (5) (c) All moneys collected from drug surcharges shall be deposited by  
7 the ~~state treasurer~~ secretary of administration in and utilized in accordance with s.  
8 20.435 (6) (gb).

9           **SECTION 2748.** 972.15 (2b) of the statutes is created to read:

10           972.15 (2b) If the defendant is subject to being sentenced under s. 973.01 and  
11 he or she satisfies the criteria under s. 302.05 (3) (a) 1., the person preparing the  
12 presentence investigation report shall include in the report a recommendation as to  
13 whether the defendant should be eligible to participate in the earned release  
14 program under s. 302.05 (3).

15           **SECTION 2749.** 973.01 (3g) of the statutes is created to read:

16           973.01 (3g) **EARNED RELEASE PROGRAM ELIGIBILITY.** When imposing a bifurcated  
17 sentence under this section on a person convicted of a crime other than a crime  
18 specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06, 948.07,  
19 948.075, 948.08, or 948.095, the court shall, as part of the exercise of its sentencing  
20 discretion, decide whether the person being sentenced is eligible or ineligible to  
21 participate in the earned release program under s. 302.05 (3) during the term of  
22 confinement in prison portion of the bifurcated sentence.

23           **SECTION 2750.** 973.01 (4) of the statutes is amended to read:

24           973.01 (4) **NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT.** A  
25 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of

1 confinement in prison portion of the sentence without reduction for good behavior.  
2 The term of confinement in prison portion is subject to extension under s. 302.113 (3)  
3 and, if applicable, to reduction under s. 302.045 (3m), 302.05 (3) (c) 2. a., 302.113 (9g),  
4 or 973.195 (1r).

5 **SECTION 2751.** 973.01 (8) (ag) of the statutes is created to read:

6 973.01 (8) (ag) If the court provides under sub. (3g) that the person is eligible  
7 to participate in the earned release program under s. 302.05 (3), the court shall also  
8 inform the person of the provisions of s. 302.05 (3) (c).

9 **SECTION 2752.** 973.015 of the statutes is amended to read:

10 **973.015 Misdemeanors, special disposition.** (1) When a person is under  
11 the age of 21 at the time of the commission of an offense for which the person has been  
12 found guilty in a court for violation of a law for which the maximum penalty is  
13 imprisonment for one year or less in the county jail, the court may order at the time  
14 of sentencing that the record be expunged upon successful completion of the sentence  
15 if the court determines the person will benefit and society will not be harmed by this  
16 disposition. This subsection does not apply to information maintained by the  
17 department of transportation regarding a conviction that is required to be included  
18 in a record kept under s. 343.23 (2) (a).

19 **SECTION 2759.** 973.045 (2) of the statutes is amended to read:

20 973.045 (2) After the clerk determines the amount due, the clerk of court shall  
21 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The  
22 county treasurer shall then make payment to the ~~state treasurer~~ secretary of  
23 administration under s. 59.25 (3) (f) 2.

24 **SECTION 2760.** 973.045 (3) (a) (intro.) of the statutes is amended to read:

1           973.045 (3) (a) (intro.) The clerk shall record the crime victim and witness  
2 surcharge in 2 parts. Part A is the portion that the ~~state treasurer~~ secretary of  
3 administration shall credit to the appropriation account under s. 20.455 (5) (g) and  
4 part B is the portion that the ~~state treasurer~~ secretary of administration shall credit  
5 to the appropriation account under s. 20.455 (5) (gc), as follows:

6           **SECTION 2761.** 973.045 (4) of the statutes is amended to read:

7           973.045 (4) If an inmate in a state prison or a person sentenced to a state prison  
8 has not paid the crime victim and witness assistance surcharge under this section,  
9 the department shall assess and collect the amount owed from the inmate's wages  
10 or other moneys. Any amount collected shall be transmitted to the ~~state treasurer~~  
11 secretary of administration.

12           **SECTION 2762.** 973.046 (2) of the statutes is amended to read:

13           973.046 (2) After the clerk of court determines the amount due, the clerk shall  
14 collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The  
15 county treasurer shall then make payment to the ~~state treasurer~~ secretary of  
16 administration under s. 59.25 (3) (f) 2.

17           **SECTION 2763.** 973.046 (3) of the statutes is amended to read:

18           973.046 (3) All moneys collected from deoxyribonucleic acid analysis  
19 surcharges shall be deposited by the ~~state treasurer~~ secretary of administration as  
20 specified in s. 20.455 (2) (Lm) and utilized under s. 165.77.

21           **SECTION 2764.** 973.046 (4) of the statutes is amended to read:

22           973.046 (4) If an inmate in a state prison or a person sentenced to a state prison  
23 has not paid the deoxyribonucleic acid analysis surcharge under this section, the  
24 department shall assess and collect the amount owed from the inmate's wages or

1 other moneys. Any amount collected shall be transmitted to the ~~state treasurer~~  
2 secretary of administration.

3 **SECTION 2765.** 973.055 (2) (a) of the statutes is amended to read:

4 973.055 (2) (a) If the assessment is imposed by a court of record, after the court  
5 determines the amount due, the clerk of the court shall collect and transmit the  
6 amount to the county treasurer as provided in s. 59.40 (2) (m). The county treasurer  
7 shall then make payment to the ~~state treasurer~~ secretary of administration as  
8 provided in s. 59.25 (3) (f) 2.

9 **SECTION 2766.** 973.055 (2) (b) of the statutes is amended to read:

10 973.055 (2) (b) If the assessment is imposed by a municipal court, after a  
11 determination by the court of the amount due, the court shall collect and transmit  
12 the amount to the treasurer of the county, city, town, or village, and that treasurer  
13 shall make payment to the ~~state treasurer~~ secretary of administration as provided  
14 in s. 66.0114 (1) (bm).

15 **SECTION 2767.** 973.055 (3) of the statutes is amended to read:

16 973.055 (3) All moneys collected from domestic abuse assessments shall be  
17 deposited by the ~~state treasurer~~ secretary of administration in s. 20.435 (3) (hh) and  
18 utilized in accordance with s. 46.95.

19 **SECTION 2768.** 973.09 (3) (bm) 1. of the statutes is amended to read:

20 973.09 (3) (bm) 1. At least 90 days before the expiration date of a probationer's  
21 period of probation, the department may notify the sentencing court and the district  
22 attorney that a probationer owes unpaid fees to the department under s. ~~304.073 or~~  
23 304.074.

24 **SECTION 2769.** 973.09 (3) (bm) 3. of the statutes is amended to read:

1           973.09 (3) (bm) 3. At a probation review hearing under subd. 2., the department  
2 has the burden of proving that the probationer owes unpaid fees under s. ~~304.073 or~~  
3 304.074 and the amount of the unpaid fees. If the department proves by a  
4 preponderance of the evidence that the probationer owes unpaid fees under s.  
5 ~~304.073 or~~ 304.074, the court may, by order, extend the period of probation for a  
6 stated period or modify the terms and conditions of probation.

7           **SECTION 2770.** 973.09 (3) (c) 1. of the statutes is amended to read:

8           973.09 (3) (c) 1. The probationer has not made a good faith effort to discharge  
9 court-ordered payment obligations or to pay fees owed under s. ~~304.073 or~~ 304.074.

10          **SECTION 2771.** 973.11 (1) (intro.) of the statutes is amended to read:

11          973.11 (1) PLACEMENTS. (intro.) If a person is convicted of or pleads guilty or  
12 no contest to one or more misdemeanors for which mandatory periods of  
13 imprisonment are not required, if the chief judge of the judicial administrative  
14 district has approved a volunteers in probation program established in the  
15 applicable county, and if the court decides that volunteer supervision under the  
16 program will likely benefit the person and the community and subject to the  
17 limitations under sub. (3), the court may withhold sentence or judgment of conviction  
18 and order that the person be placed with that volunteers in probation program. A  
19 person's participation in the program may not be used to conceal, withhold, or mask  
20 information regarding the judgment of conviction if the conviction is required to be  
21 included in a record kept under s. 343.23 (2) (a). Except as provided in sub. (3), the  
22 order shall provide any conditions that the court determines are reasonable and  
23 appropriate and may include, but need not be limited to, one or more of the following:

24          **SECTION 2776.** 977.01 of the statutes is renumbered 977.01 (intro.) and  
25 amended to read:

1           **977.01 Definitions.** (intro.) In this chapter, unless the context requires  
2 otherwise, “board”:

3           **(1) “Board”** means the public defender board.

4           **SECTION 2777.** 977.01 (2) of the statutes, as affected by 2003 Wisconsin Act ....  
5 (this act), is amended to read:

6           977.01 (2) “Public assistance” means relief provided by counties under s. 59.53  
7 (21), Wisconsin works under ss. 49.141 to 49.161, medical assistance under subch.  
8 IV of ch. 49, low-income energy assistance under s. ~~16.385~~ 16.27, weatherization  
9 assistance under s. ~~16.39~~ 16.26, and the food stamp program under 7 USC 2011 to  
10 2029.

11           **SECTION 2778.** 977.06 (1) (a) of the statutes is amended to read:

12           977.06 (1) (a) Verify the information necessary to determine indigency under  
13 s. 977.07 (2). The information provided by a person seeking assigned counsel that  
14 is subject to verification shall include any social security numbers provided on an  
15 application under sub. (1m), income records, value of assets, eligibility for public  
16 assistance, as defined in s. ~~106.215 (1) (fm)~~, and claims of expenses.

17           **SECTION 2798.** 978.12 (1) (c) of the statutes is amended to read:

18           978.12 (1) (c) *Assistant district attorneys.* Assistant district attorneys shall be  
19 employed outside the classified service. For purposes of salary administration, the  
20 ~~secretary of employment relations~~ director of the office of state human resources  
21 management shall establish one or more classifications for assistant district  
22 attorneys in accordance with the classification or classifications allocated to  
23 assistant attorneys general. Except as provided in s. 111.93 (3), the salaries of  
24 assistant district attorneys shall be established and adjusted in accordance with the  
25 state compensation plan for assistant attorneys general whose positions are

1 allocated to the classification or classifications established by the secretary of  
2 employment relations director of the office of state human resources management.

3 **SECTION 2800.** 978.12 (5) (c) 1. of the statutes is amended to read:

4 978.12 (5) (c) 1. The salaries authorized under this section for the district  
5 attorney and the state employees of the office of district attorney shall be paid by the  
6 ~~state treasurer~~ secretary of administration to the county treasurer pursuant to a  
7 voucher submitted by the district attorney to the department of administration. The  
8 county treasurer shall pay the amounts directly to the district attorney and state  
9 employees of the office of district attorney and the amounts paid shall be subject to  
10 the retirement system established under chapter 201, laws of 1937.

11 **SECTION 2802.** 978.13 (1) (b) of the statutes, as affected by 2001 Wisconsin Act  
12 109, is amended to read:

13 978.13 (1) (b) In counties having a population of 500,000 or more, the salary  
14 and fringe benefit costs of 2 clerk positions providing clerical services to the  
15 prosecutors in the district attorney's office handling cases involving felony violations  
16 under ch. 961. ~~The state treasurer~~ secretary of administration shall pay the amount  
17 authorized under this subsection to the county treasurer pursuant to a voucher  
18 submitted by the district attorney to the department of administration from the  
19 appropriation under s. 20.475 (1) (i).

20 **SECTION 2803.** 978.13 (1) (c) of the statutes, as affected by 2001 Wisconsin Act  
21 109, is amended to read:

22 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and  
23 fringe benefit costs of clerk positions in the district attorney's office necessary for the  
24 prosecution of violent crime cases primarily involving felony violations under s.  
25 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,

1 940.06, 940.225, 943.23 (1g), and 943.32 (2). The ~~state treasurer~~ secretary of  
2 administration shall pay the amount authorized under this subsection to the county  
3 treasurer pursuant to a voucher submitted by the district attorney to the secretary  
4 of administration from the appropriation under s. 20.475 (1) (i).

5 **SECTION 2804.** 978.13 (1) (d) of the statutes, as affected by 2001 Wisconsin Act  
6 109, is amended to read:

7 978.13 (1) (d) In counties having a population of 500,000 or more, the salary  
8 and fringe benefit costs of 2 clerk positions providing clerical services to the  
9 prosecutors in the district attorney's office handling cases involving the unlawful  
10 possession or use of firearms. The ~~state treasurer~~ secretary of administration shall  
11 pay the amount authorized under this subsection to the county treasurer from the  
12 appropriation under s. 20.475 (1) (f) or (i) pursuant to a voucher submitted by the  
13 district attorney to the department of administration.

14 **SECTION 2804d.** 978.13 (1m) of the statutes, as created by 2001 Wisconsin Act  
15 109, is amended to read:

16 978.13 (1m) The amount paid under sub. (1) (b) ~~and, (c), and (d)~~ combined may  
17 not exceed the amount appropriated under s. 20.475 (1) (i). ~~The amount paid under~~  
18 ~~sub. (1) (d) may not exceed the amount appropriated under s. 20.475 (1) (f) and (i)~~  
19 combined.

20 **SECTION 2806.** 1997 Wisconsin Act 4, section 4 (1) (title) is repealed.

21 **SECTION 2807.** 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 2001  
22 Wisconsin Act 16, section 4035, is renumbered 301.16 (1u) of the statutes and  
23 amended to read:

24 301.16 (1u) Notwithstanding 1995 Wisconsin Act 27, section 9126 (23) and  
25 (26v), the department of corrections may, ~~from July 1, 1997, until July 1, 2003,~~ shall

1 operate the ~~secured correctional facility, as defined in s. 938.02 (15m) of the statutes,~~  
2 authorized under 1995 Wisconsin Act 27, section 9126 (26v), as a state prison named  
3 ~~in section 302.01 of the statutes, as affected by this act, for the placement of~~  
4 ~~prisoners, as defined in section 301.01 (2) of the statutes, who are not more than 21~~  
5 ~~years of age and who are not violent offenders, as determined by the department of~~  
6 ~~corrections.~~

7 **SECTION 2808.** 1997 Wisconsin Act 4, section 4 (1) (b) is repealed.

8 **SECTION 2809.** 1997 Wisconsin Act 27, section 9101 (11m) is amended to read:

9 [1997 Wisconsin Act 27] Section 9101 (11m) REPORT BY LAND INFORMATION  
10 BOARD AND WISCONSIN LAND COUNCIL. No later than September 1, ~~2002~~ 2004, the land  
11 information board and Wisconsin land council shall report to the legislature in the  
12 manner provided under section 13.172 (2) of the statutes and to the governor  
13 concerning the issue of continuation of their functions, including the feasibility of  
14 combination of their functions.

15 **SECTION 2810.** 1997 Wisconsin Act 27, section 9111 (2u) is repealed.

16 **SECTION 2811.** 1997 Wisconsin Act 27, section 9456 (3m), as last affected by  
17 2001 Wisconsin Act 16, is amended to read:

18 [1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION  
19 BOARD AND WISCONSIN LAND COUNCIL. The treatment of sections 15.07 (1) (b) 16.,  
20 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), 20.505  
21 (1) (ka) (by SECTION 669am), 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1)  
22 (e), 36.25 (12m) (intro.), 59.72 (1) (a) and (b), (3) (intro.), (a) and (b) and (5) and 92.10  
23 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2) and (4), 16.967, 20.505 (1)  
24 (ie), (ig), (ij) and (ks), 23.32 (2) (d), 59.43 (1) (u) and 59.72 (1) (am), (3) (c) and (4) of  
25 the statutes and SECTION 9101 (1) of this act take effect on September 1, ~~2003~~ 2005.