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1 children and families. A certification, certification card or permit issued or renewed
2 in reliance upon a false statement submitted under this subsection is invalid.

3 **SECTION 3067.** 255.06 (4) of the statutes is created to read:

4 255.06 (4) INFORMATION ABOUT WOMEN WHO RECEIVE SERVICES. The department
5 shall obtain and share information about women who receive services that are
6 reimbursed under this section as provided in s. 49.475.

7 **SECTION 3068.** 255.15 (3) (b) (intro.) of the statutes is amended to read:

8 255.15 (3) (b) (intro.) From the appropriation accounts under s. 20.435 (5) (fm)
9 and (r), the department may distribute grants for any of the following:

10 **SECTION 3069.** 255.15 (4) of the statutes is repealed.

11 **SECTION 3070.** 255.15 (5) of the statutes is amended to read:

12 255.15 (5) FUNDS. The department may accept for any of the purposes under
13 this section any donations and grants of money, equipment, supplies, materials and
14 services from any person. The department shall include in the report under sub. (4)
15 any donation or grant accepted by the department under this subsection, including
16 the nature, amount and conditions, if any, of the donation or grant and the identity
17 of the donor.

18 **SECTION 3071.** 281.01 (3e) of the statutes is created to read:

19 281.01 (3e) "Design-build construction process" has the meaning given in s.
20 200.47 (2) (f) 1.

21 **SECTION 3072.** 281.41 (1) (a) of the statutes is amended to read:

22 281.41 (1) (a) Except as provided under sub. (2), every owner within the time
23 prescribed by the department, shall file with the department a certified copy of
24 complete plans of a proposed system or plant or extension thereof, in scope and detail
25 satisfactory to the department, and, if required, of existing systems or plants, and

1 any other information concerning maintenance, operation and other details that the
2 department requires, including the information specified under s. 281.35 (5) (a), if
3 applicable. Owners contracting for a system, plant, or extension under the
4 design-build construction process shall submit to the department performance
5 objectives and preliminary designs in a form that is satisfactory to the department,
6 rather than complete plans. Material changes with a statement of the reasons shall
7 be likewise submitted. Before plans are drawn, a statement concerning the
8 improvement may be made to the department and the department may, if requested,
9 outline generally what it will require. Upon receipt of the plans for approval, the
10 department or its authorized representative shall notify the owner of the date of
11 receipt.

12 **SECTION 3073.** 281.58 (12) (a) 1. of the statutes is amended to read:

13 281.58 (12) (a) 1. Except as modified under par. (f) and except as restricted by
14 sub. (8) (b), (c), (f) or (h), the interest rate for projects specified in sub. (7) (b) 1. and
15 2. is ~~55%~~ 70% of market interest rate.

16 **SECTION 3074.** 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

17 281.59 (3e) (b) 1. Equal to ~~\$109,600,000~~ \$99,100,000 during the 2005-07
18 2007-09 biennium.

19 3. Equal to \$1,000 for any biennium after the 2005-07 2007-09 biennium.

20 **SECTION 3075.** 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

21 281.59 (3m) (b) 1. Equal to ~~\$2,700,000~~ \$3,400,000 during the 2005-07 2007-09
22 biennium.

23 2. Equal to \$1,000 for any biennium after the 2005-07 2007-09 biennium.

24 **SECTION 3076.** 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

1 281.59 (3s) (b) 1. Equal to ~~\$12,800,000~~ \$16,700,000 during the 2005-07
2 2007-09 biennium.

3 2. Equal to \$1,000 for any biennium after the 2005-07 2007-09 biennium.

4 **SECTION 3077.** 281.59 (4) (b) of the statutes is amended to read:

5 281.59 (4) (b) The department of administration may, under s. 18.561 or 18.562,
6 deposit in a separate and distinct fund in the state treasury or in an account
7 maintained by a trustee outside the state treasury, any portion of the revenues
8 derived under s. 25.43 (1). The revenues deposited with a trustee outside the state
9 treasury are the trustee's revenues in accordance with the agreement between this
10 state and the trustee or in accordance with the resolution pledging the revenues to
11 the repayment of revenue obligations issued under this subsection and to make
12 payments under an agreement or ancillary arrangement entered into under s. 18.55
13 (6) with respect to revenue obligations issued under this subsection.

14 **SECTION 3078.** 281.59 (4) (f) of the statutes is amended to read:

15 281.59 (4) (f) Revenue obligations may be contracted by the building
16 commission when it reasonably appears to the building commission that all
17 obligations incurred under this subsection, and all payments under an agreement or
18 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue
19 obligations issued under this subsection, can be fully paid on a timely basis from
20 moneys received or anticipated to be received. Revenue obligations issued under this
21 subsection for the clean water fund program shall not exceed \$1,615,955,000
22 \$1,984,100,000 in principal amount, excluding obligations issued to refund
23 outstanding revenue obligation notes.

24 **SECTION 3079.** 281.65 (4e) of the statutes is created to read:

SECTION 3079

1 281.65 (4e) (a) A governmental unit may request funding under this subsection
2 for a project to implement best management practices for animal waste management
3 at an animal feeding operation for which the department has issued a notice of
4 discharge under ch. 283.

5 (b) The department may grant a request under par. (a) if it determines that
6 providing funding under this subsection is necessary to protect fish and aquatic life.

7 (c) Subsection (8) (d) does not apply to a grant under this subsection.

8 **SECTION 3080.** 281.65 (8) (f) of the statutes is amended to read:

9 281.65 (8) (f) A cost-sharing grant shall equal the percentage of the cost of
10 implementing the best management practice that is determined by the
11 governmental unit submitting the application under sub. (4c) (a) or (4e) (a) and is
12 approved by the board, except as provided under pars. (gm) and (jm) and except that
13 a cost-sharing grant may not exceed 70% of the cost of implementing the best
14 management practice.

15 **SECTION 3081.** 281.65 (8) (gm) of the statutes is amended to read:

16 281.65 (8) (gm) The governmental unit submitting the application under sub.
17 (4c) (a) or (4e) (a) shall exceed the limit under par. (f) in cases of economic hardship,
18 as defined by the department by rule.

19 **SECTION 3082.** 281.87 of the statutes is created to read:

20 **281.87 Great Lakes contaminated sediment removal.** The department
21 may expend funds from the appropriation under s. 20.866 (2) (ti) to pay a portion of
22 the costs of a project to remove contaminated sediment from Lake Michigan or Lake
23 Superior or a tributary of Lake Michigan or Lake Superior if federal funds are
24 provided for the project under 33 USC 1268 (c) (12).

25 **SECTION 3083.** 285.30 (5) (a) of the statutes is amended to read:

1 285.30 (5) (a) A motor vehicle of a model year of 1967 1995 or earlier.

2 **SECTION 3084.** 285.30 (5) (b) of the statutes is amended to read:

3 285.30 (5) (b) A motor vehicle with of a model year of 2006 or earlier that has
4 a gross vehicle weight rating exceeding 10,000 pounds, as determined by the
5 manufacturer of the vehicle, and a motor vehicle of a model year of 2007 or later that
6 has a gross vehicle weight rating exceeding 14,000 pounds, as determined by the
7 manufacturer of the vehicle.

8 **SECTION 3085.** 285.30 (5) (d) of the statutes is amended to read:

9 285.30 (5) (d) A motor vehicle of a model year of 2006 or earlier that is powered
10 by diesel fuel.

11 **SECTION 3086.** 285.59 (1) (b) of the statutes is amended to read:

12 285.59 (1) (b) "State agency" means any office, department, agency, institution
13 of higher education, association, society, or other body in state government created
14 or authorized to be created by the constitution or any law which that is entitled to
15 expend moneys appropriated by law, including the legislature and the courts, the
16 Wisconsin Housing and Economic Development Authority, the Bradley Center
17 Sports and Entertainment Corporation, the University of Wisconsin Hospitals and
18 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
19 Aerospace Authority, and the Wisconsin Health and Educational Facilities
20 Authority, and the Healthy Wisconsin Authority.

21 **SECTION 3087.** 289.43 (7) (e) 3. of the statutes is amended to read:

22 289.43 (7) (e) 3. All fees collected under this paragraph shall be credited to the
23 appropriations appropriation under s. 20.370 (2) (dg) and ~~(9) (mj)~~.

24 **SECTION 3088.** 289.645 (3) of the statutes is amended to read:

1 289.645 (3) AMOUNT OF RECYCLING FEE. The fee imposed under this section is
2 \$3 ~~\$6~~ per ton for all solid waste other than high-volume industrial waste.

3 **SECTION 3089.** 289.67 (1) (cp) of the statutes is amended to read:

4 289.67 (1) (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm)
5 and except as provided under par. (d), the environmental repair fee imposed under
6 par. (a) is ~~30~~ 50 cents per ton for solid or hazardous waste, other than high-volume
7 industrial waste, disposed of ~~on or after January 1, 1988, but before July 1, 1989,~~
8 and 50 cents per ton disposed of on or after July 1, 1989 before July 1, 2007, and \$1.60
9 per ton disposed of on or after July 1, 2007.

10 **SECTION 3090.** 289.67 (1) (h) of the statutes is amended to read:

11 289.67 (1) (h) *Use of environmental repair fee.* The fees collected under par. (b)
12 shall be credited to the environmental fund ~~for environmental management.~~

13 **SECTION 3091.** 291.15 (2) (d) of the statutes is amended to read:

14 291.15 (2) (d) *Use of confidential records.* Except as provided under par. (c) and
15 this paragraph the department or the department of justice may use records and
16 other information granted confidential status under this subsection only in the
17 administration and enforcement of this chapter. The department or the department
18 of justice may release for general distribution records and other information granted
19 confidential status under this subsection if the owner or operator expressly agrees
20 to the release. The department or the department of justice may release on a limited
21 basis records and other information granted confidential status under this
22 subsection if the department or the department of justice is directed to take this
23 action by a judge or hearing examiner under an order which protects the
24 confidentiality of the records or other information. The department or the
25 department of justice may release to the U.S. environmental protection agency or its

1 authorized representative records and other information granted confidential status
2 under this subsection if the department or the department of justice includes in each
3 release of records or other information a request to the U.S. environmental
4 protection agency or its authorized representative to protect the confidentiality of
5 the records or other information. The department or the department of justice shall
6 provide to the department of ~~workforce development~~ children and families or a
7 county child support agency under s. 59.53 (5) the name and address of an individual,
8 the name and address of the individual's employer and financial information related
9 to the individual that is contained in records or other information granted
10 confidential status under this subsection if requested under s. 49.22 (2m) by the
11 department of ~~workforce development~~ children and families or a county child
12 support agency under s. 59.53 (5).

13 **SECTION 3092.** 291.97 (3) of the statutes is created to read:

14 291.97 (3) COST RECOVERY. In addition to the penalties provided under subs. (1)
15 and (2), the court may award the department of justice the reasonable and necessary
16 expenses of the investigation and prosecution of the violation, including attorney
17 fees and the costs of performing monitoring. The department of justice shall deposit
18 in the state treasury for deposit into the general fund all moneys that the court
19 awards to the department or the state under this paragraph. The costs of
20 investigation and the expenses of prosecution, including attorney fees, shall be
21 credited to the appropriation account under s. 20.455 (1) (gh).

22 **SECTION 3093.** 292.11 (7) (d) 1m. b. of the statutes is amended to read:

23 292.11 (7) (d) 1m. b. An area designated by the local governmental unit if the
24 area consists of 2 or more properties affected by a contiguous region of groundwater

1 contamination or contains 2 or more properties that are brownfields, as defined in
2 s. ~~560.60 (1v)~~ 560.13 (1) (a).

3 **SECTION 3094.** 292.255 of the statutes is amended to read:

4 **292.255 Report on brownfield efforts.** The department of natural
5 resources, the department of administration, and the department of commerce shall
6 submit a report evaluating the effectiveness of this state's efforts to remedy the
7 contamination of, and to redevelop, brownfields, as defined in s. ~~560.60 (1v)~~ 560.13
8 (1) (a).

9 **SECTION 3095.** 299.07 (1) (am) 1. of the statutes is amended to read:

10 **299.07 (1) (am) 1.** If an individual who applies for the issuance or renewal of
11 a license, registration or certification specified in par. (a) does not have a social
12 security number, the department shall require the applicant, as a condition of
13 issuing or renewing the license, registration or certification, to submit a statement
14 made or subscribed under oath or affirmation that the applicant does not have a
15 social security number. The statement shall be in the form prescribed by the
16 department of ~~workforce development~~ children and families.

17 **SECTION 3096.** 299.07 (1) (b) 2. of the statutes is amended to read:

18 **299.07 (1) (b) 2.** If the department is required to obtain the information under
19 s. 299.08 (1) (a), to the department of ~~workforce development~~ children and families
20 in accordance with a memorandum of understanding under s. 49.857.

21 **SECTION 3097.** 299.08 (1) (am) 1. of the statutes is amended to read:

22 **299.08 (1) (am) 1.** If an individual who applies for the issuance or renewal of
23 a license, registration or certification specified in par. (a) does not have a social
24 security number, the department shall require the applicant, as a condition of
25 issuing or renewing the license, registration or certification, to submit a statement

1 made or subscribed under oath or affirmation that the applicant does not have a
2 social security number. The statement shall be in the form prescribed by the
3 department of ~~workforce development~~ children and families.

4 **SECTION 3098.** 299.08 (1) (b) 1. of the statutes is amended to read:

5 299.08 (1) (b) 1. To the department of ~~workforce development~~ children and
6 families in accordance with a memorandum of understanding under s. 49.857.

7 **SECTION 3099.** 299.08 (2) of the statutes is amended to read:

8 299.08 (2) The department shall deny an application for the issuance or
9 renewal of a license, registration or certification specified in sub. (1) (a), or shall
10 suspend a license, registration or certification specified in sub. (1) (a) for failure to
11 make court-ordered payments of child or family support, maintenance, birth
12 expenses, medical expenses or other expenses related to the support of a child or
13 former spouse or failure to comply, after appropriate notice, with a subpoena or
14 warrant issued by the department of ~~workforce development~~ children and families
15 or a county child support agency under s. 59.53 (5) and relating to paternity or child
16 support proceedings, as required in a memorandum of understanding under s.
17 49.857.

18 **SECTION 3100.** 301.03 (3) of the statutes is amended to read:

19 301.03 (3) Administer parole, extended supervision and probation matters,
20 except that the decision to grant or deny parole or to grant or terminate extended
21 supervision under s. 304.06 (1) (b) to inmates shall be made by the parole earned
22 release review commission and the decision to revoke probation, extended
23 supervision or parole in cases in which there is no waiver of the right to a hearing
24 shall be made by the division of hearings and appeals in the department of
25 administration. The secretary may grant special action parole releases under s.

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1 304.02. The department shall promulgate rules establishing a drug testing program
2 for probationers, parolees and persons placed on extended supervision. The rules
3 shall provide for assessment of fees upon probationers, parolees and persons placed
4 on extended supervision to partially offset the costs of the program.

5 **SECTION 3101.** 301.0465 (3) (a) 4. of the statutes is amended to read:

6 301.0465 (3) (a) 4. He or she is serving an indeterminate sentence and the
7 parole earned release review commission has authorized his or her release on parole
8 within the next 6 months.

9 **SECTION 3102.** 301.048 (2) (am) 3. of the statutes is amended to read:

10 301.048 (2) (am) 3. The parole earned release review commission grants him
11 or her parole under s. 304.06 and requires his or her participation in the program as
12 a condition of parole under s. 304.06 (1x).

13 **SECTION 3103.** 301.08 (2) (d) 3. of the statutes is amended to read:

14 301.08 (2) (d) 3. Unless waived by the department, biennially, or annually if
15 required under federal law, provide the purchaser with a certified financial and
16 compliance audit report if the care and services purchased exceed \$100,000 or any
17 higher threshold amount determined by the department. The audit shall follow
18 standards that the department prescribes. A purchaser may waive the requirements
19 of this subdivision as provided in s. 46.036 (4) (c).

20 **SECTION 3104.** 301.12 (14) (b) of the statutes is amended to read:

21 301.12 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability
22 of a parent specified in sub. (2) or s. 301.03 (18) for the care and maintenance of the
23 parent's minor child who has been placed by a court order under s. 938.183, 938.355,
24 or 938.357 in a residential, nonmedical facility such as a group home, foster home,
25 treatment foster home, residential care center for children and youth, or juvenile

1 correctional institution shall be determined by the court by using the percentage
2 standard established by the department of ~~workforce development~~ children and
3 families under s. 49.22 (9) and by applying the percentage standard in the manner
4 established by the department under par. (g).

5 **SECTION 3105.** 301.12 (14) (g) of the statutes is amended to read:

6 301.12 (14) (g) For purposes of determining child support under par. (b), the
7 department shall promulgate rules related to the application of the standard
8 established by the department of ~~workforce development~~ children and families
9 under s. 49.22 (9) to a child support obligation for the care and maintenance of a child
10 who is placed by a court order under s. 938.183, 938.355 or 938.357 in a residential,
11 nonmedical facility. The rules shall take into account the needs of any person,
12 including dependent children other than the child, whom either parent is legally
13 obligated to support.

14 **SECTION 3106.** 301.21 (1m) (c) of the statutes is amended to read:

15 301.21 (1m) (c) Any hearing to consider parole or whether to grant or terminate
16 extended supervision, if the prisoner is sentenced under s. 973.01 for a Class F to a
17 Class I felony to which an inmate confined under this contract may be entitled by the
18 laws of Wisconsin will be conducted by the Wisconsin parole earned release review
19 commission under rules of the department.

20 **SECTION 3107.** 301.21 (2m) (c) of the statutes is amended to read:

21 301.21 (2m) (c) Any hearing to consider parole or whether to grant or terminate
22 extended supervision, if the prisoner is sentenced under s. 973.01 for a Class F to a
23 Class I felony, to which a prisoner confined under a contract under this subsection
24 may be entitled by the laws of Wisconsin shall be conducted by the Wisconsin parole
25 earned release review commission under rules of the department.

SECTION 3108

1 **SECTION 3108.** 301.25 of the statutes is amended to read:

2 **301.25 Sewer system at Taycheedah Correctional Institution.** The
3 department, with the approval of the governor, may enter into an agreement
4 containing terms, conditions and covenants approved by the building commission,
5 to participate in the construction of a sanitary sewer system in the area adjacent to
6 the Taycheedah Correctional Institution in the town of Taycheedah, Fond du Lac
7 County; to connect the sewer system of the Taycheedah Correctional Institution
8 thereto; to pay sewage disposal charges; and to grant easements or, ~~subject to s.~~
9 ~~16.848,~~ convey land to meet construction requirements.

10 **SECTION 3109.** 301.26 (3) (c) of the statutes is amended to read:

11 301.26 (3) (c) Within the limits of the appropriations under s. 20.410 (3) (cd)
12 ~~and, (ko), and (r),~~ the department shall allocate funds to each county for services
13 under this section.

14 **SECTION 3110.** 301.26 (3) (em) of the statutes is amended to read:

15 301.26 (3) (em) The department may carry forward any emergency funds
16 allocated under sub. (7) (e) and not encumbered or carried forward under par. (dm)
17 by December 31 to the next 2 calendar years. The department may transfer moneys
18 from or within s. 20.410 (3) (cd), ~~(ko), and (r)~~ to accomplish this purpose. The
19 department may allocate these transferred moneys to counties that are eligible for
20 emergency payments under sub. (7) (e). The allocation does not affect a county's base
21 allocation.

22 **SECTION 3111.** 301.26 (4) (a) of the statutes is amended to read:

23 301.26 (4) (a) Except as provided in pars. (c) and (cm), the department of
24 corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd),
25 ~~(ko), and (r)~~ for the costs of care, services and supplies purchased or provided by the

1 department of corrections for each person receiving services under s. 48.366, 938.183
2 or 938.34 or the department of health and family services for each person receiving
3 services under s. 46.057 or 51.35 (3). The department of corrections may not bill a
4 county for or deduct from a county's allocation the cost of care, services and supplies
5 provided to a person subject to an order under s. 48.366 or 938.183 after the person
6 reaches 18 years of age. Payment shall be due within 60 days after the billing date.
7 If any payment has not been received within 60 days, the department of corrections
8 may withhold aid payments in the amount due from the appropriation under s.
9 20.410 (3) (cd).

10 **SECTION 3112.** 301.26 (4) (c) of the statutes is amended to read:

11 301.26 (4) (c) Notwithstanding pars. (a), (b), and (bm), the department of
12 corrections shall pay, from the appropriation under s. 20.410 (3) (hm), (ho), or (hr),
13 the costs of care, services, and supplies provided for each person receiving services
14 under s. 46.057, 48.366, 51.35 (3), 938.183, or 938.34 who was under the
15 guardianship of the department of ~~health and family services~~ children and families
16 pursuant to an order under ch. 48 at the time that the person was adjudicated
17 delinquent.

18 **SECTION 3113.** 301.26 (4) (d) 2. of the statutes is amended to read:

19 301.26 (4) (d) 2. Beginning on July 1, 2005 2007, and ending on June 30, 2006
20 2008, the per person daily cost assessment to counties shall be ~~\$203~~ \$269 for care in
21 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$203~~ \$269 for care
22 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
23 ~~\$234~~ \$277 for care in a residential care center for children and youth, ~~\$157~~ \$165 for
24 care in a group home for children, ~~\$47~~ \$67 for care in a foster home, ~~\$83~~ \$132 for care

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1 in a treatment foster home, ~~\$81~~ \$99 for departmental corrective sanctions services,
2 and ~~\$32~~ \$40 for departmental aftercare services.

3 **SECTION 3114.** 301.26 (4) (d) 3. of the statutes is amended to read:

4 301.26 (4) (d) 3. Beginning on July 1, ~~2006~~ 2008, and ending on June 30, ~~2007~~
5 2009, the per person daily cost assessment to counties shall be ~~\$209~~ \$279 for care in
6 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), ~~\$209~~ \$279 for care
7 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3),
8 ~~\$244~~ \$296 for care in a residential care center for children and youth, ~~\$163~~ \$172 for
9 care in a group home for children, ~~\$50~~ \$74 for care in a foster home, ~~\$87~~ \$145 for care
10 in a treatment foster home, ~~\$82~~ \$101 for departmental corrective sanctions services,
11 and ~~\$33~~ \$41 for departmental aftercare services.

12 **SECTION 3115.** 301.26 (6) (a) of the statutes is amended to read:

13 301.26 (6) (a) The intent of this subsection is to develop criteria to assist the
14 legislature in allocating funding, excluding funding for base allocations, from the
15 appropriations under s. 20.410 (3) (cd) ~~and, (ko), and (r)~~ for purposes described in this
16 section.

17 **SECTION 3116.** 301.26 (7) (intro.) of the statutes is amended to read:

18 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
19 of federal funds and of the appropriations under s. 20.410 (3) (cd) ~~and, (ko), and (r)~~,
20 the department shall allocate funds for community youth and family aids for the
21 period beginning on July 1, ~~2005~~ 2007, and ending on June 30, ~~2007~~ 2009, as
22 provided in this subsection to county departments under ss. 46.215, 46.22, and 46.23
23 as follows:

24 **SECTION 3117.** 301.26 (7) (a) of the statutes is amended to read:

1 301.26 (7) (a) For community youth and family aids under this section,
2 amounts not to exceed ~~\$44,145,100~~ \$46,645,100 for the last 6 months of 2005,
3 ~~\$88,290,200 for 2006, and \$44,145,100~~ 2007, \$93,290,200 for 2008, and \$46,645,100
4 for the first 6 months of ~~2007~~ 2009.

5 **SECTION 3118.** 301.26 (7) (b) (intro.) of the statutes is amended to read:

6 301.26 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
7 allocate \$2,000,000 for the last 6 months of ~~2005~~ 2007, \$4,000,000 for ~~2006~~ 2008, and
8 \$2,000,000 for the first 6 months of ~~2007~~ 2009 to counties based on each of the
9 following factors weighted equally:

10 **SECTION 3119.** 301.26 (7) (bm) of the statutes is created to read:

11 301.26 (7) (bm) Of the amounts specified in par. (a), the department shall
12 allocate \$2,500,000 for the last 6 months of 2007, \$5,000,000 for 2008, and \$2,500,000
13 for the first 6 months of 2009 to counties based on each county's proportion of the
14 number of juveniles statewide who are placed in a juvenile correctional facility
15 during the most recent 3-year period for which that information is available.

16 **SECTION 3120.** 301.26 (7) (c) of the statutes is amended to read:

17 301.26 (7) (c) Of the amounts specified in par. (a), the department shall allocate
18 \$1,053,200 for the last 6 months of ~~2005~~ 2007, \$2,106,500 for ~~2006~~ 2008, and
19 \$1,053,300 for the first 6 months of ~~2007~~ 2009 to counties based on each of the factors
20 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
21 allocation under this paragraph that is less than 93% nor more than 115% of the
22 amount that the county would have received under this paragraph if the allocation
23 had been distributed only on the basis of the factor specified in par. (b) 3.

24 **SECTION 3121.** 301.26 (7) (cm) of the statutes is created to read:

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1 301.26 (7) (cm) The department shall allocate the amounts specified in par. (a)
2 that are derived from the appropriation under s. 20.410 (3) (r) to counties based on
3 each county's proportion of the number of juveniles statewide who are placed in a
4 juvenile correctional facility or a secured residential care center for children and
5 youth during the most recent 3-year period for which that information is available.

6 **SECTION 3122.** 301.26 (7) (e) of the statutes is amended to read:

7 301.26 (7) (e) For emergencies related to community youth and family aids
8 under this section, amounts not to exceed \$125,000 for the last 6 months of 2005
9 2007, \$250,000 for 2006 2008, and \$125,000 for the first 6 months of 2007 2009. A
10 county is eligible for payments under this paragraph only if it has a population of not
11 more than 45,000.

12 **SECTION 3123.** 301.26 (7) (h) of the statutes is amended to read:

13 301.26 (7) (h) For counties that are participating in the corrective sanctions
14 program under s. 938.533 (2), \$1,062,400 in the last 6 months of 2005 2007,
15 \$2,124,800 in 2006 2008, and \$1,062,400 in the first 6 months of 2007 2009 for the
16 provision of corrective sanctions services for juveniles from that county. In
17 distributing funds to counties under this paragraph, the department shall determine
18 a county's distribution by dividing the amount allocated under this paragraph by the
19 number of slots authorized for the program under s. 938.533 (2) and multiplying the
20 quotient by the number of slots allocated to that county by agreement between the
21 department and the county. The department may transfer funds among counties as
22 necessary to distribute funds based on the number of slots allocated to each county.

23 **SECTION 3124.** 301.26 (8) of the statutes is amended to read:

24 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
25 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last

1 6 months of ~~2005~~ 2007, \$1,333,400 in ~~2006~~ 2008, and \$666,700 in the first 6 months
2 of ~~2007~~ 2009 for alcohol and other drug abuse treatment programs.

3 **SECTION 3125.** 301.265 (title) of the statutes is repealed.

4 **SECTION 3126.** 301.265 (1) of the statutes is renumbered 16.964 (8) (a) and
5 amended to read:

6 16.964 (8) (a) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and
7 (kj), the department office shall allocate \$500,000 in each fiscal year to enter into a
8 contract with an organization to provide services in a county having a population of
9 500,000 or more for the diversion of youths from gang activities into productive
10 activities, including placement in appropriate educational, recreational, and
11 employment programs. Notwithstanding s. 16.75, the department office may enter
12 into a contract under this subsection paragraph without soliciting bids or proposals
13 and without accepting the lowest responsible bid or offer.

14 **SECTION 3127.** 301.265 (2) of the statutes is renumbered 16.964 (8) (b) and
15 amended to read:

16 16.964 (8) (b) From the appropriation under s. ~~20.410 (3) (ky)~~ 20.505 (6) (km),
17 the department office may not distribute more than \$300,000 in each fiscal year to
18 the organization that it has contracted with under sub. (1) par. (a) for alcohol and
19 other drug abuse education and treatment services for participants in that
20 organization's youth diversion program.

21 **SECTION 3128.** 301.265 (3) of the statutes is renumbered 16.964 (8) (c) and
22 amended to read:

23 16.964 (8) (c) From the appropriations under s. ~~20.410 (3)~~ 20.505 (6) (d) and (kj),
24 the department office shall allocate \$150,000 in each fiscal year to enter into a
25 contract with an organization to provide services in Racine County, \$150,000 in each

SECTION 3128

1 fiscal year to enter into a contract with an organization to provide services in
2 Kenosha County, \$150,000 in each fiscal year to enter into a contract with an
3 organization that is located in ward ~~1~~ 2 in the city of Racine to provide services in
4 Racine County, and \$150,000 in each fiscal year to enter into a contract with an
5 organization to provide services in Brown County, and from the appropriation under
6 s. ~~20.410 (3)~~ 20.505 (6) (kj), the department shall allocate \$100,000 in each fiscal year
7 to enter into a contract with an organization, for the diversion of youths from gang
8 activities into productive activities, including placement in appropriate educational,
9 recreational, and employment programs, and for alcohol or other drug abuse
10 education and treatment services for participants in that organization's youth
11 diversion program. The organization that is located in ward ~~1~~ 2 in the city of Racine
12 shall have a recreational facility, shall offer programs to divert youths from gang
13 activities, may not be affiliated with any national or state association, and may not
14 have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.
15 16.75, the ~~department~~ office may enter into a contract under this subsection
16 paragraph without soliciting bids or proposals and without accepting the lowest
17 responsible bid or offer.

18 **SECTION 3129.** 301.37 (1) of the statutes is amended to read:

19 301.37 (1) The department shall fix reasonable standards and regulations for
20 the design, construction, repair, and maintenance of all houses of correction,
21 reforestation camps maintained under s. 303.07, jails, as defined in s. 302.30,
22 extensions of jails under s. 59.54 (14) (g), rehabilitation facilities under s. 59.53 (8),
23 lockup facilities, as defined in s. 302.30, work camps under s. 303.10, Huber facilities
24 under s. 303.09, and, after consulting with the department of health and family

1 ~~services~~ children and families, all juvenile detention facilities, with respect to their
2 adequacy and fitness for the needs which they are to serve.

3 **SECTION 3130.** 301.45 (7) (a) of the statutes is amended to read:

4 301.45 (7) (a) The department shall maintain information provided under sub.
5 (2). The department shall keep the information confidential except as provided in
6 ss. 301.03 (14) and 301.46, except as needed for law enforcement purposes and except
7 to provide, in response to a request for information under s. 49.22 (2m) made by the
8 department of ~~workforce development~~ children and families or a county child
9 support agency under s. 59.53 (5), the name and address of an individual registered
10 under this section, the name and address of the individual's employer and financial
11 information related to the individual.

12 **SECTION 3131.** 301.45 (9) of the statutes is amended to read:

13 301.45 (9) COOPERATION. The department of health and family services, the
14 department of ~~workforce development~~ children and families, the department of
15 transportation and all circuit courts shall cooperate with the department of
16 corrections in obtaining information under this section.

17 **SECTION 3132.** 301.45 (10) of the statutes is amended to read:

18 301.45 (10) The department may require a person who must register as a sex
19 offender ~~and who is in its custody or on probation, parole, or extended supervision~~
20 to pay an annual fee to partially offset its costs in monitoring persons who are on
21 probation, parole, or extended supervision ~~or who must register as sex offenders~~. The
22 department shall establish any such fee by rule, but the fee may not exceed \$50.

23 **SECTION 3133.** 301.46 (4) (a) 10m. of the statutes is created to read:

24 301.46 (4) (a) 10m. The department children and families.

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1 **SECTION 3134.** 301.48 (1) (b) of the statutes, as created by 2005 Wisconsin Act
2 431, is amended to read:

3 301.48 (1) (b) "Global positioning system tracking" means tracking using a
4 system that ~~actively monitors and identifies~~ can monitor, identify, and record a
5 person's location and ~~timely reports or that~~ records the person's presence ~~near or at~~
6 a ~~crime scene or~~ in an exclusion zone or the person's departure from an inclusion
7 zone. "Global positioning system tracking" includes comparable technology.

8 **SECTION 3135.** 301.48 (1) (d) of the statutes, as created by 2005 Wisconsin Act
9 431, is repealed.

10 **SECTION 3136.** 301.48 (1) (dm) of the statutes, as created by 2005 Wisconsin Act
11 431, is repealed.

12 **SECTION 3137.** 301.48 (2) (a) (intro.) and 4. of the statutes, as created by 2005
13 Wisconsin Act 431, are consolidated, renumbered 301.48 (2) (am) and amended to
14 read:

15 301.48 (2) (am) Except as provided in sub. ~~(2m)~~ (6) or (7), as a condition of
16 conditional release, the department shall ~~maintain lifetime tracking of~~ have a person
17 tracked using a global positioning system tracking device if ~~any of the following~~
18 ~~occurs with respect to the person, on or after July 1, 2007:~~ 4. January 1, 2008,
19 a court that found the person not guilty of a serious child sex offense by reason of
20 mental disease or mental defect places the person on conditional release.

21 **SECTION 3138.** 301.48 (2) (a) 1. of the statutes, as created by 2005 Wisconsin
22 Act 431, is repealed.

23 **SECTION 3139.** 301.48 (2) (a) 2. of the statutes, as created by 2005 Wisconsin
24 Act 431, is renumbered 301.48 (2) (ar) and amended to read:

1 301.48 (2) (ar) The Except as provided in sub. (6) or (7), if, on or after January
2 1, 2008, the department releases the a person to extended supervision or parole while
3 the person is serving a sentence for committing a serious child sex offense, the
4 department shall have the person tracked using a global positioning system tracking
5 device as a condition of extended supervision or parole.

6 **SECTION 3140.** 301.48 (2) (a) 3. of the statutes, as created by 2005 Wisconsin
7 Act 431, is repealed.

8 **SECTION 3141.** 301.48 (2) (a) 5. of the statutes, as created by 2005 Wisconsin
9 Act 431, is repealed.

10 **SECTION 3142.** 301.48 (2) (ag) of the statutes is created to read:

11 301.48 (2) (ag) Except as provided in sub. (6) or (7), if, on or after January 1,
12 2008, a person is placed on lifetime supervision under s. 939.615 for the commission
13 of a serious child sex offense, the department shall have the person tracked using a
14 global positioning system tracking device as a condition of lifetime supervision.

15 **SECTION 3143.** 301.48 (2) (b) (intro.) and 1. of the statutes, as created by 2005
16 Wisconsin Act 431, are consolidated, renumbered 301.48 (2) (bg) and amended to
17 read:

18 301.48 (2) (bg) The Except as provided in sub. (7), as a condition of supervised
19 release, the department shall maintain lifetime tracking of have a person tracked
20 using a global positioning system tracking device if any of the following occurs with
21 respect to the person, on or after July 1, 2007: 1. A January, 1, 2008, a court places
22 the person on supervised release under s. 980.08 (6m).

23 **SECTION 3144.** 301.48 (2) (b) 2. of the statutes, as created by 2005 Wisconsin
24 Act 431, is repealed.

1 **SECTION 3145.** 301.48 (2) (b) 3. of the statutes, as created by 2005 Wisconsin
2 Act 431, is renumbered 301.48 (2) (br) and amended to read:

3 301.48 (2) (br) The Except as provided in sub. (6) or (7), as a condition of parole,
4 the department shall have a person tracked using a global positioning system
5 tracking device if, on or after January 1, 2008, the department of health and family
6 services places the person on parole or discharges the person under ch. 975. This
7 subdivision paragraph does not apply unless the person's commitment was based on
8 his or her commission of a serious child sex offense.

9 **SECTION 3146.** 301.48 (2) (c) (intro.) of the statutes, as created by 2005
10 Wisconsin Act 431, is amended to read:

11 301.48 (2) (c) (intro.) The Except as provided in sub. (6) or (7), the department
12 shall have a person tracked using a global positioning system tracking device if all
13 of the following apply:

14 **SECTION 3147.** 301.48 (2) (c) 2. of the statutes, as created by 2005 Wisconsin
15 Act 431, is repealed and recreated to read:

16 301.48 (2) (c) 2. On or after January 1, 2008, the department begins supervision
17 of the person under s. 302.25.

18 **SECTION 3148.** 301.48 (2) (d) of the statutes, as created by 2005 Wisconsin Act
19 431, is amended to read:

20 301.48 (2) (d) If, on or after ~~July 1, 2007~~ January 1, 2008, a person is being
21 placed on ~~probation, extended supervision, or parole,~~ or lifetime supervision for
22 committing a sex offense and par. (a) ~~(b)~~ (ag), (ar), (bg), or (c) does not apply, the
23 department may have the person tracked using a global positioning system tracking
24 device as a condition of the person's ~~probation, extended supervision, or parole,~~ or
25 lifetime supervision.

1 **SECTION 3149.** 301.48 (2m) of the statutes, as created by 2005 Wisconsin Act
2 431, is repealed.

3 **SECTION 3150.** 301.48 (3) (a) (intro.) of the statutes, as created by 2005
4 Wisconsin Act 431, is amended to read:

5 301.48 (3) (a) (intro.) ~~Except as provided in sub. (2m), the~~ The department shall
6 implement ~~—a—~~ continuous global positioning ~~tracking~~ system tracking to
7 electronically ~~monitor~~ record the whereabouts of persons who are subject to this
8 section. The system shall do all of the following:

9 **SECTION 3151.** 301.48 (3) (a) 1. of the statutes, as created by 2005 Wisconsin
10 Act 431, is amended to read:

11 301.48 (3) (a) 1. Use field monitoring equipment that supports cellular
12 communications with as large a coverage area as possible and ~~shall automatically~~
13 ~~provide~~ allows instantaneous or nearly instantaneous information regarding the
14 whereabouts of a person who is being ~~monitored~~ tracked, including information
15 regarding the person's presence in an exclusion zone established under par. (c) or
16 absence from an inclusion zone established under par. (c).

17 **SECTION 3152.** 301.48 (3) (a) 3. of the statutes, as created by 2005 Wisconsin
18 Act 431, is amended to read:

19 301.48 (3) (a) 3. ~~Immediately alert~~ Allow the department and the local law
20 enforcement agency having jurisdiction over the exclusion or inclusion zone to
21 receive an immediate alert if the person stays in any exclusion zone for any longer
22 period than the time needed to travel through the zone to get to another destination
23 or if the person leaves any inclusion zone.

24 **SECTION 3153.** 301.48 (3) (b) of the statutes, as created by 2005 Wisconsin Act
25 431, is amended to read:

1 301.48 (3) (b) The department shall contract with a vendor using a competitive
2 process under s. 16.75 to provide global positioning system tracking services and
3 ~~passive positioning system tracking services~~ for purposes of this section.

4 **SECTION 3154.** 301.48 (3) (c) of the statutes, as created by 2005 Wisconsin Act
5 431, is amended to read:

6 301.48 (3) (c) For each person who is subject to global positioning system
7 tracking under this section, the department shall create individualized exclusion
8 and inclusion zones for the person, if necessary to protect public safety. In creating
9 exclusion zones, the department shall focus on areas where children congregate,
10 with perimeters of 100 to 250 feet, and on areas where the person has been prohibited
11 from going as a condition of ~~probation~~, extended supervision, parole, conditional
12 release, ~~or supervised release~~, or lifetime supervision. In creating inclusion zones
13 for a person on supervised release, the department shall consider ~~s. 980.08 (7) s.~~
14 980.08 (9).

15 **SECTION 3155.** 301.48 (4) (a) 1. of the statutes, as created by 2005 Wisconsin
16 Act 431, is amended to read:

17 301.48 (4) (a) 1. The cost of global positioning system tracking ~~or passive~~
18 ~~positioning system tracking~~ for the person.

19 **SECTION 3156.** 301.48 (4) (b) of the statutes, as created by 2005 Wisconsin Act
20 431, is amended to read:

21 301.48 (4) (b) If required by the department, a person who is subject to global
22 positioning system tracking ~~or passive positioning system tracking~~ shall pay for the
23 cost of tracking up to the amount calculated for the person under par. (a) 2. The
24 department shall collect moneys paid by the person under this paragraph and credit
25 those moneys to the appropriation under s. 20.410 (1) (gk).

1 **SECTION 3157.** 301.48 (4) (c) of the statutes, as created by 2005 Wisconsin Act
2 431, is amended to read:

3 301.48 (4) (c) The department of health and family services shall pay for the
4 cost of tracking a person to whom sub. (2) (a) ~~4. or 5. or (b)~~ (am) or (bg) applies while
5 the person is on conditional release or supervised release to the extent that the cost
6 is not covered by payments made by the person under par. (b). The department shall
7 collect moneys paid by the department of health and family services under this
8 paragraph and credit those moneys to the appropriation under s. 20.410 (1) (kx).

9 **SECTION 3158.** 301.48 (6) (title), (a), (b), (c), (d) 1. and 2., (e), (f), (g), (h) and (i)
10 of the statutes, as created by 2005 Wisconsin Act 431, are amended to read:

11 301.48 (6) (title) OFFENDER'S PETITION TO TERMINATE LIFETIME TRACKING. (a)
12 Subject to par. (b), a person who is subject to ~~lifetime tracking~~ being tracked under
13 this section may file a petition requesting ~~that lifetime~~ termination of the tracking
14 ~~be terminated.~~ A person shall file a petition requesting termination of lifetime
15 tracking with the circuit court for the county in which the person was convicted or
16 found not guilty or not responsible by reason of mental disease or defect.

17 (b) 1. A person may not file a petition requesting termination of lifetime
18 tracking if he or she has been convicted of a crime that was committed during the
19 period of ~~lifetime~~ tracking.

20 2. A person may not file a petition requesting termination of ~~lifetime~~ tracking
21 earlier than 20 years after the date on which the period of ~~lifetime~~ tracking began.
22 If a person files a petition requesting termination of ~~lifetime~~ tracking at any time
23 earlier than 20 years after the date on which the period of ~~lifetime~~ tracking began,
24 the court shall deny the petition without a hearing.

1 3. A person described in sub. (2) ~~(b)~~ (bg) may not file a petition requesting
2 termination of lifetime tracking.

3 (c) Upon receiving a petition requesting termination of lifetime tracking, the
4 court shall send a copy of the petition to the district attorney responsible for
5 prosecuting the serious sex offense that was the basis for the order of lifetime
6 tracking. Upon receiving the copy of the petition, the district attorney shall conduct
7 a criminal history record search to determine whether the person has been convicted
8 of a criminal offense that was committed during the period of lifetime tracking. No
9 later than 30 days after the date on which he or she receives the copy of the petition,
10 the district attorney shall report the results of the criminal history record search to
11 the court and may provide a written response to the petition.

12 (d) 1. If the report indicates that the person filing the petition has been
13 convicted of a criminal offense that was committed during the period of lifetime
14 tracking, the court shall deny the person's petition without a hearing.

15 2. If the report indicates that the person filing the petition has not been
16 convicted of a criminal offense that was committed during the period of lifetime
17 tracking, the court shall order the person to be examined under par. (e), shall notify
18 the department that it may submit a report under par. (f), and shall schedule a
19 hearing on the petition to be conducted as provided under par. (g).

20 (e) A person filing a petition requesting termination of lifetime tracking who
21 is entitled to a hearing under par. (d) 2. shall be examined by a person who is either
22 a physician or a psychologist licensed under ch. 455 and who is approved by the court.
23 The physician or psychologist who conducts an examination under this paragraph
24 shall prepare a report of his or her examination that includes his or her opinion of
25 whether the person petitioning for termination of lifetime tracking is a danger to the

1 public. The physician or psychologist shall file the report of his or her examination
2 with the court within 60 days after completing the examination, and the court shall
3 provide copies of the report to the person filing the petition and the district attorney.
4 The contents of the report shall be confidential until the physician or psychologist
5 testifies at a hearing under par. (g). The person petitioning for termination of
6 lifetime tracking shall pay the cost of an examination required under this paragraph.

7 (f) After it receives notification from the court under par. (d) 2., the department
8 may prepare and submit to the court a report concerning a person who has filed a
9 petition requesting termination of lifetime tracking. If the department prepares and
10 submits a report under this paragraph, the report shall include information
11 concerning the person's conduct while on lifetime tracking and an opinion as to
12 whether lifetime tracking of the person is still necessary to protect the public. When
13 a report prepared under this paragraph has been received by the court, the court
14 shall, before the hearing under par. (g), disclose the contents of the report to the
15 attorney for the person who filed the petition and to the district attorney. When the
16 person who filed the petition is not represented by an attorney, the contents shall be
17 disclosed to the person.

18 (g) A hearing on a petition requesting termination of lifetime tracking may not
19 be conducted until the person filing the petition has been examined and a report of
20 the examination has been filed as provided under par. (e). At the hearing, the court
21 shall take evidence it considers relevant to determining whether lifetime tracking
22 should be continued because the person who filed the petition is a danger to the
23 public. The person who filed the petition and the district attorney may offer evidence
24 relevant to the issue of the person's dangerousness and the continued need for
25 lifetime tracking.

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1 (h) The court may grant a petition requesting termination of lifetime tracking
2 if it determines after a hearing under par. (g) that lifetime tracking is no longer
3 necessary to protect the public.

4 (i) If a petition requesting termination of lifetime tracking is denied after a
5 hearing under par. (g), the person may not file a subsequent petition requesting
6 termination of lifetime tracking until at least 5 years have elapsed since the most
7 recent petition was denied.

8 **SECTION 3159.** 301.48 (7) (title) of the statutes, as created by 2005 Wisconsin
9 Act 431, is amended to read:

10 301.48 (7) (title) DEPARTMENT'S PETITION TO TERMINATE LIFETIME TRACKING.

11 **SECTION 3160.** 301.48 (7) (a) of the statutes, as created by 2005 Wisconsin Act
12 431, is amended to read:

13 301.48 (7) (a) The department may file a petition requesting that a person's
14 ~~lifetime tracking be terminated~~ person no longer be tracked using a global
15 positioning system tracking device if the ~~person is permanently physically~~
16 ~~incapacitated.~~ The petition shall include affidavits from 2 physicians that explain
17 the nature of the person's permanent physical incapacitation department
18 determines that tracking is no longer necessary to protect the public.

19 **SECTION 3161.** 301.48 (7) (b) of the statutes, as created by 2005 Wisconsin Act
20 431, is amended to read:

21 301.48 (7) (b) 1. The department shall file a petition under par. (a) with the
22 circuit court for the county in which the person was convicted or found not guilty or
23 not responsible by reason of mental disease or defect or, in the case of a person
24 described in sub. (2) (b) (bg), the circuit court for the county in which the person was
25 found to be a sexually violent person.

1 2. The department shall send a copy of a petition filed under subd. 1. to the
2 district attorney responsible for prosecuting the serious sex offense that was the
3 basis for the order of lifetime tracking or, in the case of a person described in sub. (2)
4 (b) (bg), the agency that filed the petition under s. 980.02.

5 **SECTION 3162.** 301.48 (7) (c) of the statutes, as created by 2005 Wisconsin Act
6 431, is amended to read:

7 301.48 (7) (c) Upon its own motion or upon the motion of the party to whom the
8 petition was sent under par. (b) 2., the court may order that the person to whom the
9 petition relates be examined by a physician, or a psychologist licensed under ch. 455,
10 who is approved by the court. The physician or psychologist who conducts an
11 examination under this paragraph shall prepare a report of his or her examination
12 that includes his or her opinion of whether the person is permanently physically
13 incapacitated a danger to the public. The physician or psychologist shall file the
14 report of his or her examination with the court within 60 days after completing the
15 examination, and the court shall provide copies of the report to the department and
16 the party to whom the petition was sent under par. (b) 2. The contents of the report
17 shall be confidential until the physician or psychologist testifies at a hearing under
18 par. (d). The department shall pay the cost of an examination required under this
19 paragraph.

20 **SECTION 3163.** 301.48 (7) (d) of the statutes, as created by 2005 Wisconsin Act
21 431, is amended to read:

22 301.48 (7) (d) The court shall conduct a hearing on a petition filed under par.
23 (b) 1., but if the court has ordered ~~a physical~~ an examination under par. (c), the
24 hearing may not occur until after the examination is complete and a report of the
25 examination has been filed as provided under par. (c). At the hearing, the court shall

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1 take evidence it considers relevant to determining whether the person to whom the
2 petition relates ~~is permanently physically incapacitated so that he or she is not~~ would
3 be a danger to the public if not tracked under this section using a global positioning
4 system tracking device. The department and the party to whom the petition was sent
5 under par. (b) 2. may offer relevant evidence regarding that issue.

6 **SECTION 3164.** 301.48 (7) (e) of the statutes, as created by 2005 Wisconsin Act
7 431, is amended to read:

8 301.48 (7) (e) The court may grant a petition filed under par. (b) 1. if it
9 determines after a hearing under par. (d) that the person to whom the petition relates
10 ~~is permanently physically incapacitated so that he or she is~~ would not be a danger
11 to the public if not tracked under this section using a global positioning system
12 tracking device.

13 **SECTION 3165.** 301.48 (8) (title) of the statutes is created to read:

14 301.48 (8) (title) TRACKING OPTIONS IF RELATIVE.

15 **SECTION 3166.** 301.48 (8) (b) of the statutes, as created by 2005 Wisconsin Act
16 431, is amended to read:

17 301.48 (8) (b) Notwithstanding sub. (2), ~~the department may terminate a~~
18 ~~person's lifetime tracking after 10 years or~~ (7), if a person is subject to being tracked
19 under this section and if the victim of the serious child sex offense for which the
20 person is being tracked is a relative of the person being tracked, the department may
21 decide not to track the person if the department determines the person would not be
22 a danger to the public if not tracked.

23 **SECTION 3167.** 302.045 (3) of the statutes is amended to read:

24 302.045 (3) PAROLE ELIGIBILITY. Except as provided in sub. (4), if the department
25 determines that an inmate serving a sentence other than one imposed under s.

1 973.01 has successfully completed the challenge incarceration program, the parole
2 earned release review commission shall parole the inmate for that sentence under
3 s. 304.06, regardless of the time the inmate has served. When the parole earned
4 release review commission grants parole under this subsection, it must require the
5 parolee to participate in an intensive supervision program for drug abusers as a
6 condition of parole.

7 **SECTION 3168.** 302.05 (1) (c) of the statutes is amended to read:

8 302.05 (1) (c) ~~The Robert E. Ellsworth Correctional Center~~ The department of
9 corrections and the department of health and family services shall, at any
10 correctional facility the departments determine is appropriate, provide a substance
11 abuse treatment program for inmates for the purposes of the earned release program
12 described in sub. (3).

13 **SECTION 3169.** 302.05 (3) (b) of the statutes is amended to read:

14 302.05 (3) (b) Except as provided in par. (d), if the department determines that
15 an eligible inmate serving a sentence other than one imposed under s. 973.01 has
16 successfully completed a treatment program described in sub. (1), the parole earned
17 release review commission shall parole the inmate for that sentence under s. 304.06,
18 regardless of the time the inmate has served. If the parole earned release review
19 commission grants parole under this paragraph, it shall require the parolee to
20 participate in an intensive supervision program for drug abusers as a condition of
21 parole.

22 **SECTION 3170.** 302.11 (1g) (b) (intro.) of the statutes is amended to read:

23 302.11 (1g) (b) (intro.) Before an incarcerated inmate with a presumptive
24 mandatory release date reaches the presumptive mandatory release date specified
25 under par. (am), the parole earned release review commission shall proceed under

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1 s. 304.06 (1) to consider whether to deny presumptive mandatory release to the
2 inmate. If the parole earned release review commission does not deny presumptive
3 mandatory release, the inmate shall be released on parole. The parole earned release
4 review commission may deny presumptive mandatory release to an inmate only on
5 one or more of the following grounds:

6 **SECTION 3171.** 302.11 (1g) (b) 2. of the statutes is amended to read:

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

14 **SECTION 3172.** 302.11 (1g) (c) of the statutes is amended to read:

15 302.11 (1g) (c) If the parole earned release review commission denies
16 presumptive mandatory release to an inmate under par. (b), the parole earned
17 release review commission shall schedule regular reviews of the inmate's case to
18 consider whether to parole the inmate under s. 304.06 (1).

19 **SECTION 3173.** 302.11 (1g) (d) of the statutes is amended to read:

20 302.11 (1g) (d) An inmate may seek review of a decision by the parole earned
21 release review commission relating to the denial of presumptive mandatory release
22 only by the common law writ of certiorari.

23 **SECTION 3174.** 302.11 (1m) of the statutes is amended to read:

1 302.11 (1m) An inmate serving a life term is not entitled to mandatory release.
2 Except as provided in ss. 939.62 (2m) (c) and 973.014, the parole earned release
3 review commission may parole the inmate as specified in s. 304.06 (1).

4 **SECTION 3175.** 302.11 (7) (c) of the statutes is amended to read:

5 302.11 (7) (c) The parole earned release review commission may subsequently
6 parole, under s. 304.06 (1), and the department may subsequently parole, under s.
7 304.02, a parolee who is returned to prison for violation of a condition of parole.

8 **SECTION 3176.** 302.113 (2) of the statutes is amended to read:

9 302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this
10 section is entitled to release to extended supervision after he or she has served the
11 term of confinement in prison portion of the sentence imposed under s. 973.01, as
12 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., 302.05 (3)
13 (c) 2. a., or 973.195 (1r), if applicable, or as adjusted by the earned release review
14 commission under s. 304.06 (1) (b).

15 **SECTION 3177.** 302.113 (8m) (b) of the statutes is amended to read:

16 302.113 (8m) (b) If a person released to extended supervision under this section
17 signs a statement admitting a violation of a condition or rule of extended supervision,
18 the department may, as a sanction for the violation, confine the person for up to 90
19 days in a facility owned or operated by the department, in a regional detention
20 facility or, with the approval of the sheriff, in a county jail, in a Huber facility under
21 s. 303.09, or in a work camp under s. 303.10. If the department confines the person
22 in a county jail under this paragraph, the department shall reimburse the county for
23 its actual costs in confining the person from the appropriations under s. 20.410 (1)
24 (ab) and (b). Notwithstanding s. 302.43, the person is not eligible to earn good time
25 credit on any period of confinement imposed under this subsection.

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1 **SECTION 3178.** 302.372 (2) (b) of the statutes is amended to read:

2 302.372 (2) (b) Before seeking any reimbursement under this section, the
3 county shall provide a form to be used for determining the financial status of
4 prisoners. The form shall provide for obtaining the social security number of the
5 prisoner, the age and marital status of a prisoner, the number and ages of children
6 of a prisoner, the number and ages of other dependents of a prisoner, the income of
7 a prisoner, type and value of real estate owned by a prisoner, type and value of
8 personal property owned by a prisoner, the prisoner's cash and financial institution
9 accounts, type and value of the prisoner's investments, pensions and annuities and
10 any other personalty of significant cash value owned by a prisoner. The county shall
11 use the form whenever investigating the financial status of prisoners. The
12 information on a completed form is confidential and not open to public inspection or
13 copying under s. 19.35 (1), except that the county shall provide the name and address
14 of an individual, the name and address of the individual's employer and financial
15 information related to the individual from a form completed under this paragraph
16 in response to a request for information under s. 49.22 (2m) made by the department
17 of ~~workforce development~~ children and families or a county child support agency
18 under s. 59.53 (5).

19 **SECTION 3179.** 302.38 (3) of the statutes is amended to read:

20 302.38 (3) The maximum amount that a governmental unit may pay for the
21 costs of medical or hospital care under this section is limited for that care to the
22 amount payable by medical assistance under subch. IV of ch. 49, ~~except s. excluding~~
23 ss. 49.468 and 49.471 (11), for care for which a medical assistance rate exists. No
24 provider of medical or hospital care may bill a prisoner under sub. (1) for the cost of
25 care exceeding the amount paid under this subsection by the governmental unit. If

1 no medical assistance rate exists for the care provided, there is no limitation under
2 this subsection.

3 **SECTION 3180.** 302.386 (1) of the statutes is amended to read:

4 302.386 (1) Except as provided in sub. (5), liability for medical and dental
5 services furnished to residents housed in prisons identified in s. 302.01, in a juvenile
6 correctional facility, or in a secured residential care center for children and youth, or
7 to forensic patients in state institutions for those services that are not provided by
8 employees of the department shall be limited to the amounts payable under ss. 49.43
9 to 49.47, except s. 49.471, excluding ss. 49.468 and 49.471 (11), for similar services.
10 The department may waive any such limit if it determines that needed services
11 cannot be obtained for the applicable amount. No provider of services may bill the
12 resident or patient for the cost of services exceeding the amount of the liability under
13 this subsection.

14 **SECTION 3181.** 304.01 (title) of the statutes is amended to read:

15 **304.01 (title) Parole Earned release review commission and**
16 **commission chairperson; general duties.**

17 **SECTION 3182.** 304.01 (1) of the statutes is amended to read:

18 304.01 (1) The chairperson of the parole earned release review commission
19 shall administer and supervise the commission and its activities and shall be the
20 final parole-granting authority for granting parole, release to extended supervision,
21 or termination of extended supervision, except as provided in s. 304.02 or 973.195.

22 **SECTION 3183.** 304.01 (2) (intro.) of the statutes is amended to read:

23 304.01 (2) (intro.) The parole earned release review commission shall conduct
24 regularly scheduled interviews to consider the parole or release to extended
25 supervision of eligible inmates of the adult correctional institutions under the

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1 control of the department of corrections, eligible inmates transferred under ch. 51
2 and under the control of the department of health and family services and eligible
3 inmates in any county house of correction. The department of corrections shall
4 provide all of the following to the parole earned release review commission:

5 **SECTION 3184.** 304.01 (2) (b) of the statutes is amended to read:

6 304.01 (2) (b) Scheduling assistance for parole interviews for prisoners who
7 have applied for parole or release to extended supervision at the correctional
8 institutions.

9 **SECTION 3185.** 304.01 (2) (c) of the statutes is amended to read:

10 304.01 (2) (c) Clerical support related to the parole interviews for prisoners who
11 have applied for parole or release to extended supervision.

12 **SECTION 3186.** 304.01 (2) (d) of the statutes is amended to read:

13 304.01 (2) (d) Appropriate physical space at the correctional institutions to
14 conduct the parole interviews for prisoners who have applied for parole or release to
15 extended supervision.

16 **SECTION 3187.** 304.06 (title) of the statutes is amended to read:

17 **304.06 (title) Paroles Release to parole or extended supervision from**
18 **state prisons and house of correction; termination of extended supervision.**

19 **SECTION 3188.** 304.06 (1) (b) of the statutes is amended to read:

20 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.
21 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the parole earned release review
22 commission may parole an inmate of the Wisconsin state prisons or any felon or any
23 person serving at least one year or more in a county house of correction or a county
24 reforestation camp organized under s. 303.07, when he or she has served 25% of the
25 sentence imposed for the offense, or 6 months, whichever is greater. The earned

1 release review board may release to extended supervision a person sentenced under
2 s. 973.01 for a Class F to a Class I felony after the person has served at least 75
3 percent of the term of confinement in prison portion of the sentence, and may
4 terminate extended supervision of a person sentenced under s. 973.01 for a Class F
5 to a Class I felony after the person has completed 75 percent of his or her extended
6 supervision portion of the sentence. Except as provided in s. 939.62 (2m) (c) or
7 973.014 (1) (b) or (c), (1g) or (2), the parole earned release review commission may
8 parole an inmate serving a life term when he or she has served 20 years, as modified
9 by the formula under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and
10 (2), if applicable. The person serving the life term shall be given credit for time served
11 prior to sentencing under s. 973.155, including good time under s. 973.155 (4). The
12 secretary may grant special action parole releases under s. 304.02. The department
13 or the parole earned release review commission shall not provide any convicted
14 offender or other person sentenced to the department's custody any parole eligibility
15 or evaluation for parole or release to extended supervision until the person has been
16 confined at least 60 days following sentencing.

17 **SECTION 3189.** 304.06 (1) (bn) of the statutes is created to read:

18 304.06 (1) (bn) The earned release review commission may consider any of the
19 following as a ground for a petition under par. (b) for sentence reduction by a person
20 who is sentenced under s. 973.01 for a Class F to Class I felony:

21 1. The inmate's conduct, efforts at and progress in rehabilitation, or
22 participation and progress in education, treatment, or other correctional programs
23 since he or she was sentenced.

24 2. A change in law or procedure related to sentencing or revocation of extended
25 supervision effective after the inmate was sentenced that would have resulted in a

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1 shorter term of confinement in prison or, if the inmate was returned to prison upon
2 revocation of extended supervision, a shorter period of confinement in prison upon
3 revocation, if the change had been applicable when the inmate was sentenced.

4 3. The inmate is subject to a sentence of confinement in another state or the
5 inmate is in the United States illegally and may be deported.

6 4. Sentence adjustment is otherwise in the interests of justice.

7 **SECTION 3190.** 304.06 (1) (br) of the statutes is created to read:

8 304.06 (1) (br) 1. Except as provided under subd. 2., the earned release review
9 commission may reduce the term of confinement of a person who is sentenced under
10 s. 973.01 for a Class F to Class I felony only as follows:

11 a. If the inmate is serving the term of confinement in prison portion of the
12 sentence, a reduction in the term of confinement in prison by the amount of time
13 remaining in the term of confinement in prison portion of the sentence, less up to 30
14 days, and a corresponding increase in the term of extended supervision.

15 b. If the inmate is confined in prison upon revocation of extended supervision,
16 a reduction in the amount of time remaining in the period of confinement in prison
17 imposed upon revocation, less up to 30 days, and a corresponding increase in the term
18 of extended supervision.

19 2. a. If the earned release review commission adjusts a sentence under subd.
20 1. on the basis of a change in law or procedure as provided under par. (bn) 2. and the
21 total sentence length of the adjusted sentence is greater than the maximum sentence
22 length that the offender could have received if the change in law or procedure had
23 been applicable when the inmate was originally sentenced, the earned release review
24 commission may reduce the length of the term of extended supervision so that the
25 total sentence length does not exceed the maximum sentence length that the offender

1 could have received if the change in law or procedure had been applicable when the
2 inmate was originally sentenced.

3 b. If the earned release review commission adjusts a sentence under subd. 1.
4 on the basis of a change in law or procedure as provided under par. (bn) 2. and the
5 adjusted term of extended supervision is greater than the maximum term of
6 extended supervision that the offender could have received if the change in law or
7 procedure had been applicable when the inmate was originally sentenced, the earned
8 release review commission may reduce the length of the term of extended
9 supervision so that the term of extended supervision does not exceed the maximum
10 term of extended supervision that the offender could have received if the change in
11 law or procedure had been applicable when the inmate was originally sentenced.

12 **SECTION 3191.** 304.06 (1) (bu) of the statutes is created to read:

13 304.06 (1) (bu) An inmate who is sentenced under s. 973.01 for a Class F to Class
14 I felony may submit only one petition under this subsection for each sentence
15 imposed under s. 973.01.

16 **SECTION 3192.** 304.06 (1) (c) (intro.) of the statutes is amended to read:

17 304.06 (1) (c) (intro.) If an inmate applies for parole, release to extended
18 supervision, or termination of extended supervision under this subsection, the
19 parole earned release review commission shall make a reasonable attempt to notify
20 the following, if they can be found, in accordance with par. (d):

21 **SECTION 3193.** 304.06 (1) (d) 1. of the statutes is amended to read:

22 304.06 (1) (d) 1. The notice under par. (c) shall inform the offices and persons
23 under par. (c) 1. to 3. of the manner in which they may provide written statements
24 under this subsection, shall inform persons under par. (c) 3. of the manner in which
25 they may attend interviews or hearings and make statements under par. (eg) and

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1 shall inform persons under par. (c) 3. who are victims, or family members of victims,
2 of crimes specified in s. 940.01, 940.03, 940.05, 940.225 (1) ~~or~~, (2), or (3), 948.02 (1)
3 or (2), 948.025, 948.06 or 948.07 of the manner in which they may have direct input
4 in the parole decision-making process under par. (em) for parole, release to extended
5 supervision, or termination of extended supervision. The parole earned release
6 review commission shall provide notice under this paragraph for an inmate's first
7 application for parole, release to extended supervision, or termination of extended
8 supervision and, upon request, for subsequent applications for parole.

9 **SECTION 3194.** 304.06 (1) (e) of the statutes is amended to read:

10 304.06 (1) (e) The parole earned release review commission shall permit any
11 office or person under par. (c) 1. to 3. to provide written statements. The parole
12 earned release review commission shall give consideration to any written statements
13 provided by any such office or person and received on or before the date specified in
14 the notice. This paragraph does not limit the authority of the parole earned release
15 review commission to consider other statements or information that it receives in a
16 timely fashion.

17 **SECTION 3195.** 304.06 (1) (eg) of the statutes is amended to read:

18 304.06 (1) (eg) The parole earned release review commission shall permit any
19 person under par. (c) 3. to attend any interview or hearing on the parole application
20 for parole, release to extended supervision, or termination of extended supervision
21 of an applicable inmate and to make a statement at that interview or hearing.

22 **SECTION 3196.** 304.06 (1) (em) of the statutes is amended to read:

23 304.06 (1) (em) The parole earned release review commission shall promulgate
24 rules that provide a procedure to allow any person who is a victim, or a family
25 member of a victim, of a crime specified in s. 940.01, 940.03, 940.05, 940.225 (1) ~~or~~,

1 (2), or (3), 948.02 (1) or (2), 948.025, 948.06 or 948.07 to have direct input in the parole
2 decision-making process for parole, release to extended supervision, or termination
3 of extended supervision.

4 **SECTION 3197.** 304.06 (1) (f) of the statutes is amended to read:

5 304.06 (1) (f) The parole earned release review commission shall design and
6 prepare cards for persons specified in par. (c) 3. to send to the commission. The cards
7 shall have space for these persons to provide their names and addresses, the name
8 of the applicable prisoner and any other information the parole earned release
9 review commission determines is necessary. The parole earned release review
10 commission shall provide the cards, without charge, to district attorneys. District
11 attorneys shall provide the cards, without charge, to persons specified in par. (c) 3.
12 These persons may send completed cards to the parole earned release review
13 commission. All commission records or portions of records that relate to mailing
14 addresses of these persons are not subject to inspection or copying under s. 19.35 (1).
15 Before any written statement of a person specified in par. (c) 3. is made a part of the
16 documentary record considered in connection with a parole hearing for parole,
17 release to extended supervision, or termination of extended supervision under this
18 section, the parole earned release review commission shall obliterate from the
19 statement all references to the mailing addresses of the person. A person specified
20 in par. (c) 3. who attends an interview or hearing under par. (eg) may not be required
21 to disclose at the interview or hearing his or her mailing addresses.

22 **SECTION 3198.** 304.06 (1) (g) of the statutes is amended to read:

23 304.06 (1) (g) Before a person is released on parole or released to extended
24 supervision under this subsection, the parole earned release review commission
25 shall so notify the municipal police department and the county sheriff for the area

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1 where the person will be residing. The notification requirement under this
2 paragraph does not apply if a municipal department or county sheriff submits to the
3 parole earned release review commission a written statement waiving the right to
4 be notified. If applicable, the department shall also comply with s. 304.063.

5 **SECTION 3199.** 304.06 (1m) (intro.) of the statutes is amended to read:

6 304.06 (1m) (intro.) The parole earned release review commission may waive
7 the 25% or 6-month service of sentence requirement under sub. (1) (b) under any of
8 the following circumstances:

9 **SECTION 3200.** 304.06 (1q) (b) of the statutes is amended to read:

10 304.06 (1q) (b) The parole earned release review commission or the department
11 may require as a condition of parole or that a serious child sex offender undergo
12 pharmacological treatment using an antiandrogen or the chemical equivalent of an
13 antiandrogen. This paragraph does not prohibit the department from requiring
14 pharmacological treatment using an antiandrogen or the chemical equivalent of an
15 antiandrogen as a condition of probation.

16 **SECTION 3201.** 304.06 (1q) (c) of the statutes is amended to read:

17 304.06 (1q) (c) In deciding whether to grant a serious child sex offender release
18 on parole under this subsection, the parole earned release review commission may
19 not consider, as a factor in making its decision, that the offender is a proper subject
20 for pharmacological treatment using an antiandrogen or the chemical equivalent of
21 an antiandrogen or that the offender is willing to participate in pharmacological
22 treatment using an antiandrogen or the chemical equivalent of an antiandrogen.

23 **SECTION 3202.** 304.06 (1x) of the statutes is amended to read:

24 304.06 (1x) The parole earned release review commission may require as a
25 condition of parole that the person is placed in the intensive sanctions program under

1 s. 301.048. In that case, the person is in the legal custody of the department under
2 that section and is subject to revocation of parole under sub. (3).

3 **SECTION 3203.** 304.06 (2m) (d) of the statutes is amended to read:

4 304.06 (2m) (d) The parole earned release review commission or the
5 department shall determine a prisoner's county of residence for the purposes of this
6 subsection by doing all of the following:

7 1. The parole earned release review commission or the department shall
8 consider residence as the voluntary concurrence of physical presence with intent to
9 remain in a place of fixed habitation and shall consider physical presence as prima
10 facie evidence of intent to remain.

11 2. The parole earned release review commission or the department shall apply
12 the criteria for consideration of residence and physical presence under subd. 1. to the
13 facts that existed on the date that the prisoner committed the serious sex offense that
14 resulted in the sentence the prisoner is serving.

15 **SECTION 3204.** 304.071 (1) of the statutes is amended to read:

16 304.071 (1) The parole earned release review commission may at any time
17 grant a parole or release to extended supervision to any prisoner in any penal
18 institution of this state, or the department may at any time suspend the supervision
19 of any person who is on probation ~~or~~ parole, or extended supervision to the
20 department, if the prisoner or person on probation ~~or~~ parole, or extended supervision
21 is eligible for induction into the U.S. armed forces. The suspension of parole,
22 extended supervision, or probation shall be for the duration of his or her service in
23 the armed forces; and the parole, extended supervision, or probation shall again
24 become effective upon his or her discharge from the armed forces in accordance with
25 regulations prescribed by the department. If he or she receives an honorable

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1 discharge from the armed forces, the governor may discharge him or her and the
 2 discharge has the effect of a pardon. Upon the suspension of parole, extended
 3 supervision, or probation by the department, the department shall issue an order
 4 setting forth the conditions under which the parole, extended supervision, or
 5 probation is suspended, including instructions as to where and when and to whom
 6 the paroled person on parole or extended supervision shall report upon discharge
 7 from the armed forces.

8 **SECTION 3205.** 341.135 of the statutes is repealed.

9 **SECTION 3206.** 341.25 (1) (a) of the statutes is amended to read:

10 341.25 (1) (a) For each automobile, a fee of \$55 \$75, except that an automobile
 11 registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be
 12 registered at such lesser fee plus an additional fee of \$2.

13 **SECTION 3207.** 341.25 (2) (a) of the statutes is amended to read:

14 341.25 (2) (a) Not more than 4,500 \$ ~~48.50~~ 75.00

15 **SECTION 3208.** 341.25 (2) (b) of the statutes is amended to read:

16 341.25 (2) (b) Not more than 6,000 ~~61.50~~ 84.00

17 **SECTION 3209.** 341.25 (2) (c) of the statutes is amended to read:

18 341.25 (2) (c) Not more than 8,000 ~~77.50~~ 106.00

19 **SECTION 3210.** 341.51 (4) (an) of the statutes is amended to read:

20 341.51 (4) (an) If the applicant is an individual who does not have a social
 21 security number, a statement made or subscribed under oath or affirmation that the
 22 applicant does not have a social security number. The form of the statement shall
 23 be prescribed by the department of ~~workforce development~~ children and families. A
 24 registration that is issued under this section in reliance on a statement submitted
 25 under this paragraph is invalid if the statement is false.

1 **SECTION 3211.** 341.51 (4g) (b) of the statutes is amended to read:

2 341.51 (4g) (b) The department of transportation may not disclose any
3 information obtained under sub. (4) (am) or (ar) to any person except to the
4 department of workforce development children and families for the sole purpose of
5 administering s. 49.22 or the department of revenue for the sole purpose of
6 requesting certifications under s. 73.0301.

7 **SECTION 3212.** 341.51 (4m) (a) of the statutes is amended to read:

8 341.51 (4m) (a) A registration shall be denied, restricted, limited or suspended
9 if the applicant or licensee is an individual who is delinquent in making
10 court-ordered payments of child or family support, maintenance, birth expenses,
11 medical expenses or other expenses related to the support of a child or former spouse,
12 or who fails to comply, after appropriate notice, with a subpoena or warrant issued
13 by the department of workforce development children and families or a county child
14 support agency under s. 59.53 (5) and related to paternity or child support
15 proceedings, as provided in a memorandum of understanding entered into under s.
16 49.857.

17 **SECTION 3213.** 342.06 (1) (eg) of the statutes is amended to read:

18 342.06 (1) (eg) Except as provided in par. (eh), if the applicant is an individual,
19 the social security number of the applicant. The department of transportation may
20 not disclose a social security number obtained under this paragraph to any person
21 except to the department of workforce development children and families for the sole
22 purpose of administering s. 49.22 and to the department of revenue for the purposes
23 of administering state taxes and collecting debt.

24 **SECTION 3214.** 342.06 (1) (eh) of the statutes is amended to read:

1 342.06 (1) (eh) If the applicant does not have a social security number, a
2 statement made or subscribed under oath or affirmation that the applicant does not
3 have a social security number. The form of the statement shall be prescribed by the
4 department of ~~workforce development~~ children and families. A certificate of title
5 that is issued in reliance on a statement submitted under this paragraph is invalid
6 if the statement is false.

7 **SECTION 3215.** 342.12 (4) (a) and (b) of the statutes are amended to read:

8 342.12 (4) (a) The district attorney shall notify the department when he or she
9 files a criminal complaint against a person who has been arrested for violating s.
10 346.63 (1) or (2), 940.09 (1) or 940.25 and who has 2 or more prior convictions,
11 suspensions or revocations, as counted under s. 343.307 (1). Except as provided
12 under par. (c), if the department has previously issued a valid certificate of title for
13 the motor vehicle owned by the person and involved in the violation, the department
14 may not issue a certificate of title transferring ownership of the motor this vehicle
15 ~~owned by the person and involved in the violation~~ upon receipt of a notice under this
16 subsection until the court assigned to hear the criminal complaint issues an order
17 permitting the department to issue a certificate of title.

18 (b) Except as provided under par. (c), if the department has previously issued
19 a valid certificate of title for the motor vehicle owned by the person and involved in
20 the violation, the department may not issue a certificate of title transferring
21 ownership of the motor this vehicle ~~owned by a person and involved in the violation~~
22 upon receipt of a notice of intent to revoke the person's operating privilege under s.
23 343.305 (9) (a), if the person has 3 or more prior convictions, suspensions or
24 revocations, as counted under s. 343.307 (1), until the court assigned to the hearing

1 under s. 343.305 (9) issues an order permitting the department to issue a certificate
2 of title.

3 **SECTION 3216.** 342.14 (1r) of the statutes is amended to read:

4 **342.14 (1r)** Upon filing an application under sub. (1) or (3), an environmental
5 impact fee of \$9, by the person filing the application. All moneys collected under this
6 subsection shall be credited to the environmental fund for environmental
7 management. ~~This subsection does not apply after December 31, 2007.~~

8 **SECTION 3217.** 342.14 (3m) of the statutes is amended to read:

9 **342.14 (3m)** Upon filing an application under sub. (1) or (3), a supplemental
10 title fee of \$7.50 \$9.50 by the owner of the vehicle, except that this fee shall be waived
11 with respect to an application under sub. (3) for transfer of a decedent's interest in
12 a vehicle to his or her surviving spouse. The fee specified under this subsection is
13 in addition to any other fee specified in this section.

14 **SECTION 3218.** 343.01 (2) (bc) of the statutes is created to read:

15 **343.01 (2) (bc)** "Home jurisdiction" means another jurisdiction that has most
16 recently issued an operator's license to a person or, if the person has not been issued
17 an operator's license by another jurisdiction, another jurisdiction where the person
18 resides.

19 **SECTION 3219.** 343.01 (2) (bm) of the statutes is created to read:

20 **343.01 (2) (bm)** "Member jurisdiction" means another jurisdiction that has
21 entered into the driver license agreement, as described in s. 343.02 (3) (a).

22 **SECTION 3220.** 343.01 (2) (d) of the statutes is amended to read:

23 **343.01 (2) (d)** "Photograph" means an unretouched image recorded by a camera
24 and reproduced on a photosensitive surface, or a digitized digital image.

25 **SECTION 3221.** 343.02 (3) of the statutes is created to read:

1 343.02 (3) (a) To promote the efficient administration and enforcement of the
2 provisions of this chapter, this state, through the department, shall join the
3 agreement facilitated by the American Association of Motor Vehicle Administrators
4 that, as of the effective date of this paragraph ... [revisor inserts date], is known as
5 the "Driver License Agreement" that establishes standards among participating
6 jurisdictions for the treatment and exchange of driver licensing and conviction
7 information and other data pertinent to the licensing process.

8 (b) The department shall promulgate rules as the secretary considers
9 necessary to effectuate the purposes of the driver license agreement and shall
10 promulgate rules, timed to become effective with the effective date of the state's
11 joinder in the driver license agreement, that identify all violations of, and
12 administrative actions under, the laws of this state and describe by type or category
13 all equivalent violations of, and administrative actions under, the laws of other
14 jurisdictions that, under the driver license agreement, are required to be recognized
15 as violations or authorized administrative actions among all jurisdictions that are
16 parties to the driver license agreement.

17 (c) The department shall provide for publication of notice of the state's joinder
18 in the driver license agreement, including the effective date of such joinder, by notice
19 published by the revisor of statutes in the Wisconsin Administrative Register under
20 s. 35.93 (4).

21 **SECTION 3222.** 343.027 of the statutes, as affected by 2005 Wisconsin Acts 25
22 and 59, is repealed and recreated to read:

23 **343.027 Confidentiality of signatures.** Any signature collected under this
24 chapter may be maintained by the department and shall be kept confidential, except
25 that the department shall release a signature or a facsimile of a signature to the

1 department of revenue for the purposes of administering state taxes and collecting
2 debt, to the person to whom the signature relates, to a court, district attorney, county
3 corporation counsel, city, village, or town attorney, law enforcement agency, or to the
4 driver licensing agency of another jurisdiction.

5 **SECTION 3223.** 343.03 (3) (intro.) of the statutes is amended to read:

6 343.03 (3) LICENSE VARIANTS. (intro.) Except for restricted licenses under s.
7 343.08 or temporary licenses under s. 343.10, 343.11 (1) or (3), 343.16 (6) (b), or
8 343.305 (8) (a), each operator's license issued by the department shall be in one of the
9 following categories with a descriptive legend displayed on the top front side of the
10 license document:

11 **SECTION 3224.** 343.03 (3m) of the statutes is created to read:

12 343.03 (3m) NONCITIZEN TEMPORARY LICENSE. If the issuance of any license
13 described under sub. (3) requires the license applicant to present any documentary
14 proof specified in s. 343.14 (2) (es) 4. to 7., the license shall display on the front side
15 of the license, in addition to any legend or label described in sub. (3), a legend
16 identifying the license as temporary. This noncitizen temporary license may not be
17 renewed except as provided in s. 343.165 (4) (c).

18 **SECTION 3225.** 343.03 (5) (a) of the statutes is amended to read:

19 343.03 (5) (a) Before issuing or renewing any license under this chapter, the
20 department shall obtain driver record information from the national driver registry
21 and commercial driver license information system to determine whether the
22 applicant holds a commercial driver license, or a license that is revoked, suspended
23 or canceled, or is otherwise disqualified. If the applicant is currently licensed in
24 another state jurisdiction, the department shall obtain information on the
25 applicant's license status with the state jurisdiction of licensure before issuing a

1 license, including requesting transfer to the department of the applicant's driver
2 record information from the other jurisdiction if that jurisdiction is a member
3 jurisdiction.

4 **SECTION 3226.** 343.03 (6) (a) of the statutes is amended to read:

5 343.03 (6) (a) The Notwithstanding ss. 343.027, 343.14 (2j), and 343.237 (2),
6 the department shall, upon request, provide to the commercial driver license
7 information system and the driver licensing agencies of other states jurisdictions any
8 applicant or driver record information maintained by the department of
9 transportation, including providing electronic access to any record or file under s.
10 343.23 (1) or (2).

11 **SECTION 3227.** 343.05 (1) (a) of the statutes is amended to read:

12 343.05 (1) (a) Except as provided in this subsection, no person may at any time
13 have more than one operator's license. This prohibition includes, without limitation,
14 having licenses from more than one state, having licenses under more than one name
15 or birthdate, ~~having an occupational license without having surrendered the revoked~~
16 ~~or suspended license document,~~ and having more than one license issued for the
17 operation of different types or classes of vehicles. This paragraph does not apply to
18 any person who has only operator's licenses issued by this state and by a country,
19 province, or subdivision that is a party to an agreement under s. 343.16 (1) (d).

20 **SECTION 3228.** 343.05 (5) (b) 1. of the statutes is amended to read:

21 343.05 (5) (b) 1. Except as provided in subd. 2. and sub. (6), any person who
22 violates sub. (3) (a) may be required to forfeit not more than \$200 for the first offense,
23 may be fined not more than \$300 and imprisoned for not more than 30 days for the
24 2nd offense occurring within 3 years, and may be fined not more than \$500 and
25 imprisoned for not more than 6 months for the 3rd or subsequent offense occurring