

10

A
Pt. 02
of 02

CRIMINAL LAW

CRIMINAL PROCEDURE

Under current law, if a court has reason to doubt the competency of a ^{criminal} defendant ~~in a criminal case~~, the court may require DHFS to examine the defendant to determine whether the person is competent to proceed to trial. If the examiner determines that the person is not competent, but may attain competency with treatment, the court ~~is required~~ ^{must} to suspend the criminal proceedings and commit the defendant to the custody of DHFS for placement in an appropriate mental health institution for up to 12 months, or for the maximum sentence specified for the most serious offense with which the defendant is charged, whichever is less.

^{this} Under ~~the bill~~, ^{if DHFS determines that} a defendant ~~who is deemed incompetent~~ ^{may, as determined by} DHFS ^{also determine whether he or she will} be treated in a mental health institution or ~~may~~ receive treatment in a jail or a locked unit of a facility.

***** ANALYSIS FROM -0293/2 *****

Under current law, a person found not guilty of a crime by reason of mental disease or defect ~~may be institutionalized or~~ may receive supervision in the community under the conditional release program. If a participant in the conditional release program violates a condition of his or her release, or is otherwise deemed unsafe for community living, DHFS may require the person to be detained pending

a petition by DHFS to revoke the person's conditional release. Current law requires DHFS to file the petition within 48 hours of the person's detention.

This bill extends the time for DHFS to file a petition for revocation of a person's conditional release from 48 to 72 hours, excluding Saturdays, Sundays, and legal holidays.

***** ANALYSIS FROM -1403/2 *****

Currently, the parole commission in DOC determines whether, and under what conditions, inmates serving indeterminate sentences may be released from imprisonment to parole. A person who is serving a bifurcated sentence is not eligible for parole and generally must serve the entire confinement portion of his or her bifurcated sentence before being released to extended supervision. However, a person who is sentenced to a bifurcated sentence for a Class C to Class I felony may petition the sentencing court to adjust his or her sentence and release the person from prison to extended supervision if he or she has served 85 percent (for Class C to Class E felonies) or 75 percent (for Class F to Class I felonies) of the confinement in prison portion of the sentence. Under current law, a person who is released to extended supervision must serve his or her entire sentence before extended supervision terminates.

Under this bill, the parole commission is renamed the earned release review commission. In addition to its duties under current law, the earned release review commission may release to extended supervision a prisoner who was sentenced to a bifurcated sentence for a Class F to Class I felony if the prisoner has served 75 percent of the confinement in prison portion of the sentence and may terminate the extended supervision of a prisoner who was sentenced to a bifurcated sentence for a Class F to Class I felony if the prisoner has served 75 percent of the extended supervision portion of the sentence. A prisoner who is serving a bifurcated sentence for a Class C to a Class E felony must petition the sentencing court for any sentence adjustment.

***** ANALYSIS FROM -1633/P7 *****

The bill creates a Truth-In-Sentencing Phase II Council (council) in DOA to submit a report ^{containing} sentencing guidelines to the legislature and the governor by January 1, 2008. ~~The duties of the council end on January 31, 2008.~~

***** ANALYSIS FROM -1416/6 *****

This bill eliminates the sentencing commission and creates a bureau of criminal justice research (bureau) in the Office of Justice Assistance (OJA), which takes on some of the duties of the sentencing commission. Under ^{the} ~~this~~ bill, the bureau also serves as a clearinghouse of justice system data and conducts justice system research

SENTENCING
subhead

and data analysis (currently performed by OJA). The bureau must prepare a statistical report detailing standard sentences for felonies and how the sentencing practices of each circuit court compare to its region and to the state.

***** ANALYSIS FROM -1402/P3 *****

Under current law, the Office of Justice Assistance (OJA) administers a

awards
~~treatment alternatives and diversion grant program~~ to fund county programs that provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. This bill requires the county ~~that has~~ *with* the highest violent crime rate to ~~submit an application~~ *apply* for a ~~treatment alternatives and diversion~~

STEP
***** grant and provides that, upon approval of the application, OJA must award the county a ~~treatment alternatives and diversion grant~~ of \$250,000 for calendar year 2008 and \$500,000 for calendar year 2009.

The bill also requires the county that has the highest violent crime rate to submit a plan to OJA for conducting presentencing assessments of a target group of people who commit a Class F to I felony or a misdemeanor for the purpose of collecting information that courts may use at sentencing. The plan must identify the target

group and provide for risk assessments and needs assessments of the offenders, assessment of available community-based treatment services, collection and

dissemination of information concerning the accuracy and usefulness of the assessments, and annual evaluation of the presentencing assessment program. The

bill provides that upon approval of the plan, OJA ^{must} shall award the county \$250,000 for ~~calendar year~~ 2008 and \$500,000 for ~~calendar year~~ 2009 to perform presentencing assessments of offenders.

*** ANALYSIS FROM -0435/1 ***

Under current law, when a court imposes a sentence on a person who has committed a crime or places a person who has committed a crime on probation, the person ^{is} ~~is required to~~ ^{must} pay a crime victim and witness assistance surcharge of \$60 for each misdemeanor and \$85 for each felony. Most of the surcharge ~~(part A)~~ is allocated to ~~fund~~ county programs for crime victims and witnesses and to provide awards to crime victims. The rest of the surcharge ~~(part B)~~ is used for ~~grants~~ to fund services for victims of sexual assaults.

^{Also under} Current law ~~also requires that the crime victim and witness assistance surcharge be imposed in certain cases in which a criminal prosecution is deferred or~~ ^{of} suspended. Specifically, if a person is charged with a crime for conduct that could also be prosecuted as a civil offense and the person agrees to pay a forfeiture as part of an agreement to have the prosecution deferred or suspended, the court must impose,

in addition to the forfeiture, a crime victim and witness assistance surcharge of \$60 (if the person was originally charged with a misdemeanor) or \$85 (if the person was originally charged with a felony).

~~This bill revises the criteria for imposing crime victim and witness assistance surcharges in civil offense cases and changes how money collected from those surcharges is used.~~ Under ^{this} ~~the~~ bill, a court must impose the crime victim and witness assistance surcharge if: 1) a person is charged with one or more crimes in a complaint; 2) as a result of the complaint being amended, the person is charged with a civil offense in lieu of one of those crimes; and 3) the court finds that the person committed that civil offense. ~~In addition,~~ under the bill, all money collected in such cases ~~from crime victim and witness surcharges is "part A money," which~~ must be used to fund county programs for crime victims and witnesses and to provide awards to crime victims.

*** ANALYSIS FROM -1610/4 ***

CRIMINAL LAW

LAW ENFORCEMENT

Currently, the ~~Office of Justice Assistance (OJA)~~ ^{awards} provides grants to cities to employ uniformed police officers whose primary duty is beat patrolling. This bill

authorizes OJA to provide additional grants to first class cities to employ additional uniformed police officers whose duties may or may not include beat patrolling.

***** ANALYSIS FROM -1316/1 *****

Under current law, ~~the Office of Justice Assistance must administer a grant~~ ^{OJA} ^{awards}

~~program to provide funding~~ to law enforcement agencies for digital recording

equipment for making audio or audio and visual recordings of custodial

interrogations or for training personnel to use such equipment. This bill ~~repeals the~~ ^{eliminates}

^{these}
~~grant program~~

***** ANALYSIS FROM -0451/1 *****

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Current law generally limits the increase in the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to the amount of revenue increase allowed per pupil in the previous school year increased by the percentage change in the consumer price index. The limit does not apply to school districts in which the amount of per pupil revenue is less than ~~a statutory revenue ceiling, currently set at \$8,400.~~

^{with} This bill increases ~~the per pupil revenue ceiling~~ ^{this amount} to \$8,700 for the 2007-08 school year and to \$9,000 for any subsequent school year.

***** ANALYSIS FROM -0493/4 *****

Currently, if a school district's enrollment is declining, its revenue limit is increased by the amount of additional revenue that would have been calculated had the decline in enrollment been 25 percent of what it was. This bill increases the district's revenue limit by the additional amount that would have been calculated had there been no decline in enrollment.

The bill also provides that, if a school district's revenue limit, as calculated before any adjustments, is less than the district's base revenue from the previous school year, the district's initial revenue limit would be set at the prior year's base revenue.

***** ANALYSIS FROM -1290/1 *****

This bill provides that, beginning in the 2008-09 school year, a school district may exceed its revenue limit in any school year by \$25,000 for up to 500 pupils enrolled in the district in grades 9 to 12 and by an additional \$25,000 for each additional 500 pupils enrolled in the district in grades 9 to 12. A school district must work in partnership with a local law enforcement agency to develop a school safety plan and must submit the plan to DPI. The excess revenue must be used to pay for certain specified safety expenses.

***** ANALYSIS FROM -1485/2 *****

This bill provides that, beginning in the 2008-09 school year, a school district may exceed its revenue limit in any school year by the amount spent in that school year to provide teacher mentoring activities, required by DPI by rule, for initial educators. An initial educator is an individual who has successfully completed an approved professional education program and is licensed by the department for the first time in a particular level or category. A school district may exceed its revenue limit by up to \$2,160 per initial educator, less any grant money received by the school district for that initial educator.

***** ANALYSIS FROM -0470/1 *****

Current law allows an eligible school board to enter into a five-year renewable student achievement guarantee (SAGE) contract with DPI to reduce class size to 15 pupils in grades kindergarten to three in schools with specified low-income enrollment. Eligible schools receive \$2,250 for each low-income pupil enrolled in grades eligible for SAGE funding. The most recent set of SAGE contracts expired at the end of the 2004-05 school year.

This bill authorizes a new installment of renewable, five-year SAGE contracts beginning in the 2008-09 school year. [✓] DPI ^{must} is required to give priority in awarding new SAGE contracts to schools with the highest percentage of low-income pupils.

Currently
 A = At *** ANALYSIS FROM -1486/1 ***

Under the Milwaukee Parental Choice Program (MPCP), the state pays for certain pupils to attend private schools located in the city of Milwaukee. ~~Under current law,~~ for each pupil attending a private school under the MPCP, the state pays the lesser of the private school's educational cost per pupil or the amount paid per pupil in the previous school year under the MPCP increased by the percentage change in general school aid over the previous school year. State aid to the Milwaukee Public Schools (MPS) is then reduced by an amount equal to 45 percent of the amount paid by the state for the MPCP.

This bill maintains the 45 percent reduction in state aid paid for up to 15,000 pupils attending ^{private} ~~MPCP~~ schools, but eliminates the reduction for all pupils above ^{under the MPCP} 15,000.

*** ANALYSIS FROM -1193/2 ***

Under current law, to continue in the MPCP, a private school must submit an independent financial audit and evidence of sound fiscal practices to DPI by September 1 following a year in which the private school participated in the MPCP.

This bill requires each private school participating in the MPCP to pay to DPI an annual, nonrefundable fee in an amount to be determined by DPI. DPI must use

^{the}
~~all fees collected under this bill~~ to evaluate the financial audits and evidence of sound fiscal practices ~~submitted to DPI by participating private schools.~~

*** ANALYSIS FROM -1481/3 ***

This bill authorizes DPI to pay up to \$5,000,000 in the 2007-08 school year and up to \$10,000,000 annually thereafter to the Milwaukee Board of School Directors to implement initiatives to improve pupil academic achievement in all grades. The board must submit a plan to DOA for its approval that describes the initiatives planned and the research showing that the initiatives have a positive effect on pupil academic achievement.

*** ANALYSIS FROM -0472/3 ***

This bill ^y ~~creates a new aid program, paid for from the transportation fund, to subsidize the cost of driver education classes for eligible pupils enrolled in MPS.~~

~~Under the bill,~~ ^{e directs to} MPS ~~must~~ reduce by \$150 the fee for each pupil who enrolls in a driver education program offered by the school district and who meets income eligibility standards for a free or reduced lunch plan. ~~MPS is eligible for the aid if the pupil~~ ^{For each}

^{who} successfully completes the driver education program. ~~Under the bill,~~ ^{must} DPI reimburse ^g MPS \$150 per eligible pupil or a prorated amount if the number of eligible pupils exceeds the amount of aid available. ^{The aid is paid from the transportation fund.}

*** ANALYSIS FROM -1819/1 ***

This bill allows the city of Milwaukee to establish one residential charter school of no more than 300 pupils. If the city does so, the per pupil reimbursement rate for the state's payment to the school is twice the rate for other charter schools.

***** ANALYSIS FROM -1501/2 *****

This bill changes the funding source for pupil transportation aid from the general fund to the transportation fund.

***** ANALYSIS FROM -0446/1 *****

Beginning in the 2007-08 school year, this bill increases the annual reimbursement rate for school districts that transport pupils more than 12 miles to school from \$180 per pupil so transported to \$220 per pupil so transported.

***** ANALYSIS FROM -1480/2 *****

Beginning in the 2008-09 fiscal year, this bill authorizes DPI to award grants to school boards to implement four-year-old kindergarten programs. A school board may receive an initial grant of up to \$3,000 for each pupil enrolled in a four-year-old kindergarten program in the school district and a second grant, in the succeeding school year, of up to \$1,500 for each such pupil.

***** ANALYSIS FROM -0469/1 *****

Under current law, the state reimburses school boards and private schools 10 cents for each breakfast served under the School Breakfast Program. This bill raises the reimbursement rate to 15 cents.

***** ANALYSIS FROM -0473/1 *****

Current statutes direct DPI to award precollege scholarships to minority pupils who enroll in college classes or programs designed to improve academic skills that are essential for success in postsecondary school education. In November 2004, DPI reached an agreement with the Office of Civil Rights in the U.S. Department of Education to award the scholarships to pupils who, regardless of race, are eligible for a free or reduced-price lunch under the federal School Lunch Program. This bill modifies the statutes to conform to this agreement.

***** ANALYSIS FROM -1066/1 *****

Under current law, a school board may not grant a high school diploma to any pupil unless the pupil has earned, in grades 9 to 12, at least 4 credits of English, 3 credits of social studies, 2 credits of mathematics, 2 credits of science, and 1.5 credits of physical education.

AS

Beginning with pupils graduating in 2011, this bill requires an additional credit of mathematics and of science.

***** ANALYSIS FROM -1286/2 *****

This bill directs DPI to award grants to school districts to develop innovative instructional programs in science, technology, engineering, and mathematics; support pupils who are typically under-represented in these subjects; and increase the academic achievement of pupils in these subjects.

***** ANALYSIS FROM -1188/1 *****

Current law directs DPI to award a grant to any person who is certified by the National Board for Professional Teaching Standards, licensed by DPI as a teacher or employed as a teacher in a private school, and employed as a teacher in this state.

This bill provides that a teacher who is licensed by DPI as a master educator is also eligible for the grant. The bill also doubles the amount of the grant if the recipient is employed in a school in which at least 60 percent of the pupils are eligible for a free or reduced-price lunch under the federal school lunch program.

***** ANALYSIS FROM -0453/1 *****

This bill creates a grant program to encourage world languages instruction in elementary grades. Under the bill, a school board may apply to DPI for a six-year grant to pay for a portion of the compensation packages of up to two teachers and to phase in world languages instruction in grades one to six. The bill directs DPI to establish criteria for receiving a grant and requires teachers from participating schools to attend professional development workshops to be offered by the department twice each year.

***** ANALYSIS FROM -1618/2 *****

This bill authorizes a school board to construct or acquire a wind electricity generation facility and to use or sell the energy generated by the facility.

***** ANALYSIS FROM -1365/2 *****

HIGHER EDUCATION

Generally, current law allows a UW System student who has been a bona fide Wisconsin resident for the 12 months preceding the beginning of a semester or session for which the student registers to pay resident, as opposed to nonresident, tuition.

This bill allows an alien who is not a legal permanent resident of the United States to pay resident, as opposed to nonresident, tuition if: 1) he or she graduated from a Wisconsin high school or received a high school graduation equivalency from Wisconsin; 2) was continuously present in Wisconsin for at least one year following the first day of attending a Wisconsin high school; and 3) enrolls in a UW System institution and provides the institution with an affidavit stating that he or she has filed or will file an application for permanent residency with U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

The bill also provides that such persons are to be considered residents of this state for purposes of admission to and payment of fees at a technical college.

***** ANALYSIS FROM -0374/3 *****

Currently, under certain circumstances, the UW System and each technical college must provide a full remission of fees for 128 credits or eight semesters, whichever is longer, to an eligible veteran or to the spouse, unmarried surviving

spouse, or child of an eligible veteran. An eligible veteran is one who died on active duty, died as the result of a service-connected disability, died in the line of duty while on duty for training purposes, or has been awarded at least a 30 percent service-connected disability rating.

Currently, to be eligible for the fee remission, the child of the eligible veteran must be at least 18 but not yet 26 years old and a full-time student. This bill reduces the minimum age to 17 and eliminates the full-time requirement. The bill also requires the Higher Educational Aids Board (HEAB) beginning in fiscal year ~~2008-09~~ to reimburse the UW and each technical college for fees remitted for eligible veterans and their spouses, unremarried surviving spouses, and children.

***** ANALYSIS FROM -1578/2 *****

This bill prohibits the Board of Regents of the UW System (board) from making expenditures for supplemental salary increases for faculty whose services are in high demand by other higher educational institutions unless the board has submitted a plan for the expenditure to the secretary of administration, and the secretary has approved the expenditure. The prohibition applies only if the board expends an amount in a fiscal year that exceeds the amount expended in the prior fiscal year.

The secretary's approval is required only for the amount that exceeds the prior fiscal year's amount.

***** ANALYSIS FROM -1579/1 *****

Under current law, the board must require undergraduate applicants, with certain exceptions, to pay a \$35 application fee and graduate, law, and medical school applicants to pay a \$45 application fee. This bill increases the undergraduate application fee to \$50 and the graduate, law, and medical school application fee to \$60.

***** ANALYSIS FROM -1417/1 *****

This bill ~~creates an appropriation from~~ ^{provides} general purpose revenues ^{to} for the board to support the Biomedical Technology Alliance in southeastern Wisconsin.

^{This} ~~The~~ bill requires the board to allocate \$200,000 of its general program operations ^{funding} ~~appropriation~~ in the 2008-09 fiscal year to establish the UW-Milwaukee School of Public Health, but only if the board approves the school.

***** ANALYSIS FROM -1471/2 *****

This bill changes the funding source for several technical college system appropriations from the general fund to the transportation fund.

***** ANALYSIS FROM -0201/4 *****

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, HEAB awards various grants to resident students for higher education. This bill establishes a Wisconsin Covenant Scholars Program

under which, beginning in the 2011-12 academic year, HEAB ^g ~~is directed to~~ ^{must} award grants based on financial need to undergraduates enrolled at least half time at nonprofit public or private institutions of higher education or at tribally controlled colleges in this state. A student is eligible for a grant under the program for up to the equivalent of ten semesters, so long as the student meets acceptable academic standards.

***** ANALYSIS FROM -1330/4 *****

The bill also requires DOA to conduct certain activities to promote attendance at nonprofit postsecondary educational institutions in this state. Those activities include contracting with The Wisconsin Covenant Foundation, Inc., to establish and implement a campaign to promote attendance at nonprofit postsecondary educational institutions in this state and distributing not more than \$250,000 in each fiscal year as grants to school districts for reimbursement of teachers and administrators for costs incurred in participating in training relating to character education.

***** ANALYSIS FROM -0192/2 *****

***** ANALYSIS FROM -0191/1 *****

Under current law, HEAB awards Wisconsin higher education grants (WHEG grants) to undergraduates enrolled at least half time at nonprofit public institutions of higher education or tribally controlled colleges in this state. Currently, a WHEG

grant may not exceed \$3,000 for an academic year. This bill sets that maximum grant amount during any academic year at 50 percent of the resident undergraduate academic fees charged to attend the University of Wisconsin-Madison for the previous academic year.

***** ANALYSIS FROM -0262/1 *****

Under current law, DOA receives aid from a federal program that supports universal access to telecommunications services, commonly referred to as the E-Rate Program, that DOA uses to provide educational telecommunications access to educational agencies that are eligible for a rate discount under the E-Rate Program, specifically, public or private elementary and secondary schools and public libraries. This bill permits DOA to use moneys received under the E-Rate Program to make payments to telecommunications providers that provide educational telecommunications access to those educational agencies.

***** ANALYSIS FROM -1675/1 *****

This bill appropriates to the Medical College of Wisconsin, Inc., general purpose revenues for translational research, which is defined in the bill as the transfer of knowledge gained from basic research to new and improved methods of preventing, diagnosing, or treating disease, as well as the transfer of clinical insights into hypotheses that can be tested and validated in the basic research laboratory.

***** ANALYSIS FROM -0170/1 *****

Under current law, historical organizations in this state may be incorporated as affiliates of the State Historical Society of Wisconsin (~~Historical Society~~) if their purposes and programs are similar to and consonant with those of the Historical Society. This bill directs the Historical Society to distribute a grant annually to the Wisconsin Black Historical Society and Museum to fund the operations of that society and museum.

***** ANALYSIS FROM -1352/4 *******EMPLOYMENT**

Under current law, faculty and academic staff of the UW System do not have collective bargaining rights under the State Employment Labor Relations Act (SELRA). This bill provides faculty and academic staff of the UW System collective bargaining rights under state law in a manner similar to that provided other state employees under SELRA, including the right to collectively bargain over wages, hours, and conditions of employment.

Unfair labor practices for UW System academic staff and faculty collective bargaining are generally the same as those under SELRA, except that the bill specifically provides that it is not an unfair labor practice for the Board of Regents of the UW System to implement changes in salaries or conditions of employment for members of the faculty or academic staff at one UW institution and not for such

persons at other UW institutions if certain conditions are met. Under the bill, the subjects of collective bargaining are the same as under SELRA, except that collective bargaining is prohibited on the mission and goals of the Board of Regents of the ~~UW System~~ ^{Board}; the diminution of the right of tenure provided faculty; the rights granted faculty and academic staff under current law; and academic freedom. Finally, under the bill, collective bargaining agreements covering UW faculty and academic staff must be approved by the Joint Committee on Employment Relations and adopted by the legislature.

***** ANALYSIS FROM -0438/3 *****

Under current law, in local government employment other than law enforcement and fire fighting employment, if a dispute relating to the terms of a proposed collective bargaining agreement has not been settled after a reasonable period of negotiation and after mediation by the Wisconsin Employment Relations Commission (WERC), either party, or the parties jointly, may petition WERC to initiate compulsory, final, and binding arbitration with respect to any dispute relating to wages, hours, and conditions of employment. An arbitrator or arbitration panel must adopt the final offer of one of the parties on all disputed issues, which is then incorporated into the collective bargaining agreement.

~~However, under current law,~~ ⁴ this process does not apply ^{, however,} to a dispute over economic issues involving a collective bargaining unit consisting of school district professional employees if WERC determines that the employer has submitted a qualified economic offer (QEO). ~~Under current law,~~ [✓] a QEO consists of a proposal to maintain the percentage contribution by the employer to the employees' existing fringe benefit costs and the employees' existing fringe benefits and to provide for an annual average salary increase having a cost to the employer at least equal to 2.1 percent of the existing total compensation and fringe benefit costs for the employees in the collective bargaining unit plus any fringe benefit savings. Fringe benefit savings is that amount, if any, by which 1.7 percent of the total compensation and fringe benefit costs for all municipal employees in a collective bargaining unit for any 12-month period covered by a proposed collective bargaining agreement exceeds the increased cost required to maintain the percentage contribution by the municipal employer to the municipal employees' existing fringe benefit costs and to maintain all fringe benefits provided to the municipal employees.

This bill eliminates the QEO exception from the compulsory, final, and binding arbitration process.

*** ANALYSIS FROM -1676/2 ***

~~Under current law, DWD administers various employment and education programs.~~ This bill requires DWD to use moneys received by DHFS ^{from} for licensing, review, and certifying activities ~~and transferred to DWD under the bill~~ to implement and operate youth summer jobs programs in ~~first class cities (presently only~~ Milwaukee ^{the city of} and to ~~provide~~ ^{award} grants to the Boys and Girls Clubs of Greater Milwaukee to fund programs that improve the social, academic, and employment skills of youths who reside in first class cities.

*** ANALYSIS FROM -1471/2 ***

EMPLOYMENT

This bill changes the funding source for a ~~DWD appropriation account~~ for the Employment Transit Assistance Program, which funds projects to improve access to jobs in areas that are not served by an adequate mass transit system, from the general fund to the transportation fund.

*** ANALYSIS FROM -0621/4 ***

ENVIRONMENT

WATER QUALITY

Under the Clean Water Fund Program, ~~Wisconsin~~ ^{the state} makes loans at subsidized interest rates for projects to control water pollution, including sewage treatment plants. This bill changes the interest rate for projects that are necessary to prevent

a municipality from violating a pollution limit in its wastewater discharge permit from 55 percent of the market interest rate to 70 percent of the market interest rate.

This bill sets the present value of the Clean Water Fund Program subsidies that may be provided during the 2007-09 biennium at \$99,100,000. The bill also increases the general obligation bonding authority for the Clean Water Fund Program by \$49,500,000 and increases the revenue bonding authority for the Clean Water Fund program by \$368,145,000.

Under the Safe Drinking Water Loan Program, ^{of} ~~Wisconsin~~ ^{the state} makes loans at subsidized interest rates to local governmental units for projects to construct or modify public water systems. This bill sets the present value of the Safe Drinking Water Loan Program subsidies that may be provided during the 2007-09 biennium at \$16,700,000. The bill also increases the general obligation bonding authority for the Safe Drinking Water Loan Program by \$6,090,000.

***** ANALYSIS FROM -1454/3 *****

Current federal law authorizes the Environmental Protection Agency (EPA) to carry out projects to clean up contaminated sediment in the Great Lakes and tributaries of the Great Lakes. The federal law requires a portion of the funding for a project to be provided from a source other than the federal government. This bill

authorizes DNR to pay a portion of the costs of a project to remove contaminated sediment from Lake Michigan or Lake Superior or a tributary of Lake Michigan or Lake Superior if EPA provides federal funds for the project and provides \$17,000,000 in bonding authority for this purpose.

***** ANALYSIS FROM -0528/3 *****

Under current law, DNR provides funding for the management of urban storm water runoff and for flood control and riparian restoration projects. This bill increases the general obligation bonding authority for these projects by \$6,000,000.

Under current law, DNR provides funding for measures to reduce water pollution from nonpoint (diffuse) sources. This bill increases the general obligation bonding authority for nonpoint source measures by \$12,000,000.

***** ANALYSIS FROM -1414/3 *****

Under current law, under the targeted runoff management grant process, local governmental units annually apply for funding from DNR for new nonpoint source projects. DNR annually ranks ~~all~~ of the eligible applications based on specified criteria and selects projects to receive funding. Local governmental units [✓]~~in turn,~~ provide cost-sharing grants to land owners to implement the projects.

This bill authorizes DNR to provide funding, outside of the targeted runoff management grant process, for animal waste management. DNR may provide

funding to a local governmental unit for a project at an animal feeding operation that is discharging pollution to the waters of this state if DNR determines that providing funding outside of that process is necessary to protect fish and aquatic life.

such
*** ANALYSIS FROM -0313/1 ***

ENVIRONMENTAL CLEANUP *the state*

Under the Land Recycling Loan Program, Wisconsin *the state* makes interest-free loans to political subdivisions for projects to remedy contamination at sites where the contamination has affected, or threatens to affect, groundwater or surface water. *that*
This bill sets the present value of the Land Recycling Loan Program subsidies that may be provided during the 2007-09 biennium at \$3,400,000.

des
Under current law, the Department of Commerce (Commerce) *✓* administers a program (known as PECFA) to reimburse owners of certain petroleum product storage tanks for some of the costs they incur in cleaning up discharges from those tanks. This bill modifies PECFA by authorizing Commerce to contract with consultants and contractors to perform the cleanup of a discharge from a petroleum product storage tank and to pay the consultants and contractors directly. *authorizes*

*** ANALYSIS FROM -0314/1 ***

This bill also authorizes Commerce to contract with a person who removes underground petroleum storage tanks to empty, remove, and dispose of an underground petroleum product storage tank that has not been properly closed if *the*

Commerce
 department is unable to identify the owner of the tank, or the department determines
Commerce
 that the owner of the tank is unwilling or unable to pay to have the tank emptied,
 removed, and disposed of.

*** ANALYSIS FROM -1114/2 ***

Current law authorizes DNR to conduct or fund activities to investigate and
 remedy environmental contamination in some situations. This bill increases the
 authorized general obligation bonding authority to finance those activities by
 \$3,000,000.

*** ANALYSIS FROM -1575/1 ***

OTHER ENVIRONMENT

This bill creates an Office of Public Intervenor attached to DOJ. The bill
 requires the attorney general to appoint an assistant attorney general to serve as the
 public intervenor. The bill authorizes the public intervenor to do all of the following:



- NO* ~~1~~ *Commerce* Commence or intervene in court proceedings whenever necessary to protect
 the public rights in water and other natural resources. *semicolon* *NO* ~~1~~
- NO* ~~2~~ *and* Act as an interested party in actions in which he or she intervenes, *with the*
 power to present evidence, cross-examine witnesses, and file briefs. *and* *NO* ~~1~~
- NO* ~~3~~ Appeal administrative rulings to the courts.

*** ANALYSIS FROM -1453/1 ***

Current law imposes a recycling fee of \$3 per ton on solid waste, other than certain kinds of high-volume industrial waste, disposed of at a landfill or other waste disposal facility. The recycling fee is deposited into the recycling fund. This bill increases the recycling fee to \$6 per ton.

***** ANALYSIS FROM -1113/2 *****

Current law imposes an environmental repair fee on solid and hazardous waste disposed of at a landfill or other waste disposal facility. The environmental repair fee is 50 cents per ton, except that the fee is lower for mining waste and certain kinds of high-volume industrial waste. The environmental repair fee is deposited into the environmental fund.

 This bill increases the environmental repair fee on solid and hazardous waste, ~~other than mining waste and certain kinds of high-volume industrial waste,~~ to \$1.60 per ton. 

***** ANALYSIS FROM -1452/1 *****

This bill transfers \$13,000,000 in fiscal year 2007-08 and \$20,000,000 in fiscal year 2008-09 from the recycling fund to the general fund. ~~This~~^{The} bill also transfers \$4,000,000 in fiscal year 2007-08 from the petroleum inspection fund to the general fund.

***** ANALYSIS FROM -1528/1 *****

***** ANALYSIS FROM -1471/2 *****

9A

NOTE Under the bill, to have land released from a farmland preservation agreement, the owner ^{generally} must pay \$100 per acre to ~~the~~ ^{the} state, and to have land rezoned from exclusive agricultural zoning the owner must pay \$100 per acre to the local governmental unit that grants the rezoning. ✓