

1           **“SECTION 3239m.** 814.85 (1) (a) of the statutes is amended to read:

2           814.85 (1) (a) Except for an action for a first violation of s. 23.33 (4c) (a) 2.,  
3           30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the  
4           violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the  
5           time of the violation, for a financial responsibility violation under s. 344.62 (2), or for  
6           a violation under s. 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m),  
7           the clerk of circuit court shall charge and collect a \$68 court support services  
8           surcharge from any person, including any governmental unit as defined in s. 108.02  
9           (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).”.

10           **835.** Page 1653, line 15: after that line insert:

11           **“SECTION 3240m.** 814.86 (1) of the statutes, as affected by 2009 Wisconsin Act  
12           .... (this act), is amended to read:

13           814.86 (1) Except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681  
14           (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation  
15           had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the  
16           violation, for a financial responsibility violation under s. 344.62 (2), or for a violation  
17           under s. 343.51 (1m) (b) or a safety belt use violation under s. 347.48 (2m), the clerk  
18           of circuit court shall charge and collect a \$21.50 justice information system surcharge  
19           from any person, including any governmental unit, as defined in s. 108.02 (17),  
20           paying a fee under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or  
21           814.63 (1). The justice information system surcharge is in addition to the surcharge  
22           listed in sub. (1m).”.

23           √ **836.** Page 1654, line 12: after that line insert:

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1           “**SECTION 3243c.** 846.35 (1) (c) of the statutes, as created by 2009 Wisconsin Act  
2 2, is renumbered 846.35 (6) and amended to read:

3           846.35 (6) PENALTIES. If a plaintiff fails to provide a notice under par. (a) in  
4 accordance with pars. (a) and (b), or fails to comply with sub. (5), the court shall  
5 award the tenant to whom the notice should have been given or who should not have  
6 named as a defendant \$250 in damages, plus reasonable attorney fees. A tenant may  
7 not recover under this paragraph for more than one notice violation.

8           **SECTION 3243e.** 846.35 (4) of the statutes, as created by 2009 Wisconsin Act 2,  
9 is repealed.

10          **SECTION 3243f.** 846.35 (5) of the statutes is created to read:

11          846.35 (5) **TENANT NOT NAMED IN COMPLAINT.** In an action for foreclosure of  
12 residential real property, the complaint may not name a tenant as a defendant unless  
13 the tenant has a lien or ownership interest in the real property.”

14          ~~837.~~ Page 1666, line 7: delete the material beginning with that line and  
15 ending with page 1667, line 3.

16          ~~838.~~ Page 1668, line 25: delete the material beginning with that line and  
17 ending with page 1669, line 6.

18          ~~839.~~ Page 1698, line 11: after that line insert:

19          “**SECTION 3334p.** 938.48 (8p) of the statutes is created to read:

20          938.48 (8p) **INDIAN JUVENILE PLACEMENTS.** Reimburse tribes and county  
21 departments, from the appropriation under s. 20.410 (1) (kp), for unexpected or  
22 unusually high-cost out-of-home care placements of Indian juveniles who have  
23 been adjudicated delinquent. In this subsection, “unusually high-cost out-of-home  
24 care placements” means the amount by which the cost to a tribe or to a county

1 department of out-of-home care placements of Indian juveniles who have been  
2 adjudicated delinquent exceeds \$50,000 in a fiscal year.”.

3 ~~840~~. Page 1699, line 22: after that line insert:

4 “SECTION 3339L. 939.22 (20d) of the statutes is created to read:

5 939.22 (20d) “Offense against an elderly or vulnerable person” means a  
6 violation of s. 940.285 (2) (a) that caused death, great bodily harm, or bodily harm  
7 to the victim or s. 940.295 (3) (b) that caused death, great bodily harm, or bodily harm  
8 to the victim.

9 SECTION 3339n. 939.22 (20m) of the statutes is created to read:

10 939.22 (20m) “Offense related to ethical government” means a violation of s.  
11 13.69 (6m), 19.58 (1) (b), or 946.12.

12 SECTION 3339p. 939.22 (20s) of the statutes is created to read:

13 939.22 (20s) “Offense related to school safety” means a violation of s. 948.605  
14 or 948.61 (2) (b).”.

15 ~~841~~. Page 1701, line 23: after that line insert:

16 “SECTION 3350d. 946.13 (12) (b) 2. a. of the statutes is amended to read:

17 946.13 (12) (b) 2. a. The contract together with all other contracts between the  
18 same parties require less than ~~\$75,000~~ \$250,000 in payments over a ~~24-month~~  
19 24-month period.

20 SECTION 3350m. 946.13 (12) (b) 2. b. of the statutes is repealed and recreated  
21 to read:

22 946.13 (12) (b) 2. b. The University of Wisconsin System submits the contract  
23 to the University of Wisconsin Board of Regents and, within 45 days, the University

1 of Wisconsin Board of Regents does not notify the University of Wisconsin System  
2 that entering the contract would constitute a violation of sub. (1).

3 **SECTION 3350s.** 946.13 (12) (d) of the statutes is repealed.”.

4 ~~§42.~~ Page 1704, line 11: delete lines 11 to 17.

5 ~~§43.~~ Page 1704, line 18: delete lines 18 to 23.

6 ~~§44.~~ Page 1708, line 16: after “more” insert “than”.

7 ~~§45.~~ Page 1708, line 23: delete the material beginning with “When” and  
8 ending with “applying” on page 1709, line 1, and substitute “The department shall  
9 apply to every person serving a sentence imposed under sub. (1)”.

10 ~~§46.~~ Page 1709, line 2: delete “research,” and substitute “research to”.

11 ~~§47.~~ Page 1709, line 5: after that line insert:

12 “(c) This subsection does not apply to a person sentenced on or after the effective  
13 date of this paragraph .... [LRB inserts date].”.

14 ~~§48.~~ Page 1709, line 18: after “justice.” insert: “This subsection does not apply  
15 if the court sentences a person for a violation of s. 940.03, 940.06, 940.11 (1), 940.235,  
16 940.302, 940.31 (1), 940.32 (3), 941.21, 946.465, 948.03 (2) (a), or 948.40 (4) (a) or for  
17 an offense against an elderly or vulnerable person, as defined in s. 939.22 (20d), an  
18 offense related to ethical government, as defined in s. 939.22 (20m), or an offense  
19 related to school safety, as defined in s. 939.22 (20s).”.

20 ~~§49.~~ Page 1709, line 19: delete “shall notify shall notify” and substitute “shall  
21 notify”.

22 ~~§50.~~ Page 1711, line 12: delete “that” and substitute “, if the person has, in  
23 his or her lifetime, been convicted of a prior felony offense, or if the felony”.

1 ~~851.~~ Page 1711, line 13: delete "that".

2 ~~852.~~ Page 1711, line 14: delete "that" and substitute ", if the person has, in  
3 his or her lifetime, been convicted of a prior felony offense, or if the felony".

4 ~~853.~~ Page 1711, line 15: delete "that".

5 ~~854.~~ Page 1712, line 7: after "(1)." insert: "This section does not apply if the  
6 court sentences a person for a violation of s. 940.03, 940.06, 940.11 (1), 940.235,  
7 940.302, 940.31 (1), 940.32 (3), 941.21, 946.465, 948.03 (2) (a), or 948.40 (4) (a) or for  
8 a felony murder under s. 940.03, an offense against an elderly or vulnerable person,  
9 as defined in s. 939.22 (20d), an offense related to ethical government, as defined in  
10 s. 939.22 (20m), or an offense related to school safety, as defined in s. 939.22 (20s).".

11 ~~855.~~ Page 1712, line 19: after that line insert:

12 "SECTION 3391c. 973.045 (2m) of the statutes, as affected by 2009 Wisconsin  
13 Act .... (this act), is repealed and recreated to read:

14 973.045 (2m) (a) The secretary of administration shall credit to the  
15 appropriation account under s. 20.455 (5) (gc) the first \$20 of part B of the crime  
16 victim and witness surcharge.

17 (b) The secretary of administration shall credit to the appropriation account  
18 under s. 20.455 (5) (g) part A of the crime victim and witness surcharge and any part  
19 of part B of the crime victim and witness surcharge that remains after the secretary  
20 of administration complies with par. (a).".

21 ~~856.~~ Page 1717, line 23: delete "from".

22 ~~857.~~ Page 1718, line 1: delete lines 1 and 2 and substitute:

1           “(b) If the attorney general transfers moneys under s. 165.03 (1) for retention  
2 pay in a fiscal year, the state public defender shall, from the appropriation under s.  
3 20.550 (1) (kb), pay each individual who is a full-time equivalent assistant state  
4 public”.

5           ~~858.~~ Page 1718, line 3: delete “shall”.

6           ~~859.~~ Page 1719, line 1: delete lines 1 and 2 and substitute:

7           “2. If the attorney general transfers moneys under s. 165.03 (1) for retention  
8 pay in a fiscal year, the secretary of administration shall, from the appropriation  
9 under s. 20.475 (1) (kb) and subject to sub. (5) (c), pay each individual who is a  
10 full-time equivalent”.

11           ~~860.~~ Page 1719, line 4: delete “shall”.

12           ~~861.~~ Page 1719, line 19: after that line insert:

13           “SECTION 3405ay. 985.03 (1) (am) of the statutes is created to read:

14           985.03 (1) (am) Notwithstanding par. (a), a daily or weekly newspaper that is  
15 published at least 50 weeks of each year in a county having a population of 500,000  
16 or more, has been published continuously for the past 10 years, has had a continuous  
17 circulation of at least 40,000 copies within the region for the past 10 years, as  
18 documented by a nationally recognized auditing company, and has the majority of its  
19 distribution within the county for which the legal notice is to be distributed, may be  
20 awarded and shall be entitled to any compensation or fee for the publishing of any  
21 legal notice.”.

22           ~~862.~~ Page 1720, line 6: delete “county” and substitute “region”.

23           ~~863.~~ Page 1720, line 9: delete the material beginning with that line and  
24 ending with page 1721, line 1.

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- JTK will do this*

1        ~~864.~~ Page 1731, line 6: delete "state operations".

2        **865.** Page 1734, line 11: increase the dollar amount by \$20,700,000.

3        ~~866.~~ Page 1735, line 15: delete "ASSISTANCE FEE." and substitute "ASSISTANCE."

4        ~~867.~~ Page 1735, line 19: after that line insert:

5            "2m. "Federal economic stimulus funds" means federal moneys received by the  
6            state, pursuant to federal legislation enacted during the 111th Congress for the  
7            purpose of reviving the economy of the United States."

8        ~~868.~~ Page 1735, line 21: after that line insert:

9            "3m. "Stimulus portion" means the portion of moneys received under 42 USC  
10            6861 to 6873 and 42 USC 8621 to 8629 in a fiscal year that is attributable to, as  
11            determined by the secretary of administration, the federal economic stimulus funds  
12            received in that fiscal year."

13        ~~869.~~ Page 1736, line 3: after that line insert:

14            "(cm) Notwithstanding section 16.957 (4) (c) 1. of the statutes, in determining  
15            the amount of the low-income assistance fee for fiscal years 2009-10 and 2010-11,  
16            the stimulus portion received in the fiscal year shall be deducted from the sum of the  
17            amounts specified in section 16.957 (4) (c) 1. a. to c. of the statutes for that fiscal year.

18            (dm) In fiscal years 2009-10 and 2010-11, in determining whether the amount  
19            required under section 16.957 (2) (a) of the statutes, as affected by this act, is spent  
20            for weatherization or other energy conservation services, the amount of the stimulus  
21            portion spent for those purposes shall not be considered."

22        ~~870.~~ Page 1742, line 23: after that line insert:

1 “(13f) RESTORATIVE JUSTICE GRANT. From the appropriation to the department  
2 of administration under section 20.505 (6) (br), as created by this act, the office of  
3 justice assistance shall award \$50,000 to Restorative Justice Programs, Inc., in the  
4 first fiscal year of the fiscal biennium in which this subsection takes effect for  
5 restorative justice programs.”.

6 ~~871.~~ Page 1743, line 15: after that line insert:

7 “(1f) SOIL AND WATER MANAGEMENT FUNDING. Notwithstanding section 16.42 (1)  
8 (e) of the statutes, in submitting information under section 16.42 of the statutes for  
9 the purposes of the 2011-13 biennial budget bill, the department of agriculture,  
10 trade and consumer protection shall submit information concerning the  
11 appropriation under section 20.115 (7) (qf) of the statutes as though the amount  
12 appropriated for the 2010-11 fiscal year had been \$308,000 more than was actually  
13 appropriated.”.

14 **872.** Page 1752, line 9: delete the material beginning with “School” and  
15 ending with “\$47,346,000” on line 10 and adjust the appropriate totals accordingly.

16 **873.** Page 1754, line 3: delete lines 3 and 4 and adjust the appropriate totals  
17 accordingly.

18 **874.** Page 1756, line 7: delete lines 7 and 8 and adjust the appropriate totals  
19 accordingly.

20 ~~875.~~ Page 1768, line 23: delete “P.L.” and substitute “Public Law”.

21 ~~876.~~ Page 1774, line 19: after that line insert:

22 “(26q) SCHOOL OF NURSING AT UNIVERSITY OF WISCONSIN-MADISON. From the  
23 appropriation under section 20.867 (2) (r) of the statutes, the building commission  
24 shall allocate \$2,004,000 to conduct planning for a School of Nursing facility to be

not yet enrolled - JTK will do these



1 constructed at the University of Wisconsin-Madison in preparation for possible  
2 enumeration of the facility in the 2011-13 Authorized State Building Program. If the  
3 Board of Regents of the University of Wisconsin System allocates \$1,002,000 from  
4 the appropriation under section 20.285 (1) (j) of the statutes for the same purpose,  
5 the building commission shall also use those moneys for planning of the facility.”.

6 ~~877.~~ Page 1774, line 19: after that line insert:

7 “(25f) STUDY OF EXPANDING ACCESS TO DENTAL EDUCATION. From the appropriation  
8 under section 20.867 (2) (q) of the statutes, the Building Commission shall allocate  
9 \$500,000 to conduct a study of the state’s role in expanding access to dental education  
10 with a particular emphasis on increasing dental care in rural and underserved areas,  
11 including an examination of the possibility of construction of a new dental school in  
12 the city of Marshfield.”.

13 ~~878.~~ Page 1776, line 10: delete that line and substitute “by this act, beginning  
14 on the date specified in the notice under section 48.62 (9) of the statutes, as created  
15 by this act, a person who on the day before that date is”.

16 ~~879.~~ Page 1776, line 14: delete “2007 stats., and” and substitute “2007 stats.”.

17 ~~880.~~ Page 1776, line 15: delete lines 15 to 22 and substitute “Beginning on the  
18 date specified in the notice under section 48.62 (9) of the statutes, as created by this  
19 act, the”.

20 ~~881.~~ Page 1779, line 10: after that line insert:

21 “(6f) BILL OF RIGHTS FOR FOSTER CHILDREN. Notwithstanding section 48.648 (2)  
22 of the statutes, as created by this act, by no later than the first day of the 3rd month  
23 beginning after the effective date of this subsection, the department of children and  
24 families, a county department of human services or social services, or a licensed child

1 welfare agency shall provide a written copy of the foster children's bill of rights to all  
2 children who on the day before the effective date of this subsection were in a foster  
3 home placement under the care and placement responsibility of that department,  
4 county department, or child welfare agency.”.

5 **882.** ~~Page 1779, line 14: delete “48.658” and substitute “48.659”.~~

6 **883.** ~~Page 1780, line 18: delete “48.658” and substitute “48.659”.~~

7 **884.** ~~Page 1795, line 21: after that line insert:~~

8 “(17r) CONTRACTOR REGISTRATION RULES. Using the procedure under section  
9 227.24 of the statutes, the department of commerce may promulgate rules required  
10 under section 101.147 (2) of the statutes, as created by this act, for the period before  
11 the effective date of the permanent rules promulgated under section 101.147 (2) of  
12 the statutes, as created by this act, but not to exceed the period authorized under  
13 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),  
14 (2) (b), and (3) of the statutes, the department of commerce is not required to provide  
15 evidence that promulgating a rule under this subsection as an emergency rule is  
16 necessary for the preservation of public peace, health, safety, or welfare and is not  
17 required to provide a finding of emergency for a rule promulgated under this  
18 subsection.”.

19 **885.** ~~Page 1795, line 22: before that line insert:~~

20 “(17q) GRANT TO PLEASANT PRAIRIE TECHNOLOGY INCUBATOR CENTER. In the  
21 2011-13 fiscal biennium, but not later than July 31, 2011, from the appropriation  
22 under section 20.143 (1) (c) of the statutes, as affected by this act, the department of  
23 commerce shall award to Pleasant Prairie Technology Incubator Center a grant of  
24 \$700,000, if Pleasant Prairie Technology Incubator Center obtains at least an

1 additional \$700,000 in funding from sources other than the state and enters into a  
2 written agreement with the department of commerce that does all of the following:

3 (a) Specifies conditions for the use of the proceeds of the grant, including  
4 reporting and auditing requirements.

5 (b) Requires Pleasant Prairie Technology Incubator Center to submit to the  
6 department, within 6 months after spending the full amount of the grant, a report  
7 detailing how the proceeds of the grant were used.”.

8 ~~886.~~ Page 1795, line 22: before that line insert:

9 “(18f) REGION ONE DEVELOPMENT MANAGER. Not later than October 1, 2009, the  
10 department of commerce shall fill the position of region one development manager.”.

11 ~~887.~~ Page 1800, line 6: after that line insert:

12 “(6x) AGENCY REQUEST RELATING TO GENERAL PROGRAM OPERATIONS.  
13 Notwithstanding section 16.42 (1) (e) of the statutes, in submitting information  
14 under section 16.42 of the statutes for the purpose of the 2011-13 biennial budget  
15 bill, the department of administration shall submit information concerning the  
16 appropriation under section 20.475 (1) (d) of the statutes, as though the amounts  
17 appropriated to the department under that appropriation for fiscal year 2010-11  
18 were \$9,139,700 more than the amounts in the schedule.”.

19 ~~888.~~ Page 1800, line 10: delete lines 10 to 16.

20 ~~889.~~ Page 1801, line 12: delete lines 12 to 21.

21 ~~890.~~ Page 1805, line 19: delete “county health department” and substitute  
22 “county department of human services”.

23 ~~891.~~ Page 1806, line 17: after that line insert:

1           “(cq) For services under section 49.45 (30r) of the statutes, as created by this  
2 act, the department of health services shall calculate the portion of the payment that  
3 is not provided by the federal government, and that the county shall provide, using  
4 the federal Medical Assistance percentage that is applicable when the service is  
5 provided.”.

6           ~~892.~~ Page 1807, line 18: after that line insert:

7           “(4q) FAMILY CARE EXPANSION TO LANGLADE COUNTY. (a) The department of  
8 health services shall contract with an entity to provide the services under section  
9 46.283 (3) of the statutes and section 46.283 (4) of the statutes, as affected by this act,  
10 as a resource center such that services of a resource center are available to residents  
11 of Langlade County on May 1, 2010.

12           (b) The department of health services shall contract with an entity as provided  
13 under section 46.284 (2) of the statutes to administer the family care benefit as a care  
14 management organization such that the family care benefit is available to residents  
15 of Langlade County on July 1, 2010.”.

16           ~~X 893.~~ Page 1808, line 13: after that line insert:

17           ~~(5x)~~ <sup>(5K)</sup> DENTAL HEALTH CLINIC GRANT. From the appropriation to the department  
18 of health services under section 20.435 (1) (dj) of the statutes, as created by this act,  
19 the department of health services shall award a grant to Milwaukee Health Services  
20 Incorporated for dental services and equipment at a clinic having an address with  
21 the zip code 53218.”.

22           ~~894.~~ Page 1811, line 18: after that line insert:

23           “(6q) GRANT FOR HIV INFECTION SERVICES. From the appropriation account  
24 under section 20.435 (1) (ma) of the statutes, as created by this act, the department

1 of health services shall provide to the Black Health Coalition of Wisconsin, Inc.,  
2 \$100,000 in the first fiscal year of the fiscal biennium in which this subsection takes  
3 effect as a grant to provide human immunodeficiency virus infection outreach,  
4 education, referral, and other services.”.

5 ~~895.~~ Page 1813, line 9: delete lines 9 to 25.

6 ~~896.~~ Page 1815, line 2: delete “1.” and substitute “5.”.

7 ~~897.~~ Page 1815, line 6: after that line insert:

8 “(11q) JOINT COMMITTEE ON FINANCE REVIEW OF MEDICAL ASSISTANCE SPENDING  
9 PLAN. The department of health services shall by August 1, 2009, submit a plan to  
10 the joint committee on finance for administering the Medical Assistance Program  
11 under subchapter IV of chapter 49 of the statutes and the prescription drug  
12 assistance program for the elderly under section 49.688 of the statutes in the  
13 2009-11 fiscal biennium within the funding appropriated for these programs under  
14 this act. The plan shall include a description of the measures the department intends  
15 to implement to realize cost efficiencies and cost reductions in the Medical Assistance  
16 Program and the prescription drug assistance program for the elderly. The plan shall  
17 include an estimate of savings in state and federal expenditures, by fiscal year, for  
18 each component of the plan and for the plan as a whole. The department may  
19 implement the plan unless the committee, by September 1, 2009, approves an  
20 alternative plan for administering the Medical Assistance Program and the  
21 prescription drug assistance program for the elderly within the funding  
22 appropriated for these programs under this act. If the committee meets to review the  
23 department’s plan and approves an alternative plan by September 1, 2009, the  
24 department shall implement the alternative plan.”.

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~~898.~~ Page 1815, line 6: after that line insert:

“(12u) EMPLOYMENT AND TRAINING ACTIVITIES. The department of health services shall work with Portage, Adams, Wood, and Milwaukee counties to modify the employment and training program under section 49.79 (9) of the statutes in those counties for the purpose of increasing the amount of federal funding that the state receives under the program.”

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~~899.~~ Page 1815, line 11: after that line insert:

“(1f) GRANT TO HOUSEHOLD ABUSE VICTIMS EMERGENCY NETWORK OF THE CITY OF MERRILL. Notwithstanding section 234.165 (2) (c) (intro.) of the statutes, the Wisconsin Housing and Economic Development Authority shall pay, in fiscal year 2009-10, a grant in the amount of \$25,000 from its actual surplus under section 234.165 of the statutes and, in fiscal year 2010-11, a grant in the amount of \$25,000 from its actual surplus under section 234.165 of the statutes to the Household Abuse Victims Emergency Network of the city of Merrill for the purpose of renovating a domestic abuse shelter serving Langlade, Lincoln, Taylor, Vilas, and Oneida counties.”

~~900.~~ Page 1816, line 5: delete “legislative audit bureau shall” and substitute “joint legislative audit committee is requested to direct the legislative audit bureau to”.

~~901.~~ Page 1816, line 7: delete “The audit” and substitute “If the committee directs the legislative audit bureau to conduct the audit, the audit”.

~~902.~~ Page 1816, line 17: delete “legislative audit bureau shall” and substitute “joint legislative audit committee is requested to direct the legislative audit bureau to”.

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