



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb3115/1
ALL:ALL:ALL

**CONFERENCE AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1**

July 3, 2002 – Offered by CONFERENCE ON JANUARY 2002 SPECIAL SESSION ASSEMBLY
BILL 1.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 4: delete that line and substitute:

3 “**SECTION 1g.** 5.86 of the statutes is amended to read:

4 **5.86 Proceedings at central counting ~~location~~ locations.** (1) All
5 proceedings at the each central counting location shall be under the direction of the
6 municipal clerk or an election official designated by the clerk unless the central
7 counting location is at the county seat and the municipal clerk delegates the
8 responsibility to supervise the location to the county clerk, in which case the
9 proceedings shall be under the direction of the county clerk or an election official
10 designated by the county clerk. Unless election officials are selected under s. 7.30
11 (4) (c) without regard to party affiliation, the employees at the each central counting
12 location, other than any specially trained technicians who are required for the

1 operation of the automatic tabulating equipment, shall be equally divided between
2 members of the 2 major political parties under s. 7.30 (2) (a) and all duties performed
3 by the employees shall be by teams consisting of an equal number of members of each
4 political party whenever sufficient persons from each party are available.

5 (2) At the each central counting location, a team of election officials designated
6 by the clerk or other election official having charge of the location under sub. (1) shall
7 check the container returned containing the ballots to determine that all seals are
8 intact, and thereupon shall open the container, check the inspectors' slip and
9 compare the number of ballots so delivered against the total number of electors of
10 each ward served by the polling place who voted, remove the ballots or record of the
11 votes cast and deliver them to the technicians operating the automatic tabulating
12 equipment. Any discrepancies between the number of ballots and total number of
13 electors shall be noted on a sheet furnished for that purpose and signed by the
14 election officials.

15 **SECTION 1m.** 6.18 of the statutes is amended to read:".

16 **2.** Page 3, line 12: after that line insert:

17 "SECTION 1pc. 6.87 (2) (form) of the statutes is amended to read:

18 6.87 (2) (form)

19 [STATE OF

20 County of]

21 or

22 [(name of foreign country and city or other jurisdictional unit)]

23 I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false
24 statements, that I am a resident of the [... ward of the] (town) (village) of, or of

1 the aldermanic district in the city of, residing at* in said city, the county
2 of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at
3 the election to be held on; that I am not voting at any other location in this election;
4 that I am unable or unwilling to appear at the polling place in the (ward) (election
5 district) on election day or have changed my residence within the state from one ward
6 or election district to another within 10 days before the election. ~~An elector who~~
7 ~~provides an identification serial number issued under s. 6.47 (3) need not provide a~~
8 ~~street address.~~ I certify that I exhibited the enclosed ballot unmarked to the witness,
9 that I then in (his) (her) presence and in the presence of no other person marked the
10 ballot and enclosed and sealed the same in this envelope in such a manner that no
11 one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if
12 I requested assistance, could know how I voted.

13 Signed

14 Identification serial number, if any:

15 The witness shall execute the following:

16 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.
17 Stats., for false statements, certify that the above statements are true and the voting
18 procedure was executed as there stated. I am not a candidate for any office on the
19 enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit
20 or advise the elector to vote for or against any candidate or measure.

21(Name)

22(Address)**

23 * — An elector who provides an identification serial number issued under s.
24 6.47 (3), Wis. Stats., need not provide a street address.

1 ** — If this form is executed before 2 special voting deputies under s. 6.875 (6),
2 Wis. Stats., both deputies shall witness and sign.

3 **SECTION 1pe.** 6.875 (1) (at) of the statutes is amended to read:

4 6.875 (1) (at) “Qualified retirement home” means a retirement home that
5 qualifies under sub. (2) ~~(b)~~ (c) to utilize the procedures under this section.

6 **SECTION 1pg.** 6.875 (2) (a) of the statutes is amended to read:

7 6.875 (2) (a) The procedures prescribed in this section are the exclusive means
8 of absentee voting for electors who are occupants of nursing homes ~~or~~, qualified
9 community-based residential facilities or qualified retirement homes.

10 **SECTION 1pj.** 6.875 (6) of the statutes, as affected by 2001 Wisconsin Act 16,
11 is amended to read:

12 6.875 (6) Special voting deputies in each municipality shall, not later than 5
13 p.m. on the Friday preceding an election, arrange one or more convenient times with
14 the administrator of each nursing home ~~or~~, qualified retirement home, and qualified
15 community-based residential facility in the municipality from which one or more
16 occupants have filed an application under s. 6.86 to conduct absentee voting for the
17 election. The time may be no earlier than the 4th Monday preceding the election and
18 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative
19 of an occupant of a nursing home or qualified retirement home or qualified
20 community-based residential facility, the administrator may notify the relative of
21 the time or times at which special voting deputies will conduct absentee voting at the
22 home or facility, and permit the relative to be present in the room where the voting
23 is conducted. At the designated time, 2 deputies appointed under sub. (4) shall visit
24 the ~~nursing home or qualified retirement home or qualified community-based~~
25 ~~residential facility~~. The municipal clerk or executive director of the board of election

1 commissioners shall issue a supply of absentee ballots to the deputies sufficient to
2 provide for the number of valid applications received by the clerk, and a reasonable
3 additional number of ballots. The municipal clerk or executive director shall keep
4 a careful record of all ballots issued to the deputies and shall require the deputies to
5 return every ballot issued to them. The deputies shall personally offer each elector
6 who has filed a proper application the opportunity to cast his or her absentee ballot.
7 If an elector is present who has not filed a proper application, the 2 deputies may
8 accept an application from the elector and shall issue a ballot to the elector if the
9 elector is qualified and the application is proper. The deputies shall ~~administer~~ each
10 witness the oath certification and may, upon request of the elector, assist the elector
11 in marking the elector's ballot. Upon request of the elector, a relative of the elector
12 who is present in the room may assist the elector in marking the elector's ballot. All
13 voting shall be conducted in the presence of the deputies. No individual other than
14 a deputy may ~~administer~~ witness the oath certification and no individual other than
15 a deputy or relative of an elector may render voting assistance to the elector. Upon
16 completion of the voting, the deputies shall promptly deliver, either personally or by
17 1st class mail, any absentee ballot applications and the sealed certificate envelope
18 containing each ballot to the clerk or board of election commissioners of the
19 municipality in which the elector casting the ballot resides, within such time as will
20 permit delivery to the polling place serving the elector's residence on election day.
21 Personal delivery may be made by the deputies no later than noon on election day.
22 If a qualified elector is not able to cast his or her ballot on 2 separate visits by the
23 deputies to the ~~nursing home or qualified retirement home~~ facility, they shall so
24 inform the municipal clerk or executive director of the board of election

1 commissioners, who may then send the ballot to the elector no later than 5 p.m. on
2 the Friday preceding the election.

3 **SECTION 1pL.** 6.88 (1) of the statutes is amended to read:

4 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
5 the clerk shall enclose it, unopened, in a carrier envelope which shall be securely
6 sealed and endorsed with the name and official title of the clerk, and the words "This
7 envelope contains the ballot of an absent elector and must be opened at the polls
8 during polling hours on election day". If the ballot was received by the elector by
9 facsimile transmission or electronic mail and is accompanied by a separate
10 certificate, the clerk shall enclose the ballot in a certificate envelope and securely
11 append the completed certificate to the outside of the envelope before enclosing the
12 ballot in the carrier envelope. The clerk shall keep the ballot in the clerk's office until
13 delivered, as required in sub. (2).

14 **SECTION 1pn.** 6.92 of the statutes is renumbered 6.92 (1) and amended to read:

15 6.92 (1) ~~Each~~ Except as provided in sub. (2), each inspector shall challenge for
16 cause any person offering to vote whom the inspector knows or suspects is not a
17 qualified elector. If a person is challenged as unqualified by an inspector, one of the
18 inspectors shall administer the following oath or affirmation to the person: "You do
19 solemnly swear (or affirm) that you will fully and truly answer all questions put to
20 you regarding your place of residence and qualifications as an elector of this
21 election"; and shall then ask questions which are appropriate as determined by the
22 board, by rule, to test the person's qualifications.

23 **SECTION 1po.** 6.92 (2) of the statutes is created to read:

24 6.92 (2) An inspector appointed under s. 7.30 (2) (am) may not challenge any
25 person offering to vote.

1 **SECTION 1pp.** 7.03 (1) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 7.03 (1) (a) ~~A~~ Except as authorized under this paragraph, a reasonable daily
4 compensation shall be paid to each inspector, voting machine custodian, automatic
5 tabulating equipment technician, member of a board of canvassers, messenger, and
6 tabulator who is employed and performing duties under chs. 5 to 12. Daily
7 compensation shall also be provided to officials and trainees for attendance at
8 training sessions and examinations required by the board under s. 7.31.
9 Alternatively, such election officials and trainees may be paid by the hour at a
10 proportionate rate for each hour actually worked. Any election official or trainee may
11 choose to volunteer his or her services by filing with the municipal clerk of the
12 municipality in which he or she serves a written declination to accept compensation.
13 The volunteer status of the election official or trainee remains effective until the
14 official or trainee files a written revocation with the municipal clerk.

15 **SECTION 1pr.** 7.03 (1) (b), (bm), (c) and (d) of the statutes are amended to read:

16 7.03 (1) (b) Except as provided in par. (bm), ~~payment~~ any compensation owed
17 shall be ~~made paid~~ by the municipality in which the election is held, except that any
18 compensation payable to a technician, messenger, tabulator, or member of the board
19 of canvassers who is employed to perform services for the county shall be paid by the
20 county and compensation payable to any messenger or tabulator who is employed to
21 perform services for the state shall be paid by the board.

22 (bm) Whenever a special election is called by a county or by a school district,
23 a technical college district, a sewerage district, a sanitary district, or a public inland
24 lake protection and rehabilitation district, the county or district shall pay the

1 compensation of all election officials performing duties in those municipalities, as
2 determined under sub. (2).

3 (c) If a central counting location serving more than one municipality is utilized
4 under s. 7.51 (1), the cost of compensation of election officials at the location shall be
5 proportionately divided between the municipalities utilizing the location, except
6 that if all municipalities within a county utilize the location, the compensation shall
7 be paid by the county.

8 (d) ~~Special~~ Except as otherwise provided in par. (a), special registration
9 deputies appointed under s. 6.55 (6), special voting deputies appointed under s. 6.875
10 (4) and officials and trainees who attend training sessions under s. 7.15 (1) (e) or 7.25
11 (5) may also be compensated by the municipality where they serve at the option of
12 the municipality.

13 **SECTION 1pt.** 7.08 (3) (intro.) and (4) of the statutes are amended to read:

14 7.08 (3) ELECTION MANUAL. (intro.) Prepare and publish separate from the
15 election laws an election manual written so as to be easily understood by the general
16 public explaining the duties of the election officials, together with notes and
17 references to the statutes as the board considers advisable. ~~The manual shall be~~
18 ~~furnished by the board free to each county and municipal clerk or board of election~~
19 ~~commissioners and others in such manner as it deems most likely to promote the~~
20 ~~public welfare.~~ The election manual shall:

21 (4) ELECTION LAWS. Publish the election laws. ~~The board shall furnish the~~
22 ~~election laws free to each county and municipal clerk and board of election~~
23 ~~commissioners in sufficient supply to provide one copy for reference at each office and~~
24 ~~at each polling place.~~ The board shall sell or distribute or arrange for the sale or

1 distribution of copies of the election laws to county and municipal clerks and boards
2 of election commissioners and members of the public.

3 **SECTION 1pv.** 7.08 (5) of the statutes is created to read:

4 7.08 (5) DISTRICT MAPS. Distribute, upon request and free of charge, to any
5 candidate for representative in Congress, state senator, or representative to the
6 assembly a copy of the map or maps received under s. 16.96 (3) (b) showing district
7 boundaries.

8 **SECTION 1px.** 7.30 (2) (a) of the statutes is amended to read:

9 7.30 (2) (a) Only election officials appointed under this section may conduct an
10 election. Except as authorized in s. 7.15 (1) (k), each inspector shall be a qualified
11 elector ~~in~~ of the ward or wards, or the election district, for which the polling place is
12 established. Special registration deputies appointed under s. 6.55 (6) and election
13 officials ~~servng more than one ward or when necessary~~ who are appointed to fill a
14 vacancy under par. (b) need not be a resident of ~~that~~ the ward or wards, or the election
15 district, but shall be a resident of the municipality. Special registration deputies may
16 be appointed to serve more than one polling place. All officials shall be able to read
17 and write the English language, be capable, be of good understanding, and may not
18 be a candidate for any office to be voted for at an election at which they serve. In 1st
19 class cities, they may hold no public office other than notary public. Except as
20 authorized under sub. (4) (c), all inspectors shall be affiliated with one of the 2
21 recognized political parties which received the largest number of votes for president,
22 or governor in nonpresidential general election years, in the ward or combination of
23 wards served by the polling place at the last election. The party which received the
24 largest number of votes is entitled to one more inspector than the party receiving the
25 next largest number of votes at each polling place. The same election officials may

1 serve the electors of more than one ward where wards are combined under s. 5.15 (6)
2 (b). If a municipality is not divided into wards, the ward requirements in this
3 paragraph apply to the municipality at large.

4 **SECTION 1rc.** 7.30 (2) (am) of the statutes is created to read:

5 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is
6 16 or 17 years of age, who is enrolled in grades 9 to 12 in a public or private school,
7 and who has at least a 3.0 grade point average or the equivalent may serve as an
8 inspector at the polling place serving the pupil's residence, with the approval of the
9 pupil's parent or guardian and of the principal of the school in which the pupil is
10 enrolled. A pupil may serve as an inspector at a polling place under this paragraph
11 only if at least one election official at the polling place other than the chief inspector
12 is a qualified elector of this state. No pupil may serve as chief inspector at a polling
13 place under this paragraph. Before appointment by any municipality of a pupil as
14 an inspector under this paragraph, the municipal clerk shall obtain written
15 authorization from the pupil's parent or guardian and from the principal of the school
16 where the pupil is enrolled for the pupil to serve for the entire term for which he or
17 she is appointed. Upon appointment of a pupil to serve as an inspector, the municipal
18 clerk shall notify the principal of the school where the pupil is enrolled of the date
19 of expiration of the pupil's term of office.

20 **SECTION 1re.** 7.30 (4) (b) 1. of the statutes is amended to read:

21 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
22 aldermanic district committeemen or committeewomen under s. 8.17 of each of the
23 2 dominant recognized political parties shall submit a certified list no later than
24 November 30 of each even-numbered year containing the names of at least as many
25 electors nominees as there are inspectors from that party for each of the voting wards

1 in the aldermanic district. The chairperson may designate any individual whose
2 name is submitted as a first choice nominee. The board of election commissioners
3 shall appoint, no later than December 31 of even-numbered years, at least 5
4 inspectors for each ward. The board of election commissioners shall appoint all first
5 choice nominees for so long as positions are available, unless nonappointment is
6 authorized under par. (e), and shall appoint other individuals in its discretion. The
7 board of election commissioners may designate such alternates as it deems
8 advisable.

9 **SECTION 1rg.** 7.30 (6) (b) of the statutes, as affected by 2001 Wisconsin Act 16,
10 is amended to read:

11 7.30 (6) (b) Prior to the first election following the appointment of the
12 inspectors, the ~~inspectors at each polling place~~ municipal clerk shall elect appoint
13 ~~one of their number~~ the inspectors at each polling place to act serve as chief inspector.
14 No person may serve as chief inspector at any election who is not certified by the
15 board under s. 7.31 at the time of the election. The chief inspector shall hold the
16 position for the remainder of the term unless the inspector is removed by the clerk
17 or the inspector ceases to be certified under s. 7.31, except that whenever wards are
18 combined or separated under s. 5.15 (6) (b), the ~~inspectors~~ municipal clerk shall elect
19 ~~a new chief~~ appoint another inspector who is certified under s. 7.31 to serve as chief
20 inspector at each polling place designated under s. 5.15 (6) (b). If a vacancy occurs
21 in the position of chief inspector at any polling place, the municipal clerk shall
22 appoint one of the other inspectors who is certified under s. 7.31 to fill the vacancy.

23 **SECTION 1rj.** 7.33 (2) of the statutes is amended to read:

24 7.33 (2) Service as an election official under this chapter shall be mandatory
25 upon all ~~qualified electors~~ individuals appointed, during the full 2-year term, after

1 which they shall be exempt from further service as an election official, under this
2 chapter, until 3 terms of 2 years each have elapsed. Municipal clerks may grant
3 exemptions from service at any time.

4 **SECTION 1rL.** 7.41 (4) of the statutes, as affected by 2001 Wisconsin Act 39, is
5 amended to read:

6 7.41 (4) No individual exercising the right under sub. (1) may view the
7 confidential portion of a registration list maintained under s. 6.36 (4) or a poll list
8 maintained under s. 6.79 (6). However, the inspectors shall disclose to such an
9 individual, upon request, the existence of such a list, the number of electors whose
10 names appear on the list, and the number of those electors who have voted at any
11 point in the proceedings. No ~~observer~~ such individual may view the
12 ~~certificate-affidavit form~~ certificate of an absent elector who obtains a confidential
13 listing under s. 6.47 (2).

14 **SECTION 1rn.** 7.51 (1) of the statutes is amended to read:

15 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors
16 shall proceed to canvass publicly all votes received at the polling place. In any
17 municipality where an electronic voting system is used, the municipal governing
18 body or board of election commissioners may provide or authorize the municipal
19 clerk or executive director of the board of election commissioners to provide for the
20 adjournment of the canvass to one or more central counting locations for specified
21 polling places in the manner prescribed in subch. III of ch. 5. No central counting
22 location may be used to count votes at a polling place where an electronic voting
23 system is not employed. The canvass, whether conducted at the polling place or at
24 ~~the~~ a central counting location, shall continue without adjournment until the
25 canvass is completed and the return statements are made. The inspectors shall not

1 permit access to the name of any elector who has obtained a confidential listing under
2 s. 6.47 (2) during the canvass, except as authorized in s. 6.47 (8).

3 **SECTION 1rp.** 7.60 (2) of the statutes is amended to read:

4 7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors
5 of the county appointed by the clerk constitute the county board of canvassers. The
6 members of the board of canvassers shall serve for 2-year terms commencing on
7 January 1 of each odd-numbered year, except that any member who is appointed to
8 fill a permanent vacancy shall serve for the unexpired term of the original appointee.
9 One member of the board of canvassers shall belong to a political party other than
10 the clerk's. If The county clerk shall designate a deputy clerk who shall perform the
11 clerk's duties as a member of the board of canvassers in the event that the county
12 clerk's office is vacant, if the clerk cannot perform his or her duties, or if the clerk is
13 a candidate at an election being canvassed, the county clerk shall designate a deputy
14 clerk to perform the clerk's duties. If the county clerk and designated deputy clerk
15 are both unable to perform their duties, the county executive or, if there is no county
16 executive, the chairperson of the county board of supervisors shall designate another
17 qualified elector of the county to perform the clerk's duties. If a member other than
18 the clerk cannot perform his or her duties, the clerk shall appoint another member
19 to serve. No person may serve on the county board of canvassers if the person is a
20 candidate for an office to be canvassed by that board. If lists of candidates for the
21 county board of canvassers are submitted to the county clerk by political party county
22 committees, the lists shall consist of at least 3 names and the clerk shall choose the
23 board members from the lists. Where there is a county board of election
24 commissioners, it shall serve as the board of canvassers. If the county board of
25 election commissioners serves as the board of canvassers, the executive director of

1 the county board of election commissioners shall serve as a member of the board of
2 canvassers to fill a temporary vacancy on that board.

3 **SECTION 1rr.** 8.15 (4) (a) of the statutes is amended to read:

4 8.15 (4) (a) The certification of a qualified elector stating his or her residence
5 with street and number, if any, shall appear at the bottom of each nomination paper,
6 stating he or she personally circulated the nomination paper and personally
7 obtained each of the signatures; he or she knows they are electors of the ward,
8 aldermanic district, municipality or county, as the nomination papers require; he or
9 she knows they signed the paper with full knowledge of its content; he or she knows
10 their respective residences given; he or she knows each signer signed on the date
11 stated opposite his or her name; and, that he or she, the circulator, resides within the
12 district which the candidate named therein will represent, if elected; that he or she
13 intends to support the candidate; and that he or she is aware that falsifying the
14 certification is punishable under s. 12.13 (3) (a), Wis. stats. The circulator shall
15 indicate the date that he or she makes the certification next to his or her signature.

16 The certification may be made by the candidate or any qualified elector.

17 **SECTION 1rt.** 8.15 (9) of the statutes is repealed.

18 **SECTION 1rv.** 8.20 (10) of the statutes is repealed.

19 **SECTION 1rx.** 8.21 of the statutes is amended to read:

20 **8.21 Declaration of candidacy.** Each candidate, except a candidate for
21 presidential elector under s. 8.20 (2) (d), shall file a declaration of candidacy, no later
22 than the latest time provided for filing nomination papers under s. 8.10 (2) (a), 8.15
23 (1), 8.20 (8) (a) or 8.50 (3) (a), or the time provided under s. 8.16 (2) or 8.35 (2) (c).
24 A candidate shall file the declaration with the officer or agency with which
25 nomination papers are filed for the office which the candidate seeks, or if nomination

1 papers are not required, with the clerk or board of election commissioners of the
2 jurisdiction in which the candidate seeks office. The declaration shall be sworn to
3 before any officer authorized to administer oaths. The declaration shall contain the
4 name of the candidate in the form specified under s. 8.10 (2) (b) for candidates for
5 nonpartisan office or s. 8.15 (5) (a) or 8.20 (2) (a) for candidates for partisan office,
6 and shall state that the signer is a candidate for a named office, that he or she meets
7 or will at the time he or she assumes office meet applicable age, citizenship, residency
8 or voting qualification requirements, if any, prescribed by the constitutions and laws
9 of the United States and of this state, and that he or she will otherwise qualify for
10 office if nominated and elected. The declaration shall include the candidate's name
11 in the form in which it will appear on the ballot. Each candidate for state and local
12 office shall include in the declaration a statement that he or she has not been
13 convicted of any ~~infamous crime~~ misdemeanor designated under state or federal law
14 as a violation of the public trust or any felony for which he or she has not been
15 pardoned and ~~a list of all felony convictions for which he or she has not been~~
16 ~~pardoned~~. In addition, each candidate for state or local office shall include in the
17 declaration a statement that discloses his or her municipality of residence for voting
18 purposes, and the street and number, if any, on which the candidate resides. The
19 declaration is valid with or without the seal of the officer who administers the oath.
20 A candidate for state or local office shall file an amended declaration under oath with
21 the same officer or agency if any information contained in the declaration changes
22 at any time after the original declaration is filed and before the candidate assumes
23 office or is defeated for election or nomination.

24 **SECTION 1tc.** 8.40 (2) of the statutes is amended to read:

1 8.40 (2) The certification of a qualified elector stating his or her residence with
2 street and number, if any, shall appear at the bottom of each separate sheet of each
3 petition specified in sub. (1), stating that he or she personally circulated the petition
4 and personally obtained each of the signatures; that the circulator knows that they
5 are electors of the jurisdiction or district in which the petition is circulated; that the
6 circulator knows that they signed the paper with full knowledge of its content; that
7 the circulator knows their respective residences given; that the circulator knows that
8 each signer signed on the date stated opposite his or her name; that the circulator
9 resides within the jurisdiction or district in which the petition is circulated; and that
10 the circulator is aware that falsifying the certification is punishable under s. 12.13
11 (3) (a). The circulator shall indicate the date that he or she makes the certification
12 next to his or her signature.

13 **SECTION 1te.** 9.10 (2) (e) 3. of the statutes is amended to read:

14 9.10 (2) (e) 3. The signature is dated after the date of the ~~notarization~~
15 certification contained on the petition sheet.

16 **SECTION 1tg.** 9.10 (2) (em) 4. and 5. of the statutes are repealed.

17 **SECTION 1tj.** 9.10 (2) (o) of the statutes is repealed.

18 **SECTION 1tL.** 9.10 (2) (r) 1. to 3. of the statutes are repealed.

19 **SECTION 1tn.** 9.10 (4) (d) of the statutes is amended to read:

20 9.10 (4) (d) ~~The~~ Promptly upon receipt of a certificate under par. (a), the
21 governing body, school board, or board of election commissioners upon receiving the
22 certificate shall call an a recall election. The recall election shall be held on the
23 Tuesday of the 6th week commencing after the date of on which the certificate. If is
24 filed, except that if Tuesday is a legal holiday, the recall election shall be held on the
25 first day after Tuesday which is not a legal holiday.

1 **SECTION 1tp.** 10.06 (3) (am) of the statutes is amended to read:

2 10.06 (3) (am) As soon as possible following the deadline for filing nomination
3 papers for any municipal election when there is to be an election for a county or state
4 office or a county or statewide referendum, but no later than ~~2~~ 3 days after such
5 deadline, the municipal clerk of each municipality in which voting machines or
6 ballots containing the names of candidates for both local offices and national, state
7 or county offices are used shall certify the list of candidates for municipal office to the
8 county clerk if a primary is required, unless the municipality prepares its own ballots
9 under s. 7.15 (2) (c).

10 **SECTION 1tr.** 10.06 (3) (bm) of the statutes is amended to read:

11 10.06 (3) (bm) As soon as possible following the municipal canvass of the
12 primary vote or the qualification of the candidates under s. 8.05 (1) (j) when a
13 municipal caucus when is held, if there is to be an election for a county or state office
14 or a county or statewide referendum, but no later than ~~2~~ 3 days after such date, the
15 municipal clerk of each municipality in which voting machines or ballots containing
16 the names of candidates for both local offices and national, state or county offices are
17 used shall certify the list of candidates for municipal office and municipal referenda
18 appearing on the ballot to the county clerk, unless the municipality prepares its own
19 ballots under s. 7.15 (2) (c).

20 **SECTION 1tt.** 11.21 (3) of the statutes is amended to read:

21 11.21 (3) Prepare and publish for the use of persons required to file reports and
22 statements under this chapter a manual setting forth simply and concisely
23 recommended uniform methods of bookkeeping and reporting. ~~The board shall~~
24 ~~furnish a copy of the manual without charge, upon request, to all persons who are~~

1 required to file reports or statements with the board, and shall distribute or arrange
2 for the distribution of copies of the manual for use by other filing officers.

3 **SECTION 1tv.** 11.21 (14) of the statutes is amended to read:

4 11.21 (14) Prepare, publish and periodically revise as necessary a manual
5 simply and concisely describing the filing and registration requirements established
6 in this chapter in detail, as well as other major provisions of this chapter and ch. 12.
7 ~~The board shall furnish a copy of the manual without charge, upon request, to all~~
8 ~~persons who are required to file reports or statements with the board, and shall~~
9 ~~distribute or arrange for the distribution of copies of the manual for use by other~~
10 ~~filing officers.”.~~

11 **3.** Page 5, line 4: after that line insert:

12 “**SECTION 7m.** 13.101 (14) of the statutes, as affected by 2001 Wisconsin Act 16,
13 is amended to read:

14 13.101 (14) With the concurrence of the joint committee on information policy
15 and technology, direct the department of electronic government administration to
16 report to the committee concerning any specific information technology system
17 project in accordance with s. 13.58 (5) (b) 4.”.

18 **4.** Page 5, line 4: after that line insert:

19 “**SECTION 6n.** 13.101 (16) (b) of the statutes, as created by 2001 Wisconsin Act
20 16, is amended to read:

21 13.101 (16) (b) Annually, on June 15, beginning in 2004, the committee shall
22 transfer from the permanent endowment fund to the tobacco control fund the lesser
23 of \$25,000,000 or ~~8.5%~~ of the market value of the investments in the permanent

1 ~~endowment fund on June 1 in that year~~ the proceeds of, and investment earnings on,
2 investments of the permanent endowment fund in the prior calendar year.”.

3 **5.** Page 5, line 4: after that line insert:

4 **“SECTION 7m.** 13.101 (6) (a) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 13.101 **(6)** (a) As an emergency measure necessitated by decreased state
7 revenues and to prevent the necessity for a state tax on general property, the
8 committee may reduce any appropriation made to any board, commission,
9 department, or the University of Wisconsin System, or to any other state agency or
10 activity, by such amount as it deems feasible, not exceeding 25% of the
11 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (cg), and
12 (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax), and (6) (aq)
13 and, (ar), and (at), 20.435 (6) (a) and (7) (da), and 20.445 (3) (a) and (dz) or for forestry
14 purposes under s. 20.370 (1), or any other moneys distributed to any county, city,
15 village, town, or school district. Appropriations of receipts and of a sum sufficient
16 shall for the purposes of this section be regarded as equivalent to the amounts
17 expended under such appropriations in the prior fiscal year which ended June 30.
18 All functions of said state agencies shall be continued in an efficient manner, but
19 because of the uncertainties of the existing situation no public funds should be
20 expended or obligations incurred unless there shall be adequate revenues to meet the
21 expenditures therefor. For such reason the committee may make reductions of such
22 appropriations as in its judgment will secure sound financial operations of the
23 administration for said state agencies and at the same time interfere least with their
24 services and activities.”.

1 **6.** Page 7, line 9: delete lines 9 to 20.

2 **7.** Page 8, line 1: delete lines 1 to 2.

3 **8.** Page 8, line 2: after that line insert:

4 “**SECTION 9m.** 13.58 (5) (a) 5. of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 13.58 **(5)** (a) 5. Upon receipt of strategic plans from the department of ~~electronic~~
7 ~~government~~ administration, the joint committee on legislative organization and the
8 director of state courts, review and transmit comments concerning the plans to the
9 entities submitting the plans.

10 **SECTION 9n.** 13.58 (5) (b) 4. (intro.) of the statutes, as affected by 2001
11 Wisconsin Act 16, is amended to read:

12 13.58 **(5)** (b) 4. (intro.) With the concurrence of the joint committee on finance,
13 direct the department of ~~electronic~~ ~~government~~ administration to report
14 semiannually to the committee and the joint committee on finance concerning any
15 specific information technology system project which is being designed, developed,
16 tested or implemented and which the committees anticipate will have a total cost to
17 the state exceeding \$1,000,000 in the current or any succeeding fiscal biennium. The
18 report shall include all of the following:”.

19 **9.** Page 8, line 8: after that line insert:

20 “**SECTION 11m.** 13.94 (1) (bm), (bp) and (br) of the statutes are created to read:

21 13.94 **(1)** (bm) 1. Conduct a management and performance evaluation audit of
22 every large program at least once each 5 years. In this paragraph “large program”
23 means a program, as described in s. 20.003 (3), under s. 20.255 (2), 20.285 (1), 20.292

1 (1), 20.395 (1), (2), or (3), 20.410 (1) or (3), 20.435 (2), (3), (4), or (6), 20.445 (1) or (3),
2 or 20.835 (1), (2), (3), or (4).

3 2. The audit must include an appraisal of all management practices, operating
4 procedures, and organizational structures related to the program. The audit may be
5 conducted in conjunction with the audit under par. (b) or separately. Within 30 days
6 after completion of the audit, the bureau shall file with the joint legislative audit
7 committee, the appropriate standing committees, and the joint committee on
8 legislative organization, under s. 13.172 (3), the governor, the department of
9 administration, the legislative reference bureau, the joint committee on finance, the
10 legislative fiscal bureau, and the state department, board, commission, or
11 independent agency that administers the program audited, a detailed report thereof,
12 including its recommendations for improvement and efficiency and including
13 specific instances, if any, of illegal or improper expenditures.

14 (bp) 1. Conduct a management and performance evaluation audit to review
15 supervisor-to-staff ratios in every large agency at least once each 5 years. In this
16 paragraph "large agency" means an agency created under ch. 15 and that has more
17 than 100 full-time equivalent positions.

18 2. The audit may be conducted in conjunction with the audit under par. (b) or
19 (bm) or separately. Within 30 days after completion of the audit, the bureau shall file
20 with the joint legislative audit committee, the appropriate standing committees, and
21 the joint committee on legislative organization, under s. 13.172 (3), the governor, the
22 department of administration, the legislative reference bureau, the joint committee
23 on finance, the legislative fiscal bureau, and the state department, board,
24 commission, or independent agency audited, a detailed report thereof, including its
25 recommendations for improvement and efficiency.

1 (br) Maintain a toll-free telephone number with voice mail at the bureau's
2 office to receive reports of fraud, waste, or abuse in state government. The bureau
3 shall relay these reports to the appropriate bureau employee for investigation. The
4 bureau shall publicize the toll-free telephone number on the bureau's website. The
5 bureau shall maintain records that permit the release of information provided by
6 informants while protecting the identity of the informant. Any records maintained
7 by the bureau which relate to the identity of informants shall be only for the
8 confidential use of the bureau in the administration of this section, unless the
9 informant expressly agrees to release the records. Appearance in court as a witness
10 shall not be considered consent by an informant to release confidential records
11 maintained by the bureau."

12 **10.** Page 8, line 8: after that line insert:

13 "SECTION 10m. 13.90 (6) of the statutes, as affected by 2001 Wisconsin Act 16,
14 is amended to read:

15 13.90 (6) The joint committee on legislative organization shall adopt, revise
16 biennially and submit to the cochairpersons of the joint committee on information
17 policy and technology, the governor and the ~~chief information officer~~ administrator
18 of the division of electronic government in the department of administration, no later
19 than September 15 of each even-numbered year, a strategic plan for the utilization
20 of information technology to carry out the functions of the legislature and legislative
21 service agencies, as defined in s. 16.70 (6). The plan shall address the business needs
22 of the legislature and legislative service agencies and shall identify all resources
23 relating to information technology which the legislature and legislative service
24 agencies desire to acquire, contingent upon funding availability, the priority for such

1 acquisitions and the justification for such acquisitions. The plan shall also identify
2 any changes in the functioning of the legislature and legislative service agencies
3 under the plan.

4 **SECTION 10p.** 13.93 (2) (h) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 13.93 (2) (h) Approve specifications and scheduling for computer databases
7 containing the Wisconsin statutes and for the printing of the Wisconsin statutes as
8 prescribed in ss. ~~22.03~~ 16.971 (6) and 35.56 (5).

9 **SECTION 11m.** 14.20 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
10 16, is amended to read:

11 14.20 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~ 16.97
12 (7).".

13 **11.** Page 8, line 21: after that line insert:

14 "SECTION 13m. 15.07 (2) (L) of the statutes, as created by 2001 Wisconsin Act
15 16, is amended to read:

16 15.07 (2) (L) The governor shall serve as chairperson of the information
17 technology management board and the ~~chief information officer~~ administrator of the
18 division of electronic government in the department of administration shall serve as
19 secretary of that board.

20 **SECTION 13p.** 15.103 (6) of the statutes is created to read:

21 15.103 (6) There is created in the department of administration a division of
22 electronic government.".

23 **12.** Page 8, line 21: after that line insert:

24 "SECTION 13m. 15.105 (25) of the statutes is repealed.".

1 **13.** Page 10, line 6: after that line insert:

2 “**SECTION 14b.** 15.107 (7) (f) of the statutes, as affected by 2001 Wisconsin Act
3 16, is amended to read:

4 15.107 (7) (f) A representative of the department division of electronic
5 government in the department of administration.”.

6 **14.** Page 10, line 8: after that line insert:

7 “**SECTION 14kr.** 15.347 (19) of the statutes is created to read:

8 15.347 (19) COUNCIL ON FORESTRY. (a) There is created in the department of
9 natural resources a council of forestry consisting of:

- 10 1. The chief state forester or his or her designee.
- 11 2. One member of the senate, appointed by the president of the senate.
- 12 3. One member of the senate, appointed by the senate minority leader.
- 13 4. One member of the assembly, appointed by the speaker of the assembly.
- 14 5. One member of the assembly, appointed by the assembly minority leader.
- 15 6. One member who represents the interests of a forest products company that
16 owns and manages large tracts of private forest land that supply raw materials to
17 the forest products industry.
- 18 7. One member who represents the interests of owners of nonindustrial, private
19 forest land who manage the land to produce ecological, economic, and social benefits.
- 20 8. One member who represents the interests of counties that have county
21 forests within their boundaries.
- 22 9. One member who represents the interests of the paper and pulp industry.
- 23 10. One member who represents the interests of the lumber industry.

1 11. One member who represents the interests of nonprofit conservation
2 organizations whose purposes include the conservation and use of forest resources.

3 12. One member who is a forester who engages in the practice of providing
4 consultation services on forestry issues.

5 13. One member who represents the interests of schools of forestry within the
6 state that have curricula in the management of forest resources that are accredited
7 by the Society of American Foresters.

8 14. One member who represents the interests of persons who engage in the
9 practice of conservation education.

10 15. One member who represents the interests of persons who are members of
11 labor unions that are affiliated with the forestry industry.

12 16. One member who represents the interests of persons who are engaged in
13 the practice of urban and community forestry.

14 17. One member who represents the interests of persons who are members of
15 the Society of American Foresters.

16 18. One member who represents the interests of persons who are members of
17 an organization of timber producers.

18 19. One person who represents the interests of persons who are engaged in an
19 industry that uses secondary wood.

20 (b) Each member specified in par. (a) 2. to 5. shall be appointed in the same
21 manner as members of standing committees are appointed.

22 (c) Each member specified in par. (a) 6. to 19. shall be nominated by the
23 governor, and with the advice and consent of the senate appointed, to serve a 5-year
24 term.

1 (d) The governor shall annually appoint a chairperson for the council from
2 among its members before the first meeting of each year, and the chairperson, at the
3 first meeting of each year, shall annually appoint the vice chairperson and secretary
4 from among the council's members. Any of these appointees may be appointed for
5 successive terms.

6 (e) The council shall meet 4 times each year and shall also meet on the call of
7 the chairperson of the council or on the call of a majority of its members.
8 Notwithstanding s. 15.09 (3), the council shall meet at such locations within this
9 state as may be designated by the chairperson of the council or by a majority of its
10 members.”.

11 **15.** Page 10, line 8: after that line insert:

12 “**SECTION 14g.** 15.21 of the statutes, as created by 2001 Wisconsin Act 16, is
13 repealed.

14 **SECTION 14h.** 15.215 (title) of the statutes, as created by 2001 Wisconsin Act
15 16, is repealed.

16 **SECTION 14i.** 15.215 (1) of the statutes, as created by 2001 Wisconsin Act 16,
17 is renumbered 15.105 (27) and amended to read:

18 15.105 (27) INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
19 information technology management board which is attached to the department of
20 ~~electronic government~~ administration under s. 15.03. The board shall consist of the
21 governor, the cochairpersons of the joint committee on information policy and
22 technology or a member of the legislature from the same house as a cochairperson
23 designated by that cochairperson, one member of the minority party in each house
24 of the legislature, appointed in the same manner as members of standing committees

1 are appointed, the secretary of administration, 2 heads of departments or
2 independent agencies appointed to serve at the pleasure of the governor, 2 other
3 members appointed to serve for 4-year terms, and the ~~chief information officer~~
4 administrator of the division of electronic government in the department of
5 administration.”.

6 **16.** Page 10, line 8: after that line insert:

7 “**SECTION 14h.** 15.347 (18) of the statutes is created to read:

8 15.347 (18) INVASIVE SPECIES COUNCIL. (a) There is created an invasive species
9 council, attached to the department of natural resources under s. 15.03.

10 (b) The council consists of the following members:

11 1. The secretary of natural resources or his or her designee.

12 2. The secretary of administration or his or her designee.

13 3. The secretary of agriculture, trade and consumer protection or his or her
14 designee.

15 4. The secretary of commerce or his or her designee.

16 5. The secretary of tourism or his or her designee.

17 6. The secretary of transportation or his or her designee.

18 7. Seven other members appointed by the governor to serve 5-year terms.

19 (c) The members appointed under par. (b) 7. shall represent public and private
20 interests that are affected by the presence of invasive species in this state.”.

21 **17.** Page 11, line 2: after that line insert:

22 “**SECTION 17q.** 16.42 (1) (f) of the statutes is created to read:

23 16.42 (1) (f) The information required under s. 16.423.

24 **SECTION 17r.** 16.423 of the statutes is created to read:

1 **16.423 Base budget review reports. (1)** In this section, “state agency” has
2 the meaning given in s. 20.001 (1).

3 **(2)** (a) During the 2001-03 fiscal biennium, the secretary shall require that
4 one-third of all state agencies submit a report no later than September 15, 2002, and
5 every 3rd fiscal biennium thereafter, that contains the information specified in sub.
6 (3).

7 (b) During the 2003-05 fiscal biennium, the secretary shall require that 50%
8 of the state agencies that did not submit a report under par. (a) submit a report no
9 later than September 15, 2004, and every 3rd fiscal biennium thereafter, that
10 contains the information specified in sub. (3).

11 (c) During the 2005-07 fiscal biennium, the secretary shall require that all
12 state agencies created on or before September 15, 2006, that did not submit a report
13 under par. (a) or (b) submit submit a report no later than September 15, 2006, and
14 every 3rd fiscal biennium thereafter, that contains the information specified in sub.
15 (3).

16 (d) Beginning in the 2005-07 fiscal biennium, the secretary shall require that
17 any state agency created after September 15, 2006, submit a report no later than the
18 September 15 in the even-numbered year that first occurs after the state agency is
19 created, and every 3rd fiscal biennium thereafter, that contains the information
20 specified in sub. (3).

21 **(3)** A report submitted under this section shall contain at least all of the
22 following:

23 (a) A description of each programmatic activity of the state agency.

1 (b) For each programmatic activity of the state agency, an accounting of all
2 expenditures, arranged by revenue source and the categories specified in sub. (4), in
3 each of the prior 3 fiscal years.

4 (c) For each programmatic activity of the state agency, an accounting of all
5 expenditures, arranged by revenue source and the categories specified in sub. (4), in
6 the last 2 quarters in each of the prior 3 fiscal years.

7 (4) The secretary shall develop categories for state agencies to use for the
8 purpose of organizing the expenditure information that is required under sub. (3) (b)
9 and (c).

10 **SECTION 17t.** 16.46 (5g) of the statutes is created to read:

11 16.46 (5g) A summary of the information submitted to the department by state
12 agencies under s. 16.423.”.

13 **18.** Page 11, line 2: after that line insert:

14 “**SECTION 17m.** 16.43 of the statutes, as affected by 2001 Wisconsin Act 16, is
15 amended to read:

16 **16.43 Budget compiled.** The secretary shall compile and submit to the
17 governor or the governor-elect and to each person elected to serve in the legislature
18 during the next biennium, not later than November 20 of each even-numbered year,
19 a compilation giving all of the data required by s. 16.46 to be included in the state
20 budget report, except the recommendations of the governor and the explanation
21 thereof. The secretary shall not include in the compilation any provision for the
22 development or implementation of an information technology development project
23 for an executive branch agency that is not consistent with the strategic plan of the
24 agency, as approved under s. ~~22.13~~ 16.976.”.

1 **19.** Page 11, line 2: after that line insert:

2 “**SECTION 17fw.** 16.501 (2) of the statutes is amended to read:

3 16.501 (2) Forward Wisconsin, Inc., shall expend funds appropriated under s.
4 20.143 (1) (bm) and (bp) in adherence with the uniform travel schedule amounts
5 approved under s. 20.916 (8). Forward Wisconsin, Inc., may not expend funds
6 appropriated under s. 20.143 (1) (bm) or (bp) on entertainment, foreign travel, or
7 payments to persons not providing goods or services to Forward Wisconsin, Inc., or
8 for other purposes prohibited by contract between Forward Wisconsin, Inc., and the
9 department.

10 **SECTION 17fx.** 16.501 (2) of the statutes, as affected by 2001 Wisconsin Act
11 (this act), is amended to read:

12 16.501 (2) Forward Wisconsin, Inc., shall expend funds appropriated under s.
13 20.143 (1) (bm) ~~and (bp)~~ in adherence with the uniform travel schedule amounts
14 approved under s. 20.916 (8). Forward Wisconsin, Inc., may not expend funds
15 appropriated under s. 20.143 (1) (bm) ~~or (bp)~~ on entertainment, foreign travel, or
16 payments to persons not providing goods or services to Forward Wisconsin, Inc., or
17 for other purposes prohibited by contract between Forward Wisconsin, Inc., and the
18 department.”.

19 **20.** Page 11, line 2: after that line insert:

20 “**SECTION 18e.** 16.505 (1) (intro.) of the statutes, as affected by 2001 Wisconsin
21 Act 16, is amended to read:

22 16.505 (1) (intro.) Except as provided in subs. (2), (2m), (2n), ~~and (2p)~~, and (3m),
23 no position, as defined in s. 230.03 (11), regardless of funding source or type, may be
24 created or abolished unless authorized by one of the following:

1 **SECTION 18r.** 16.505 (3m) of the statutes is created to read:

2 16.505 **(3m)** (a) Annually, after July 1 but before August 1, each executive
3 branch agency shall submit a report to the secretary identifying each position for
4 that agency that became vacant during the preceding fiscal year.

5 (b) In any fiscal year, no executive branch agency may fill more than 80% of the
6 total number of full-time equivalent positions for that agency that became vacant
7 during the preceding fiscal year and were identified in the report submitted to the
8 secretary under par. (a).

9 (c) Notwithstanding s. 16.50 (1), the secretary shall require each executive
10 branch agency to submit expenditure estimates for the filling of all vacant full-time
11 equivalent positions during each fiscal year and shall withhold approval of any
12 expenditure estimate for the filling of a position that is inconsistent with the
13 prohibition under par. (b).

14 (d) 1. In each fiscal year, the secretary shall abolish all vacant positions that
15 may not be filled under par. (b) and shall identify the appropriations from which
16 these abolished positions are funded.

17 2. From each sum certain appropriation of general purpose revenue identified
18 in subd. 1., the secretary of administration shall lapse to the general fund the amount
19 specified in subd. 1. for that appropriation. After the secretary makes the lapse, each
20 sum certain appropriation is decreased by the amount specified in subd. 1. for that
21 appropriation.

22 3. For each sum sufficient appropriation of general purpose revenue identified
23 in subd. 1. the expenditure estimate for the appropriation is reestimated to subtract
24 the amount specified in subd. 1. for that appropriation.

1 4. For each sum certain program revenue or program revenue–service
2 appropriation identified in subd. 1., the secretary of administration shall decrease
3 the appropriation by the amount specified in subd. 1. for that appropriation.

4 5. From each appropriation of segregated fund revenues or segregated fund
5 revenues — service identified in subd. 1., the secretary shall lapse to the underlying
6 fund the amount specified in subd. 1. for that appropriation. After the secretary
7 makes the lapse, each of the sum certain segregated revenues or segregated revenues
8 — service appropriations is decreased by the amount specified in subd. 1. for that
9 appropriation and the expenditure estimate for each of the appropriations that are
10 not sum certain appropriations is reestimated to subtract the amount specified in
11 subd. 1. for that appropriation.”.

12 **21.** Page 11, line 9: after that line insert:

13 “**SECTION 20p.** 16.85 (10m) of the statutes is created to read:

14 **16.85 (10m)** To investigate the potential to incorporate and use distributed
15 generation units in any state building project that is expected to involve an
16 expenditure of \$5,000,000 or more in connection with the planning process for the
17 long–range state building program under sub. (10). In conducting its investigation,
18 the department shall consider the cost effectiveness of such use, the potential for
19 such use to increase statewide power generation capacity, and the potential for cost
20 savings to be realized by the state from such use. The department shall report the
21 results of its investigation, together with its recommendations and the reasons
22 therefor, to the building commission prior to consideration of the project by the
23 commission. In this subsection, “distributed generation unit” means any form of

1 energy generation that may be used by electric consumers for the generation of
2 electric power.”.

3 **22.** Page 11, line 9: after that line insert:

4 “**SECTION 20n.** 16.61 (2) (af) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 16.61 (2) (af) “Form” has the meaning specified in s. ~~22.01~~ 16.97 (5p).

7 **SECTION 20p.** 16.61 (3n) of the statutes, as affected by 2001 Wisconsin Act 16,
8 is amended to read:

9 16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints
10 about the forms specified in s. ~~22.03~~ 16.971 (2m).

11 **SECTION 20q.** 16.70 (4m) of the statutes, as created by 2001 Wisconsin Act 16,
12 is amended to read:

13 16.70 (4m) “Information technology” has the meaning given in s. ~~22.01~~ 16.97
14 (6).

15 **SECTION 20r.** 16.70 (15) of the statutes, as created by 2001 Wisconsin Act 16,
16 is amended to read:

17 16.70 (15) “Telecommunications” has the meaning given in s. ~~22.01~~ 16.97 (10).

18 **SECTION 20s.** 16.71 (1m) of the statutes, as created by 2001 Wisconsin Act 16,
19 is amended to read:

20 16.71 (1m) The department shall not delegate to any executive branch agency,
21 other than the board of regents of the University of Wisconsin System, the authority
22 to enter into any contract for materials, supplies, equipment, or contractual services
23 relating to information technology or telecommunications prior to review and
24 approval of the contract by the ~~chief information officer~~ administrator of the division

1 of electronic government. No executive branch agency, other than the board of
2 regents of the University of Wisconsin System, may enter into any such contract
3 without review and approval of the contract by the ~~chief information officer~~
4 administrator of the division of electronic government.

5 **SECTION 20sd.** 16.71 (2m) of the statutes, as created by 2001 Wisconsin Act 16,
6 is repealed.

7 **SECTION 20t.** 16.72 (2) (a) of the statutes, as affected by 2001 Wisconsin Act 16,
8 is amended to read:

9 16.72 (2) (a) The department of ~~administration~~ shall prepare standard
10 specifications, as far as possible, for all state purchases. By "standard specifications"
11 is meant a specification, either chemical or physical or both, prepared to describe in
12 detail the article which the state desires to purchase, and trade names shall not be
13 used. On the formulation, adoption and modification of any standard specifications,
14 the department of administration shall also seek and be accorded without cost, the
15 assistance, advice and cooperation of other agencies and officers. Each specification
16 adopted for any commodity shall, insofar as possible, satisfy the requirements of any
17 and all agencies which use it in common. Any specifications for the purchase of
18 materials, supplies, equipment, or contractual services for information technology
19 or telecommunications purposes are subject to the approval of the ~~chief information~~
20 ~~officer~~ administrator of the division of electronic government.

21 **SECTION 20tf.** 16.72 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
22 16, is amended to read:

23 16.72 (2) (b) Except as provided in ~~par. (a)~~ and ss. 16.25 (4) (b), 16.751 and
24 565.25 (2) (a) 4., the department shall prepare or review specifications for all
25 materials, supplies, equipment, other permanent personal property and contractual

1 services not purchased under standard specifications. Such “nonstandard
2 specifications” may be generic or performance specifications, or both, prepared to
3 describe in detail the article which the state desires to purchase either by its physical
4 properties or programmatic utility. When appropriate for such nonstandard items
5 or services, trade names may be used to identify what the state requires, but
6 wherever possible 2 or more trade names shall be designated and the trade name of
7 any Wisconsin producer, distributor or supplier shall appear first.

8 **SECTION 20tm.** 16.72 (4) (a) of the statutes, as affected by 2001 Wisconsin Act
9 16, is amended to read:

10 16.72 (4) (a) Except as provided in ~~ss. 16.71 and s.~~ 16.74 or as otherwise
11 provided in this subchapter and the rules promulgated under s. 16.74 and this
12 subchapter, all supplies, materials, equipment and contractual services shall be
13 purchased for and furnished to any agency only upon requisition to the department.
14 The department shall prescribe the form, contents, number and disposition of
15 requisitions and shall promulgate rules as to time and manner of submitting such
16 requisitions for processing. No agency or officer may engage any person to perform
17 contractual services without the specific prior approval of the department for each
18 such engagement. Purchases of supplies, materials, equipment or contractual
19 services by ~~the department of electronic government,~~ the legislature, the courts or
20 legislative service or judicial branch agencies do not require approval under this
21 paragraph.

22 **SECTION 20ts.** 16.75 (3t) (a) of the statutes, as affected by 2001 Wisconsin Act
23 16, is amended to read:

24 16.75 (3t) (a) In this subsection, “form” has the meaning given under s. ~~22.01~~
25 16.97 (5p).

1 **SECTION 20u.** 16.75 (6) (am) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 16.75 **(6)** (am) Subsections (1) and (3t) do not apply to procurements by the
4 ~~department~~ division of electronic government. Annually not later than October 1,
5 the ~~department~~ division of electronic government shall report to the ~~department of~~
6 ~~administration~~ secretary, in the form specified by the secretary, concerning all
7 procurements by the ~~department of electronic government~~ division during the
8 preceding fiscal year that were not made in accordance with the requirements of
9 subs. (1) and (3t).

10 **SECTION 20uc.** 16.752 (12) (i) of the statutes, as affected by 2001 Wisconsin Act
11 16, is amended to read:

12 16.752 **(12)** (i) Paragraph (a) does not apply to procurements by the ~~department~~
13 division of electronic government.

14 **SECTION 20uL.** 16.78 of the statutes, as affected by 2001 Wisconsin Act 16, is
15 amended to read:

16 **16.78 Purchases from ~~department~~ division of electronic government.**

17 **(1)** Every agency other than the board of regents of the University of Wisconsin
18 System ~~and or~~ or an agency making purchases under s. 16.74 shall make all
19 purchases of materials, supplies, equipment, and contractual services relating to
20 information technology or telecommunications from the ~~department~~ division of
21 electronic government, unless the ~~department~~ division of electronic government
22 requires the agency to purchase the materials, supplies, equipment, or contractual
23 services pursuant to a master contract established under s. ~~22.05~~ 16.972 (2) (h), or
24 grants written authorization to the agency to procure the materials, supplies,
25 equipment, or contractual services under s. 16.75 (1) or (2m), to purchase the

1 materials, supplies, equipment, or contractual services from another agency or to
2 provide the materials, supplies, equipment, or contractual services to itself. The
3 board of regents of the University of Wisconsin System may make purchases of
4 materials, supplies, equipment, and contractual services relating to information
5 technology or telecommunications from the ~~department~~ division of electronic
6 government.

7 (2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase of
8 materials, supplies, equipment, or contractual services by any agency from the
9 ~~department~~ division of electronic government under sub. (1).

10 **SECTION 23c.** Subchapter VII (title) of chapter 16 [precedes s. 16.97] of the
11 statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

12 **CHAPTER 16**

13 **SUBCHAPTER VII**

14 **~~EDUCATIONAL TECHNOLOGY~~**

15 **ELECTRONIC GOVERNMENT**

16 **SECTION 23d.** 16.97 of the statutes, as affected by 2001 Wisconsin Act 16, is
17 repealed and recreated to read:

18 **16.97 Definitions.** In this subchapter:

19 (1) "Administrator" means the administrator of the division.

20 (5) "Division" means the division of electronic government.

21 **SECTION 23f.** 16.974 (intro.) of the statutes, as affected by 2001 Wisconsin Act
22 16, is repealed.

23 **SECTION 23h.** 19.36 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
24 is amended to read:

1 19.36 (4) COMPUTER PROGRAMS AND DATA. A computer program, as defined in s.
2 ~~22.03~~ 16.971 (4) (c), is not subject to examination or copying under s. 19.35 (1), but
3 the material used as input for a computer program or the material produced as a
4 product of the computer program is subject to the right of examination and copying,
5 except as otherwise provided in s. 19.35 or this section.”.

6 **23.** Page 11, line 9: after that line insert:

7 “**SECTION 20r.** 16.705 (2m) of the statutes is created to read:

8 16.705 (2m) The department shall review each proposed contract for
9 contractual services that provides for expenditure of more than \$150,000 or which
10 the department estimates will result in expenditure of more than \$150,000 to
11 determine whether the expenditures to be made under the contract will be efficient
12 and cost-effective. The secretary shall file a report with the cochairpersons of the
13 joint committee on finance no later than March 1 of each odd-numbered year
14 concerning its determinations issued during the biennium ending on the preceding
15 December 31.”.

16 **SECTION 20t.** 16.71 (1) of the statutes, as affected by 2001 Wisconsin Act 16, is
17 amended to read:

18 16.71 (1) Except as otherwise required under this section and s. 16.78 or as
19 authorized in s. 16.74, the department shall purchase and may delegate to special
20 designated agents the authority to purchase all necessary materials, supplies,
21 equipment, all other permanent personal property and miscellaneous capital, and
22 contractual services and all other expense of a consumable nature for all agencies.
23 In making any delegation, the department shall require the agent to adhere to all
24 requirements imposed upon the department in making purchases under this

1 subchapter. No delegation has the effect of exempting any proposed contract for
2 contractual services from review under s. 16.705. All materials, services and other
3 things and expense furnished to any agency and interest paid under s. 16.528 shall
4 be charged to the proper appropriation of the agency to which furnished.”.

5 **24.** Page 11, line 9: after that line insert:

6 “**SECTION 20r.** 16.70 (3m) of the statutes is amended to read:

7 16.70 (**3m**) “Educational technology” has the meaning given in s. 44.70-~~(3)~~
8 115.997 (3).

9 **SECTION 20rm.** 16.71 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
10 is amended to read:

11 16.71 (**4**) ~~With the approval of the department of electronic government, the~~
12 The department of administration shall delegate authority to the technology for
13 educational achievement in Wisconsin board department of public instruction to
14 make purchases of educational technology equipment for use by school districts,
15 cooperative educational service agencies and public educational institutions in this
16 state, upon request of the ~~board~~ department of public instruction.

17 **SECTION 20s.** 16.72 (8) of the statutes, as affected by 2001 Wisconsin Act 16,
18 is amended to read:

19 16.72 (**8**) The department may purchase educational technology materials,
20 supplies, equipment or contractual services from orders placed with the department
21 by the ~~technology for educational achievement in Wisconsin board~~ department of
22 public instruction on behalf of school districts, cooperative educational service
23 agencies, technical college districts and the board of regents of the University of
24 Wisconsin System.

1 **SECTION 23m.** 16.974 (1), (2) and (3) of the statutes, as affected by 2001
2 Wisconsin Act 16, are renumbered 16.971 (13), (14) and (15) and amended to read:

3 16.971 **(13)** ~~Coordinate with the technology for educational achievement in~~
4 ~~Wisconsin board~~ department of public instruction to provide secured correctional
5 facilities, as defined in s. 44.70 ~~(3r)~~ 115.997 (3r), school districts and cooperative
6 educational service agencies with telecommunications access under s. 44.73
7 115.9995 and contract with telecommunications providers to provide such access.

8 **(14)** ~~Subject to s. 44.73 (5), coordinate~~ Coordinate with the technology for
9 ~~educational achievement in Wisconsin board~~ department of public instruction to
10 provide private colleges, technical college districts, public library boards and public
11 library systems with telecommunications access under s. 44.73 115.9995 and
12 contract with telecommunications providers to provide such access.

13 **(15)** ~~Coordinate with the technology for educational achievement in Wisconsin~~
14 ~~board~~ department of public instruction to provide private schools with
15 telecommunications access under s. 44.73 115.9995 and contract with
16 telecommunications providers to provide such access.

17 **SECTION 23n.** 16.974 (4) of the statutes, as affected by 2001 Wisconsin Acts 16
18 and 57, is renumbered 16.971 (16) and amended to read:

19 16.971 **(16)** ~~Coordinate with the technology for educational achievement in~~
20 ~~Wisconsin board~~ department of public instruction to provide the Wisconsin Center
21 for the Blind and Visually Impaired and the Wisconsin Educational Services
22 Program for the Deaf and Hard of Hearing with telecommunications access under
23 s. 44.73 115.9995 and contract with telecommunications providers to provide such
24 access.”.

1 **25.** Page 11, line 18: after that line insert:

2 “**SECTION 25r.** 20.003 (4m) of the statutes is created to read:

3 20.003 (**4m**) REQUIRED GENERAL FUND STRUCTURAL BALANCE. Beginning in the
4 2005-06 fiscal year, no bill may be adopted by the legislature if the bill would cause
5 in any fiscal year the amount of moneys designated as “Total Expenditures” in the
6 summary under s. 20.005 (1) for that fiscal year, less any amounts transferred to the
7 budget stabilization fund in that fiscal year, to exceed the sum of the amount of
8 moneys designated as “Taxes” and “Departmental Revenues” in the summary under
9 s. 20.005 (1) for that fiscal year.”.

10 **26.** Page 11, line 21: after that line insert:

11 “**20.215 Arts board**

12 (1) SUPPORT OF ARTS PROJECTS

13 (cm) Milwaukee Art Museum GPR A -0- 50,000”.

14 **27.** Page 11, line 22: before that line insert:

15 “**20.143 Commerce, department of**

16 (1) ECONOMIC AND COMMUNITY DEVELOPMENT

17 (bp) Forward Wisconsin, Inc.; study

18 for brand image GPR A -0- 50,000”.

19 **28.** Page 11, line 22: delete the material beginning with that line and ending
20 with page 12, line 2.

21 **29.** Page 12, line 6: before that line insert:

1 **“20.410 Corrections, department of**

2 (1) ADULT CORRECTIONAL SERVICES

3 (gv) Inmate visitor transportation PR A -0- 60,000”.

4 **30.** Page 12, line 6: delete lines 6 to 14.

5 **31.** Page 12, line 14: after that line insert:

6 **“20.455 Justice, department of**

7 (2) LAW ENFORCEMENT SERVICES

8 (cr) Automated fingerprint identifi-
9 cation system grant GPR A -0- 63,200”.

10 **32.** Page 12, line 14: after that line insert:

11 **“20.455 Justice, department of**

12 (1) LEGAL AND REGULATORY SERVICES

13 (g) Consumer protection, informa-
14 tion, and education PR A -0- 175,000”.

15 **33.** Page 12, line 15: after that line insert:

16 “(1) SUPERVISION AND MANAGEMENT; LAND INFORMATION

17 BOARD

18 (is) Information technology and tele-
19 communications services; non-
20 state entities PR A -0- 12,666,600

21 (it) Electric communications ser-
22 vices; nonstate entities PR A -0- -0-

1	(kg) Electronic communications ser-				
2	vices; state agencies	PR-S	A	-0-	-0-
3	(kL) Printing, mail processing, and				
4	information technology process-				
5	ing services to agencies	PR-S	A	-0-	72,235,000
6	(kr) Information technology develop-				
7	ment and management services	PR-S	A	-0-	-0-”.

8 **34.** Page 13, line 10: after that line insert:

9 “**SECTION 27m.** 20.115 (1) (hm) of the statutes is amended to read:

10 20.115 (1) (hm) *Ozone-depleting refrigerants and products regulation.* The
11 amounts in the schedule for administration of the mobile air conditioner servicing
12 and refrigerant recycling programs and for responsibilities under ss. s. 100.45 and
13 ~~100.50~~ relating to sales and labeling of products containing or made with
14 ozone-depleting substances. All moneys received from fees under s. 100.45 (5) (a)
15 3. and (5m) shall be credited to this appropriation.”.

16 **35.** Page 13, line 11: after that line insert:

17 “**SECTION 28fw.** 20.143 (1) (bp) of the statutes is created to read:

18 20.143 (1) (bp) *Forward Wisconsin, Inc.; study for brand image.* The amounts
19 in the schedule to contract for the study and proposal for a national brand image
20 specified in 2001 Wisconsin Act ... (this act), section 9110 (1c).

21 **SECTION 28fx.** 20.143 (1) (bp) of the statutes, as created by 2001 Wisconsin Act
22 (this act), is repealed.”.

23 **36.** Page 13, line 11: after that line insert:

1 “**SECTION 28m.** 20.115 (8) (jm) of the statutes, as created by 2001 Wisconsin Act
2 16, is repealed.”.

3 **37.** Page 13, line 11: after that line insert:

4 “**SECTION 28n.** 20.143 (1) (a) of the statutes is amended to read:

5 20.143 (1) (a) *General program operations.* ~~The Subject to par. (g), the amounts~~
6 in the schedule for general program operations under subchs. I and III to VIII of ch.
7 560.”.

8 **38.** Page 13, line 11: delete that line.

9 **39.** Page 13, line 12: after that line insert:

10 “**SECTION 29n.** 20.143 (1) (g) of the statutes is amended to read:

11 20.143 (1) (g) *Gifts, grants, and proceeds.* All moneys received from gifts,
12 donations, grants, bequests, and devises and all proceeds from services, conferences,
13 and sales of publications and promotional materials, including the fees collected
14 under s. 560.165 (1), to carry out the purposes for which made or collected, including
15 providing funding for a portion of the operating costs of the division of international
16 and export services.”.

17 **40.** Page 13, line 13: after that line insert:

18 “**SECTION 30f.** 20.143 (3) (L) of the statutes is amended to read:

19 20.143 (3) (L) *Fire dues distribution.* All moneys received under ss. 101.573
20 (1) and 601.93, less the amounts transferred to par. (La) and s. 20.292 (1) (gm) and
21 (gr), for distribution under s. 101.563 or 101.573, as applicable. The amount
22 transferred to par. (La) shall be the amount in the schedule under par. (La). The
23 amount transferred to s. 20.292 (1) (gm) shall be the amount in the schedule under

1 s. 20.292 (1) (gm). The amount transferred to s. 20.292 (1) (gr) shall be the amount
2 in the schedule under s. 20.292 (1) (gr).”.

3 **41.** Page 13, line 13: after that line insert:

4 “**SECTION 30e.** 20.225 (1) (kb) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 20.225 (1) (kb) *Emergency weather warning system operation.* From the
7 moneys received by the department of ~~electronic government~~ administration for the
8 provision of state telecommunications to state agencies, the amounts in the schedule
9 for the operation of the emergency weather warning system under s. 39.11 (21).”.

10 **42.** Page 13, line 13: after that line insert:

11 “**SECTION 30d.** 20.215 (1) (cm) of the statutes is created to read:

12 20.215 (1) (cm) *Milwaukee Art Museum.* The amounts in the schedule for the
13 exhibitions under 2001 Wisconsin Act (this act), section 9105 (1) (c). No moneys
14 may be encumbered or expended from this appropriation account after June 20,
15 2003.”.

16 **43.** Page 13, line 13: after that line insert:

17 “**SECTION 30hL.** 20.235 (1) (fe) of the statutes is amended to read:

18 20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*
19 *System students.* ~~Biennially, the amounts in the schedule~~ A sum sufficient equal to
20 the amount determined under s. 39.435 (7) for the Wisconsin higher education grant
21 program under s. 39.435 for University of Wisconsin System students, except for
22 grants awarded under s. 39.435 (2) or (5).”.

23 **44.** Page 14, line 6: after that line insert:

24 “**SECTION 32p.** 20.285 (1) (fg) of the statutes is created to read:

1 20.285 (1) (fg) *State laboratory of hygiene; limited-term employees.* A sum
2 sufficient to pay the salaries, benefits, and training of limited-term employees under
3 s. 36.25 (11) (em).”.

4 **45.** Page 14, line 6: after that line insert:

5 “**SECTION 32f.** 20.275 (1) (t) of the statutes, as affected by 2001 Wisconsin Act
6 16, is renumbered 20.255 (4) (t) and amended to read:

7 20.255 (4) (t) *Telecommunications access; private and technical colleges and*
8 *libraries.* Biennially, from the universal service fund, the amounts in the schedule
9 to make payments to telecommunications providers under contracts with the
10 department of administration under s. ~~16.974 (2)~~ 16.971 (14) to the extent that the
11 amounts due are not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (is).

12 **SECTION 32j.** 20.275 (1) (tu) of the statutes, as affected by 2001 Wisconsin Act
13 16, is renumbered 20.255 (4) (tu) and amended to read:

14 20.255 (4) (tu) *Telecommunications access; state schools.* Biennially, from the
15 universal service fund, the amounts in the schedule to make payments to
16 telecommunications providers under contracts with the department of
17 administration under s. ~~16.974 (4)~~ 16.971 (16) to the extent that the amounts due are
18 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (kL).

19 **SECTION 32L.** 20.275 (1) (tw) of the statutes, as created by 2001 Wisconsin Act
20 16, is renumbered 20.255 (4) (tw) and amended to read:

21 20.255 (4) (tw) *Telecommunications access; secured correctional facilities.*
22 Biennially, from the universal service fund, the amounts in the schedule to make
23 payments to telecommunications providers under contracts with the department of

1 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are
2 not paid from the appropriation under s. ~~20.530~~ 20.505 (1) (ke).”.

3 **46.** Page 14, line 6: after that line insert:

4 “**SECTION 32mm.** 20.275 (intro.) of the statutes is repealed.

5 **SECTION 32msm.** 20.275 (1) (title) of the statutes is renumbered 20.255 (4)
6 (title).

7 **SECTION 32mr.** 20.275 (1) (a) of the statutes is repealed.

8 **SECTION 32ms.** 20.275 (1) (d) of the statutes is repealed.

9 **SECTION 32mt.** 20.275 (1) (er) of the statutes is renumbered 20.255 (4) (er) and
10 amended to read:

11 20.255 (4) (er) *Principal, interest and rebates; general purpose revenue —*
12 *public library boards.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment
13 of principal and interest costs incurred in financing educational technology
14 infrastructure financial assistance to public library boards under s. ~~44.72 (4)~~ 115.999
15 (4) and to make full payment of the amounts determined by the building commission
16 under s. 13.488 (1) (m), to the extent that these costs and payments are not paid
17 under par. (hb).

18 **SECTION 32mu.** 20.275 (1) (es) of the statutes, as affected by 2001 Wisconsin
19 Act 16, is renumbered 20.255 (4) (es) and amended to read:

20 20.255 (4) (es) *Principal, interest and rebates; general purpose revenue —*
21 *schools.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal
22 and interest costs incurred in financing educational technology infrastructure
23 financial assistance to school districts and charter school sponsors under s. ~~44.72 (4)~~
24 115.999 (4) and to make full payment of the amounts determined by the building

1 commission under s. 13.488 (1) (m), to the extent that these costs and payments are
2 not paid under par. (h).

3 **SECTION 32mv.** 20.275 (1) (et) of the statutes, as affected by 2001 Wisconsin Act
4 16, is renumbered 20.255 (4) (et) and amended to read:

5 20.255 (4) (et) *Educational technology training and technical assistance*
6 *grants.* Biennially, the amounts in the schedule for grants to secured correctional
7 facilities, as defined in s. 44.70 ~~(3r)~~ 115.997 (3r), cooperative educational service
8 agencies and consortia under s. 44.72 ~~(1)~~ 115.999 (1) and to the board of regents of
9 the University of Wisconsin System under 1999 Wisconsin Act 9, section 9148 (2g).

10 **SECTION 32mw.** 20.275 (1) (f) of the statutes, as affected by 2001 Wisconsin Act
11 16, is renumbered 20.255 (4) (f) and amended to read:

12 20.255 (4) (f) *Educational technology block grants.* The amounts in the
13 schedule, less the amounts appropriated under pars. (im), (jm), (js), and (mp), to
14 make payments to school districts, secured correctional facilities, as defined in s.
15 44.70 ~~(3r)~~ 115.997 (3r), and charter school sponsors under s. 44.72 ~~(2) (b) 2.~~ 115.999
16 (2) (b) 2.

17 **SECTION 32mwm.** 20.275 (1) (g) of the statutes is renumbered 20.255 (4) (g).

18 **SECTION 32mx.** 20.275 (1) (h) of the statutes, as affected by 2001 Wisconsin Act
19 16, is renumbered 20.255 (4) (h) and amended to read:

20 20.255 (4) (h) *Principal, interest and rebates; program revenue — schools.* All
21 moneys received under s. 44.72 (4) (e) 115.999 (4) (c) to reimburse s. 20.866 (1) (u) for
22 the payment of principal and interest costs incurred in financing educational
23 technology infrastructure financial assistance to school districts and charter school
24 sponsors under s. 44.72 ~~(4)~~ 115.999 (4) and to make full payment of the amounts
25 determined by the building commission under s. 13.488 (1) (m).

1 **SECTION 32n.** 20.275 (1) (hb) of the statutes is renumbered 20.255 (4) (hb) and
2 amended to read:

3 20.255 (4) (hb) *Principal, interest and rebates; program revenue — public*
4 *library boards.* All moneys received under s. ~~44.72 (4) (e)~~ 115.999 (4) (c) to reimburse
5 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
6 educational technology infrastructure financial assistance to public library boards
7 under s. ~~44.72 (4)~~ 115.999 (4) and to make full payment of the amounts determined
8 by the building commission under s. 13.488 (1) (m).

9 **SECTION 32nd.** 20.275 (1) (i) of the statutes, as created by 2001 Wisconsin Act
10 16, is renumbered 20.255 (4) (i).

11 **SECTION 32nm.** 20.275 (1) (im) of the statutes, as created by 2001 Wisconsin
12 Act 16, is renumbered 20.255 (4) (im) and amended to read:

13 20.255 (4) (im) *Educational technology block grants; supplemental.* Except as
14 provided in par. (i), all moneys received from the Ameritech Wisconsin settlement,
15 public service commission docket 6720-TI-164, for payments to school districts
16 under s. ~~44.72 (2) (b) 2.~~ 115.999 (2) (b) 2.

17 **SECTION 32np.** 20.275 (1) (jm) of the statutes, as created by 2001 Wisconsin Act
18 16, is renumbered 20.255 (4) (jm) and amended to read:

19 20.255 (4) (jm) *Educational technology block grants; Wisconsin Advanced*
20 *Telecommunications Foundation funds.* All moneys received from the Wisconsin
21 Advanced Telecommunications Foundation, less the amounts credited to the
22 appropriation account under s. 20.865 (4) (gm), to make payments to school districts,
23 secured correctional facilities, as defined in s. ~~44.70 (3r)~~ 115.997 (3r), and charter
24 school sponsors under s. ~~44.72 (2) (b) 2.~~ 115.999 (2) (b) 2.

1 **SECTION 32ns.** 20.275 (1) (js) of the statutes, as created by 2001 Wisconsin Act
2 16, is renumbered 20.255 (4) (js) and amended to read:

3 20.255 (4) (js) *Educational technology block grants; Wisconsin Advanced*
4 *Telecommunications Foundation assessments.* All moneys received from
5 assessments paid under 2001 Wisconsin Act 16, section 9142 (3mk), to make
6 payments to school districts under s. ~~44.72 (2) (b) 2.~~ 115.999 (2) (b) 2.

7 **SECTION 32nt.** 20.275 (1) (k) of the statutes, as created by 2001 Wisconsin Act
8 16, is renumbered 20.255 (4) (k).

9 **SECTION 32nu.** 20.275 (1) (L) of the statutes, as affected by 2001 Wisconsin Act
10 16, is renumbered 20.255 (4) (L) and amended to read:

11 20.255 (4) (L) *Equipment purchases and leases.* All moneys received from
12 school districts, cooperative educational service agencies and public educational
13 institutions for the purchase or lease of educational technology equipment under s.
14 ~~44.71 (2) (h)~~ 115.998 (8), for the purpose of purchasing such equipment.

15 **SECTION 32num.** 20.275 (1) (m) of the statutes, as affected by 2001 Wisconsin
16 Act 16, is renumbered 20.255 (4) (m).

17 **SECTION 32nv.** 20.275 (1) (mp) of the statutes, as created by 2001 Wisconsin Act
18 16, is renumbered 20.255 (4) (mp) and amended to read:

19 20.255 (4) (mp) *Federal e-rate aid.* All federal moneys received under 47 USC
20 254 for payments to school districts under s. ~~44.72 (2) (b) 2.~~ 115.999 (2) (b) 2.

21 **SECTION 32nw.** 20.275 (1) (q) of the statutes, as created by 2001 Wisconsin Act
22 16, is renumbered 20.255 (4) (q) and amended to read:

23 20.255 (4) (q) *Computer training.* From the universal service fund, the
24 amounts in the schedule for the grant to the Racine Unified School District under s.
25 ~~44.72 (3)~~ 115.999 (3).

1 **SECTION 32nx.** 20.275 (1) (s) of the statutes, as affected by 2001 Wisconsin Act
2 16, is renumbered 20.255 (4) (s) and amended to read:

3 20.255 (4) (s) *Telecommunications access; school districts; grant.* Biennially,
4 from the universal service fund, the amounts in the schedule to make payments to
5 telecommunications providers under contracts with the department of
6 administration under s. ~~16.974 (1)~~ 16.971 (13) to the extent that the amounts due are
7 not paid from the appropriation under s. 20.530 (1) (is); prior to January 1, 2006, to
8 make grants to school districts under s. ~~44.73 (6)~~ 115.9995 (6); and, in the 1999–2000
9 fiscal year, to award a grant to the distance learning network under 1999 Wisconsin
10 Act 9, section 9148 (4w).

11 **SECTION 32nz.** 20.275 (1) (tm) of the statutes, as affected by 2001 Wisconsin
12 Act 16, is renumbered 20.255 (4) (tm) and amended to read:

13 20.255 (4) (tm) *Telecommunications access; private schools.* Biennially, from
14 the universal service fund, the amounts in the schedule to make payments to
15 telecommunications providers under contracts with the department of
16 administration under s. ~~16.974 (3)~~ 16.971 (15) to the extent that the amounts due are
17 not paid from the appropriation under s. 20.530 (1) (is) and, prior to January 1, 2006,
18 to make grants to private schools under s. ~~44.73 (6)~~ 115.9995 (6).”.

19 **47.** Page 14, line 6: after that line insert:

20 **“SECTION 32m.** 20.285 (1) (c) of the statutes, as affected by 2001 Wisconsin Act
21 16, is amended to read:

22 20.285 (1) (c) *Energy costs.* The amounts in the schedule to pay for utilities and
23 for fuel, heat, and air conditioning, and to pay costs incurred under ss. 16.858 and
24 16.895, including all operating costs recommended by the department of

1 administration that result from the installation of pollution abatement equipment
2 in state-owned or operated heating, cooling, or power plants, by or on behalf of the
3 board of regents, and including the cost of purchasing electricity, steam, and chilled
4 water generated by the cogeneration facility constructed pursuant to an agreement
5 under 2001 Wisconsin Act ... (this act), section 9156 (2z) (b).”.

6 **48.** Page 14, line 7: delete lines 7 to 14.

7 **49.** Page 14, line 14: after that line insert:

8 “**SECTION 33hm.** 20.285 (4) (dd) of the statutes is amended to read:

9 20.285 (4) (dd) *Lawton minority undergraduate grants program.* ~~The amounts~~
10 ~~in the schedule~~ A sum sufficient equal to the amount determined under s. 36.34 (1)
11 (c) for the Lawton minority undergraduate grant program under s. 36.34 (1).”.

12 **50.** Page 14, line 15: after that line insert:

13 “**SECTION 35m.** 20.370 (1) (cr) of the statutes is amended to read:

14 20.370 (1) (cr) *Forestry — recording fees.* All moneys received under ss. 77.82
15 ~~(2) (intro.), (2m) and (4) and (4m) (bn)~~ and 77.88 (2) (d) for the payment of fees to the
16 registers of deeds under s. 77.91 (5).”.

17 **51.** Page 14, line 25: after that line insert:

18 “**SECTION 36am.** 20.370 (1) (hq) of the statutes is created to read:

19 20.370 (1) (hq) *Elk hunting fees.* All moneys received from the sale of elk
20 hunting licenses under s. 29.182 and from voluntary contributions under s. 29.567
21 to be used for administering elk hunting licenses, for elk management and research
22 activities, and for the elk hunter education program under s. 29.595.”.

23 **52.** Page 15, line 24: after that line insert:

24 “**SECTION 36gb.** 20.370 (4) (kw) of the statutes is created to read:

1 20.370 (4) (kw) *Sturgeon stock and habitat*. All moneys received under s.
2 29.237 (5) for assessing and managing the lake sturgeon stock and fishery in the
3 Lake Winnebago system, for improving and maintaining lake sturgeon habitat in the
4 Lake Winnebago and upper Fox and Wolf rivers system, and for administering s.
5 29.237.”.

6 **53.** Page 15, line 24: after that line insert:

7 “**SECTION 36fb.** 20.370 (4) (aq) of the statutes, as affected by 2001 Wisconsin
8 Act 16, is amended to read:

9 20.370 (4) (aq) *Water resources management — ~~management activities~~ lake,*
10 *river, and invasive species management.* The amounts in the schedule for lake and
11 river management and other water resource management activities and for the
12 invasive species program under s. 23.22.”.

13 **54.** Page 16, line 5: after that line insert:

14 “**SECTION 37g.** 20.435 (1) (e) of the statutes is created to read:

15 20.435 (1) (e) *Public health emergency.* A sum sufficient to defray all expenses
16 necessary to respond to a state of emergency related to public health only if the
17 governor declares such an emergency and designates the department of health and
18 family services as the lead state agency to respond to the emergency under s. 166.03
19 (1) (b) 1.”.

20 **55.** Page 16, line 5: after that line insert:

21 “**SECTION 37c.** 20.380 (1) (bm) of the statutes is repealed.

22 **SECTION 37h.** 20.380 (1) (kg) of the statutes, as affected by 2001 Wisconsin Act
23 16, is amended to read:

1 20.380 (1) (kg) *Tourism marketing; gaming revenue.* Biennially, the amounts
2 in the schedule for tourism marketing service expenses and the execution of the
3 functions under ss. 41.11 (4) and 41.17, ~~for operating the heritage tourism program~~
4 ~~under s. 41.19~~, and for the grant under 1999 Wisconsin Act 9, section 9149 (2c) and
5 (2tw). In each fiscal year, the department shall expend for tourism marketing service
6 expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount
7 that bears the same proportion to the amount in the schedule for the fiscal year as
8 the amount expended under par. (b) in that fiscal year bears to the amount in the
9 schedule for par. (b) for that fiscal year. Of the amounts in the schedule, \$200,000
10 shall be allocated for grants to the Milwaukee Public Museum for Native American
11 exhibits and activities. All moneys transferred from the appropriation account
12 under s. 20.505 (8) (hm) 6. shall be credited to this appropriation account.
13 Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each
14 odd-numbered year shall revert to the appropriation account under s. 20.505 (8)
15 (hm).”.

16 **56.** Page 16, line 5: after that line insert:

17 “**SECTION 37c.** 20.380 (1) (b) of the statutes is amended to read:

18 20.380 (1) (b) *Tourism marketing; general purpose revenue.* The amounts in the
19 schedule for tourism marketing service expenses and the execution of the functions
20 under ss. 41.11 (4) and 41.17 and the grants under 1997 Wisconsin Act 27, section
21 9148 (2f) and (2x). In each fiscal year, the department shall expend for tourism
22 marketing service expenses and the execution of the functions under ss. 41.11 (4) and
23 41.17 an amount that bears the same proportion to the amount in the schedule for
24 the fiscal year as the amount expended under par. (kg) in that fiscal year bears to the

1 amount in the schedule for par. (kg) for that fiscal year. Of the amounts under this
2 paragraph, not more than 50% shall be used to match funds allocated under s. 41.17
3 by private or public organizations for the joint effort marketing of tourism with the
4 state. The department shall expend at least \$125,000 in each fiscal year from this
5 appropriation to conduct or contract for marketing activities related to sporting
6 activities and events. Of the amounts in the schedule, \$25,000 shall be allocated in
7 each fiscal year for state sponsorship of, and advertising during, media broadcasts
8 of the Milwaukee symphony, and \$50,000 shall be provided in each fiscal year in
9 grants to the badger state games. Of the amounts in the schedule, \$50,000 shall be
10 allocated for grants to America’s Black Holocaust Museum in the city of Milwaukee.”.

11 **57.** Page 16, line 5: after that line insert:

12 “SECTION 37m. 20.410 (1) (gv) of the statutes is created to read:

13 20.410 (1) (gv) *Inmate visitor transportation.* The amounts in the schedule for
14 providing transportation to persons visiting inmates in state prisons. All moneys
15 received as fees under s. 301.205 (1) (b) 1. from persons to whom such transportation
16 is provided shall be credited to this appropriation account.”.

17 **58.** Page 16, line 5: after that line insert:

18 “SECTION 36mk. 20.395 (6) (at) of the statutes is created to read:

19 20.395 (6) (at) *Principal repayment and interest, major highway and*
20 *rehabilitation projects, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u)
21 for the payment of principal and interest costs incurred in financing major highway
22 and rehabilitation projects, as provided under s. 84.555.”.

23 **59.** Page 16, line 5: after that line insert:

24 “SECTION 36md. 20.395 (3) (bq) of the statutes is amended to read:

1 20.395 (3) (bq) *Major highway development, state funds.* As a continuing
2 appropriation, the amounts in the schedule for major development of state trunk and
3 connecting highways and for the disadvantaged business demonstration and
4 training program under s. 84.076. This paragraph does not apply to major
5 development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

6 **SECTION 36me.** 20.395 (3) (br) of the statutes is amended to read:

7 20.395 (3) (br) *Major highway development, service funds.* All moneys received
8 from the fund created under s. 18.57 (1) as reimbursement for the temporary
9 financing under sub. (9) (th) of projects for major development of state trunk and
10 connecting highways that are financed under s. 84.59 and enumerated under s.
11 84.013 (3), for the purpose of financing such projects. This paragraph does not apply
12 to any project for major development of a southeast Wisconsin freeway, as defined in
13 s. 84.014 (1) (e).

14 **SECTION 36mf.** 20.395 (3) (bv) of the statutes is amended to read:

15 20.395 (3) (bv) *Major highway development, local funds.* All moneys received
16 from any local unit of government or other source for major development of state
17 trunk and connecting highways, including the railroad and utility alteration and
18 relocation loan program under s. 84.065, and the disadvantaged business
19 demonstration and training program under s. 84.076, for such purposes. This
20 paragraph does not apply to major development of any southeast Wisconsin freeway,
21 as defined in s. 84.014 (1) (e).

22 **SECTION 36mg.** 20.395 (3) (bx) of the statutes is amended to read:

23 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received
24 from the federal government for major development of state trunk and connecting
25 highways and the disadvantaged business demonstration and training program

1 under s. 84.076, for such purposes. This paragraph does not apply to major
2 development of any southeast Wisconsin freeway, as defined in s. 84.014 (1) (e).

3 **SECTION 36mh.** 20.395 (3) (cq) of the statutes, as affected by 2001 Wisconsin
4 Act 16, is amended to read:

5 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
6 appropriation, the amounts in the schedule for improvement of existing state trunk
7 and connecting highways; for improvement of bridges on state trunk or connecting
8 highways and other bridges for which improvement is a state responsibility, for
9 necessary approach work for such bridges and for replacement of such bridges with
10 at-grade crossing improvements; for the construction and rehabilitation of the
11 national system of interstate and defense highways and bridges and related
12 appurtenances; for special maintenance activities under s. 84.04 on roadside
13 improvements; for bridges under s. 84.10; for payment to a local unit of government
14 for a jurisdictional transfer under s. 84.02 (8); for the disadvantaged business
15 demonstration and training program under s. 84.076; for the transfers required
16 under 1999 Wisconsin Act 9, section 9250 (1); and for the purposes described under
17 1999 Wisconsin Act 9, section 9150 (8g), and 2001 Wisconsin Act 16, section 9152 (4e).
18 This paragraph does not apply to any southeast Wisconsin freeway rehabilitation
19 projects under s. 84.014, or to the installation, replacement, rehabilitation, or
20 maintenance of highway signs, traffic control signals, highway lighting, pavement
21 markings, or intelligent transportation systems, unless incidental to the
22 improvement of existing state trunk and connecting highways.

23 **SECTION 36mi.** 20.395 (3) (cv) of the statutes is amended to read:

24 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received
25 from any local unit of government or other source for the specific information sign

1 program under s. 86.195; for improvement of existing state trunk and connecting
2 highways; for improvement of bridges on state trunk or connecting highways and
3 other bridges for which improvement is a state responsibility, for necessary approach
4 work for such bridges and for replacement of such bridges with at-grade crossing
5 improvements; for the construction and rehabilitation of the national system of
6 interstate and defense highways and bridges and related appurtenances; for special
7 maintenance activities under s. 84.04 on roadside improvements; for the railroad
8 and utility alteration and relocation loan program under s. 84.065; and for the
9 disadvantaged business demonstration and training program under s. 84.076, for
10 such purposes. This paragraph does not apply to any southeast Wisconsin freeway
11 rehabilitation projects under s. 84.014.

12 **SECTION 36mj.** 20.395 (3) (cx) of the statutes is amended to read:

13 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys
14 received from the federal government for improvement of existing state trunk and
15 connecting highways; for improvement of bridges on state trunk or connecting
16 highways and other bridges for which improvement is a state responsibility, for
17 necessary approach work for such bridges and for replacement of such bridges with
18 at-grade crossing improvements; for the construction and rehabilitation of the
19 national system of interstate and defense highways and bridges and related
20 appurtenances; for special maintenance activities under s. 84.04 on roadside
21 improvements; and for the disadvantaged business demonstration and training
22 program under s. 84.076, for such purposes. This paragraph does not apply to any
23 southeast Wisconsin freeway rehabilitation projects under s. 84.014.”

24 **60.** Page 16, line 6: delete lines 6 to 12.

1 **61.** Page 16, line 12: after that line insert:

2 “**SECTION 38r.** 20.435 (4) (iL) of the statutes, as created by 2001 Wisconsin Act
3 16, is repealed.”.

4 **62.** Page 16, line 13: delete lines 13 and 14.

5 **63.** Page 17, line 5: after that line insert:

6 “**SECTION 41m.** 20.455 (1) (gh) of the statutes is repealed.”.

7 **64.** Page 17, line 5: after that line insert:

8 “**SECTION 41n.** 20.455 (2) (cr) of the statutes is created to read:

9 20.455 (2) (cr) *Automated fingerprint identification system grant.* The amounts
10 in the schedule for a grant to a law enforcement agency under 2001 Wisconsin Act
11 (this act), section 9131 (2x), for an automated fingerprint identification system
12 work station and for installation of a Badgernet line.

13 **SECTION 41nb.** 20.455 (2) (cr) of the statutes, as created by 2001 Wisconsin Act
14 (this act), is repealed.”.

15 **65.** Page 17, line 5: after that line insert:

16 “**SECTION 41g.** 20.455 (1) (title) of the statutes is amended to read:

17 20.455 (1) (title) LEGAL AND REGULATORY SERVICES.

18 **SECTION 41m.** 20.455 (1) (g) of the statutes is created to read:

19 20.455 (1) (g) *Consumer protection, information, and education.* The amounts
20 in the schedule for consumer protection and consumer information and education.
21 All moneys received under s. 100.261 (3) (d) shall be credited to this appropriation
22 account, subject to the limit under s. 100.261 (3) (e).

23 **SECTION 41p.** 20.455 (1) (j) of the statutes is created to read:

1 20.455 (1) (j) *Telephone solicitation regulation.* All moneys received from
2 telephone solicitor registration and registration renewal fees paid under the rules
3 promulgated under s. 100.52 (3) (a) for establishing and maintaining the
4 nonsolicitation directory under s. 100.52 (2).”.

5 **66.** Page 17, line 8: delete lines 8 to 13.

6 **67.** Page 17, line 13: after that line insert:

7 “**SECTION 42x.** 20.465 (3) (e) of the statutes is amended to read:

8 20.465 (3) (e) *Disaster recovery aid.* A sum sufficient to pay the state share of
9 grants to individuals and, to make payments to local governments as defined in 42
10 USC 5122 (6) under federal disaster recovery programs as authorized in s. 166.03 (2)
11 (b) 8., and to defray all expenses necessary to respond to a state of emergency related
12 to public health declared under s. 166.03 (1) (b) 1. if the department of health and
13 family services is not designated as the lead state agency.”.

14 **68.** Page 17, line 20: delete lines 20 to 25.

15 **69.** Page 17, line 25: after that line insert:

16 “**SECTION 44b.** 20.505 (1) (im) of the statutes, as affected by 2001 Wisconsin Act
17 16, is amended to read:

18 20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the
19 schedule to provide services and to repurchase inventory items that are provided
20 primarily to purchasers other than state agencies and to transfer to the
21 appropriation account under par. (kc) the amounts received from school districts
22 under s. 16.85 (15). All moneys received from the sale of services, other than services
23 provided under par. (is), and inventory items which are provided primarily to
24 purchasers other than state agencies shall be credited to this appropriation account.

1 **SECTION 44bd.** 20.505 (1) (is) of the statutes is created to read:

2 20.505 (1) (is) *Information technology and telecommunications services;*
3 *nonstate entities.* From the sources specified in ss. 16.972 (2) (b) and (c), 16.971 (14),
4 and 44.73 (2) (d), to provide computer services, telecommunications services, and
5 supercomputer services to state authorities, units of the federal government, local
6 governmental units, and entities in the private sector, the amounts in the schedule.

7 **SECTION 44bL.** 20.505 (1) (it) of the statutes is created to read:

8 20.505 (1) (it) *Electronic communications services; nonstate entities.* From the
9 source specified in s. 16.971 (15), to provide electronic communications services to
10 state authorities, units of the federal government, local governmental units, and
11 entities in the private sector, the amounts in the schedule.

12 **SECTION 44bp.** 20.505 (1) (kg) of the statutes is created to read:

13 20.505 (1) (kg) *Electronic communications services; state agencies.* From the
14 source specified in s. 16.971 (15), to provide electronic communications services to
15 state agencies, the amounts in the schedule.

16 **SECTION 44c.** 20.505 (1) (kL) of the statutes is created to read:

17 20.505 (1) (kL) *Printing, mail processing, and information technology*
18 *processing services to agencies.* From the sources specified in ss. 16.972 and 16.973,
19 to provide printing, mail processing, and information technology processing services
20 to state agencies, the amounts in the schedule.

21 **SECTION 44ce.** 20.505 (1) (kr) of the statutes is created to read:

22 20.505 (1) (kr) *Information technology development and management services.*
23 From the source specified in s. 16.971 (11), to provide information technology
24 development and management services to executive branch agencies under s.
25 16.971, the amounts in the schedule.”.

1 **70.** Page 18, line 6: delete lines 6 to 22.

2 **71.** Page 19, line 8: after that line insert:

3 “**SECTION 50m.** 20.505 (6) (j) 12. of the statutes, as affected by 2001 Wisconsin
4 Act 16, is amended to read:

5 20.505 (6) (j) 12. The amount transferred to s. ~~20.530 sub.~~ (1) (kq) shall be the
6 amount in the schedule under s. ~~20.530 sub.~~ (1) (kq).”.

7 **72.** Page 19, line 20: after that line insert:

8 “**SECTION 52i.** 20.566 (1) (h) of the statutes, as affected by 2001 Wisconsin Act
9 16, is amended to read:

10 20.566 (1) (h) *Debt collection.* From moneys received from the collection of
11 debts owed to state agencies under ss. 71.93 and 565.30 (5), from the collection of
12 unpaid fines, forfeitures, costs, assessments, surcharges, and restitution payments
13 under s. 565.30 (5r) (b), from the collection of fees under s. 73.03 (52), and from
14 moneys received from the collection of debts owed to municipalities and counties
15 under s. 71.935, the amounts in the schedule to pay the administrative expenses of
16 the department of revenue for the collection of those debts, fines, forfeitures, costs,
17 assessments, surcharges, fees, and restitution payments. Notwithstanding s. 20.001
18 (3) (a), at the end of the fiscal year the unencumbered balance of this appropriation
19 account lapses to the general fund.”.

20 **73.** Page 19, line 20: after that line insert:

21 “**SECTION 52k.** 20.566 (1) (hn) of the statutes is created to read:

22 20.566 (1) (hn) *Collections under the multistate tax commission audit program.*
23 From moneys received from the amounts assessed under the multistate tax

1 commission audit program as provided under s. 73.03 (28d), a sum sufficient to pay
2 the fees necessary to participate in the multistate tax commission audit program.”.

3 **74.** Page 19, line 20: after that line insert:

4 “**SECTION 52h.** 20.530 (intro.) of the statutes, as created by 2001 Wisconsin Act
5 16, is repealed.

6 **SECTION 52i.** 20.530 (1) (title) of the statutes, as created by 2001 Wisconsin Act
7 16, is repealed.

8 **SECTION 52j.** 20.530 (1) (g) of the statutes, as created by 2001 Wisconsin Act
9 16, is repealed.

10 **SECTION 52k.** 20.530 (1) (ir) of the statutes, as affected by 2001 Wisconsin Act
11 16, is renumbered 20.505 (1) (ir).

12 **SECTION 52L.** 20.530 (1) (ja) of the statutes, as affected by 2001 Wisconsin Act
13 16, is renumbered 20.505 (1) (ja).

14 **SECTION 52Lb.** 20.530 (1) (ke) of the statutes, as affected by 2001 Wisconsin
15 Act 16, is renumbered 20.505 (1) (ke) and amended to read:

16 20.505 (1) (ke) *Telecommunications services; state agencies; veterans services.*

17 The amounts in the schedule to provide telecommunications services to state
18 agencies and to provide veterans services under s. ~~22.07~~ 16.973 (9). All moneys
19 received from the provision of telecommunications services to state agencies under
20 ss. ~~22.05 and 22.07~~ 16.972 and 16.973 or under s. 44.73 (2) (d), other than moneys
21 received and disbursed under par. (kL) and s. 20.225 (1) (kb), shall be credited to this
22 appropriation account.

23 **SECTION 52Lc.** 20.530 (1) (kp) of the statutes, as affected by 2001 Wisconsin
24 Act 16, is renumbered 20.505 (1) (kp) and amended to read:

1 20.505 (1) (kp) *Interagency assistance; justice information systems.* The
2 amounts in the schedule for the development and operation of automated justice
3 information systems under s. ~~22.03~~ 16.971 (9). All moneys transferred from the
4 appropriation accounts under s. ~~20.505~~ sub. (6) (kt) and (m) shall be credited to this
5 appropriation account.

6 **SECTION 52Ld.** 20.530 (1) (kq) of the statutes, as affected by 2001 Wisconsin
7 Act 16, is renumbered 20.505 (1) (kq) and amended to read:

8 20.505 (1) (kq) *Justice information systems development, operation and*
9 *maintenance.* The amounts in the schedule for the purpose of developing, operating
10 and maintaining automated justice information systems under s. ~~22.03~~ 16.971 (9).
11 All moneys transferred from the appropriation account under s. ~~20.505~~ sub. (6) (j) 12.
12 shall be credited to this appropriation account.

13 **SECTION 52Ldb.** 20.530 (1) (m) of the statutes, as created by 2001 Wisconsin
14 Act 16, is repealed.”.

15 **75.** Page 19, line 20: after that line insert:

16 “**SECTION 52im.** 20.515 (2) (g) of the statutes is amended to read:

17 20.515 (2) (g) *Private employer health care coverage plan.* All moneys received
18 under subch. X of ch. 40 from employers who elect to participate in the private
19 employer health care coverage program under subch. X of ch. 40 and from any other
20 person under s. 40.98 (2) (h), for the costs of designing, marketing, and contracting
21 for or providing administrative services for the program and for lapsing to the
22 general fund the amounts required under s. 40.98 (6m).”.

23 **76.** Page 19, line 22: delete “The” and substitute “Biennially, the”.

24 **77.** Page 20, line 6: on lines 6, 10 and 16, delete “2003” and substitute “2004”.

1 **78.** Page 20, line 18: delete “2003” and substitute “2004”.

2 **79.** Page 20, line 19: delete “s. 79.035” and substitute “ss. 79.035 and 79.036”.

3 **80.** Page 20, line 20: delete lines 20 to 22.

4 **81.** Page 21, line 3: after that line insert:

5 “**SECTION 57b.** 20.855 (1) (ch) of the statutes is created to read:

6 20.855 (1) (ch) *Payment to reimburse loan to general fund from the office of the*
7 *commissioner of insurance. A sum sufficient to repay the loan to the general fund*
8 *under s. 601.34, but not to exceed the sum of the following:*

9 1. The amounts lapsed to the general fund from the appropriation account
10 under s. 20.515 (2) (a) at the end of the 2001–03 fiscal biennium.

11 2. The amounts lapsed to the general fund from the appropriation account
12 under s. 20.515 (2) (g), as determined under s. 40.98 (6m).

13 3. Any amount that is needed to repay all principle and interest costs on the
14 loan to the general fund under s. 601.34 and that exceeds the amounts identified in
15 subds. 1. and 2.”.

16 **82.** Page 21, line 3: delete “2003” and substitute “2004”.

17 **83.** Page 21, line 25: after that line insert:

18 “**SECTION 64g.** 20.865 (4) (k) of the statutes, as created by 2001 Wisconsin Act
19 16, is amended to read:

20 20.865 (4) (k) *Public assistance programs supplementation. All moneys*
21 *transferred under 2001 Wisconsin Act 16, section 9258 (2w), to supplement*
22 *appropriations, as provided in s. 13.101, for cash benefit payments to Wisconsin*
23 *works participants under s. 49.148 and all moneys transferred under 2001 Wisconsin*
24 *Act (this act), section 9258 (14d), to supplement appropriations, as provided in s.*

1 13.101, for any purpose that is allowable under the federal temporary assistance for
2 needy families program under 42 USC 601 to 619.”.

3 **84.** Page 21, line 25: after that line insert:

4 “**SECTION 64h.** 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
7 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
8 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
9 20.255 (1) (d), 20.275 (1) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih), (kd), and
10 (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar),
11 (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq), and (er), 20.395 (6) (af), (aq),
12 and (ar), and (at), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e),
13 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc),
14 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h),
15 (i), and (q) for the payment of principal and interest on public debt contracted under
16 subchs. I and IV of ch. 18.”.

17 **85.** Page 22, line 1: before that line insert:

18 “**SECTION 64L.** 20.866 (1) (u) of the statutes, as affected by 2001 Wisconsin Act
19 16, is amended to read:

20 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
21 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
22 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
23 20.255 (1) (d), ~~20.275 (1)~~ and (4) (er), (es), (h), and (hb), 20.285 (1) (d), (db), (fh), (ih),
24 (kd), and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag),

1 (aq), (ar), (at), (au), (ba), (bq), (ca), (cb), (cc), (cd), (ce), (cf), (ea), (eq), and (er), 20.395
2 (6) (af), (aq), and (ar), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee) and (6)
3 (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc),
4 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bm), (bp), (br), (bt), (g), (h),
5 (i), and (q) for the payment of principal and interest on public debt contracted under
6 subchs. I and IV of ch. 18.”

7 **86.** Page 22, line 9: after that line insert:

8 “**SECTION 64ti.** 20.866 (2) (uum) of the statutes is created to read:

9 20.866 (2) (uum) *Transportation; major highway and rehabilitation projects.*

10 From the capital improvement fund, a sum sufficient for the department of
11 transportation to fund major highway and rehabilitation projects, as provided under
12 s. 84.555. The state may contract public debt in an amount not to exceed
13 \$140,000,000 for this purpose.”

14 **87.** Page 22, line 9: after that line insert:

15 “**SECTION 64tg.** 20.866 (2) (ur) of the statutes is amended to read:

16 20.866 (2) (ur) *Transportation; accelerated highway improvements.* From the
17 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge,
18 or improve state highway facilities as provided by ss. 84.06 and 84.09. The state may
19 contract public debt in an amount not to exceed \$185,000,000 for this purpose. This
20 paragraph does not apply to any southeast Wisconsin freeway rehabilitation projects
21 under s. 84.014.

22 **SECTION 64th.** 20.866 (2) (uu) of the statutes is amended to read:

23 20.866 (2) (uu) *Transportation; highway projects.* From the capital
24 improvement fund, a sum sufficient for the department of transportation to acquire,

1 construct, reconstruct, improve, or develop highway projects under ss. 84.06 and
2 84.09. The state may contract public debt in an amount not to exceed \$41,000,000 for
3 this purpose. This paragraph does not apply to any southeast Wisconsin freeway
4 rehabilitation projects under s. 84.014.”.

5 **88.** Page 23, line 25: after that line insert:

6 “**SECTION 68m.** 20.866 (2) (zc) of the statutes is amended to read:

7 20.866 (2) (zc) *Technology for educational achievement in Wisconsin board*
8 *Department of public instruction; school district educational technology*
9 *infrastructure financial assistance.* From the capital improvement fund, a sum
10 sufficient for the ~~technology for educational achievement in Wisconsin board~~
11 department of public instruction to provide educational technology infrastructure
12 financial assistance to school districts under s. 44.72 (4) 115.999 (4). The state may
13 contract public debt in an amount not to exceed \$100,000,000 for this purpose.

14 **SECTION 68n.** 20.866 (2) (zcm) of the statutes, as affected by 2001 Wisconsin
15 Act 16, is amended to read:

16 20.866 (2) (zcm) *Technology for educational achievement in Wisconsin board*
17 *Department of public instruction; public library educational technology*
18 *infrastructure financial assistance.* From the capital improvement fund, a sum
19 sufficient for the ~~technology for educational achievement in Wisconsin board~~
20 department of public instruction to provide educational technology infrastructure
21 financial assistance to public library boards under s. 44.72 (4) 115.999 (4). The state
22 may contract public debt in an amount not to exceed \$3,000,000 for this purpose.”.

23 **89.** Page 23, line 25: after that line insert:

1 “**SECTION 68d.** 20.866 (2) (z) 3m. b. of the statutes, as created by 2001 Wisconsin
2 Act 16, is amended to read:

3 20.866 (2) (z) 3m. b. July 1, 2003, to June 30, 2005, ~~\$63,500,000~~ \$95,500,000.

4 **SECTION 68e.** 20.866 (2) (z) 3m. c. of the statutes, as created by 2001 Wisconsin
5 Act 16, is amended to read:

6 20.866 (2) (z) 3m. c. July 1, 2005, to June 30, 2007, ~~\$95,500,000~~ \$127,500,000.

7 **SECTION 68f.** 20.866 (2) (z) 3m. d. of the statutes, as created by 2001 Wisconsin
8 Act 16, is amended to read:

9 20.866 (2) (z) 3m. d. July 1, 2007, ~~to June 30, 2009, \$127,500,000 or thereafter,~~
10 \$158,500,000.

11 **SECTION 68g.** 20.866 (2) (z) 3m. e. of the statutes, as created by 2001 Wisconsin
12 Act 16, is repealed.”.

13 **90.** Page 24, line 3: after that line insert:

14 “**SECTION 69m.** 20.923 (4) (e) 1b. of the statutes is repealed.”.

15 **91.** Page 24, line 4: after that line insert:

16 “**SECTION 69m.** 20.923 (4) (h) 2. of the statutes, as created by 2001 Wisconsin
17 Act 16, is repealed.”.

18 **92.** Page 25, line 4: delete lines 4 to 15.

19 **93.** Page 25, line 15: after that line insert:

20 “**SECTION 72fm.** 21.80 (title) of the statutes, as created by 2001 Wisconsin Act
21 26, is amended to read:

22 **21.80** (title) **Reemployment rights after national guard or, state**
23 **defense force, or public health emergency service.**

1 **SECTION 72fn.** 21.80 (1) (a) of the statutes, as created by 2001 Wisconsin Act
2 26, is renumbered 21.80 (1) (a) (intro.) and amended to read:

3 21.80 (1) (a) (intro.) “Active service” means ~~active~~ any of the following:

4 1. Active service in the national guard or the state defense force under an order
5 of the governor issued under this chapter or active service in the national guard
6 under 32 USC 502 (f) that is not considered to be service in the uniformed services.

7 **SECTION 72fp.** 21.80 (1) (a) 2. of the statutes is created to read:

8 21.80 (1) (a) 2. Active service with the state laboratory of hygiene under s. 36.25
9 (11) (em) for the purpose of assisting the department of health and family services
10 under s. 250.042 during a state of emergency relating to public health declared by
11 the governor under s. 166.03 (1) (b) 1.

12 **SECTION 72fq.** 21.80 (3) (a) 4. of the statutes, as created by 2001 Wisconsin Act
13 26, is amended to read:

14 21.80 (3) (a) 4. ~~The person’s~~ In the case of active service in the national guard
15 or the state defense force, the active service has not been terminated under other
16 than honorable conditions.

17 **SECTION 72fr.** 21.80 (3) (c) 1. of the statutes, as created by 2001 Wisconsin Act
18 26, is amended to read:

19 21.80 (3) (c) 1. Any period of active service, as defined in sub. (1) (a) 1., beyond
20 that 5-year period that is required to complete an initial period of obligated active
21 service.

22 **SECTION 72fs.** 21.80 (3) (c) 2. of the statutes, as created by 2001 Wisconsin Act
23 26, is amended to read:

24 21.80 (3) (c) 2. Any period of active service, as defined in sub. (1) (a) 1., for which
25 the person, through no fault of the person’s own, was unable to obtain orders

1 releasing the person from a period of active service before the expiration of the 5-year
2 period.

3 **SECTION 72ft.** 21.80 (3) (c) 3. of the statutes, as created by 2001 Wisconsin Act
4 26, is amended to read:

5 21.80 (3) (c) 3. Any period of active service, as defined in sub. (1) (a) 1., that was
6 performed to fulfill any additional training requirements determined and certified
7 in writing by the federal secretary of the army, the federal secretary of the air force,
8 or the adjutant general to be necessary for professional development or for
9 completion of skill training or retraining.

10 **SECTION 72fu.** 21.80 (3) (f) 1. of the statutes, as created by 2001 Wisconsin Act
11 26, is amended to read:

12 21.80 (3) (f) 1. A person who submits an application for reemployment under
13 par. (e) 2. or 3. must, on the request of the person's employer, provide to the employer
14 documentation to establish that the application was submitted within the time
15 limits specified in par. (e) 2. or 3., that the person's cumulative length of all absences
16 from employment with the employer because of active service or service in the
17 uniformed services does not, except as permitted under par. (c), exceed 5 years, and,
18 in the case of active service in the national guard or the state defense force, that the
19 person's service was not terminated under other than honorable conditions.”.

20 **94.** Page 25, line 15: after that line insert:

21 “**SECTION 72fs.** 23.09 (3) (b) of the statutes is amended to read:

22 23.09 (3) (b) If the department and the board of regents of the University of
23 Wisconsin System enter into an agreement to create a faculty position at the
24 University of Wisconsin–Madison for a forest landscape ecologist, the department

1 and the University of Wisconsin–Madison shall develop an annual work plan for the
2 ecologist. In developing the annual work plan, the department shall consult with the
3 governor’s council on forestry ~~created by executive order under s. 14.019.~~”.

4 **95.** Page 25, line 15: after that line insert:

5 “**SECTION 72fb.** Chapter 22 (title) of the statutes, as created by 2001 Wisconsin
6 Act 16, is repealed.

7 **SECTION 72fbm.** 22.01 (intro.) of the statutes is repealed.

8 **SECTION 72fc.** 22.01 (1), (2), (2m), (3) and (4) of the statutes, as affected by 2001
9 Wisconsin Act 16, are renumbered 16.97 (1m), (2), (2m), (3) and (4).

10 **SECTION 72fd.** 22.01 (5) of the statutes, as created by 2001 Wisconsin Act 16,
11 is repealed.

12 **SECTION 72fe.** 22.01 (5m) to (10) of the statutes, as affected by 2001 Wisconsin
13 Act 16, are renumbered 16.97 (5m) to (10).

14 **SECTION 72ff.** 22.03 (title) of the statutes, as affected by 2001 Wisconsin Act
15 16, is renumbered 16.971 (title) and amended to read:

16 **16.971 (title) Responsibilities of department division.**

17 **SECTION 72fg.** 22.03 (2) (intro.), (a) and (ae) of the statutes, as affected by 2001
18 Wisconsin Act 16, are renumbered 16.971 (2) (intro.), (a) and (ae) and amended to
19 read:

20 **16.971 (2) (intro.)** The ~~department~~ division shall:

21 (a) Ensure that an adequate level of information technology services is made
22 available to all agencies by providing systems analysis and application programming
23 services to augment agency resources, as requested. The ~~department~~ division shall
24 also ensure that executive branch agencies, other than the board of regents of the

1 University of Wisconsin System, make effective and efficient use of the information
2 technology resources of the state. The ~~department~~ division shall, in cooperation with
3 agencies, establish policies, procedures and planning processes, for the
4 administration of information technology services, which executive branch agencies
5 shall follow. The policies, procedures and processes shall address the needs of
6 agencies, other than the board of regents of the University of Wisconsin System, to
7 carry out their functions. The ~~department~~ division shall monitor adherence to these
8 policies, procedures and processes.

9 (ae) Except as provided in sub. (2m), review and approve, modify or reject all
10 forms approved by a records and forms officer for jurisdiction, authority,
11 standardization of design and nonduplication of existing forms. Unless the
12 ~~department~~ division rejects for cause or modifies the form within 20 working days
13 after receipt, it is considered approved. The ~~department's~~ division's rejection of any
14 form is appealable to the public records board. If the head of an agency certifies to
15 the ~~department~~ division that the form is needed on a temporary basis, approval by
16 the ~~department~~ division is not required.

17 **SECTION 72fh.** 22.03 (2) (am) to (k) of the statutes, as affected by 2001
18 Wisconsin Act 16, are renumbered 16.971 (2) (am) to (k).

19 **SECTION 72fi.** 22.03 (2) (L) to (m) of the statutes, as affected by 2001 Wisconsin
20 Act 16, are renumbered 16.971 (2) (L) to (m) and amended to read:

21 16.971 (2) (L) Require each executive branch agency, other than the board of
22 regents of the University of Wisconsin System, to adopt and submit to the
23 ~~department~~ division, in a form specified by the ~~department~~ division, no later than
24 March 1 of each year, a strategic plan for the utilization of information technology

1 to carry out the functions of the agency in the succeeding fiscal year for review and
2 approval under s. ~~22.13~~ 16.976.

3 (Lm) No later than 60 days after enactment of each biennial budget act, require
4 each executive branch agency, other than the board of regents of the University of
5 Wisconsin System, that receives funding under that act for an information
6 technology development project to file with the ~~department~~ division an amendment
7 to its strategic plan for the utilization of information technology under par. (L). The
8 amendment shall identify each information technology development project for
9 which funding is provided under that act and shall specify, in a form prescribed by
10 the ~~chief information officer~~ administrator, the benefits that the agency expects to
11 realize from undertaking the project.

12 (m) Assist in coordination and integration of the plans of executive branch
13 agencies relating to information technology approved under par. (L) and, using these
14 plans and the statewide long-range telecommunications plan under s. ~~22.41~~ 16.979
15 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the
16 use and application of information technology. The ~~department~~ division shall, no
17 later than September 15 of each even-numbered year, submit the statewide strategic
18 plan to the cochairpersons of the joint committee on information policy and
19 technology and the governor.

20 **SECTION 72fj.** 22.03 (2) (n) of the statutes, as affected by 2001 Wisconsin Act
21 16, is renumbered 16.971 (2) (n).

22 **SECTION 72fk.** 22.03 (2m) (intro.) of the statutes, as affected by 2001 Wisconsin
23 Act 16, is renumbered 16.971 (2m) (intro.) and amended to read:

24 16.971 (**2m**) (intro.) The following forms are not subject to review or approval
25 by the ~~department~~ division:

1 **SECTION 72fL.** 22.03 (2m) (a) to (h) of the statutes, as affected by 2001
2 Wisconsin Act 16, are renumbered 16.971 (2m) (a) to (h).

3 **SECTION 72fm.** 22.03 (3) and (4) (a) of the statutes, as affected by 2001
4 Wisconsin Act 16, are renumbered 16.971 (3) and (4) (a) and amended to read:

5 16.971 (3) (a) ~~The chief information officer~~ administrator shall notify the joint
6 committee on finance in writing of the proposed acquisition of any information
7 technology resource that the ~~department~~ division considers major or that is likely to
8 result in a substantive change of service, and that was not considered in the regular
9 budgeting process and is to be financed from general purpose revenues or
10 corresponding revenues in a segregated fund. If the cochairpersons of the committee
11 do not notify the ~~chief information officer~~ administrator that the committee has
12 scheduled a meeting for the purpose of reviewing the proposed acquisition within 14
13 working days after the date of the ~~officer's~~ administrator's notification, the
14 ~~department~~ division may approve acquisition of the resource. If, within 14 working
15 days after the date of the ~~officer's~~ administrator's notification, the cochairpersons of
16 the committee notify the ~~officer~~ administrator that the committee has scheduled a
17 meeting for the purpose of reviewing the proposed acquisition, the ~~department~~
18 division shall not approve acquisition of the resource unless the acquisition is
19 approved by the committee.

20 (b) ~~The chief information officer~~ administrator shall promptly notify the joint
21 committee on finance in writing of the proposed acquisition of any information
22 technology resource that the ~~department~~ division considers major or that is likely to
23 result in a substantive change in service, and that was not considered in the regular
24 budgeting process and is to be financed from program revenues or corresponding
25 revenues from program receipts in a segregated fund.

1 (4) (a) The ~~department~~ division may license or authorize executive branch
2 agencies to license computer programs developed by executive branch agencies to the
3 federal government, other states and municipalities. Any agency other than an
4 executive branch agency may license a computer program developed by that agency
5 to the federal government, other states and municipalities.

6 **SECTION 72fn.** 22.03 (4) (b) and (c) and (6) of the statutes, as affected by 2001
7 Wisconsin Act 16, are renumbered 16.971 (4) (b) and (c) and (6).

8 **SECTION 72fo.** 22.03 (9) and (11) of the statutes, as affected by 2001 Wisconsin
9 Act 16, are renumbered 16.971 (9) and (11) and amended to read:

10 16.971 (9) In conjunction with the public defender board, the director of state
11 courts, the departments of corrections and justice and district attorneys, the
12 ~~department of electronic government~~ division may maintain, promote and
13 coordinate automated justice information systems that are compatible among
14 counties and the officers and agencies specified in this subsection, using the moneys
15 appropriated under s. ~~20.530~~ 20.505 (1) (ja), (kp) and (kq). The ~~department of~~
16 ~~electronic government~~ division shall annually report to the legislature under s.
17 13.172 (2) concerning the ~~department's~~ division's efforts to improve and increase the
18 efficiency of integration of justice information systems.

19 (11) The ~~department~~ division may charge executive branch agencies for
20 information technology development and management services provided to them by
21 the ~~department~~ division under this section.

22 **SECTION 72fp.** 22.05 (title) of the statutes, as affected by 2001 Wisconsin Act
23 16, is renumbered 16.972 (title) and amended to read:

24 **16.972 (title) Powers of the ~~department~~ division.**

1 **SECTION 72fq.** 22.05 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is renumbered 16.972 (1).

3 **SECTION 72fr.** 22.05 (2) (intro.) and (a) to (d) of the statutes, as affected by 2001
4 Wisconsin Act 16, are renumbered 16.972 (2) (intro.) and (a) to (d) and amended to
5 read:

6 16.972 (2) (intro.) The ~~department~~ division may:

7 (a) Provide such telecommunications services to agencies as the ~~department~~
8 division considers to be appropriate.

9 (b) Provide such computer services and telecommunications services to local
10 governmental units and the broadcasting corporation and provide such
11 telecommunications services to qualified private schools, postsecondary
12 institutions, museums and zoos, as the ~~department~~ division considers to be
13 appropriate and as the ~~department~~ division can efficiently and economically provide.
14 The ~~department~~ division may exercise this power only if in doing so it maintains the
15 services it provides at least at the same levels that it provides prior to exercising this
16 power and it does not increase the rates chargeable to users served prior to exercise
17 of this power as a result of exercising this power. The ~~department~~ division may
18 charge local governmental units, the broadcasting corporation, and qualified private
19 schools, postsecondary institutions, museums and zoos, for services provided to them
20 under this paragraph in accordance with a methodology determined by the ~~chief~~
21 ~~information officer~~ administrator. Use of telecommunications services by a qualified
22 private school or postsecondary institution shall be subject to the same terms and
23 conditions that apply to a municipality using the same services. The department
24 shall prescribe eligibility requirements for qualified museums and zoos to receive
25 telecommunications services under this paragraph.

1 (c) Provide such supercomputer services to agencies, local governmental units
2 and entities in the private sector as the department division considers to be
3 appropriate and as the ~~department~~ division can efficiently and economically provide.
4 The ~~department~~ division may exercise this power only if in doing so it maintains the
5 services it provides at least at the same levels that it provides prior to exercising this
6 power and it does not increase the rates chargeable to users served prior to exercise
7 of this power as a result of exercising this power. The ~~department~~ division may
8 charge agencies, local governmental units and entities in the private sector for
9 services provided to them under this paragraph in accordance with a methodology
10 determined by the ~~chief information officer~~ administrator.

11 (d) Undertake such studies, contract for the performance of such studies, and
12 appoint such councils and committees for advisory purposes as the department
13 division considers appropriate to ensure that the department's division's plans,
14 capital investments and operating priorities meet the needs of agencies local
15 governmental units and entities in the private sector served by the department
16 division. The ~~department~~ division may compensate members of any council or
17 committee for their services and may reimburse such members for their actual and
18 necessary expenses incurred in the discharge of their duties.

19 **SECTION 72frm.** 22.05 (2) (e) of the statutes, as affected by 2001 Wisconsin Act
20 16, is renumbered 16.972 (2) (e).

21 **SECTION 72fs.** 22.05 (2) (f) and (g) of the statutes, as affected by 2001 Wisconsin
22 Act 16, are renumbered 16.972 (2) (f) and (g) and amended to read:

23 16.972 (2) (f) Acquire, operate, and maintain any information technology
24 equipment or systems required by the ~~department~~ division to carry out its functions,
25 and provide information technology development and management services related

1 to those information technology systems. The department division may assess
2 executive branch agencies, other than the board of regents of the University of
3 Wisconsin System, for the costs of equipment or systems acquired, operated,
4 maintained, or provided or services provided under this paragraph in accordance
5 with a methodology determined by the ~~chief information officer~~ administrator. The
6 department division may also charge any agency for such costs as a component of any
7 services provided by the department division to the agency.

8 (g) Assume direct responsibility for the planning and development of any
9 information technology system in the executive branch of state government outside
10 of the University of Wisconsin System that the ~~chief information officer~~
11 administrator determines to be necessary to effectively develop or manage the
12 system, with or without the consent of any affected executive branch agency. The
13 department division may charge any executive branch agency for the department's
14 division's reasonable costs incurred in carrying out its functions under this
15 paragraph on behalf of that agency.

16 **SECTION 72ft.** 22.05 (2) (h) and (i) of the statutes, as created by 2001 Wisconsin
17 Act 16, are renumbered 16.972 (2) (h) and (i).

18 **SECTION 72fu.** 22.07 (intro.), (1) and (2) of the statutes, as affected by 2001
19 Wisconsin Act 16, are renumbered 16.973 (intro.), (1) and (2) and amended to read:

20 **16.973 Duties of the department division.** (intro.) The department
21 division shall:

22 (1) Provide or contract with a public or private entity to provide computer
23 services to agencies. The department division may charge agencies for services
24 provided to them under this subsection in accordance with a methodology
25 determined by the ~~chief information officer~~ administrator.

1 **(2)** Promulgate methodologies for establishing all fees and charges established
2 or assessed by the ~~department~~ division or the ~~chief information officer~~ administrator
3 under this chapter.

4 **SECTION 72fv.** 22.07 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
5 is renumbered 16.973 (3).

6 **SECTION 72fw.** 22.07 (4) to (8) of the statutes, as affected by 2001 Wisconsin Act
7 16, are renumbered 16.973 (4) to (8) and amended to read:

8 16.973 **(4)** Ensure responsiveness to the needs of agencies for delivery of
9 high-quality information technology processing services on an efficient and
10 economical basis, while not unduly affecting the privacy of individuals who are the
11 subjects of the information being processed by the ~~department~~ division.

12 **(5)** Utilize all feasible technical means to ensure the security of all information
13 submitted to the ~~department~~ division for processing by agencies, local governmental
14 units and entities in the private sector.

15 **(6)** With the advice of the ethics board, adopt and enforce standards of ethical
16 conduct applicable to its paid consultants which are similar to the standards
17 prescribed in subch. III of ch. 19, except that the ~~department~~ division shall not
18 require its paid consultants to file statements of economic interests.

19 **(7)** Prescribe and revise as necessary performance measures to ensure
20 financial controls and accountability, optimal personnel utilization, and customer
21 satisfaction for all information technology functions in the executive branch outside
22 of the University of Wisconsin System and annually, no later than March 31, report
23 to the joint committee on information policy and technology and the board
24 concerning the performance measures utilized by the ~~department~~ division and the

1 actual performance of the ~~department~~ division and the executive branch agencies
2 measured against the performance measures then in effect.

3 (8) Offer the opportunity to local governmental units to voluntarily obtain
4 computer or supercomputer services from the ~~department~~ division when those
5 services are provided under s. ~~22.05~~ 16.972 (2) (b) or (c), and to voluntarily
6 participate in any master contract established by the ~~department~~ division under s.
7 ~~22.05~~ 16.972 (2) (h) or in the use of any informational system or device provided by
8 the ~~department~~ division under ~~22.09 (3)~~ 16.971 (15).

9 SECTION 72fx. 22.07 (9) of the statutes, as created by 2001 Wisconsin Act 16,
10 is renumbered 16.973 (9).

11 SECTION 72fy. 22.09 (intro.) and (1) to (3) of the statutes, as created by 2001
12 Wisconsin Act 16, are renumbered 16.974 (intro.) and (1) to (3) and amended to read:

13 **16.974 Powers of the ~~chief information officer~~ administrator.** (intro.)
14 The ~~chief information officer~~ administrator may:

15 (1) Establish and collect assessments and charges for all authorized services
16 provided by the ~~department~~ division, subject to applicable agreements under sub.
17 (2).

18 (2) Subject to s. ~~22.05~~ 16.972 (2) (b), enter into and enforce an agreement with
19 any agency, any authority, any unit of the federal government, any local
20 governmental unit, or any entity in the private sector to provide services authorized
21 to be provided by the ~~department~~ department to that agency, authority, unit, or entity
22 at a cost specified in the agreement.

23 (3) Develop or operate and maintain any system or device facilitating Internet
24 or telephone access to information about programs of agencies, authorities, local
25 governmental units, or entities in the private sector, or otherwise permitting the

1 transaction of business by agencies, authorities, local governmental units, or entities
2 in the private sector by means of electronic communication. The chief information
3 officer administrator may assess executive branch agencies, other than the board of
4 regents of the University of Wisconsin System, for the costs of systems or devices that
5 are developed, operated, or maintained under this subsection in accordance with a
6 methodology determined by the officer administrator. The chief information officer
7 administrator may also charge any agency, authority, local governmental unit, or
8 entity in the private sector for such costs as a component of any services provided by
9 the department division to that agency, authority, local governmental unit, or entity.

10 **SECTION 72fz.** 22.09 (5) of the statutes, as created by 2001 Wisconsin Act 16,
11 is renumbered 16.974 (5).

12 **SECTION 72fza.** 22.11 of the statutes, as affected by 2001 Wisconsin Act 16, is
13 renumbered 16.975 and amended to read:

14 **16.975 Access to information.** The department division shall withhold from
15 access under s. 19.35 (1) all information submitted to the department division by
16 agencies, authorities, units of the federal government, local governmental units or
17 entities in the private sector for the purpose of processing. The department division
18 may not process such information without the consent of the agency, authority, unit
19 or other entity which submitted the information and may not withhold such
20 information from the agency, authority, unit or other entity or from any other person
21 authorized by the agency, authority, unit or entity to have access to the information.
22 The agency, authority, unit or other entity submitting the information remains the
23 custodian of the information while it is in the custody of the department division and
24 access to such information by that agency, authority, unit or entity or any other

1 person shall be determined by that agency, authority, unit or other entity and in
2 accordance with law.

3 **SECTION 72fzb.** 22.13 (title) of the statutes, as created by 2001 Wisconsin Act
4 16, is renumbered 16.976 (title).

5 **SECTION 72fzc.** 22.13 (1) of the statutes, as created by 2001 Wisconsin Act 16,
6 is renumbered 16.976 (1) and amended to read:

7 16.976 (1) As a part of each proposed strategic plan submitted under s. ~~22.03~~
8 16.971 (2) (L), the ~~department~~ division shall require each executive branch agency
9 to address the business needs of the agency and to identify all proposed information
10 technology development projects that serve those business needs, the priority for
11 undertaking such projects, and the justification for each project, including the
12 anticipated benefits of the project. Each proposed plan shall identify any changes
13 in the functioning of the agency under the plan. In each even-numbered year, the
14 plan shall include identification of any information technology development project
15 that the agency plans to include in its biennial budget request under s. 16.42 (1).

16 **SECTION 72fzd.** 22.13 (2) of the statutes, as created by 2001 Wisconsin Act 16,
17 is renumbered 16.976 (2).

18 **SECTION 72fze.** 22.13 (3) to (6) of the statutes, as created by 2001 Wisconsin
19 Act 16, are renumbered 16.976 (3) to (6) and amended to read:

20 16.976 (3) Following receipt of a proposed strategic plan from an executive
21 branch agency, the ~~chief information officer~~ administrator shall, before June 1, notify
22 the agency of any concerns that the ~~officer~~ administrator may have regarding the
23 plan and provide the agency with his or her recommendations regarding the
24 proposed plan. The ~~chief information officer~~ administrator may also submit any
25 concerns or recommendations regarding any proposed plan to the board for its

1 consideration. The board shall then consider the proposed plan and provide the chief
2 ~~information officer~~ administrator with its recommendations regarding the plan. The
3 executive branch agency may submit modifications to its proposed plan in response
4 to any recommendations.

5 (4) Before June 15, the ~~chief information officer~~ administrator shall consider
6 any recommendations provided by the board under sub. (3) and shall then approve
7 or disapprove the proposed plan in whole or in part.

8 (5) No executive branch agency, other than the board of regents of the
9 University of Wisconsin System, may implement a new or revised information
10 technology development project authorized under a strategic plan until the
11 implementation is approved by the ~~chief information officer~~ administrator in
12 accordance with procedures prescribed by the ~~officer~~ administrator.

13 (6) The ~~department~~ division shall consult with the joint committee on
14 information policy and technology in providing guidance for planning by executive
15 branch agencies.

16 **SECTION 72fzf.** 22.15 (intro.) of the statutes, as created by 2001 Wisconsin Act
17 16, is renumbered 16.977 (intro.) and amended to read:

18 **16.977 Information technology portfolio management.** (intro.) With the
19 assistance of executive branch agencies and the advice of the board, the ~~department~~
20 division shall manage the information technology portfolio of state government in
21 accordance with a management structure that includes all of the following:

22 **SECTION 72fzg.** 22.15 (1) to (3) of the statutes, as created by 2001 Wisconsin
23 Act 16, are renumbered 16.977 (1) to (3).

24 **SECTION 72fzh.** 22.17 (title) of the statutes, as created by 2001 Wisconsin Act
25 16, is renumbered 16.978 (title).

1 **SECTION 72fzi.** 22.17 (1) to (4) of the statutes, as created by 2001 Wisconsin Act
2 16, are renumbered 16.978 (1) to (4) and amended to read:

3 16.978 (1) The board shall provide the ~~chief information officer~~ administrator
4 with its recommendations concerning any elements of the strategic plan of an
5 executive branch agency that are referred to the board under s. ~~22.13~~ 16.976 (3).

6 (2) The board may advise the ~~chief information officer~~ administrator with
7 respect to management of the information technology portfolio of state government
8 under s. ~~22.15~~ 16.977.

9 (3) The board may, upon petition of an executive branch agency, review any
10 decision of the ~~chief information officer~~ administrator under this chapter affecting
11 that agency. Upon review, the board may affirm, modify, or set aside the decision. If
12 the board modifies or sets aside the decision of the ~~chief information officer~~
13 administrator, the decision of the board stands as the decision of the ~~chief~~
14 ~~information officer~~ administrator and the decision is not subject to further review or
15 appeal.

16 (4) The board may monitor progress in attaining goals for information
17 technology and telecommunications development set by the ~~chief information officer~~
18 administrator or executive branch agencies, other than the board of regents of the
19 University of Wisconsin System, and may make recommendations to the ~~officer~~
20 administrator or agencies concerning appropriate means of attaining those goals.

21 **SECTION 72fzj.** 22.19 of the statutes, as affected by 2001 Wisconsin Act 16, is
22 renumbered 16.9785 and amended to read:

23 **16.9785 Purchases of computers by teachers.** The department division
24 shall negotiate with private vendors to facilitate the purchase of computers and other
25 educational technology, as defined in s. 24.60 (1r), by public and private elementary

1 and secondary school teachers for their private use. The ~~department~~ division shall
2 attempt to make available types of computers and other educational technology
3 under this section that will encourage and assist teachers in becoming
4 knowledgeable about the technology and its uses and potential uses in education.

5 **SECTION 72fzk.** 22.41 (title) of the statutes, as affected by 2001 Wisconsin Act
6 16, is renumbered 16.979 (title).

7 **SECTION 72fzL.** 22.41 (2) (intro.) of the statutes, as affected by 2001 Wisconsin
8 Act 16, is renumbered 16.979 (2) (intro.) and amended to read:

9 16.979 (2) POWERS AND DUTIES. (intro.) The ~~department~~ division shall ensure
10 maximum utility, cost-benefit and operational efficiency of all telecommunications
11 systems and activities of this state, and those which interface with cities, counties,
12 villages, towns, other states and the federal government. The ~~department~~ division,
13 with the assistance and cooperation of all other agencies, shall:

14 **SECTION 72fzm.** 22.41 (2) (a) to (f) of the statutes, as affected by 2001 Wisconsin
15 Act 16, are renumbered 16.979 (2) (a) to (f).

16 **SECTION 72fzn.** 22.41 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
17 is renumbered 16.979 (3) and amended to read:

18 16.979 (3) PRIVATE COLLEGE AND UNIVERSITY PARTICIPATION IN STATE
19 TELECOMMUNICATIONS NETWORK. The ~~department~~ division may allow regionally
20 accredited 4-year nonprofit colleges and universities that are incorporated in this
21 state or that have their regional headquarters and principal place of business in this
22 state to participate in any telecommunications network administered by the
23 ~~department~~ division.”.

24 **96.** Page 25, line 16: delete lines 16 to 18.

1 **97.** Page 26, line 11: after that line insert:

2 “**SECTION 72L.** 23.10 (1m) of the statutes is created to read:

3 23.10 **(1m)** The department shall designate a conservation warden as the chief
4 warden and may designate one or more deputy chief wardens. The chief warden
5 shall have the duty to direct, supervise, and control conservation wardens in the
6 performance of their duties under sub. (1) and s. 29.921. The chief warden shall
7 designate an employee of the department as an internal affairs officer to investigate
8 complaints against conservation wardens when the chief warden determines an
9 investigation is necessary and shall designate an employee of the department as a
10 complaint officer to resolve complaints against conservation wardens.”.

11 **98.** Page 27, line 21: delete the material beginning with that line and ending
12 with page 28, line 2.

13 **99.** Page 28, line 2: after that line insert:

14 “**SECTION 72t.** 23.22 of the statutes is created to read:

15 **23.22 Invasive species. (1) DEFINITIONS.** In this section:

16 (a) “Control” means to cut, remove, destroy, suppress, or prevent the
17 introduction or spread of.

18 (b) “Council” means the invasive species council.

19 (c) “Invasive species” means nonindigenous species whose introduction causes
20 or is likely to cause economic or environmental harm or harm to human health.

21 (d) “State agency” means a board, commission, committee, department, or
22 office in the state government.

23 **(2) DEPARTMENT RESPONSIBILITIES.** (a) The department shall establish a
24 statewide program to control invasive species in this state.

1 (b) As part of the program established under par. (a), the department shall do
2 all of the following:

3 1. Create and implement a statewide management plan to control invasive
4 species in this state, which shall include inspections as specified under sub. (5).

5 2. Administer the program established under s. 23.24 as it relates to invasive
6 aquatic plants.

7 3. Encourage cooperation among state agencies and other entities to control
8 invasive species in this state.

9 4. Seek public and private funding for the program.

10 6. Promulgate rules to classify invasive species for purposes of the program.

11 In promulgating these rules, the department shall consider the recommendations of
12 the council under sub. (3) (a).

13 (c) Under the program established under par. (a), the department shall
14 promulgate rules to establish a procedure to award cost-sharing grants to public and
15 private entities for up to 50% of the costs of projects to control invasive species. Any
16 rules promulgated under this paragraph shall establish criteria for determining
17 eligible projects and eligible grant recipients and shall allow cost-share
18 contributions to be in the form of money or in-kind goods or services or any
19 combination thereof. In promulgating these rules, the department shall consider the
20 recommendations of the council under sub. (3) (c).

21 **(3) COUNCIL DUTIES.** (a) The council shall make recommendations to the
22 department for a system for classifying invasive species under the program
23 established under sub. (2). The recommendations shall contain criteria for each
24 classification to be used, the allowed activities associated with each classification,
25 criteria for determining state priorities for controlling invasive species under each

1 classification, and criteria for determining the types of actions to be taken in
2 response to the introduction or spread of a native species under each classification.

3 (b) Under the program established under sub. (2), the council shall conduct
4 studies of issues related to controlling invasive species. The studies shall address
5 all of the following:

6 1. The effect of the state’s bait industry on the introduction and spread of
7 invasive species.

8 2. The effect of the state’s pet industry on the introduction and spread of
9 invasive species.

10 3. The acquisition of invasive species through mail order and Internet sales.

11 4. Any other issue as determined by the council.

12 (c) The council shall make recommendations to the department on the
13 establishment of a procedure for awarding cost-sharing grants under sub. (2) (c) to
14 public and private entities for up to 50% of the costs of eligible projects to control
15 invasive species. The recommendations shall contain criteria for determining
16 eligibility for these grants and for determining which applicants should be awarded
17 the grants.

18 (d) To assist the council in its work, the council shall create 4 subcommittees
19 on the subjects of education, research, regulation, and interagency coordination. The
20 council may create additional subcommittees on other subjects.

21 **(5) INSPECTIONS.** As part of the statewide management plan, the department
22 shall create a watercraft inspection program under which the department shall
23 conduct periodic inspections of boats, boating equipment, and boat trailers entering
24 and leaving navigable waters and shall educate boaters about the threat of invasive

1 species that are aquatic species. The department shall encourage the use of
2 volunteers or may use department employees for these inspections.

3 (6) REPORTS. (a) The department shall submit to the legislature under s. 13.172
4 (2), and to the governor and the council, a biennial report that includes all of the
5 following:

6 1. Details on the administration of the program established under sub. (2),
7 including an assessment as to the progress that is being made in controlling invasive
8 species in this state.

9 2. A description of state funding that has been expended under the program.

10 3. A description of funding from other sources that has been expended to control
11 invasive species in this state.

12 4. An assessment of the future needs of the program.

13 (b) The department shall submit the biennial report under par. (a) before July
14 1 of each even-numbered year. The first biennial report shall be submitted no later
15 than July 1, 2004. Each report shall cover the 24-month period ending on the March
16 31 that immediately precedes the date of the report.

17 (c) In addition to the report required under par. (a), the department shall
18 submit an interim performance report to the legislature under s. 13.172 (2), and to
19 the governor and the council, on the progress that has been made on the control of
20 invasive species. The department shall submit this interim performance report
21 before July 1 of each odd-numbered year. The first interim performance report shall
22 be submitted no later than July 1, 2005. Each interim performance report shall cover
23 the 12-month period ending on the March 31 that immediately precedes the date of
24 the interim performance report.

1 **(7) APPEARANCE BEFORE LEGISLATURE.** Upon request of a standing committee of
2 the legislature with jurisdiction over matters related to the environment, natural
3 resources, or agriculture, the director of the program shall appear to testify.

4 **SECTION 72td.** 23.23 (title) of the statutes is repealed.

5 **SECTION 72tj.** 23.23 (1) of the statutes is renumbered 23.235 (1) (b) and
6 amended to read:

7 23.235 (1) (b) ~~In this section, “purple~~ “Purple loosestrife” means any nonnative
8 member of the genus *Lythrum*.

9 **SECTION 72tm.** 23.23 (2) of the statutes is renumbered 23.235 (3m) and
10 amended to read:

11 23.235 (3m) RESEARCH. ~~The~~ Under the program established under s. 23.22, the
12 department shall make a reasonable effort to conduct research to determine
13 alternative methods to contain and control purple loosestrife in the most
14 environmentally sound manner and may conduct other research on the control of
15 nuisance weeds. The secretaries of natural resources and of agriculture, trade and
16 consumer protection may authorize any person to plant or cultivate nuisance weeds
17 for the purpose of controlled experimentation.

18 **SECTION 72tq.** 23.23 (3) (a) of the statutes is renumbered 23.235 (2m) (a) and
19 amended to read:

20 23.235 (2m) (a) ~~The~~ Under the program established under s. 23.22, the
21 department shall make a reasonable effort to develop a statewide program plan to
22 control purple loosestrife on both public and private lands, as provided in this
23 subsection.

24 **SECTION 72tv.** 23.23 (3) (b) of the statutes is renumbered 23.235 (2m) (b) and
25 amended to read:

1 23.235 (2m) (b) The department shall make a reasonable effort to implement
2 control and quarantine methods on public lands as soon as practicable. The
3 department shall make a reasonable effort to employ the least environmentally
4 harmful methods available that are effective, based on research conducted under
5 sub. (2) (3m).

6 **SECTION 72ud.** 23.23 (3) (c) of the statutes is renumbered 23.235 (2m) (c).

7 **SECTION 72uj.** 23.23 (3) (d) of the statutes is renumbered 23.235 (2m) (d).

8 **SECTION 72um.** 23.23 (3) (e) of the statutes is renumbered 23.235 (2m) (e).

9 **SECTION 72uq.** 23.23 (4) (a) of the statutes is renumbered 23.235 (4) (a) and
10 amended to read:

11 23.235 (4) (a) ~~The~~ Under the program established under s. 23.22, the
12 department shall make a reasonable effort to develop a statewide education ~~program~~
13 effort on the effects of ~~purple loosestrife~~ nuisance weeds, as provided in this
14 subsection.

15 **SECTION 72uv.** 23.23 (4) (b) of the statutes is renumbered 23.235 (4) (b) and
16 amended to read:

17 23.235 (4) (b) The department shall make a reasonable effort to educate the
18 authorities in charge of the maintenance of all federal, state and county trunk
19 highways and all forest and park land in this state on methods to identify and control
20 ~~purple loosestrife and multiflora rose~~ nuisance weeds. The department of
21 transportation and all other authorities in charge of the maintenance of highways,
22 forests and parks may cooperate with the department in efforts under this
23 paragraph.

24 **SECTION 72vd.** 23.23 (4) (c) of the statutes is renumbered 23.235 (4) (c).

1 **SECTION 72vj.** 23.235 (1) of the statutes is renumbered 23.235 (1) (intro.) and
2 amended to read:

3 23.235 (1) DEFINITIONS. (intro.) In this section, ~~“nuisance;~~

4 (a) “Nuisance weeds” means ~~any nonnative member of the genus Lythrum~~
5 ~~(purple loosestrife)~~ or hybrids thereof and multiflora rose.

6 **SECTION 72vm.** 23.235 (2) of the statutes, as affected by 2001 Wisconsin Act
7 16, is amended to read:

8 23.235 (2) PROHIBITION. Except as provided in sub. (3) (3m), no person may sell,
9 offer for sale, distribute, plant, or cultivate any multiflora rose or seeds thereof.

10 **SECTION 72vq.** 23.235 (2m) (title) of the statutes is created to read:

11 23.235 (2m) (title) CONTROL EFFORTS.

12 **SECTION 72vv.** 23.235 (3) of the statutes is repealed.

13 **SECTION 72wd.** 23.235 (4) (title) of the statutes is created to read:

14 23.235 (4) (title) EDUCATION.

15 **SECTION 72wj.** 23.235 (5) of the statutes is amended to read:

16 23.235 (5) PENALTY. Any person who knowingly violates ~~this section~~ sub. (2)
17 shall forfeit not more than \$100. Each violation of this section is a separate offense.

18 **SECTION 72wm.** 23.24 (1) (g) of the statutes, as created by 2001 Wisconsin Act
19 16, is amended to read:

20 23.24 (1) (g) “Invasive aquatic plant” means an aquatic plant that is designated
21 under sub. (2) (b) 1.

22 **SECTION 72wq.** 23.24 (2) (title) of the statutes, as created by 2001 Wisconsin
23 Act 16, is repealed and recreated to read:

24 23.24 (2) (title) DEPARTMENT DUTIES.

1 **SECTION 72wv.** 23.24 (2) (a) 1. of the statutes, as created by 2001 Wisconsin Act
2 16, is amended to read:

3 23.24 (2) (a) 1. ~~Protect~~ Implement efforts to protect and develop diverse and
4 stable communities of native aquatic plants.

5 **SECTION 72xd.** 23.24 (2) (a) 3. of the statutes, as created by 2001 Wisconsin Act
6 16, is renumbered 23.22 (2) (b) 5. and amended to read:

7 23.22 (2) (b) 5. Provide education and encourage and conduct research
8 concerning invasive aquatic plants species.

9 **SECTION 72xj.** 23.24 (2) (b) (intro.) and 1. of the statutes, as created by 2001
10 Wisconsin Act 16, are consolidated, renumbered 23.24 (2) (b) and amended to read:

11 23.24 (2) (b) Under the program implemented under par. (a), the department
12 shall ~~do all of the following:~~ ~~1. Designate~~ designate by rule which aquatic plants are
13 invasive aquatic plants for purposes of this section. The department shall designate
14 Eurasian water milfoil, curly leaf pondweed, and purple loosestrife as invasive
15 aquatic plants and may designate any other aquatic plant as an invasive aquatic
16 plant if it has the ability to cause significant adverse change to desirable aquatic
17 habitat, to significantly displace desirable aquatic vegetation, or to reduce the yield
18 of products produced by aquaculture.

19 **SECTION 72xm.** 23.24 (2) (b) 2. of the statutes, as created by 2001 Wisconsin
20 Act 16, is renumbered 23.24 (2) (a) 4.

21 **SECTION 72xq.** 23.24 (2) (c) (intro.) of the statutes, as created by 2001 Wisconsin
22 Act 16, is amended to read:

23 23.24 (2) (c) (intro.) The requirements promulgated under par. ~~(b) 2.~~ (a) 4. may
24 specify any of the following:

1 **SECTION 72xv.** 23.24 (3) (a) (intro.) of the statutes, as created by 2001 Wisconsin
2 Act 16, is amended to read:

3 23.24 **(3)** (a) (intro.) Unless a person has a valid aquatic plant management
4 permit issued ~~under the program established under sub. (2) by the department,~~ no
5 person may do any of the following:”.

6 **100.** Page 28, line 8: after that line insert:

7 “**SECTION 78r.** 25.17 (71) of the statutes is created to read:

8 25.17 **(71)** (a) Before June 30, 2004, make an effort to commit to invest an
9 amount not less than \$50,000,000 in venture capital investment firms. The amount
10 that is committed to be invested under this paragraph shall be in addition to any
11 amount that is invested in venture capital investment firms before the effective date
12 of this paragraph [revisor inserts date]. In selecting the venture capital
13 investment firms in which to make investments, the board is subject to the standard
14 of responsibility under s. 25.15 (2) and shall consider all of the following factors:

15 1. The experience of the venture capital investment firms in making
16 investments.

17 2. The commitment of the venture capital investment firms to making venture
18 capital investments in health care, biotechnology, and other technological
19 industries.

20 3. The willingness of the venture capital investment firms to make at least 75%
21 of the investments in businesses headquartered in this state.

22 4. Whether the venture capital investment firms have a place of business in this
23 state.

1 5. The overall experience of the venture capital investment firms in making
2 investments in businesses that are in the venture capital stage.

3 6. The relationships that the venture capital investment firms have with
4 technology transfer organizations, such as the Wisconsin Alumni Research
5 Foundation, Inc.

6 7. The ability of the venture capital investment firms to do lead and follow-on
7 investments.

8 (b) Any venture capital investment firm in which the investment board makes
9 an investment under par. (a) shall make an effort to invest in businesses located in
10 the areas of Green Bay, Eau Claire, Madison, Janesville–Beloit, La Crosse, Stevens
11 Point–Marshfield, Racine–Kenosha, Milwaukee, Sheboygan–Manitowoc, Superior,
12 the Fox River Valley, and Wausau and within the boundaries of any federally
13 recognized Indian reservation. The investment board shall determine the
14 geographic boundaries of each area.

15 (c) Nothing in this subsection limits the authority of the board to make any
16 other investments that are otherwise authorized by law or restricts the authority of
17 the board or any venture capital investment firm to make investments in any area
18 of this state.”.

19 **101.** Page 28, line 8: after that line insert:

20 “**SECTION 80m.** 25.60 of the statutes, as affected by 2001 Wisconsin Act 16, is
21 amended to read:

22 **25.60 Budget stabilization fund.** There is created a separate nonlapsible
23 trust fund designated as the budget stabilization fund, consisting of moneys

1 transferred to the fund from the general fund under s. 16.518 (3) and moneys
2 deposited into the fund under 2001 Wisconsin Act ... (this act), section 9107 (1b)."

3 **102.** Page 28, line 8: after that line insert:

4 "SECTION 79q. 25.17 (16) (a) 1. of the statutes, as created by 2001 Wisconsin
5 Act 16, is repealed.

6 SECTION 79r. 25.17 (16) (a) 2. of the statutes, as created by 2001 Wisconsin Act
7 16, is amended to read:

8 25.17 (16) (a) 2. All proceeds of, and investment earnings on, investments of
9 the permanent endowment fund made under s. 25.18 (1) (p) that are received in the
10 fiscal year, less the amount transferred to the tobacco control fund under s. 13.101
11 (16) (b) in that year."

12 **103.** Page 29, line 3: after that line insert:

13 "SECTION 83s. 26.02 of the statutes is created to read:

14 **26.02 Council on forestry. (1) DUTIES.** The council on forestry shall advise
15 the governor, the legislature, the department of natural resources, the department
16 of commerce, and other state agencies, as determined to be appropriate by the
17 council, on all of the following topics as they affect forests located in this state:

18 (a) The protection of forests from fire, insects, and disease.

19 (b) The practice of sustainable forestry, as defined in s. 28.04 (1) (e).

20 (c) Reforestation and forestry genetics.

21 (d) Management and protection of urban forests.

22 (e) Increasing the public's knowledge and awareness of forestry issues.

23 (f) Forestry research.

1 (g) Increasing the economic development of the forestry industry and
2 employment in the forestry industry.

3 (h) Marketing and use of forest products.

4 (i) Legislation that impacts on the management of forest lands in this state.

5 (j) Staffing and funding needs for forestry programs conducted by the state.

6 **(2) REPORT.** (a) The council on forestry shall prepare a biennial report on the
7 status of the state's forest resources and forestry industry. The report shall include
8 a summary of each of the following:

9 1. The magnitude, nature, and extent of the forest resources in this state.

10 2. The current use in this state for forest products and the benefits that these
11 forest products provide to the state.

12 3. The projected future demand for forest products and the projected benefits
13 that these forest products will provide to the state in the future.

14 4. The types of owners and forms of ownership that apply to forests in this state,
15 including the reasons why persons own forest land.

16 5. The success of existing incentives that are offered to stimulate the
17 development of forest resources.

18 6. The possible economic opportunities in this state that may result if improved
19 forest-product marketing, and increased business dealing in or use of forest
20 products, occurs in this state.

21 7. Recommendations for increasing the economic development of the forestry
22 industry and employment in the forestry industry.

23 8. The effect of state and local governmental laws and policy on forestry
24 management and the location of markets for forest products.

1 9. Recommendations as to staffing and funding needs for forestry programs
2 and other conservation programs related to forestry that are conducted by the state
3 to support and enhance the development of forest resources.

4 10. Recommendations as to the need to increase the public’s knowledge and
5 awareness of forestry issues.

6 (b) The council on forestry shall submit the report under this subsection no
7 later than June 1 of each odd-numbered year for distribution to the governor and to
8 the appropriate standing committees of the legislature under s. 13.172 (3). The first
9 report shall be submitted no later than June 1, 2005. Each report shall cover the
10 24-month period ending on the December 31 immediately preceding the date of the
11 report.”.

12 **104.** Page 29, line 17: after that line insert:

13 “**SECTION 84j.** 29.001 (20) of the statutes is created to read:

14 29.001 (20) “Deer” means white-tailed deer and does not include farm-raised
15 deer.

16 **SECTION 84k.** 29.001 (22) of the statutes is created to read:

17 29.001 (22) “Elk” means elk that is present in the wild and that does not have
18 an ear tag or other mark identifying it as being raised on a farm.

19 **SECTION 84m.** 29.001 (36) of the statutes is amended to read:

20 29.001 (36) “Game animals” includes means deer, moose, elk, bear, rabbits,
21 squirrels, fox and, raccoon, and any other wild animals specified by the department.

22 **SECTION 84mb.** 29.024 (2) (a) of the statutes is amended to read:

1 29.024 (2) (a) ~~A~~ Except as provided in s. 29.182 (4), a hunting, trapping, or
2 fishing approval may be issued only to and obtained only by a natural person entitled
3 to the approval.

4 **SECTION 84md.** 29.024 (2) (d) of the statutes is amended to read:

5 29.024 (2) (d) Except as provided under s. 29.182 (4) or 29.519 (2) (d) or by rule,
6 no person may transfer his or her approval or permit the use of any approval by any
7 other person.

8 **SECTION 84mf.** 29.047 (1m) of the statutes is amended to read:

9 29.047 (1m) Unless prohibited by the laws of an adjoining state, any person
10 who has lawfully killed a deer or an elk in this state may take the deer or elk or its
11 carcass into the adjoining state and ship the deer or elk or carcass from any point in
12 the adjoining state to any point in this state.

13 **SECTION 84mh.** 29.089 (3) of the statutes is amended to read:

14 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
15 park, or in a portion of a state park, if the department has authorized by rule the
16 hunting of that type of game in the state park, or in the portion of the state park, and
17 if the person holds the approvals required under this chapter for hunting that type
18 of game.

19 **SECTION 84mj.** 29.161 of the statutes is amended to read:

20 **29.161 Resident small game hunting license.** A resident small game
21 hunting license shall be issued subject to s. 29.024 by the department to any resident
22 applying for this license. The resident small game hunting license does not authorize
23 the hunting of bear, deer, elk, or wild turkey.

24 **SECTION 84mm.** 29.171 (2) of the statutes is amended to read:

1 29.171 (2) A resident archer hunting license authorizes the hunting of all
2 game, except bear, elk, and wild turkey, during the open seasons for hunting that
3 game with bow and arrow established by the department. This license authorizes
4 hunting with a bow and arrow only, unless hunting with a crossbow is authorized by
5 a Class A, Class B, or Class C permit issued under s. 29.193 (2) or a permit issued
6 under sub. (4).

7 **SECTION 84mp.** 29.182 of the statutes is created to read:

8 **29.182 Elk hunting licenses. (1) DEPARTMENT AUTHORITY.** The department
9 may issue elk hunting licenses and may limit the number of elk hunters and elk
10 harvested in any area of the state. The department may establish by rule closed
11 zones where elk hunting is prohibited.

12 **(2) APPLICATION.** A person who applies for an elk hunting license under this
13 section shall pay the processing fee under s. 29.553 at the time of application.

14 **(3) AUTHORIZATION.** (a) A resident elk hunting license authorizes a resident of
15 this state to hunt elk with a firearm or bow and arrow, or with a crossbow, if the
16 resident has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that
17 authorizes hunting with a crossbow, or if the resident has a crossbow permit issued
18 under s. 29.171 (4) (a).

19 (b) A nonresident elk hunting license authorizes a nonresident of this state to
20 hunt elk with a firearm or with a bow and arrow.

21 **(4) ISSUANCE.** (a) Except as provided in pars. (c) and (d) and sub. (4m), if the
22 department issues elk hunting licenses, the department shall issue a resident or
23 nonresident elk hunting license to any person who applies for such a license, and who
24 pays the fees required for the license.

1 (b) In issuing resident elk hunting licenses and nonresident elk hunting
2 licenses under this section, the department shall determine the number of licenses
3 it will issue in a given elk hunting season and shall allocate the licenses to residents
4 and nonresidents in the following manner:

5 1. If the total number of licenses to be issued is 100 licenses or less, the licenses
6 shall be allocated for issuance only as resident elk hunting licenses.

7 2. If the number of licenses to be issued is more than 100 licenses, the first 100
8 licenses and 95% of the amount over 100 shall be allocated for issuance as resident
9 elk hunting licenses and the remaining licenses shall be allocated for issuance as
10 nonresident elk hunting licenses.

11 (c) If the number of applicants for resident elk hunting licenses exceeds the
12 number of resident elk hunting licenses that are available under par. (b), the
13 department shall select at random the residents to be issued the licenses. If the
14 number of applicants for resident elk hunting licenses is less than the number of
15 resident elk hunting licenses available under par. (b), the department shall
16 reallocate the unissued licenses to be issued as nonresident elk hunting licenses
17 under par. (d).

18 (d) If the number of applicants for nonresident elk hunting licenses exceeds the
19 number of nonresident elk hunting licenses that are available under par. (b), the
20 department shall select at random the nonresidents to be issued the licenses. If the
21 number of applicants for nonresident elk hunting licenses is less than the number
22 of nonresident elk hunting licenses available under par. (b), the department shall
23 reallocate the unissued licenses to be issued as resident elk hunting licenses.

24 (e) In addition to any other elk hunting license that the department issues
25 under this subsection, the department shall issue one resident elk hunting license

1 in an elk hunting season to an organization known as the Rocky Mountain Elk
2 Foundation if the organization applies for the license for that season and pays the
3 required fees for the license. The organization may apply for the license only during
4 the first 5 elk hunting seasons for which licenses are issued under this section.

5 (f) The organization known as the Rocky Mountain Elk Foundation shall award
6 the license that is issued under par. (e) as a prize in a raffle conducted by a subunit
7 of the organization that is licensed to conduct raffles under ch. 563.

8 (g) The organization known as the Rocky Mountain Elk Foundation shall
9 transfer the license awarded or under par. (f) only to a person who is qualified to
10 receive a resident elk hunting license and shall transfer to that person the carcass
11 tag and back tag that was issued by the department to the organization under subs.
12 (6) and (7).

13 (h) If the organization known as the Rocky Mountain Elk Foundation fails to
14 transfer the license under par. (g), the license shall become invalid, and the
15 department may issue another resident elk hunting license under this subsection.

16 (i) The organization known as the Rocky Mountain Elk Foundation shall use
17 the proceeds from the raffle under par. (f) in this state to promote elk management,
18 to promote the reintroduction of eastern elk, or to further elk research.

19 **(4m)** LIMITATION OF ONE LICENSE. A person may be issued, or transferred under
20 par. (g), only one resident elk hunting license in his or her lifetime, and the resident
21 elk hunting license shall be valid for only one elk hunting season. The issuance, or
22 transfer under par. (g), of the license to the person is subject to s. 29.024 (2g).

23 **(5)** FEES. Fees received from the issuance of licenses under this section shall
24 be credited to the appropriation account under s. 20.370 (1) (hq).

1 **(6) CARCASS TAG.** The department shall issue an elk carcass tag to each person
2 and organization who is issued an elk hunting license under this section.

3 **(7) BACK TAG.** (a) The department shall issue a back tag to each person and
4 organization who is issued an elk hunting license under this section.

5 (b) No person may hunt elk unless there is attached to the center of the person's
6 coat, shirt, jacket, or similar outermost garment where it can be clearly seen, the
7 back tag issued to the person under par. (a).

8 **SECTION 84n.** 29.204 of the statutes is amended to read:

9 **29.204 Nonresident annual small game hunting license.** A nonresident
10 annual small game hunting license shall be issued subject to s. 29.024 by the
11 department to any nonresident applying for this license. The nonresident annual
12 small game hunting license authorizes the hunting of small game during the
13 appropriate open season but does not authorize the hunting of deer, elk, bear, wild
14 turkey, or fur-bearing animals.

15 **SECTION 84nb.** 29.207 of the statutes is amended to read:

16 **29.207 Nonresident 5-day small game hunting license.** A nonresident
17 5-day small game hunting license shall be issued subject to s. 29.024 by the
18 department to any nonresident applying for this license. The nonresident 5-day
19 small game hunting license authorizes the hunting of small game for which there is
20 an open season during the 5-day period for which it is issued but does not authorize
21 the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

22 **SECTION 84nd.** 29.213 of the statutes is amended to read:

23 **29.213 Nonresident fur-bearing animal hunting license.** A nonresident
24 fur-bearing animal hunting license shall be issued subject to s. 29.024 by the
25 department to any nonresident applying for this license. The nonresident

1 fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox,
2 weasel, opossum, coyote, bobcat and cougar during the appropriate open season but
3 does not authorize the hunting of other fur-bearing animals, other small game, deer,
4 elk, or bear.

5 **SECTION 84nf.** 29.216 (2) of the statutes is amended to read:

6 29.216 (2) AUTHORIZATION. The nonresident archer hunting license authorizes
7 the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals,
8 during the open season for the hunting of that game with a bow and arrow. This
9 license authorizes hunting with a bow and arrow only unless hunting with a
10 crossbow is authorized by a Class A, Class B, or Class C permit issued under s.
11 29.193 (2).

12 **SECTION 84nh.** 29.314 (3) (title) of the statutes is amended to read:

13 29.314 (3) (title) SHINING DEER, ELK, OR BEAR WHILE HUNTING OR POSSESSING
14 WEAPONS PROHIBITED.

15 **SECTION 84nj.** 29.314 (3) (a) of the statutes is amended to read:

16 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a
17 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in
18 possession of a firearm, bow and arrow, or crossbow.

19 **SECTION 84nm.** 29.347 (title) of the statutes is amended to read:

20 **29.347 (title) Possession of deer and elk; heads and skins.**

21 **SECTION 84np.** 29.347 (2) of the statutes is amended to read:

22 29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s.
23 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler
24 of the deer a current validated deer carcass tag which is authorized for use on the
25 type of deer killed. Any person who kills an elk shall immediately attach to the ear

1 or antler of the elk a current validated elk carcass tag. Except as provided under sub.
2 (2m) or s. 29.871 (7), (8), or (14) or 29.89 (6), no person may possess, control, store,
3 or transport a deer carcass unless it is tagged as required under this subsection.
4 Except as provided under sub. (2m), no person may possess, control, store, or
5 transport an elk carcass unless it is tagged as required under this subsection. A
6 person who kills a deer or elk shall register the deer or elk in the manner required
7 by the department. The carcass tag may not be removed before registration. The
8 removal of a carcass tag from a deer or elk before registration renders the deer or elk
9 untagged.

10 **SECTION 84nq.** 29.347 (2m) (a) of the statutes is amended to read:

11 29.347 **(2m)** (a) A deer carcass tag attached under sub. (2) and a registration
12 tag attached by the department or a car kill tag attached under sub. (5) may be
13 removed from a gutted carcass at the time of butchering, but the person who killed
14 or obtained the deer or elk shall retain all tags until the meat is consumed.

15 **SECTION 84ns.** 29.347 (2m) (b) of the statutes is amended to read:

16 29.347 **(2m)** (b) Any person who retains a tag under par. (a) may give deer or
17 elk meat to another person. The person who receives the gift of deer or elk meat is
18 not required to possess a tag.

19 **SECTION 84nt.** 29.347 (3) of the statutes is amended to read:

20 29.347 **(3)** HEADS AND SKINS. The head and skin of any deer or elk lawfully
21 killed, when severed from the rest of the carcass, are not subject to this chapter; but
22 no person shall may have possession or control of the green head or green skin of a
23 deer or elk during the period beginning 30 days after the close of the ~~open deer~~
24 applicable season and the opening of the succeeding applicable season, ~~or.~~ Unless

1 authorized by the department, no person may at any time have possession or control
2 of a deer or elk head in the velvet, or a deer or elk skin in the red, blue, or spotted coat.

3 **SECTION 84nu.** 29.347 (4) of the statutes is amended to read:

4 29.347 (4) ~~ANTLERS REMOVED OR BROKEN. Any deer taken during an open season~~
5 ~~for hunting antlered deer only or for hunting antlerless deer only~~ from which the
6 antlers have been removed, broken, shed, or altered so as to make determination of
7 the legality of the deer impossible is an illegal deer if the deer is taken during an open
8 season for hunting only antlered deer or during an open season for hunting only
9 antlerless deer. Any elk from which the antlers have been removed, broken, shed,
10 or altered so as to make determination of the legality of the elk impossible is an illegal
11 elk if the elk is taken during an open season for hunting only antlered elk or during
12 an open season for hunting antlerless elk.

13 **SECTION 84nv.** 29.347 (6) of the statutes is repealed.

14 **SECTION 84pb.** 29.361 (title) of the statutes is amended to read:

15 **29.361 (title) Transportation of deer or elk.**

16 **SECTION 84pd.** 29.361 (1) of the statutes is amended to read:

17 29.361 (1) No common carrier may receive for transportation or transport or
18 attempt to transport any deer or elk or the carcass of any deer or elk except as
19 provided in this section.

20 **SECTION 84pr.** 29.361 (2) of the statutes is amended to read:

21 29.361 (2) Any person may transport a lawfully taken deer or elk if it is properly
22 tagged and registered, except as otherwise provided by rule during the open season
23 for deer or elk and for 3 days thereafter.

24 **SECTION 84pt.** 29.361 (2m) of the statutes is amended to read:

1 29.361 (2m) Any person may transport an antlerless deer killed under the
2 authority of his or her hunter’s choice, bonus, or other deer hunting permit on any
3 highway, as defined s. 340.01 (22), in order to register the deer in the deer
4 management area where the deer deer was killed or in an adjoining management
5 area.

6 **SECTION 84pv.** 29.361 (5) of the statutes is amended to read:

7 29.361 (5) This section does not apply to a person who has a valid taxidermist
8 permit and who is transporting, attempting to transport, or receiving the carcass of
9 a deer or elk in connection with his or her business.

10 **SECTION 84px.** 29.361 (6) of the statutes is repealed.

11 **SECTION 84rb.** 29.539 (1) (a) 1. of the statutes is amended to read:

12 29.539 (1) (a) 1. Deer, elk, bear, squirrel, game bird, game fish, or the carcass
13 of any of these wild animals at any time.

14 **SECTION 84rd.** 29.541 (1) (a) 1. of the statutes is amended to read:

15 29.541 (1) (a) 1. The meat of any deer, elk, bear, squirrel, game bird, or game
16 fish taken from inland waters at any time.

17 **SECTION 84rf.** 29.553 (1) (hm) of the statutes is created to read:

18 29.553 (1) (hm) Elk hunting license.

19 **SECTION 84rh.** 29.563 (2) (a) 5m. of the statutes is created to read:

20 29.563 (2) (a) 5m. Elk: \$39.25.

21 **SECTION 84rj.** 29.563 (2) (b) 3m. of the statutes is created to read:

22 29.563 (2) (b) 3m. Elk: \$199.25.

23 **SECTION 84rm.** 29.563 (12) (a) 5. of the statutes is created to read:

24 29.563 (12) (a) 5. Elk: \$13.

25 **SECTION 84rp.** 29.563 (14) (a) 3. of the statutes is created to read:

1 29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:
2 \$2.75.

3 **SECTION 84rr.** 29.563 (14) (c) 3. of the statutes is amended to read:

4 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
5 hunting permit, elk hunting license, wild turkey hunting license, Canada goose
6 hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping
7 permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25
8 cents.

9 **SECTION 84rt.** 29.567 of the statutes is created to read:

10 **29.567 Voluntary contributions; elk research.** (1) Any applicant for an
11 elk hunting license under s. 29.182 may, in addition to paying any fee charged for the
12 license, elect to make a voluntary contribution of at least \$1 to be used for elk
13 research.

14 (2) All moneys collected under sub. (1) shall be credited to the appropriation
15 account under s. 20.370 (1) (hq).

16 **SECTION 84sb.** 29.595 of the statutes is created to read:

17 **29.595 Elk hunter education program.** (1) ESTABLISHMENT. The
18 department shall establish and conduct an elk hunter education program.

19 (2) INSTRUCTION. The elk hunter education program shall provide a course of
20 instruction that includes all of the following:

21 (a) History and recovery of elk in this state and the eastern United States.

22 (b) Elk census and population estimation methods used in this state.

23 (c) Elk biology and disease prevention.

24 (d) Elk hunting techniques and hunter ethics.

25 (e) Elk hunting zones.

1 (f) Rules promulgated by the department concerning elk hunting.

2 (g) Native American hunting.

3 **(3)** CERTIFICATE OF ACCOMPLISHMENT. (a) The department shall issue a
4 certificate of accomplishment to a person who successfully completes the course of
5 instruction under the elk hunter education program.

6 (b) Except as provided in par. (c), no person may be issued an elk hunting license
7 unless he or she holds a valid certificate of accomplishment issued under this
8 subsection.

9 (c) A person may be issued an elk hunting license if the person holds evidence
10 that demonstrates to the satisfaction of the department that he or she has
11 successfully completed in another state or province an elk hunter education course
12 and if the course is recognized by the department under a reciprocity agreement with
13 that state or province.

14 **(4)** FEE PROHIBITED. The department may not charge a fee for the course of
15 instruction or the certificate of accomplishment.

16 **SECTION 84sd.** 29.875 (title) of the statutes is amended to read:

17 **29.875 (title) Disposal of escaped deer or elk.**

18 **SECTION 84sf.** 29.875 (1) of the statutes is renumbered 29.875 (1r).

19 **SECTION 84sg.** 29.875 (1g) of the statutes is created to read:

20 29.875 (1g) In this section, “deer” means any species of deer.

21 **SECTION 84sj.** 29.875 (2) of the statutes is amended to read:

22 29.875 (2) Notwithstanding sub. (1) ~~(1r)~~, the department may dispose of the
23 deer immediately if the department of agriculture, trade and consumer protection
24 determines that the deer poses a risk to public safety or to the health of other
25 domestic or wild animals.

1 **SECTION 84sm.** 29.889 (1) (f) of the statutes is created to read:

2 29.889 (1) (f) Elk, if the department has promulgated a rule that establishes
3 a season for hunting elk.

4 **SECTION 84sp.** 29.921 (7) of the statutes is amended to read:

5 29.921 (7) DOGS INJURING WILDLIFE. A warden may kill a dog found running,
6 injuring, causing injury to, or killing, any deer, ~~other than farm-raised deer~~ or elk,
7 or destroying game birds, their eggs, or nests, if immediate action is necessary to
8 protect the deer, elk, or game birds, their nests or eggs, from injury or death.

9 **SECTION 84sr.** 29.927 (8) of the statutes is amended to read:

10 29.927 (8) Any dog found running deer, ~~except farm-raised deer,~~ or elk at any
11 time, or used in violation of this chapter.

12 **SECTION 84st.** 29.934 (1) (e) of the statutes is amended to read:

13 29.934 (1) (e) This subsection does not apply to a deer killed, or so injured that
14 it must be killed, by a collision with a motor vehicle on a highway. ~~For purposes of~~
15 ~~this subsection, "deer" does not include farm-raised deer."~~

16 **105.** Page 29, line 17: after that line insert:

17 **"SECTION 84m.** 29.038 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
18 16, is amended to read:

19 29.038 (1) (a) "Local governmental unit" has the meaning given in s. ~~22.01~~
20 16.97 (7).".

21 **106.** Page 29, line 17: after that line insert:

22 **"SECTION 84n.** 26.39 (4) of the statutes, as created by 2001 Wisconsin Act 16,
23 is renumbered 26.39 (4) (a) and amended to read:

1 26.39 (4) (a) The department shall credit to the appropriation account under
2 s. 20.370 (1) (cu) the moneys received as surcharges under s. 28.06 (2m) during fiscal
3 year 2001–02, up to a total amount of \$300,000. The department shall credit any
4 balance over \$300,000 that remains from the moneys received as such surcharges
5 during fiscal year 2001–02 to the appropriation account under s. 20.370 (1) (cv).

6 **SECTION 84p.** 26.39 (4) (b) of the statutes is created to read:

7 26.39 (4) (b) For fiscal year 2002–03 and each fiscal year thereafter, the
8 department shall credit 50% of the moneys received as surcharges under s. 28.06
9 (2m) during the applicable fiscal year to the appropriation account under s. 20.370
10 (1) (cu) and the remaining 50% to the appropriation account under s. 20.370 (1) (cv).”.

11 **107.** Page 29, line 17: after that line insert:

12 **“SECTION 84nb.** 29.235 (2) of the statutes is amended to read:

13 29.235 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES.
14 A resident conservation patron license confers upon the licensee all the combined
15 privileges conferred by a resident small game hunting license, resident deer hunting
16 license, resident wild turkey hunting license, resident archer hunting license,
17 waterfowl hunting stamp, pheasant hunting stamp, a wild turkey hunting stamp,
18 resident annual fishing license, ~~sturgeon spearing license,~~ an inland waters trout
19 stamp, a Great Lakes trout and salmon stamp, and trapping license.

20 **SECTION 84nc.** 29.235 (2m) of the statutes is amended to read:

21 29.235 (2m) AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A
22 nonresident conservation patron license confers upon the licensee all the combined
23 privileges conferred by a nonresident small game hunting license, nonresident deer
24 hunting license, nonresident wild turkey hunting license, nonresident archer

1 hunting license, waterfowl hunting stamp, pheasant hunting stamp, a wild turkey
2 hunting stamp, nonresident annual fishing license, sturgeon spearing license, an
3 inland waters trout stamp, and a Great Lakes trout and salmon stamp.

4 **SECTION 84nf.** 29.237 (1) of the statutes is renumbered 29.237 (1) (intro.) and
5 amended to read:

6 29.237 (1) (intro.) In this section, ~~“validated”~~:

7 (b) “Validated” means marked with specified information in the manner
8 required by the department.

9 **SECTION 84ng.** 29.237 (1) (a) of the statutes is created to read:

10 29.237 (1) (a) “Lake Winnebago and upper Fox and Wolf rivers system” means
11 Buttes des Morts Lake, Winneconne Lake, Poygan Lake, Winnebago Lake, and all
12 of the following:

13 1. Each stream that flows into any of these lakes, from the mouth of the stream
14 upstream to the first dam on the stream.

15 2. The Fox River from the point that it flows into Lake Winnebago upstream
16 to the dam above the city of Princeton.

17 3. Each tributary of the Fox River from the point that it flows into the Fox River
18 upstream to the first dam on the tributary.

19 4. The Wolf River from its mouth upstream to the dam in the city of Shawano.

20 5. Each tributary of the Wolf River from the point that it flows into the Wolf
21 River to the first dam on the tributary.

22 **SECTION 84ni.** 29.237 (1m) (c) of the statutes is repealed.

23 **SECTION 84nk.** 29.237 (2) of the statutes is amended to read:

24 29.237 (2) The sturgeon spearing license shall be accompanied by sturgeon
25 carcass tags in the quantity to correspond with the season bag limit for spearing rock

1 or lake sturgeon established by the department. The serial numbers of these tags
2 shall be entered on the license by the person issuing the license or by the department.

3 **SECTION 84nL.** 29.237 (3) of the statutes is amended to read:

4 29.237 (3) A sturgeon spearing license authorizes the spearing of ~~rock~~ or lake
5 sturgeon subject to any limit imposed under s. 29.192 (3) and only during the open
6 season for spearing these sturgeon established by the department. No person may
7 fish for sturgeon by means of a spear ~~unless the person is issued a conservation~~
8 ~~patron license or~~ unless the person is issued a sturgeon spearing license. The
9 ~~conservation patron license or the~~ sturgeon spearing license shall be carried on the
10 person of the licensee at all times while fishing for sturgeon by means of a spear.

11 **SECTION 84nm.** 29.237 (4) of the statutes is amended to read:

12 29.237 (4) Any person having taken a ~~rock~~ or lake sturgeon by means of a spear
13 shall immediately attach a current, validated sturgeon carcass tag issued to that
14 person to the tail of the sturgeon. No person may possess, control, store or transport
15 a ~~rock~~ or lake sturgeon carcass unless it is tagged as required under this section.

16 **SECTION 84no.** 29.237 (5) of the statutes is created to read:

17 29.237 (5) The department shall deposit receipts from the sale of sturgeon
18 spearing licenses under this subsection into the conservation fund and shall credit
19 these receipts to the appropriation account under s. 20.370 (4) (kw).

20 **SECTION 84nr.** 29.503 (3) of the statutes is amended to read:

21 29.503 (3) ~~ROCK AND LAKE~~ LAKE STURGEON. A wholesale fish dealer license does
22 not authorize a person to sell, buy, barter, trade, possess, control or transport ~~rock~~
23 or lake sturgeon.

24 **SECTION 84nv.** 29.563 (3) (a) 10. of the statutes is created to read:

25 29.563 (3) (a) 10. Sturgeon spearing: \$19.25.

1 **SECTION 84nw.** 29.563 (3) (b) 7. of the statutes is created to read:

2 29.563 (3) (b) 7. Sturgeon spearing: \$49.25.

3 **SECTION 84nx.** 29.563 (3) (d) (title) and 2. of the statutes are consolidated and
4 renumbered 29.563 (3) (d).

5 **SECTION 84ny.** 29.563 (3) (d) 1. of the statutes is repealed.

6 **SECTION 84pd.** 29.569 (3) (b) of the statutes, as affected by 2001 Wisconsin Act
7 77, is amended to read:

8 29.569 (3) (b) *Restrictions on issuance of sturgeon spearing licenses during the*
9 *open season.* Except as provided in par. (bm), no sturgeon spearing license may be
10 issued during a period beginning on November 1 and ending on the last day of the
11 open season for the spearing of ~~rock~~ or lake sturgeon that follows that November 1.

12 **SECTION 84pf.** 29.569 (3) (bm) (intro.) of the statutes, as created by 2001
13 Wisconsin Act 77, is amended to read:

14 29.569 (3) (bm) *Exceptions.* (intro.) A sturgeon spearing license may be issued
15 during a period beginning on November 1 and ending on the last day of the open
16 season for the spearing of ~~rock~~ or lake sturgeon that follows that November 1 to any
17 of the following:”.

18 **108.** Page 29, line 17: after that line insert:

19 “**SECTION 84m.** 29.053 (1) of the statutes is amended to read:

20 29.053 (1) All fishing seasons on inland waters shall open on a Saturday. All
21 fishing seasons on inland waters and outlying waters shall close on a Sunday.

22 **SECTION 84r.** 29.404 (1m) of the statutes is created to read:

23 29.404 (1m) REMOVAL DATE. If the department establishes by order or by rule
24 a date no later than which a building, vehicle, tent, fish shanty, or similar shelter

1 must be removed from the ice under the authority granted the department under
2 sub. (1), that date shall always fall on a Sunday.”.

3 **109.** Page 30, line 3: after that line insert:

4 “**SECTION 86g.** 29.971 (3m) of the statutes is amended to read:

5 29.971 (**3m**) For unlawfully hunting a moose ~~or an elk~~, by a forfeiture of not
6 less than \$1,000 nor more than \$2,000 and the mandatory revocation of all hunting
7 approvals issued to the person. In addition, no hunting approval may be issued to
8 the person for the time period specified by the court. The time period specified shall
9 be not less than 3 years nor more than 5 years following the date of conviction under
10 this subsection.

11 **SECTION 86r.** 29.971 (11g) of the statutes is created to read:

12 29.971 (**11g**) (a) For hunting elk without a valid elk hunting license, for
13 possessing an elk that does not have an elk carcass tag attached, for possessing an
14 elk during the closed season, by a fine of not less than \$1,000 nor more than \$15,000
15 or by imprisonment for not more than 6 months or both for the first violation, or by
16 a fine of not more than \$20,000 or imprisonment for not more than one year or both
17 for any subsequent violation. In addition, the court shall revoke all hunting and
18 trapping approvals issued to the person under this chapter and shall prohibit the
19 issuance of any new hunting and trapping approvals under this chapter to the person
20 for 5 years.

21 (b) Except as provided under par. (a), for the violation of any provision of this
22 chapter or rules promulgated under this chapter relating to elk hunting or to the
23 violation of an elk carcass tag or registration of an elk, by a forfeiture of not more than
24 \$5,000.”.

1 **110.** Page 30, line 17: after that line insert:

2 “**SECTION 88b.** 29.977 (1) (am) of the statutes is created to read:

3 29.977 (1) (am) Any elk, \$2,000.

4 **SECTION 88e.** 29.977 (1) (b) of the statutes is amended to read:

5 29.977 (1) (b) Any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
6 \$262.50.

7 **SECTION 88g.** 29.977 (1) (m) of the statutes is amended to read:

8 29.977 (1) (m) Any game or fur-bearing animal or bird not mentioned in pars.
9 ~~(b)~~ (am) to (h), \$17.50.

10 **SECTION 88m.** 29.983 (1) (b) 1m. of the statutes is created to read:

11 29.983 (1) (b) 1m. Any elk, \$2,000.

12 **SECTION 88n.** 29.983 (1) (b) 2. of the statutes is amended to read:

13 29.983 (1) (b) 2. For any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
14 \$262.50.

15 **SECTION 88p.** 29.983 (1) (b) 13. of the statutes is amended to read:

16 29.983 (1) (b) 13. For any game or fur-bearing animal or bird not mentioned
17 in subs. ~~2.~~ 1m. to 8., \$17.50.”.

18 **111.** Page 30, line 17: after that line insert:

19 “**SECTION 88g.** 29.977 (1) (i) of the statutes is amended to read:

20 29.977 (1) (i) Any muskellunge or ~~rock~~ ~~or~~ lake sturgeon, \$43.75.

21 **SECTION 88r.** 29.983 (1) (b) 9. of the statutes is amended to read:

22 29.983 (1) (b) 9. For any muskellunge, ~~rock~~ ~~sturgeon~~ or lake sturgeon, \$43.75.”.

23 **112.** Page 30, line 17: after that line insert:

24 “**SECTION 88g.** 30.1255 (title) of the statutes is amended to read:

1 **30.1255** (title) **Control Report on control of aquatic nuisance species.**

2 **SECTION 88q.** 30.1255 (3) (a) (intro.) of the statutes is amended to read:

3 30.1255 (3) (a) (intro.) The department shall submit periodically to the
4 legislature biennial reports describing all of the following:

5 **SECTION 88qm.** 30.1255 (3) (b) of the statutes is amended to read:

6 30.1255 (3) (b) The department shall submit the first report required under
7 par. (a) before July 1, 1994, and shall submit subsequent reports before July 1 of each
8 even-numbered year thereafter. Beginning with the report due before July 1, 2004,
9 the department shall submit each report required under par. (a) as part of the
10 corresponding biennial report under s. 23.22 (6).

11 **SECTION 88r.** 30.1255 (3) (c) of the statutes is repealed.”.

12 **113.** Page 31, line 17: after that line insert:

13 “**SECTION 93d.** 36.25 (11) (em) of the statutes is created to read:

14 36.25 (11) (em) The laboratory of hygiene board shall create and maintain a
15 roster of scientists and other persons with technical expertise who are willing to work
16 for the laboratory of hygiene if the governor declares that an emergency related to
17 public health exists. If the governor declares such an emergency, the laboratory of
18 hygiene board shall hire as limited-term employees the requisite number of persons
19 from the roster to assist the department of health and family services under s.
20 250.042. Salaries, benefits, and training of these employees shall be paid from the
21 appropriation under s. 20.285 (1) (fg).”.

22 **114.** Page 31, line 17: after that line insert:

23 “**SECTION 93m.** 36.25 (38) (b) 6. of the statutes, as affected by 2001 Wisconsin
24 Act 16, is amended to read:

1 36.25 (38) (b) 6. To pay the department of ~~electronic government~~
2 administration for telecommunications services provided under s. ~~22.05 16.972~~ (1).”.

3 **115.** Page 31, line 17: after that line insert:

4 “**SECTION 93m.** 36.25 (38) (a) of the statutes is amended to read:

5 36.25 (38) (a) In this subsection, “educational technology” has the meaning
6 given in s. ~~44.70 (3)~~ 115.997 (3).”.

7 **116.** Page 31, line 17: after that line insert:

8 “**SECTION 93r.** 36.27 (1) (a) of the statutes is amended to read:

9 36.27 (1) (a) Subject to pars. (am), (b) ~~and~~, (c), and (cm), the board may establish
10 for different classes of students differing tuition and fees incidental to enrollment in
11 educational programs or use of facilities in the system. Except as otherwise provided
12 in this section, the board may charge any student who is not exempted by this section
13 a nonresident tuition. The board may establish special rates of tuition and fees for
14 the extension and summer sessions and such other studies or courses of instruction
15 as the board deems advisable.

16 **SECTION 93s.** 36.27 (1) (cm) of the statutes is created to read:

17 36.27 (1) (cm) The board shall charge a student who has completed more than
18 165 credits toward a first baccalaureate degree academic fees or tuition sufficient to
19 recover the full cost of any additional course work.”.

20 **117.** Page 31, line 17: after that line insert:

21 “**SECTION 93f.** 36.34 (1) (c) of the statutes is created to read:

22 36.34 (1) (c) 1. In this paragraph:

1 a. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
2 fiscal year 2003–04, “base amount” means the amount shown in the schedule under
3 s. 20.005 for that appropriation for fiscal year 2002–03.

4 b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
5 each fiscal year after fiscal year 2003–04, “base amount” means the appropriation
6 determined under subd. 2. for the previous fiscal year.

7 2. Annually, by February 1, the board shall determine the appropriation under
8 s. 20.285 (4) (dd) for the next fiscal year as follows:

9 a. The board shall determine the percentage by which the undergraduate
10 academic fees charged for the current academic year at each institution within the
11 University of Wisconsin System has increased or decreased from the undergraduate
12 academic fees charged for the previous academic year.

13 b. The appropriation for the next fiscal year shall be the result obtained by
14 increasing, to the nearest \$100, the base amount by the highest percentage increase
15 determined under subd. 2. a., except that, if the undergraduate academic fees for the
16 current academic year decreased or did not change from the undergraduate
17 academic fees charged for the previous academic year at each institution specified
18 in subd. 2. a., the appropriation shall be the base amount.”.

19 **118.** Page 32, line 2: after that line insert:

20 “**SECTION 94m.** 38.04 (28m) of the statutes is created to read:

21 38.04 (**28m**) ADVERTISING; FUNDING. The board may not use any general purpose
22 revenue for advertising.”.

23 **119.** Page 32, line 15: after that line insert:

24 “**SECTION 99r.** 39.435 (7) of the statutes is created to read:

1 39.435 (7) (a) In this subsection:

2 1. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
3 fiscal year 2003–04, “base amount” means the amount shown in the schedule under
4 s. 20.005 for that appropriation for fiscal year 2002–03.

5 2. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
6 each fiscal year after fiscal year 2003–04, “base amount” means the maximum
7 appropriation amount determined under par. (b) for the previous fiscal year.

8 (b) Annually, by February 1, the board shall determine the appropriation under
9 s. 20.235 (1) (fe) for the next fiscal year as follows:

10 1. The board shall determine the percentage by which the undergraduate
11 academic fees charged for the current academic year at each institution within the
12 University of Wisconsin System has increased or decreased from the undergraduate
13 academic fees charged for the previous academic year.

14 2. The appropriation for the next fiscal year shall be the result obtained by
15 increasing, to the nearest \$100, the base amount by the highest percentage increase
16 determined under subd. 1., except that, if the undergraduate academic fees for the
17 current academic year decreased or did not change from the undergraduate
18 academic fees charged for the previous academic year at each institution specified
19 in subd. 1., the appropriation shall be the base amount.”.

20 **120.** Page 32, line 23: after that line insert:

21 “**SECTION 100j.** 41.19 of the statutes, as affected by 2001 Wisconsin Act 16, is
22 repealed.”.

23 **121.** Page 32, line 23: after that line insert:

24 “**SECTION 100hn.** 41.11 (6) of the statutes is created to read:

1 20.515 (2) (g) shall equal the amount necessary to pay all principal and interest costs
2 on the loan, less any amount that is lapsed to the general fund under s. 20.515 (2)
3 (a) at the end of the 2001-03 fiscal biennium. The secretary of administration may
4 lapse the amounts under s. 20.515 (2) (g) in installments.”.

5 **124.** Page 33, line 2: after that line insert:

6 “**SECTION 100n.** 46.03 (18) (am) of the statutes is amended to read:

7 46.03 (18) (am) Paragraph (a) does not prevent the department from charging
8 and collecting the cost of adoptive placement investigations and child care as
9 authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county
10 department under s. 51.42 or 51.437 from charging and collecting the cost of an
11 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).”.

12 **125.** Page 33, line 2: after that line insert:

13 “**SECTION 100ng.** 45.358 (3) (g) of the statutes is amended to read:

14 45.358 (3) (g) A veteran who was discharged or released from active duty in the
15 U.S. armed forces under honorable conditions and who was a resident of the state for
16 at least 5 12 consecutive years months after completing entering or reentering
17 service on active duty.

18 **SECTION 100nm.** 45.43 (1) (title) of the statutes is amended to read:

19 45.43 (1) (title) ELECTION OR APPOINTMENT.

20 **SECTION 100nq.** 45.43 (1) (a) of the statutes is amended to read:

21 45.43 (1) (a) Except as provided under par. (b), the county board shall elect a
22 county veterans’ service officer who shall be a Wisconsin resident who served on
23 active duty, other than active duty for training, under honorable conditions in the
24 U.S. armed forces or in forces incorporated as part of the U.S. armed forces ~~for 2~~

1 ~~consecutive years, except service on active duty for training purposes. An individual~~
2 ~~who is discharged for reasons of hardship or a service-connected disability or~~
3 ~~released due to a reduction in the U.S. armed forces or for the good of the service prior~~
4 ~~to the completion of the required period of service is eligible for election to the office,~~
5 ~~regardless of the actual time served~~ and who meets at least one of the conditions
6 listed in s. 45.35 (5) (a) 1. a. to d. and at least one of the conditions listed in s. 45.35
7 (5) (a) 2. a. to c.

8 **SECTION 100ns.** 45.43 (1) (am) of the statutes is created to read:

9 45.43 (1) (am) Except as provided under par. (b), the county board may appoint
10 assistant county veterans' service officers who shall be Wisconsin residents who
11 served on active duty, other than active duty for training, under honorable conditions
12 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and
13 who meet at least one of the conditions listed in s. 45.35 (5) (a) 1. a. to d. and at least
14 one of the conditions listed in s. 45.35 (5) (a) 2. a. to c.

15 **SECTION 100nv.** 45.43 (7m) (a) of the statutes, as created by 2001 Wisconsin Act
16 16, is amended to read:

17 45.43 (7m) (a) Annually, from the appropriation under s. 20.485 (2) (s), the
18 department shall award grants to counties that are not served by transportation
19 services provided by the Wisconsin department of Disabled American Veterans to
20 develop, maintain, and expand transportation services for disabled veterans. The
21 grants may be used to support ~~multi-county~~ multicounty cooperative transportation
22 services.”.

23 **126.** Page 33, line 2: after that line insert:

1 **SECTION 100ng.** Subchapter IV (title) of chapter 44 [precedes 44.70] of the
2 statutes is repealed.

3 **SECTION 100nh.** 44.70 (intro.) of the statutes is renumbered 115.997 (intro.).

4 **SECTION 100nhm.** 44.70 (1) of the statutes is repealed.

5 **SECTION 100nj.** 44.70 (1d) of the statutes, as created by 2001 Wisconsin Act 16,
6 is renumbered 115.997 (1d).

7 **SECTION 100nk.** 44.70 (1m) of the statutes, as affected by 2001 Wisconsin Act
8 104, is renumbered 115.997 (1m).

9 **SECTION 100nL.** 44.70 (2) of the statutes is repealed.

10 **SECTION 100nm.** 44.70 (2g) of the statutes, as affected by 2001 Wisconsin Acts
11 16 and 57, is renumbered 115.997 (2g).

12 **SECTION 100nn.** 44.70 (3) of the statutes is renumbered 115.997 (3).

13 **SECTION 100no.** 44.70 (3d) of the statutes, as created by 2001 Wisconsin Act
14 16, is renumbered 115.997 (3d).

15 **SECTION 100nom.** 44.70 (3g) of the statutes is renumbered 115.997 (3g).

16 **SECTION 100np.** 44.70 (3j) of the statutes is renumbered 115.997 (3j).

17 **SECTION 100npn.** 44.70 (3m) of the statutes is renumbered 115.997 (3m).

18 **SECTION 100nq.** 44.70 (3r) of the statutes, as created by 2001 Wisconsin Act
19 16, is renumbered 115.997 (3r).

20 **SECTION 100nqm.** 44.70 (4) of the statutes, as affected by 2001 Wisconsin Act
21 16, is renumbered 115.997 (4).

22 **SECTION 100nr.** 44.70 (5) and (6) of the statutes are renumbered 115.997 (5)
23 and (6).

24 **SECTION 100nrm.** 44.71 (title) of the statutes is repealed.

25 **SECTION 100ns.** 44.71 (1) of the statutes is repealed.

1 **SECTION 100nsg.** 44.71 (2) (title) of the statutes is repealed.

2 **SECTION 100nsm.** 44.71 (2) (intro.) and (1m) of the statutes, as affected by 2001
3 Wisconsin Act 16, are renumbered 115.998 (intro.) and (1m) and amended to read:

4 **115.998 Technology for educational achievement in Wisconsin;**
5 **departmental duties.** (intro.) The ~~board~~ department shall do all of the following:

6 **(1m)** In cooperation with school districts, cooperative educational service
7 agencies, the technical college system board, and the board of regents of the
8 University of Wisconsin System ~~and the department~~, promote the efficient,
9 cost-effective procurement, installation, and maintenance of educational technology
10 by school districts, cooperative educational service agencies, technical college
11 districts, and the University of Wisconsin System.

12 **SECTION 100nt.** 44.71 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
13 16, is renumbered 115.998 (2m).

14 **SECTION 100ntm.** 44.71 (2) (c) of the statutes, as affected by 2001 Wisconsin
15 Act 16, is renumbered 115.998 (3m) and amended to read:

16 115.998 **(3m)** ~~With the consent of the department, enter~~ Enter into cooperative
17 purchasing agreements under s. 16.73 (1) under which participating school districts
18 and cooperative educational service agencies may contract for their professional
19 employees to receive training concerning the effective use of educational technology.

20 **SECTION 100nu.** 44.71 (2) (d) of the statutes, as affected by 2001 Wisconsin Act
21 16, is renumbered 115.998 (4) and amended to read:

22 115.998 **(4)** In cooperation with the board of regents of the University of
23 Wisconsin System, the technical college system board, ~~the department of public~~
24 ~~instruction~~ and other entities, support the development of courses for the instruction

1 of professional employees who are licensed by the state superintendent of public
2 instruction concerning the effective use of educational technology.

3 **SECTION 100num.** 44.71 (2) (e) of the statutes, as affected by 2001 Wisconsin
4 Act 16, is renumbered 115.998 (5) and amended to read:

5 115.998 (5) ~~Subject to s. 44.73 (5), in cooperation with the department, provide~~
6 Provide telecommunications access to educational agencies under the program
7 established under s. 44.73 115.9995.

8 **SECTION 100nv.** 44.71 (2) (f) of the statutes, as affected by 2001 Wisconsin Act
9 16, is renumbered 115.998 (6) and amended to read:

10 115.998 (6) No later than October 1 of each even-numbered year, submit a
11 biennial report concerning the board's department's activities under this subchapter
12 to the governor, and to the appropriate standing committees of the legislature under
13 s. 13.172 (3).

14 **SECTION 100nvm.** 44.71 (2) (g) of the statutes, as affected by 2001 Wisconsin
15 Act 16, is renumbered 115.998 (7) and amended to read:

16 115.998 (7) Coordinate the purchasing of educational technology materials,
17 supplies, equipment, and contractual services for school districts, cooperative
18 educational service agencies, technical college districts, and the board of regents of
19 the University of Wisconsin System by the department of administration under s.
20 16.72 (8), and, ~~in cooperation with the department and subject to the approval of the~~
21 ~~department of electronic government,~~ establish standards and specifications for
22 purchases of educational technology hardware and software by school districts,
23 cooperative educational service agencies, technical college districts, and the board
24 of regents of the University of Wisconsin System.

1 **SECTION 100nw.** 44.71 (2) (h) of the statutes, as affected by 2001 Wisconsin Act
2 16, is renumbered 115.998 (8) and amended to read:

3 115.998 (8) ~~With the approval of the department of electronic government,~~
4 ~~purchase~~ Purchase educational technology equipment for use by school districts,
5 cooperative educational service agencies, and public educational institutions in this
6 state and permit the districts, agencies, and institutions to purchase or lease the
7 equipment, with an option to purchase the equipment at a later date. This paragraph
8 subsection does not require the purchase or lease of any educational technology
9 equipment from the ~~board~~ department.

10 **SECTION 100nwm.** 44.71 (2) (i) of the statutes, as created by 2001 Wisconsin
11 Act 16, is renumbered 115.998 (9).

12 **SECTION 100nwt.** 44.71 (3) of the statutes, as affected by 2001 Wisconsin Act
13 104, is repealed.

14 **SECTION 100nx.** 44.72 (title) of the statutes is renumbered 115.999 (title).

15 **SECTION 100ny.** 44.72 (1) (intro.) of the statutes, as affected by 2001 Wisconsin
16 Act 16, is renumbered 115.999 (1) (intro.) and amended to read:

17 115.999 (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE
18 GRANTS. (intro.) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (et), the ~~board~~
19 department shall award grants to cooperative educational service agencies and to
20 consortia consisting of 2 or more school districts, charter school sponsors, secured
21 correctional facilities, or cooperative educational service agencies, or one or more
22 school districts, charter school sponsors, secured correctional facilities, or
23 cooperative educational service agencies and one or more public library boards, to
24 provide technical assistance and training in the use of educational technology. An
25 applicant for a grant shall submit to the ~~board~~ department a plan that specifies the

1 school districts, charter school sponsors, secured correctional facilities, and public
2 library boards that will participate in the program and describes how the funds will
3 be allocated. The ~~board~~ department shall do all of the following:

4 **SECTION 100nym.** 44.72 (1) (a) of the statutes is renumbered 115.999 (1) (a) and
5 amended to read:

6 115.999 (1) (a) Award grants to applicants on a competitive basis through one
7 funding cycle annually, except that the ~~board~~ department shall ensure that at least
8 one grant is awarded annually to an applicant located in the territory of each
9 cooperative educational service agency.

10 **SECTION 100nz.** 44.72 (1) (b) and (c) of the statutes are renumbered 115.999
11 (1) (b) and (c).

12 **SECTION 100nzm.** 44.72 (2) (title) of the statutes is renumbered 115.999 (2)
13 (title).

14 **SECTION 100oa.** 44.72 (2) (b) 1. of the statutes is renumbered 115.999 (2) (b) 1.

15 **SECTION 100ob.** 44.72 (2) (b) 2. of the statutes, as affected by 2001 Wisconsin
16 Act 104, is renumbered 115.999 (2) (b) 2. and amended to read:

17 115.999 (2) (b) 2. From the appropriations under s. ~~20.275 (1)~~ 20.255 (4) (f), (im),
18 (jm), (js), and (mp), annually the ~~board~~ department shall pay \$5,000 to each eligible
19 school district and \$5,000 to the department of corrections for each eligible
20 correctional facility. The department of corrections shall allocate funds received
21 under this subsection among the eligible secured correctional facilities as it deems
22 appropriate. The ~~board~~ department shall distribute the balance in the appropriation
23 to eligible school districts and to charter school sponsors in proportion to the
24 weighted membership of each school district and in proportion to the number of
25 pupils attending each charter school on the 3rd Friday of September. The weighted

1 membership for a school district shall be determined by dividing the statewide
2 average equalized valuation per member by the school district's equalized valuation
3 per member and multiplying the result by the school district's membership, as
4 defined in s. 121.004 (5).

5 **SECTION 100oc.** 44.72 (2) (c) of the statutes, as affected by 2001 Wisconsin Act
6 16, is renumbered 115.999 (2) (c) and amended to read:

7 115.999 (2) (c) A school district is eligible for a grant under par. (b) 2. only if the
8 annual meeting in a common school district, or the school board in a unified school
9 district or in a school district operating under ch. 119, adopts a resolution requesting
10 the grant. A secured correctional facility is eligible for a grant under par. (b) 2. only
11 if the secretary of corrections submits a written request to the ~~board~~ department.
12 A charter school sponsor is eligible for a grant under par. (b) 2. only if it submits a
13 written request to the ~~board~~ department. A grant under this subsection may not be
14 used to replace funding available from other sources.

15 **SECTION 100od.** 44.72 (2) (d) of the statutes, as affected by 2001 Wisconsin Act
16 16, is renumbered 115.999 (2) (d).

17 **SECTION 100oe.** 44.72 (2) (e) of the statutes is renumbered 115.999 (2) (e) and
18 amended to read:

19 115.999 (2) (e) The ~~board~~ department shall distribute the grants under par. (b)
20 2. annually on the first Monday in February.

21 **SECTION 100of.** 44.72 (3) of the statutes, as created by 2001 Wisconsin Act 16,
22 is renumbered 115.999 (3) and amended to read:

23 115.999 (3) COMPUTER TRAINING. Annually, the ~~board~~ department shall pay to
24 the Racine Unified School District the amount appropriated under s. ~~20.275 (1)~~

1 20.255 (4) (q) for training teachers and pupils in computers, including training in use
2 of the Internet, Web design, computer animation, graphic design, and video skills.

3 **SECTION 100og.** 44.72 (4) (title) of the statutes is renumbered 115.999 (4) (title).

4 **SECTION 100oh.** 44.72 (4) (a), (b) and (c) of the statutes, as affected by 2001
5 Wisconsin Act 16, are renumbered 115.999 (4) (a), (b) and (c) and amended to read:

6 115.999 (4) (a) *Financial assistance authorized.* The ~~board~~ department may
7 provide financial assistance under this subsection to school districts and charter
8 school sponsors from the proceeds of public debt contracted under s. 20.866 (2) (zc)
9 and to public library boards from the proceeds of public debt contracted under s.
10 20.866 (2) (zcm). Financial assistance under this subsection may be used only for the
11 purpose of upgrading the electrical wiring of school and library buildings in existence
12 on October 14, 1997, and installing and upgrading computer network wiring.

13 (b) *Financial assistance applications, terms and conditions.* The ~~board~~
14 department shall establish application procedures for, and the terms and conditions
15 of, financial assistance under this subsection, including a condition requiring a
16 charter school sponsor to use financial assistance under this subsection for wiring
17 upgrading and installation that benefits pupils attending the charter school. The
18 ~~board~~ department shall make a loan to a school district, charter school sponsor, or
19 public library board in an amount equal to 50% of the total amount of financial
20 assistance for which the ~~board~~ department determines the school district, charter
21 school sponsor, or public library board is eligible and provide a grant to the school
22 district, charter school sponsor, or public library board for the remainder of the total.
23 The terms and conditions of any financial assistance under this subsection may
24 include provision of professional building construction services under s. 16.85 (15).
25 The ~~board~~ department shall determine the interest rate on loans under this

1 subsection. The interest rate shall be as low as possible but shall be sufficient to fully
2 pay all interest expenses incurred by the state in making the loans and to provide
3 reserves that are reasonably expected to be required in the judgment of the ~~board~~
4 department to ensure against losses arising from delinquency and default in the
5 repayment of the loans. The term of a loan under this subsection may not exceed 10
6 years.

7 (c) *Repayment of loans.* The ~~board~~ department shall credit all moneys received
8 from school districts and charter school sponsors for repayment of loans under this
9 subsection to the appropriation account under s. ~~20.275 (1)~~ 20.255 (4) (h). The ~~board~~
10 department shall credit all moneys received from public library boards for
11 repayment of loans under this subsection to the appropriation account under s.
12 ~~20.275 (1)~~ 20.255 (4) (hb).

13 **SECTION 100oi.** 44.72 (4) (d) of the statutes is renumbered 115.999 (4) (d) and
14 amended to read:

15 115.999 (4) (d) *Funding for financial assistance.* The ~~board~~ department, with
16 the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm),
17 may request that the building commission contract public debt in accordance with
18 ch. 18 to fund financial assistance under this subsection.

19 **SECTION 100oj.** 44.73 (title) of the statutes is renumbered 115.9995 (title).

20 **SECTION 100ok.** 44.73 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
21 is renumbered 115.9995 (1) and amended to read:

22 115.9995 (1) Except as provided in s. 196.218 (4t), the ~~board, in consultation~~
23 ~~with the department and subject to the approval of the department of electronic~~
24 ~~government~~ department, shall promulgate rules establishing an educational

1 telecommunications access program to provide educational agencies with access to
2 data lines and video links.

3 **SECTION 100oL.** 44.73 (2) (intro.) of the statutes is renumbered 115.9995 (2)
4 (intro.).

5 **SECTION 100om.** 44.73 (2) (a) of the statutes, as affected by 2001 Wisconsin Act
6 16, is renumbered 115.9995 (2) (a) and amended to read:

7 115.9995 (2) (a) Allow an educational agency to make a request to the board
8 department for access to either one data line or one video link, except that any
9 educational agency may request access to additional data lines if the agency shows
10 to the satisfaction of the board department that the additional data lines are more
11 cost-effective than a single data line and except that a school district that operates
12 more than one high school or a public library board that operates more than one
13 library facility may request access to both a data line and a video link and access to
14 more than one data line or video link.

15 **SECTION 100on.** 44.73 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
16 16, is renumbered 115.9995 (2) (b).

17 **SECTION 100op.** 44.73 (2) (c) of the statutes is renumbered 115.9995 (2) (c).

18 **SECTION 100oq.** 44.73 (2) (d) of the statutes is renumbered 115.9995 (2) (d) and
19 amended to read:

20 115.9995 (2) (d) Require an educational agency to pay the department of
21 administration not more than \$250 per month for each data line or video link that
22 is provided to the educational agency under the program established under sub. (1),
23 except that the charge may not exceed \$100 per month for each data line or video link
24 that relies on a transport medium that operates at a speed of 1.544 megabits per
25 second.

1 **SECTION 100or.** 44.73 (2) (e) of the statutes is renumbered 115.9995 (2) (e).

2 **SECTION 100os.** 44.73 (2) (f) of the statutes, as created by 2001 Wisconsin Act
3 16, is renumbered 115.9995 (2) (f).

4 **SECTION 100ot.** 44.73 (2g) of the statutes, as created by 2001 Wisconsin Act 16,
5 is renumbered 115.9995 (2g).

6 **SECTION 100ou.** 44.73 (2r) of the statutes, as created by 2001 Wisconsin Act 16,
7 is renumbered 115.9995 (2r), and 115.9995 (2r) (c), as renumbered, is amended to
8 read:

9 115.9995 (**2r**) (c) A public library board shall provide the ~~technology for~~
10 ~~educational achievement in Wisconsin board department~~ with written notice within
11 30 days after entering into or modifying a shared service agreement under par. (a).

12 **SECTION 100ov.** 44.73 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
13 is repealed.

14 **SECTION 100ovm.** 44.73 (4) of the statutes is renumbered 115.9995 (4).

15 **SECTION 100ow.** 44.73 (5) of the statutes is repealed.

16 **SECTION 100ox.** 44.73 (6) (a) of the statutes, as affected by 2001 Wisconsin Act
17 16, is renumbered 115.9995 (6) (a) and amended to read:

18 115.9995 (**6**) (a) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (s) or
19 (tm), the ~~board department~~ may award an annual grant to a school district or private
20 school that had in effect on October 14, 1997, a contract for access to a data line or
21 video link, as documented by the ~~board department~~. The ~~board department~~ shall
22 determine the amount of the grant, which shall be equal to the cost incurred by the
23 state to provide telecommunications access to a school district or private school
24 under a contract entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the
25 amount that the school district or private school would be paying under sub. (2) (d)

1 if the school district or private school were participating in the program established
2 under sub. (1), except that the amount may not be greater than the cost that a school
3 district or private school incurs under the contract in effect on October 14, 1997. A
4 school district or private school receiving a grant under this subsection is not eligible
5 to participate in the program under sub. (1). No grant may be awarded under this
6 subsection after December 31, 2005.

7 **SECTION 100oy.** 44.73 (6) (b) of the statutes, as created by 2001 Wisconsin Act
8 16, is renumbered 115.9995 (6) (b) and amended to read:

9 115.9995 (6) (b) Notwithstanding par. (a), the ~~board~~ department may award a
10 school district that operates more than one high school and that had in effect on
11 October 14, 1997, a contract for access to more than one data line or video link an
12 annual grant for each data line or video link serving each high school covered by that
13 contract.”.

14 **127.** Page 34, line 13: delete lines 13 to 21 and substitute:

15 “**SECTION 101b.** 48.21 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
16 61, is amended to read:

17 48.21 (1) (a) If a child who has been taken into custody is not released under
18 s. 48.20, a hearing to determine whether the child shall continue to be held in custody
19 under the criteria of ss. 48.205 to 48.209 shall be conducted by the judge or a circuit
20 court commissioner within 48 hours of the time the decision to hold the child was
21 made, excluding Saturdays, Sundays, and legal holidays. By the time of the hearing
22 a petition under s. 48.25 shall be filed, except that no petition need be filed where a
23 child is taken into custody under s. 48.19 (1) (b) or (d) 2. or 7. or where the child is
24 a runaway from another state, in which case a written statement of the reasons for

1 holding a child in custody shall be substituted if the petition is not filed. If no hearing
2 has been held within 48 hours, excluding Saturdays, Sundays, and legal holidays,
3 or if no petition or statement has been filed at the time of the hearing, the child shall
4 be released except as provided in par. (b). A parent not present at the hearing shall
5 be granted a rehearing upon request for good cause shown.

6 **SECTION 101c.** 48.21 (3) (am) of the statutes is amended to read:

7 48.21 (3) (am) The parent, guardian, or legal custodian may waive his or her
8 right to participate in the hearing under this section. Agreement in writing of the
9 child is required if he or she is over 12. After any waiver, a hearing rehearing shall
10 be granted at the request of any the parent, guardian, legal custodian, or any other
11 interested party for good cause shown.

12 **SECTION 101d.** 48.21 (5) (b) 1. of the statutes, as affected by 2001 Wisconsin Act
13 16, is repealed and recreated to read:

14 48.21 (5) (b) 1. A finding that continued placement of the child in his or her
15 home would be contrary to the welfare of the child. Unless the judge or circuit court
16 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to
17 5. applies, the order shall in addition include a finding as to whether the person who
18 took the child into custody and the intake worker have made reasonable efforts to
19 prevent the removal of the child from the home, while assuring that the child's health
20 and safety are the paramount concerns, and a finding as to whether the person who
21 took the child into custody and the intake worker have made reasonable efforts to
22 make it possible for the child to return safely home or, if for good cause shown
23 sufficient information is not available for the judge or circuit court commissioner to
24 make a finding as to whether those reasonable efforts were made to prevent the
25 removal of the child from the home, a finding as to whether those reasonable efforts

1 were made to make it possible for the child to return safely home and an order for
2 the county department, department, in a county having a population of 500,000 or
3 more, or agency primarily responsible for providing services to the child under the
4 custody order to file with the court sufficient information for the judge or circuit court
5 commissioner to make a finding as to whether those reasonable efforts were made
6 to prevent the removal of the child from the home by no later than 5 days after the
7 date of the order.

8 **SECTION 101e.** 48.21 (5) (b) 3. of the statutes is created to read:

9 48.21 (5) (b) 3. If the judge or circuit court commissioner finds that any of the
10 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,
11 a determination that the county department, department, in a county having a
12 population of 500,000 or more, or agency primarily responsible for providing services
13 under the custody order is not required to make reasonable efforts with respect to the
14 parent to make it possible for the child to return safely to his or her home.

15 **SECTION 101f.** 48.21 (5) (c) of the statutes is created to read:

16 48.21 (5) (c) The judge or circuit court commissioner shall make the findings
17 specified in par. (b) 1. and 3. on a case-by-case basis based on circumstances specific
18 to the child and shall document or reference the specific information on which those
19 findings are based in the custody order. A custody order that merely references par.
20 (b) 1. or 3. without documenting or referencing that specific information in the
21 custody order or an amended custody order that retroactively corrects an earlier
22 custody order that does not comply with this paragraph is not sufficient to comply
23 with this paragraph.

24 **SECTION 101g.** 48.21 (5) (d) of the statutes is created to read:

1 48.21 (5) (d) 1. If the judge or circuit court commissioner finds that any of the
2 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,
3 the judge or circuit court commissioner shall hold a hearing within 30 days after the
4 date of that finding to determine the permanency plan for the child. If a hearing is
5 held under this subdivision, the agency responsible for preparing the permanency
6 plan shall file the permanency plan with the court not less than 5 days before the date
7 of the hearing.

8 2. If a hearing is held under subd. 1., at least 10 days before the date of the
9 hearing the court shall notify the child, any parent, guardian, and legal custodian
10 of the child, and any foster parent, treatment foster parent, or other physical
11 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the
12 hearing.

13 3. The court shall give a foster parent, treatment foster parent, or other
14 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.
15 2. an opportunity to be heard at the hearing by permitting the foster parent,
16 treatment foster parent, or other physical custodian to make a written or oral
17 statement during the hearing, or to submit a written statement prior to the hearing,
18 relevant to the issues to be determined at the hearing. A foster parent, treatment
19 foster parent, or other physical custodian who receives a notice of a hearing under
20 subd. 2. and an opportunity to be heard under this subdivision does not become a
21 party to the proceeding on which the hearing is held solely on the basis of receiving
22 that notice and opportunity to be heard.

23 **SECTION 101h.** 48.255 (1) (f) of the statutes is created to read:

24 48.255 (1) (f) If the child is being held in custody outside of his or her home,
25 reliable and credible information showing that continued placement of the child in

1 his or her home would be contrary to the welfare of the child and, unless any of the
2 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible
3 information showing that the person who took the child into custody and the intake
4 worker have made reasonable efforts to prevent the removal of the child from the
5 home, while assuring that the child's health and safety are the paramount concerns,
6 and to make it possible for the child to return safely home.

7 **SECTION 101i.** 48.255 (1m) (f) of the statutes is created to read:

8 48.255 **(1m)** (f) If the expectant mother is a child and the child expectant
9 mother is being held in custody outside of her home, reliable and credible information
10 showing that continued placement of the child expectant mother in her home would
11 be contrary to the welfare of the child expectant mother and, unless any of the
12 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible
13 information showing that the person who took the child expectant mother into
14 custody and the intake worker have made reasonable efforts to prevent the removal
15 of the child expectant mother from the home, while assuring that the child expectant
16 mother's health and safety are the paramount concerns, and to make it possible for
17 the child expectant mother to return safely home.

18 **SECTION 101j.** 48.255 (2) of the statutes is amended to read:

19 48.255 **(2)** If any of the facts required under sub. (1) (a) to (cm) and (f) or (1m)
20 (a) to (d) and (f) are not known or cannot be ascertained by the petitioner, the petition
21 shall so state.

22 **SECTION 101k.** 48.315 (2m) of the statutes is created to read:

23 48.315 **(2m)** (a) No continuance or extension of a time limit specified in this
24 chapter may be granted and no period of delay specified in sub. (1) may be excluded

1 in computing a time requirement under this chapter if the continuance, extension,
2 or exclusion would result in any of the following:

3 1. The court making an initial finding under s. 48.21 (5) (b) 1., 48.355 (2) (b) 6.,
4 or 48.357 (2v) (a) 1. that reasonable efforts have been made to prevent the removal
5 of the child from the home, while assuring that the child's health and safety are the
6 paramount concerns, or an initial finding under s. 48.21 (5) (b) 3., 48.355 (2) (b) 6r.,
7 or 48.357 (2v) (a) 3. that those efforts were not required to be made because a
8 circumstance specified in s. 48.355 (2d) (b) 1. to 5. applies, more than 60 days after
9 the date on which the child was removed from the home.

10 2. The court making an initial finding under s. 48.38 (5m) that the agency
11 primarily responsible for providing services to the child has made reasonable efforts
12 to achieve the goals of the child's permanency plan more than 12 months after the
13 date on which the child was removed from the home or making any subsequent
14 findings under s. 48.38 (5m) as to those reasonable efforts more than 12 months after
15 the date of a previous finding as to those reasonable efforts.

16 (b) Failure to comply with any time limit specified in par. (a) does not deprive
17 the court of personal or subject matter jurisdiction or of competency to exercise that
18 jurisdiction. If a party does not comply with a time limit specified in par. (a), the
19 court, while assuring the safety of the child, may dismiss the proceeding with or
20 without prejudice, release the child from custody, or grant any other relief that the
21 court considers appropriate.

22 **SECTION 101L.** 48.32 (1) of the statutes, as affected by 2001 Wisconsin Act 61,
23 is renumbered 48.32 (1) (a).

24 **SECTION 101m.** 48.32 (1) (b) of the statutes is created to read:

1 48.32 (1) (b) 1. If at the time the consent decree is entered into the child is placed
2 outside the home under a voluntary agreement under s. 48.63 or is otherwise living
3 outside the home without a court order and if the consent decree maintains the child
4 in that placement or other living arrangement, the consent decree shall include a
5 finding that placement of the child in his or her home would be contrary to the welfare
6 of the child, a finding as to whether the county department, the department, in a
7 county having a population of 500,000 or more, or the agency primarily responsible
8 for providing services to the child has made reasonable efforts to prevent the removal
9 of the child from the home, while assuring that the child's health and safety are the
10 paramount concerns, unless the judge or circuit court commissioner finds that any
11 of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and a finding as
12 to whether the county department, department, or agency has made reasonable
13 efforts to achieve the goal of the child's permanency plan, unless return of the child
14 to the home is the goal of the permanency plan and the judge or circuit court
15 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to
16 5. applies.

17 2. If the judge or circuit court commissioner finds that any of the circumstances
18 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the consent
19 decree shall include a determination that the county department, department, in a
20 county having a population of 500,000 or more, or agency primarily responsible for
21 providing services under the consent decree is not required to make reasonable
22 efforts with respect to the parent to make it possible for the child to return safely to
23 his or her home.

24 3. The judge or circuit court commissioner shall make the findings specified in
25 subds. 1. and 2. on a case-by-case basis based on circumstances specific to the child

1 and shall document or reference the specific information on which those findings are
2 based in the consent decree. A consent decree that merely references subd. 1. or 2.
3 without documenting or referencing that specific information in the consent decree
4 or an amended consent decree that retroactively corrects an earlier consent decree
5 that does not comply with this subdivision is not sufficient to comply with this
6 subdivision.

7 **SECTION 101n.** 48.32 (1) (c) of the statutes is created to read:

8 48.32 (1) (c) 1. If the judge or circuit court commissioner finds that any of the
9 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,
10 the judge or circuit court commissioner shall hold a hearing within 30 days after the
11 date of that finding to determine the permanency plan for the child. If a hearing is
12 held under this subdivision, the agency responsible for preparing the permanency
13 plan shall file the permanency plan with the court not less than 5 days before the date
14 of the hearing.

15 2. If a hearing is held under subd. 1., at least 10 days before the date of the
16 hearing the court shall notify the child, any parent, guardian, and legal custodian
17 of the child, and any foster parent, treatment foster parent, or other physical
18 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the
19 hearing.

20 3. The court shall give a foster parent, treatment foster parent, or other
21 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.
22 2. an opportunity to be heard at the hearing by permitting the foster parent,
23 treatment foster parent, or other physical custodian to make a written or oral
24 statement during the hearing, or to submit a written statement prior to the hearing,
25 relevant to the issues to be determined at the hearing. A foster parent, treatment

1 foster parent, or other physical custodian who receives a notice of a hearing under
2 subd. 2. and an opportunity to be heard under this subdivision does not become a
3 party to the proceeding on which the hearing is held solely on the basis of receiving
4 that notice and opportunity to be heard.

5 **SECTION 101p.** 48.33 (4) (intro.) of the statutes, as affected by 2001 Wisconsin
6 Act 59, is amended to read:

7 48.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending
8 placement of an adult expectant mother outside of her home shall be in writing. A
9 report recommending placement of a child in a foster home, treatment foster home,
10 group home, or residential care center for children and youth or in the home of a
11 relative other than a parent shall be in writing and shall include all of the following:

12 **SECTION 101q.** 48.33 (4) (c) of the statutes is created to read:

13 48.33 (4) (c) Specific information showing that continued placement of the child
14 in his or her home would be contrary to the welfare of the child, specific information
15 showing that the county department, the department, in a county having a
16 population of 500,000 or more, or the agency primarily responsible for providing
17 services to the child has made reasonable efforts to prevent the removal of the child
18 from the home, while assuring that the child's health and safety are the paramount
19 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.
20 applies, and specific information showing that the county department, department,
21 or agency has made reasonable efforts to achieve the goal of the child's permanency
22 plan, unless return of the child to the home is the goal of the permanency plan and
23 any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

24 **SECTION 101r.** 48.335 (3g) of the statutes is created to read:

1 48.335 (3g) At hearings under this section, if the agency, as defined in s. 48.38
2 (1) (a), is recommending placement of the child in a foster home, treatment foster
3 home, group home, or residential care center for children and youth or in the home
4 of a relative other than a parent, the agency shall present as evidence specific
5 information showing that continued placement of the child in his or her home would
6 be contrary to the welfare of the child, specific information showing that the county
7 department, the department, in a county having a population of 500,000 or more, or
8 the agency primarily responsible for providing services to the child has made
9 reasonable efforts to prevent the removal of the child from the home, while assuring
10 that the child's health and safety are the paramount concerns, unless any of the
11 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and specific information
12 showing that the county department, department, or agency has made reasonable
13 efforts to achieve the goal of the child's permanency plan, unless return of the child
14 to the home is the goal of the permanency plan and any of the circumstances specified
15 in s. 48.355 (2d) (b) 1. to 5. applies.

16 **SECTION 101s.** 48.355 (2) (b) 6. of the statutes is amended to read:

17 48.355 (2) (b) 6. If the child is placed outside the home, a finding that continued
18 placement of the child in his or her home would be contrary to the ~~health, safety and~~
19 ~~welfare of the child and, if sub. (2d) does not apply,~~ a finding as to whether the county
20 department, the department, in a county having a population of 500,000 or more, or
21 the agency primarily responsible for providing services under a court order has made
22 reasonable efforts to prevent the removal of the child from the home, while assuring
23 that the child's health and safety are the paramount concerns, ~~or, if applicable,~~
24 unless the court finds that any of the circumstances specified in sub. (2d) (b) 1. to 5.
25 applies, and a finding as to whether the county department, department, or agency

1 ~~primarily responsible for providing services under a court order~~ has made reasonable
2 efforts to ~~make it possible for the child to return safely to his or her home~~ achieve the
3 goal of the child's permanency plan, unless return of the child to the home is the goal
4 of the permanency plan and the court finds that any of the circumstances specified
5 in sub. (2d) (b) 1. to 5. applies. The court shall make the findings specified in this
6 subdivision on a case-by-case basis based on circumstances specific to the child and
7 shall document or reference the specific information on which those findings are
8 based in the court order. A court order that merely references this subdivision
9 without documenting or referencing that specific information in the court order or
10 an amended court order that retroactively corrects an earlier court order that does
11 not comply with this subdivision is not sufficient to comply with this subdivision.

12 **SECTION 101t.** 48.355 (2) (b) 6r. of the statutes is created to read:

13 48.355 (2) (b) 6r. If the court finds that any of the circumstances specified in
14 sub. (2d) (b) 1. to 5. applies with respect to a parent, a determination that the county
15 department, department, in a county having a population of 500,000 or more, or
16 agency primarily responsible for providing services under the court order is not
17 required to make reasonable efforts with respect to the parent to make it possible for
18 the child to return safely to his or her home.

19 **SECTION 101u.** 48.355 (2b) of the statutes is amended to read:

20 48.355 (2b) CONCURRENT REASONABLE EFFORTS PERMITTED. A county
21 department, the department, in a county having a population of 500,000 or more, or
22 the agency primarily responsible for providing services to a child under a court order
23 may, at the same time as the county department, department, or agency is making
24 the reasonable efforts required under sub. (2) (b) 6. to prevent the removal of the child
25 from the home or to make it possible for the child to return safely to his or her home,

1 work with the department, a county department under s. 48.57 (1) (e) or (hm), or a
2 child welfare agency licensed under s. 48.61 (5) in making reasonable efforts to place
3 the child for adoption, with a guardian, with a fit and willing relative, or in some
4 other alternative permanent placement.

5 **SECTION 101v.** 48.355 (2c) (b) of the statutes is amended to read:

6 48.355 (2c) (b) When a court makes a finding under sub. (2) (b) 6. as to whether
7 the county department, department, in a county having a population of 500,000 or
8 more, or agency primarily responsible for providing services to the child under a
9 court order has made reasonable efforts to ~~make it possible for the child to return~~
10 ~~safely to his or her home~~ achieve the goal of the permanency plan, the court's
11 consideration of reasonable efforts shall include, ~~but not be limited to~~, the
12 considerations listed under par. (a) 1. to 5. and whether visitation schedules between
13 the child and his or her parents were implemented, unless visitation was denied or
14 limited by the court.

15 **SECTION 101w.** 48.355 (2d) (b) (intro.) of the statutes is amended to read:

16 48.355 (2d) (b) (intro.) Notwithstanding sub. (2) (b) 6., the court ~~need not~~ is not
17 required to include in a dispositional order a finding as to whether the county
18 department, the department, in a county having a population of 500,000 or more, or
19 the agency primarily responsible for providing services under a court order has made
20 reasonable efforts with respect to a parent of a child to prevent the removal of the
21 child from the home, while assuring that the child's health and safety are the
22 paramount concerns, ~~or, if applicable,~~ a finding as to whether the county department,
23 department, or agency primarily responsible for providing services under a court
24 order has made reasonable efforts with respect to a parent of a child to ~~make it~~
25 ~~possible for the child to return~~ achieve the permanency plan goal of returning the

1 child safely to his or her home, if the court finds, ~~as evidenced by a final judgment~~
2 ~~of conviction~~, any of the following:

3 **SECTION 101x.** 48.355 (2d) (b) 1. of the statutes is amended to read:

4 48.355 **(2d)** (b) 1. That the parent has subjected the child to aggravated
5 circumstances, as evidenced by a final judgment of conviction.

6 **SECTION 101y.** 48.355 (2d) (b) 2. of the statutes is amended to read:

7 48.355 **(2d)** (b) 2. That the parent has committed, has aided or abetted the
8 commission of, or has solicited, conspired, or attempted to commit, a violation of s.
9 940.01, 940.02, 940.03, or 940.05 or a violation of the law of any other state or federal
10 law, if that violation would be a violation of s. 940.01, 940.02, 940.03, or 940.05 if
11 committed in this state, as evidenced by a final judgment of conviction, and that the
12 victim of that violation is a child of the parent.

13 **SECTION 101z.** 48.355 (2d) (b) 3. of the statutes is amended to read:

14 48.355 **(2d)** (b) 3. That the parent has committed a violation of s. 940.19 (2), (3),
15 (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) or
16 a violation of the law of any other state or federal law, if that violation would be a
17 violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,
18 or 948.03 (2) (a) or (3) (a) if committed in this state, as evidenced by a final judgment
19 of conviction, and that the violation resulted in great bodily harm, as defined in s.
20 939.22 (14), or in substantial bodily harm, as defined in s. 939.22 (38), to the child
21 or another child of the parent.

22 **SECTION 102b.** 48.355 (2d) (b) 3. of the statutes, as affected by 2001 Wisconsin
23 Act (this act), is amended to read:

24 48.355 **(2d)** (b) 3. That the parent has committed a violation of s. 940.19 (3),
25 1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4), or (5), 940.225 (1) or (2), 948.02 (1) or

1 (2), 948.025, or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or
2 federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4), or (5), 940.225
3 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) if committed in this state,
4 as evidenced by a final judgment of conviction, and that the violation resulted in
5 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as
6 defined in s. 939.22 (38), to the child or another child of the parent.

7 **SECTION 102bd.** 48.355 (2d) (b) 4. of the statutes is amended to read:

8 48.355 (2d) (b) 4. That the parental rights of the parent to another child have
9 been involuntarily terminated, as evidenced by a final order of a court of competent
10 jurisdiction terminating those parental rights.

11 **SECTION 102bg.** 48.355 (2d) (b) 5. of the statutes, as created by 2001 Wisconsin
12 Act 2, is amended to read:

13 48.355 (2d) (b) 5. That the parent has been found under s. 48.13 (2m) to have
14 relinquished custody of the child under s. 48.195 (1) when the child was 72 hours old
15 or younger, as evidenced by a final order of a court of competent jurisdiction making
16 that finding.

17 **SECTION 102bm.** 48.355 (2d) (bm) of the statutes is created to read:

18 48.355 (2d) (bm) The court shall make a finding specified in par. (b) 1. to 5. on
19 a case-by-case basis based on circumstances specific to the child and shall document
20 or reference the specific information on which that finding is based in the
21 dispositional order. A dispositional order that merely references par. (b) 1. to 5.
22 without documenting or referencing that specific information in the dispositional
23 order or an amended dispositional order that retroactively corrects an earlier
24 dispositional order that does not comply with this paragraph is not sufficient to
25 comply with this paragraph.

1 **SECTION 102br.** 48.355 (2d) (c) of the statutes, as affected by 2001 Wisconsin
2 Act 2, is renumbered 48.355 (2d) (c) 1. and amended to read:

3 48.355 **(2d)** (c) 1. If the court ~~makes a finding~~ finds that any of the
4 circumstances specified in par. (b) 1., ~~2., 3., 4., or 5.~~ to 5. applies with respect to a
5 parent, the court shall hold a hearing within 30 days after the date of that finding
6 to determine the permanency plan for the child. If a hearing is held under this
7 ~~paragraph~~ subdivision, the agency responsible for preparing the permanency plan
8 shall file the permanency plan with the court not less than 5 days before the date of
9 the hearing.

10 **SECTION 102c.** 48.355 (2d) (c) 2. and 3. of the statutes are created to read:

11 48.355 **(2d)** (c) 2. If a hearing is held under subd. 1., at least 10 days before the
12 date of the hearing the court shall notify the child, any parent, guardian, and legal
13 custodian of the child, and any foster parent, treatment foster parent, or other
14 physical custodian described in s. 48.62 (2) of the child of the time, place, and purpose
15 of the hearing.

16 3. The court shall give a foster parent, treatment foster parent, or other
17 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.
18 2. an opportunity to be heard at the hearing by permitting the foster parent,
19 treatment foster parent, or other physical custodian to make a written or oral
20 statement during the hearing, or to submit a written statement prior to the hearing,
21 relevant to the issues to be determined at the hearing. A foster parent, treatment
22 foster parent, or other physical custodian who receives a notice of a hearing under
23 subd. 2. and an opportunity to be heard under this subdivision does not become a
24 party to the proceeding on which the hearing is held solely on the basis of receiving
25 that notice and opportunity to be heard.

1 **SECTION 102cg.** 48.355 (4) of the statutes is amended to read:

2 48.355 (4) TERMINATION OF ORDERS. Except as provided under s. 48.368, all
3 orders an order under this section shall terminate at the end of one year unless the
4 judge specifies a shorter period of time. ~~Except if s. 48.368 applies, extensions or~~
5 ~~revisions or s. 48.357 or 48.365 made before the child reaches 18 years of age that~~
6 places or continues the placement of the child in his or her home shall terminate at
7 the end of one year after its entry unless the judge specifies a shorter period of time.
8 ~~Any order made before the child reaches the age of majority or or the judge~~
9 ~~terminates the order sooner. Except as provided under s. 48.368, an order under this~~
10 section or s. 48.357 or 48.365 made before the child reaches 18 years of age that places
11 or continues the placement of the child in a foster home, treatment foster home,
12 group home, or residential care center for children and youth or in the home of a
13 relative other than a parent shall terminate when the child reaches 18 years of age,
14 at the end of one year after its entry, or, if the child is a full-time student at a
15 secondary school or its vocational or technical equivalent and is reasonably expected
16 to complete the program before reaching 19 years of age, when the child reaches 19
17 years of age, whichever is later, unless the judge specifies a shorter period of time or
18 the judge terminates the order sooner. An order under this section or s. 48.357 or
19 48.365 relating to an unborn child in need of protection or services that is made
20 before the unborn child is born shall be effective for a time up to terminate at the end
21 of one year after its entry unless the judge specifies a shorter period of time or the
22 judge terminates the order sooner.

23 **SECTION 102cr.** 48.357 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
24 103, is amended to read:

1 48.357 (1) (a) The person or agency primarily responsible for implementing the
2 dispositional order, the district attorney, or the corporation counsel may request a
3 change in the placement of the child or expectant mother, whether or not the change
4 requested is authorized in the dispositional order, and, as provided in par. (am) or (c),
5 whichever is applicable.

6 (am) 1. If the proposed change in placement involves any change in placement
7 other than a change in placement specified in par. (c), the person or agency primarily
8 responsible for implementing the dispositional order, the district attorney, or the
9 corporation counsel shall cause written notice of the proposed change in placement
10 to be sent to the child, the parent, guardian, and legal custodian of the child, any
11 foster parent, treatment foster parent, or other physical custodian described in s.
12 48.62 (2) of the child, the child's court-appointed special advocate, and, if the child
13 is the expectant mother of an unborn child under s. 48.133, the unborn child by the
14 unborn child's guardian ad litem. If the expectant mother is an adult, written notice
15 shall be sent to the adult expectant mother and the unborn child by the unborn child's
16 guardian ad litem. The notice shall contain the name and address of the new
17 placement, the reasons for the change in placement, a statement describing why the
18 new placement is preferable to the present placement, and a statement of how the
19 new placement satisfies objectives of the treatment plan ordered by the court.

20 **SECTION 102ct.** 48.357 (1) (b) of the statutes, as affected by 2001 Wisconsin Act
21 103, is renumbered 48.357 (1) (am) 2. and amended to read:

22 48.357 (1) (am) 2. Any person receiving the notice under ~~par. (a)~~ subd. 1. or
23 notice of a specific placement under s. 48.355 (2) (b) 2., other than a court-appointed
24 special advocate, may obtain a hearing on the matter by filing an objection with the
25 court within 10 days after receipt of the notice. Placements may not be changed until

1 10 days after that notice is sent to the court unless the parent, guardian, or legal
2 custodian and the child, if 12 years of age or over, or the child expectant mother, if
3 12 years of age or over, her parent, guardian, or legal custodian and the unborn child
4 by the unborn child's guardian ad litem, or the adult expectant mother and the
5 unborn child by the unborn child's guardian ad litem, sign written waivers of
6 objection, except that placement changes in placement that were authorized in the
7 dispositional order may be made immediately if notice is given as required under par.
8 (a) subd. 1. In addition, a hearing is not required for placement changes authorized
9 in the dispositional order except when an objection filed by a person who received
10 notice alleges that new information is available that affects the advisability of the
11 court's dispositional order.

12 **SECTION 102d.** 48.357 (1) (am) 3. of the statutes is created to read:

13 48.357 (1) (am) 3. If the court changes the child's placement from a placement
14 outside the home to another placement outside the home, the change in placement
15 order shall contain one of the statements specified in sub. (2v) (a) 2.

16 **SECTION 102dg.** 48.357 (1) (c) of the statutes is created to read:

17 48.357 (1) (c) 1. If the proposed change in placement would change the
18 placement of a child placed in the home to a placement outside the home, the person
19 or agency primarily responsible for implementing the dispositional order, the district
20 attorney, or the corporation counsel shall submit a request for the change in
21 placement to the court. The request shall contain the name and address of the new
22 placement, the reasons for the change in placement, a statement describing why the
23 new placement is preferable to the present placement, and a statement of how the
24 new placement satisfies objectives of the treatment plan ordered by the court. The
25 request shall also contain specific information showing that continued placement of

1 the child in his or her home would be contrary to the welfare of the child and, unless
2 any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, specific
3 information showing that the agency primarily responsible for implementing the
4 dispositional order has made reasonable efforts to prevent the removal of the child
5 from the home, while assuring that the child's health and safety are the paramount
6 concerns.

7 2. The court shall hold a hearing prior to ordering any change in placement
8 requested under subd. 1. Not less than 3 days prior to the hearing, the court shall
9 provide notice of the hearing, together with a copy of the request for the change in
10 placement, to the child, the parent, guardian, and legal custodian of the child, the
11 child's court-appointed special advocate, and all parties that are bound by the
12 dispositional order. If all parties consent, the court may proceed immediately with
13 the hearing.

14 3. If the court changes the child's placement from a placement in the child's
15 home to a placement outside the child's home, the change in placement order shall
16 contain the findings specified in sub. (2v) (a) 1., one of the statements specified in sub.
17 (2v) (a) 2., and, if in addition the court finds that any of the circumstances specified
18 in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the determination
19 specified in sub. (2v) (a) 3.

20 **SECTION 102dr.** 48.357 (2) of the statutes, as affected by 2001 Wisconsin Act
21 103, is amended to read:

22 48.357 (2) If emergency conditions necessitate an immediate change in the
23 placement of a child or expectant mother placed outside the home, the person or
24 agency primarily responsible for implementing the dispositional order may remove
25 the child or expectant mother to a new placement, whether or not authorized by the

1 existing dispositional order, without the prior notice provided in sub. (1) ~~(a)~~ (am) 1.
2 The notice shall, however, be sent within 48 hours after the emergency change in
3 placement. Any party receiving notice may demand a hearing under sub. (1) ~~(b)~~ (am)
4 2. In emergency situations, a child may be placed in a licensed public or private
5 shelter care facility as a transitional placement for not more than 20 days, as well
6 as in any placement authorized under s. 48.345 (3).

7 **SECTION 102e.** 48.357 (2m) (a) of the statutes, as affected by 2001 Wisconsin
8 Act 103, is amended to read:

9 48.357 **(2m)** (a) The child, the parent, guardian, or legal custodian of the child,
10 the expectant mother, the unborn child by the unborn child's guardian ad litem, or
11 any person or agency primarily bound by the dispositional order, other than the
12 person or agency responsible for implementing the order, may request a change in
13 placement under this paragraph. The request shall contain the name and address
14 of ~~the place of~~ the new placement requested and shall state what new information
15 is available that affects the advisability of the current placement. If the proposed
16 change in placement would change the placement of a child placed in the home to a
17 placement outside the home, the request shall also contain specific information
18 showing that continued placement of the child in the home would be contrary to the
19 welfare of the child and, unless any of the circumstances specified in s. 48.355 (2d)
20 (b) 1. to 5. applies, specific information showing that the agency primarily
21 responsible for implementing the dispositional order has made reasonable efforts to
22 prevent the removal of the child from the home, while assuring that the child's health
23 and safety are the paramount concerns. The request shall be submitted to the court.
24 In addition, the court may propose a change in placement on its own motion.

1 **SECTION 102ec.** 48.357 (2m) (b) of the statutes, as affected by 2001 Wisconsin
2 Act 103, is amended to read:

3 48.357 **(2m)** (b) The court shall hold a hearing on the matter prior to ordering
4 any change in placement requested or proposed under par. (a) if the request states
5 that new information is available that affects the advisability of the current
6 placement, unless the requested or proposed change in placement involves any
7 change in placement other than a change in placement of a child placed in the home
8 to a placement outside the home and written waivers of objection to the proposed
9 change in placement are signed by all persons entitled to receive notice under sub.
10 (1) ~~(a)~~ (am) 1., other than a court-appointed special advocate, and the court approves.
11 If a hearing is scheduled, the court shall notify the child, the parent, guardian, and
12 legal custodian of the child, any foster parent, treatment foster parent, or other
13 physical custodian described in s. 48.62 (2) of the child, the child's court-appointed
14 special advocate, all parties who are bound by the dispositional order, and, if the child
15 is the expectant mother of an unborn child under s. 48.133, the unborn child by the
16 unborn child's guardian ad litem, or shall notify the adult expectant mother, the
17 unborn child by the unborn child's guardian ad litem, and all parties who are bound
18 by the dispositional order, at least 3 days prior to the hearing. A copy of the request
19 or proposal for the change in placement shall be attached to the notice. If all of the
20 parties consent, the court may proceed immediately with the hearing.

21 **SECTION 102eg.** 48.357 (2m) (c) of the statutes is created to read:

22 48.357 **(2m)** (c) If the court changes the child's placement from a placement in
23 the child's home to a placement outside the child's home, the change in placement
24 order shall contain the findings specified in sub. (2v) (a) 1., one of the statements
25 specified in sub. (2v) (a) 2., and, if in addition the court finds that any of the

1 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,
2 the determination specified in sub. (2v) (a) 3.

3 **SECTION 102em.** 48.357 (2r) of the statutes, as affected by 2001 Wisconsin Act
4 103, is amended to read:

5 48.357 (2r) If a hearing is held under sub. (1) ~~(b)~~ (am) 2. or (2m) (b) and the
6 change in placement would remove a child from a foster home, treatment foster
7 home, or other placement with a physical custodian described in s. 48.62 (2), the court
8 shall give the foster parent, treatment foster parent, or other physical custodian
9 described in s. 48.62 (2) an opportunity to be heard at the hearing by permitting the
10 foster parent, treatment foster parent, or other physical custodian to make a written
11 or oral statement during the hearing or to submit a written statement prior to the
12 hearing relating to the child and the requested change in placement. ~~Any written~~
13 ~~or oral statement made under this subsection shall be made under oath or~~
14 ~~affirmation.~~ A foster parent, treatment foster parent, or other physical custodian
15 described in s. 48.62 (2) who receives notice of a hearing under sub. (1) ~~(b)~~ (am) 1. or
16 (2m) (b) and an opportunity to be heard under this subsection does not become a
17 party to the proceeding on which the hearing is held solely on the basis of receiving
18 that notice and opportunity to be heard.

19 **SECTION 102er.** 48.357 (2v) of the statutes, as affected by 2001 Wisconsin Act
20 103, is renumbered 48.357 (2v) (a) 2. and amended to read:

21 48.357 (2v) (a) 2. If ~~a hearing is held under sub. (1) (b) or (2m) (b) and the~~
22 ~~change in placement would place the child outside the home in a placement order~~
23 ~~would change the placement of the child to a placement outside the home~~
24 recommended by the person or agency primarily responsible for implementing the
25 dispositional order, ~~the change in placement order shall include~~ whether from a

1 placement in the home or from another placement outside the home, a statement
2 that the court approves the placement recommended by that person or agency or, if
3 the child is placed outside the home in a placement other than change in placement
4 order would change the placement of the child to a placement outside the home that
5 is not a placement recommended by that person or agency, whether from a placement
6 in the home or from another placement outside the home, a statement that the court
7 has given bona fide consideration to the recommendations made by that person or
8 agency and all parties relating to the child's placement.

9 **SECTION 102f.** 48.357 (2v) (a) (intro.) of the statutes is created to read:

10 48.357 (2v) (a) (intro.) A change in placement order under sub. (1) or (2m) shall
11 contain all of the following:

12 **SECTION 102fg.** 48.357 (2v) (a) 1. of the statutes is created to read:

13 48.357 (2v) (a) 1. If the change in placement order changes the child's
14 placement from a placement in the child's home to a placement outside the child's
15 home, a finding that continued placement of the child in his or her home would be
16 contrary to the welfare of the child and, unless a circumstance specified in s. 48.355
17 (2d) (b) 1. to 5. applies, a finding that the agency primarily responsible for
18 implementing the dispositional order has made reasonable efforts to prevent the
19 removal of the child from the home, while assuring that the child's health and safety
20 are the paramount concerns.

21 **SECTION 102fm.** 48.357 (2v) (a) 3. of the statutes is created to read:

22 48.357 (2v) (a) 3. If the court finds that any of the circumstances specified in
23 s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, a determination that the
24 agency primarily responsible for providing services under the change in placement

1 order is not required to make reasonable efforts with respect to the parent to make
2 it possible for the child to return safely to his or her home.

3 **SECTION 102fr.** 48.357 (2v) (b) of the statutes is created to read:

4 48.357 (2v) (b) The court shall make the findings specified in par. (a) 1. and 3.
5 on a case-by-case basis based on circumstances specific to the child and shall
6 document or reference the specific information on which those findings are based in
7 the change in placement order. A change in placement order that merely references
8 par. (a) 1. or 3. without documenting or referencing that specific information in the
9 change in placement order or an amended change in placement order that
10 retroactively corrects an earlier change in placement order that does not comply with
11 this paragraph is not sufficient to comply with this paragraph.

12 **SECTION 102g.** 48.357 (2v) (c) of the statutes is created to read:

13 48.357 (2v) (c) 1. If the court finds under par. (a) 3. that any of the
14 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,
15 the court shall hold a hearing within 30 days after the date of that finding to
16 determine the permanency plan for the child. If a hearing is held under this
17 subdivision, the agency responsible for preparing the permanency plan shall file the
18 permanency plan with the court not less than 5 days before the date of the hearing.

19 2. If a hearing is held under subd. 1., at least 10 days before the date of the
20 hearing the court shall notify the child, any parent, guardian, and legal custodian
21 of the child, and any foster parent, treatment foster parent, or other physical
22 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the
23 hearing.

24 3. The court shall give a foster parent, treatment foster parent, or other
25 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.

1 2. an opportunity to be heard at the hearing by permitting the foster parent,
2 treatment foster parent, or other physical custodian to make a written or oral
3 statement during the hearing, or to submit a written statement prior to the hearing,
4 relevant to the issues to be determined at the hearing. A foster parent, treatment
5 foster parent, or other physical custodian who receives a notice of a hearing under
6 subd. 2. and an opportunity to be heard under this subdivision does not become a
7 party to the proceeding on which the hearing is held solely on the basis of receiving
8 that notice and opportunity to be heard.

9 **SECTION 102gb.** 48.357 (6) of the statutes is amended to read:

10 48.357 (6) No change in placement may extend the expiration date of the
11 original order, except that if the change in placement is from a placement in the
12 child's home to a placement outside the home the court may extend the expiration
13 date of the original order to the date on which the child reaches 18 years of age, to
14 the date that is one year after the date of the change in placement order, or, if the child
15 is a full-time student at a secondary school or its vocational or technical equivalent
16 and is reasonably expected to complete the program before reaching 19 years of age,
17 to the date on which the child reaches 19 years of age, whichever is later, or for a
18 shorter period of time as specified by the court. If the change in placement is from
19 a placement outside the home to a placement in the child's home and if the expiration
20 date of the original order is more than one year after the date of the change in
21 placement order, the court shall shorten the expiration date of the original order to
22 the date that is one year after the date of the change in placement order or to an
23 earlier date as specified by the court.

24 **SECTION 102gd.** 48.363 (1m) of the statutes is amended to read:

1 48.363 **(1m)** If a hearing is held under sub. (1) (a), any party may present
2 evidence relevant to the issue of revision of the dispositional order. In addition, the
3 court shall give a foster parent, treatment foster parent, or other physical custodian
4 described in s. 48.62 (2) of the child an opportunity to be heard at the hearing by
5 permitting the foster parent, treatment foster parent, or other physical custodian to
6 make a written or oral statement during the hearing, or to submit a written
7 statement prior to the hearing, relevant to the issue of revision. ~~Any written or oral~~
8 ~~statement made under this subsection shall be made under oath or affirmation.~~ A
9 foster parent, treatment foster parent, or other physical custodian described in s.
10 48.62 (2) who receives notice of a hearing under sub. (1) (a) and an opportunity to be
11 heard under this subsection does not become a party to the proceeding on which the
12 hearing is held solely on the basis of receiving that notice and opportunity to be
13 heard.

14 **SECTION 102gf.** 48.365 (1) of the statutes is amended to read:

15 48.365 **(1)** In this section, a child is considered to have been placed outside of
16 his or her home on the date on which ~~the court first found that the child has been~~
17 ~~subjected to abuse or neglect or on the date that is 60 days after the date on which~~
18 the child was first removed from his or her home, ~~whichever is earlier.~~

19 **SECTION 102gh.** 48.365 (2g) (b) 2. of the statutes is amended to read:

20 48.365 **(2g)** (b) 2. An evaluation of the child's adjustment to the placement and
21 of any progress the child has made, suggestions for amendment of the permanency
22 plan, ~~a description of efforts to return the child safely to his or her home~~ and specific
23 information showing the efforts that have been made to achieve the goal of the
24 permanency plan, including, if applicable, the efforts of the parents to remedy the
25 factors ~~which~~ that contributed to the child's placement and, ~~if continued placement~~

1 ~~outside of the child's home is recommended, an explanation of why returning the~~
2 ~~child to his or her home is not safe or feasible, unless return of the child to the home~~
3 ~~is the goal of the permanency plan and any of the circumstances specified in s. 48.355~~
4 ~~(2d) (b) 1. to 5. applies.~~

5 **SECTION 102gk.** 48.365 (2g) (b) 3. of the statutes is amended to read:

6 48.365 (2g) (b) 3. If the child has been placed outside of his or her home for 15
7 of the most recent 22 months, not including any period during which the child was
8 a runaway from the out-of-home placement or the first 6 months of any period
9 during which the child was returned to his or her home for a trial home visit, a
10 statement of whether or not a recommendation has been made to terminate the
11 parental rights of the parents of the child. If a recommendation for a termination of
12 parental rights has been made, the statement shall indicate the date on which the
13 recommendation was made, any previous progress made to accomplish the
14 termination of parental rights, any barriers to the termination of parental rights,
15 specific steps to overcome the barriers and when the steps will be completed, reasons
16 why adoption would be in the best interest of the child, and whether or not the child
17 should be registered with the adoption information exchange. If a recommendation
18 for termination of parental rights has not been made, the statement shall include an
19 explanation of the reasons why a recommendation for termination of parental rights
20 has not been made. If the lack of appropriate adoptive resources is the primary
21 reason for not recommending a termination of parental rights, the agency shall
22 recommend that the child be registered with the adoption information exchange or
23 report the reason why registering the child is contrary to the best interest of the child.

24 **SECTION 102gm.** 48.365 (2m) (a) of the statutes is renumbered 48.365 (2m) (a)

25 1. and amended to read:

1 48.365 (2m) (a) 1. Any party may present evidence relevant to the issue of
2 extension. If the child is placed outside of his or her home, the person or agency
3 primarily responsible for providing services to the child shall present as evidence
4 specific information showing that the agency has made reasonable efforts to achieve
5 the goal of the child's permanency plan, unless return of the child to the home is the
6 goal of the permanency plan and any of the circumstances specified in s. 48.355 (2d)
7 (b) 1. to 5. applies. The judge shall make findings of fact and conclusions of law based
8 on the evidence. ~~Subject to s. 48.355 (2d), the~~ The findings of fact shall include a
9 finding as to whether reasonable efforts were made by the agency primarily
10 responsible for providing services to the child ~~or expectant mother to make it possible~~
11 ~~for the child to return safely to his or her home or for the expectant mother to return~~
12 ~~to her home to achieve the goal of the child's permanency plan, unless return of the~~
13 ~~child to the home is the goal of the permanency plan and the judge finds that any of~~
14 ~~the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.~~ An order shall be
15 issued under s. 48.355.

16 **SECTION 102go.** 48.365 (2m) (a) 2. of the statutes is created to read:

17 48.365 (2m) (a) 2. If the judge finds that any of the circumstances specified in
18 s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the order shall include a
19 determination that the person or agency primarily responsible for providing services
20 to the child is not required to make reasonable efforts with respect to the parent to
21 make it possible for the child to return safely to his or her home.

22 **SECTION 102gr.** 48.365 (2m) (a) 3. of the statutes is created to read:

23 48.365 (2m) (a) 3. The judge shall make the findings specified in subd. 1.
24 relating to reasonable efforts to achieve the goal of the child's permanency plan and
25 the findings specified in subd. 2. on a case-by-case basis based on circumstances

1 specific to the child and shall document or reference the specific information on
2 which those findings are based in the order issued under s. 48.355. An order that
3 merely references subd. 1. or 2. without documenting or referencing that specific
4 information in the order or an amended order that retroactively corrects an earlier
5 order that does not comply with this subdivision is not sufficient to comply with this
6 subdivision.

7 **SECTION 102h.** 48.365 (2m) (ad) of the statutes is created to read:

8 48.365 (2m) (ad) 1. If the judge finds that any of the circumstances specified
9 in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the judge shall hold a
10 hearing within 30 days after the date of that finding to determine the permanency
11 plan for the child. If a hearing is held under this subdivision, the agency responsible
12 for preparing the permanency plan shall file the permanency plan with the court not
13 less than 5 days before the date of the hearing.

14 2. If a hearing is held under subd. 1., at least 10 days before the date of the
15 hearing the court shall notify the child, any parent, guardian, and legal custodian
16 of the child, and any foster parent, treatment foster parent, or other physical
17 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the
18 hearing.

19 **SECTION 102hg.** 48.365 (2m) (ag) of the statutes is amended to read:

20 48.365 (2m) (ag) ~~In addition to any evidence presented under par. (a), the~~ The
21 court shall give a foster parent, treatment foster parent, or other physical custodian
22 described in s. 48.62 (2) of the child who is notified of a hearing under par. (ad) 2. or
23 sub. (2) an opportunity to be heard at the hearing by permitting the foster parent,
24 treatment foster parent, or other physical custodian to make a written or oral
25 statement during the hearing, or to submit a written statement prior to the hearing,

1 relevant to the issue of extension. ~~Any written or oral statement made under this~~
2 ~~paragraph shall be made under oath or affirmation.~~ A foster parent, treatment foster
3 parent, or other physical custodian described in s. 48.62 (2) who receives notice of a
4 hearing under par. (ad) 2. or sub. (2) and an opportunity to be heard under this
5 paragraph does not become a party to the proceeding on which the hearing is held
6 solely on the basis of receiving that notice and opportunity to be heard.

7 **SECTION 102hr.** 48.365 (5) of the statutes is amended to read:

8 48.365 (5) Except as provided in s. 48.368, ~~all orders~~ an order under this section
9 that continues the placement of a child in his or her home or that relates to an unborn
10 child of an adult expectant mother shall be for a specified length of time not to exceed
11 one year after its date of entry. ~~Except as provided in s. 48.368, an order under this~~
12 ~~section that continues the placement of a child in an out-of-home placement shall~~
13 ~~be for a specified length of time not to exceed the date on which the child reaches 18~~
14 ~~years of age, one year after the date of entry of the order, or, if the child is a full-time~~
15 ~~student at a secondary school or its vocational or technical equivalent and is~~
16 ~~reasonably expected to complete the program before reaching 19 years of age, the~~
17 ~~date on which the child reaches 19 years of age, whichever is later.~~

18 **SECTION 102j.** 48.38 (2) (intro.) of the statutes, as affected by 2001 Wisconsin
19 Act 59, is amended to read:

20 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),
21 for each child living in a foster home, treatment foster home, group home, residential
22 care center for children and youth, secure detention facility, or shelter care facility,
23 the agency that placed the child or arranged the placement or the agency assigned
24 primary responsibility for providing services to the child under s. 48.355 shall
25 prepare a written permanency plan, if ~~one~~ any of the following conditions exists, and,

1 for each child living in the home of a relative other than a parent, that agency shall
2 prepare a written permanency plan, if any of the conditions specified in pars. (a) to
3 (e) exists:

4 **SECTION 102jg.** 48.38 (2) (c) of the statutes is amended to read:

5 48.38 (2) (c) The child is under the supervision of an agency under s. 48.64 (2)
6 or pursuant to, under a consent decree under s. 48.32 (1) (b), or under a court order
7 under s. 48.355.

8 **SECTION 102jm.** 48.38 (2) (f) of the statutes is amended to read:

9 48.38 (2) (f) The child's care is ~~paid~~ would be paid for under s. 49.19 but for s.
10 49.19 (20).

11 **SECTION 102jr.** 48.38 (2) (g) of the statutes, as created by 2001 Wisconsin Act
12 69, is amended to read:

13 48.38 (2) (g) The child's parent is placed in a foster home, treatment foster
14 home, group home, ~~child-caring institution~~ residential care center for children and
15 youth, secure detention facility, or shelter care facility and the child is residing with
16 that parent.

17 **SECTION 102k.** 48.38 (3) of the statutes is amended to read:

18 48.38 (3) TIME. Subject to s. 48.355 (2d) (c) 1., the agency shall file the
19 permanency plan with the court within 60 days after the date on which the child was
20 first held in physical custody ~~or placed outside of his or her home under a court order~~
21 removed from his or her home, except that if the child is held for less than 60 days
22 in a secure detention facility, juvenile portion of a county jail, or a shelter care facility,
23 no permanency plan is required if the child is returned to his or her home within that
24 period.

25 **SECTION 102kg.** 48.38 (4) (intro.) of the statutes is amended to read:

1 48.38 (4) CONTENTS OF PLAN. (intro.) The permanency plan shall include ~~a~~
2 description of all of the following:

3 **SECTION 102km.** 48.38 (4) (a) of the statutes, as affected by 2001 Wisconsin Act
4 2, is renumbered 48.38 (4) (ar) and amended to read:

5 48.38 (4) (ar) ~~The A description of the services offered and any service services~~
6 provided in an effort to prevent ~~holding or placing the child outside of the removal~~
7 of the child from his or her home, while assuring that the health and safety of the
8 child are the paramount concerns, and to ~~make it possible for the child to return~~
9 safely home achieve the goal of the permanency plan, except that the permanency
10 plan ~~need not~~ is not required to include a description of ~~those~~ the services offered or
11 provided with respect to a parent of the child to prevent the removal of the child from
12 the home or to achieve the permanency plan goal of returning the child safely to his
13 or her home if any of the circumstances specified in s. 48.355 (2d) (b) 1., 2., 3., 4., ~~or~~
14 to 5. apply applies to that parent.

15 **SECTION 102kr.** 48.38 (4) (ag) of the statutes is created to read:

16 48.38 (4) (ag) The name, address, and telephone number of the child's parent,
17 guardian, and legal custodian.

18 **SECTION 102m.** 48.38 (4) (am) of the statutes is created to read:

19 48.38 (4) (am) The date on which the child was removed from his or her home
20 and the date on which the child was placed in out-of-home care.

21 **SECTION 102mg.** 48.38 (4) (bm) of the statutes is amended to read:

22 48.38 (4) (bm) ~~The A statement as to the~~ availability of a safe and appropriate
23 placement with a fit and willing relative of the child and, if a decision is made not
24 to place the child with an available relative, a statement as to why placement with
25 the relative is not safe or appropriate.

1 **SECTION 102mm.** 48.38 (4) (dg) of the statutes is created to read:

2 48.38 (4) (dg) Information about the child's education, including all of the
3 following:

4 1. The name and address of the school in which the child is or was most recently
5 enrolled.

6 2. Any special education programs in which the child is or was previously
7 enrolled.

8 3. The grade level in which the child is or was most recently enrolled and all
9 information that is available concerning the child's grade level performance.

10 4. A summary of all available education records relating to the child that are
11 relevant to any education goals included in the education services plan prepared
12 under s. 48.33 (1) (e).

13 **SECTION 102mr.** 48.38 (4) (dm) of the statutes is created to read:

14 48.38 (4) (dm) If as a result of the placement the child has been or will be
15 transferred from the school in which the child is or most recently was enrolled,
16 documentation that a placement that would maintain the child in that school is
17 either unavailable or inappropriate or that a placement that would result in the
18 child's transfer to another school would be in the child's best interests.

19 **SECTION 102n.** 48.38 (4) (dr) of the statutes is created to read:

20 48.38 (4) (dr) Medical information relating to the child, including all of the
21 following:

22 1. The names and addresses of the child's physician, dentist, and any other
23 health care provider that is or was previously providing health care services to the
24 child.

1 2. The child’s immunization record, including the name and date of each
2 immunization administered to the child.

3 3. Any known medical condition for which the child is receiving medical care
4 or treatment and any known serious medical condition for which the child has
5 previously received medical care or treatment.

6 4. The name, purpose, and dosage of any medication that is being administered
7 to the child and the name of any medication that causes the child to suffer an allergic
8 or other negative reaction.

9 **SECTION 102ng.** 48.38 (4) (e) of the statutes is amended to read:

10 48.38 (4) (e) The A plan for ensuring the safety and appropriateness of the
11 placement and a description of the services provided to meet the needs of the child
12 and family, including a discussion of services that have been investigated and
13 considered and are not available or likely to become available within a reasonable
14 time to meet the needs of the child or, if available, why such services are not safe or
15 appropriate.

16 **SECTION 102nm.** 48.38 (4) (f) (intro.) of the statutes is amended to read:

17 48.38 (4) (f) (intro.) The A description of the services that will be provided to
18 the child, the child’s family, and the child’s foster parent, the child’s treatment foster
19 parent ~~or~~, the operator of the facility where the child is living, or the relative with
20 whom the child is living to carry out the dispositional order, including services
21 planned to accomplish all of the following:

22 **SECTION 102nr.** 48.38 (4) (fg) of the statutes is created to read:

23 48.38 (4) (fg) The goal of the permanency plan or, if the agency is making
24 concurrent reasonable efforts under s. 48.355 (2b), the goals of the permanency plan.
25 If a goal of the permanency plan is any goal other than return of the child to his or

1 her home, the permanency plan shall include the rationale for deciding on that goal.
2 If a goal of the permanency plan is an alternative permanent placement under subd.
3 5., the permanency plan shall document a compelling reason why it would not be in
4 the best interest of the child to pursue a goal specified in subds. 1. to 4. The agency
5 shall determine one or more of the following goals to be the goal or goals of a child's
6 permanency plan:

- 7 1. Return of the child to the child's home.
- 8 2. Placement of the child for adoption.
- 9 3. Placement of the child with a guardian.
- 10 4. Permanent placement of the child with a fit and willing relative.
- 11 5. Some other alternative permanent placement, including sustaining care,
12 independent living, or long-term foster care.

13 **SECTION 102p.** 48.38 (4) (fm) of the statutes is amended to read:

14 48.38 (4) (fm) If the goal of the permanency plan calls for placing is to place the
15 child for adoption, with a guardian, with a fit and willing relative, or in some other
16 alternative permanent placement, the efforts made to place the child for adoption,
17 with a guardian or in some other alternative permanent placement achieve that goal.

18 **SECTION 102pg.** 48.38 (4) (h) of the statutes is created to read:

19 48.38 (4) (h) If the child is 15 years of age or over, a description of the programs
20 and services that are or will be provided to assist the child in preparing for the
21 transition from out-of-home care to independent living. The description shall
22 include all of the following:

- 23 1. The anticipated age at which the child will be discharged from out-of-home
24 care.

1 2. The anticipated amount of time available in which to prepare the child for
2 the transition from out-of-home care to independent living.

3 3. The anticipated location and living situation of the child on discharge from
4 out-of-home care.

5 4. A description of the assessment processes, tools, and methods that have been
6 or will be used to determine the programs and services that are or will be provided
7 to assist the child in preparing for the transition from out-of-home care to
8 independent living.

9 5. The rationale for each program or service that is or will be provided to assist
10 the child in preparing for the transition from out-of-home care to independent
11 living, the time frames for delivering those programs or services, and the intended
12 outcome of those programs or services.

13 **SECTION 102pm.** 48.38 (5) (a) of the statutes, as affected by 2001 Wisconsin Act
14 69, is amended to read:

15 48.38 (5) (a) Except as provided in s. 48.63 (5) (d), the court or a panel appointed
16 under ~~this paragraph~~ par. (ag) shall review the permanency plan ~~every in the~~
17 manner provided in this subsection not later than 6 months from after the date on
18 which the child was first held in physical custody or placed outside of removed from
19 his or her home and every 6 months after a previous review under this subsection for
20 as long as the child is placed outside the home, except that for the review that is
21 required to be conducted not later than 12 months after the child was first removed
22 from his or her home and the reviews that are required to be conducted every 12
23 months after that review the court shall hold a hearing under sub. (5m) to review the
24 permanency plan, which hearing may be instead of or in addition to the review under
25 this subsection.

1 (ag) If the court elects not to review the permanency plan, the court shall
2 appoint a panel to review the permanency plan. The panel shall consist of 3 persons
3 who are either designated by an independent agency that has been approved by the
4 chief judge of the judicial administrative district or designated by the agency that
5 prepared the permanency plan. A voting majority of persons on each panel shall be
6 persons who are not employed by the agency that prepared the permanency plan and
7 who are not responsible for providing services to the child or the parents of the child
8 whose permanency plan is the subject of the review.

9 **SECTION 102pr.** 48.38 (5) (b) of the statutes is amended to read:

10 48.38 (5) (b) The court or the agency shall notify the parents of the child, the
11 child, if he or she is 12 years of age or older, and the child's foster parent, the child's
12 treatment foster parent ~~or~~, the operator of the facility in which the child is living, or
13 the relative with whom the child is living of the date, time, and place of the review,
14 of the issues to be determined as part of the review, and of the fact that they may have
15 an opportunity to be heard at the review by submitting written comments not less
16 than 10 working days before the review or by participating at the review. The court
17 or agency shall notify the person representing the interests of the public, the child's
18 counsel, the child's guardian ad litem, and the child's court-appointed special
19 advocate of the date of the review, of the issues to be determined as part of the review,
20 and of the fact that they may submit written comments not less than 10 working days
21 before the review. The notices under this paragraph shall be provided in writing not
22 less than 30 days before the review and copies of the notices shall be filed in the child's
23 case record.

24 **SECTION 102q.** 48.38 (5) (c) 6. (intro.) of the statutes is amended to read:

1 48.38 (5) (c) 6. (intro.) If the child has been placed outside of his or her home,
2 as described in s. 48.365 (1), for 15 of the most recent 22 months, not including any
3 period during which the child was a runaway from the out-of-home placement or the
4 first 6 months of any period during which the child was returned to his or her home
5 for a trial home visit, the appropriateness of the permanency plan and the
6 circumstances which prevent the child from any of the following:

7 **SECTION 102qg.** 48.38 (5) (c) 6. am. of the statutes is renumbered 48.38 (5) (c)
8 6. cm. and amended to read:

9 48.38 (5) (c) 6. cm. Being placed in the home of a fit and willing relative of the
10 child.

11 **SECTION 102qm.** 48.38 (5) (c) 6. cg. of the statutes is created to read:

12 48.38 (5) (c) 6. cg. Being placed with a guardian.

13 **SECTION 102qr.** 48.38 (5) (c) 6. d. of the statutes is amended to read:

14 48.38 (5) (c) 6. d. Being placed in some other alternative permanent placement,
15 including sustaining care, independent living, or long-term foster care.

16 **SECTION 102r.** 48.38 (5) (c) 7. of the statutes, as affected by 2001 Wisconsin Act
17 2, is amended to read:

18 48.38 (5) (c) 7. Whether reasonable efforts were made by the agency to make
19 ~~it possible for the child to return safely to his or her home, except that the court or~~
20 ~~panel need not determine whether those reasonable efforts were made with respect~~
21 ~~to a parent of the child if any of the circumstances specified in s. 48.355 (2d) (b) 1.,~~
22 ~~2., 3., 4., or 5. apply to that parent~~ achieve the goal of the permanency plan, unless
23 return of the child to the home is the goal of the permanency plan and any of the
24 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

25 **SECTION 102rm.** 48.38 (5m) of the statutes is created to read:

1 48.38 **(5m)** PERMANENCY PLAN HEARING. (a) The court shall hold a hearing to
2 review the permanency plan and to make the determinations specified in sub. (5) (c)
3 no later than 12 months after the date on which the child was first removed from the
4 home and every 12 months after a previous hearing under this subsection for as long
5 as the child is placed outside the home.

6 (b) Not less than 30 days before the date of the hearing, the court shall notify
7 the child; the child’s parent, guardian, and legal custodian; the child’s foster parent
8 or treatment foster parent, the operator of the facility in which the child is living, or
9 the relative with whom the child is living; the child’s counsel, the child’s guardian ad
10 litem, and the child’s court–appointed special advocate; the agency that prepared the
11 permanency plan; and the person representing the interests of the public of the date,
12 time, and place of the hearing.

13 (c) Any person who is provided notice of the hearing may have an opportunity
14 to be heard at the hearing by submitting written comments relevant to the
15 determinations specified in sub. (5) (c) not less than 10 working days before the date
16 of the hearing or by participating at the hearing. A foster parent, treatment foster
17 parent, operator of a facility in which a child is living, or relative with whom a child
18 is living who receives notice of a hearing under par. (b) and an opportunity to be heard
19 under this paragraph does not become a party to the proceeding on which the hearing
20 is held solely on the basis of receiving that notice and opportunity to be heard.

21 (d) At least 5 days before the date of the hearing the agency that prepared the
22 permanency plan shall provide a copy of the permanency plan and any written
23 comments submitted under par. (c) to the court, to the child’s parent, guardian, and
24 legal custodian, to the person representing the interests of the public, to the child’s
25 counsel or guardian ad litem, and to the child’s court–appointed special advocate.

1 Notwithstanding s. 48.78 (2) (a), the person representing the interests of the public,
2 the child's counsel or guardian ad litem, and the child's court-appointed special
3 advocate may have access to any other records concerning the child for the purpose
4 of participating in the review. A person permitted access to a child's records under
5 this paragraph may not disclose any information from the records to any other
6 person.

7 (e) After the hearing, the court shall make written findings of fact and
8 conclusions of law relating to the determinations under sub. (5) (c) and shall provide
9 a copy of those findings of fact and conclusions of law to the child; the child's parent,
10 guardian, and legal custodian; the child's foster parent or treatment foster parent,
11 the operator of the facility in which the child is living, or the relative with whom the
12 child is living; the child's court-appointed special advocate; the agency that prepared
13 the permanency plan; and the person representing the interests of the public. The
14 court shall make the findings specified in sub. (5) (c) 7. on a case-by-case basis based
15 on circumstances specific to the child and shall document or reference the specific
16 information on which those findings are based in the findings of fact and conclusions
17 of law prepared under this paragraph. Findings of fact and conclusions of law that
18 merely reference sub. (5) (c) 7. without documenting or referencing that specific
19 information in the findings of fact and conclusions of law or amended findings of fact
20 and conclusions of law that retroactively correct earlier findings of fact and
21 conclusions of law that do not comply with this paragraph are not sufficient to comply
22 with this paragraph.

23 (f) If the findings of fact and conclusions of law under par. (e) conflict with the
24 child's dispositional order or provide for any additional services not specified in the

1 dispositional order, the court shall revise the dispositional order under s. 48.363 or
2 order a change in placement under s. 48.357, as appropriate.”.

3 **128.** Page 35, line 4: delete lines 4 to 12 and substitute:

4 “**SECTION 103m.** 48.417 (1) (a) of the statutes is amended to read:

5 48.417 (1) (a) The child has been placed outside of his or her home, as described
6 in s. 48.365 (1) or 938.365 (1), for 15 of the most recent 22 months, not including any
7 period during which the child was a runaway from the out-of-home placement or the
8 first 6 months of any period during which the child was returned to his or her home
9 for a trial home visit. If the circumstances specified in this paragraph apply, the
10 petition shall be filed or joined in by the last day of the 15th month, as described in
11 this paragraph, for which the child was placed outside of his or her home.

12 **SECTION 103p.** 48.417 (1) (b) of the statutes is amended to read:

13 48.417 (1) (b) A court of competent jurisdiction has found under s. 48.13 (2) or
14 under a law of any other state or a federal law that is comparable to s. 48.13 (2) that
15 the child was abandoned when he or she was under one year of age or has found that
16 the parent abandoned the child when the child was under one year of age in violation
17 of s. 948.20 or in violation of the law of any other state or federal law, if that violation
18 would be a violation of s. 948.20 if committed in this state. If the circumstances
19 specified in this paragraph apply, the petition shall be filed or joined in within 60
20 days after the date on which the court of competent jurisdiction found that the child
21 was abandoned as described in this paragraph.

22 **SECTION 103r.** 48.417 (1) (c) of the statutes is amended to read:

23 48.417 (1) (c) A court of competent jurisdiction has found that the parent has
24 committed, has aided or abetted the commission of, or has solicited, conspired, or

1 attempted to commit, a violation of s. 940.01, 940.02, 940.03, or 940.05 or a violation
2 of the law of any other state or federal law, if that violation would be a violation of
3 s. 940.01, 940.02, 940.03, or 940.05 if committed in this state, and that the victim of
4 that violation is a child of the parent. If the circumstances specified in this paragraph
5 apply, the petition shall be filed or joined in within 60 days after the date on which
6 the court assigned to exercise jurisdiction under this chapter determines, based on
7 a finding that a circumstance specified in this paragraph applies, that reasonable
8 efforts to make it possible for the child to return safely to his or her home are not
9 required.

10 **SECTION 103t.** 48.417 (1) (d) of the statutes is amended to read:

11 48.417 (1) (d) A court of competent jurisdiction has found that the parent has
12 committed a violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or
13 (2), 948.025, or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or
14 federal law, if that violation would be a violation of s. 940.19 (2), (3), (4), or (5), 940.225
15 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) if committed in this state,
16 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or
17 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child
18 of the parent. If the circumstances specified in this paragraph apply, the petition
19 shall be filed or joined in within 60 days after the date on which the court assigned
20 to exercise jurisdiction under this chapter determines, based on a finding that a
21 circumstance specified in this paragraph applies, that reasonable efforts to make it
22 possible for the child to return safely to his or her home are not required.

23 **SECTION 104b.** 48.417 (1) (d) of the statutes, as affected by 2001 Wisconsin Act

24 (this act), is amended to read:

1 48.417 (1) (d) A court of competent jurisdiction has found that the parent has
2 committed a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4),
3 or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) or a
4 violation of the law of any other state or federal law, if that violation would be a
5 violation of s. 940.19 (2), ~~(3)~~, (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,
6 or 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted
7 in great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as
8 defined in s. 939.22 (38), to the child or another child of the parent. If the
9 circumstances specified in this paragraph apply, the petition shall be filed or joined
10 in within 60 days after the date on which the court assigned to exercise jurisdiction
11 under this chapter determines, based on a finding that a circumstance specified in
12 this paragraph applies, that reasonable efforts to make it possible for the child to
13 return safely to his or her home are not required.

14 **SECTION 104d.** 48.417 (2) (a) of the statutes is amended to read:

15 48.417 (2) (a) The child is being cared for by a fit and willing relative of the
16 child.

17 **SECTION 104e.** 48.417 (2) (b) of the statutes is amended to read:

18 48.417 (2) (b) The child's permanency plan indicates and provides
19 documentation that termination of parental rights to the child is not in the best
20 interests of the child.

21 **SECTION 104f.** 48.417 (2) (d) of the statutes is created to read:

22 48.417 (2) (d) Grounds for an involuntary termination of parental rights under
23 s. 48.415 do not exist.”.

24 **129.** Page 35, line 18: after that line insert:

1 “**SECTION 110m.** 48.63 (1) of the statutes, as affected by 2001 Wisconsin Act 69,
2 is amended to read:

3 48.63 (1) Acting pursuant to under court order or voluntary agreement, the
4 child’s parent or guardian or the department of health and family services, the
5 department of corrections, a county department, or a child welfare agency licensed
6 to place children in foster homes, treatment foster homes, or group homes may place
7 a child or negotiate or act as intermediary for the placement of a child in a foster
8 home, treatment foster home, or group home. Voluntary agreements under this
9 subsection may not be used for placements in facilities other than foster, treatment
10 foster, or group homes and may not be extended. A foster home or treatment foster
11 home placement under a voluntary agreement may not exceed 6 months 180 days
12 from the date on which the child was removed from the home under the voluntary
13 agreement. A group home placement under a voluntary agreement may not exceed
14 15 days from the date on which the child was removed from the home under the
15 voluntary agreement, except as provided in sub. (5). These time limitations do not
16 apply to placements made under s. 48.345, 938.183, 938.34, or 938.345. Voluntary
17 agreements may be made only under this subsection and sub. (5) (b) and shall be in
18 writing and shall specifically state that the agreement may be terminated at any
19 time by the parent or guardian or by the child if the child’s consent to the agreement
20 is required. The child’s consent to the agreement is required whenever the child is
21 12 years of age or older.

22 **SECTION 110p.** 48.63 (4) of the statutes is amended to read:

23 48.63 (4) A permanency plan under s. 48.38 is required for each child placed
24 in a foster home or treatment foster home under sub. (1). If the child is living in a
25 foster home or treatment foster home under a voluntary agreement, the agency that

1 negotiated or acted as intermediary for the placement shall prepare the permanency
2 plan within 60 days after the placement date on which the child was removed from
3 his or her home under the voluntary agreement. A copy of each plan shall be provided
4 to the child if he or she is 12 years of age or over and to the child's parent or guardian.
5 If the agency ~~which~~ that arranged the voluntary placement intends to seek a court
6 order to place the child outside of his or her home at the expiration of the voluntary
7 placement, the agency shall prepare a revised permanency plan and file that revised
8 plan with the court prior to the date of the hearing on the proposed placement.

9 **SECTION 110r.** 48.63 (5) (b) of the statutes, as created by 2001 Wisconsin Act
10 69, is amended to read:

11 48.63 (5) (b) If a child who is at least 14 years of age, who is a custodial parent,
12 as defined in s. 49.141 (1) (b), or an expectant mother, and who is in need of a safe
13 and structured living arrangement and the parent or guardian of the child consent,
14 a child welfare agency licensed to place children in group homes may place the child
15 or arrange the placement of the child in a group home described in s. 48.625 (1m).
16 Before placing a child or arranging the placement of a child under this paragraph,
17 the child welfare agency shall report any suspected abuse or neglect of the child as
18 required under s. 48.981 (2). A voluntary agreement to place a child in a group home
19 described in s. 48.625 (1m) may be made only under this paragraph, shall be in
20 writing, and shall specifically state that the agreement may be terminated at any
21 time by the parent, guardian, or child. An initial placement under this paragraph
22 may not exceed ~~6 months~~ 180 days from the date on which the child was removed
23 from the home under the voluntary agreement, but may be extended as provided in
24 par. (d) 3. to 6. An initial placement under this paragraph of a child who is under 16

1 years of age on the date of the initial placement may be extended as provided in par.
2 (d) 3. to 6. no more than once.

3 **SECTION 110s.** 48.63 (5) (c) of the statutes, as created by 2001 Wisconsin Act
4 69, is amended to read:

5 48.63 (5) (c) A permanency plan under s. 48.38 is required for each child placed
6 in a group home under par. (b) and for any child of that child who is residing with that
7 child. The agency that placed the child or that arranged the placement of the child
8 shall prepare the plan within 60 days after the placement date on which the child was
9 removed from his or her home under the voluntary agreement and shall provide a
10 copy of the plan to the child and the child’s parent or guardian.”.

11 **130.** Page 36, line 12: delete lines 12 to 16 and substitute:

12 “**SECTION 113x.** 48.685 (5) (bm) 4. of the statutes is amended to read:

13 48.685 (5) (bm) 4. A violation of s. 125.075 (1), 125.085 (3) (a) 2., 125.105 (2) (b),
14 125.66 (3), 125.68 (12), 940.09, 940.19 (2), (3), (4), (5), or (6), 940.20, 940.203, 940.205
15 or, 940.207, or 940.25, a violation of s. 346.63 (1), (2), (5), or (6) that is a felony under
16 s. 346.65 (2) (e) or (f), (2j) (d), or (3m), or an offense under ch. 961 that is a felony, if
17 committed not more than 5 years before the date of the investigation under sub. (2)
18 (am).

19 **SECTION 114b.** 48.685 (5) (bm) 4. of the statutes, as affected by 2001 Wisconsin
20 Act (this act), is amended to read:

21 48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 125.075 (1),
22 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12), 940.09, 940.19 (2), (~~3~~), (4),
23 (5), or (6), 940.20, 940.203, 940.205, 940.207, or 940.025, a violation of s. 346.63 (1),
24 (2), (5), or (6) that is a felony under s. 346.65 (2) (e) or (f), (2j) (d) or (3m), or an offense

1 under ch. 961 that is a felony, if committed not more than 5 years before the date of
2 the investigation under sub. (2) (am).

3 **SECTION 114g.** 48.78 (2) (a) of the statutes is amended to read:

4 48.78 (2) (a) No agency may make available for inspection or disclose the
5 contents of any record kept or information received about an individual in its care
6 or legal custody, except as provided under s. 48.371, 48.38 (5) (b) or (d) or (5m) (d),
7 48.432, 48.433, 48.93, 48.981 (7), 938.51, or 938.78 or by order of the court.

8 **SECTION 114m.** 48.977 (2) (f) of the statutes, as affected by 2001 Wisconsin Act
9 2, is amended to read:

10 48.977 (2) (f) That the agency primarily responsible for providing services to
11 the child under a court order has made reasonable efforts to make it possible for the
12 child to return to his or her home, while assuring that the child's health and safety
13 are the paramount concerns, but that reunification of the child with the child's
14 parent or parents is unlikely or contrary to the best interests of the child and that
15 further reunification efforts are unlikely to be made or are contrary to the best
16 interests of the child, except that the court ~~need not~~ is not required to find that the
17 agency has made those reasonable efforts with respect to a parent of the child if any
18 of the circumstances specified in s. 48.355 (2d) (b) 1., ~~2., 3., 4., or 5.~~ apply to 5. applies
19 to that parent. The court shall make the findings specified in this paragraph on a
20 case-by-case basis based on circumstances specific to the child and shall document
21 or reference the specific information on which those findings are based in the
22 guardianship order. A guardianship order that merely references this paragraph
23 without documenting or referencing that specific information in the order or an
24 amended guardianship order that retroactively corrects an earlier guardianship

1 order that does not comply with this paragraph is not sufficient to comply with this
2 paragraph.”.

3 **131.** Page 37, line 25: after that line insert:

4 “**SECTION 119k.** 49.175 (1) (z) of the statutes, as affected by 2001 Wisconsin Act
5 16, is amended to read:

6 49.175 (1) (z) *Community youth grant.* For a competitive grant program
7 administered by the department to fund programs that improve social, academic and
8 employment skills of youth who are eligible to receive temporary assistance for needy
9 families under 42 USC 601 et seq., ~~\$7,579,700~~ \$7,829,700 in fiscal year 2001–02 and
10 ~~\$50,000~~ \$300,000 fiscal year 2002–03.”.

11 **132.** Page 37, line 25: after that line insert:

12 “**SECTION 119g.** 49.152 (title) of the statutes is renumbered 49.16 (title).

13 **SECTION 119gd.** 49.152 (1) of the statutes is renumbered 49.16 (1).

14 **SECTION 119gh.** 49.152 (2) of the statutes is renumbered 49.16 (2).

15 **SECTION 119gi.** 49.152 (3) (title) of the statutes is renumbered 49.16 (3) (title).

16 **SECTION 119gj.** 49.152 (3) (a) of the statutes is renumbered 49.16 (3) (a) and
17 amended to read:

18 49.16 (3) (a) If, following review under sub. (2), the Wisconsin works agency or
19 the department determines that an individual, ~~whose application for a Wisconsin~~
20 ~~works employment position was denied based on eligibility, was in fact eligible, or~~
21 ~~that the individual was placed in an inappropriate Wisconsin works employment~~
22 position, the Wisconsin works agency shall place the individual in the first available
23 Wisconsin works employment position that is appropriate for that individual, as
24 determined by the Wisconsin works agency or the department. An individual who

1 is placed in a Wisconsin works employment position under this paragraph is eligible
2 for the benefit for that position under s. 49.148 beginning on the date on which the
3 individual begins participation under s. 49.147.

4 **SECTION 119gk.** 49.152 (3) (b) of the statutes is renumbered 49.16 (3) (b) and
5 amended to read:

6 49.16 (3) (b) If, following review under sub. (2), the Wisconsin works agency or
7 the department determines that an individual's application was not acted upon with
8 reasonable promptness or was improperly denied in whole or in part or that a
9 participant's benefit was improperly modified or canceled, or was calculated
10 incorrectly, the Wisconsin works agency shall restore the benefit to the level
11 determined to be appropriate by the Wisconsin works agency or by the department
12 grant the appropriate benefit, retroactive to the date on which the individual's
13 application was first not acted upon with reasonable promptness or improperly
14 denied in whole or in part or the individual's benefit was first improperly modified
15 or canceled or incorrectly calculated."

16 **133.** Page 38, line 6: after that line insert:

17 **"SECTION 119r.** 49.195 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
18 is amended to read:

19 49.195 (3) A county, tribal governing body, Wisconsin works agency or the
20 department shall determine whether an overpayment has been made under s. 49.19,
21 49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal
22 governing body, Wisconsin works agency or department shall provide notice of the
23 overpayment to the liable person. The department shall give that person an
24 opportunity for a review following the procedure specified under s. ~~49.152~~ 49.16, if

1 the person received the overpayment under s. 49.141 to 49.161, and for a hearing
2 under ch. 227. Notwithstanding s. 49.96, the department shall promptly recover all
3 overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already
4 been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing
5 policies and procedures to administer this subsection. The rules shall include
6 notification procedures similar to those established for child support collections.”.

7 **134.** Page 38, line 20: after that line insert:

8 “**SECTION 121pb.** 49.45 (2) (a) 9. of the statutes is amended to read:

9 49.45 (2) (a) 9. Periodically set forth conditions of participation and
10 reimbursement ~~in a contract with provider~~ for contracts with providers of service
11 under this section. The department shall promulgate rules that specify criteria for
12 and required procedures for submittal of appropriate claims for reimbursement.

13 **SECTION 121pc.** 49.45 (2) (a) 10. a. of the statutes, as affected by 2001
14 Wisconsin Act 16, is renumbered 49.45 (2) (a) 10. and amended to read:

15 49.45 (2) (a) 10. After reasonable notice and opportunity for a hearing
16 conducted as a class 2 proceeding under ch. 227, recover money improperly or
17 erroneously paid or overpayments to a provider by offsetting or adjusting amounts
18 owed the provider under the program, crediting against a provider’s future claims
19 for reimbursement for other services or items furnished by the provider under the
20 program, or requiring the provider to make direct payment to the department or its
21 fiscal intermediary.

22 **SECTION 121pd.** 49.45 (2) (a) 10. b. of the statutes, as created by 2001 Wisconsin
23 Act 16, is repealed.

1 **SECTION 121pe.** 49.45 (2) (a) 10. c. of the statutes, as created by 2001 Wisconsin
2 Act 16, is repealed.

3 **SECTION 121pf.** 49.45 (2) (a) 11. a. of the statutes, as affected by 2001 Wisconsin
4 Act 16, is renumbered 49.45 (2) (a) 11. and amended to read:

5 49.45 (2) (a) 11. Establish criteria for the certification of eligible providers of
6 medical assistance and, except as provided in ~~par. (b) 6m. and s. 49.48, and subject~~
7 ~~to par. (b) 7. and 8.,~~ certify providers who meet the criteria.

8 **SECTION 121pg.** 49.45 (2) (a) 11. b. of the statutes, as created by 2001 Wisconsin
9 Act 16, is repealed.

10 **SECTION 121ph.** 49.45 (2) (a) 12. a. of the statutes, as affected by 2001
11 Wisconsin Act 16, is renumbered 49.45 (2) (a) 12. and amended to read:

12 49.45 (2) (a) 12. Decertify or suspend under this subdivision a provider from
13 ~~or restrict a provider's participation in~~ the medical assistance program, if after
14 giving reasonable notice and opportunity for hearing the department finds that the
15 provider has violated a federal statute or regulation or a state statute or
16 administrative rule and the violation is by statute, regulation, or rule grounds for
17 decertification or restriction. ~~The department shall suspend the provider pending~~
18 ~~the hearing under this subdivision if the department includes in its decertification~~
19 ~~notice findings that the provider's continued participation in the medical assistance~~
20 ~~program pending hearing is likely to lead to the irretrievable loss of public funds and~~
21 ~~is unnecessary to provide adequate access to services to medical assistance~~
22 ~~recipients. As soon as practicable after the hearing, the department shall issue a~~
23 ~~written decision~~ suspension. No payment may be made under the medical assistance
24 program with respect to any service or item furnished by the provider subsequent to
25 decertification or during the period of suspension.

1 **SECTION 121pi.** 49.45 (2) (a) 12. b. of the statutes, as created by 2001 Wisconsin
2 Act 16, is repealed.

3 **SECTION 121pj.** 49.45 (2) (a) 14. of the statutes is amended to read:

4 49.45 (2) (a) 14. Assure due process in implementing subds. 12. and 13. by
5 providing written notice, ~~a fair hearing and a written decision~~ and a hearing
6 conducted as a class 2 proceeding under ch. 227.

7 **SECTION 121pk.** 49.45 (2) (b) 6m. of the statutes, as created by 2001 Wisconsin
8 Act 16, is repealed.

9 **SECTION 121pL.** 49.45 (2) (b) 7. of the statutes, as created by 2001 Wisconsin
10 Act 16, is repealed.

11 **SECTION 121pm.** 49.45 (2) (b) 8. of the statutes, as created by 2001 Wisconsin
12 Act 16, is repealed.

13 **SECTION 121pn.** 49.45 (2) (b) 9. of the statutes, as created by 2001 Wisconsin
14 Act 16, is repealed.

15 **SECTION 121pp.** 49.45 (3) (g) 1. of the statutes, as affected by 2001 Wisconsin
16 Act 16, is renumbered 49.45 (3) (g) and amended to read:

17 49.45 (3) (g) The secretary may authorize personnel to audit or investigate and
18 report to the department on any matter involving violations or complaints alleging
19 violations of statutes, regulations, or rules applicable to the medical assistance
20 program and to perform such investigations or audits as are required to verify the
21 actual provision of services or items available under the medical assistance program
22 and the appropriateness and accuracy of claims for reimbursement submitted by
23 providers participating in the program. Department employees authorized by the
24 secretary under this paragraph shall be issued, and shall possess at all times while
25 they are performing their investigatory or audit functions under this section,

1 identification, signed by the secretary, that specifically designates the bearer as
2 possessing the authorization to conduct medical assistance investigations or audits.
3 Under the request of a designated person and upon presentation of the person's
4 authorization, providers and medical assistance recipients shall accord the person
5 access to any ~~provider personnel~~, records, books, or documents or other information
6 needed. Under the written request of a designated person and upon presentation of
7 the person's authorization, providers and recipients shall accord the person access
8 to any needed patient health care records of a recipient. Authorized employees may
9 hold hearings, administer oaths, take testimony, and perform all other duties
10 necessary to bring the matter before the department for final adjudication and
11 determination.

12 **SECTION 121pq.** 49.45 (3) (g) 2. of the statutes, as created by 2001 Wisconsin
13 Act 16, is repealed.

14 **SECTION 121pr.** 49.45 (3) (h) 1. of the statutes is created to read:

15 49.45 (3) (h) 1. For purposes of any audit, investigation, examination, analysis,
16 review, or other function authorized by law with respect to the medical assistance
17 program, the secretary shall have the power to sign and issue subpoenas to any
18 person requiring the production of any pertinent books, records, patient health care
19 records, or other information. Subpoenas so issued shall be served by anyone
20 authorized by the secretary by delivering a copy to the person named in the
21 subpoena, or by registered mail or certified mail addressed to the person at his or her
22 last-known residence or principal place of business. A verified return by the person
23 serving the subpoena setting forth the manner of service, or, in the event service is
24 by registered or certified mail, the return post-office receipt signed by the person
25 served constitutes proof of service.

1 **SECTION 121ps.** 49.45 (3) (h) 1m. of the statutes, as affected by 2001 Wisconsin
2 Act 16, is renumbered 49.45 (3) (h) 3. and amended to read:

3 49.45 **(3)** (h) 3. The failure or refusal of a provider to accord department
4 auditors or investigators access as required under par. (g) to any provider personnel,
5 records, books, patient health care records of medical assistance recipients, or
6 documents or other information requested constitutes person to purge himself or
7 herself of contempt found under s. 885.12 and perform the act as required by law
8 shall constitute grounds for decertification or suspension of the provider that person
9 from participation in the medical assistance program. No payment may be made for
10 services rendered by the provider that person following decertification, or during the
11 period of suspension, ~~or during any period of provider failure or refusal to accord~~
12 ~~access as required under par. (g).~~

13 **SECTION 121pt.** 49.45 (3) (h) 1n. of the statutes, as created by 2001 Wisconsin
14 Act 16, is repealed.

15 **SECTION 121pu.** 49.45 (3) (h) 2. of the statutes is created to read:

16 49.45 **(3)** (h) 2. In the event of contumacy or refusal to obey a subpoena issued
17 under this paragraph and duly served upon any person, any judge in a court of record
18 in the county in which the person was served may enforce the subpoena in accordance
19 with s. 885.12.

20 **SECTION 121pv.** 49.45 (21) (title) of the statutes, as affected by 2001 Wisconsin
21 Act 16, is amended to read:

22 49.45 **(21)** (title) ~~TAKING OVER PROVIDER'S OPERATION~~ TRANSFER OF BUSINESS,
23 LIABILITY FOR; REPAYMENTS REQUIRED.

24 **SECTION 121pw.** 49.45 (21) (ag) of the statutes, as created by 2001 Wisconsin
25 Act 16, is repealed.

1 **SECTION 121pwj.** 49.45 (21) (ar) of the statutes, as affected by 2001 Wisconsin
2 Act 16, is renumbered 49.45 (21) (a) and amended to read:

3 49.45 (21) (a) ~~Before a person may take over the operation of a provider that~~
4 is If any provider liable for repayment of improper or erroneous payments or
5 overpayments under ss. 49.43 to 49.497, ~~full repayment shall be made. Upon~~
6 ~~request, the department shall notify the provider or the person that intends to take~~
7 ~~over the operation of the provider as to whether the provider~~ sells or otherwise
8 transfers ownership of his or her business or all or substantially all of the assets of
9 the business, the transferor and transferee are each liable for the repayment. Prior
10 to final transfer, the transferee is responsible for contacting the department and
11 ascertaining if the transferor is liable under this paragraph.

12 **SECTION 121px.** 49.45 (21) (b) of the statutes, as affected by 2001 Wisconsin Act
13 16, is amended to read:

14 49.45 (21) (b) ~~If, notwithstanding the prohibition under par. (ar), a person takes~~
15 ~~over the operation of a provider~~ If a transfer occurs and the applicable amount under
16 par. (ar) (a) has not been repaid, the department may, ~~in addition to withholding~~
17 ~~certification as authorized under sub. (2) (b) 8.,~~ proceed against the provider or the
18 person either the transferor or the transferee. Within 30 days after the certified
19 provider receives receiving notice from the department, the transferor or the
20 transferee shall pay the amount shall be repaid in full. If the amount is not repaid
21 ~~in full~~ Upon failure to comply, the department may bring an action to compel
22 payment, If a transferor fails to pay within 90 days after receiving notice from the
23 department, the department may proceed under sub. (2) (a) 12., ~~or may do both.~~

24 **SECTION 121py.** 49.45 (21) (e) of the statutes, as created by 2001 Wisconsin Act
25 16, is repealed.”.

1 **135.** Page 38, line 20: after that line insert:

2 “**SECTION 121t.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

3 49.45 (**6m**) (ar) 1. a. The department shall establish standards for payment of
4 allowable direct care costs, for facilities that do not primarily serve the
5 developmentally disabled, that take into account direct care costs for a sample of all
6 of those facilities in this state and separate standards for payment of allowable direct
7 care costs, for facilities that primarily serve the developmentally disabled, that take
8 into account direct care costs for a sample of all of those facilities in this state. The
9 standards shall be adjusted by the department for regional labor cost variations. For
10 facilities in Douglas, Pierce, and St. Croix counties, the department shall perform the
11 adjustment by use of the wage index that is used by the federal department of health
12 and human services for hospital reimbursement under 42 USC 1395 to 1395ggg.”.

13 **136.** Page 38, line 20: after that line insert:

14 “**SECTION 121k.** 49.26 (1) (h) 1. as. of the statutes is amended to read:

15 49.26 (**1**) (h) 1. as. The individual has failed to request a hearing or has failed
16 to show good cause for not cooperating with case management efforts in a hearing.
17 The hearing shall be requested and held under s. ~~49.152~~ 49.16. The department shall
18 determine by rule the criteria for good cause.”.

19 **137.** Page 39, line 10: after that line insert:

20 “**SECTION 122c.** 49.45 (50) of the statutes is created to read:

21 49.45 (**50**) DISEASE MANAGEMENT. (a) In this subsection, “disease management”
22 means an integrated and systematic approach for managing the health care needs
23 of patients who are at risk of or are diagnosed with a specific disease, using all of the
24 following:

- 1 1. Best practices.
- 2 2. Prevention strategies.
- 3 3. Clinical practice improvement.
- 4 4. Clinical interventions and protocols.
- 5 5. Outcomes research, information, and technology.
- 6 6. Other tools and resources to reduce overall costs and improve measurable
- 7 outcomes.

8 (b) The department may contract with an entity, under the department’s
9 request-for-proposal procedures, to engage in disease management activities on
10 behalf of recipients of medical assistance.”

11 **138.** Page 41, line 13: after that line insert:

12 “**SECTION 128g.** 49.49 (6) of the statutes is amended to read:

13 49.49 (6) RECOVERY. In addition to other remedies available under this section,
14 the court may award the department of justice the reasonable and necessary costs
15 of investigation, an amount reasonably necessary to remedy the harmful effects of
16 the violation and the reasonable and necessary expenses of prosecution, including
17 attorney fees, from any person who violates this section. The department of justice
18 shall deposit in the state treasury for deposit in the general fund all moneys that the
19 court awards to the department or the state under this subsection. ~~Ten percent of~~
20 ~~the money deposited in the general fund that was awarded under this subsection for~~
21 ~~the costs of investigation and the expenses of prosecution, including attorney fees,~~
22 ~~shall be credited to the appropriation account under s. 20.455 (1) (gh).”.~~

23 **139.** Page 46, line 20: after that line insert:

1 “**SECTION 145g.** 49.85 (2) (a) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 49.85 (2) (a) At least annually, the department of health and family services
4 shall certify to the department of revenue the amounts that, based on the
5 notifications received under sub. (1) and on other information received by the
6 department of health and family services, the department of health and family
7 services has determined that it may recover under s. ~~49.45 (2) (a) 10.~~ or 49.497, except
8 that the department of health and family services may not certify an amount under
9 this subsection unless it has met the notice requirements under sub. (3) and unless
10 its determination has either not been appealed or is no longer under appeal.

11 **SECTION 145h.** 49.85 (3) (a) 1. of the statutes, as affected by 2001 Wisconsin Act
12 16, is amended to read:

13 49.85 (3) (a) 1. Inform the person that the department of health and family
14 services intends to certify to the department of revenue an amount that the
15 department of health and family services has determined to be due under s. ~~49.45~~
16 ~~(2) (a) 10.~~ or 49.497, for setoff from any state tax refund that may be due the person.”.

17 **140.** Page 47, line 25: after that line insert:

18 “**SECTION 148n.** 50.36 (3d) of the statutes is created to read:

19 50.36 (3d) (a) A hospital shall develop and maintain a system under which the
20 hospital may grant emergency staff privileges to a health care provider, as defined
21 in s. 146.81 (1), to whom all of the following apply:

22 1. The health care provider seeks to provide care at the hospital during a period
23 of a state of emergency related to public health declared by the governor under s.
24 166.03 (1) (b) 1.

1 2. The health care provider does not have staff privileges at the hospital at the
2 time that the state of emergency related to public health is declared by the governor
3 under s. 166.03 (1) (b) 1.

4 3. The health care provider has staff privileges at another hospital.

5 (b) A hospital that grants emergency staff privileges under par. (a) has
6 immunity from civil liability for acts or omissions by a health care provider who is
7 granted emergency staff privileges under par. (a).”.

8 **141.** Page 48, line 5: after that line insert:

9 “**SECTION 149f.** 51.20 (13) (ct) 2m. of the statutes is amended to read:

10 51.20 **(13)** (ct) 2m. If the subject individual is before the court on a petition filed
11 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a
12 violation, or to have solicited, conspired, or attempted to commit a violation, of s.
13 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,
14 948.06, 948.07, 948.075, 948.08, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or
15 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the subject individual
16 was not the victim’s parent, the court shall require the individual to comply with the
17 reporting requirements under s. 301.45 unless the court determines, after a hearing
18 on a motion made by the individual, that the individual is not required to comply
19 under s. 301.45 (1m).”.

20 **142.** Page 48, line 10: after that line insert:

21 “**SECTION 150tg.** 62.13 (5) (i) of the statutes is amended to read:

22 62.13 **(5)** (i) Any person suspended, reduced, suspended and reduced, or
23 removed by the board may appeal from the order of the board to the circuit court by
24 serving written notice of the appeal on the secretary of the board within 10 days after

1 the order is filed. Within 5 days after receiving written notice of the appeal, the board
2 shall certify to the clerk of the circuit court the record of the proceedings, including
3 all documents, testimony, and minutes. The action shall then be at issue and shall
4 have precedence over any other cause of a different nature pending in the court,
5 which shall always be open to the trial thereof. The court shall upon application of
6 the accused or of the board fix a date of trial, which shall not be later than 15 days
7 after such application except by agreement. The trial shall be by the court and upon
8 the return of the board, except that the court may require further return or the taking
9 and return of further evidence by the board. The question to be determined by the
10 court shall be: Upon the evidence is there just cause, as described under par. (em),
11 to sustain the charges against the accused? No costs shall be allowed either party
12 and the clerk's fees shall be paid by the city. If the order of the board is reversed, the
13 accused shall be forthwith reinstated and entitled to pay as though in continuous
14 service. If the order of the board is sustained, it shall be final and conclusive. This
15 paragraph does not apply to any person who is suspended, reduced, suspended and
16 reduced, or removed by the board or by a committee or person acting under this
17 subsection in place of a board, and who is subject to the terms of a collective
18 bargaining agreement entered into under subch. IV of ch. 111 that provides an
19 alternative to the appeals procedure specified in this paragraph, unless the person
20 chooses to appeal the order to circuit court. If the alternative to the appeals
21 procedure includes a hearing, the hearing shall be open to the public with reasonable
22 advance notice given by the employer. An accused person who chooses to appeal the
23 decision of the board through a collectively bargained alternative to the appeals
24 procedure specified in this paragraph is considered to have waived his or her right
25 to circuit court review of the board decision."

1 **143.** Page 48, line 10: after that line insert:

2 “**SECTION 150c.** 59.692 (6m) of the statutes is amended to read:

3 59.692 **(6m)** For an amendment to an ordinance enacted under this section that
4 affects an activity that meets all of the requirements under s. 281.165 (2) ~~or (3) (a)~~,
5 the department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review
6 the amendment, to determine whether the ordinance, as amended, fails to meet the
7 shoreland zoning standards.

8 **SECTION 150m.** 62.231 (6m) of the statutes is amended to read:

9 62.231 **(6m)** CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an
10 ordinance enacted under this section that affects an activity that meets all of the
11 requirements under s. 281.165 (2) ~~or (3) (a)~~, the department of natural resources may
12 not proceed under sub. (6), or otherwise review the amendment, to determine
13 whether the ordinance, as amended, fails to meet reasonable minimum standards.”.

14 **144.** Page 49, line 18: after that line insert:

15 “**SECTION 151n.** 66.0303 (3) of the statutes is renumbered 66.0303 (3) (a) and
16 amended to read:

17 66.0303 **(3)** (a) An Except as provided in par. (b), an agreement made under this
18 section shall, prior to and as a condition precedent to taking effect, be submitted to
19 the attorney general who shall determine whether the agreement is in proper form
20 and compatible with the laws of this state. The attorney general shall approve any
21 agreement submitted under this subsection paragraph unless the attorney general
22 finds that it does not meet the conditions set forth in this section and details in
23 writing addressed to the concerned municipal governing bodies the specific respects
24 in which the proposed agreement fails to meet the requirements of law. Failure to

1 disapprove an agreement submitted under this ~~subsection~~ paragraph within 90 days
2 of its submission constitutes approval. The attorney general, upon submission of an
3 agreement, shall transmit a copy of the agreement to the governor who shall consult
4 with any state department or agency affected by the agreement. The governor shall
5 forward to the attorney general any comments the governor may have concerning the
6 agreement.

7 **SECTION 151nb.** 66.0303 (3) (b) of the statutes is created to read:

8 66.0303 (3) (b) An agreement under this section between a municipality of this
9 state and a municipality of another state that relates to the receipt, furnishing, or
10 joint exercise of fire fighting or emergency medical services need not be submitted
11 to or approved by the attorney general before the agreement may take effect.”.

12 **145.** Page 49, line 18: after that line insert:

13 “**SECTION 151e.** 66.0218 of the statutes is created to read:

14 **66.0218 Direct annexation of certain town territory. (1) DEFINITIONS.**

15 In this section:

16 (a) “Legal description” has the meaning given in s. 66.0217 (1) (c).

17 (b) “Members–elect” has the meaning given in s. 59.001 (2m).

18 (c) “Municipality” means a city, village, or town.

19 (d) “Public services” includes police and fire protection; sewer and water
20 treatment; stormwater treatment; building, health, and fire prevention inspections;
21 planning; and public works services.

22 (e) “Scale map” has the meaning given in s. 66.0217 (1) (g).

23 **(2) CITY OR VILLAGE ORDINANCES.** (a) *Enactment.* Notwithstanding s. 66.0221,
24 the governing body of a city or village may, by a two–thirds vote of its members–elect,

1 enact an ordinance to annex a contiguous town or contiguous town territory if all of
2 the following apply:

3 1. The area of the territory to be annexed is less than 10 square miles and the
4 territory is located in a county with a population of at least 425,000.

5 2. The annexing city or village is contiguous to more than 50% of the length of
6 the boundary of the territory to be annexed.

7 3. The annexing city or village is capable of providing public services to the
8 territory to be annexed at a level that at least equals the level of service that is being
9 provided by the town.

10 4. The annexation of the territory will reduce any existing problems of
11 duplicative public services being provided within the same area by more than one
12 municipality.

13 5. The boundary of the territory to be annexed is contiguous to one or more cities
14 or villages for at least 95% of its length, excluding areas that border on water, or on
15 land whose condition prohibits development.

16 (b) *Requirements.* The annexation ordinance shall contain a legal description
17 of the territory annexed and the name of the town from which the territory is
18 annexed. Upon enactment of the ordinance under par. (a) the city or village clerk
19 shall file with the secretary of state 8 certified copies of the ordinance, 8 copies of a
20 scale map, and 8 copies of a plat which shows the boundaries of the city or village,
21 including the annexed territory.

22 (c) *Secretary of state.* Not later than 10 days after receiving the ordinance, scale
23 map, and plat, the secretary of state shall forward 2 copies of the ordinance, scale
24 map, and plat to the department of transportation, one copy to the department of
25 administration, one copy to the department of natural resources, one copy to the

1 department of revenue, one copy to the department of public instruction, and one
2 copy to the clerk of the town from which the territory was annexed.

3 (d) *Action to contest annexation.* Section 66.0217 (11) applies to annexations
4 under this section.

5 (3) EFFECTIVENESS OF ANNEXATION ORDINANCE. An ordinance enacted under sub.
6 (2) takes effect on the first day of the 2nd month beginning after enactment.

7 (4) SUNSET. This section does not apply after December 31, 2003.”.

8 **146.** Page 49, line 19: delete the material beginning with that line and ending
9 with page 53, line 4.

10 **147.** Page 53, line 4: after that line insert:

11 “SECTION 153s. 66.1113 (2) (a) of the statutes, as affected by 2001 Wisconsin
12 Act 16, is amended to read:

13 66.1113 (2) (a) The governing body of a political subdivision, by a two-thirds
14 vote of the members of the governing body who are present when the vote is taken,
15 may enact an ordinance or adopt a resolution declaring itself to be a premier resort
16 area if, except as provided in ~~par.~~ pars. (e) and (f), at least 40% of the equalized
17 assessed value of the taxable property within such political subdivision is used by
18 tourism-related retailers.

19 SECTION 153t. 66.1113 (2) (f) of the statutes is created to read:

20 66.1113 (2) (f) The city of Bayfield may enact an ordinance or adopt a resolution
21 declaring itself to be a premier resort area under par. (a) even if less than 40% of the
22 equalized assessed value of the taxable property within Bayfield is used by
23 tourism-related retailers.”.

24 **148.** Page 53, line 4: after that line insert:

1 **“SECTION 153d.** 66.0903 (10) (a) of the statutes is amended to read:

2 66.0903 **(10)** (a) Each contractor, subcontractor, or contractor’s or
3 subcontractor’s agent performing work on a project that is subject to this section
4 shall keep full and accurate records clearly indicating the name and trade or
5 occupation of every person performing the work described in sub. (4) and an accurate
6 record of the number of hours worked by each of those persons and the actual wages
7 paid for the hours worked. If requested by any person, a contractor, subcontractor,
8 or contractor’s or subcontractor’s agent performing work on a project that is subject
9 to this section shall permit that person to inspect and copy any of those records to the
10 same extent as if the record were maintained by the department, except that s. 19.36
11 (3) does not limit the duty of a subcontractor or a contractor’s or subcontractor’s agent
12 to permit inspection and copying of a record under this paragraph. Before permitting
13 the inspection and copying of a record under this paragraph, a contractor,
14 subcontractor, or contractor’s or subcontractor’s agent shall delete from the record
15 any personally identifiable information, as defined in s. 19.62 (5), contained in the
16 record about any person performing the work described in sub. (4) other than the
17 trade or occupation of the person, the number of hours worked by the person, and the
18 actual wages paid for those hours worked.”.

19 **149.** Page 53, line 20: after that line insert:

20 **“SECTION 156b.** 70.32 (2) (c) 1. of the statutes is amended to read:

21 70.32 **(2)** (c) 1. “Agricultural land” means land, exclusive of buildings and
22 improvements and the land necessary for their location and convenience, that is
23 devoted primarily to agricultural use, as defined by rule, if the land is a farm, as

1 defined in sub. (2s) (a) 2., and the owner or lessee of the land files the form under sub.
2 (2s).

3 **SECTION 156d.** 70.32 (2) (c) 1m. of the statutes is created to read:

4 70.32 (2) (c) 1m. “Other,” as it relates to par. (a) 7., means buildings and
5 improvements located on farms, as defined in sub. (2s) (a) 2.; including any residence
6 for the farm operator’s spouse, children, parents, or grandparents; and the land
7 necessary for the location and convenience of those building and improvements.

8 **SECTION 156e.** 70.32 (2s) of the statutes is created to read:

9 70.32 (2s) (a) In this subsection:

10 1. “Department” means the department of revenue.

11 2. “Farm” means a business engaged in activities included in the North
12 American Industry Classification System, 1997 edition, published by the U.S. office
13 of management and budget under any of the following classifications:

14 a. Classification 111–Crop production.

15 b. Classification 112–Animal production.

16 (b) Any person who owns or who is a lessee of land used as a farm shall file a
17 form, as prescribed by the department, with the assessor of each taxation district in
18 which land included in the farm is located no later than March 1 that certifies that
19 the person is the owner or lessee of land used as a farm. The person shall identify
20 on the form the land that is included in the farm. A person who has filed a form under
21 this paragraph shall only file such a form in a subsequent year if in that subsequent
22 year the person has acquired or leased additional land to be used as part of the farm.

23 (c) If the use of the person’s land has changed so that it may no longer be
24 assessed as agricultural land under sub. (2r), the person who owns or who is the
25 lessee of the land shall notify the assessor of the taxation district in which the

1 person's land is located, on a form prescribed by the department. If the use of the
2 person's land has changed so that it may no longer be assessed as agricultural land
3 under sub. (2r) and the person who owns or who is the lessee of the land does not
4 notify the assessor of the taxation district as provided under this paragraph, the
5 taxation district shall treat the difference between the land's value as agricultural
6 land under sub. (2r) and the land's value under the appropriate classification as
7 provided under sub. (2) (a) as omitted property under s. 70.44 and collect from the
8 owner of the land the penalty under s. 74.485.

9 (d) If a person who owns or who is a lessee of land used as a farm fails to timely
10 file the form under par. (b), the land may be assessed as agricultural land if the
11 person appeals the land's classification to the board of review under s. 70.47 or files
12 a claim under s. 74.35 with the taxation district and the board of review or the
13 taxation district determines that the land is agricultural land, as defined in sub. (2)
14 (c) 1.”.

15 **150.** Page 53, line 25: after that line insert:

16 “**SECTION 157m.** 70.995 (8) (a) of the statutes is amended to read:

17 70.995 (8) (a) The secretary of revenue shall establish a state board of
18 assessors, which shall be comprised of the members of the department of revenue
19 whom the secretary designates. The state board of assessors shall investigate any
20 objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state
21 board of assessors, after having made the investigation, shall notify the person
22 assessed or the person's agent and the appropriate municipality of its determination
23 by 1st class mail or electronic mail. Beginning with objections filed in 1989, the state
24 board of assessors shall make its determination on or before April 1 of the year after

1 the filing. If the determination results in a refund of property taxes paid, the state
2 board of assessors shall include in the determination a finding of whether the refund
3 is due to false or incomplete information supplied by the person assessed. The person
4 assessed or the municipality having been notified of the determination of the state
5 board of assessors shall be deemed to have accepted the determination unless the
6 person or municipality files a petition for review with the clerk of the tax appeals
7 commission as provided in s. 73.01 (5) and the rules of practice promulgated by the
8 commission. If an assessment is reduced by the state board of assessors, the
9 municipality affected may file an appeal seeking review of the reduction, or may,
10 within 30 days after the person assessed files a petition for review, file a
11 cross-appeal, before the tax appeals commission even though the municipality did
12 not file an objection to the assessment with the board. If the board does not overrule
13 a change from assessment under this section to assessment under s. 70.32 (1), the
14 affected municipality may file an appeal before the tax appeals commission. If an
15 assessment is increased by the board, the person assessed may file an appeal seeking
16 review of the increase, or may, within 30 days after the municipality files a petition
17 for review, file a cross-appeal, before the commission even though the person did not
18 file an objection to the assessment with the board.

19 **SECTION 157n.** 70.995 (8) (b) 1. of the statutes, as affected by 2001 Wisconsin
20 Act 16, is amended to read:

21 70.995 (8) (b) 1. The department of revenue shall annually notify each
22 manufacturer assessed under this section and the municipality in which the
23 manufacturing property is located of the full value of all real and personal property
24 owned by the manufacturer. The notice shall be in writing and shall be sent by 1st
25 class mail or electronic mail. In addition, the notice shall specify that objections to

1 valuation, amount, or taxability must be filed with the state board of assessors
2 within 60 days of issuance of the notice of assessment, that objections to a change
3 from assessment under this section to assessment under s. 70.32 (1) must be filed
4 within 60 days after receipt of the notice, that the fee under par. (c) 1. or (d) must be
5 paid and that the objection is not filed until the fee is paid. A statement shall be
6 attached to the assessment roll indicating that the notices required by this section
7 have been mailed and failure to receive the notice does not affect the validity of the
8 assessments, the resulting tax on real or personal property, the procedures of the tax
9 appeals commission or of the state board of assessors, or the enforcement of
10 delinquent taxes by statutory means.”.

11 **151.** Page 54, line 3: delete the material beginning with that and ending with
12 page 57, line 13.

13 **152.** Page 57, line 22: delete “P.L. 106-554.”.

14 **153.** Page 58, line 5: on lines 5, 11 and 14, delete “P.L. 106-554.”.

15 **154.** Page 58, line 25: delete “P.L. 106-554, P.L. 106-573.”.

16 **155.** Page 59, line 9: on lines 9, 15 and 18, delete “P.L. 106-554, P.L.
17 106-573.”.

18 **156.** Page 60, line 3: delete the material beginning with “P.L. 106-230” and
19 ending with “P.L. 106-573,” on line 4.

20 **157.** Page 60, line 13: delete that line and substitute “and P.L. 107-16,
21 excluding”.

22 **158.** Page 60, line 19: delete the material beginning with “P.L. 106-230” and
23 ending with “106-573,” on line 20.

1 **159.** Page 60, line 22: delete "P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.
2 106-573.".

3 **160.** Page 61, line 1: delete the material beginning with "and before" and
4 ending with "2001." on line 2.

5 **161.** Page 61, line 7: delete that line and substitute "104-188, and as
6 amended by".

7 **162.** Page 61, line 8: delete "P.L. 106-573, and".

8 **163.** Page 61, line 16: delete "P.L. 106-200, P.L. 106-230.".

9 **164.** Page 61, line 17: delete "P.L. 106-519, P.L. 106-554, P.L. 106-573.".

10 **165.** Page 61, line 21: delete "and before January 1, 2001.".

11 **166.** Page 61, line 22: delete "P.L. 106-200, P.L.".

12 **167.** Page 61, line 23: delete "106-230, P.L. 106-519, P.L. 106-554, P.L.
13 106-573, and".

14 **168.** Page 61, line 25: delete "P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.".

15 **169.** Page 62, line 1: delete "106-554, P.L. 106-573, and".

16 **170.** Page 62, line 3: delete the material beginning with that line and ending
17 with page 63, line 24.

18 **171.** Page 64, line 9: delete the material beginning with that line and ending
19 with page 66, line 15.

20 **172.** Page 66, line 15: after that line insert:

21 "**SECTION 170L.** 71.05 (6) (b) 32. (intro.) of the statutes, as created by 1999
22 Wisconsin Act 44, is amended to read:

1 71.05 (6) (b) 32. (intro.) An amount paid into a college savings account, as
2 described in s. 14.64, if the beneficiary of the account either is the claimant or; is the
3 claimant's child and the claimant's dependent who is claimed under section 151 (c)
4 of the Internal Revenue Code; or is the claimant's grandchild; calculated as follows:

5 **SECTION 170Lb.** 71.05 (6) (b) 32. a. of the statutes, as created by 1999 Wisconsin
6 Act 44, is amended to read:

7 71.05 (6) (b) 32. a. An amount equal to not more than \$3,000 per beneficiary
8 by each contributor to an account for each year to which the claim relates, except that
9 the total amount for which a deduction may be claimed under this subdivision and
10 under subd. 33., per beneficiary by any claimant may not exceed \$3,000 each year.
11 In the case of a married couple filing a joint return, the total deduction under this
12 subdivision and under subdivision 33., per beneficiary by the married couple may not
13 exceed \$3,000 each year.

14 **SECTION 170Ld.** 71.05 (6) (b) 33. (intro.) of the statutes, as created by 1999
15 Wisconsin Act 44, is amended to read:

16 71.05 (6) (b) 33. (intro.) An amount paid into a college tuition and expenses
17 program, as described in s. 14.63, if the beneficiary of the account either is the
18 claimant or; is the claimant's child and the claimant's dependent who is claimed
19 under section 151 (c) of the Internal Revenue Code; or is the claimant's grandchild;
20 calculated as follows:

21 **SECTION 170Le.** 71.05 (6) (b) 33. a. of the statutes, as created by 1999 Wisconsin
22 Act 44, is amended to read:

23 71.05 (6) (b) 33. a. An amount equal to not more than \$3,000 per beneficiary
24 by each contributor to an account for each year to which the claim relates, except that
25 the total amount for which a deduction may be claimed under this subdivision and

1 under subd. 32., per beneficiary by any claimant may not exceed \$3,000 each year.
2 In the case of a married couple filing a joint return, the total deduction under this
3 subdivision and under subdivision 32., per beneficiary by the married couple may not
4 exceed \$3,000 each year.”.

5 **173.** Page 66, line 15: after that line insert:

6 “**SECTION 170q.** 71.10 (7) (c) of the statutes is created to read:

7 71.10 (7) (c) 1. For taxable years beginning after December 31, 2000, this state
8 shall pay Minnesota interest on any reciprocity payment that is due under this
9 subsection. Interest shall be calculated according to the Laws of Minnesota 2002
10 Chapter 377, or at another rate and under another method of calculation that is
11 agreed to by Minnesota and Wisconsin.”.

12 **174.** Page 66, line 18: delete the material beginning with that line and ending
13 with page 70, line 8.

14 **175.** Page 70, line 17: delete “P.L. 106-554,”.

15 **176.** Page 71, line 2: on lines 2, 8 and 11, delete “P.L. 106-554,”.

16 **177.** Page 71, line 21: delete “P.L. 106-554, P.L. 106-573,”.

17 **178.** Page 72, line 6: on lines 6, 13 and 16, delete “P.L. 106-554, P.L.
18 106-573,”.

19 **179.** Page 72, line 25: delete “P.L. 106-230, P.L. 106-519, P.L.”.

20 **180.** Page 73, line 1: delete “106-544, P.L. 106-573,”.

21 **181.** Page 73, line 11: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554,”.

22 **182.** Page 73, line 12: delete “P.L. 106-573,”.

23 **183.** Page 73, line 17: delete “106-170, P.L. and substitute “106-170,”.

- 1 **184.** Page 73, line 18: delete that line and substitute “and P.L. 107-16,
2 excluding”.
- 3 **185.** Page 73, line 20: delete “P.L. 106-230,”.
- 4 **186.** Page 73, line 21: delete “P.L. 106-519, P.L. 106-554, P.L. 106-573,”.
- 5 **187.** Page 74, line 1: delete “and before January 1, 2001,”.
- 6 **188.** Page 74, line 5: delete that line and substitute “amended by”.
- 7 **189.** Page 74, line 6: delete “and P.L.” and substitute “P.L.”.
- 8 **190.** Page 74, line 16: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.
9 106-554,”.
- 10 **191.** Page 74, line 17: delete “P.L. 106-573,”.
- 11 **192.** Page 74, line 21: delete “and before January 1, 2001,”.
- 12 **193.** Page 74, line 22: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.”.
- 13 **194.** Page 74, line 23: delete “106-554, P.L. 106-573, and”.
- 14 **195.** Page 74, line 25: delete that line and substitute “P.L.”.
- 15 **196.** Page 75, line 3: delete the material beginning with that line and ending
16 with page 77, line 2.
- 17 **197.** Page 77, line 5: delete the material beginning with that line and ending
18 with page 80, line 14.
- 19 **198.** Page 80, line 23: delete “P.L. 106-554,”.
- 20 **199.** Page 81, line 6: on lines 6, 12 and 15, delete “P.L. 106-554,”.
- 21 **200.** Page 81, line 25: delete “P.L. 106-554, P.L. 106-573,”.

1 **201.** Page 82, line 9: on lines 9, 15 and 18, delete “P.L. 106-554, P.L.
2 106-573,”.

3 **202.** Page 83, line 3: delete “P.L. 106-230, P.L.”.

4 **203.** Page 83, line 4: delete “106-519, P.L. 106-554, P.L. 106-573,”.

5 **204.** Page 83, line 13: on lines 13, 19 and 22, delete “P.L. 106-230, P.L.
6 106-519, P.L. 106-554, P.L. 106-573,”.

7 **205.** Page 84, line 1: delete the material beginning with “and” and ending
8 with “2001,” on line 2.

9 **206.** Page 84, line 7: delete that line and substitute “104-188, and as
10 amended by”.

11 **207.** Page 84, line 8: delete “P.L. 106-573, and”.

12 **208.** Page 84, line 16: delete “P.L. 106-200, P.L. 106-230,”.

13 **209.** Page 84, line 17: delete “P.L. 106-519, P.L. 106-554, P.L. 106-573,”.

14 **210.** Page 84, line 21: delete “and before January 1, 2001,”.

15 **211.** Page 84, line 22: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.”.

16 **212.** Page 84, line 23: delete “106-554, P.L. 106-573, and”.

17 **213.** Page 84, line 25: delete that line and substitute “P.L.”.

18 **214.** Page 85, line 3: delete the material beginning with that line and ending
19 with page 86, line 24.

20 **215.** Page 87, line 1: delete the material beginning with that line and ending
21 with page 89, line 8.

- 1 **216.** Page 89, line 11: delete the material beginning with that line and ending
2 with page 97, line 2.
- 3 **217.** Page 97, line 12: on lines 12 and 20, delete “P.L. 106-554.”.
- 4 **218.** Page 98, line 4: on lines 4, 13 and 25, delete “P.L. 106-554.”.
- 5 **219.** Page 99, line 8: on lines 8, 14 and 17, delete “P.L. 106-554.”.
- 6 **220.** Page 100, line 3: on lines 3, 12 and 21, delete “P.L. 106-554, P.L.
7 106-573.”.
- 8 **221.** Page 101, line 5: on lines 5 and 18, delete “P.L. 106-554, P.L. 106-573.”.
- 9 **222.** Page 102, line 2: on lines 2, 8 and 11, delete “P.L. 106-554, P.L.
10 106-573.”.
- 11 **223.** Page 102, line 21: delete “106-170, P.L.” and substitute “106-170.”.
- 12 **224.** Page 102, line 22: delete that line and substitute “and P.L. 107-16,
13 excluding”.
- 14 **225.** Page 103, line 6: on lines 6 and 15, delete “P.L. 106-230, P.L. 106-519,
15 P.L. 106-554, P.L. 106-573.”.
- 16 **226.** Page 103, line 24: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554.”.
- 17 **227.** Page 103, line 25: delete “P.L. 106-573.”.
- 18 **228.** Page 104, line 11: delete “P.L. 106-230, P.L. 106-519, P.L.”.
- 19 **229.** Page 104, line 12: delete “106-554, P.L. 106-573.”.
- 20 **230.** Page 104, line 20: delete the material beginning with “P.L. 106-230” and
21 ending with “106-573,” on line 21.
- 22 **231.** Page 105, line 1: delete “P.L. 106-230, P.L. 106-519.”.

- 1 **232.** Page 105, line 2: delete “P.L. 106-554, P.L. 106-573,”.
- 2 **233.** Page 105, line 4: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.”.
- 3 **234.** Page 105, line 5: delete “106-573,”.
- 4 **235.** Page 105, line 8: delete the material beginning with “and” and ending
5 with “2001,” on line 9.
- 6 **236.** Page 105, line 15: delete “P.L. 106-200, P.L. 106-230, P.L.”.
- 7 **237.** Page 105, line 16: delete “106-519, P.L. 106-554, P.L. 106-573, and”.
- 8 **238.** Page 105, line 25: delete that line and substitute “and P.L.”.
- 9 **239.** Page 106, line 8: delete “P.L. 106-200, P.L. 106-230,”.
- 10 **240.** Page 106, line 9: delete “P.L. 106-519, P.L. 106-554, P.L. 106-573, and”.
- 11 **241.** Page 106, line 18: delete that line and substitute “and P.L.”.
- 12 **242.** Page 107, line 5: delete that line and substitute “amended by”.
- 13 **243.** Page 107, line 6: delete “and P.L. 107-16” and substitute “P.L. 107-16”.
- 14 **244.** Page 107, line 14: delete “P.L. 106-200, P.L. 106-230,”.
- 15 **245.** Page 107, line 15: delete “P.L. 106-519, P.L. 106-554, P.L. 106-573,”.
- 16 **246.** Page 107, line 19: delete “and before January 1, 2001,”.
- 17 **247.** Page 107, line 20: delete that line and substitute “Revenue Code made
18 by”.
- 19 **248.** Page 107, line 21: delete “106-573, and”.
- 20 **249.** Page 107, line 22: delete “P.L. 106-200,”.
- 21 **250.** Page 107, line 23: delete that line and substitute “P.L. 107-16,
22 excluding”.

- 1 **251.** Page 108, line 1: delete the material beginning with that line and ending
2 with page 112, line 25.
- 3 **252.** Page 113, line 16: delete the material beginning with that line and
4 ending with page 117, line 10.
- 5 **253.** Page 117, line 18: delete "P.L. 106-554".
- 6 **254.** Page 118, line 3: on lines 3, 11 and 14, delete "P.L. 106-554".
- 7 **255.** Page 118, line 24: delete "P.L. 106-554, P.L. 106-573".
- 8 **256.** Page 119, line 9: delete "P.L. 106-554".
- 9 **257.** Page 119, line 10: delete "P.L. 106-573".
- 10 **258.** Page 119, line 18: on lines 18 and 21, delete "P.L. 106-554, P.L.
11 106-573".
- 12 **259.** Page 120, line 6: delete "P.L. 106-230, P.L.".
- 13 **260.** Page 120, line 7: delete "106-519, P.L. 106-554, P.L. 106-573".
- 14 **261.** Page 120, line 17: delete "P.L. 106-230, P.L. 106-519".
- 15 **262.** Page 120, line 18: delete "P.L. 106-554, P.L. 106-573".
- 16 **263.** Page 120, line 25: delete "106-170, P.L." and substitute "106-170".
- 17 **264.** Page 121, line 1: delete that line and substitute "and P.L. 107-16,
18 excluding".
- 19 **265.** Page 121, line 3: delete "P.L. 106-230".
- 20 **266.** Page 121, line 4: delete "P.L. 106-519, P.L. 106-554, P.L. 106-573".
- 21 **267.** Page 121, line 8: delete "and before January 1, 2001".

- 1 **268.** Page 121, line 12: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519,
- 2 P.L.”.
- 3 **269.** Page 121, line 13: delete “106-554, P.L. 106-573,”.
- 4 **270.** Page 121, line 23: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519,”.
- 5 **271.** Page 121, line 24: delete “P.L. 106-554, P.L. 106-573,”.
- 6 **272.** Page 122, line 5: delete “and before January 1, 2001,”.
- 7 **273.** Page 122, line 6: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.”.
- 8 **274.** Page 122, line 7: delete “106-554, P.L. 106-573, and”.
- 9 **275.** Page 122, line 9: delete that line and substitute “and P.L.”.
- 10 **276.** Page 122, line 12: delete the material beginning with that line and
- 11 ending with page 124, line 14.
- 12 **277.** Page 125, line 19: delete the material beginning with that line and
- 13 ending with page 129, line 2.
- 14 **278.** Page 129, line 10: on lines 10, 17 and 25, delete “P.L. 106-554,”.
- 15 **279.** Page 130, line 3: delete “P.L. 106-554,”.
- 16 **280.** Page 130, line 12: on lines 12 and 20, delete “P.L. 106-554, P.L.
- 17 106-573,”.
- 18 **281.** Page 131, line 3: on lines 3 and 6, delete “P.L. 106-554, P.L. 106-573,”.
- 19 **282.** Page 131, line 14: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554,”.
- 20 **283.** Page 131, line 15: delete “P.L. 106-573,”.
- 21 **284.** Page 131, line 23: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.
- 22 106-573,”.

- 1 **285.** Page 132, line 5: delete “P.L. 106-230, P.L. 106-519,”.
- 2 **286.** Page 132, line 6: delete “P.L. 106-554, P.L. 106-573,”.
- 3 **287.** Page 132, line 8: delete “P.L. 106-230, P.L. 106-519, P.L. 106-554, P.L.”.
- 4 **288.** Page 132, line 9: delete “106-573,”.
- 5 **289.** Page 132, line 12: delete the material beginning with “and” and ending
6 with “2001,” on line 13.
- 7 **290.** Page 132, line 17: delete that line and substitute “amended by”.
- 8 **291.** Page 132, line 18: delete “and P.L. 107-16” and substitute “P.L. 107-16”.
- 9 **292.** Page 133, line 1: delete that line and substitute “and P.L.”.
- 10 **293.** Page 133, line 7: delete “and before January 1, 2001,”.
- 11 **294.** Page 133, line 8: delete “P.L. 106-200, P.L. 106-230, P.L. 106-519, P.L.”.
- 12 **295.** Page 133, line 9: delete “106-554, P.L. 106-573, and”.
- 13 **296.** Page 133, line 11: delete that line and substitute “P.L.”.
- 14 **297.** Page 133, line 14: delete the material beginning with that line and
15 ending with page 135, line 9.
- 16 **298.** Page 135, line 24: delete the material beginning with that line and
17 ending with page 138, line 9.
- 18 **299.** Page 139, line 16: after that line insert:
- 19 “**SECTION 233e.** 77.52 (13) of the statutes is amended to read:
- 20 77.52 (13) For the purpose of the proper administration of this section and to
21 prevent evasion of the sales tax it shall be presumed that all receipts are subject to
22 the tax until the contrary is established. The burden of proving that a sale of tangible

1 personal property or services is not a taxable sale at retail is upon the person who
2 makes the sale unless that person takes from the purchaser a certificate to the effect
3 that the property or service is purchased for resale or is otherwise exempt; except
4 that no certificate is required for sales of cattle, sheep, goats, and pigs that are sold
5 at a livestock market, as defined in s. 95.68 (1) (e), and no certificate is required for
6 sales of commodities, as defined in 7 USC 2, that are consigned for sale in a
7 warehouse in or from which the commodity is deliverable on a contract for future
8 delivery subject to the rules of a commodity market regulated by the U.S. commodity
9 futures trading commission if upon the sale the commodity is not removed from the
10 warehouse.

11 **SECTION 233g.** 77.53 (10) of the statutes is amended to read:

12 77.53 (10) For the purpose of the proper administration of this section and to
13 prevent evasion of the use tax and the duty to collect the use tax, it is presumed that
14 tangible personal property or taxable services sold by any person for delivery in this
15 state is sold for storage, use, or other consumption in this state until the contrary is
16 established. The burden of proving the contrary is upon the person who makes the
17 sale unless that person takes from the purchaser a certificate to the effect that the
18 property or taxable service is purchased for resale, or otherwise exempt from the tax;
19 except that no certificate is required for sales of cattle, sheep, goats, and pigs that are
20 sold at a livestock market, as defined in s. 95.68 (1) (e), and no certificate is required
21 for sales of commodities, as defined in 7 USC 2, that are consigned for sale in a
22 warehouse in or from which the commodity is deliverable on a contract for future
23 delivery subject to the rules of a commodity market regulated by the U.S. commodity
24 futures trading commission if upon the sale the commodity is not removed from the
25 warehouse.”.

1 **300.** Page 139, line 16: after that line insert:

2 “**SECTION 232p.** 73.03 (52) of the statutes is amended to read:

3 73.03 (52) To enter into agreements with the ~~internal revenue service~~ Internal
4 Revenue Service that provide for offsetting state tax refunds against federal tax
5 obligations; and to charge a fee up to \$25 per transaction for such offsets; and
6 offsetting federal tax refunds against state tax obligations, if the agreements provide
7 that setoffs under ss. 71.93 and 71.935 occur before the setoffs under those
8 agreements.”.

9 **301.** Page 139, line 16: after that line insert:

10 “**SECTION 232m.** 73.03 (28d) of the statutes is created to read:

11 73.03 (28d) To enter into a contract to participate in the multistate tax
12 commission audit program. The department shall allocate a portion of the amount
13 collected under chs. 71 and 77 through the contract to the appropriation under s.
14 20.566 (1) (hn) to pay the fees necessary to participate in the multistate tax
15 commission audit program. The department shall allocate the remainder of such
16 collections to the general fund.”.

17 **302.** Page 139, line 16: after that line insert:

18 “**SECTION 233L.** 77.82 (2) (intro.) of the statutes is amended to read:

19 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to
20 designate any eligible parcel of land as managed forest land. A petition may include
21 any number of eligible parcels under the same ownership in a single municipality.
22 ~~Each petition shall be submitted on a form provided by the department and shall be~~
23 ~~accompanied by a nonrefundable \$10 application fee unless a different amount of the~~
24 ~~fee is established by the department by rule at an amount equal to the average~~

1 ~~expense to the department of recording an order issued under this subchapter. The~~
2 ~~fee shall be deposited in the conservation fund and credited to the appropriation~~
3 ~~under s. 20.370 (1) (er).~~ Each petition shall include all of the following:

4 **SECTION 233m.** 77.82 (2m) of the statutes is created to read:

5 77.82 **(2m)** FEES FOR PETITIONS. (a) Except as provided in par. (b), a petition
6 under sub. (2) or (4m) shall be accompanied by a nonrefundable application fee of
7 \$100.

8 (b) If the petition is accompanied by a proposed management plan as provided
9 in par. (c), the nonrefundable application fee shall be \$10 unless a different amount
10 for the fee is established by the department by rule at an amount equal to the average
11 expense to the department of recording an order issued under this subchapter.

12 (c) A proposed management plan that qualifies for the reduced fee under par.
13 (b) shall be one of the following:

14 1. A management plan prepared by a qualified forester, as defined by rule by
15 the department.

16 2. Any other management plan approved by the department.

17 3. For petitions under sub. (4m), a recent management plan that was approved
18 by the department for the forest cropland that is subject to the conversion petition
19 under sub. (4m).

20 (d) All the fees collected under this subsection shall be deposited in the
21 conservation fund. The fees collected under par. (b) and \$10 of each \$100 fee collected
22 under par. (a) shall be credited to the appropriation under s. 20.370 (1) (cr).

23 (e) If the proposed management plan is not approved by the department under
24 its initial review under sub. (3) (a), the department shall collect from the petitioner
25 a fee in an amount equal to \$100 less the amount the petitioner paid under par. (c).

1 **SECTION 233n.** 77.82 (3) (a) of the statutes is amended to read:

2 77.82 (3) (a) The petitioner may submit a proposed management plan for the
3 entire acreage of each parcel with the petition. The department, after considering
4 the owner's forest management objectives as stated under sub. (2) (e), shall review
5 and either approve or disapprove the proposed plan. If the department disapproves
6 a plan, it shall inform the petitioner of the changes necessary to qualify the plan for
7 approval upon subsequent review.

8 **SECTION 233nm.** 77.82 (4) of the statutes is amended to read:

9 77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the
10 department to designate as managed forest land an additional parcel of land in the
11 same municipality if the additional parcel is at least 3 acres in size and is contiguous
12 to any of the owner's designated land. The petition shall be accompanied by a
13 nonrefundable \$10 application fee unless a different amount of the fee is established
14 in the same manner as the fee under sub. ~~(2)~~ (2m) (b). The fee shall be deposited in
15 the conservation fund and credited to the appropriation under s. 20.370 (1) (cr). The
16 petition shall be submitted on a department form and shall contain any additional
17 information required by the department.

18 **SECTION 233o.** 77.82 (4m) (bn) of the statutes is repealed.

19 **SECTION 233p.** 77.82 (4m) (c) of the statutes is repealed.”.

20 **303.** Page 139, line 16: after that line insert:

21 “**SECTION 232f.** 71.93 (1) (a) 3. of the statutes, as affected by 2001 Wisconsin
22 Act 16, is amended to read:

1 71.93 (1) (a) 3. An amount that the department of health and family services
2 may recover under s. 49.45 (2) (a) 10. ~~or 49.497~~, if the department of health and
3 family services has certified the amount under s. 49.85.”.

4 **304.** Page 139, line 16: after that line insert:

5 “**SECTION 233b.** 74.48 of the statutes is repealed.

6 **SECTION 233d.** 74.485 of the statutes is created to read:

7 **74.485 Penalty for converting agricultural land. (1) DEFINITION.** In this
8 section, “agricultural land” has the meaning given in s. 70.32 (2) (c) 1.

9 **(2) PENALTY.** Except as provided in sub. (4), a person who owns land that has
10 been assessed as agricultural land under s. 70.32 (2r) and who converts the land’s
11 use so that the land is not eligible to be assessed as agricultural land under s. 70.32
12 (2r), as determined by the assessor of the taxation district in which the land is
13 located, shall pay a penalty to the county in which the land is located in an amount,
14 calculated by the county treasurer, that is equal to the number of acres converted
15 multiplied by the amount of the difference between the average fair market value of
16 an acre of agricultural land sold in the county in the year before the year that the
17 person converts the land, as determined under sub. (3), and the average equalized
18 value of an acre of agricultural land in the county in the year before the year that the
19 person converts the land, as determined under sub. (3), multiplied by the following:

20 (a) Five percent, if the converted land is more than 30 acres.

21 (b) Seven and one-half percent, if the converted land is 30 acres or less but at
22 least 10 acres.

23 (c) Ten percent, if the converted land is less than 10 acres.

1 **(3) VALUE DETERMINATION.** Annually, the department of revenue shall
2 determine the average equalized value of an acre of agricultural land in each county
3 in the previous year, as provided under s. 70.57, and the average fair market value
4 of an acre of agricultural land sold in each county in the previous year based on the
5 sales in each county in the previous year of parcels of agricultural land that are 38
6 acres or more to buyers who intend to use the land as agricultural land.

7 **(4) EXCEPTIONS AND DEFERRAL.** (a) A person who owns land that has been
8 assessed as agricultural land under s. 70.32 (2r) and who converts the land's use so
9 that the land is not eligible to be assessed as agricultural land under s. 70.32 (2r) is
10 not subject to a penalty under sub. (2) if the converted land may be assessed as
11 swamp or waste under s. 70.32 (2) (a) 5., as productive forest land under s. 70.32 (2)
12 (a) 6., or as other under s. 70.32 (2) (a) 7. or if the amount of the penalty determined
13 under sub. (2) represents less than \$25 for each acre of converted land.

14 (b) If a person owes a penalty under sub. (2), the treasurer of the county in
15 which the person's land is located may defer payment of the penalty to the succeeding
16 taxable year if the person demonstrates to the assessor of the taxation district in
17 which the land is located that the person's land will be used as agricultural land in
18 the succeeding taxable year. A person who receives a deferral under this paragraph
19 is not subject to the penalty under sub. (2) related to the deferral, if the person's land
20 is used as agricultural land in the succeeding taxable year. If the land of a person
21 who receives a deferral under this paragraph is not used as agricultural land in the
22 succeeding taxable year, the person shall pay the penalty with interest at the rate
23 of 1% a month, or fraction of a month, from the date that the treasurer granted a
24 deferral to the date that the penalty is paid.

1 **(5) PAYMENT.** Except as provided in sub. (4), a person who owes a penalty under
2 sub. (2) shall pay the penalty to the county in which the person's land related to the
3 penalty is located no later than 30 days after the date that the penalty is assessed.
4 A penalty that is not paid on the date it is due is considered delinquent and shall be
5 paid with interest at the rate of 1% a month, or fraction of a month, from the date that
6 the penalty is assessed to the date that the penalty is paid. The county shall collect
7 an unpaid penalty as a special charge against the land related to the penalty.

8 **(6) DISTRIBUTION.** A county that collects a penalty under this section shall
9 distribute 50% of the amount of the penalty to the taxation district in which the land
10 related to the penalty is located. If the land related to the penalty is located in 2 or
11 more taxation districts, the county shall distribute 50% of the amount of the penalty
12 to the taxation districts in proportion to the equalized value of the land related to the
13 penalty that is located in each taxation district. A taxation district shall distribute
14 50% of any amount it receives under this subsection to an adjoining taxation district,
15 if the taxation district in which the land related to the penalty is located annexed the
16 land related to the penalty from the adjoining taxation district in either of the 2 years
17 preceding a distribution under this subsection.

18 **(7) NOTICE.** A person who owns land that has been assessed as agricultural land
19 under s. 70.32 (2r) and who sells the land shall notify the buyer of the land of all of
20 the following:

21 (a) That the land has been assessed as agricultural land under s. 70.32 (2r).

22 (b) Whether the person who owns the land and who is selling the land has been
23 assessed a penalty under sub. (2) related to the land.

24 (c) Whether the person who owns the land and who is selling the land has been
25 granted a deferral under sub. (4) related to the land.

1 **(8) TAXATION DISTRICT ASSESSOR.** The assessors of the taxation districts located
2 in the county shall inform the county treasurer and the real property lister of all sales
3 of agricultural land located in the county.

4 **(9) ADMINISTRATION.** The county in which the land as described in sub. (1) is
5 located shall administer the penalty under this section.”.

6 **305.** Page 139, line 16: after that line insert:

7 **“SECTION 233b.** 77.52 (2) (a) 5. of the statutes is renumbered 77.52 (2) (a) 5. a.
8 and amended to read:

9 77.52 **(2)** (a) 5. a. The sale of telecommunications services, except services
10 subject to 4 USC 116 to 126, as amended by P.L. 106-252, that either originate or
11 terminate in this state; except services that are obtained by means of a toll-free
12 number, that originate outside this state and that terminate in this state; and are
13 charged to a service address in this state, regardless of the location where that charge
14 is billed or paid; and the sale of the rights to purchase telecommunications services,
15 including purchasing reauthorization numbers, by paying in advance and by using
16 an access number and authorization code, except sales that are subject to subd. 5. b.

17 **SECTION 233c.** 77.52 (2) (a) 5. b. of the statutes is created to read:

18 77.52 **(2)** (a) 5. b. The sale of services subject to 4 USC 116 to 126, as amended
19 by P.L. 106-252, if the customer’s place of primary use of the services is in this state,
20 as determined under 4 USC 116 to 126, as amended by P.L. 106-252. For purposes
21 of this subd. 5. b., all of the provisions of 4 USC 116 to 126, as amended by P.L.
22 106-252, are adopted, except that if 4 USC 116 to 126, as amended by P.L. 106-252,
23 or the application of 4 USC 116 to 126, as amended by P.L. 106-252, is found

1 unconstitutional the sale of telecommunications services is subject to the tax
2 imposed under this section as provided in subd. 5. a.

3 **SECTION 233e.** 77.52 (3m) (intro.) of the statutes is amended to read:

4 77.52 (3m) (intro.) In regard to the sale of the rights to purchase
5 telecommunications services under sub. (2) (a) 5. a.:

6 **SECTION 233f.** 77.52 (3n) of the statutes is created to read:

7 77.52 (3n) In regard to the sale of the rights to purchase telecommunications
8 services under sub. (2) (a) 5. b., the situs of the sale is as determined under 4 USC
9 116 to 126, as amended by P.L. 106-252.

10 **SECTION 233g.** 77.523 of the statutes is created to read:

11 **77.523 Customer remedy.** If a customer purchases a service that is subject
12 to 4 USC 116 to 126, as amended by P.L. 106-252, and if the customer believes that
13 the amount of the tax assessed for the service under this subchapter or the place of
14 primary use or taxing jurisdiction assigned to the service is erroneous, the customer
15 may request that the service provider correct the alleged error by sending a written
16 notice to the service provider. The notice shall include a description of the alleged
17 error, the street address for the customer's place of primary use of the service, the
18 account name and number of the service for which the customer seeks a correction,
19 and any other information that the service provider reasonably requires to process
20 the request. Within 60 days from the date that a service provider receives a request
21 under this section, the service provider shall review its records to determine the
22 customer's taxing jurisdiction. If the review indicates that there is no error as
23 alleged, the service provider shall explain the findings of the review in writing to the
24 customer. If the review indicates that there is an error as alleged, the service
25 provider shall correct the error and shall refund or credit the amount of any tax

1 collected erroneously, along with the related interest, as a result of the error from the
2 customer in the previous 48 months, consistent with s. 77.59 (4). A customer may
3 take no other action, or commence any action, to correct an alleged error in the
4 amount of the tax assessed under this subchapter on a service that is subject to 4 USC
5 116 to 126, as amended by P.L. 106-252, or to correct an alleged error in the assigned
6 place of primary use or taxing jurisdiction, unless the customer has exhausted his
7 or her remedies under this section.

8 **SECTION 233h.** 77.525 of the statutes is amended to read:

9 **77.525 Reduction to prevent double taxation.** Any person who is subject
10 to the tax under s. 77.52 (2) (a) 5. a on telecommunications services that terminate
11 in this state and who has paid a similar tax on the same services to another state may
12 reduce the amount of the tax remitted to this state by an amount equal to the similar
13 tax properly paid to another state on those services or by the amount due this state
14 on those services, whichever is less. That person shall refund proportionally to the
15 persons to whom the tax under s. 77.52 (2) (a) 5. a was passed on an amount equal
16 to the amounts not remitted.

17 **SECTION 233j.** 77.54 (46m) of the statutes is created to read:

18 **77.54 (46m)** The gross receipts from the sale of and the storage, use, or other
19 consumption of telecommunications services, if the telecommunications services are
20 obtained by using the rights to purchase telecommunications services, including
21 purchasing reauthorization numbers, by paying in advance and by using an access
22 number and authorization code; and if the tax imposed under s. 77.52 or 77.53 was
23 previously paid on the sale or purchase of such rights.

24 **SECTION 233k.** 77.72 (3) (b) of the statutes is amended to read:

1 77.72 (3) (b) *Exceptions.* ~~Communication~~ A communication service has a situs
2 where the customer is billed for the service if the customer calls collect or pays by
3 credit card. Services subject to s. 77.52 (2) (a) 5. b. have a situs at the customer’s place
4 of primary use of the services, as determined under 4 USC 116 to 126, as amended
5 by P.L. 106-252. Towing services have a situs at the location to which the vehicle is
6 delivered. Services performed on tangible personal property have a situs at the
7 location where the property is delivered to the buyer.”.

8 **306.** Page 139, line 17: delete lines 17 to 19.

9 **307.** Page 140, line 1: delete “; and \$58,145,700 in 2003” and substitute “; and
10 \$58,145,700 in 2003”.

11 **308.** Page 140, line 6: delete lines 6 and 7 and substitute “\$999,709,900 in
12 2004 and in each year thereafter.”.

13 **309.** Page 140, line 8: delete lines 8 to 12.

14 **310.** Page 140, line 17: on lines 17, 20 and 25, after “79.035,” insert “79.036,”.

15 **311.** Page 141, line 9: on lines 9 and 13, delete “2002” and substitute “2003”.

16 **312.** Page 141, line 24: delete lines 24 and 25 and substitute “20.855 (4) (rb)
17 in 2002 is \$11,110,000 in 2002; and \$11,221,100 in 2003 and in each year thereafter
18 and the total amount to be distributed under this subsection from s. 20.835 (1) (b) in
19 2003 is \$11,221,100.”.

20 **313.** Page 142, line 14: delete lines 14 to 21 and substitute “counties. In 2003
21 ~~and subsequent years,~~ the total amounts to be distributed under ss. 79.03, 79.04, and
22 79.06 from s. 20.835 (1) (d) are \$776,783,700 to municipalities and \$172,378,300 to
23 counties.”.

1 **314.** Page 142, line 23: delete “2003” and substitute “2004”.

2 **315.** Page 143, line 1: delete the material beginning with that line and ending
3 with page 144, line 12, and substitute:

4 **“79.035 County and municipal aid. (1)** Subject to reductions under s.
5 79.036 (3), in 2004 and subsequent years, each county and municipality shall receive
6 a payment from the county and municipal aid account in an amount determined
7 under sub. (2).

8 **(2) (a) 1.** For the distribution in 2004, each county and municipality will receive
9 a payment that is equal to the amount of the payments the county or municipality
10 received in 2003 under ss. 79.03, 79.04, 79.05, 79.058, and 79.06, less the amount of
11 the reduction under subd. 2.

12 **2.** The department of revenue shall reduce the amount of the payments to be
13 distributed to each county and municipality, as determined under subd. 1., by
14 subtracting from such payments an amount based on the county’s or municipality’s
15 population, as determined by the department, so that the total amount of the
16 reduction to all such payments in 2004 is \$40,000,000, except that the reduction
17 applied to any county’s or municipality’s payment shall not exceed the amount of the
18 payments specified under subd. 1. distributed to the county or municipality in 2003.

19 **(b)** For the distribution in 2005 and subsequent years, each county and
20 municipality shall receive a payment under this section that is equal to the amount
21 of the payment determined for the county or municipality under par. (a) in 2004 prior
22 to the reductions under s. 79.036.

23 **SECTION 244f.** 79.036 of the statutes is created to read:

1 **79.036 Consolidation incentive payment. (1)** (a) In 2004 and subsequent
2 years, counties and municipalities that agree to consolidate county or municipal
3 services may receive payments under sub. (2), if such counties and municipalities
4 submit a copy of the consolidation agreement to the department of revenue no later
5 than September 1 of the year preceding the effective date of the consolidation and the
6 department approves the payment.

7 (b) A consolidation agreement submitted under par. (a) shall include an
8 estimate of the savings to each county or municipality that is subject to the
9 agreement that will result from the consolidation of services.

10 (c) No later than September 15 of each year, the department of revenue shall
11 review any agreement submitted under par. (a) and determine whether each county
12 or municipality that is subject to the agreement will receive a payment under sub.
13 (2).

14 (d) The department of revenue shall consider a consolidation ordinance under
15 s. 66.0229 to be an agreement to consolidate municipal services for purposes of this
16 subsection.

17 **(2)** (a) Subject to review and approval under sub. (1) (c) and the limitations
18 provided under this subsection, each county and municipality that is eligible for a
19 payment under this section shall receive one payment in the first year of the
20 consolidation specified in the agreement submitted under sub. (1) (a) that is equal
21 to 75% the estimated savings to each such county or municipality that result from
22 the consolidation. No county or municipality may receive more than one payment
23 under this section related to the same consolidation agreement.

24 (b) The total amount of all payments under par. (a) distributed in each year may
25 not exceed \$45,000,000. If in any year the department of revenue calculates that the

1 total amount of all payments under par. (a) exceeds \$45,000,000, each county and
2 municipality that is eligible to receive a payment under par. (a) shall receive a
3 payment that is reduced in proportion to the county's or municipality's share of the
4 total payments under par. (a) so that the total amount of all such payments is no more
5 than \$45,000,000.

6 (3) Beginning with distributions in 2004, the payments under s. 79.035 to be
7 distributed to each county and municipality shall be reduced in proportion to the
8 county's or municipality's share of all payments under s. 79.035 in each year so that
9 the total amount of all payments under s. 79.035 is reduced by the total amount to
10 be distributed under sub. (2) in that year.”.

11 **316.** Page 144, line 15: delete “2002” and substitute “2003”.

12 **317.** Page 145, line 1: delete “2002” and substitute “2003”.

13 **318.** Page 146, line 8: on lines 8 and 16, delete “except for the distribution”
14 and substitute “ending with the distributions”.

15 **319.** Page 146, line 9: delete “sub. (1) subs. (1), (6), and (7)” and substitute
16 “sub. (1)”.

17 **320.** Page 146, line 10: on lines 10 and 18, delete “from the public utility
18 account”.

19 **321.** Page 146, line 17: delete “sub. (2) subs. (2), (6), and (7)” and substitute
20 “sub. (2)”.

21 **322.** Page 147, line 1: delete “2003” and substitute “2004”.

22 **323.** Page 147, line 3: delete the material beginning with that line and ending
23 with page 153, line 2.

1 **324.** Page 153, line 4: on lines 4 and 10, delete “2002” and substitute “2003”.

2 **325.** Page 153, line 7: delete “2003” and substitute “2004”.

3 **326.** Page 153, line 18: delete lines 18 and 19 and substitute:

4 “**SECTION 254bm.** 79.058 (3) (e) of the statutes, as created by 2001 Wisconsin
5 Act 16, is amended to read:

6 79.058 (3) (e) In 2003 ~~and subsequent years~~, \$21,181,100.”.

7 **327.** Page 153, line 21: delete “2003” and substitute “2004”.

8 **328.** Page 153, line 22: after that line insert:

9 “**SECTION 256b.** 79.06 (1) (b) of the statutes is amended to read:

10 79.06 (1) (b) If Ending with the distributions in 2003, if the payments to any
11 municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in
12 1986 or any year thereafter are less than 95% of the combined payments to the
13 municipality or county under this section and s. 79.03, excluding payments under s.
14 79.03 (3c), for the previous year, the municipality or county has an aids deficiency.
15 The amount of the aids deficiency is the amount by which 95% of the combined
16 payments to the municipality or county under this section and s. 79.03, excluding
17 payments under s. 79.03 (3c), in the previous year exceeds the payments to the
18 municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in the
19 current year.

20 **SECTION 256d.** 79.06 (1) (c) of the statutes is amended to read:

21 79.06 (1) (c) ~~A~~ Ending with the distributions in 2003, a municipality or county
22 that has an aids deficiency shall receive a payment from the amounts withheld under
23 sub. (2) equal to its proportion of all the aids deficiencies of municipalities or counties
24 respectively for that year.

1 **SECTION 256e.** 79.06 (2) (b) of the statutes, as affected by 2001 Wisconsin Act
2 16, is amended to read:

3 79.06 (2) (b) If Ending with the distributions in 2003, if the payments to a
4 municipality or county, except any county in which there are no cities or villages, or
5 any county created in the year 1846 or 1847, with a population in the year 1990
6 greater than 16,000 but less than 17,000, as determined by the 1990 federal
7 decennial census, in any year exceed its combined payments under this section and
8 s. 79.03, excluding payments under s. 79.03 (3c), in the previous year by more than
9 the maximum allowable increase, the excess shall be withheld to fund minimum
10 payments in that year under sub. (1) (c).”.

11 **329.** Page 153, line 24: delete “2003” and substitute “2004”.

12 **330.** Page 153, line 25: after that line insert:

13 “**SECTION 257p.** 84.30 (10m) of the statutes is amended to read:

14 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may
15 promulgate a rule requiring persons specified in the rule to pay annual permit fees
16 for signs. The rule shall specify that no permit fee may be charged for an
17 off-premises advertising sign that is owned by a nonprofit organization. If the
18 department establishes an annual permit fee under this subsection, failure to pay
19 the fee within 2 months after the date on which payment is due is evidence that the
20 sign has been abandoned for the purposes of s. TRANS 201.10 (2) (f), Wis. Adm.
21 Code.”.

22 **331.** Page 153, line 25: after that line insert:

23 “**SECTION 257m.** 84.185 (3m) of the statutes is created to read:

1 84.185 **(3m)** REVIEW OF APPLICATIONS. The department shall accept, review, and
2 make determinations on applications for assistance under this section on a
3 continuing, year-round basis. The department shall make a determination on each
4 application for assistance under this section within a reasonable time after its
5 receipt by the department.”.

6 **332.** Page 153, line 25: after that line insert:

7 “**SECTION 258m.** 85.12 (3) of the statutes, as affected by 2001 Wisconsin Act 16,
8 is amended to read:

9 85.12 **(3)** The department may contract with any local governmental unit, as
10 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services
11 under this section.”.

12 **333.** Page 153, line 25: after that line insert:

13 “**SECTION 258r.** 84.02 (15) of the statutes is created to read:

14 84.02 **(15)** TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this
15 subsection:

16 1. “Additional cost” means the difference in cost between installation of a traffic
17 control signal that is equipped with an emergency preemption device and
18 confirmation signal and installation of a traffic control signal that is not so equipped,
19 and includes the difference in incidental costs such as electrical wiring.

20 2. “Authorized emergency vehicle” has the meaning given in s. 340.01 (3) (a),
21 (c), (g), or (i).

22 3. “Confirmation signal” means a white signal, located on or near a traffic
23 control signal equipped with an emergency preemption device, that is designed to be
24 visible to the operator of an approaching authorized emergency vehicle and that

1 confirms to the operator that the emergency preemption device has received a
2 transmission from the operator.

3 4. "Emergency preemption device" means an electrical device, located on or
4 within a traffic control signal, that is designed to receive an electronic, radio, or sonic
5 transmission from an approaching authorized emergency vehicle that alters the
6 normal sequence of the traffic control signal to provide or maintain a green signal for
7 the authorized emergency vehicle to proceed through the intersection.

8 5. "Political subdivision" means a county, city, village, or town.

9 6. "Traffic control signal" means any electrical device by which traffic is
10 alternately directed to stop and permitted to proceed by means of exhibiting different
11 colored lights successively.

12 (b) Before the department installs a new traffic control signal on a state trunk
13 highway within the corporate limits of any political subdivision, the department
14 shall do all of the following:

15 1. Notify the political subdivision of the planned traffic control signal
16 installation.

17 2. Notify the political subdivision of the additional cost of equipping the traffic
18 control signal with an emergency preemption device and confirmation signal.

19 3. Provide the political subdivision with the opportunity to request that the
20 traffic control signal be equipped with an emergency preemption device and
21 confirmation signal.

22 (c) If any political subdivision requests under par. (b) 3. that the department
23 equip the traffic control signal with an emergency preemption device and
24 confirmation signal, and one or more political subdivisions contributes a total of 50%
25 of the additional cost specified under par. (b) 2., the department shall equip the traffic

1 control signal with an emergency preemption device and confirmation signal when
2 the department installs the traffic control signal.

3 (d) Notwithstanding pars. (b) and (c), this subsection does not prohibit the
4 department from installing on any state trunk highway, at the department's
5 expense, any traffic control signal equipped with an emergency preemption device
6 and confirmation signal. The department may install a new traffic control signal
7 equipped with an emergency preemption device and confirmation signal under this
8 paragraph without providing notice and an opportunity to respond under par. (b) to
9 any political subdivision. The department shall install a confirmation signal with
10 every new emergency preemption device installed by the department under this
11 paragraph.

12 (e) Any new traffic control signal installed by the department after the effective
13 date of this paragraph [revisor inserts date], that is not equipped with an
14 emergency preemption device shall include all electrical wiring necessary to equip
15 the traffic control signal with an emergency preemption device and confirmation
16 signal.

17 (f) The department shall promulgate rules to implement and administer this
18 subsection. The rules shall include procedures and deadlines for the department's
19 notification of political subdivisions, and for political subdivisions' requests and
20 contributions to the department, under this subsection.

21 **SECTION 258x.** 85.07 (7) (c) of the statutes is created to read:

22 85.07 (7) (c) Notwithstanding par. (b), the department shall, in each fiscal year,
23 expend federal funds available under 23 USC 152 for hazard elimination projects
24 that reduce the response time of emergency vehicles regardless of reduction in motor
25 vehicle accidents.”.

1 **334.** Page 153, line 25: after that line insert:

2 “**SECTION 258m.** 84.09 (9) of the statutes is created to read:

3 84.09 (9) Subsections (5), (5m), and (6) do not apply to state surplus property
4 that is directed to be sold under 2001 Wisconsin Act (this act), section 9107 (1b).”.

5 **335.** Page 153, line 25: after that line insert:

6 “**SECTION 258ps.** 84.013 (2) of the statutes, as affected by 2001 Wisconsin Act
7 16, is amended to read:

8 84.013 (2) (a) Subject to ~~s. ss. 84.555 and~~ 86.255, major highway projects shall
9 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
10 20.866 (2) (ur) to ~~(uu)~~ (uum).

11 (b) Except as provided in ss. 84.014 ~~and~~, 84.03 (3), ~~and 84.555~~, and subject to
12 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
13 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

14 **SECTION 258pt.** 84.014 (2) of the statutes, as created by 2001 Wisconsin Act 16,
15 is amended to read:

16 84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and
17 86.255, any southeast Wisconsin freeway rehabilitation projects, including the
18 Marquette interchange reconstruction project and projects that involve adding one
19 or more lanes 5 miles or more in length to the existing freeway, may be funded only
20 from the appropriations under s. ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2)
21 (uum).

22 **SECTION 258pv.** 84.03 (2) (c) of the statutes is amended to read:

23 84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the
24 joint committee on finance jointly shall determine whether the plan is complete. If

1 the joint committee on finance meets and either approves or modifies and approves
2 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine
3 that the plan is complete, the secretary shall implement the plan as approved by the
4 committee. If the joint committee on finance does not meet and either approve or
5 modify and approve a plan submitted under par. (b) 1. within 14 days after the
6 cochairpersons determine that the plan is complete, the secretary shall implement
7 the proposed plan. If the joint committee on finance approves a plan under s. 84.555
8 for a state fiscal year, the joint committee on finance may modify a plan implemented
9 under this paragraph for that fiscal year.

10 **SECTION 258pw.** 84.555 of the statutes is created to read:

11 **84.555 Additional funding of major highway and rehabilitation**
12 **projects.** (1) Notwithstanding ss. 84.51 and 84.59, major highway projects, as
13 defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast
14 Wisconsin freeway rehabilitation projects under s. 84.014, and state highway
15 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
16 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) if all
17 of the following conditions are satisfied:

18 (a) The department's most recent estimate of the amount of federal funds, as
19 defined in s. 84.03 (2) (a) 1., that the department will be appropriated under s. 20.395
20 in the current state fiscal year is less than 95% of the amount of federal funds shown
21 in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395
22 in that fiscal year.

23 (b) The secretary has submitted a plan to the joint committee on finance for the
24 use of proceeds of general obligation bonds issued under s. 20.866 (2) (uum) and the
25 joint committee on finance has approved the plan, except that the secretary may not

1 submit, and the joint committee on finance may not approve, a plan for the use of an
2 amount of proceeds of general obligation bonds that exceeds the difference between
3 the amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the
4 department to be appropriated under s. 20.395 in the current state fiscal year and
5 the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2.,
6 for the appropriations under s. 20.395 in that fiscal year.

7 (2) The joint committee on finance may approve, or modify and approve, a plan
8 received under sub. (1) (b) using the procedure specified in s. 84.03 (2) (c). No plan
9 submitted under sub. (1) (b) may be implemented unless the joint committee on
10 finance has approved, or modified and approved, the plan.

11 (3) The secretary may submit a plan under sub. (1) (b) at any time during a
12 state fiscal year after the condition specified in sub. (1) (a) is satisfied for that fiscal
13 year.”.

14 **336.** Page 153, line 25: after that line insert:

15 “**SECTION 258pr.** 84.013 (1) (a) (intro.) of the statutes is amended to read:

16 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project
17 providing an approach to a bridge over a river that forms a boundary of the state or
18 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
19 total cost of more than \$5,000,000 and which involves any of the following:

20 **SECTION 258pu.** 84.014 (5m) of the statutes is created to read:

21 84.014 (5m) (a) Notwithstanding any other provision of this section, the
22 department may not expend any moneys from the appropriations under s. 20.395 (3)
23 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that

1 involves adding one or more lanes 5 miles or more in length to the existing freeway
2 unless the project is specifically enumerated in a list under par. (b).

3 (b) The department may proceed with the following southeast Wisconsin
4 freeway rehabilitation projects:

5 1. No projects are enumerated under this paragraph as of the effective date of
6 this subdivision [revisor inserts date].”.

7 **337.** Page 153, line 25: after that line insert:

8 “SECTION 257g. 84.014 (5) of the statutes is created to read:

9 84.014 (5) The department shall design the reconstruction of I 94 in Milwaukee
10 and Waukesha counties to allow for expansion of capacity for vehicular traffic on I
11 94 in these counties to meet the projected vehicular traffic capacity needs, as
12 determined by the department, for 25 years following the completion of such
13 reconstruction.”.

14 **338.** Page 154, line 4: after that line insert:

15 “SECTION 259g. 86.312 (2) (a) of the statutes is amended to read:

16 86.312 (2) (a) The department shall administer a local roads for job
17 preservation program to award grants to political subdivisions for any project that
18 the department determines is necessary to support business and retain jobs in the
19 vicinity of the local road. The department may award grants under this section for
20 any costs related to a project, including costs of acquiring rights-of-way, planning,
21 designing, engineering, and constructing a local road. The department may specify
22 the pavement to be used in any project funded under this section for the purpose of
23 enhancing the pavement life and cost-effectiveness of the project.”.

24 **339.** Page 154, line 4: after that line insert:

1 **“SECTION 259g.** 87.30 (1) (d) of the statutes is amended to read:

2 87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects
3 an activity that meets all of the requirements under s. 281.165 (2) ~~or (3) (a)~~, the
4 department may not proceed under this subsection, or otherwise review the
5 amendment, to determine whether the ordinance, as amended, is insufficient.”.

6 **340.** Page 154, line 4: after that line insert:

7 **“SECTION 259d.** 93.07 (1) of the statutes is amended to read:

8 93.07 (1) REGULATIONS. To make and enforce such regulations, not inconsistent
9 with law, as it may deem necessary for the exercise and discharge of all the powers
10 and duties of the department, and to adopt such measures and make such
11 regulations as are necessary and proper for the ~~enforcement by the state of~~
12 department to carry out its duties and powers under chs. 93 to 100, which regulations
13 shall have the force of law.”.

14 **341.** Page 154, line 17: after that line insert:

15 **“SECTION 259sd.** 93.07 (23) of the statutes is created to read:

16 93.07 (23) CONSUMER PROTECTION ADMINISTRATION. To administer ss. 100.01 to
17 100.03, 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201, 100.206, 100.208,
18 100.21, 100.22, 100.235, 100.265, 100.27, 100.285 to 100.297, 100.30, 100.33 to
19 100.36, 100.45, 100.47, 100.48, and 100.51 and to enforce ss. 100.206, 100.21, 100.30,
20 and 100.51.

21 **SECTION 259se.** 93.07 (24) of the statutes is amended to read:

22 93.07 (24) ENFORCEMENT OF LAWS. To enforce or assist in the enforcement of chs.
23 88 and 93 to 100 and all other laws entrusted to its administration, and especially:

1 (a) To enforce the laws administered by the department regarding the
2 production, manufacture and sale, offering or exposing for sale or having in
3 possession with intent to sell, of any dairy, food or drug product.

4 (b) To enforce the laws administered by the department regarding the
5 adulteration or misbranding of any articles of food, drink, condiment or drug.

6 (c) To inspect any milk, butter, cheese, lard, syrup, coffee, tea or other article
7 of food, drink, condiment or drug made or offered for sale within this state which it
8 may suspect or have reason to believe, under the laws administered by the
9 department, to be impure, unhealthful, misbranded, adulterated or counterfeit, or
10 in any way unlawful.

11 (d) To prosecute or cause to be prosecuted, under the laws administered by the
12 department, any person engaged in the manufacture or sale, offering or exposing for
13 sale or having in possession with intent to sell, of any adulterated dairy product or
14 of any adulterated, misbranded, counterfeit, or otherwise unlawful article or articles
15 of food, drink, condiment or drug.

16 **SECTION 259sf.** 93.18 (3) of the statutes is amended to read:

17 93.18 (3) The department of justice, after acting pursuant to s. 100.37 or 100.41
18 to 100.43 to order the sale or distribution of any substance, article, furnishing, fabric,
19 product or related material ceased, shall give written notice of its finding to the
20 manufacturer, seller or other person responsible for placing the item in the channels
21 of trade in this state. After such notice no person may sell, remove or otherwise
22 dispose of such item except as directed by the department. Any person affected by
23 such notice may demand a prompt hearing to determine the validity of the
24 department's findings. The hearing, if requested, shall be held as expeditiously as
25 possible but not later than 30 days after notice. A request for hearing does not

1 operate to stay enforcement of the order during the pendency of the hearing. The
2 person petitioning for a hearing shall be entitled to the same rights specified under
3 sub. (2).

4 **SECTION 259sh.** 93.18 (7) of the statutes is created to read:

5 93.18 (7) The department of justice shall follow the procedures under subs. (1),
6 (2), (4), (5), and (6) in enforcing the provisions of ch. 100 that are administered by the
7 department of justice.

8 **SECTION 259sj.** 93.20 (1) of the statutes is amended to read:

9 93.20 (1) DEFINITION. In this section, "action" means an action that is
10 commenced in court by, or on behalf of, the department of agriculture, trade and
11 consumer protection to enforce chs. 88, 91 to 100 or 127 or an action that is
12 commenced in court by the department of justice to enforce ch. 100.

13 **SECTION 259sm.** 93.22 (1) of the statutes is amended to read:

14 93.22 (1) In cases arising under chs. 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21,
15 100.30, and 100.51, the department may be represented by its attorney.

16 **SECTION 259sp.** 93.22 (2) of the statutes is amended to read:

17 93.22 (2) The department may, with the approval of the governor, appoint
18 special counsel to prosecute or assist in the prosecution of any case arising under chs.
19 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21, 100.30, and 100.51. The cost of such
20 special counsel shall be charged to the appropriation for the department."

21 **342.** Page 154, line 18: after that line insert:

22 "SECTION 260g. 95.22 of the statutes is renumbered 95.22 (1).

23 **SECTION 260h.** 95.22 (2) of the statutes is created to read:

1 95.22 (2) The department shall provide the reports of any communicable
2 diseases under sub. (1) to the department of health and family services.”.

3 **343.** Page 154, line 18: delete that line.

4 **344.** Page 155, line 7: after that line insert:

5 “**SECTION 262m.** 100.07 (6) of the statutes is amended to read:

6 100.07 (6) ~~Action~~ Upon request of the department, an action to enjoin violation
7 of this section may be commenced and prosecuted by the department of justice in the
8 name of the state in any court having equity jurisdiction.”.

9 **345.** Page 155, line 13: after that line insert:

10 “**SECTION 263bb.** 100.171 (7) (b) of the statutes, as affected by 2001 Wisconsin
11 Act (this act), is amended to read:

12 100.171 (7) (b) Whoever intentionally violates this section is guilty of a Class
13 I felony. A person intentionally violates this section if the violation occurs after the
14 department of justice or a district attorney has notified the person by certified mail
15 that the person is in violation of this section.

16 **SECTION 263bd.** 100.171 (8) (intro.) of the statutes is amended to read:

17 100.171 (8) **ENFORCEMENT.** (intro.) The department of justice shall investigate
18 violations of this section. The department of justice or any district attorney may on
19 behalf of the state:

20 **SECTION 263bg.** 100.173 (4) (intro.) of the statutes is amended to read:

21 100.173 (4) (intro.) The department of justice shall investigate violations of this
22 section. The department of justice, or any district attorney upon informing the
23 department of justice, may, on behalf of the state, do any of the following:

24 **SECTION 263bj.** 100.173 (4) (a) of the statutes is amended to read:

1 100.173 (4) (a) Bring an action for temporary or permanent injunctive relief in
2 any court of competent jurisdiction for any violation of this section. The relief sought
3 by the department of justice or district attorney may include the payment by a
4 promoter into an escrow account of an amount estimated to be sufficient to pay for
5 ticket refunds. The court may, upon entry of final judgment, award restitution when
6 appropriate to any person suffering loss because of violations of this section if proof
7 of such loss is submitted to the satisfaction of the court.

8 **SECTION 263bn.** 100.174 (5) (intro.) of the statutes is amended to read:

9 100.174 (5) (intro). The department of justice or any district attorney may on
10 behalf of the state:

11 **SECTION 263bq.** 100.174 (6) of the statutes is amended to read:

12 100.174 (6) The department of justice shall investigate violations of and
13 enforce this section.

14 **SECTION 263bt.** 100.175 (5) (a) (intro.) of the statutes is amended to read:

15 100.175 (5) (a) (intro.) No person may collect or by contract require a buyer to
16 pay more than \$100 for dating services before the buyer receives or has the
17 opportunity to receive those services unless the person selling dating services
18 establishes proof of financial responsibility by maintaining any of the following
19 commitments approved by the department of justice in an amount not less than
20 \$25,000:

21 **SECTION 263bw.** 100.175 (5) (b) of the statutes is amended to read:

22 100.175 (5) (b) The commitment described in par. (a) shall be established in
23 favor of or made payable to the state, for the benefit of any buyer who does not receive
24 a refund under the contractual provision described in sub. (3). The person selling
25 dating services shall file with the department of justice any agreement, instrument

1 or other document necessary to enforce the commitment against the person selling
2 dating services or any relevant 3rd party, or both.

3 **SECTION 263bz.** 100.175 (7) (a) (intro.) of the statutes is amended to read:

4 100.175 (7) (a) (intro.) The department of justice or any district attorney may
5 on behalf of the state:

6 **SECTION 263gb.** 100.175 (7) (b) of the statutes is amended to read:

7 100.175 (7) (b) The department of justice may bring an action in circuit court
8 to recover on a financial commitment maintained under sub. (5) against a person
9 selling dating services or relevant 3rd party, or both, on behalf of any buyer who does
10 not receive a refund due under the contractual provision described in sub. (3).

11 **SECTION 263gd.** 100.177 (1) (bm) of the statutes is created to read:

12 100.177 (1) (bm) Notwithstanding s. 93.01 (3), “department” means the
13 department of justice.

14 **SECTION 263gg.** 100.178 (1) (b) of the statutes is amended to read:

15 100.178 (1) (b) Notwithstanding s. 93.01 (3), “department” means the
16 department of ~~health and family services~~ justice.

17 **SECTION 263gj.** 100.18 (11) (a) of the statutes is amended to read:

18 100.18 (11) (a) The department of ~~agriculture, trade and consumer protection~~
19 justice shall enforce this section. Actions to enjoin violation of this section or any
20 regulations thereunder may be commenced and prosecuted by the department of
21 justice in the name of the state in any court having equity jurisdiction. This remedy
22 is not exclusive.

23 **SECTION 263gm.** 100.18 (11) (b) 3. of the statutes is amended to read:

24 100.18 (11) (b) 3. No action may be commenced under this section more than
25 3 years after the occurrence of the unlawful act or practice which is the subject of the

1 action. No injunction may be issued under this section which would conflict with
2 general or special orders of the department of justice or any statute, rule or
3 regulation of the United States or of this state.

4 **SECTION 263gp.** 100.18 (11) (c) 1. of the statutes is amended to read:

5 100.18 (11) (c) 1. Whenever the department of justice has reason to believe that
6 a person is in possession, custody or control of any information or documentary
7 material relevant to the enforcement of this section it may require that person to
8 submit a statement or report, under oath or otherwise, as to the facts and
9 circumstances concerning any activity in the course of trade or commerce; examine
10 under oath that person with respect to any activity in the course of trade or
11 commerce; and execute in writing and cause to be served upon such person a civil
12 investigative demand requiring the person to produce any relevant documentary
13 material for inspection and copying.

14 **SECTION 263gs.** 100.18 (11) (c) 2. of the statutes is amended to read:

15 100.18 (11) (c) 2. The department of justice, in exercising powers under this
16 subsection, may issue subpoenas, administer oaths and conduct hearings to aid in
17 any investigation.

18 **SECTION 263gu.** 100.18 (11) (c) 3. of the statutes is amended to read:

19 100.18 (11) (c) 3. Service of any notice by the department of justice requiring
20 a person to file a statement or report, or service of a subpoena upon a person, or
21 service of a civil investigative demand shall be made in compliance with the rules of
22 civil procedure of this state.

23 **SECTION 263gx.** 100.18 (11) (c) 4. of the statutes is amended to read:

24 100.18 (11) (c) 4. If a person fails to file any statement or report, or fails to
25 comply with any civil investigative demand, or fails to obey any subpoena issued by

1 the department of justice, such person may be coerced as provided in s. 885.12, except
2 that no person shall be required to furnish any testimony or evidence under this
3 subsection which might tend to incriminate the person.

4 **SECTION 263mb.** 100.18 (11) (d) of the statutes is amended to read:

5 100.18 (11) (d) The ~~department or the~~ department of justice, ~~after consulting~~
6 ~~with the department,~~ or any district attorney, upon informing the department of
7 justice, may commence an action in circuit court in the name of the state to restrain
8 by temporary or permanent injunction any violation of this section. The court may
9 in its discretion, prior to entry of final judgment, make such orders or judgments as
10 may be necessary to restore to any person any pecuniary loss suffered because of the
11 acts or practices involved in the action, provided proof thereof is submitted to the
12 satisfaction of the court. The ~~department and the~~ department of justice may
13 subpoena persons and require the production of books and other documents, ~~and the~~
14 ~~department of justice may request the department to exercise its authority under~~
15 ~~par. (c) to aid in the investigation of alleged violations of this section.~~

16 **SECTION 263mf.** 100.18 (11) (e) of the statutes is amended to read:

17 100.18 (11) (e) In lieu of instituting or continuing an action pursuant to this
18 section, ~~the department or the~~ department of justice may accept a written assurance
19 of discontinuance of any act or practice alleged to be a violation of this section from
20 the person who has engaged in such act or practice. The acceptance of such assurance
21 by ~~either the department or the~~ department of justice shall be deemed acceptance by
22 ~~the other state officials enumerated in par. (d)~~ any district attorney if the terms of
23 the assurance so provide. An assurance entered into pursuant to this section shall
24 not be considered evidence of a violation of this section, provided that violation of

1 such an assurance shall be treated as a violation of this section, and shall be
2 subjected to all the penalties and remedies provided therefor.

3 **SECTION 263mj.** 100.182 (5) (a) of the statutes is amended to read:

4 100.182 (5) (a) Any district attorney, after informing the department of justice,
5 or the department of justice may seek a temporary or permanent injunction in circuit
6 court to restrain any violation of this section. Prior to entering a final judgment the
7 court may award damages to any person suffering monetary loss because of a
8 violation. The department of justice may subpoena any person or require the
9 production of any document to aid in investigating alleged violations of this section.

10 **SECTION 263mm.** 100.182 (5) (b) of the statutes is amended to read:

11 100.182 (5) (b) In lieu of instituting or continuing an action under this
12 subsection, the department of justice may accept a written assurance from a violator
13 of this section that the violation has ceased. If the terms of the assurance so provide,
14 its acceptance by the department of justice prevents all district attorneys from
15 prosecuting the violation. An assurance is not evidence of a violation of this section
16 but violation of an assurance is subject to the penalties and remedies of violating this
17 section.

18 **SECTION 263mp.** 100.20 (2) (a) of the statutes is amended to read:

19 100.20 (2) (a) The department of justice, after public hearing, may issue
20 general orders forbidding methods of competition in business or trade practices in
21 business which are determined by the department of justice to be unfair. The
22 department of justice, after public hearing, may issue general orders prescribing
23 methods of competition in business or trade practices in business which are
24 determined by the department of justice to be fair.

1 **SECTION 263mr.** 100.20 (2) (b) of the statutes, as affected by 2001 Wisconsin
2 Act 16, is amended to read:

3 100.20 (2) (b) Notwithstanding par. (a), the department of justice may not issue
4 any order or promulgate any rule that regulates the provision of water or sewer
5 service by a manufactured home park operator, as defined in s. 101.91 (8), or
6 manufactured home park contractor, as defined in s. 101.91 (6m), or enforce any rule
7 to the extent that the rule regulates the provision of such water or sewer service.

8 **SECTION 263mt.** 100.20 (3) of the statutes is amended to read:

9 100.20 (3) The department of justice, after public hearing, may issue a special
10 order against any person, enjoining such person from employing any method of
11 competition in business or trade practice in business which is determined by the
12 department of justice to be unfair or from providing service in violation of sub. (1t).
13 The department of justice, after public hearing, may issue a special order against any
14 person, requiring such person to employ the method of competition in business or
15 trade practice in business which is determined by the department of justice to be fair.

16 **SECTION 263mv.** 100.20 (4) of the statutes is amended to read:

17 100.20 (4) ~~The If the department of justice may file a written complaint with~~
18 ~~the department alleging that the has reason to believe that a person named is~~
19 ~~employing unfair methods of competition in business or unfair trade practices in~~
20 ~~business or both. Whenever such a complaint is filed, it shall be the duty of the~~
21 ~~department of justice to proceed, after proper notice and in accordance with its rules,~~
22 ~~to the hearing and adjudication of the matters alleged, and a representative of the~~
23 ~~department of justice designated by the attorney general may appear before the~~
24 ~~department in such proceedings. The department of justice shall be entitled to~~
25 ~~judicial review of the decisions and orders of the department under ch. 227 matter.~~

1 **SECTION 263mx.** 100.20 (6) of the statutes is amended to read:

2 100.20 (6) The department of justice may commence an action in circuit court
3 in the name of the state to restrain by temporary or permanent injunction the
4 violation of any order issued under this section. The court may in its discretion, prior
5 to entry of final judgment make such orders or judgments as may be necessary to
6 restore to any person any pecuniary loss suffered because of the acts or practices
7 involved in the action, provided proof thereof is submitted to the satisfaction of the
8 court. The department of justice may use its authority in ss. 93.14 and 93.15 to
9 investigate violations of any order issued under this section.

10 **SECTION 263mz.** 100.201 (6) (d) of the statutes is amended to read:

11 100.201 (6) (d) The failure to pay fees under this subsection within the time
12 provided under par. (c) is a violation of this section. The department of justice may
13 also commence an action to recover the amount of any overdue fees plus interest at
14 the rate of 2% per month for each month that the fees are delinquent.

15 **SECTION 263nb.** 100.201 (8m) (intro.) of the statutes is amended to read:

16 100.201 (8m) JURISDICTION. (intro.) This section shall apply to transactions,
17 acts or omissions which take place in whole or in part outside this state. In any action
18 or administrative proceeding the department of justice has jurisdiction of the person
19 served under s. 801.11 when any act or omission outside this state by the defendant
20 or respondent results in local injury or may have the effect of injuring competition
21 or a competitor in this state or unfairly diverts trade or business from a competitor,
22 if at the time:

23 **SECTION 263nd.** 100.201 (9) (b) of the statutes is amended to read:

24 100.201 (9) (b) The department, after public hearing held under s. 93.18, may
25 issue a special order against any person requiring such person to cease and desist

1 from acts, practices or omissions determined by the department to violate this
2 section. Such orders shall be subject to judicial review under ch. 227. Any violation
3 of a special order issued hereunder shall be punishable as a contempt under ch. 785
4 in the manner provided for disobedience of a lawful order of a court, upon the filing
5 of an affidavit by the department of justice of the commission of such violation in any
6 court of record in the county where the violation occurred.

7 **SECTION 263nf.** 100.201 (9) (c) of the statutes is amended to read:

8 100.201 (9) (c) The department of justice, in addition to or in lieu of any other
9 remedies herein provided, may apply to a circuit court for a temporary or permanent
10 injunction to prevent, restrain or enjoin any person from violating this section or any
11 special order of the department of agriculture, trade and consumer protection issued
12 hereunder under this section, without being compelled to allege or prove that an
13 adequate remedy at law does not exist.

14 **SECTION 263nj.** 100.205 (7) of the statutes is amended to read:

15 100.205 (7) The department of justice, or any district attorney on informing the
16 department of justice, may commence an action in circuit court in the name of the
17 state to restrain by temporary or permanent injunction any violation of this section.
18 The court may, before entry of final judgment and after satisfactory proof, make
19 orders or judgments necessary to restore to any person any pecuniary loss suffered
20 because of a violation of this section. The department of justice may conduct
21 hearings, administer oaths, issue subpoenas and take testimony to aid in its
22 investigation of violations of this section.

23 **SECTION 263nm.** 100.205 (8) of the statutes is amended to read:

1 100.205 (8) The department of justice or any district attorney may commence
2 an action in the name of the state to recover a forfeiture to the state of not more than
3 \$10,000 for each violation of this section.

4 **SECTION 263nn.** 100.207 (1) of the statutes is renumbered 100.207 (1) (intro.)
5 and amended to read:

6 100.207 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,
7 “telecommunications;

8 (b) “Telecommunications service” has the meaning given in s. 196.01 (9m).

9 **SECTION 263no.** 100.207 (1) (a) of the statutes is created to read:

10 100.207 (1) (a) Notwithstanding s. 93.01 (3), “department” means the
11 department of justice.

12 **SECTION 263nq.** 100.207 (6) (b) 1. of the statutes is amended to read:

13 100.207 (6) (b) 1. The department of justice, ~~after consulting with the~~
14 ~~department of agriculture, trade and consumer protection,~~ or any district attorney
15 upon informing the department of ~~agriculture, trade and consumer protection,~~ may
16 commence an action in circuit court in the name of the state to restrain by temporary
17 or permanent injunction any violation of this section. Injunctive relief may include
18 an order directing telecommunications providers, as defined in s. 196.01 (8p), to
19 discontinue telecommunications service provided to a person violating this section
20 or ch. 196. Before entry of final judgment, the court may make such orders or
21 judgments as may be necessary to restore to any person any pecuniary loss suffered
22 because of the acts or practices involved in the action if proof of these acts or practices
23 is submitted to the satisfaction of the court.

24 **SECTION 263nt.** 100.207 (6) (b) 2. of the statutes is amended to read:

1 100.207 (6) (b) 2. The department may exercise its authority under ss. 93.14
2 to 93.16 and 100.18 (11) (e) to shall administer this section. The department and the
3 department of justice may subpoena persons and, require the production of books
4 and other documents, and the department of justice may request the department of
5 agriculture, trade and consumer protection to exercise its authority to aid in the
6 investigation of investigate alleged violations of this section.

7 **SECTION 263nv.** 100.207 (6) (c) of the statutes is amended to read:

8 100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to
9 forfeit not less than \$25 nor more than \$5,000 for each offense. Forfeitures under this
10 paragraph shall be enforced by the department of justice, after consulting with the
11 department of agriculture, trade and consumer protection, or, upon informing the
12 department, by the district attorney of the county where the violation occurs.

13 **SECTION 263nz.** 100.207 (6) (em) 1. of the statutes is amended to read:

14 100.207 (6) (em) 1. Before preparing any proposed rule under this section, the
15 department shall form an advisory group to suggest recommendations regarding the
16 content and scope of the proposed rule. The advisory group shall consist of one or
17 more persons who may be affected by the proposed rule, a representative from the
18 department of justice and a representative from the public service commission.

19 **SECTION 263pb.** 100.207 (6) (em) 2. of the statutes is amended to read:

20 100.207 (6) (em) 2. The department shall submit the recommendations under
21 subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2)
22 and to the board of agriculture, trade and consumer protection.

23 **SECTION 263pf.** 100.208 (2) (intro.) of the statutes is amended to read:

24 100.208 (2) (intro.) The department of justice shall notify the public service
25 commission if any of the following conditions exists:

1 **SECTION 263pj.** 100.208 (2) (b) of the statutes is amended to read:

2 100.208 (2) (b) The department of justice has issued an order under s. 100.20
3 (3) prohibiting a telecommunications provider from engaging in an unfair trade
4 practice or method of competition.

5 **SECTION 263pm.** 100.209 (3) of the statutes is amended to read:

6 100.209 (3) RULES AND LOCAL ORDINANCES ALLOWED. This section does not
7 prohibit the department of justice from promulgating a rule or from issuing an order
8 consistent with its authority under this chapter that gives a subscriber greater rights
9 than the rights under sub. (2) or prohibit a city, village or town from enacting an
10 ordinance that gives a subscriber greater rights than the rights under sub. (2).

11 **SECTION 263pp.** 100.209 (4) (b) of the statutes is amended to read:

12 100.209 (4) (b) The department of justice and the district attorneys of this state
13 have concurrent authority to institute civil proceedings under this section.

14 **SECTION 263ps.** 100.2095 (6) (b) of the statutes is amended to read:

15 100.2095 (6) (b) The department of justice may commence an action in the
16 name of the state to restrain by temporary or permanent injunction a violation of sub.
17 (3), (4) or (5). Before entry of final judgment, the court may make any necessary
18 orders to restore to any person any pecuniary loss suffered by the person because of
19 the violation.

20 **SECTION 263pv.** 100.2095 (6) (c) of the statutes is amended to read:

21 100.2095 (6) (c) The department of justice or any district attorney may
22 commence an action in the name of the state to recover a forfeiture to the state of not
23 less than \$100 nor more than \$10,000 for each violation of sub. (3), (4) or (5).”.

24 **346.** Page 155, line 17: after that line insert:

1 **“SECTION 264d.** 100.21 (2) (a) of the statutes is amended to read:

2 100.21 (2) (a) No person may make an energy savings or safety claim without
3 a reasonable and currently accepted scientific basis for the claim when the claim is
4 made. Making an energy savings or safety claim without a reasonable and currently
5 accepted scientific basis is also an unfair method of competition and trade practice
6 prohibited under s. 100.20.

7 **SECTION 264h.** 100.21 (4) (a) (intro.) of the statutes is amended to read:

8 100.21 (4) (a) (intro.) The department may, after public hearing, issue general
9 or special orders ~~under s. 100.20:~~

10 **SECTION 264p.** 100.22 (4) (b) of the statutes is amended to read:

11 100.22 (4) (b) The department of justice may, without alleging or proving that
12 no other adequate remedy at law exists, bring an action to enjoin violations of this
13 section or a special order issued under this section in the circuit court for the county
14 where the alleged violation occurred.

15 **SECTION 264t.** 100.235 (11) (a) of the statutes is amended to read:

16 100.235 (11) (a) *Forfeiture.* Any person who violates this section or any rule
17 promulgated or order issued under this section may be required to forfeit not less
18 than \$100 nor more than \$10,000. ~~Notwithstanding s. 165.25 (1), the department~~
19 ~~may commence an action to recover a forfeiture under this paragraph.”.~~

20 **347.** Page 156, line 3: after that line insert:

21 **“SECTION 266m.** 100.26 (6) of the statutes is amended to read:

22 100.26 (6) ~~The department, the department of justice, after consulting with the~~
23 ~~department, or any district attorney may commence an action in the name of the~~
24 ~~state to recover a civil forfeiture to the state of not less than \$100 nor more than~~

1 ~~\$10,000 for each violation of Any person violating an injunction issued under s.~~
2 ~~100.18, 100.182 or 100.20 (6). The department of agriculture, trade and consumer~~
3 ~~protection or any district attorney may commence an action in the name of the state~~
4 ~~to recover a civil is subject to a forfeiture of not less than \$100 nor more than \$10,000~~
5 ~~for each violation. Any person violating an order issued under s. 100.20 is subject~~
6 ~~to a forfeiture to the state of not less than \$100 nor more than \$10,000 for each~~
7 ~~violation of an order issued under s. 100.20.”.~~

8 **348.** Page 156, line 9: after that line insert:

9 “**SECTION 267m.** 101.01 (11) of the statutes, as affected by 2001 Wisconsin Act
10 16, section 2446rb, is amended to read:

11 101.01 (11) “Place of employment” includes every place, whether indoors or out
12 or underground and the premises appurtenant thereto where either temporarily or
13 permanently any industry, trade, or business is carried on, or where any process or
14 operation, directly or indirectly related to any industry, trade, or business, is carried
15 on, and where any person is, directly or indirectly, employed by another for direct or
16 indirect gain or profit, but does not include any place where persons are employed
17 in private domestic service which does not involve the use of mechanical power or in
18 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~
19 ~~includes;~~ the transportation of farm products, supplies, or equipment directly to the
20 farm by the operator of the farm or employees for use thereon, if such activities are
21 directly or indirectly for the purpose of producing commodities for market, or as an
22 accessory to such production; and the operation of a horse boarding facility or horse
23 training facility that does not contain an area for the public to view a horse show.

24 When used with relation to building codes, “place of employment” does not include

1 an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11,
2 a previously constructed building used as a community-based residential facility, as
3 defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the
4 operator or administrator.

5 **SECTION 267q.** 101.01 (12) of the statutes, as affected by 2001 Wisconsin Act
6 16, section 2447db, is amended to read:

7 101.01 (12) “Public building” means any structure, including exterior parts of
8 such building, such as a porch, exterior platform, or steps providing means of ingress
9 or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,
10 traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation
11 to building codes, “public building” does not include a horse boarding facility or horse
12 training facility that does not contain an area for the public to view a horse show or
13 a previously constructed building used as a community-based residential facility as
14 defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the
15 operator or administrator or an adult family home, as defined in s. 50.01 (1).”.

16 **349.** Page 156, line 9: after that line insert:

17 “**SECTION 267kb.** 100.261 (3) (b) of the statutes, as affected by 2001 Wisconsin
18 Act 16, is amended to read:

19 100.261 (3) (b) The state treasurer shall deposit the consumer protection
20 assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch.
21 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them
22 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.
23 (c).

24 **SECTION 267kd.** 100.261 (3) (d) of the statutes is created to read:

1 100.261 (3) (d) The state treasurer shall deposit the consumer protection
2 assessment amounts imposed for a violation of this chapter, a rule promulgated
3 under this chapter, or an ordinance enacted under this chapter in the general fund
4 and shall credit them to the appropriation account under s. 20.455 (1) (g), subject to
5 the limit under par. (e).

6 **SECTION 267ke.** 100.261 (3) (e) of the statutes is created to read:

7 100.261 (3) (e) The amount credited to the appropriation account under s.
8 20.455 (1) (g) may not exceed \$185,000 in each fiscal year.

9 **SECTION 267kf.** 100.263 of the statutes is amended to read:

10 **100.263 Recovery.** In addition to other remedies available under this chapter,
11 the court may award ~~the department~~ the reasonable and necessary costs of
12 investigation and an amount reasonably necessary to remedy the harmful effects of
13 the violation and the court may award ~~the department of justice~~ the reasonable and
14 necessary expenses of prosecution, including attorney fees, from any person who
15 violates this chapter. ~~The department and the department of justice~~ amounts
16 awarded under this subsection shall ~~deposit~~ be deposited in the state treasury for
17 deposit in the general fund ~~all moneys that the court awards to the department, the~~
18 ~~department of justice or the state under this section.~~ ~~Ten percent of the money~~
19 ~~deposited in the general fund that was awarded under this section for 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 267kh.** 100.28 (4) (b) of the statutes is amended to read:

23 100.28 (4) (b) In lieu of or in addition to forfeitures under par. (a), the
24 department of justice may seek an injunction restraining any person from violating
25 this section.

1 **SECTION 267kj.** 100.28 (4) (c) of the statutes is amended to read:

2 100.28 (4) (c) The department of justice, or any district attorney upon the
3 request of the department of justice, may commence an action in the name of the
4 state under par. (a) or (b).

5 **SECTION 267kL.** 100.31 (4) of the statutes is amended to read:

6 100.31 (4) PENALTIES. For any violation of this section, the department of
7 justice or a district attorney may commence an action on behalf of the state to recover
8 a forfeiture of not less than \$100 nor more than \$10,000 for each offense. Each
9 delivery of a drug sold to a purchaser at a price in violation of this section and each
10 separate day in violation of an injunction issued under this section is a separate
11 offense.

12 **SECTION 267kn.** 100.31 (5) of the statutes is amended to read:

13 100.31 (5) SPECIAL REMEDIES. The department of justice or a district attorney
14 may bring an action to enjoin a violation of this section without being compelled to
15 allege or prove that an adequate remedy at law does not exist. An action under this
16 subsection may be commenced and prosecuted by the department of justice or a
17 district attorney, in the name of the state, in a circuit court in the county where the
18 offense occurred or in Dane County, notwithstanding s. 801.50.

19 **SECTION 267ko.** 100.37 (1) (am) of the statutes is created to read:

20 100.37 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
21 department of justice.

22 **SECTION 267kp.** 100.38 (5) of the statutes is amended to read:

23 100.38 (5) INSPECTION. The department of justice shall enforce this section by
24 inspection, chemical analyses or any other appropriate method and the department

1 of justice may promulgate such rules as are necessary to effectively enforce this
2 section.

3 **SECTION 267kq.** 100.38 (6) of the statutes is amended to read:

4 100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze which is
5 adulterated or misbranded. In addition to the penalties provided under sub. (7), the
6 department of justice may bring an action to enjoin violations of this section.

7 **SECTION 267kr.** 100.41 (1) (bn) of the statutes is created to read:

8 100.41 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
9 department of justice.

10 **SECTION 267ks.** 100.42 (1) (cm) of the statutes is created to read:

11 100.42 (1) (cm) Notwithstanding s. 93.01 (3), “department” means the
12 department of justice.

13 **SECTION 267kt.** 100.43 (1) (am) of the statutes is created to read:

14 100.43 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
15 department of justice.

16 **SECTION 267ku.** 100.44 (5) of the statutes is amended to read:

17 100.44 (5) ENFORCEMENT. For any violation of sub. (3), the department of justice
18 may, on behalf of the state, bring an action in any court of competent jurisdiction for
19 the recovery of forfeitures authorized under sub. (4), for temporary or permanent
20 injunctive relief and for any other appropriate relief. The court may make any order
21 or judgment that is necessary to restore to any person any pecuniary loss suffered
22 because of a violation of sub. (3) if proof of the loss is shown to the satisfaction of the
23 court.

24 **SECTION 267kv.** 100.46 (1) of the statutes is amended to read:

1 100.46 (1) ENERGY CONSERVATION STANDARDS. The department of justice may by
2 rule adopt energy conservation standards for products that have been established in
3 or promulgated under 42 USC 6291 to 6309.

4 **SECTION 267kw.** 100.46 (2) of the statutes is amended to read:

5 100.46 (2) PROHIBITED ACTS; ENFORCEMENT. No person may sell at retail, install
6 or cause to be installed any product that is not in compliance with rules promulgated
7 under sub. (1). In addition to other penalties and enforcement procedures, the
8 department of justice may apply to a court for a temporary or permanent injunction
9 restraining any person from violating a rule adopted under sub. (1).

10 **SECTION 267kx.** 100.50 (6) (b) of the statutes is amended to read:

11 100.50 (6) (b) In lieu of or in addition to the remedy under par. (a), the
12 department of justice may seek an injunction restraining any person from violating
13 this section.

14 **SECTION 267ky.** 100.50 (6) (c) of the statutes is amended to read:

15 100.50 (6) (c) The department of justice, or any district attorney upon the
16 request of the department of justice, may commence an action in the name of the
17 state under par. (a) or (b).

18 **SECTION 267kz.** 100.52 (1) (bn) of the statutes is created to read:

19 100.52 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
20 department of justice.”.

21 **350.** Page 156, line 20: after that line insert:

22 “**SECTION 269r.** 101.563 of the statutes is created to read:

23 **101.563 Payments without regard to eligibility; calendar years 2000 to**

24 **2004. (1) ENTITLEMENT TO DUES. (a) *Payments from calendar year 2000 dues.***

1 Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to (5), the department
2 shall pay the amount determined under sub. (2) (a) to every city, village, and town
3 that was ineligible to receive a proportionate share of fire department dues collected
4 for calendar year 2000 as a result of that city, village, or town failing to satisfy all
5 eligibility requirements under s. 101.575 (1) and (3) to (5) or to demonstrate to the
6 department that the city, village, or town was eligible under s. 101.575 (1) and (3) to
7 (5) to receive a proportionate share of the fire department dues.

8 (b) *Payments from dues for calendar years 2001 to 2004.* Notwithstanding ss.
9 101.573 (3) (a) and 101.575 (1) and (3) to (5) and except as otherwise provided in this
10 paragraph, the department may not withhold payment of a proportionate share of
11 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based
12 upon the failure of that city, village, or town to satisfy all eligibility requirements
13 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,
14 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive a proportionate
15 share of fire department dues. This paragraph applies only to the payment of a
16 proportionate share of fire department dues collected for calendar years 2001 to
17 2004.

18 **(2) DISTRIBUTION OF DUES.** (a) *Payments from calendar year 2000 dues.*
19 Notwithstanding s. 101.573 (3) (a), the department shall pay every city, village, and
20 town that is entitled to payment under sub. (1) (a) the amount to which that city,
21 village, or town would have been entitled to receive on or before August 1, 2001, had
22 the city, village, or town been eligible to receive a payment on that date. The
23 department shall calculate the amount due under this paragraph as if every city,
24 village, and town maintaining a fire department was eligible to receive a payment
25 on that date. By the date on which the department provides a certification or

1 recertification to the state treasurer under par. (b) 1., the department shall certify
2 to the state treasurer the amount to be paid to each city, village, and town under this
3 paragraph. On or before August 1, 2002, the state treasurer shall pay the amount
4 certified by the department under this paragraph to each such city, village, and town.
5 The state treasurer may combine any payment due under this paragraph with any
6 amount due to be paid on or before August 1, 2002, to the same city, village, or town
7 under par. (b) 1.

8 (b) *Payments from dues for calendar years 2001 to 2004.* 1. 'Payments from
9 calendar year 2001 dues.' Notwithstanding s. 101.575 (3) (a), by the 30th day
10 following the effective date of this subdivision ... [revisor inserts date], the
11 department shall compile the fire department dues paid by all insurers under s.
12 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds
13 remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under
14 par. (a), withhold 0.5%, and certify to the state treasurer the proper amount to be paid
15 from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled
16 to a proportionate share of fire department dues as provided under sub. (1) (b) and
17 s. 101.575. If the department has previously certified an amount to the state
18 treasurer under s. 101.57 (3) (a) during calendar year 2002, the department shall
19 recertify the amount in the manner provided under this subdivision. On or before
20 August 1, 2002, the state treasurer shall pay the amounts certified or recertified by
21 the department under this subdivision to each city, village, and town entitled to a
22 proportionate share of fire department dues as provided under sub. (1) and s.
23 101.575. The state treasurer may combine any payment due under this subdivision
24 with any amount due to be paid on or before August 1, 2002, to the same city, village,
25 or town under par. (a).

1 2. 'Payments from dues for calendar years 2002 to 2004.' Notwithstanding s.
2 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May
3 1 in each year, the department shall compile the fire department dues paid by all
4 insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1)
5 and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the state
6 treasurer the proper amount to be paid from the appropriation under s. 20.143 (3)
7 (L) to each city, village, and town entitled to a proportionate share of fire department
8 dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1,
9 the state treasurer shall pay the amounts certified by the department to each such
10 city, village, and town. This paragraph applies only to payment of a proportionate
11 share of fire department dues collected for calendar years 2002 to 2004.

12 3. The amounts withheld under subds. 1. and 2. shall be disbursed to correct
13 errors of the department or the commissioner of insurance. The department shall
14 certify to the state treasurer the amount that must be disbursed to correct an error
15 and the state treasurer shall pay the amount to the specified city, village, or town.
16 The balance of the amount withheld in a calendar year under subds. 1. or 2., as
17 applicable, which is not disbursed under this subdivision shall be included in the
18 total compiled by the department under subd. 2. for the next calendar year, except
19 that amounts withheld under subd. 2. from fire department dues collected for
20 calendar year 2004 that are not disbursed under this subdivision shall be included
21 in the total compiled by the department under s. 101.573 (3) (a) for the next calendar
22 year. If errors in payments exceed the amount withheld, adjustments shall be made
23 in the distribution for the next year.

24 **(3) NOTICES OF INELIGIBILITY AND DEPARTMENTAL AUDITS; EXCEPTIONS.** Except as
25 otherwise provided in this subsection and notwithstanding s. 101.575 (1) (am) and

1 (4) (a) 2., the department may not issue a notice of noncompliance with regard to a
2 city, village, or town that fails to satisfy all eligibility requirements under s. 101.575
3 (1) and (3) to (5) and may not audit any city, village, town, or fire department for
4 purposes of determining whether the city, village, town, or fire department complies
5 with s. 101.575 (6) and s. 101.14 (2). This subsection does not apply after August 1,
6 2005.

7 **SECTION 269t.** 101.573 (4) of the statutes is amended to read:

8 101.573 (4) The department shall transmit to the treasurer of each city, village,
9 and town entitled to fire department dues, a statement of the amount of dues payable
10 to it ~~under this section,~~ and the commissioner of insurance shall furnish to the state
11 treasurer, upon request, a list of the insurers paying dues under s. 601.93 and the
12 amount paid by each.”.

13 **351.** Page 156, line 20: after that line insert:

14 “**SECTION 269m.** 101.175 (3) (intro.) of the statutes is amended to read:

15 101.175 (3) (intro.) The department, in consultation with the department of
16 agriculture, ~~trade and consumer protection~~ justice, shall establish by rule quality
17 standards for local energy resource systems which do not impede development of
18 innovative systems but which do:”.

19 **352.** Page 157, line 22: after that line insert:

20 “**SECTION 274m.** 106.50 (5m) (d) of the statutes is amended to read:

21 106.50 (5m) (d) Nothing in this section requires that housing be made available
22 to an individual whose tenancy would constitute a direct threat to the safety of other
23 tenants or persons employed on the property or whose tenancy would result in
24 substantial physical damage to the property of others, if the risk of direct threat or

1 damage cannot be eliminated or sufficiently reduced through reasonable
2 accommodations. A claim that an individual's tenancy poses a direct threat or a
3 substantial risk of harm or damage must be evidenced by behavior by the individual
4 ~~which that~~ caused harm or damage, ~~which that~~ directly threatened harm or damage,
5 or ~~which that~~ caused a reasonable fear of harm or damage to other tenants, persons
6 employed on the property, or the property. No claim that an individual's tenancy
7 would constitute a direct threat to the safety of other persons or would result in
8 substantial damage to property may be based on the fact that a tenant has been or
9 may be the victim of domestic abuse, as defined in s. 813.12 (1) ~~(a)~~ (am)."

10 **353.** Page 157, line 22: after that line insert:

11 "SECTION 274c. 103.49 (5) (a) of the statutes is amended to read:

12 103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's
13 agent performing work on a project that is subject to this section shall keep full and
14 accurate records clearly indicating the name and trade or occupation of every person
15 performing the work described in sub. (2m) and an accurate record of the number of
16 hours worked by each of those persons and the actual wages paid for the hours
17 worked. If requested by any person, a contractor, subcontractor, or contractor's or
18 subcontractor's agent performing work on a project that is subject to this section
19 shall permit that person to inspect and copy any of those records to the same extent
20 as if the record were maintained by the department, except that s. 19.36 (3) does not
21 limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit
22 inspection and copying of a record under this paragraph. Before permitting the
23 inspection and copying of a record under this paragraph, a contractor, subcontractor,
24 or contractor's or subcontractor's agent shall delete from the record any personally

1 identifiable information, as defined in s. 19.62 (5), contained in the record about any
2 person performing the work described in sub. (2m) other than the trade or occupation
3 of the person, the number of hours worked by the person, and the actual wages paid
4 for those hours worked.

5 **SECTION 274cj.** 103.50 (6m) of the statutes is created to read:

6 103.50 **(6m)** RECORDS; INSPECTION. Each contractor, subcontractor, or
7 contractor's or subcontractor's agent performing work on a project that is subject to
8 this section shall keep full and accurate records clearly indicating the name and
9 trade or occupation of every person performing the work described in sub. (2m) and
10 an accurate record of the number of hours worked by each of those persons and the
11 actual wages paid for the hours worked. If requested by any person, a contractor,
12 subcontractor, or contractor's or subcontractor's agent performing work on a project
13 that is subject to this section shall permit that person to inspect and copy any of those
14 records to the same extent as if the record were maintained by the department,
15 except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or
16 subcontractor's agent to permit inspection and copying of a record under this
17 subsection. Before permitting the inspection and copying of a record under this
18 subsection, a contractor, subcontractor, or contractor's or subcontractor's agent shall
19 delete from the record any personally identifiable information, as defined in s. 19.62
20 (5), contained in the record about any person performing the work described in sub.
21 (2m) other than the trade or occupation of the person, the number of hours worked
22 by the person, and the actual wages paid for those hours worked.”.

23 **354.** Page 157, line 22: after that line insert:

24 **“SECTION 274h.** 103.67 (1) of the statutes is amended to read:

1 103.67 (1) A minor 14 to 18 years of age ~~shall~~ may not be employed or permitted
2 to work in any gainful occupation during the hours that the minor is required to
3 attend school under s. 118.15 unless the minor has completed high school, except that
4 any minor may be employed in a public exhibitions exhibition as provided in s. 103.78
5 and a minor 16 years of age or over may be employed as an election inspector as
6 provided in s. 7.30 (2) (am).

7 **SECTION 274j.** 103.68 (1) of the statutes is amended to read:

8 103.68 (1) No minor shall be employed or permitted to work at any gainful
9 occupation other than domestic service ~~or~~, farm labor, or service as an election
10 inspector under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than
11 40 hours nor more than 6 days in any one week, nor during such hours as the minor
12 is required under s. 118.15 ~~(2)~~ to attend school.

13 **SECTION 274L.** 103.70 (2) of the statutes is amended to read:

14 103.70 (2) Minors may be employed without permits in any employment
15 limited to work in or around a home in work usual to the home of the employer, if the
16 employment is not in connection with or a part of the business, trade, or profession
17 of the employer, is in accordance with the minimum age stated in s. 103.67 (2) ~~(d)~~ (f),
18 and is not specifically prohibited by ss. 103.64 to 103.82 or by any order of the
19 department. Minors may also be employed without permits as election inspectors
20 as provided in s. 7.30 (2) (am)."

21 **355.** Page 158, line 12: delete lines 12 to 22.

22 **356.** Page 159, line 9: after that line insert:

23 “**SECTION 279m.** 115.28 (25) of the statutes is repealed.”.

24 **357.** Page 159, line 17: after that line insert:

1 enrolled in school or if the child no longer has at least a 3.0 grade point average or
2 the equivalent.”.

3 **360.** Page 161, line 11: after that line insert:

4 “**SECTION 284d.** 120.18 (1) (i) of the statutes is amended to read:

5 120.18 (1) (i) A description of the educational technology used by the school
6 district, including the uses made of the technology, the cost of the technology and the
7 number of persons using or served by the technology. In this paragraph, “educational
8 technology” has the meaning given in s. 44.70 (3) 115.997 (3).”.

9 **361.** Page 162, line 9: delete lines 9 to 12.

10 **362.** Page 163, line 7: after that line insert:

11 “**SECTION 287d.** 121.15 (3m) (a) 2. of the statutes, as affected by 2001 Wisconsin
12 Act 16, is amended to read:

13 121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.
14 20.255 (1) (b) and (2), other than s. 20.255 (2) (fm), (fu), (k), and (m), and under ss.
15 ~~20.275 (1) (d)~~, 20.255 (4) (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids
16 appropriated under s. ~~20.275 (1)~~ 20.255 (4) (s) that are used to provide grants or
17 educational telecommunications access to school districts under s. 44.73 115.9995.”.

18 **363.** Page 166, line 6: after that line insert:

19 “**SECTION 298n.** 133.16 of the statutes is amended to read:

20 **133.16 Injunction; pleading; practice.** Any circuit court may prevent or
21 restrain, by injunction or otherwise, any violation of this chapter. The department
22 of justice, any district attorney or any person by complaint may institute actions or
23 proceedings to prevent or restrain a violation of this chapter, setting forth the cause
24 and grounds for the intervention of the court and praying that such violation,

1 whether intended or continuing be enjoined or prohibited. When the parties
2 informed against or complained of have been served with a copy of the information
3 or complaint and cited to answer it, the court shall proceed, as soon as may be in
4 accordance with its rules, to the hearing and determination of the case; and pending
5 the filing of the answer to such information or complaint may, at any time, upon
6 proper notice, make such temporary restraining order or prohibition as is just.
7 Whenever it appears to the court that the ends of justice require that other persons
8 be made parties to the action or proceeding the court may cause them to be made
9 parties in such manner as it directs. The party commencing or maintaining the
10 action or proceeding may demand and recover the cost of suit including reasonable
11 attorney fees. In an action commenced by the department of justice, the court may
12 award the department of justice the reasonable and necessary costs of investigation
13 and an amount reasonably necessary to remedy the harmful effects of the violation.
14 The department of justice shall deposit in the state treasury for deposit in the general
15 fund all moneys that the court awards to the department or the state under this
16 section. ~~Ten percent of the money deposited in the general fund that was awarded~~
17 ~~under this section for the costs of investigation and the costs of suit, including~~
18 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).~~
19 Copies of all pleadings filed under this section shall be served on the department of
20 justice.”.

21 **364.** Page 167, line 16: after that line insert:

22 “**SECTION 312m.** 134.71 (12) of the statutes is amended to read:

23 134.71 (12) APPLICATIONS AND FORMS. The department of agriculture, trade and
24 consumer protection, in consultation with the department of justice, shall develop

1 applications and other forms required under subs. (5) (intro.) and (8) (c). The
2 department of agriculture, trade and consumer protection shall print a sufficient
3 number of applications and forms to provide to counties and municipalities for
4 distribution to pawnbrokers, secondhand article dealers and secondhand jewelry
5 dealers at no cost.

6 **SECTION 314m.** 136.03 (title) of the statutes is amended to read:

7 **136.03 (title) Duties of the department of agriculture, trade and**
8 **consumer protection justice.**

9 **SECTION 314p.** 136.03 (1) (intro.) of the statutes is amended to read:

10 136.03 (1) (intro.) The department ~~of agriculture, trade and consumer~~
11 ~~protection~~ of justice shall investigate violations of this chapter and of rules and
12 orders issued under s. 136.04. The department of justice may subpoena persons and
13 records to facilitate its investigations, and may enforce compliance with such
14 subpoenas as provided in s. 885.12. The department of justice may ~~in~~ on behalf of
15 the state:

16 **SECTION 314r.** 136.04 of the statutes is amended to read:

17 **136.04 Powers of the department of agriculture, trade and consumer**
18 **protection justice.** (1) The department ~~of agriculture, trade and consumer~~
19 ~~protection~~ justice may adopt such rules as may be required to carry out the purposes
20 of this chapter.

21 (2) The department ~~of agriculture, trade and consumer protection~~ justice after
22 public hearing may issue general or special orders to carry out the purposes of this
23 chapter and to determine and prohibit unfair trade practices in business or unfair
24 methods of competition in business pursuant to s. 100.20 (2) to (4).”.

1 **365.** Page 167, line 16: after that line insert:

2 “**SECTION 303g.** 134.74 of the statutes is created to read:

3 **134.74 Nondisclosure of information on receipts. (1)** In this section:

4 (a) “Credit card” has the meaning given in s. 421.301 (15).

5 (b) “Debit card” means a plastic card or similar device that may be used to
6 purchase goods or services by providing the purchaser with direct access to the
7 purchaser’s account at a depository institution.

8 (c) “Depository institution” means a bank, savings bank, savings and loan
9 association, or credit union.

10 **(2)** Beginning on the first day of the 37th month beginning after the effective
11 date of this subsection [revisor inserts date], no person who is in the business of
12 selling goods at retail or selling services and who accepts a credit card or a debit card
13 for the purchase of goods or services may issue a credit card or debit card receipt, for
14 that purchase, on which is printed more than 5 digits of the credit card or debit card
15 number.

16 **(3)** This section does not apply to any person who issues a credit card or debit
17 card receipt that is handwritten or that is manually prepared by making an imprint
18 of the credit card or debit card.”.

19 **366.** Page 170, line 15: after that line insert:

20 “**SECTION 329r.** 146.50 (4) (title) of the statutes is amended to read:

21 146.50 **(4)** (title) AMBULANCE STAFFING AND OPERATIONAL PLANS; LIMITATIONS;
22 RULES.

23 **SECTION 329s.** 146.50 (4) (c) of the statutes is renumbered 146.50 (4) (c) (intro.)
24 and amended to read:

1 146.50 (4) (c) (intro.) Notwithstanding par. (a), the department may
2 promulgate rules that establish standards for approval by the department of
3 operational plans for the staffing of ambulances in which the primary services
4 provided are those which an emergency medical technician - intermediate is
5 authorized to provide or those which an emergency medical technician - paramedic
6 is authorized to provide. Rules promulgated by the department under this
7 paragraph may permit the department to approve an operational plan, for services
8 that an emergency medical technician-paramedic is authorized to provide, that is
9 submitted by an ambulance service provider that provided these services before
10 January 1, 2000, only if the operational plan specifies all of the following for the
11 transport of a patient in a prehospital setting:

12 **SECTION 329t.** 146.50 (4) (c) 1. of the statutes is created to read:

13 146.50 (4) (c) 1. That the ambulance service provider ensures, in writing, that
14 the ambulance is staffed with at least 2 emergency medical technicians-paramedic,
15 licensed registered nurses, licensed physician assistants, or physicians or a
16 combination of any 2 of these, who are trained in the use of all skills authorized by
17 rule for an emergency medical technician-paramedic and are designated by the
18 medical director of the ambulance service. This subdivision does not apply during
19 an emergency when there is an agreement for the sharing of emergency services in
20 place between a town, village, or city and another town, village, or city.

21 **SECTION 329u.** 146.50 (4) (c) 2. of the statutes is created to read:

22 146.50 (4) (c) 2. That the ambulance staff, as specified in subd. 1., is dispatched
23 from the same site, together, to the scene of an emergency. This subdivision does not
24 apply if the ambulance service provider, as of October 1, 2001, dispatched ambulance
25 staff from multiple sites to the scene of an emergency.

1 **SECTION 329v.** 146.50 (4) (c) 3. of the statutes is created to read:

2 146.50 (4) (c) 3. That if an emergency medical technician–paramedic arrives
3 at the scene of an emergency prior to the arrival of the ambulance staff, as specified
4 in subd. 1., the emergency medical technician–paramedic may provide services using
5 all skills authorized by rule for an emergency medical technician–paramedic.”.

6 **367.** Page 171, line 12: after that line insert:

7 “**SECTION 333h.** 146.50 (13) (a) of the statutes is amended to read:

8 146.50 (13) (a) The department may promulgate rules necessary for
9 administration of this section, as limited under sub. (4) (c).”.

10 **368.** Page 172, line 10: after that line insert:

11 “**SECTION 336d.** 146.96 of the statutes is created to read:

12 **146.96 Uniform claim processing form.** Beginning no later than July 1,
13 2004, every health care provider, as defined in s. 146.81 (1), shall use the uniform
14 claim processing form developed by the commissioner of insurance under s. 601.41
15 (9) (b) when submitting a claim to an insurer.”.

16 **369.** Page 172, line 10: after that line insert:

17 “**SECTION 336f.** 146.83 (1) (b) of the statutes is amended to read:

18 146.83 (1) (b) Receive a copy of the patient’s health care records upon payment
19 of reasonable costs fees, as established by rule under sub. (3m).

20 **SECTION 336g.** 146.83 (1) (c) of the statutes is amended to read:

21 146.83 (1) (c) Receive a copy of the health care provider’s X–ray reports or have
22 the X–rays referred to another health care provider of the patient’s choice upon
23 payment of reasonable costs fees, as established by rule under sub. (3m).

24 **SECTION 336h.** 146.83 (3m) of the statutes is created to read:

1 146.83 **(3m)** (a) The department shall, by rule, prescribe fees that are based on
2 an approximation of actual costs. The fees, plus applicable tax, are the maximum
3 amount that a health care provider may charge under sub. (1) (b) for duplicate
4 patient health care records and under sub. (1) (c) for duplicate X-ray reports or the
5 referral of X-rays to another health care provider of the patient's choice. The rule
6 shall also permit the health care provider to charge for actual postage or other actual
7 delivery costs. In determining the approximation of actual costs for the purposes of
8 this subsection, the department may consider all of the following factors:

9 1. Operating expenses, such as wages, rent, utilities, and duplication
10 equipment and supplies.

11 2. The varying cost of retrieval of records, based on the different media on which
12 the records are maintained.

13 3. The cost of separating requested patient health care records from those that
14 are not requested.

15 4. The cost of duplicating requested patient health care records.

16 5. The impact on costs of advances in technology.

17 (b) By January 1, 2006, and every 3 years thereafter, the department shall
18 revise the rules under par. (a) to account for increases or decreases in actual costs.”.

19 **370.** Page 172, line 10: after that line insert:

20 “**SECTION 336jc.** 149.143 (1) (b) 1. a. of the statutes is amended to read:

21 149.143 **(1)** (b) 1. a. First, from premiums from eligible persons with coverage
22 under s. 149.14 (2) (a) set at a rate that is 140% to 150% of the rate that a standard
23 risk would be charged under an individual policy providing substantially the same
24 coverage and deductibles as are provided under the plan and from eligible persons

1 with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including
2 amounts received for premium and deductible subsidies under s. 149.144 and under
3 the transfer to the fund from the appropriation account under s. 20.435 (4) (ah), and
4 from premiums collected from eligible persons with coverage under s. 149.146 set in
5 accordance with s. 149.146 (2) (b).

6 **SECTION 336jf.** 149.143 (1) (b) 1. c. of the statutes is amended to read:

7 149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with
8 coverage under s. 149.14 (2) (a) to more than ~~150%~~ the rate at which premiums were
9 set under subd. 1. a. but not more than 200% of the rate that a standard risk would
10 be charged under an individual policy providing substantially the same coverage and
11 deductibles as are provided under the plan and from eligible persons with coverage
12 under s. 149.14 (2) (b) by a comparable amount in accordance with s. 149.14 (5m),
13 including amounts received for premium and deductible subsidies under s. 149.144
14 and under the transfer to the fund from the appropriation account under s. 20.435
15 (4) (ah), and by increasing premiums from eligible persons with coverage under s.
16 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under
17 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

18 **SECTION 336jh.** 149.143 (2) (a) 2. of the statutes is amended to read:

19 149.143 (2) (a) 2. After making the determinations under subd. 1., by rule set
20 premium rates for the new plan year, including the rates under s. 149.146 (2) (b), in
21 the manner specified in sub. (1) (b) 1. a. and c. and such that a rate for coverage under
22 s. 149.14 (2) (a) is approved by the board and is not less than 150% 140% nor more
23 than 200% of the rate that a standard risk would be charged under an individual
24 policy providing substantially the same coverage and deductibles as are provided
25 under the plan.

1 **SECTION 336jm.** 149.143 (2m) (b) 1. of the statutes is amended to read:

2 149.143 (**2m**) (b) 1. To reduce premiums in succeeding plan years as provided
3 in sub. (1) (b) 1. b. For eligible persons with coverage under s. 149.14 (2) (a),
4 premiums may not be reduced below ~~150%~~ 140% of the rate that a standard risk
5 would be charged under an individual policy providing substantially the same
6 coverage and deductibles as are provided under the plan.”.

7 **371.** Page 173, line 16: after that line insert:

8 “**SECTION 338g.** 157.055 of the statutes is created to read:

9 **157.055 Disposal of human remains during state of emergency relating**
10 **to public health. (1)** In this section:

11 (a) “Funeral establishment” has the meaning given in s. 445.01 (6).

12 (b) “Public health authority” has the meaning given in s. 250.01 (6g).

13 **(2)** Notwithstanding ss. 69.18 (4), 445.04 (2), 445.14, 979.01 (3), (3m), and (4),
14 979.02, and 979.10, during a period of a state of emergency related to public health
15 declared by the governor under s. 166.03 (1) (b) 1., a public health authority may do
16 all of the following:

17 (a) Issue and enforce orders that are reasonable and necessary to provide for
18 the safe disposal of human remains, including by embalming, burial, cremation,
19 interment, disinterment, transportation, and other disposal.

20 (b) Take possession and control of any human remains.

21 (c) Order the disposal, through burial or cremation, of any human remains of
22 an individual who has died of a communicable disease, within 24 hours after the
23 individual’s death and consider, to the extent feasible, the religious, cultural, or

1 individual beliefs of the deceased individual or his or her family in disposing of the
2 remains.

3 (d) If reasonable and necessary for emergency response, require a funeral
4 establishment, as a condition of its permit under s. 445.105 (1), to accept human
5 remains or provide the use of its business or facility, including by transferring the
6 management and supervision of the funeral establishment to the public health
7 authority, for a period of time not to exceed the period of the state of emergency.
8 Reasonable and necessary expenses of a funeral establishment in complying with the
9 requirements under this paragraph may be paid by the department from the
10 appropriation under s. 20.435 (1) (e).

11 (e) Require the labeling of all human remains before disposal with all available
12 identifying information and information concerning the circumstances of death and,
13 in addition, require that the human remains of an individual with a communicable
14 disease be clearly tagged to indicate that remains contain a communicable disease
15 and, if known, the specific communicable disease.

16 (f) Maintain or require the maintenance of a written or electronic record of all
17 human remains that are disposed of, including all available identifying information
18 and information concerning the circumstances of death and disposal. If it is
19 impossible to identify human remains prior to disposal, the public health authority
20 may require that a qualified person obtain any fingerprints, photographs, or
21 identifying dental information, and collect a specimen of deoxyribonucleic acid from
22 the human remains and transmit this information to the public health authority.

23 (g) Notwithstanding s. 59.34 (1) or 59.35 (1), authorize a county medical
24 examiner or a county coroner to appoint emergency assistant medical examiners or
25 emergency deputy coroners, whichever is applicable, if necessary to perform the

1 duties of the office of medical examiner or coroner, and to prescribe the duties of the
2 emergency assistant medical examiners or emergency deputy coroners. The term of
3 any emergency appointment authorized under this paragraph may not exceed the
4 period of the state emergency. A county medical examiner or county coroner may
5 terminate an emergency appointment before the end of the period of the state
6 emergency, if termination of the appointment will not impede the performance of the
7 duties of his or her office. From the appropriation under s. 20.435 (1) (e), the
8 department shall reimburse counties for the cost of any emergency medical
9 examiners or emergency deputy coroners appointed under this paragraph.”.

10 **372.** Page 173, line 16: after that line insert:

11 “**SECTION 338p.** 165.70 (1) (b) of the statutes is amended to read:

12 165.70 (1) (b) Enforce chs. 945 and 961 and ss. 940.20 (3), 940.201, 941.25 to
13 941.27, 943.01 (2) (c), 943.011, 943.27, 943.28, 943.30, 944.30, 944.31, 944.32, 944.33,
14 944.34, 946.65, 947.02 (3) and (4), 948.075, and 948.08.”.

15 **373.** Page 173, line 16: after that line insert:

16 “**SECTION 388nc.** 160.257 of the statutes is created to read:

17 **160.257 Exceptions for aquifer storage and recovery systems.** (1) In
18 this section:

19 (a) “Aquifer storage and recovery system” means all of the aquifer storage and
20 recovery wells and related appurtenances that are part of a municipal water system.

21 (b) “Aquifer storage and recovery well” means a well through which treated
22 drinking water is placed underground for the purpose of storing and later recovering
23 the water through the same well for use as drinking water.

1 (c) “Municipal water system” means a community water system, as defined in
2 s. 281.62 (1) (a), that is owned by a city, village, town, county, town sanitary district,
3 utility district, public inland lake protection and rehabilitation district, or municipal
4 water district, or by a privately owned water utility serving any of the foregoing.

5 (d) “Specified substance” means one of the following:

- 6 1. Chloroform.
- 7 2. Bromodichloromethane.
- 8 3. Dibromochloromethane.
- 9 4. Bromoform.

10 (e) “Treated drinking water” means potable water that has been treated so that
11 it complies with the primary drinking water standards promulgated under ss. 280.11
12 and 281.17 (8).

13 **(2)** Notwithstanding s. 160.19 (1) and (2), the department is not required to
14 promulgate or amend rules that define design or management criteria for aquifer
15 storage and recovery systems to minimize the amount of a specified substance in
16 groundwater or to maintain compliance with the preventive action limit for a
17 specified substance, however, the department shall promulgate rules that define
18 design or management criteria for aquifer storage and recovery systems to maintain
19 compliance with drinking water standards promulgated under ss. 280.11 and 281.17
20 (8).

21 **(3)** Notwithstanding s. 160.21 (2), the point of standards application for an
22 aquifer storage and recovery well with respect to a specified substance is 1,200 feet
23 from the aquifer storage and recovery well and at any other well that is within 1,200
24 feet from the aquifer storage and recovery well.”

1 **374.** Page 173, line 16: after that line insert:

2 “**SECTION 338g.** 165.065 (2) of the statutes is amended to read:

3 165.065 (2) The assistant attorney general in charge of antitrust investigations
4 and prosecutions is to cooperate actively with the antitrust division of the U.S.
5 department of justice in everything that concerns monopolistic practices in
6 Wisconsin, and also to cooperate actively with the department of agriculture, trade
7 and consumer protection in the work which this agency is carrying on under s. 100.20
8 of the marketing law with regard to monopolistic practices in the field of agriculture
9 and with the federal trade commission on matters arising in or affecting Wisconsin
10 which pertain to its jurisdiction.

11 **SECTION 338m.** 165.25 (4) (ar) of the statutes, as affected by 2001 Wisconsin
12 Act 16, section 2856b, is amended to read:

13 165.25 (4) (ar) The department of justice shall furnish ~~all legal services~~
14 ~~required by~~ represent the department of agriculture, trade and consumer protection
15 in any court action relating to the enforcement of ~~ss. 100.171, 100.173, 100.174,~~
16 ~~100.175, 100.177, 100.18, 100.182, 100.20, 100.205, 100.207, 100.209, 100.21,~~
17 ~~100.28, 100.37, 100.42, 100.50 and 100.51 and chs. 126, 136, 344, 704, 707, and 779~~
18 ~~ch. 126 and 100.01 to 100.03, 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201,~~
19 ~~100.22, 100.235, 100.27, 100.285 to 100.297, 100.33 to 100.36, 100.45, 100.47, and~~
20 ~~100.48,~~ together with any other services as are necessarily connected to the legal
21 services.

22 **SECTION 338r.** 165.25 (11) of the statutes is created to read:

23 165.25 (11) CONSUMER PROTECTION ADMINISTRATION AND ENFORCEMENT.
24 Administer and enforce ss. 100.15 to 100.182, 100.20, 100.205, 100.207 to 100.2095,

1 100.28, 100.31, 100.37 to 100.44, 100.46, 100.50, and 100.52 and chs. 136, 344, 704,
2 707, and 779. The department may issue general or special orders in administering
3 and enforcing these provisions.”.

4 **375.** Page 176, line 3: after that line insert:

5 “**SECTION 340g.** 166.02 (1p) of the statutes is created to read:

6 166.02 (1p) “Biological agent” means any of the following:

7 (a) A select agent that is a virus, bacterium, rickettsia, fungus, or toxin that is
8 specified under 42 CFR 72, Appendix A.

9 (b) A genetically modified microorganism or genetic element from an organism
10 under par. (a) that is shown to produce or encode for a factor associated with a
11 disease.

12 (c) A genetically modified microorganism or genetic element that contains
13 nucleic acid sequences coding for a toxin under par. (a) or its toxic subunit.

14 (d) An agent specified by the department of health and family services by rule.

15 **SECTION 340h.** 166.02 (1r) of the statutes is created to read:

16 166.02 (1r) “Bioterrorism” means the intentional use of any biological,
17 chemical, or radiological agent to cause death, disease or biological malfunction in
18 a human, animal, plant, or other living organism in order to influence the policy of
19 a governmental unit or to intimidate or coerce the civilian population.

20 **SECTION 340i.** 166.02 (1t) of the statutes is created to read:

21 166.02 (1t) “Chemical agent” means a substance that has chemical properties
22 that produce lethal or serious effects in plants or animals.

23 **SECTION 340j.** 166.02 (7) of the statutes is created to read:

1 166.02 (7) “Public health emergency” means the occurrence or imminent threat
2 of an illness or health condition that meets all of the following criteria:

3 (a) Is believed to be caused by bioterrorism or a novel or previously controlled
4 or eradicated biological agent.

5 (b) Poses a high probability of any of the following:

6 1. A large number of deaths or serious or long-term disabilities among humans.

7 2. A high probability of widespread exposure to a biological, chemical, or
8 radiological agent that creates a significant risk of substantial future harm to a large
9 number of people.

10 **SECTION 340k.** 166.02 (8) of the statutes is created to read:

11 166.02 (8) “Radiological agent” means radiation or radioactive material at a
12 level that is dangerous to human health.

13 **SECTION 340L.** 166.03 (1) (b) 1. of the statutes is amended to read:

14 166.03 (1) (b) 1. Proclaim a state of emergency for the state or any portion
15 thereof of the state if he or she determines that an emergency resulting from enemy
16 action or natural or man-made disaster exists. If the governor determines that a
17 public health emergency exists, he or she may declare a state of emergency related
18 to public health and may designate the department of health and family services as
19 the lead state agency to respond to that emergency. The duration of such state of
20 emergency shall not exceed 60 days as to emergencies resulting from enemy action
21 or 30 days as to emergencies resulting from natural or man-made disaster, unless
22 either is extended by joint resolution of the legislature. A copy of the proclamation
23 shall be filed with the secretary of state. The proclamation may be revoked at the
24 discretion of either the governor by written order or the legislature by joint
25 resolution.

1 **SECTION 340m.** 166.03 (1) (b) 8. of the statutes is created to read:

2 166.03 (1) (b) 8. During a state of emergency related to public health, suspend
3 the provisions of any administrative rule if the strict compliance with that rule would
4 prevent, hinder, or delay necessary actions to respond to the emergency and increase
5 the health threat to the population.

6 **SECTION 340n.** 166.03 (2) (a) 6. of the statutes is created to read:

7 166.03 (2) (a) 6. No later than 90 days after a state of emergency relating to
8 public health is declared and the department of health and family services is not
9 designated under s. 166.03 (1) (b) 1. as the lead state agency to respond to that
10 emergency and no later than 90 days after the termination of this state of emergency
11 relating to public health, submit to the legislature under s. 13.172 (2) and to the
12 governor a report on all of the following:

13 a. The emergency powers used by the department of military affairs or its
14 agents.

15 b. The expenses incurred by the department of military affairs and its agents
16 in acting under the state of emergency related to public health.”.

17 **376.** Page 177, line 2: after that line insert:

18 “**SECTION 343m.** 177.01 (10) (a) 2. of the statutes is amended to read:

19 177.01 (10) (a) 2. Credit balances, customer overpayments, ~~gift certificates,~~
20 security deposits, refunds, credit memos, unpaid wages, unused airline tickets and
21 unidentified remittances.

22 **SECTION 343q.** 177.14 of the statutes is amended to read:

23 **177.14 ~~Gift certificates and credit~~ Credit memos.** (1) ~~A gift certificate or~~
24 a credit memo issued in the ordinary course of the issuer’s business that remains

1 unclaimed by the owner for more than 5 years after becoming payable or
2 distributable is presumed abandoned.

3 (2) ~~In the case of a gift certificate, the amount presumed abandoned is the price~~
4 ~~paid by the purchaser of the gift certificate. In the case of a credit memo, the~~ The
5 amount presumed abandoned under sub. (1) is the amount credited to the recipient
6 of the credit memo.”

7 **377.** Page 177, line 14: after that line insert:

8 “**SECTION 346h.** 196.218 (5) (a) 6. of the statutes, as affected by 2001 Wisconsin
9 Act 16, is amended to read:

10 196.218 (5) (a) 6. To pay the department of ~~electronic government~~
11 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1)
12 to the campuses of the University of Wisconsin System at River Falls, Stout, Superior
13 and Whitewater.

14 **SECTION 346m.** 196.858 (1) and (2) of the statutes, as affected by 2001
15 Wisconsin Act 16, are amended to read:

16 196.858 (1) The commission shall annually assess against local exchange and
17 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the
18 amounts appropriated under s. ~~20.530~~ 20.505 (1) (ir).

19 (2) The commission shall assess a sum equal to the annual total amount under
20 sub. (1) to local exchange and interexchange telecommunications utilities in
21 proportion to their gross operating revenues during the last calendar year. If total
22 expenditures for telephone relay service exceeded the payment made under this
23 section in the prior year, the commission shall charge the remainder to assessed
24 telecommunications utilities in proportion to their gross operating revenues during

1 the last calendar year. A telecommunications utility shall pay the assessment within
2 30 days after the bill has been mailed to the assessed telecommunication utility. The
3 bill constitutes notice of the assessment and demand of payment. Payments shall
4 be credited to the appropriation account under s. ~~20.530~~ 20.505 (1) (ir).”.

5 **378.** Page 177, line 14: after that line insert:

6 “**SECTION 346c.** 196.218 (3) (a) 3. b. of the statutes, as affected by 2001
7 Wisconsin Act 16, is amended to read:

8 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), ~~20.275~~
9 ~~(1)~~ 20.255 (4) (s), (t) and (tm) and 20.285 (1) (q).

10 **SECTION 346m.** 196.218 (4t) of the statutes is amended to read:

11 196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The
12 commission, in consultation with the department of administration and the
13 technology for educational achievement in Wisconsin board department of public
14 instruction, shall promulgate rules specifying the telecommunications services
15 eligible for funding through the educational telecommunications access program
16 under s. ~~44.73~~ 115.9995.

17 **SECTION 346r.** 196.218 (5) (a) 5. of the statutes, as affected by 2001 Wisconsin
18 Act 16, is amended to read:

19 196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971
20 (13) to (16) to the extent that these costs are not paid under s. ~~44.73 (2) (d)~~ 115.9995
21 (2) (d), except that no moneys in the universal service fund may be used to pay
22 installation costs that are necessary for a political subdivision to obtain access to
23 bandwidth under a shared service agreement under s. ~~44.73 (2r) (a)~~ 115.9995 (2r) (a).

24 **SECTION 346rm.** 196.218 (5) (a) 7. of the statutes is amended to read:

1 196.218 (5) (a) 7. To make grants awarded by the ~~technology for educational~~
2 ~~achievement in Wisconsin board~~ department of public instruction to school districts
3 and private schools under s. ~~44.73 (6)~~ 115.9995 (6). This subdivision does not apply
4 after December 31, 2005.

5 **SECTION 346rt.** 196.218 (5) (a) 10. of the statutes, as created by 2001 Wisconsin
6 Act 16, is amended to read:

7 196.218 (5) (a) 10. To make the grant awarded by the ~~technology for educational~~
8 ~~achievement in Wisconsin board~~ department of public instruction to the Racine
9 Unified School District under s. ~~44.72 (3)~~ 115.999 (3).”.

10 **379.** Page 180, line 3: after that line insert:

11 “**SECTION 353m.** 221.0320 (3) (a) of the statutes, as affected by 2001 Wisconsin
12 Act 16, is amended to read:

13 221.0320 (3) (a) In this subsection, “local governmental unit” has the meaning
14 given in s. ~~22.01~~ 16.97 (7).”.

15 **380.** Page 180, line 20: after that line insert:

16 “**SECTION 362m.** 230.08 (2) (e) 8. of the statutes is amended to read:

17 230.08 (2) (e) 8. Natural resources — ~~7~~ 6.”.

18 **381.** Page 180, line 20: after that line insert:

19 “**SECTION 359f.** 227.43 (1) (bg) of the statutes is amended to read:

20 227.43 (1) (bg) Assign a hearing examiner to preside over any hearing or review
21 under ss. ~~49.45 (2) (a) 10. and 14.,~~ 84.30 (18), 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16
22 (5), 86.195 (9) (b), 86.32 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b),
23 114.135 (9), 114.20 (19), 175.05 (4) (b), 194.145 (1), 194.46, 218.0114 (7) (d) and (12)
24 (b), 218.0116 (2), (4), (7) (a), (8) (a), and (10), 218.0131 (3), 218.11 (7) (a) and (b), 218.22

1 (4) (a) and (b), 218.32 (4) (a) and (b), 218.41 (4), 218.51 (5) (a) and (b), 341.09 (2m) (d),
2 342.26, 343.69, and 348.25 (9).”.

3 **382.** Page 180, line 20: after that line insert:

4 “**SECTION 362m.** 230.08 (2) (e) 1. of the statutes, as affected by 2001 Wisconsin
5 Act 16, is amended to read:

6 230.08 (2) (e) 1. Administration — ~~10~~ 11.

7 **SECTION 362p.** 230.08 (2) (e) 3r. of the statutes, as created by 2001 Wisconsin
8 Act 16, is repealed.”.

9 **383.** Page 181, line 15: after that line insert:

10 “**SECTION 365j.** 231.03 (6) (intro.) of the statutes is amended to read:

11 231.03 (6) (intro.) Subject to s. 231.08 (7), issue bonds of the authority, and may
12 refuse to issue bonds of the authority only if it determines that the issuance would
13 not be financially feasible, to do any of the following.”.

14 **384.** Page 182, line 9: after that line insert:

15 “**SECTION 367p.** 250.01 (6g) of the statutes is created to read:

16 250.01 (6g) “Public health authority” means the department, if the governor
17 declares under s. 166.03 (1) (b) 1. a state of emergency related to public health and
18 designates the department as the lead state agency to respond to that emergency.

19 **SECTION 367q.** 250.01 (6r) of the statutes is created to read:

20 250.01 (6r) “Public health emergency” has the meaning given in s. 166.02 (7).

21 **SECTION 367r.** 250.03 (3) of the statutes is created to read:

22 250.03 (3) (a) No later than 90 days after a state of emergency relating to public
23 health is declared and the department is designated under s. 166.03 (1) (b) 1. as the
24 lead state agency to respond to that emergency and no later than 90 days after the

1 termination of this state of emergency relating to public health, the department shall
2 submit to the legislature under s. 13.172 (2) and to the governor a report on all of the
3 following:

4 1. The emergency powers used by the public health authority or its agents.

5 2. The expenses incurred by the public health authority and its agents in acting
6 under the state of emergency related to public health.

7 **SECTION 367s.** 250.03 (3) (b) of the statutes is created to read:

8 250.03 (3) (b) Biennially, beginning on July 1, 2002, after first consulting with
9 the adjutant general, local health departments, health care providers, as defined in
10 s. 146.81 (1), and law enforcement agencies, as defined in s. 165.77 (1) (b), the
11 department shall submit to the legislature under s. 13.172 (2) and to the governor
12 a report on the preparedness of the public health system to address public health
13 emergencies.

14 **SECTION 367t.** 250.042 of the statutes is created to read:

15 **250.042 Powers and duties of the department as public health**
16 **authority. (1)** If the governor declares a state of emergency related to public health
17 under s. 166.03 (1) (b) 1. and designates the department as the lead state agency to
18 respond to that emergency, the department shall act as the public health authority
19 during the period of the state of emergency. During the period of the state of
20 emergency, the secretary may designate a local health department as an agent of the
21 department and confer upon the local health department, acting under that agency,
22 the powers and duties of the public health authority. The department may, from the
23 appropriation under s. 20.435 (1) (e), reimburse a local health department for
24 reasonable and necessary expenses in acting as an agent of the department if
25 designated under this subsection.

1 **(2)** As the public health authority, the department may do any of the following:

2 (a) From the appropriation under s. 20.435 (1) (e), purchase, store, or distribute
3 antitoxins, serums, vaccines, immunizing agents, antibiotics, and other
4 pharmaceutical agents or medical supplies that the department determines are
5 advisable to control a public health emergency.

6 (b) Act as specified in s. 252.041.

7 **(3)** (a) As the public health authority, the department shall inform state
8 residents of all of the following:

9 1. When a state of emergency related to public health has been declared or is
10 terminated.

11 2. How to protect themselves from a public health emergency.

12 3. What actions the public health authority is taking to control a public health
13 emergency.

14 (b) The public health authority shall provide the information specified in par.
15 (a) by all available and reasonable means calculated to inform the general public,
16 including reasonable efforts to make the information accessible to individuals with
17 disabilities and to provide the information in the primary languages of individuals
18 who do not understand English.

19 (c) As the public health authority, the department, to the extent possible, shall
20 consult with local health departments, whether or not designated as agents of the
21 department, and with individual health care providers.”.

22 **385.** Page 182, line 9: after that line insert:

23 “**SECTION 367e.** 236.45 (2) (am) of the statutes is created to read:

1 236.45 (2) (am) An ordinance adopted under this section by a municipality may
2 require any person, as a condition of obtaining approval of a land division, to dedicate
3 land or pay fees to fund the acquisition of land or the construction of public
4 improvements or facilities for any purpose specified in sub. (1). Any fees that are
5 imposed as a condition of approving a land division shall bear a rational relationship
6 to the need for the land or new public improvements or facilities that are necessary
7 to serve the land division.”.

8 **386.** Page 182, line 10: after that line insert:

9 “**SECTION 368d.** 251.05 (3) (e) of the statutes is created to read:

10 251.05 (3) (e) Act as agent of the department, if designated by the secretary
11 under s. 250.042 (1).

12 **SECTION 368f.** 252.02 (title) of the statutes is amended to read:

13 **252.02 (title) Powers and duties of department.**

14 **SECTION 368h.** 252.02 (7) of the statutes is created to read:

15 252.02 (7) The department shall promulgate rules that specify medical
16 conditions treatable by prescriptions or nonprescription drug products for which
17 pharmacists and pharmacies must report under s. 440.142 (1).

18 **SECTION 368j.** 252.041 of the statutes is created to read:

19 **252.041 Compulsory vaccination during a state of emergency. (1)**

20 Except as provided in sub. (2), during the period under which the department is
21 designated as the lead state agency, as specified in s. 250.042 (2), the department,
22 as the public health authority, may do all of the following as necessary to address a
23 public health emergency:

1 (a) Order any individual to receive a vaccination unless the vaccination is
2 reasonably likely to lead to serious harm to the individual or unless the individual,
3 for reasons of religion or conscience, refuses to obtain the vaccination.

4 (b) Isolate or quarantine, under s. 252.06, any individual who is unable or
5 unwilling for reasons specified under sub. (1) to receive vaccination under par. (a).

6 (2) The department shall promulgate rules that specify circumstances, if any,
7 under which vaccination may not be performed on an individual.

8 **SECTION 368L.** 252.05 (1) of the statutes is amended to read:

9 252.05 (1) ~~Any person licensed, permitted, registered or certified under ch. 441~~
10 ~~or 448 knowing or having health care provider, as defined in s. 146.81 (1), who knows~~
11 ~~or has~~ reason to ~~know~~ believe that a person treated or visited by him or her has a
12 communicable disease, or having a communicable disease, has died, shall report the
13 appearance of the communicable disease or the death to the local health officer. The
14 local health officer shall report this information to the department or shall direct the
15 person reporting to report to the department. Any person directed to report shall
16 submit this information to the department.

17 **SECTION 368n.** 252.06 (1) of the statutes is amended to read:

18 252.06 (1) The department or the local health officer acting on behalf of the
19 department may require isolation of ~~the patient~~ a patient or of an individual under
20 s. 252.041 (1) (b), quarantine of contacts, concurrent and terminal disinfection, or
21 modified forms of these procedures as may be necessary and ~~which are~~ as are
22 determined by the department by rule.

23 **SECTION 368p.** 252.06 (4) of the statutes is renumbered 252.06 (4) (a).

24 **SECTION 368r.** 252.06 (4) (b) of the statutes is created to read:

25 252.06 (4) (b) If s. 250.042 (1) applies, all of the following apply:

1 1. No person, other than a person authorized by the public health authority or
2 agent of the public health authority, may enter an isolation or quarantine premises.

3 2. A violation of subd. 1. is subject to a fine not to exceed \$10,000 or
4 imprisonment not to exceed 9 months, or both.

5 3. Any person, whether authorized under subd. 1. or not, who enters an
6 isolation or quarantine premises may be subject to isolation or quarantine under this
7 section.

8 **SECTION 368t.** 252.06 (10) (c) of the statutes is created to read:

9 252.06 (10) (c) The expense of providing a reasonable means of communication
10 for a person who is quarantined outside his or her home during a state of emergency
11 related to public health shall be paid under either of the following, as appropriate:

12 1. If the governor designates the department as the lead state agency under s.
13 166.03 (1) (b) 1., from the appropriation under s. 20.435 (1) (e).

14 2. If the governor does not designate the department as the lead state agency
15 under s. 166.03 (1) (b) 1., from the appropriation under s. 20.465 (3) (e).”.

16 **387.** Page 182, line 10: delete that line.

17 **388.** Page 182, line 16: after that line insert:

18 “**SECTION 369n.** 281.98 (2) of the statutes is amended to read:

19 281.98 (2) In addition to the penalties provided under sub. (1) or s. 281.99 (2),
20 the court may award the department of justice the reasonable and necessary
21 expenses of the investigation and prosecution of a violation of this chapter, including
22 attorney fees. The department of justice shall deposit in the state treasury for
23 deposit into the general fund all moneys that the court awards to the department or
24 the state under this subsection. ~~Ten percent of the money deposited in the general~~

1 ~~fund that was awarded under this subsection for the costs of investigation and the~~
2 ~~expenses of prosecution, including attorney fees, shall be credited to the~~
3 ~~appropriation account under s. 20.455 (1) (gh).~~

4 **SECTION 369q.** 283.91 (5) of the statutes is amended to read:

5 283.91 (5) In addition to all other civil and criminal penalties prescribed under
6 this chapter, the court may assess as an additional penalty a portion or all of the costs
7 of the investigation, including monitoring, which led to the establishment of the
8 violation. The court may award the department of justice the reasonable and
9 necessary expenses of the prosecution, including attorney fees. The department of
10 justice shall deposit in the state treasury for deposit into the general fund all moneys
11 that the court awards to the department or the state under this subsection. ~~Ten~~
12 ~~percent of the money deposited in the general fund that was awarded under this~~
13 ~~subsection for the costs of investigation and the expenses of prosecution, including~~
14 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).”.~~

15 **389.** Page 182, line 16: after that line insert:

16 “**SECTION 369s.** 281.17 (2m) of the statutes is created to read:

17 281.17 (2m) In permitting under its authority under sub. (2) the chemical
18 treatment of water for the suppression of mosquito larvae in the cities of Brookfield
19 and La Crosse, the department may not impose as a condition to that permission a
20 requirement that monitoring or additional testing be conducted as to the
21 effectiveness or the impact of the treatment.”.

22 **390.** Page 182, line 16: after that line insert:

23 “**SECTION 369gm.** 280.25 of the statutes is created to read:

24 **280.25 Report on aquifer recovery system.** (1) In this section:

1 (a) "Aquifer storage and recovery system" has the meaning given in s. 160.257
2 (1).

3 (b) "Municipal water system" has the meaning given in s. 160.257 (1) (c).

4 (2) The operator of a municipal water system that uses an aquifer storage and
5 recovery system shall submit a report to the department, no later than the first day
6 of the 60th month after beginning to operate the aquifer storage and recovery system,
7 describing the experience that the operator has had with using the aquifer storage
8 and recovery system."

9 **391.** Page 182, line 16: after that line insert:

10 "SECTION 369qm. 281.65 (12) of the statutes is created to read:

11 281.65 (12) Notwithstanding sub. (8), during fiscal year 2002-03, the
12 department shall make a payment under this section to a landowner who received
13 a notice of discharge under ch. 283, who entered into a cost-share agreement with
14 the department of agriculture, trade and consumer protection for a grant under s.
15 92.14 (4) (c), 1997 stats., and who complied with the cost-share agreement but who
16 did not receive the grant under s. 92.14 (4) (c), 1997 stats. The department shall
17 make a payment under this subsection in the amount to which the landowner would
18 have been entitled under the cost-share agreement with the department of
19 agriculture, trade and consumer protection. The department may not require a
20 landowner to file an application to receive payment under this subsection."

21 **392.** Page 182, line 16: after that line insert:

22 "SECTION 369m. 283.84 (1) (c) of the statutes, as affected by 2001 Wisconsin Act
23 16, is amended to read:

1 283.84 (1) (c) Reaches an agreement with the department or a local
2 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), under which the person pays
3 money to the department or local governmental unit and the department or local
4 governmental unit uses the money to reduce water pollution in the project area.”.

5 **393.** Page 182, line 16: after that line insert:

6 “**SECTION 369h.** 255.06 (2) (h) of the statutes is created to read:

7 255.06 (2) (h) *Multiple sclerosis education.* Conduct a multiple sclerosis
8 education program to raise public awareness concerning the causes and nature of
9 multiple sclerosis and options for diagnosing and treating multiple sclerosis.”.

10 **394.** Page 182, line 16: after that line insert:

11 “**SECTION 369kb.** 281.165 (1) of the statutes is amended to read:

12 281.165 (1) COMPLIANCE; EXEMPTION. An activity shall be considered to comply
13 with the water quality standards that are applicable to wetlands and that are
14 promulgated as rules under s. 281.15 and is exempt from any prohibition, restriction,
15 requirement, permit, license, approval, authorization, fee, notice, hearing,
16 procedure, or penalty specified under s. 29.601 (3) or chs. 30, 31, 281, 283, 289 to 292,
17 or 299 or specified under any rule promulgated, order issued, or ordinance adopted
18 under any of those sections or chapters, if the activity meets all of the requirements
19 under either sub. (2) ~~or (3)~~.

20 **SECTION 369ke.** 281.165 (2) (title) of the statutes is amended to read:

21 281.165 (2) (title) ~~TREMPEALEAU COUNTY~~ REQUIREMENTS.

22 **SECTION 369kg.** 281.165 (2) (am) of the statutes is created to read:

23 281.165 (2) (am) At least 2 acres of wetland will be restored or created as
24 mitigation for each acre of wetland affected by the activity, and the restored or

1 created wetland shall be located upstream from the site of the activity and located
2 within the same watershed as the wetland area to be affected.

3 **SECTION 369kj.** 281.165 (2) (c) of the statutes is amended to read:

4 281.165 (2) (c) The site of the activity is within the corporate limits of a city or
5 village on January 1, 1999.

6 **SECTION 369km.** 281.165 (2) (d) of the statutes is amended to read:

7 281.165 (2) (d) The governing body of the city or village adopts a resolution
8 stating that the exemption under this section is necessary to protect jobs that exist
9 in the city or village on the date of the adoption of the resolution or is necessary to
10 promote job creation.

11 **SECTION 369kp.** 281.165 (2) (e) of the statutes is repealed.

12 **SECTION 369kq.** 281.165 (2) (f) of the statutes is created to read:

13 281.165 (2) (f) The governor selects the activity as provided in sub. (4).

14 **SECTION 369kr.** 281.165 (3) of the statutes is repealed.

15 **SECTION 369ks.** 281.165 (4) and (5) of the statutes are created to read:

16 281.165 (4) SELECTION BY GOVERNOR. (a) Any city or village seeking to be
17 selected for the exemption under sub. (1) shall submit the adopted resolution
18 required under sub. (2) (d) to the governor before December 31, 2002.

19 (b) The governor shall select one activity within the state that the governor
20 determines meets the requirements in sub. (2) (a) to (d) to receive the exemption
21 under sub. (1).

22 **(5) RESTORED OR CREATED WETLANDS.** (a) Upon selection of the activity by the
23 governor under sub. (4), the rules under ss. NR 350.05, 350.08, 350.09, and 350.10,
24 Wis. Adm. Code, shall apply to the mitigation project under sub. (2) (am).

1 (b) The mitigation project under sub. (2) (am) shall include the granting of a
2 conservation easement under s. 700.40 to the department to ensure that the restored
3 or created wetland will not be destroyed or substantially degraded by any
4 subsequent owner of or holder of interest in the property on which the wetland is
5 located. At a minimum, the conservation easement shall include any zone of
6 vegetated upland adjacent to the wetland that the department determines is
7 adequate to filter runoff from entering the restored or created wetland. The
8 department shall modify or release a conservation easement issued under this
9 paragraph if the conditions in s. 281.37 (2m) (b) apply.

10 (c) Any agent or employee of the department shall, at all times, be given
11 reasonable access to any and all parts of a mitigation project site and may enter upon
12 any property to investigate the mitigation project.”.

13 **395.** Page 182, line 23: delete the material beginning with that line and
14 ending with page 184, line 9.

15 **396.** Page 185, line 13: delete lines 13 to 17.

16 **397.** Page 185, line 17: after that line insert:

17 “**SECTION 370n.** 289.96 (3) (b) of the statutes is amended to read:

18 289.96 (3) (b) In addition to the penalties provided under par. (a), the court may
19 award the department of justice the reasonable and necessary expenses of the
20 investigation and prosecution of the violation, including attorney fees. The
21 department of justice shall deposit in the state treasury for deposit into the general
22 fund all moneys that the court awards to the department or the state under this
23 paragraph. ~~Ten percent of the money deposited in the general fund that was awarded~~
24 ~~under this paragraph for the costs of investigation and the expenses of prosecution,~~

1 including attorney fees, shall be credited to the appropriation account under s.
2 20.455 (1) (gh).”

3 **398.** Page 186, line 6: after that line insert:

4 “**SECTION 372g.** 292.99 (2) of the statutes is amended to read:

5 292.99 (2) In addition to the penalties provided under subs. (1) and (1m), the
6 court may award the department of justice the reasonable and necessary expenses
7 of the investigation and prosecution of the violation, including attorney fees. The
8 department of justice shall deposit in the state treasury for deposit into the general
9 fund all moneys that the court awards to the department or the state under this
10 subsection. ~~Ten percent of the money deposited in the general fund that was awarded~~
11 ~~under this subsection for the costs of investigation and the expenses of prosecution,~~
12 ~~including attorney fees, shall be credited to the appropriation account under s.~~
13 ~~20.455 (1) (gh).~~

14 **SECTION 372n.** 293.87 (4) (b) of the statutes is amended to read:

15 293.87 (4) (b) In addition to the penalties provided under par. (a), the court may
16 award the department of justice the reasonable and necessary expenses of the
17 investigation and prosecution of the violation, including attorney fees. The
18 department of justice shall deposit in the state treasury for deposit into the general
19 fund all moneys that the court awards to the department or the state under this
20 paragraph. ~~Ten percent of the money deposited in the general fund that was awarded~~
21 ~~under this paragraph for the costs of investigation and the expenses of prosecution,~~
22 ~~including attorney fees, shall be credited to the appropriation account under s.~~
23 ~~20.455 (1) (gh).~~

24 **SECTION 372q.** 295.19 (3) (b) 2. of the statutes is amended to read:

1 295.19 (3) (b) 2. In addition to the penalties provided under subd. 1., the court
2 may award the department of justice the reasonable and necessary expenses of the
3 investigation and prosecution of the violation, including attorney fees. The
4 department of justice shall deposit in the state treasury for deposit into the general
5 fund all moneys that the court awards to the department or the state under this
6 subdivision. ~~Ten percent of the money deposited in the general fund that was~~
7 ~~awarded under this subdivision for the costs of investigation and the expenses of~~
8 ~~prosecution, including attorney fees, shall be credited to the appropriation account~~
9 ~~under s. 20.455 (1) (gh)."~~

10 **399.** Page 186, line 6: after that line insert:

11 “**SECTION 372s.** 299.41 of the statutes is amended to read:

12 **299.41 Household hazardous waste.** The department shall establish and
13 administer a grant program to assist municipalities and regional planning
14 commissions in creating and operating local programs for the collection and disposal
15 of household hazardous waste.”.

16 **400.** Page 186, line 13: after that line insert:

17 “**SECTION 373n.** 299.97 (2) of the statutes is amended to read:

18 299.97 (2) In addition to the penalties provided under sub. (1), the court may
19 award the department of justice the reasonable and necessary expenses of the
20 investigation and prosecution of the violation, including attorney fees. The
21 department of justice shall deposit in the state treasury for deposit into the general
22 fund all moneys that the court awards to the department or the state under this
23 subsection. ~~Ten percent of the money deposited in the general fund that was awarded~~
24 ~~under this subsection for the costs of investigation and the expenses of prosecution,~~

1 including attorney fees, shall be credited to the appropriation account under s.
2 20.455 (1) (gh).”

3 **401.** Page 186, line 13: after that line insert:

4 “**SECTION 374e.** 301.03 (18) (am) of the statutes is created to read:

5 301.03 (18) (am) Paragraph (a) does not prevent a county department under
6 s. 46.215, 46.22, or 46.23 from charging and collecting the cost of an examination
7 ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).”

8 **402.** Page 187, line 7: after that line insert:

9 “**SECTION 377b.** 301.21 (1m) (a) (intro.) of the statutes is amended to read:

10 301.21 (1m) (a) (intro.) The Subject to sub. (3), the department may enter into
11 one or more contracts with another state or a political subdivision of another state
12 for the transfer and confinement in that state of prisoners who have been committed
13 to the custody of the department. Any such contract shall provide for all of the
14 following:

15 **SECTION 377c.** 301.21 (2m) (a) (intro.) of the statutes is amended to read:

16 301.21 (2m) (a) (intro.) The Subject to sub. (3), the department may enter into
17 one or more contracts with a private person for the transfer and confinement in
18 another state of prisoners who have been committed to the custody of the
19 department. Any such contract shall provide for all of the following:

20 **SECTION 377d.** 301.21 (3) of the statutes is created to read:

21 301.21 (3) (a) Subject to par. (b), when contracting for the placement of
22 prisoners in out-of-state facilities, the department shall give preference to a person
23 that does all of the following:

24 1. Houses prisoners at facilities in close proximity to Wisconsin.

1 2. Provides alcohol and other drug abuse treatment, education, job
2 preparation, and other elements of treatment designed to prepare prisoners for their
3 return to the community.

4 3. Provides comprehensive assessment of prisoners in order to establish
5 effective courses of treatment and rehabilitation, including academic and vocational
6 training, with the goal of eventually successfully reintegrating prisoners into the
7 community.

8 4. Staffs any facility in which prisoners will be confined with trained, certified
9 professionals and manages and supervises the facility through a team of licensed
10 professionals, including educators, certified counselors, vocational specialists, and
11 medical professionals.

12 (b) The department shall give preference to a person under this subsection only
13 if the person offers a daily rate that is comparable to the lowest good faith rate offered
14 by other persons offering facilities for out-of-state placement of prisoners.”.

15 **403.** Page 187, line 7: after that line insert:

16 “**SECTION 377b.** 301.205 (title) of the statutes is repealed and recreated to read:

17 **301.205 (title) Transportation for visits.**

18 **SECTION 377c.** 301.205 of the statutes is renumbered 301.205 (2).

19 **SECTION 377d.** 301.205 (1) of the statutes is created to read:

20 301.205 (1) (a) Except as provided in par. (b), the department may not use state
21 funds to transport persons visiting inmates in state prisons.

22 (b) The department may do any of the following to pay for the cost of
23 transporting persons visiting inmates in state prisons:

24 1. Charge a reasonable fee to persons to whom the transportation is provided.

1 2. Use money received from gifts, grants, donations, and burial trusts that is
2 provided for the purpose of paying for the cost of such transportation.”.

3 **404.** Page 187, line 8: delete lines 8 to 17.

4 **405.** Page 188, line 7: after that line insert:

5 “**SECTION 378p.** 301.45 (1d) (b) of the statutes is amended to read:

6 301.45 (1d) (b) “Sex offense” means a violation, or the solicitation, conspiracy,
7 or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02
8 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.095, 948.11
9 (2) (a) or (am), 948.12, 948.13, or 948.30, or of s. 940.30 or 940.31 if the victim was
10 a minor and the person who committed the violation was not the victim’s parent.”.

11 **406.** Page 188, line 14: after that line insert:

12 “**SECTION 379v.** 302.045 (2) (c) of the statutes is amended to read:

13 302.045 (2) (c) The inmate is incarcerated regarding a violation other than a
14 crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06,
15 948.07, 948.075, 948.08, or 948.095.”.

16 **407.** Page 191, line 22: after “302.045 (3m) (b) 1.” insert “or 973.195 (1r)”.

17 **408.** Page 209, line 22: after that line insert:

18 “**SECTION 432g.** 341.09 (8) of the statutes is amended to read:

19 341.09 (8) The department may issue a temporary operation plate to a person
20 who is eligible for the issuance of a special plate for a motorcycle under s. 341.14 (1e)
21 if the department determines that the person’s disability is temporary. The plate
22 shall contain the information specified in sub. (1m) and comply with s. 341.13 (2m),
23 if applicable. The plate shall otherwise be similar to or identical to plates issued

1 under s. 341.14 (1e). No charge in addition to the registration fee may be made for
2 the issuance of a plate under this subsection.

3 **SECTION 432m.** 341.13 (2m) of the statutes is created to read:

4 341.13 (2m) A registration plate issued for a motorcycle shall have a white
5 background and black lettering and shall be 4 inches by 7 inches in size.

6 **SECTION 432r.** 341.14 (6w) of the statutes, as created by 2001 Wisconsin Act
7 16, is amended to read:

8 341.14 (6w) Upon application to register a motorcycle by any person who is a
9 resident of this state and a veteran of the U.S. armed forces, the department shall
10 issue to the person a special plate whose colors and design shall indicate that the
11 vehicle is owned by a veteran of the U.S. armed forces. The department shall specify
12 the design of the special plate. The special plate shall be colored red, white, and blue
13 ~~and be 4 inches by 7 inches in size.~~ An additional fee of \$15 shall be charged for the
14 issuance or reissuance of the plate.

15 **SECTION 432w.** 341.14 (6w) of the statutes, as affected by 2001 Wisconsin Act
16 16 and 2001 Wisconsin Act (this act), is amended to read:

17 341.14 (6w) Upon application to register a motorcycle by any person who is a
18 resident of this state and a veteran of the U.S. armed forces, the department shall
19 issue to the person a special plate whose colors and design shall indicate that the
20 vehicle is owned by a veteran of the U.S. armed forces. The department shall specify
21 the design of the special plate. The Notwithstanding s. 341.13 (2m), the special plate
22 shall be colored red, white, and blue and be 4 inches by 7 inches in size. An additional
23 fee of \$15 shall be charged for the issuance or reissuance of the plate.”.

24 **409.** Page 209, line 22: after that line insert:

1 **“SECTION 432p.** 340.01 (20m) of the statutes is created to read:

2 340.01 **(20m)** “Hail-damaged vehicle” means a vehicle less than 7 years old
3 that is not precluded from subsequent registration and titling and which is damaged
4 solely by hail to the extent that the estimated or actual cost, whichever is greater, of
5 repairing the vehicle exceeds 70% of its fair market value.

6 **SECTION 432s.** 340.01 (55g) of the statutes is amended to read:

7 340.01 **(55g)** “Salvage vehicle” means a vehicle less than 7 years old that is not
8 precluded from subsequent registration and titling and which is damaged by
9 collision or other occurrence to the extent that the estimated or actual cost,
10 whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.
11 The term does not include a hail-damaged vehicle unless the vehicle is repaired with
12 any replacement part, as defined in s. 632.38 (1) (e).”.

13 **410.** Page 209, line 22: after that line insert:

14 **“SECTION 432f.** 341.14 (4r) of the statutes is amended to read:

15 341.14 **(4r)** For reconstructed, replica, street modified, and homemade vehicles
16 as specified in s. 341.268.

17 **SECTION 432g.** 341.268 (1) (b) of the statutes is renumbered 341.268 (1) (b)
18 (intro.) and amended to read:

19 341.268 **(1)** (b) (intro.) “Homemade vehicle” means ~~a~~ any of the following:

20 1. A motor vehicle which ~~that~~ has been constructed or assembled from new or
21 used parts or both using a body and frame not originating from and not resembling
22 any previously manufactured motor vehicle.

23 **SECTION 432h.** 341.268 (1) (b) 2. of the statutes is created to read:

1 341.268 (1) (b) 2. A motorcycle that is a reproduction of a vehicle originally
2 made by another manufacturer and which consists of a reproduction body that is
3 combined with a new, used, or replica frame and drivetrain.

4 **SECTION 432i.** 341.268 (1) (e) of the statutes is amended to read:

5 341.268 (1) (e) “Replica vehicle” means a motor vehicle, other than a
6 motorcycle, that is a reproduction of a vehicle originally made by another
7 manufacturer and which consists of a reproduction body that is combined with a new,
8 used, or replica frame and drivetrain.

9 **SECTION 432n.** 341.268 (2) (a) 4. of the statutes is amended to read:

10 341.268 (2) (a) 4. A homemade vehicle under sub. (1) (b) 1.

11 **SECTION 432nf.** 341.268 (2) (a) 5. of the statutes is created to read:

12 341.268 (2) (a) 5. A homemade vehicle under sub. (1) (b) 2. that is a reproduction
13 of a motorcycle manufactured 20 years or more prior to the time of making
14 application for registration or transfer of title of the homemade vehicle.

15 **SECTION 432t.** 341.268 (4m) of the statutes is created to read:

16 341.268 (4m) A motorcycle registered as a replica vehicle under s. 341.268,
17 1999 stats., shall be considered a homemade vehicle for purposes of this section and
18 ss. 341.09 (7), 341.27 (3) (a), 341.28 (2), and 341.31 (4) (b), except that the owner of
19 the motorcycle is not required to replace the distinctive registration plates issued
20 under s. 341.268 (2) (c), 1999 stats., showing that the motorcycle is a replica vehicle.”.

21 **411.** Page 210, line 11: after that line insert:

22 “**SECTION 435m.** 342.10 (3) (h) of the statutes is created to read:

1 342.10 (3) (h) That the vehicle was a hail-damaged vehicle. This paragraph
2 does not apply to a hail-damaged vehicle that was repaired with any replacement
3 part, as defined in s. 632.38 (1) (e).”.

4 **412.** Page 211, line 3: after that line insert:

5 “**SECTION 439e.** 343.23 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
6 84, is amended to read:

7 343.23 (2) (b) The information specified in par. (a) must be filed by the
8 department so that the complete operator’s record is available for the use of the
9 secretary in determining whether operating privileges of such person shall be
10 suspended, revoked, canceled, or withheld in the interest of public safety. The record
11 of suspensions, revocations, and convictions that would be counted under s. 343.307
12 (2) shall be maintained permanently. The record of convictions for disqualifying
13 offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The record
14 of convictions for disqualifying offenses under s. 343.315 (2) (f) and (j) shall be
15 maintained for at least 3 years. The record of convictions for disqualifying offenses
16 under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that 5 years
17 after a licensee transfers residency to another state such record may be transferred
18 to another state of licensure of the licensee if that state accepts responsibility for
19 maintaining a permanent record of convictions for disqualifying offenses. Such
20 reports and records may be cumulative beyond the period for which a license is
21 granted, but the secretary, in exercising the power of suspension granted under s.
22 343.32 (2) may consider only those reports and records entered during the 4-year
23 period immediately preceding the exercise of such power of suspension.

24 **SECTION 439g.** 343.245 (3) (c) of the statutes is created to read:

1 343.245 (3) (c) No employer may knowingly allow, permit, or authorize an
2 employee to operate a commercial motor vehicle in violation of any federal, state, or
3 local law, rule, or regulation relating to railroad crossings.

4 **SECTION 439i.** 343.245 (4) (a) of the statutes is amended to read:

5 343.245 (4) (a) Except as provided in ~~par.~~ pars. (b) and (c), any person who
6 violates sub. (2) or (3) shall forfeit not more than \$2,500.

7 **SECTION 439j.** 343.245 (4) (c) of the statutes is created to read:

8 343.245 (4) (c) Any person who violates sub. (3) (c) shall forfeit not more than
9 \$10,000.”.

10 **413.** Page 211, line 10: after that line insert:

11 “**SECTION 441m.** 343.315 (2) (j) of the statutes is created to read:

12 343.315 (2) (j) A person is disqualified for a period of 60 days from operating
13 a commercial motor vehicle if convicted of a railroad crossing violation, or 120 days
14 if convicted of 2 railroad crossing violations or one year if convicted of 3 or more
15 railroad crossing violations, arising from separate occurrences committed within a
16 3-year period while driving or operating a commercial motor vehicle. In this
17 paragraph, “railroad crossing violation” means a violation of a federal, state, or local
18 law, rule, or regulation relating to any of the following offenses at a railroad crossing:

19 1. If the operator is not always required to stop the vehicle, failing to reduce
20 speed and determine that the tracks are clear of any approaching train.

21 2. If the operator is not always required to stop the vehicle, failing to stop before
22 reaching the crossing if the tracks are not clear.

23 3. If the operator is always required to stop the vehicle, failing to do so before
24 proceeding onto the crossing.

1 4. Failing to have sufficient space to proceed completely through the crossing
2 without stopping the vehicle.

3 5. Failing to obey any official traffic control device or the directions of any traffic
4 officer, railroad employee, or other enforcement official.

5 6. Failing to successfully proceed through the crossing because of insufficient
6 undercarriage clearance.

7 **SECTION 441p.** 343.315 (3) (b) of the statutes is amended to read:

8 343.315 (3) (b) If a person's license or operating privilege is not otherwise
9 revoked or suspended as the result of an offense committed after March 31, 1992,
10 which results in disqualification under sub. (2) (a) to (f), (h) ~~or~~ (i), or (j), the
11 department shall immediately disqualify the person from operating a commercial
12 motor vehicle for the period required under sub. (2) (a) to (f), (h) ~~or~~ (i), or (j). Upon
13 proper application by the person and payment of a duplicate license fee, the
14 department may issue a separate license authorizing only the operation of vehicles
15 other than commercial motor vehicles. Upon expiration of the period of
16 disqualification, the person may apply for authorization to operate commercial
17 motor vehicles under s. 343.26.”.

18 **414.** Page 211, line 13: after that line insert:

19 “**SECTION 442g.** 344.576 (3) (a) 5. of the statutes is amended to read:

20 344.576 (3) (a) 5. The address and telephone number of the department of
21 agriculture, ~~trade and consumer protection~~ justice.

22 **SECTION 442m.** 344.576 (3) (c) of the statutes is amended to read:

23 344.576 (3) (c) The department of agriculture, ~~trade and consumer protection~~
24 justice shall promulgate rules specifying the form of the notice required under par.

1 (a), including the size of the paper and the type size and any highlighting of the
2 information described in par. (a). The rule may specify additional information that
3 must be included in the notice and the precise language that must be used.

4 **SECTION 442r.** 344.579 (2) (intro.) of the statutes is amended to read:

5 344.579 (2) ENFORCEMENT. (intro.) The department of ~~agriculture, trade and~~
6 ~~consumer protection justice~~ shall investigate violations of ss. 344.574, 344.576 (1),
7 (2) and (3) (a) and (b), 344.577 and 344.578. The department of ~~agriculture, trade~~
8 ~~and consumer protection justice~~ may on behalf of the state.”.

9 **415.** Page 215, line 7: after that line insert:

10 “**SECTION 461u.** 349.067 of the statutes is created to read:

11 **349.067 Traffic control signal emergency preemption devices. (1)**

12 Notwithstanding s. 349.065, any traffic control signal installed by a local authority
13 after the effective date of this section [revisor inserts date], that is equipped with
14 an emergency preemption device, as defined in s. 84.02 (15) (a) 4., shall be installed
15 with a confirmation signal, as defined in s. 84.02 (15) (a) 3.

16 (2) Notwithstanding s. 349.065, any new traffic control signal installed by a
17 local authority after the effective date of this section [revisor inserts date], that
18 is not equipped with an emergency preemption device shall include all electrical
19 wiring necessary to equip the traffic control signal with an emergency preemption
20 device and confirmation signal.”.

21 **416.** Page 215, line 7: after that line insert:

22 “**SECTION 461m.** 347.02 (7) of the statutes is amended to read:

23 347.02 (7) The vehicle equipment requirements for a street modified vehicle
24 shall be the same as the vehicle equipment requirements for a vehicle of the same

1 type and model year that is not a street modified vehicle. The vehicle equipment
2 requirements for a replica vehicle or a homemade vehicle specified in s. 341.268 (1)
3 (b) 2. shall be the same as the vehicle equipment requirements for a vehicle of the
4 same type and model year as the vehicle used for purposes of the reproduction.”.

5 **417.** Page 215, line 14: after that line insert:

6 “**SECTION 464p.** 440.142 of the statutes is created to read:

7 **440.142 Reporting potential causes of public health emergency. (1)** A
8 pharmacist or pharmacy shall report to the department of health and family services
9 all of the following:

10 (a) An unusual increase in the number of prescriptions dispensed or
11 nonprescription drug products sold for the treatment of medical conditions specified
12 by the department of health and family services by rule under s. 252.02 (7).

13 (b) An unusual increase in the number of prescriptions dispensed that are
14 antibiotic drugs.

15 (c) The dispensing of a prescription for treatment of a disease that is relatively
16 uncommon or may be associated with bioterrorism, as defined in s. 166.02 (1r).

17 **(2)** (a) Except as provided in par. (b), a pharmacist or pharmacy may not report
18 personally identifying information concerning an individual who is dispensed a
19 prescription or who purchases a nonprescription drug product as specified in sub. (1)
20 (a), (b), or (c).

21 (b) Upon request by the department of health and family services, a pharmacist
22 or pharmacy shall report to that department personally identifying information
23 other than a social security number concerning an individual who is dispensed a

1 prescription or who purchases a nonprescription drug product as specified in sub. (1)
2 (a), (b), or (c).”.

3 **418.** Page 215, line 14: after that line insert:

4 “**SECTION 464bb.** 440.05 (intro.) of the statutes, as affected by 2001 Wisconsin
5 Act 16, is amended to read:

6 **440.05 Standard fees.** (intro.) The following standard fees apply to all initial
7 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 444.03, 444.05,
8 444.11, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46:

9 **SECTION 464bd.** 440.08 (2) (a) (intro.) of the statutes, as affected by 2001
10 Wisconsin Act 16, is amended to read:

11 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
12 444.03, 444.05, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46, the
13 renewal dates and renewal fees for credentials are as follows:

14 **SECTION 464bf.** 440.23 (1) of the statutes is amended to read:

15 440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)
16 or (6), 440.08, 444.03, 444.05, 444.11 or 459.46 (2) (b) by check or debit or credit card
17 and the check is not paid by the financial institution upon which the check is drawn
18 or if the demand for payment under the debit or credit card transaction is not paid
19 by the financial institution upon which demand is made, the department may cancel
20 the credential on or after the 60th day after the department receives the notice from
21 the financial institution, subject to sub. (2).

22 **SECTION 464bh.** 444.01 of the statutes is created to read:

23 **444.01 Definitions.** In this chapter:

1 (1) "Amateur boxing contest" means a boxing contest or exhibition in which
2 none of the boxers are compensated for participating in the contest or exhibition.

3 (2) "Professional boxing contest" means a boxing contest or exhibition in which
4 one or more of the boxers is compensated for participating in the contest or
5 exhibition.

6 **SECTION 464bj.** 444.02 of the statutes is amended to read:

7 **444.02 Boxing licenses, permits.** The department shall have the sole
8 direction, management and control of, and jurisdiction over, all ~~boxing and sparring~~
9 ~~exhibitions~~ professional boxing contests conducted within the state by any club. No
10 ~~boxing or sparring exhibitions~~ professional boxing contests may be conducted within
11 the state except under authority granted by the department and in accordance with
12 this chapter and the rules of the department. The department may issue, and for
13 cause limit, suspend, or revoke, a license to conduct ~~boxing and sparring exhibitions~~
14 professional boxing contests to any incorporated club formed as provided in this
15 chapter. The department may limit the number of ~~sparring or boxing exhibitions~~
16 professional boxing contests given by any club in any city, village, or town. No ~~boxing~~
17 ~~or sparring exhibition~~ professional boxing contest may be conducted by any licensed
18 club without a permit from the department. Every license shall be subject to such
19 rules and regulations as the department prescribes. The department may
20 reprimand clubs for violating this chapter or any rules of the department.

21 **SECTION 464bL.** 444.03 of the statutes is amended to read:

22 **444.03 Application for license; fee.** No ~~boxing or sparring exhibition~~
23 professional boxing contest may be conducted by any club except by license granted
24 to it by the department, and no club may be licensed unless it is incorporated under
25 the laws of Wisconsin and its membership is limited to persons who have been

1 continuous residents in the state for at least one year. An application for a license
2 shall be in writing, addressed to the department, and verified by an officer of the club.
3 An application shall be accompanied by an annual fee of \$25 in cities, villages, and
4 towns of not more than 50,000 inhabitants, \$50 in cities of over 50,000 and not more
5 than 150,000 inhabitants, and \$300 in cities of over 150,000 inhabitants when the
6 admission is over \$1 and \$50 when the admission charge is \$1 or less. The
7 application must show that the club has entered into a valid agreement for the use
8 of the building, amphitheater, or stadium in which contests are to be held.

9 **SECTION 464bn.** 444.04 of the statutes is amended to read:

10 **444.04 Club reports.** Within 24 hours after a club holds ~~an exhibition a~~
11 professional boxing contest, the club shall furnish to the department a written
12 report, verified by one of its officers, showing the number of tickets sold for the
13 ~~exhibition contest~~, the amount of gross proceeds, and all other information the
14 department requires by rule to be included in the report.

15 **SECTION 464bp.** 444.05 of the statutes is repealed and recreated to read:

16 **444.05 Amateur boxing contests.** A person may conduct an amateur boxing
17 contest in this state only if the contest is sanctioned by and conducted under the rules
18 of the national governing body for amateur boxing that is recognized by the United
19 States Olympic Committee under 36 USC 220521.

20 **SECTION 464br.** 444.06 of the statutes is amended to read:

21 **444.06 Inspectors.** The department shall appoint official "inspectors", each
22 of whom shall receive a card authorizing the inspector to act wherever the
23 department designates. The department may be, and at least one inspector shall be
24 present at all ~~exhibitions~~ professional boxing contests and see that the rules are
25 strictly observed. An inspector shall also be present at the counting up of the gross

1 receipts and shall immediately mail to the department the official box-office
2 statement received from the club. Inspectors shall be paid a per diem to be set by the
3 department, not to exceed \$25 for each day on which they are actually and
4 necessarily engaged in the performance of their duties, and shall be reimbursed for
5 their actual and necessary expenses incurred in the performance of their duties.

6 **SECTION 464bt.** 444.09 (1) of the statutes is amended to read:

7 444.09 (1) No ~~boxing or sparring exhibition~~ professional boxing contest shall
8 be for more than 10 rounds except that where a championship is to be determined,
9 the ~~exhibition~~ contest shall not be for more than 15 rounds, and no round shall last
10 more than 3 minutes.

11 **SECTION 464bv.** 444.09 (2) of the statutes is amended to read:

12 444.09 (2) There shall be one minute intermission between rounds of
13 professional boxing contests.

14 **SECTION 464bx.** 444.09 (3) of the statutes is amended to read:

15 444.09 (3) Gloves weighing not less than 5 ounces shall be worn by contestants
16 who are in professional boxing contests and who weigh under 140 pounds, and not
17 less than 6 ounces by other contestants.

18 **SECTION 464bz.** 444.09 (4) of the statutes is amended to read:

19 444.09 (4) No person under the age of 18 years shall participate in any
20 professional boxing or ~~sparring exhibition~~. ~~Amateur contestants between 14 and 18~~
21 ~~years of age may participate in amateur boxing or sparring exhibitions with the~~
22 ~~consent of their parents or guardians~~ contest.

23 **SECTION 464cb.** 444.09 (5) of the statutes is amended to read:

1 444.09 (5) No betting at any ~~boxing or sparring exhibitions~~ professional boxing
2 contest shall be permitted before, after, or during any such contest, in the building
3 where the contest is held.

4 **SECTION 464cd.** 444.09 (6) of the statutes is amended to read:

5 444.09 (6) Contestants in professional boxing contests shall break clean, and
6 must not hold and hit. Butting with head or shoulders, wrestling, or illegal use of
7 elbows shall not be allowed. There shall be no unsportsmanlike conduct on the part
8 of the contestants. This includes the use of abusive or insulting language.

9 **SECTION 464cf.** 444.09 (7) of the statutes is amended to read:

10 444.09 (7) The department may allow or provide for decisions upon ~~exhibitions~~
11 professional boxing contests held under this chapter to be made by the referee or by
12 the referee and 2 judges appointed by the department under regulations prescribed
13 by the department.

14 **SECTION 464ch.** 444.10 of the statutes is amended to read:

15 **444.10 Physician to examine contestants.** Prior to entering the ring, each
16 contestant in a professional boxing contest must be examined by a physician who has
17 been licensed to practice in Wisconsin not less than 5 years and who is appointed by
18 the department and certifies in writing, over his or her signature, as to the
19 contestant's physical and mental fitness to engage in such contest.

20 **SECTION 464cj.** 444.11 of the statutes is amended to read:

21 **444.11 Licenses to matchmakers, referees, boxers, etc.** The department
22 may grant licenses upon application and the payment of the prescribed fees to
23 matchmakers, managers, referees, examining physicians, boxers and, seconds, and
24 trainers in professional boxing contests. The fees to be paid per year shall be:
25 Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other

1 cities and in villages and towns, \$10; managers, \$10; referees, \$15; examining
2 physicians, \$10; boxers, \$5; seconds and trainers, \$5. The department may limit,
3 suspend or revoke any such license or reprimand the holder thereof upon such cause
4 as it deems sufficient.

5 **SECTION 464cL.** 444.12 of the statutes is amended to read:

6 **444.12 Referee to stop contest.** The referee must stop the a professional
7 boxing contest when either of the contestants shows a marked superiority or is
8 apparently outclassed.

9 **SECTION 464cn.** 444.13 of the statutes is amended to read:

10 **444.13 Sham matches contests, license revoked.** Any club which that
11 conducts, holds ~~or~~, gives, or participates in any sham or fake ~~boxing or sparring~~
12 match professional boxing contest shall ~~thereby~~ forfeit its license ~~which.~~ That
13 license shall ~~thereupon~~ be revoked by the department; and ~~it~~ the club shall not
14 ~~thereafter~~ be entitled to another license; nor shall any license be issued to any club,
15 which that has a member who belonged to a club ~~which~~ that had its license revoked.

16 **SECTION 464cp.** 444.14 of the statutes is amended to read:

17 **444.14 Sham matches contests; contestants penalized; forfeitures;**
18 **hearing.** Any contestant who participates in any sham or fake ~~boxing or sparring~~
19 ~~exhibition~~ professional boxing contest or violates any rule or regulation of the
20 department shall be penalized as follows: For the first offense the contestant shall
21 be restrained by order of the department for not less than 2 months nor more than
22 one year, the period to begin immediately after the occurrence of the offense, from
23 participation in the ~~exhibition~~ contest to be held or given by any licensed club; for a
24 2nd offense, the contestant shall be permanently disqualified from further
25 admission or participation in any such ~~exhibition~~ contest held or given by any

1 licensed club and in addition, for each such offense, shall forfeit such amount, out of
2 the share or purse agreed to be paid the contestant for the ~~exhibition~~ contest as the
3 department determines, the forfeit to be paid into the general fund of the state. The
4 department, upon determining the amount of the forfeit, may pay the same out of any
5 guarantee deposited with it for delivery to the contestant or may order it paid to the
6 department by the club employing the contestant out of the purse or share agreed by
7 it to be paid to the contestant. The department shall not determine the forfeit until
8 after due hearing held upon reasonable notice duly served upon the contestant or the
9 contestant's manager and upon the club by whom the contestant is employed. Any
10 member of the department or the secretary or any inspector of the department may
11 order the club to hold the share or purse of the contestant in its possession pending
12 the hearing and determination of the department. For failure to obey any order of
13 the department or the secretary of the department or any inspector of the
14 department given under this section, the license of the club may be limited,
15 suspended, canceled, or revoked, and the club may be reprimanded.

16 **SECTION 464cr.** 444.15 of the statutes is amended to read:

17 **444.15 Reports; examination of books and officers.** Whenever any club
18 fails to make a report of any professional boxing contest at the time prescribed or
19 whenever a report is unsatisfactory to the department, the secretary of the
20 department may examine the books and records of the club and may subpoena and
21 examine, under oath, the club's officers and other witnesses to determine the total
22 amount of its gross receipts for any ~~exhibition~~ contest. The secretary may require
23 the club to pay the expenses of conducting the examination. If a club fails to pay the
24 amount of expenses determined by the secretary to be due within 20 days after
25 receiving notice of the amount, the club shall forfeit its license, be disqualified from

1 receiving any license under this chapter, and forfeit to the state the sum of \$1,000,
2 which may be recovered by the department of justice in the name of the state.

3 **SECTION 464ct.** 444.17 of the statutes is repealed.

4 **SECTION 464cv.** 444.18 of the statutes is amended to read:

5 **444.18 Insurance on boxers.** Any licensee authorized to conduct ~~boxing~~
6 ~~matches or exhibitions~~ professional boxing contests shall insure each contestant
7 participating ~~therein~~ for hospital, nursing, and medication expenses and physician's
8 and surgeon's services according to an equitable fee schedule, not to exceed in the
9 aggregate \$500, to be paid to, or for the use of, any contestant to compensate for
10 injuries sustained in any such contest; and shall insure each contestant for not less
11 than \$2,500 to be paid to the contestant's estate in the event of the contestant's death
12 as the result of participation in such ~~boxing match or exhibition~~ professional boxing
13 contest."

14 **419.** Page 221, line 4: after that line insert:

15 "SECTION 506r. 563.93 (4) of the statutes is amended to read:

16 563.93 (4) Tickets for a proposed raffle may not be offered for sale more than
17 ~~180~~ 270 days before the raffle drawing."

18 **420.** Page 221, line 13: after that line insert:

19 "SECTION 508s. 601.41 (8) of the statutes is created to read:

20 601.41 (8) UNIFORM EMPLOYEE APPLICATION FORM. (a) In this subsection:

21 1. "Group health benefit plan" has the meaning given in s. 632.745 (9).

22 2. "Small employer" has the meaning given in s. 635.02 (7).

23 3. "Small employer insurer" has the meaning given in s. 635.02 (8).

1 (b) In consultation with the life and disability advisory council established by
2 the commissioner, the commissioner shall by rule develop a uniform employee
3 application form that a small employer insurer must use when a small employer
4 applies for coverage under a group health benefit plan offered by the small employer
5 insurer. The commissioner shall revise the form at least every 2 years.

6 **SECTION 508t.** 601.41 (9) of the statutes is created to read:

7 601.41 (9) UNIFORM CLAIM PROCESSING FORM. (a) In this subsection, "health care
8 provider" has the meaning given in s. 146.81 (1).

9 (b) If the federal government has not developed by July 1, 2003, a uniform claim
10 processing form that must be used by all health care providers for submitting claims
11 to insurers and by all insurers for processing claims submitted by health care
12 providers, the commissioner shall develop, by December 31, 2003, a uniform claim
13 processing form for that purpose."

14 **421.** Page 221, line 13: after that line insert:

15 "SECTION 508r. 601.34 of the statutes is created to read:

16 **601.34 Loan to general fund. (1)** No later than the first day of the 2nd month
17 beginning after the effective date of this subsection ... [revisor inserts date], an
18 amount equal to \$850,000 shall be lapsed from the appropriation account under s.
19 20.145 (1) (g) to the general fund. The amount lapsed from the appropriation account
20 shall be considered a loan to the general fund and interest shall accrue on the amount
21 lapsed at the average rate earned by the state on its deposits in the state investment
22 fund during the period of the loan.

23 (2) The secretary of administration shall pay the principle and interest costs
24 on the loan from the appropriation account under s. 20.855 (1) (ch) as follows:

1 (a) After the close of the 2002-03 fiscal year, the secretary shall make principle
2 and interest payments equal to the moneys lapsed to the general fund from the
3 appropriation account under s. 20.515 (2) (a) in that year, if any, and from moneys
4 lapsed to the general fund from the appropriation account under s. 20.515 (2) (g) in
5 the amounts specified in s. 40.98 (6m), if any.

6 (b) After the close of each fiscal year thereafter, the secretary shall make
7 principle and interest payments equal to the moneys lapsed to the general fund from
8 the appropriation account under s. 20.515 (2) (g) in the amounts specified in s. 40.98
9 (6m), if any.

10 (c) If the secretary determines during any fiscal year that the moneys paid
11 under pars. (a) and (b) will not be sufficient to repay the loan within a reasonable
12 period of time, as determined by the secretary and the commissioner, the secretary
13 shall pay all remaining principle and interest costs on the loan after the close of that
14 fiscal year.”.

15 **422.** Page 221, line 22: after that line insert:

16 “**SECTION 509c.** 609.10 (1) (am) of the statutes, as affected by 1999 Wisconsin
17 Act 9, is amended to read:

18 609.10 (1) (am) Except as provided in ~~subs. (2) to sub. (4)~~, an employer that
19 offers any of its employees a health maintenance organization or a preferred provider
20 plan that provides comprehensive health care services shall also offer the employees
21 a standard plan that provides at least substantially equivalent coverage of health
22 care expenses and a point-of-service option plan, as provided in pars. (b) and (c).

23 **SECTION 509cm.** 609.10 (2) of the statutes is repealed.

1 **SECTION 509d.** 609.10 (3) of the statutes, as affected by 1999 Wisconsin Act 9,
2 is repealed.”.

3 **423.** Page 221, line 22: after that line insert:

4 “**SECTION 509cm.** 610.65 of the statutes is created to read:

5 **610.65 Uniform claim processing form.** Beginning no later than July 1,
6 2004, every insurer shall use the uniform claim processing form developed by the
7 commissioner under s. 601.41 (9) (b) when processing a claim submitted by a health
8 care provider, as defined in s. 146.81 (1).”.

9 **424.** Page 221, line 23: delete lines 23 to 25.

10 **425.** Page 221, line 25: after that line insert:

11 “**SECTION 509jm.** 635.10 of the statutes is created to read:

12 **635.10 Uniform employee application.** Beginning no later than the first
13 day of the 13th month beginning after the effective date of this section [revisor
14 inserts date], every small employer insurer shall use the uniform employee
15 application form developed by the commissioner by rule under s. 601.41 (8) (b) when
16 a small employer applies for coverage under a group health benefit plan offered by
17 the small employer insurer.”.

18 **426.** Page 222, line 15: after that line insert:

19 “**SECTION 511bg.** 704.90 (9) of the statutes is amended to read:

20 704.90 (9) RULES. The department of ~~agriculture, trade and consumer~~
21 ~~protection~~ justice may promulgate rules necessary to carry out the purposes of this
22 section.

23 **SECTION 511br.** 704.90 (11) (title) of the statutes is amended to read:

1 704.90 (11) (title) DUTIES OF THE DEPARTMENT OF AGRICULTURE, ~~TRADE AND~~
2 ~~CONSUMER PROTECTION~~ JUSTICE.

3 **SECTION 511bz.** 704.90 (11) (a) of the statutes is amended to read:

4 704.90 (11) (a) Except as provided in par. (c), the department of ~~agriculture,~~
5 ~~trade and consumer protection~~ justice shall investigate alleged violations of this
6 section and rules promulgated under sub. (9). To facilitate its investigations, the
7 department may subpoena persons and records and may enforce compliance with the
8 subpoenas as provided in s. 885.12.

9 **SECTION 511h.** 707.49 (4) of the statutes is amended to read:

10 707.49 (4) SURETY BOND AND OTHER OPTIONS. Instead of placing deposits in an
11 escrow account, a developer may obtain a surety bond issued by a company
12 authorized to do business in this state, an irrevocable letter of credit or a similar
13 arrangement, in an amount which at all times is not less than the amount of the
14 deposits otherwise subject to the escrow requirements of this section. The bond,
15 letter of credit or similar arrangement shall be filed with the department of
16 ~~agriculture, trade and consumer protection~~ justice and made payable to the
17 department of ~~agriculture, trade and consumer protection~~ justice for the benefit of
18 aggrieved parties.

19 **SECTION 511k.** 707.57 (2) of the statutes is amended to read:

20 707.57 (2) ~~DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION~~
21 JUSTICE AUTHORITY. (a) The department of ~~agriculture, trade and consumer~~
22 ~~protection~~ justice, or any district attorney upon informing the department of
23 ~~agriculture, trade and consumer protection~~ justice, may commence an action in
24 circuit court in the name of the state to restrain by temporary or permanent
25 injunction any violation of this chapter. Before entry of final judgment, the court may

1 make such orders or judgments as may be necessary to restore to any person any
2 pecuniary loss suffered because of the acts or practices involved in the action if proof
3 of these acts or practices is submitted to the satisfaction of the court.

4 (b) The department of ~~agriculture, trade and consumer protection~~ justice may
5 conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its
6 investigation of violations of this chapter.

7 **SECTION 511p.** 707.57 (3) of the statutes is amended to read:

8 707.57 (3) PENALTY. Any person who violates this chapter shall be required to
9 forfeit not more than \$5,000 for each offense. Forfeitures under this subsection shall
10 be enforced by action on behalf of the state by the department of ~~agriculture, trade~~
11 ~~and consumer protection~~ justice or by the district attorney of the county where the
12 violation occurs.”.

13 **427.** Page 222, line 23: after that line insert:

14 “**SECTION 512m.** 758.19 (7) of the statutes, as affected by 2001 Wisconsin Act
15 16, is amended to read:

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

1 acquisitions and the justification for such acquisitions. The plan shall also identify
2 any changes in the functioning of the courts and judicial branch agencies under the
3 plan.”.

4 **428.** Page 222, line 23: after that line insert:

5 “SECTION 512f. 755.01 (4) of the statutes is amended to read:

6 755.01 (4) Two or more cities, towns or villages of this state may enter into an
7 agreement under s. 66.0301 for the joint exercise of the power granted under sub. (1),
8 except that for purposes of this subsection, any agreement under s. 66.0301 shall be
9 effected by the enactment of identical ordinances by each affected city, town or
10 village. Electors of each municipality entering into the agreement shall be eligible
11 to vote for the judge of the municipal court so established. If a municipality enters
12 into an agreement with a municipality that already has a municipal court, the
13 municipalities may provide by ordinance or resolution that the judge for the existing
14 municipal court shall serve as the judge for the joint court until the end of the term
15 or until a special election is held under s. 8.50 (4) (fm). Each municipality shall adopt
16 an ordinance or bylaw under sub. (1) prior to entering into the agreement. The
17 contracting municipalities need not be contiguous and need not all be in the same
18 county. ~~The~~ Upon entering into or discontinuing such an agreement, the contracting
19 municipalities shall ~~notify~~ each transmit a certified copy of the ordinance or bylaw
20 effecting or discontinuing the agreement to the appropriate filing officer under s.
21 11.02 (3e) ~~when the joint court is created~~. When a municipal judge is elected under
22 this subsection, candidates shall be nominated by filing nomination papers under s.
23 8.10 (6) (bm), and shall register with the filing officer specified in s. 11.02 (3e).”.

24 **429.** Page 223, line 5: after that line insert:

1 “**SECTION 514c.** 767.11 (8) (b) 2. of the statutes is amended to read:

2 767.11 (8) (b) 2. Interspousal battery as described under s. 940.19 or 940.20
3 (1m) or domestic abuse as defined in s. 813.12 (1) (~~a~~) (am).

4 **SECTION 514f.** 767.11 (10) (e) 2. of the statutes is amended to read:

5 767.11 (10) (e) 2. There is evidence of interspousal battery as described under
6 s. 940.19 or 940.20 (1m) or domestic abuse as defined in s. 813.12 (1) (~~a~~) (am).

7 **SECTION 514h.** 767.24 (1m) (b) of the statutes is amended to read:

8 767.24 (1m) (b) Where the parent lives currently and where the parent intends
9 to live during the next 2 years. If there is evidence that the other parent engaged in
10 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,
11 as defined in s. 813.12 (1) (~~a~~) (am), with respect to the parent providing the parenting
12 plan, the parent providing the parenting plan is not required to disclose the specific
13 address but only a general description of where he or she currently lives and intends
14 to live during the next 2 years.

15 **SECTION 514k.** 767.24 (1m) (c) of the statutes is amended to read:

16 767.24 (1m) (c) Where the parent works and the hours of employment. If there
17 is evidence that the other parent engaged in interspousal battery, as described under
18 s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (~~a~~) (am), with
19 respect to the parent providing the parenting plan, the parent providing the
20 parenting plan is not required to disclose the specific address but only a general
21 description of where he or she works.

22 **SECTION 514m.** 767.24 (1m) (o) of the statutes is amended to read:

23 767.24 (1m) (o) If there is evidence that either party engaged in interspousal
24 battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined
25 in s. 813.12 (1) (~~a~~) (am), with respect to the other party, how the child will be

1 transferred between the parties for the exercise of physical placement to ensure the
2 safety of the child and the parties.

3 **SECTION 514p.** 767.24 (2) (b) 2. c. of the statutes is amended to read:

4 767.24 (2) (b) 2. c. The parties will not be able to cooperate in the future decision
5 making required under an award of joint legal custody. In making this finding the
6 court shall consider, along with any other pertinent items, any reasons offered by a
7 party objecting to joint legal custody. Evidence that either party engaged in abuse,
8 as defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of
9 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,
10 as defined in s. 813.12 (1) (a) (am), creates a rebuttable presumption that the parties
11 will not be able to cooperate in the future decision making required.

12 **SECTION 514s.** 767.24 (5) (i) of the statutes is amended to read:

13 767.24 (5) (i) Whether there is evidence of interspousal battery as described
14 under s. 940.19 or 940.20 (1m) or domestic abuse as defined in s. 813.12 (1) (a) (am).”.

15 **430.** Page 223, line 13: after that line insert:

16 “**SECTION 516g.** 779.41 (1m) of the statutes is amended to read:

17 779.41 (1m) Annually, on January 1, the department of ~~agriculture, trade and~~
18 ~~consumer protection justice~~ shall adjust the dollar amounts identified under sub. (1)
19 (intro.), (a), (b) and (c) 1. to 4. by the annual change in the consumer price index, as
20 determined under s. 16.004 (8) (e) 1., and publish the adjusted figures.

21 **SECTION 516n.** 779.93 (title) of the statutes is amended to read:

22 **779.93** (title) **Duties of the department of ~~agriculture, trade and~~**
23 **~~consumer protection justice~~.**

24 **SECTION 516p.** 779.93 (1) of the statutes is amended to read:

1 779.93 (1) The department of agriculture, ~~trade and consumer protection~~
2 justice shall investigate violations of this subchapter and attempts to circumvent
3 this subchapter. The department of agriculture, ~~trade and consumer protection~~
4 justice may subpoena persons and records to facilitate its investigations, and may
5 enforce compliance with such subpoenas as provided in s. 885.12.

6 **SECTION 516r.** 779.93 (2) (intro.) of the statutes is amended to read:

7 779.93 (2) (intro.) The department of agriculture, ~~trade and consumer~~
8 ~~protection~~ justice may ~~in on~~ behalf of the state or ~~in on~~ behalf of any person who holds
9 a prepaid maintenance lien.”.

10 **431.** Page 224, line 10: after that line insert:

11 “**SECTION 519mb.** 813.12 (1) (a) (intro.), 1., 2. and 3. of the statutes are
12 renumbered 813.12 (1) (am) (intro.), 1., 2. and 3., and 813.12 (1) (am) (intro.), as
13 renumbered, is amended to read:

14 813.12 (1) (am) (intro.) “Domestic abuse” means any of the following engaged
15 in by an adult family member or adult household member against another adult
16 family member or adult household member, by an adult caregiver against an adult
17 who is under the caregiver’s care, by an adult against his or her adult former spouse,
18 by an adult against an adult with whom the individual has or had a dating
19 relationship, or by an adult against an adult with whom the person has a child in
20 common:

21 **SECTION 519mc.** 813.12 (1) (a) 4. of the statutes is renumbered 813.12 (1) (am)
22 6. and amended to read:

23 813.12 (1) (am) 6. A threat to engage in the conduct under subd. 1., 2. ~~or~~ 3., or
24 5.

1 **SECTION 519md.** 813.12 (1) (ad) of the statutes is created to read:

2 813.12 (1) (ad) “Caregiver” means an individual who is a provider of in-home
3 or community care to an individual through regular and direct contact.

4 **SECTION 519mf.** 813.12 (1) (ag) of the statutes is created to read:

5 813.12 (1) (ag) “Dating relationship” means a romantic or intimate social
6 relationship between 2 adult individuals but “dating relationship” does not include
7 a casual relationship or an ordinary fraternization between 2 individuals in a
8 business or social context. A court shall determine if a dating relationship existed
9 by considering the length of the relationship, the type of the relationship, and the
10 frequency of the interaction between the adult individuals involved in the
11 relationship.

12 **SECTION 519mg.** 813.12 (1) (am) 5. of the statutes is created to read:

13 813.12 (1) (am) 5. A violation of s. 943.01, involving property that belongs to
14 the individual.

15 **SECTION 519mj.** 813.12 (1) (cg) of the statutes is created to read:

16 813.12 (1) (cg) “Reasonable grounds” means more likely than not that a specific
17 event has occurred or will occur.

18 **SECTION 519mL.** 813.12 (1) (cj) of the statutes is created to read:

19 813.12 (1) (cj) “Regular and direct contact” means face-to-face physical
20 proximity to an individual that is planned, scheduled, expected, or periodic.

21 **SECTION 519mm.** 813.12 (2) (a) of the statutes is amended to read:

22 813.12 (2) (a) No action under this section may be commenced by complaint and
23 summons. An action under this section may be commenced only by a petition
24 described under sub. (5) (a). The action commences with service of the petition upon
25 the respondent if a copy of the petition is filed before service or promptly after service.

1 If the judge or family court commissioner extends the time for a hearing under sub.
2 (3) (c) and the petitioner files an affidavit with the court stating that personal service
3 by the sheriff or a private server under s. 801.11 (1) (a) or (b) was unsuccessful
4 because the respondent is avoiding service by concealment or otherwise, the judge
5 or family court commissioner shall inform the petitioner that he or she may serve the
6 respondent by publication of a summary of the petition as a class 1 notice, under ch.
7 985, and by mailing or sending a facsimile if the respondent's post-office address or
8 facsimile number is known or can with due diligence be ascertained. The mailing or
9 sending of a facsimile may be omitted if the post-office address or facsimile number
10 cannot be ascertained with due diligence. A summary of the petition published as
11 a class 1 notice shall include the name of the respondent and of the petitioner, notice
12 of the temporary restraining order, and notice of the date, time, and place of the
13 hearing regarding the injunction.

14 **SECTION 519mn.** 813.12 (3) (a) (intro.) of the statutes is amended to read:

15 813.12 (3) (a) (intro.) A judge or family court commissioner shall issue a
16 temporary restraining order ordering the respondent to refrain from committing acts
17 of domestic abuse against the petitioner, to avoid the petitioner's residence, except
18 as provided in par. (am), or any ~~premises~~ other location temporarily occupied by the
19 petitioner or both, or to avoid contacting or causing any person other than a party's
20 attorney or a law enforcement officer to contact the petitioner unless the petitioner
21 consents in writing, or any combination of these remedies requested in the petition,
22 or any other appropriate remedy not inconsistent with the remedies requested in the
23 petition, if all of the following occur:

24 **SECTION 519mo.** 813.12 (3) (a) 2. of the statutes is amended to read:

1 813.12 (3) (a) 2. The judge or family court commissioner finds reasonable
2 grounds to believe that the respondent has engaged in, or based on prior conduct of
3 the petitioner and the respondent may engage in, domestic abuse of the petitioner.

4 (aj) In determining whether to issue a temporary restraining order, the judge
5 or family court commissioner shall consider the potential danger posed to the
6 petitioner and the pattern of abusive conduct of the respondent but may not base his
7 or her decision solely on the length of time since the last domestic abuse or the length
8 of time since the relationship ended. The judge or family court commissioner may
9 grant only the remedies requested or approved by the petitioner. The judge or family
10 court commissioner may not dismiss or deny granting a temporary restraining order
11 because of the existence of a pending action or of any other court order that bars
12 contact between the parties, nor due to the necessity of verifying the terms of an
13 existing court order.

14 **SECTION 519mp.** 813.12 (3) (c) of the statutes is amended to read:

15 813.12 (3) (c) The temporary restraining order is in effect until a hearing is held
16 on issuance of an injunction under sub. (4). The temporary restraining order is not
17 voided if the respondent is admitted into a dwelling that the order directs him or her
18 to avoid. A judge or family court commissioner shall hold a hearing on issuance of
19 an injunction within 7 14 days after the temporary restraining order is issued, unless
20 the time is extended upon the written consent of the parties or extended once for 14
21 days upon a finding that the respondent has not been served with a copy of the
22 temporary restraining order although the petitioner has exercised due diligence.

23 **SECTION 519mq.** 813.12 (4) (a) (intro.) of the statutes is amended to read:

24 813.12 (4) (a) (intro.) A judge or family court commissioner may grant an
25 injunction ordering the respondent to refrain from committing acts of domestic abuse

1 against the petitioner, to avoid the petitioner’s residence, except as provided in par.
2 (am), or any premises other location temporarily occupied by the petitioner or both,
3 or to avoid contacting or causing any person other than a party’s attorney or a law
4 enforcement officer to contact the petitioner unless the petitioner consents to that
5 contact in writing, or any combination of these remedies requested in the petition,
6 or any other appropriate remedy not inconsistent with the remedies requested in the
7 petition, if all of the following occur:

8 **SECTION 519mr.** 813.12 (4) (a) 2. of the statutes is amended to read:

9 813.12 (4) (a) 2. The petitioner serves upon the respondent a copy or summary
10 of the petition and notice of the time for hearing on the issuance of the injunction,
11 or the respondent serves upon the petitioner notice of the time for hearing on the
12 issuance of the injunction.

13 **SECTION 519ms.** 813.12 (4) (a) 3. of the statutes is amended to read:

14 813.12 (4) (a) 3. After hearing, the judge or family court commissioner finds
15 reasonable grounds to believe that the respondent has engaged in, or based upon
16 prior conduct of the petitioner and the respondent may engage in, domestic abuse of
17 the petitioner.

18 (aj) In determining whether to issue an injunction, the judge or family court
19 commissioner shall consider the potential danger posed to the petitioner and the
20 pattern of abusive conduct of the respondent but may not base his or her decision
21 solely on the length of time since the last domestic abuse or the length of time since
22 the relationship ended. The judge or family court commissioner may grant only the
23 remedies requested by the petitioner. The judge or family court commissioner may
24 not dismiss or deny granting an injunction because of the existence of a pending

1 action or of any other court order that bars contact between the parties, nor due to
2 the necessity of verifying the terms of an existing court order.

3 **SECTION 519mt.** 813.12 (4) (c) 1. of the statutes is amended to read:

4 813.12 (4) (c) 1. An injunction under this subsection is effective according to its
5 terms, for the period of time that the petitioner requests, but not more than 2 4 years.
6 An injunction granted under this subsection is not voided if the petitioner allows or
7 initiates contact with the respondent or by the admittance of the respondent into a
8 dwelling that the injunction directs him or her to avoid.

9 **SECTION 519mu.** 813.12 (4) (c) 2. of the statutes is amended to read:

10 813.12 (4) (c) 2. When an injunction granted for less than 2 4 years expires, the
11 court shall extend the injunction if the petitioner states that an extension is
12 necessary to protect him or her. This extension shall remain in effect until 2 4 years
13 after the date the court first entered the injunction.

14 **SECTION 519mv.** 813.12 (5) (d) of the statutes is created to read:

15 813.12 (5) (d) A petition may be prepared and filed by the person who alleges
16 that he or she has been the subject of domestic abuse or by the guardian, as defined
17 in s. 880.01 (3), of an incompetent individual, as defined in s. 880.01 (4), who has been
18 the subject of domestic abuse.

19 **SECTION 519mw.** 813.12 (5m) of the statutes is created to read:

20 813.12 (5m) CONFIDENTIALITY OF VICTIM'S ADDRESS. The petition under sub. (5)
21 and the court order under sub. (3) or (4) shall not disclose the address of the alleged
22 victim.

23 **SECTION 519mx.** 813.12 (6) (d) of the statutes is created to read:

1 813.12 (6) (d) The issuance of an order under s. 813.12 (3) or (4) is enforceable
2 despite the existence of any other criminal or civil order restricting or prohibiting
3 contact.

4 **SECTION 519my.** 813.12 (7) (c) of the statutes is created to read:

5 813.12 (7) (c) A respondent who does not appear at a hearing at which the court
6 orders an injunction under s. 813.12 (4) but who has been served with a copy of the
7 petition and notice of the time for hearing under s. 813.12 (3) has constructive
8 knowledge of the existence of the injunction and shall be arrested for violation of the
9 injunction regardless of whether he or she has been served with a copy of the
10 injunction.

11 **SECTION 519mz.** 814.61 (1) (e) of the statutes is amended to read:

12 814.61 (1) (e) No fee charged under this subsection in any action commenced
13 under s. 813.122, 813.123, or 813.125 may be collected from a petitioner under s.
14 813.122, 813.123, or 813.125 if the petition alleges conduct that is the same as or
15 similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) ~~(a)~~
16 (am) 1. to ~~4.~~ 6. If no fee is collected under this paragraph, the fee charged under this
17 subsection for petitions filed and granted under s. 813.122, 813.123, or 813.125 shall
18 be collected from the respondent under s. 813.122, 813.123, or 813.125 if he or she
19 is convicted of violating a temporary restraining order or injunction issued under s.
20 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4).”.

21 **432.** Page 225, line 3: after that line insert:

22 “**SECTION 523c.** 814.70 (1) of the statutes is amended to read:

23 814.70 (1) SERVICE OF PROCESS. For each service or attempted service of a
24 summons or any other process for commencement of an action, a writ, an order of

1 injunction, a subpoena, or any other order, \$12 for each defendant or person. If there
2 is more than one defendant or person to be served at a given address, \$6 for each
3 additional defendant or person. No fee charged under this subsection in any action
4 commenced under s. 813.12, 813.122, or 813.123 may be collected from a petitioner
5 under s. 813.12, 813.122, or 813.123. The fee charged under this subsection in any
6 action commenced under s. 813.12, 813.122, 813.123, or 813.125 shall be collected
7 from the respondent under s. 813.12, 813.122, or 813.123 if he or she is convicted of
8 violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4),
9 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4). No fee charged under this
10 subsection in any action commenced under s. 813.125 may be collected from a
11 petitioner under s. 813.125 if the petition alleges conduct that is the same as or
12 similar to conduct that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) (a)
13 (am) 1. to ~~4.~~ 6. If no fee is collected under this subsection from a petitioner under
14 s. 813.125, the fee charged under this subsection in any action commenced under s.
15 813.125 shall be collected from the respondent under s. 813.125 if he or she is
16 convicted of violating a temporary restraining order or injunction issued under s.
17 813.125 (3) or (4).

18 **SECTION 523f.** 814.70 (3) (intro.) of the statutes is amended to read:

19 814.70 (3) (intro.) For travel in serving any summons, writ or other process,
20 except criminal warrants, and except that a fee under this subsection in any action
21 commenced under s. 813.12, 813.122, or 813.123 may not be collected from a
22 petitioner but shall be collected from the respondent if he or she is convicted of
23 violating a temporary restraining order or injunction issued under s. 813.12 (3) or (4),
24 813.122 (4) or (5), 813.123 (4) or (5), or 813.125 (3) or (4), and except that a fee under
25 this subsection in any action commenced under s. 813.125 may not be collected from

1 a petitioner if the petition alleges conduct that is the same as or similar to conduct
2 that is prohibited by s. 940.32 or that is listed in s. 813.12 (1) ~~(a)~~ (am) 1. to ~~4.~~ 6. but
3 shall be collected from the respondent if he or she is convicted of violating a
4 temporary restraining order or injunction issued under s. 813.125 (3) or (4):

5 **SECTION 523h.** 895.73 (1) (a) of the statutes is amended to read:

6 895.73 (1) (a) “Abusive conduct” means domestic abuse, as defined under s.
7 46.95 (1) (a), 813.12 (1) ~~(a)~~ (am), or 968.075 (1) (a), harassment, as defined under s.
8 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault under
9 s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under ss.
10 948.02 to 948.11.

11 **SECTION 523m.** 905.045 of the statutes is created to read:

12 **905.045 Domestic violence or sexual assault advocate-victim**
13 **privilege. (1) DEFINITIONS.** In this section:

14 (a) “Abusive conduct” means abuse, as defined in s. 813.122 (1) (a), of a child,
15 as defined in s. 48.02 (2), interspousal battery, as described under s. 940.19 or 940.20
16 (1m), domestic abuse, as defined in s. 813.12 (1) (am), or sexual assault under s.
17 940.225.

18 (b) “Advocate” means an individual who is an employee of or a volunteer for an
19 organization the purpose of which is to provide counseling, assistance, or support
20 services free of charge to a victim.

21 (c) A communication or information is “confidential” if not intended to be
22 disclosed to 3rd persons other than persons present to further the interest of the
23 person receiving counseling, assistance, or support services, persons reasonably
24 necessary for the transmission of the communication or information, and persons
25 who are participating in providing counseling, assistance, or support services under

1 the direction of an advocate, including family members of the person receiving
2 counseling, assistance, or support services and members of any group of individuals
3 with whom the person receives counseling, assistance, or support services.

4 (d) “Victim” means an individual who has been the subject of abusive conduct
5 or who alleges that he or she has been the subject of abusive conduct. It is immaterial
6 that the abusive conduct has not been reported to any government agency.

7 **(2) GENERAL RULE OF PRIVILEGE.** A victim has a privilege to refuse to disclose and
8 to prevent any other person from disclosing confidential communications made or
9 information obtained or disseminated among the victim, an advocate who is acting
10 in the scope of his or her duties as an advocate, and persons who are participating
11 in providing counseling, assistance, or support services under the direction of an
12 advocate, if the communication was made or the information was obtained or
13 disseminated for the purpose of providing counseling, assistance, or support services
14 to the victim.

15 **(3) WHO MAY CLAIM THE PRIVILEGE.** The privilege may be claimed by the victim,
16 by the victim’s guardian or conservator, or by the victim’s personal representative if
17 the victim is deceased. The advocate may claim the privilege on behalf of the victim.
18 The advocate’s authority to do so is presumed in the absence of evidence to the
19 contrary.

20 **(4) EXCEPTIONS.** Subsection (2) does not apply to any report concerning child
21 abuse that an advocate is required to make under s. 48.981.

22 **(5) RELATIONSHIP TO S. 905.04.** If a communication or information that is
23 privileged under sub. (2) is also a communication or information that is privileged
24 under s. 905.04 (2), the provisions of s. 905.04 supersede this section with respect to
25 that communication or information.”.

1 **433.** Page 225, line 3: after that line insert:

2 “**SECTION 523p.** 908.03 (6m) (d) of the statutes is amended to read:

3 908.03 (6m) (d) *Fees.* The Before January 1, 2003, the department of health
4 and family services shall, by rule, prescribe uniform fees that are based on an
5 approximation of the actual costs. The fees, plus applicable tax, are the maximum
6 amount that a health care provider may charge ~~under par. (e) 3.~~ for certified duplicate
7 patient health care records. The rule shall also allow the health care provider to
8 charge for actual postage or other actual delivery costs. The commencement of an
9 action is not a prerequisite for the application of this paragraph.

10 **SECTION 523q.** 908.03 (6m) (d) of the statutes, as affected by 2001 Wisconsin
11 Act (this act), is amended to read:

12 908.03 (6m) (d) *Fees.* ~~Before January 1, 2003~~ After December 31, 2002, the
13 department of health and family services shall, by rule, prescribe uniform fees that
14 are based on an approximation of actual costs. The fees, plus applicable tax, are the
15 maximum amount that a health care provider may charge for certified duplicate
16 patient health care records. The rule shall also allow the health care provider to
17 charge for actual postage or other actual delivery costs. ~~The commencement of an~~
18 ~~action is not a prerequisite for the application of this paragraph~~ For duplicate patient
19 health care records and duplicate X-ray reports or the referral of X-rays to another
20 health care provider that are requested before commencement of an action, s. 146.83
21 (1) (b) and (c) and (3m) applies.”.

22 **434.** Page 225, line 13: after “302.113 (9g),” insert “adjustment of a bifurcated
23 sentence under s. 973.195 (1r),”.

24 **435.** Page 225, line 22: after that line insert:

1 **“SECTION 529j.** 938.295 (2) (a) of the statutes is amended to read:

2 938.295 (2) (a) If there is probable cause to believe that the juvenile has
3 committed the alleged offense and if there is reason to doubt the juvenile’s
4 competency to proceed, or upon entry of a plea under s. 938.30 (4) (c) the court shall
5 order the juvenile to be examined by a psychiatrist or licensed psychologist. The
6 ~~expenses of an~~ cost of the examination, if approved by the court, shall be paid by the
7 county of the court ordering the examination, and the county may recover that cost
8 from the juvenile’s parent or guardian as provided in par. (c). Evaluation shall be
9 made on an outpatient basis unless the juvenile presents a substantial risk of
10 physical harm to the juvenile or others; or the juvenile, parent, or guardian, and legal
11 counsel or guardian ad litem, consent to an inpatient evaluation. Any inpatient
12 evaluation shall be for a specified period that is no longer than is necessary to
13 complete the evaluation.

14 **SECTION 529k.** 938.295 (2) (c) of the statutes is created to read:

15 938.295 (2) (c) A county that pays the cost of an examination under par. (a) may
16 recover a reasonable contribution toward that cost from the juvenile’s parent or
17 guardian, based on the ability of the parent or guardian to pay. If the examination
18 is provided or otherwise funded by the county department under s. 46.215, 46.22, or
19 46.23, the county department shall collect the contribution of the parent or guardian
20 as provided in s. 301.03 (18). If the examination is provided or otherwise funded by
21 the county department under s. 51.42 or 51.437, the county department shall collect
22 the contribution of the parent or guardian as provided in s. 46.03 (18).”.

23 **436.** Page 225, line 22: after that line insert:

1 “**SECTION 529b.** 938.21 (1) (a) of the statutes, as affected by Wisconsin Act 61,
2 is amended to read:

3 938.21 (1) (a) If a juvenile who has been taken into custody is not released
4 under s. 938.20, a hearing to determine whether the juvenile shall continue to be held
5 in custody under the criteria of ss. 938.205 to 938.209 (1) shall be conducted by the
6 judge or circuit court commissioner within 24 hours after the end of the day that the
7 decision to hold the juvenile was made, excluding Saturdays, Sundays, and legal
8 holidays. By the time of the hearing a petition under s. 938.25 shall be filed, except
9 that no petition need be filed where a juvenile is taken into custody under s. 938.19
10 (1) (b) or (d) 2., 6., or 7. or where the juvenile is a runaway from another state, in
11 which case a written statement of the reasons for holding a juvenile in custody shall
12 be substituted if the petition is not filed. If no hearing has been held within 24 hours
13 or if no petition or statement has been filed at the time of the hearing, the juvenile
14 shall be released except as provided in par. (b). A parent not present at the hearing
15 shall be granted a rehearing upon request for good cause shown.

16 **SECTION 529c.** 938.21 (2) (am) of the statutes is amended to read:

17 938.21 (2) (am) A juvenile held in a nonsecure place of custody may waive in
18 writing his or her right to participate in the hearing under this section. After any
19 waiver, a hearing rehearing shall be granted upon the request of the juvenile or any
20 other interested party for good cause shown. Any juvenile transferred to a secure
21 detention facility shall thereafter have a hearing rehearing under this section.

22 **SECTION 529d.** 938.21 (3) (am) of the statutes is amended to read:

23 938.21 (3) (am) The parent, guardian, or legal custodian may waive his or her
24 right to participate in the hearing under this section. ~~Agreement in writing of the~~
25 ~~juvenile is required if he or she is over 12.~~ After any waiver, a hearing rehearing shall

1 be granted at the request of any the parent, guardian, legal custodian, or any other
2 interested party for good cause shown.

3 **SECTION 529e.** 938.21 (5) (b) 1. of the statutes, as affected by 2001 Wisconsin
4 Act 16, is repealed and recreated to read:

5 938.21 (5) (b) 1. A finding that continued placement of the juvenile in his or her
6 home would be contrary to the welfare of the juvenile. Unless the judge or circuit
7 court commissioner finds that any of the circumstances specified in s. 938.355 (2d)
8 (b) 1. to 4. applies, the order shall in addition include a finding as to whether the
9 person who took the juvenile into custody and the intake worker have made
10 reasonable efforts to prevent the removal of the juvenile from the home, while
11 assuring that the juvenile's health and safety are the paramount concerns, and a
12 finding as to whether the person who took the juvenile into custody and the intake
13 worker have made reasonable efforts to make it possible for the juvenile to return
14 safely home or, if for good cause shown sufficient information is not available for the
15 judge or circuit court commissioner to make a finding as to whether those reasonable
16 efforts were made to prevent the removal of the juvenile from the home, a finding as
17 to whether those reasonable efforts were made to make it possible for the juvenile
18 to return safely home and an order for the county department or agency primarily
19 responsible for providing services to the juvenile under the custody order to file with
20 the court sufficient information for the judge or circuit court commissioner to make
21 a finding as to whether those reasonable efforts were made to prevent the removal
22 of the juvenile from the home by no later than 5 days after the date of the order.

23 **SECTION 529f.** 938.21 (5) (b) 3. of the statutes is created to read:

24 938.21 (5) (b) 3. If the judge or circuit court commissioner finds that any of the
25 circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent,

1 a determination that the county department or agency primarily responsible for
2 providing services under the custody order is not required to make reasonable efforts
3 with respect to the parent to make it possible for the juvenile to return safely to his
4 or her home.

5 **SECTION 529g.** 938.21 (5) (c) of the statutes is created to read:

6 938.21 (5) (c) The judge or circuit court commissioner shall make the findings
7 specified in par. (b) 1. and 3. on a case-by-case basis based on circumstances specific
8 to the juvenile and shall document or reference the specific information on which
9 those findings are based in the custody order. A custody order that merely references
10 par. (b) 1. or 3. without documenting or referencing that specific information in the
11 custody order or an amended custody order that retroactively corrects an earlier
12 custody order that does not comply with this paragraph is not sufficient to comply
13 with this paragraph.

14 **SECTION 529h.** 938.21 (5) (d) of the statutes is created to read:

15 938.21 (5) (d) 1. If the judge or circuit court commissioner finds that any of the
16 circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent,
17 the judge or circuit court commissioner shall hold a hearing within 30 days after the
18 date of that finding to determine the permanency plan for the juvenile. If a hearing
19 is held under this subdivision, the agency responsible for preparing the permanency
20 plan shall file the permanency plan with the court not less than 5 days before the date
21 of the hearing.

22 2. If a hearing is held under subd. 1, at least 10 days before the date of the
23 hearing the court shall notify the juvenile, any parent, guardian, and legal custodian
24 of the juvenile, and any foster parent, treatment foster parent, or other physical

1 custodian described in s. 48.62 (2) of the juvenile of the time, place, and purpose of
2 the hearing.

3 3. The court shall give a foster parent, treatment foster parent, or other
4 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.
5 2. an opportunity to be heard at the hearing by permitting the foster parent,
6 treatment foster parent, or other physical custodian to make a written or oral
7 statement during the hearing, or to submit a written statement prior to the hearing,
8 relevant to the issues to be determined at the hearing. A foster parent, treatment
9 foster parent, or other physical custodian who receives a notice of a hearing under
10 subd. 2. and an opportunity to be heard under this subdivision does not become a
11 party to the proceeding on which the hearing is held solely on the basis of receiving
12 that notice and opportunity to be heard.

13 **SECTION 529j.** 938.255 (1) (f) of the statutes is created to read:

14 938.255 (1) (f) If the juvenile is being held in custody outside of his or her home,
15 reliable and credible information showing that continued placement of the juvenile
16 in his or her home would be contrary to the welfare of the juvenile and, unless any
17 of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies, reliable and
18 credible information showing that the person who took the juvenile into custody and
19 the intake worker have made reasonable efforts to prevent the removal of the
20 juvenile from the home, while assuring that the juvenile's health and safety are the
21 paramount concerns, and to make it possible for the juvenile to return safely home.

22 **SECTION 529k.** 938.255 (2) of the statutes is amended to read:

23 938.255 (2) If any of the facts in sub. (1) (a) to (cm) and (f) are not known or
24 cannot be ascertained by the petitioner, the petition shall so state.

25 **SECTION 529m.** 938.315 (2m) of the statutes is created to read:

1 938.315 **(2m)** No continuance or extension of a time limit specified in this
2 chapter may be granted and no period of delay specified in sub. (1) may be excluded
3 in computing a time requirement under this chapter if the continuance, extension,
4 or exclusion would result in any of the following:

5 (a) The court making an initial finding under s. 938.21 (5) (b) 1., 938.355 (2) (b)
6 6., or 938.357 (2v) (a) 1. that reasonable efforts have been made to prevent the
7 removal of the juvenile from the home, while assuring that the juvenile's health and
8 safety are the paramount concerns, or an initial finding under s. 938.21 (5) (b) 3.,
9 938.355 (2) (b) 6r., or 938.357 (2v) (a) 3. that those efforts were not required to be
10 made because a circumstance specified in s. 938.355 (2d) (b) 1. to 4. applies, more
11 than 60 days after the date on which the juvenile was removed from the home.

12 (b) The court making an initial finding under s. 938.38 (5m) that the agency
13 primarily responsible for providing services to the juvenile has made reasonable
14 efforts to achieve the goals of the juvenile's permanency plan more than 12 months
15 after the date on which the juvenile was removed from the home or making any
16 subsequent findings under s. 938.38 (5m) as to those reasonable efforts more than
17 12 months after the date of a previous finding as to those reasonable efforts.

18 **SECTION 529n.** 938.315 (3) of the statutes is amended to read:

19 938.315 **(3)** Failure to comply with any time limit specified in this chapter does
20 not deprive the court of personal or subject matter jurisdiction or of competency to
21 exercise that jurisdiction. Failure to object to a period of delay or a continuance
22 waives the time limit that is the subject of the period of delay or continuance. If a
23 party does not comply with a time limit specified in this chapter, the court, while
24 assuring the safety of the juvenile, may grant a continuance under sub. (2), dismiss
25 the petition with or without prejudice, release the juvenile from secure or nonsecure

1 custody or from the terms of a custody order, or grant any other relief that the court
2 considers appropriate.

3 **SECTION 529p.** 938.32 (1) (c) of the statutes is created to read:

4 938.32 (1) (c) 1. If at the time the consent decree is entered into the juvenile
5 is placed outside the home under a voluntary agreement under s. 48.63 or is
6 otherwise living outside the home without a court order and if the consent decree
7 maintains the juvenile in that placement or other living arrangement, the consent
8 decree shall include a finding that placement of the juvenile in his or her home would
9 be contrary to the welfare of the juvenile, a finding as to whether the county
10 department or the agency primarily responsible for providing services to the juvenile
11 has made reasonable efforts to prevent the removal of the juvenile from the home,
12 while assuring that the juvenile's health and safety are the paramount concerns,
13 unless the judge or circuit court commissioner finds that any of the circumstances
14 specified in s. 938.355 (2d) (b) 1. to 4. applies, and a finding as to whether the county
15 department or agency has made reasonable efforts to achieve the goal of the
16 juvenile's permanency plan, unless return of the juvenile to the home is the goal of
17 the permanency plan and the judge or circuit court commissioner finds that any of
18 the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies.

19 2. If the judge or circuit court commissioner finds that any of the circumstances
20 specified in s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the consent
21 decree shall include a determination that the county department or agency primarily
22 responsible for providing services under the consent decree is not required to make
23 reasonable efforts with respect to the parent to make it possible for the juvenile to
24 return safely to his or her home.

1 3. The judge or circuit court commissioner shall make the findings specified in
2 subds. 1. and 2. on a case-by-case basis based on circumstances specific to the
3 juvenile and shall document or reference the specific information on which those
4 findings are based in the consent decree. A consent decree that merely references
5 subd. 1. or 2. without documenting or referencing that specific information in the
6 consent decree or an amended consent decree that retroactively corrects an earlier
7 consent decree that does not comply with this subdivision is not sufficient to comply
8 with this subdivision.

9 **SECTION 529q.** 938.32 (1) (d) of the statutes is created to read:

10 938.32 (1) (d) 1. If the judge or circuit court commissioner finds that any of the
11 circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent,
12 the judge or circuit court commissioner shall hold a hearing within 30 days after the
13 date of that finding to determine the permanency plan for the juvenile. If a hearing
14 is held under this subdivision, the agency responsible for preparing the permanency
15 plan shall file the permanency plan with the court not less than 5 days before the date
16 of the hearing.

17 2. If a hearing is held under subd. 1., at least 10 days before the date of the
18 hearing the court shall notify the juvenile, any parent, guardian, and legal custodian
19 of the juvenile, and any foster parent, treatment foster parent, or other physical
20 custodian described in s. 48.62 (2) of the juvenile of the time, place, and purpose of
21 the hearing.

22 3. The court shall give a foster parent, treatment foster parent, or other
23 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.
24 2. an opportunity to be heard at the hearing by permitting the foster parent,
25 treatment foster parent, or other physical custodian to make a written or oral

1 statement during the hearing, or to submit a written statement prior to the hearing,
2 relevant to the issues to be determined at the hearing. A foster parent, treatment
3 foster parent, or other physical custodian who receives a notice of a hearing under
4 subd. 2. and an opportunity to be heard under this subdivision does not become a
5 party to the proceeding on which the hearing is held solely on the basis of receiving
6 that notice and opportunity to be heard.

7 **SECTION 529r.** 938.33 (4) (intro.) of the statutes, as affected by 2001 Wisconsin
8 Act 59, is amended to read:

9 938.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending
10 placement in a foster home, treatment foster home, group home, or nonsecured
11 residential care center for children and youth or in the home of a relative other than
12 a parent shall be in writing, except that the report may be presented orally at the
13 dispositional hearing if all parties consent. A report that is presented orally shall be
14 transcribed and made a part of the court record. The report shall include all of the
15 following:

16 **SECTION 529t.** 938.33 (4) (c) of the statutes is created to read:

17 938.33 (4) (c) Specific information showing that continued placement of the
18 juvenile in his or her home would be contrary to the welfare of the juvenile, specific
19 information showing that the county department or the agency primarily
20 responsible for providing services to the juvenile has made reasonable efforts to
21 prevent the removal of the juvenile from the home, while assuring that the juvenile's
22 health and safety are the paramount concerns, unless any of the circumstances
23 specified in s. 938.355 (2d) (b) 1. to 4. applies, and specific information showing that
24 the county department or agency has made reasonable efforts to achieve the goal of
25 the juvenile's permanency plan, unless return of the juvenile to the home is the goal

1 of the permanency plan and any of the circumstances specified in s. 938.355 (2d) (b)
2 1. to 4. applies.

3 **SECTION 529v.** 938.335 (3g) of the statutes is created to read:

4 938.335 (3g) At hearings under this section, if the agency, as defined in s.
5 938.38 (1) (a), is recommending placement of the juvenile in a foster home, treatment
6 foster home, group home, or residential care center for children and youth or in the
7 home of a relative other than a parent, the agency shall present as evidence specific
8 information showing that continued placement of the juvenile in his or her home
9 would be contrary to the welfare of the juvenile, specific information showing that
10 the county department or the agency primarily responsible for providing services to
11 the juvenile has made reasonable efforts to prevent the removal of the juvenile from
12 the home, while assuring that the juvenile’s health and safety are the paramount
13 concerns, unless any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4.
14 applies, and specific information showing that the county department or agency has
15 made reasonable efforts to achieve the goal of the juvenile’s permanency plan, unless
16 return of the juvenile to the home is the goal of the permanency plan and any of the
17 circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies.”.

18 **437.** Page 226, line 10: after that line insert:

19 “**SECTION 531k.** 938.34 (15m) (bm) of the statutes is amended to read:

20 938.34 (15m) (bm) If the juvenile is adjudicated delinquent on the basis of a
21 violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 940.22
22 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,
23 948.07, 948.075, 948.08, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or 948.30, or
24 of s. 940.30 or 940.31 if the victim was a minor and the juvenile was not the victim’s

1 parent, the court shall require the juvenile to comply with the reporting
2 requirements under s. 301.45 unless the court determines, after a hearing on a
3 motion made by the juvenile, that the juvenile is not required to comply under s.
4 301.45 (1m).”.

5 **438.** Page 226, line 11: delete lines 11 to 25.

6 **439.** Page 227, line 1: delete lines 1 to 4 and substitute:

7 “**SECTION 531d.** 938.355 (1) of the statutes, as affected by 2001 Wisconsin Act
8 69, is amended to read:

9 938.355 (1) INTENT. In any order under s. 938.34 or 938.345, the court shall
10 decide on a placement and treatment finding based on evidence submitted to the
11 court. The disposition shall employ those means necessary to promote the objectives
12 specified in s. 938.01. ~~If the disposition places a juvenile who has been adjudicated~~
13 ~~delinquent outside the home under s. 938.34 (3) (c), (cm) or (d), the order shall include~~
14 ~~a finding that the juvenile’s current residence will not safeguard the welfare of the~~
15 ~~juvenile or the community due to the serious nature of the act for which the juvenile~~
16 ~~was adjudicated delinquent.~~ If the judge has determined that any of the conditions
17 specified in s. 938.34 (4m) (b) 1., 2., or 3. applies, that determination shall be prima
18 facie evidence that a less restrictive alternative than placement in a secured
19 correctional facility, a secured child caring institution, or a secured group home is not
20 appropriate. If information under s. 938.331 has been provided in a court report
21 under s. 938.33 (1), the court shall consider that information when deciding on a
22 placement and treatment finding.

23 **SECTION 531g.** 938.355 (2) (b) 6. of the statutes is amended to read:

1 938.355 (2) (b) 6. If the juvenile is placed outside the home and if sub. (2d) does
2 ~~not apply, the court's, a finding that continued placement of the juvenile in his or her~~
3 home would be contrary to the welfare of the juvenile or, if the juvenile has been
4 adjudicated delinquent and is placed outside the home under s. 938.34 (3) (a), (c),
5 (cm), or (d) or (4d), a finding that the juvenile's current residence will not safeguard
6 the welfare of the juvenile or the community due to the serious nature of the act for
7 which the juvenile was adjudicated delinquent. The court order shall also contain
8 a finding as to whether -a- ~~the~~ county department which provides social services or
9 the agency primarily responsible for providing services under a court order has made
10 reasonable efforts to prevent the removal of the juvenile from the home, while
11 assuring that the juvenile's health and safety are the paramount concerns, ~~or, if~~
12 applicable, the court's unless the court finds that any of the circumstances specified
13 in sub. (2d) (b) 1. to 4. applies, and a finding as to whether the county department
14 or agency primarily responsible for providing services under a court order has made
15 reasonable efforts to make it possible for the juvenile to return safely to his or her
16 home achieve the goal of the juvenile's permanency plan, unless return of the
17 juvenile to the home is the goal of the permanency plan and the court finds that any
18 of the circumstances specified in sub. (2d) (b) 1. to 4. applies. The court shall make
19 the findings specified in this subdivision on a case-by-case basis based on
20 circumstances specific to the juvenile and shall document or reference the specific
21 information on which those findings are based in the court order. A court order that
22 merely references this subdivision without documenting or referencing that specific
23 information in the court order or an amended court order that retroactively corrects
24 an earlier court order that does not comply with this subdivision is not sufficient to
25 comply with this subdivision.

1 **SECTION 531h.** 938.355 (2) (b) 6r. of the statutes is created to read:

2 938.355 (2) (b) 6r. If the court finds that any of the circumstances specified in
3 sub. (2d) (b) 1. to 4. applies with respect to a parent, a determination that the county
4 department or agency primarily responsible for providing services under the court
5 order is not required to make reasonable efforts with respect to the parent to make
6 it possible for the juvenile to return safely to his or her home.

7 **SECTION 531k.** 938.355 (2b) of the statutes is amended to read:

8 938.355 (2b) CONCURRENT REASONABLE EFFORTS PERMITTED. A county
9 department ~~that provides social services~~ or the agency primarily responsible for
10 providing services to a juvenile under a court order may, at the same time as the
11 county department or agency is making the reasonable efforts required under sub.
12 (2) (b) 6. to prevent the removal of the juvenile from the home or to make it possible
13 for the juvenile to return safely to his or her home, work with the department of
14 health and family services, a county department under s. 48.57 (1) (e) or (hm), or a
15 child welfare agency licensed under s. 48.61 (5) in making reasonable efforts to place
16 the juvenile for adoption, with a guardian, with a fit and willing relative, or in some
17 other alternative permanent placement.

18 **SECTION 531m.** 938.355 (2c) (b) of the statutes is amended to read:

19 938.355 (2c) (b) When a court makes a finding under sub. (2) (b) 6. as to whether
20 the county department or the agency primarily responsible for providing services to
21 the juvenile under a court order has made reasonable efforts to ~~make it possible for~~
22 ~~the juvenile to return safely to his or her home~~ achieve the goal of the permanency
23 plan, the court's consideration of reasonable efforts shall include, ~~but not be limited~~
24 ~~to~~, the considerations listed under par. (a) 1. to 5. and whether visitation schedules

1 between the juvenile and his or her parents were implemented, unless visitation was
2 denied or limited by the court.

3 **SECTION 531p.** 938.355 (2d) (b) (intro.) of the statutes is amended to read:

4 938.355 (2d) (b) (intro.) Notwithstanding sub. (2) (b) 6., the court ~~need not is~~
5 not required to include in a dispositional order a finding as to whether ~~a~~ the county
6 ~~department which provides social services~~ or the agency primarily responsible for
7 providing services under a court order has made reasonable efforts with respect to
8 a parent of a juvenile to prevent the removal of the juvenile from the home, while
9 assuring that the juvenile's health and safety are the paramount concerns, or, if
10 applicable, a finding as to whether the county department or agency primarily
11 ~~responsible for providing services under a court order~~ has made reasonable efforts
12 with respect to a parent of a juvenile to ~~make it possible for the juvenile to return~~
13 achieve the permanency plan goal of returning the juvenile safely to his or her home,
14 if the court finds, ~~as evidenced by a final judgment of conviction,~~ any of the following:

15 **SECTION 531q.** 938.355 (2d) (b) 1. of the statutes is amended to read:

16 938.355 (2d) (b) 1. That the parent has subjected the juvenile to aggravated
17 circumstances, as evidenced by a final judgment of conviction.

18 **SECTION 531r.** 938.355 (2d) (b) 2. of the statutes is amended to read:

19 938.355 (2d) (b) 2. That the parent has committed, has aided or abetted the
20 commission of, or has solicited, conspired, or attempted to commit, a violation of s.
21 940.01, 940.02, 940.03, or 940.05 or a violation of the law of any other state or federal
22 law, if that violation would be a violation of s. 940.01, 940.02, 940.03, or 940.05 if
23 committed in this state, as evidenced by a final judgment of conviction, and that the
24 victim of that violation is a child of the parent.

25 **SECTION 531t.** 938.355 (2d) (b) 3. of the statutes is amended to read:

1 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (2),
2 (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a)
3 or a violation of the law of any other state or federal law, if that violation would be
4 a violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,
5 or 948.03 (2) (a) or (3) (a) if committed in this state, as evidenced by a final judgment
6 of conviction, and that the violation resulted in great bodily harm, as defined in s.
7 939.22 (14), or in substantial bodily harm, as defined in s. 939.22 (38), to the juvenile
8 or another child of the parent.

9 **SECTION 532b.** 938.355 (2d) (b) 3. of the statutes, as affected by 2001 Wisconsin
10 Act (this act), is amended to read:

11 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),
12 1999 stats., or s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,
13 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or federal law,
14 if that violation would be a violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2),
15 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) if committed in this state, as
16 evidenced by a final judgment of conviction, and that the violation resulted in great
17 bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as defined
18 in s. 939.22 (38), to the juvenile or another child of the parent.

19 **SECTION 532d.** 938.355 (2d) (b) 4. of the statutes is amended to read:

20 938.355 (2d) (b) 4. That the parental rights of the parent to another child have
21 been involuntarily terminated, as evidenced by a final order of a court of competent
22 jurisdiction terminating those parental rights.

23 **SECTION 532g.** 938.355 (2d) (bm) of the statutes is created to read:

24 938.355 (2d) (bm) The court shall make a finding specified in par. (b) 1. to 4.
25 on a case-by-case basis based on circumstances specific to the juvenile and shall

1 document or reference the specific information on which that finding is based in the
2 dispositional order. A dispositional order that merely references par. (b) 1. to 4.
3 without documenting or referencing that specific information in the dispositional
4 order or an amended dispositional order that retroactively corrects an earlier
5 dispositional order that does not comply with this paragraph is not sufficient to
6 comply with this paragraph.

7 **SECTION 532j.** 938.355 (2d) (c) of the statutes is renumbered 938.355 (2d) (c)
8 1. and amended to read:

9 938.355 (2d) (c) 1. If the court ~~makes a finding~~ finds that any of the
10 circumstances specified in par. (b) 1., ~~2., 3., or 4.~~ to 4. applies with respect to a parent,
11 the court shall hold a hearing within 30 days after the date of that finding to
12 determine the permanency plan for the juvenile. If a hearing is held under this
13 ~~paragraph subdivision~~, the agency responsible for preparing the permanency plan
14 shall file the permanency plan with the court not less than 5 days before the date of
15 the hearing.

16 **SECTION 532k.** 938.355 (2d) (c) 2. and 3. of the statutes are created to read:

17 938.355 (2d) (c) 2. If a hearing is held under subd. 1, at least 10 days before the
18 date of the hearing the court shall notify the juvenile, any parent, guardian, and legal
19 custodian of the juvenile, and any foster parent, treatment foster parent, or other
20 physical custodian described in s. 48.62 (2) of the juvenile of the time, place, and
21 purpose of the hearing.

22 3. The court shall give a foster parent, treatment foster parent, or other
23 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.
24 2. an opportunity to be heard at the hearing by permitting the foster parent,
25 treatment foster parent, or other physical custodian to make a written or oral

1 statement during the hearing, or to submit a written statement prior to the hearing,
2 relevant to the issues to be determined at the hearing. A foster parent, treatment
3 foster parent, or other physical custodian who receives a notice of a hearing under
4 subd. 2. and an opportunity to be heard under this subdivision does not become a
5 party to the proceeding on which the hearing is held solely on the basis of receiving
6 that notice and opportunity to be heard.

7 **SECTION 532t.** 938.355 (4) (a) of the statutes is amended to read:

8 938.355 (4) (a) Except as provided under par. (b) or s. 938.368, all orders an
9 order under this section shall terminate at the end of one year unless the court
10 specifies a shorter period of time. Except if s. 938.368 applies, extensions or revisions
11 or s. 938.357 or 938.365 made before the juvenile reaches 18 years of age that places
12 or continues the placement of the juvenile in his or her home shall terminate at the
13 end of one year after its entry unless the court specifies a shorter period of time. No
14 extension under s. 938.365 of an original dispositional order may be granted for a
15 juvenile who is subject to an order under s. 938.34 (4d), (4h), (4m) or (4n) if the
16 juvenile is 17 years of age or older when the original dispositional order terminates.
17 Any order made before the juvenile reaches the age of majority shall be effective for
18 a time up to one year after its entry unless the court specifies a shorter period of time
19 or the court terminates the order sooner. Except as provided in par. (b) or s. 938.368,
20 an order under this section or s. 938.357 or 938.365 made before the juvenile reaches
21 18 years of age that places or continues the placement of the juvenile in a foster home,
22 treatment foster home, group home, or residential care center for children and youth
23 or in the home of a relative other than a parent shall terminate when the juvenile
24 reaches 18 years of age, at the end of one year after its entry, or, if the juvenile is a
25 full-time student at a secondary school or its vocational or technical equivalent and

1 is reasonably expected to complete the program before reaching 19 years of age, when
2 the juvenile reaches 19 years of age, whichever is later, unless the court specifies a
3 shorter period of time or the court terminates the order sooner.

4 **SECTION 532v.** 938.355 (4) (b) of the statutes is amended to read:

5 938.355 (4) (b) ~~An order under s. 938.34 (4d), (4h) or (4m) for which a juvenile~~
6 ~~has been adjudicated delinquent is subject to par. (a), except that the judge may make~~
7 Except as provided in s. 938.368, an order under s. 938.34 (4d) or (4m) made before
8 the juvenile reaches 18 years of age may apply for up to 2 years after its entry or until
9 ~~the juvenile's 18th birthdate birthday, whichever is earlier and the judge shall make,~~
10 unless the court specifies a shorter period of time or the court terminates the order
11 sooner. Except as provided in s. 938.368, an order under s. 938.34 (4h) made before
12 the juvenile reaches 18 years of age shall apply for 5 years after its entry, if the
13 juvenile is adjudicated delinquent for committing an act that would be punishable
14 as a Class B felony if committed by an adult, or until the juvenile reaches 25 years
15 of age, if the juvenile is adjudicated delinquent for committing an act that would be
16 punishable as a Class A felony if committed by an adult. Except as provided in s.
17 938.368, an extension of an order under s. 938.34 (4d), (4h), (4m), or (4n) made before
18 the juvenile reaches 17 years of age shall terminate at the end of one year after its
19 entry unless the court specifies a shorter period of time or the court terminates the
20 order sooner. No extension under s. 938.365 of an original dispositional order under
21 s. 938.34 (4d), (4h), (4m), or (4n) may be granted for a juvenile who is 17 years of age
22 or older when the original dispositional order terminates.

23 **SECTION 533b.** 938.355 (4) (b) of the statutes, as affected by 2001 Wisconsin Act
24 (this act), is amended to read:

1 938.355 (4) (b) Except as provided in s. 938.368, an order under s. 938.34 (4d)
2 or (4m) made before the juvenile reaches 18 years of age may apply for up to 2 years
3 after its entry or until the juvenile's 18th birthday, whichever is earlier, unless the
4 court specifies a shorter period of time or the court terminates the order sooner.
5 Except as provided in s. 938.368, an order under s. 938.34 (4h) made before the
6 juvenile reaches 18 years of age shall apply for 5 years after its entry, if the juvenile
7 is adjudicated delinquent for committing a violation of s. 943.10 (2) or for committing
8 an act that would be punishable as a Class B or C felony if committed by an adult,
9 or until the juvenile reaches 25 years of age, if the juvenile is adjudicated delinquent
10 for committing an act that would be punishable as a Class A felony if committed by
11 an adult. Except as provided in s. 938.368, an extension of an order under s. 938.34
12 (4d), (4h), (4m), or (4n) made before the juvenile reaches 17 years of age shall
13 terminate at the end of one year after its entry unless the court specifies a shorter
14 period of time or the court terminates the order sooner. No extension under s.
15 938.365 of an original dispositional order under s. 938.34 (4d), (4h), (4m), or (4n) may
16 be granted for a juvenile who is 17 years of age or older when the original
17 dispositional order terminates.

18 **SECTION 533bb.** 938.355 (6) (a) of the statutes is amended to read:

19 938.355 (6) (a) If a juvenile who has been adjudged delinquent or to have
20 violated a civil law or ordinance, other than an ordinance enacted under s. 118.163
21 (1m) or (2), violates a condition specified in sub. (2) (b) 7., the court may impose on
22 the juvenile any of the sanctions specified in par. (d) if, at the dispositional hearing
23 under s. 938.335, the court explained the conditions to the juvenile and informed the
24 juvenile of those possible sanctions or if before the violation the juvenile has
25 acknowledged in writing that he or she has read, or has had read to him or her, those

1 conditions and possible sanctions and that he or she understands those conditions
2 and possible sanctions. If a juvenile who has been found to be in need of protection
3 or services under s. 938.13 (4), (6m), (7), (12), or (14) violates a condition specified in
4 sub. (2) (b) 7., the court may impose on the juvenile any of the sanctions specified in
5 par. (d), other than placement in a secure detention facility or juvenile portion of a
6 county jail, if, at the dispositional hearing under s. 938.335, the court explained the
7 conditions to the juvenile and informed the juvenile of those possible sanctions or if
8 before the violation the juvenile has acknowledged in writing that he or she has read,
9 or has had read to him or her, those conditions and possible sanctions and that he or
10 she understands those conditions and possible sanctions.

11 (cm) The court may not order the sanction of placement in a place of nonsecure
12 custody specified in par. (d) 1. unless the court finds that the agency primarily
13 responsible for providing services for the juvenile has made reasonable efforts to
14 prevent the removal of the juvenile from his or her home and that continued
15 placement of the juvenile in his or her home is contrary to the welfare of the juvenile.
16 The court shall make the findings specified in this paragraph on a case-by-case basis
17 based on circumstances specific to the juvenile and shall document or reference the
18 specific information on which that finding is based in the sanction order. A sanction
19 order that merely references this paragraph without documenting or referencing
20 that specific information in the sanction order or an amended sanction order that
21 retroactively corrects an earlier sanction order that does not comply with this
22 paragraph is not sufficient to comply with this paragraph.

23 **SECTION 533bd.** 938.355 (6m) (cm) of the statutes is created to read:

24 938.355 **(6m)** (cm) The court may not order the sanction of placement in a place
25 of nonsecure custody specified in par. (a) 1g. unless the court finds that the agency

1 primarily responsible for providing services for the juvenile has made reasonable
2 efforts to prevent the removal of the juvenile from his or her home and that continued
3 placement of the juvenile in his or her home is contrary to the welfare of the juvenile.
4 The court shall make the findings specified in this paragraph on a case-by-case basis
5 based on circumstances specific to the juvenile and shall document or reference the
6 specific information on which that finding is based in the sanction order. A sanction
7 order that merely references this paragraph without documenting or referencing
8 that specific information in the sanction order or an amended sanction order that
9 retroactively corrects an earlier sanction order that does not comply with this
10 paragraph is not sufficient to comply with this paragraph.

11 **SECTION 533bf.** 938.357 (1) (a) of the statutes, as affected by 2001 Wisconsin
12 Act 103, and is amended to read:

13 938.357 (1) (a) The person or agency primarily responsible for implementing
14 the dispositional order or the district attorney may request a change in the
15 placement of the juvenile, whether or not the change requested is authorized in the
16 dispositional order, and as provided in par. (am) or (c), whichever is applicable.

17 (am) 1. If the proposed change in placement involves any change in placement
18 other than a change in placement specified in par. (c), the person or agency primarily
19 responsible for implementing the dispositional order or the district attorney shall
20 cause written notice of the proposed change in placement to be sent to the juvenile
21 or the juvenile's counsel or guardian ad litem, the parent, guardian, and legal
22 custodian of the juvenile, and any foster parent, treatment foster parent, or other
23 physical custodian described in s. 48.62 (2) of the juvenile. The notice shall contain
24 the name and address of the new placement, the reasons for the change in placement,
25 a statement describing why the new placement is preferable to the present

1 placement, and a statement of how the new placement satisfies objectives of the
2 treatment plan ordered by the court.

3 **SECTION 533bg.** 938.357 (1) (b) of the statutes, as affected by 2001 Wisconsin
4 Act 103, is renumbered 938.357 (1) (am) 2. and amended to read:

5 938.357 (1) (am) 2. Any person receiving the notice under ~~par. (a)~~ subd. 1. or
6 notice of a specific foster or treatment foster placement under s. 938.355 (2) (b) 2. may
7 obtain a hearing on the matter by filing an objection with the court within 10 days
8 after receipt of the notice. Placements may not be changed until 10 days after that
9 notice is sent to the court unless the parent, guardian, or legal custodian and the
10 juvenile, if 12 or more years of age, sign written waivers of objection, except that
11 placement changes in placement that were authorized in the dispositional order may
12 be made immediately if notice is given as required under ~~par. (a)~~ subd. 1. In addition,
13 a hearing is not required for placement changes authorized in the dispositional order
14 except when an objection filed by a person who received notice alleges that new
15 information is available that affects the advisability of the court's dispositional order.

16 **SECTION 533bh.** 938.357 (1) (am) 3. of the statutes is created to read:

17 938.357 (1) (am) 3. If the court changes the juvenile's placement from a
18 placement outside the home to another placement outside the home, the change in
19 placement order shall contain one of the statements specified in sub. (2v) (a) 2.

20 **SECTION 533bj.** 938.357 (1) (c) of the statutes is created to read:

21 938.357 (1) (c) 1. If the proposed change in placement would change the
22 placement of a juvenile placed in the home to a placement outside the home, the
23 person or agency primarily responsible for implementing the dispositional order or
24 the district attorney shall submit a request for the change in placement to the court.
25 The request shall contain the name and address of the new placement, the reasons

1 for the change in placement, a statement describing why the new placement is
2 preferable to the present placement, and a statement of how the new placement
3 satisfies objectives of the treatment plan ordered by the court. The request shall also
4 contain specific information showing that continued placement of the juvenile in his
5 or her home would be contrary to the welfare of the juvenile and, unless any of the
6 circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies, specific information
7 showing that the agency primarily responsible for implementing the dispositional
8 order has made reasonable efforts to prevent the removal of the juvenile from the
9 home, while assuring that the juvenile's health and safety are the paramount
10 concerns.

11 2. The court shall hold a hearing prior to ordering any change in placement
12 requested under subd. 1. Not less than 3 days prior to the hearing, the court shall
13 provide notice of the hearing, together with a copy of the request for the change in
14 placement, to the juvenile, the parent, guardian, and legal custodian of the juvenile,
15 and all parties that are bound by the dispositional order. If all parties consent, the
16 court may proceed immediately with the hearing.

17 3. If the court changes the juvenile's placement from a placement in the
18 juvenile's home to a placement outside the juvenile's home, the change in placement
19 order shall contain the findings specified in sub. (2v) (a) 1., one of the statements
20 specified in sub. (2v) (a) 2., and, if in addition the court finds that any of the
21 circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent,
22 the determination specified in sub. (2v) (a) 3.

23 **SECTION 533bL.** 938.357 (2) of the statutes, as affected by 2001 Wisconsin Act
24 103, is amended to read:

1 938.357 (2) If emergency conditions necessitate an immediate change in the
2 placement of a juvenile placed outside the home, the person or agency primarily
3 responsible for implementing the dispositional order may remove the juvenile to a
4 new placement, whether or not authorized by the existing dispositional order,
5 without the prior notice provided in sub. (1) ~~(a)~~ (am) 1. The notice shall, however, be
6 sent within 48 hours after the emergency change in placement. Any party receiving
7 notice may demand a hearing under sub. (1) ~~(b)~~ (am) 2. In emergency situations, a
8 juvenile may be placed in a licensed public or private shelter care facility as a
9 transitional placement for not more than 20 days, as well as in any placement
10 authorized under s. 938.34 (3).

11 **SECTION 533bn.** 938.357 (2m) (a) of the statutes, as affected by 2001 Wisconsin
12 Act 103, and is amended to read:

13 938.357 (2m) (a) The juvenile, the parent, guardian, or legal custodian of the
14 juvenile, or any person or agency primarily bound by the dispositional order, other
15 than the person or agency responsible for implementing the order, may request a
16 change in placement under this paragraph. The request shall contain the name and
17 address of the place of the new placement requested and shall state what new
18 information is available that affects the advisability of the current placement. If the
19 proposed change in placement would change the placement of a juvenile placed in the
20 home to a placement outside the home, the request shall also contain specific
21 information showing that continued placement of the juvenile in the home would be
22 contrary to the welfare of the juvenile and, unless any of the circumstances specified
23 in s. 938.355 (2d) (b) 1. to 4. applies, specific information showing that the agency
24 primarily responsible for implementing the dispositional order has made reasonable
25 efforts to prevent the removal of the juvenile from the home, while assuring that the

1 juvenile's health and safety are the paramount concerns. The request shall be
2 submitted to the court. In addition, the court may propose a change in placement on
3 its own motion.

4 **SECTION 533bo.** 938.357 (2m) (b) of the statutes, as affected by 2001 Wisconsin
5 Act 103, is amended to read:

6 938.357 (2m) (b) The court shall hold a hearing on the matter prior to ordering
7 any change in placement requested or proposed under par. (a) if the request states
8 that new information is available that affects the advisability of the current
9 placement, unless the requested or proposed change in placement involves any
10 change in placement other than a change in placement of a juvenile placed in the
11 home to a placement outside the home and written waivers of objection to the
12 proposed change in placement are signed by all parties entitled to receive notice
13 under sub. (1) ~~(a)~~ (am) 1. and the court approves. If a hearing is scheduled, the court
14 shall notify the juvenile, the parent, guardian, and legal custodian of the juvenile,
15 any foster parent, treatment foster parent, or other physical custodian described in
16 s. 48.62 (2) of the juvenile, and all parties who are bound by the dispositional order
17 at least 3 days prior to the hearing. A copy of the request or proposal for the change
18 in placement shall be attached to the notice. If all of the parties consent, the court
19 may proceed immediately with the hearing.

20 **SECTION 533bp.** 938.357 (2m) (c) of the statutes is created to read:

21 938.357 (2m) (c) If the court changes the juvenile's placement from a placement
22 in the juvenile's home to a placement outside the juvenile's home, the change in
23 placement order shall contain the findings specified in sub. (2v) (a) 1., one of the
24 statements specified in sub. (2v) (a) 2., and, if in addition the court finds that any of

1 the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies with respect to a
2 parent, the determination specified in sub. (2v) (a) 3.

3 **SECTION 533br.** 938.357 (2r) of the statutes, as affected by 2001 Wisconsin Act
4 103, is amended to read:

5 938.357 (2r) If a hearing is held under sub. (1) ~~(b)~~ (am) 2. or (2m) (b) and the
6 change in placement would remove a juvenile from a foster home, treatment foster
7 home, or other placement with a physical custodian described in s. 48.62 (2), the court
8 shall give the foster parent, treatment foster parent, or other physical custodian
9 described in s. 48.62 (2) an opportunity to be heard at the hearing by permitting the
10 foster parent, treatment foster parent, or other physical custodian to make a written
11 or oral statement during the hearing or to submit a written statement prior to the
12 hearing relating to the juvenile and the requested change in placement. ~~Any written~~
13 ~~or oral statement made under this subsection shall be made under oath or~~
14 ~~affirmation.~~ A foster parent, treatment foster parent, or other physical custodian
15 described in s. 48.62 (2) who receives notice of a hearing under sub. (1) ~~(b)~~ (am) 1. or
16 (2m) (b) and an opportunity to be heard under this subsection does not become a
17 party to the proceeding on which the hearing is held solely on the basis of receiving
18 that notice and opportunity to be heard.

19 **SECTION 533bt.** 938.357 (2v) of the statutes, as affected by 2001 Wisconsin Act
20 103, is renumbered 938.357 (2v) (a) 2. and amended to read:

21 938.357 (2v) (a) 2. If ~~a hearing is held under sub. (1) (b) or (2m) (b) and the~~
22 ~~change in placement would place the juvenile outside the home in a placement order~~
23 ~~would change the placement of the juvenile to a placement outside the home~~
24 recommended by the person or agency primarily responsible for implementing the
25 dispositional order, ~~the change in placement order shall include~~ whether from a

1 placement in the home or from another placement outside the home, a statement
2 that the court approves the placement recommended by the person or agency or, if
3 ~~the juvenile is placed outside the home in a placement other than~~ change in
4 placement order would change the placement of the juvenile to a placement outside
5 the home that is not a placement recommended by that person or agency, whether
6 from a placement in the home or from another placement outside the home, a
7 statement that the court has given bona fide consideration to the recommendations
8 made by that person or agency and all parties relating to the juvenile's placement.

9 **SECTION 533bv.** 938.357 (2v) (a) (intro.) of the statutes is created to read:

10 938.357 (2v) (a) (intro.) A change in placement order under sub. (1) or (2m)
11 shall contain all of the following:

12 **SECTION 533bx.** 938.357 (2v) (a) 1. of the statutes is created to read:

13 938.357 (2v) (a) 1. If the court changes the juvenile's placement from a
14 placement in the juvenile's home to a placement outside the juvenile's home, a
15 finding that continued placement of the juvenile in his or her home would be contrary
16 to the welfare of the juvenile and, unless a circumstance specified in s. 938.355 (2d)
17 (b) 1. to 4. applies, a finding that the agency primarily responsible for implementing
18 the dispositional order has made reasonable efforts to prevent the removal of the
19 juvenile from the home, while assuring that the juvenile's health and safety are the
20 paramount concerns.

21 **SECTION 533bz.** 938.357 (2v) (a) 3. of the statutes is created to read:

22 938.357 (2v) (a) 3. If the court finds that any of the circumstances specified in
23 s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, a determination that the
24 agency primarily responsible for providing services under the change in placement

1 order is not required to make reasonable efforts with respect to the parent to make
2 it possible for the juvenile to return safely to his or her home.

3 **SECTION 533c.** 938.357 (2v) (b) of the statutes is created to read:

4 938.357 (2v) (b) The court shall make the findings specified in par. (a) 1. and
5 3. on a case-by-case basis based on circumstances specific to the juvenile and shall
6 document or reference the specific information on which those findings are based in
7 the change in placement order. A change in placement order that merely references
8 par. (a) 1. or 3. without documenting or referencing that specific information in the
9 change in placement order or an amended change in placement order that
10 retroactively corrects an earlier change in placement order that does not comply with
11 this paragraph is not sufficient to comply with this paragraph.

12 **SECTION 533cb.** 938.357 (2v) (c) of the statutes is created to read:

13 938.357 (2v) (c) 1. If the court finds under par. (a) 3. that any of the
14 circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent,
15 the court shall hold a hearing within 30 days after the date of that finding to
16 determine the permanency plan for the juvenile. If a hearing is held under this
17 paragraph, the agency responsible for preparing the permanency plan shall file the
18 permanency plan with the court not less than 5 days before the date of the hearing.

19 2. If a hearing is held under subd. 1, at least 10 days before the date of the
20 hearing the court shall notify the juvenile, any parent, guardian, and legal custodian
21 of the juvenile, and any foster parent, treatment foster parent, or other physical
22 custodian described in s. 48.62 (2) of the juvenile of the time, place, and purpose of
23 the hearing.

24 3. The court shall give a foster parent, treatment foster parent, or other
25 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.

1 2. an opportunity to be heard at the hearing by permitting the foster parent,
2 treatment foster parent, or other physical custodian to make a written or oral
3 statement during the hearing, or to submit a written statement prior to the hearing,
4 relevant to the issues to be determined at the hearing. A foster parent, treatment
5 foster parent, or other physical custodian who receives a notice of a hearing under
6 subd. 2. and an opportunity to be heard under this subdivision does not become a
7 party to the proceeding on which the hearing is held solely on the basis of receiving
8 that notice and opportunity to be heard.

9 **SECTION 533cd.** 938.357 (3) of the statutes, as affected by 2001 Wisconsin Act
10 103, is amended to read:

11 938.357 (3) Subject to subs. (4) (b) and (c) and (5) (e), if the proposed change
12 in placement would involve placing a juvenile in a secured correctional facility, a
13 secured child caring institution, or a secured group home, notice shall be given as
14 provided in sub. (1) (a) (am) 1. A hearing shall be held, unless waived by the juvenile,
15 parent, guardian, and legal custodian, before the judge makes a decision on the
16 request. The juvenile shall be entitled to counsel at the hearing, and any party
17 opposing or favoring the proposed new placement may present relevant evidence and
18 cross-examine witnesses. The proposed new placement may be approved only if the
19 judge finds, on the record, that the conditions set forth in s. 938.34 (4m) have been
20 met.

21 **SECTION 533ce.** 938.357 (4) (b) 1. of the statutes, as affected by 2001 Wisconsin
22 Act 103, is amended to read:

23 938.357 (4) (b) 1. If a juvenile whom the department has placed in a Type 2
24 secured correctional facility operated by a child welfare agency violates a condition
25 of his or her placement in the Type 2 secured correctional facility, the child welfare

1 agency operating the Type 2 secured correctional facility shall notify the department
2 and the department, after consulting with the child welfare agency, may place the
3 juvenile in a Type 1 secured correctional facility under the supervision of the
4 department without a hearing under sub. (1) ~~(b)~~ (am) 2.

5 **SECTION 533cf.** 938.357 (4) (b) 2. of the statutes, as affected by 2001 Wisconsin
6 Act 103, is amended to read:

7 938.357 (4) (b) 2. If a juvenile whom the court has placed in a Type 2 child
8 caring institution under s. 938.34 (4d) violates a condition of his or her placement in
9 the Type 2 child caring institution, the child welfare agency operating the Type 2
10 child caring institution shall notify the county department that has supervision over
11 the juvenile and, if the county department agrees to a change in placement under this
12 subdivision, the child welfare agency shall notify the department, and the
13 department, after consulting with the child welfare agency, may place the juvenile
14 in a Type 1 secured correctional facility under the supervision of the department,
15 without a hearing under sub. (1) ~~(b)~~ (am) 2, for not more than 10 days. If a juvenile
16 is placed in a Type 1 secured correctional facility under this subdivision, the county
17 department that has supervision over the juvenile shall reimburse the child welfare
18 agency operating the Type 2 child caring institution in which the juvenile was placed
19 at the rate established under s. 46.037, and that child welfare agency shall reimburse
20 the department at the rate specified in s. 301.26 (4) (d) 2. or 3., whichever is
21 applicable, for the cost of the juvenile's care while placed in a Type 1 secured
22 correctional facility.

23 **SECTION 533ch.** 938.357 (4) (c) 1. of the statutes, as affected by 2001 Wisconsin
24 Act 103, is amended to read:

1 938.357 (4) (c) 1. If a juvenile is placed in a Type 2 secured correctional facility
2 operated by a child welfare agency under par. (a) and it appears that a less restrictive
3 placement would be appropriate for the juvenile, the department, after consulting
4 with the child welfare agency that is operating the Type 2 secured correctional
5 facility in which the juvenile is placed, may place the juvenile in a less restrictive
6 placement, and may return the juvenile to the Type 2 secured correctional facility
7 without a hearing under sub. (1) ~~(b)~~ (am) 2. The child welfare agency shall establish
8 a rate for each type of placement in the manner provided in s. 46.037.

9 **SECTION 533cj.** 938.357 (4) (c) 2. of the statutes, as affected by 2001 Wisconsin
10 Act 103, is amended to read:

11 938.357 (4) (c) 2. If a juvenile is placed in a Type 2 child caring institution under
12 s. 938.34 (4d) and it appears that a less restrictive placement would be appropriate
13 for the juvenile, the child welfare agency operating the Type 2 child caring
14 institution shall notify the county department that has supervision over the juvenile
15 and, if the county department agrees to a change in placement under this
16 subdivision, the child welfare agency may place the juvenile in a less restrictive
17 placement. A child welfare agency may also, with the agreement of the county
18 department that has supervision over a juvenile who is placed in a less restrictive
19 placement under this subdivision, return the juvenile to the Type 2 child caring
20 institution without a hearing under sub. (1) ~~(b)~~ (am) 2. The child welfare agency shall
21 establish a rate for each type of placement in the manner provided in s. 46.037.

22 **SECTION 533cL.** 938.357 (4) (d) of the statutes, as affected by 2001 Wisconsin
23 Act 103, is amended to read:

24 938.357 (4) (d) The department may transfer a juvenile who is placed in a Type
25 1 secured correctional facility to the Racine youthful offender correctional facility

1 named in s. 302.01 if the juvenile is 15 years of age or over and the office of juvenile
2 offender review in the department has determined that the conduct of the juvenile
3 in the Type 1 secured correctional facility presents a serious problem to the juvenile
4 or others. The factors that the office of juvenile offender review may consider in
5 making that determination shall include, but are not limited to, whether and to what
6 extent the juvenile's conduct in the Type 1 secured correctional facility is violent and
7 disruptive, the security needs of the Type 1 secured correctional facility, and whether
8 and to what extent the juvenile is refusing to cooperate or participate in the
9 treatment programs provided for the juvenile in the Type 1 secured correctional
10 facility. Notwithstanding sub. (1) ~~(b)~~ (am) 2., a juvenile is not entitled to a hearing
11 regarding the department's exercise of authority under this paragraph unless the
12 department provides for a hearing by rule. A juvenile may seek review of a decision
13 of the department under this paragraph only by the common law writ of certiorari.
14 If the department transfers a juvenile under this paragraph, the department shall
15 send written notice of the transfer to the parent, guardian, legal custodian, and
16 committing court.

17 **SECTION 533cn.** 938.357 (5) (a) of the statutes, as affected by 2001 Wisconsin
18 Act 103, is amended to read:

19 938.357 (5) (a) The department or a county department, whichever has been
20 designated as a juvenile's aftercare provider under s. 938.34 (4n), may revoke the
21 aftercare status of that juvenile. Revocation of aftercare supervision shall not
22 require prior notice under sub. (1) ~~(a)~~ (am) 1.

23 **SECTION 533cp.** 938.357 (6) of the statutes is amended to read:

24 938.357 (6) No change in placement may extend the expiration date of the
25 original order, except that if the change in placement is from a placement in the

1 juvenile's home to a placement in a foster home, treatment foster home, group home,
2 or residential care center for children and youth or in the home of a relative who is
3 not a parent, the court may extend the expiration date of the original order to the date
4 on which the juvenile reaches 18 years of age, to the date that is one year after the
5 date of the change in placement order, or, if the juvenile is a full-time student at a
6 secondary school or its vocational or technical equivalent and is reasonably expected
7 to complete the program before reaching 19 years of age, to the date on which the
8 juvenile reaches 19 years of age, whichever is later, or for a shorter period of time as
9 specified by the court. If the change in placement is from a placement in a foster
10 home, treatment foster home, group home, or residential care center for children and
11 youth or in the home of a relative to a placement in the juvenile's home and if the
12 expiration date of the original order is more than one year after the date of the change
13 in placement order, the court shall shorten the expiration date of the original order
14 to the date that is one year after the date of the change in placement order or to an
15 earlier date as specified by the court.

16 **SECTION 533cr.** 938.363 (1m) of the statutes is amended to read:

17 938.363 (1m) If a hearing is held under sub. (1) (a), any party may present
18 evidence relevant to the issue of revision of the dispositional order. In addition, the
19 court shall give a foster parent, treatment foster parent, or other physical custodian
20 described in s. 48.62 (2) of the juvenile an opportunity to be heard at the hearing by
21 permitting the foster parent, treatment foster parent, or other physical custodian to
22 make a written or oral statement during the hearing, or to submit a written
23 statement prior to the hearing, relevant to the issue of revision. ~~Any written or oral~~
24 ~~statement made under this subsection shall be made under oath or affirmation.~~ A
25 foster parent, treatment foster parent, or other physical custodian described in s.

1 48.62 (2) who receives notice of a hearing under sub. (1) (a) and an opportunity to be
2 heard under this subsection does not become a party to the proceeding on which the
3 hearing is held solely on the basis of receiving that notice and opportunity to be
4 heard.

5 **SECTION 533ct.** 938.365 (1) of the statutes is amended to read:

6 938.365 (1) In this section, a juvenile is considered to have been placed outside
7 of his or her home on the date on which the juvenile was first placed outside of his
8 or her home pursuant to an order under this section or s. 938.345, 938.357 or 938.363
9 or on the date that is 60 days after the date on which the juvenile was first removed
10 from his or her home, whichever is earlier, except that in the case of a juvenile who
11 on removal from his or her home was first placed in a secure detention facility, a
12 secured correctional facility, a secured child caring institution, or a secured group
13 home for 60 days or more and then moved to a nonsecured out-of-home placement,
14 the juvenile is considered to have been placed outside of his or her home on the date
15 on which the juvenile was moved to the nonsecured out-of-home placement.

16 **SECTION 533cv.** 938.365 (2g) (b) 2. of the statutes is amended to read:

17 938.365 (2g) (b) 2. An evaluation of the juvenile's adjustment to the placement
18 and of any progress the juvenile has made, suggestions for amendment of the
19 permanency plan, a description of efforts to return the juvenile safely to his or her
20 home and specific information showing the efforts that have been made to achieve
21 the goal of the permanency plan, including, if applicable, the efforts of the parents
22 to remedy the factors which that contributed to the juvenile's placement and, if
23 continued placement outside of the juvenile's home is recommended, an explanation
24 of why returning the juvenile to his or her home is not safe or feasible, unless return

1 of the juvenile to the home is the goal of the permanency plan and any of the
2 circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies.

3 **SECTION 533cx.** 938.365 (2g) (b) 3. of the statutes is amended to read:

4 938.365 (2g) (b) 3. If the juvenile has been placed outside of his or her home
5 for 15 of the most recent 22 months, not including any period during which the
6 juvenile was a runaway from the out-of-home placement or the first 6 months of any
7 period during which the juvenile was returned to his or her home for a trial home
8 visit, a statement of whether or not a recommendation has been made to terminate
9 the parental rights of the parents of the juvenile. If a recommendation for a
10 termination of parental rights has been made, the statement shall indicate the date
11 on which the recommendation was made, any previous progress made to accomplish
12 the termination of parental rights, any barriers to the termination of parental rights,
13 specific steps to overcome the barriers and when the steps will be completed, reasons
14 why adoption would be in the best interest of the juvenile and whether or not the
15 juvenile should be registered with the adoption information exchange. If a
16 recommendation for termination of parental rights has not been made, the
17 statement shall include an explanation of the reasons why a recommendation for
18 termination of parental rights has not been made. If the lack of appropriate adoptive
19 resources is the primary reason for not recommending a termination of parental
20 rights, the agency shall recommend that the juvenile be registered with the adoption
21 information exchange or report the reason why registering the juvenile is contrary
22 to the best interest of the juvenile.

23 **SECTION 533cz.** 938.365 (2m) (a) of the statutes is renumbered 938.365 (2m)

24 (a) 1. and amended to read:

1 938.365 (2m) (a) 1. Any party may present evidence relevant to the issue of
2 extension. If the juvenile is placed outside of his or her home, the person or agency
3 primarily responsible for providing services to the juvenile shall present as evidence
4 specific information showing that the agency has made reasonable efforts to achieve
5 the goal of the juvenile’s permanency plan, unless return of the juvenile to the home
6 is the goal of the permanency plan and any of the circumstances specified in s.
7 938.355 (2d) (b) 1. to 4. applies. The court shall make findings of fact and conclusions
8 of law based on the evidence. ~~Subject to s. 938.355 (2d), the~~ The findings of fact shall
9 include a finding as to whether reasonable efforts were made by the agency primarily
10 responsible for providing services to the juvenile to ~~make it possible for the juvenile~~
11 ~~to return safely to his or her home~~ achieve the goal of the juvenile’s permanency plan,
12 unless return of the juvenile to the home is the goal of the permanency plan and the
13 court finds that any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4.
14 applies. An order shall be issued under s. 938.355.

15 **SECTION 533d.** 938.365 (2m) (a) 2. of the statutes is created to read:

16 938.365 (2m) (a) 2. If the court finds that any of the circumstances specified
17 in s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the order shall include
18 a determination that the person or agency primarily responsible for providing
19 services to the juvenile is not required to make reasonable efforts with respect to the
20 parent to make it possible for the juvenile to return safely to his or her home.

21 **SECTION 533db.** 938.365 (2m) (a) 3. of the statutes is created to read:

22 938.365 (2m) (a) 3. The court shall make the findings specified in subd. 1.
23 relating to reasonable efforts to achieve the goal of the juvenile’s permanency plan
24 and the findings specified in subd. 2. on a case-by-case basis based on circumstances
25 specific to the juvenile and shall document or reference the specific information on

1 which those findings are based in the order issued under s. 938.355. An order that
2 merely references subd. 1. or 2. without documenting or referencing that specific
3 information in the order or an amended order that retroactively corrects an earlier
4 order that does not comply with this subdivision is not sufficient to comply with this
5 subdivision.

6 **SECTION 533dd.** 938.365 (2m) (ad) of the statutes is created to read:

7 938.365 (2m) (ad) 1. If the court finds that any of the circumstances specified
8 in s. 938.355 (2d) (b) 1. to 4. applies with respect to a parent, the court shall hold a
9 hearing within 30 days after the date of that finding to determine the permanency
10 plan for the juvenile. If a hearing is held under this subdivision, the agency
11 responsible for preparing the permanency plan shall file the permanency plan with
12 the court not less than 5 days before the date of the hearing.

13 2. If a hearing is held under subd. 1., at least 10 days before the date of the
14 hearing the court shall notify the juvenile, any parent, guardian, and legal custodian
15 of the juvenile, and any foster parent, treatment foster parent, or other physical
16 custodian described in s. 48.62 (2) of the juvenile of the time, place, and purpose of
17 the hearing.

18 **SECTION 533df.** 938.365 (2m) (ag) of the statutes is amended to read:

19 938.365 (2m) (ag) ~~In addition to any evidence presented under par. (a), the~~ The
20 court shall give a foster parent, treatment foster parent, or other physical custodian
21 described in s. 48.62 (2) of the juvenile who is notified of a hearing under par. (ad)
22 2. or sub. (2) an opportunity to be heard at the hearing by permitting the foster
23 parent, treatment foster parent, or other physical custodian to make a written or oral
24 statement during the hearing, or to submit a written statement prior to the hearing,
25 relevant to the issue of extension. ~~Any written or oral statement made under this~~

1 ~~paragraph shall be made under oath or affirmation.~~ A foster parent, treatment foster
2 parent, or other physical custodian described in s. 48.62 (2) who receives notice of a
3 hearing under par. (ad) 2. or sub. (2) and an opportunity to be heard under this
4 paragraph does not become a party to the proceeding on which the hearing is held
5 solely on the basis of receiving that notice and opportunity to be heard.

6 **SECTION 533dh.** 938.365 (5) of the statutes is amended to read:

7 938.365 (5) Except as provided in s. 938.368, all orders an order under this
8 section that continues the placement of a juvenile in his or her home or that extends
9 an order under s. 938.34 (4d), (4h), (4m), or (4n) shall be for a specified length of time
10 not to exceed one year after its date of entry. Except as provided in s. 938.368, an
11 order under this section that continues the placement of a juvenile in a foster home,
12 treatment foster home, group home, or residential care center for children and youth
13 or in the home of a relative other than a parent shall be for a specified length of time
14 not to exceed the date on which the juvenile reaches 18 years of age, one year after
15 the date of entry of the order, or, if the juvenile is a full-time student at a secondary
16 school or its vocational or technical equivalent and is reasonably expected to
17 complete the program before reaching 19 years of age, the date on which the juvenile
18 reaches 19 years of age, whichever is later.

19 **SECTION 533dj.** 938.38 (2) (intro.) of the statutes, as affected by 2001 Wisconsin
20 Act 59, is amended to read:

21 938.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),
22 for each juvenile living in a foster home, treatment foster home, group home,
23 residential care center for children and youth, secure detention facility, or shelter
24 care facility, the agency that placed the juvenile or arranged the placement or the
25 agency assigned primary responsibility for providing services to the juvenile under

1 s. 938.355 shall prepare a written permanency plan, if any of the following conditions
2 exists, and, for each juvenile living in the home of a relative other than a parent, that
3 agency shall prepare a written permanency plan, if any of the conditions specified
4 in pars. (a) to (e) exists:

5 **SECTION 533dL.** 938.38 (2) (c) of the statutes is amended to read:

6 938.38 (2) (c) The juvenile is under the supervision of an agency under s. 48.64
7 (2) ~~or pursuant to, under a consent decree under s. 938.32 (1) (c), or under a court~~
8 order under s. 938.355.

9 **SECTION 533dn.** 938.38 (2) (f) of the statutes is amended to read:

10 938.38 (2) (f) The juvenile's care is ~~paid~~ would be paid for under s. 49.19 but
11 for s. 49.19 (20).

12 **SECTION 533dp.** 938.38 (3) (intro.) of the statutes is amended to read:

13 938.38 (3) TIME. (intro.) Subject to s. 938.355 (2d) (c) 1, the agency shall file
14 the permanency plan with the court within 60 days after the date on which the
15 juvenile was first held in physical custody or placed outside of removed from his or
16 her home ~~under a court order~~, except under either of the following conditions:

17 **SECTION 533dr.** 938.38 (4) (intro.) of the statutes is amended to read:

18 938.38 (4) CONTENTS OF PLAN. (intro.) The permanency plan shall include ~~a~~
19 ~~description of~~ all of the following:

20 **SECTION 533dt.** 938.38 (4) (a) of the statutes is renumbered 938.38 (4) (ar) and
21 amended to read:

22 938.38 (4) (ar) ~~The~~ A description of the services offered and any service services
23 provided in an effort to prevent holding or placing the juvenile outside of the removal
24 of the juvenile from his or her home, while assuring that the health and safety of the
25 juvenile are the paramount concerns, and to ~~make it possible for the juvenile to~~

1 ~~return safely home~~ achieve the goal of the permanency plan, except that the
2 permanency plan ~~need not~~ is not required to include a description of those the
3 services offered or provided with respect to a parent of the juvenile to prevent the
4 removal of the juvenile from the home or to achieve the permanency plan goal of
5 returning the juvenile safely to his or her home if any of the circumstances specified
6 in s. 938.355 (2d) (b) 1., ~~2., 3.~~ or to 4. apply to that parent.

7 **SECTION 533dv.** 938.38 (4) (ag) of the statutes is created to read:

8 938.38 (4) (ag) The name, address, and telephone number of the juvenile's
9 parent, guardian, and legal custodian.

10 **SECTION 533dx.** 938.38 (4) (am) of the statutes is created to read:

11 938.38 (4) (am) The date on which the juvenile was removed from his or her
12 home and the date on which the juvenile was placed in out-of-home care.

13 **SECTION 533dz.** 938.38 (4) (bm) of the statutes is amended to read:

14 938.38 (4) (bm) ~~The~~ A statement as to the availability of a safe and appropriate
15 placement with a fit and willing relative of the juvenile and, if a decision is made not
16 to place the juvenile with an available relative, a statement as to why placement with
17 the relative is not safe or appropriate.

18 **SECTION 533e.** 938.38 (4) (dg) of the statutes is created to read:

19 938.38 (4) (dg) Information about the juvenile's education, including all of the
20 following:

21 1. The name and address of the school in which the juvenile is or was most
22 recently enrolled.

23 2. Any special education programs in which the juvenile is or was previously
24 enrolled.

1 3. The grade level in which the juvenile is or was most recently enrolled and
2 all information that is available concerning the juvenile’s grade level performance.

3 4. A summary of all available education records relating to the juvenile that are
4 relevant to any education goals included in the education services plan prepared
5 under s. 938.33 (1) (e).

6 **SECTION 533eb.** 938.38 (4) (dm) of the statutes is created to read:

7 938.38 (4) (dm) If as a result of the placement the juvenile has been or will be
8 transferred from the school in which the juvenile is or most recently was enrolled,
9 documentation that a placement that would maintain the juvenile in that school is
10 either unavailable or inappropriate or that a placement that would result in the
11 juvenile’s transfer to another school would be in the juvenile’s best interests.

12 **SECTION 533ed.** 938.38 (4) (dr) of the statutes is created to read:

13 938.38 (4) (dr) Medical information relating to the juvenile, including all of the
14 following:

15 1. The names and addresses of the juvenile’s physician, dentist, and any other
16 health care provider that is or was previously providing health care services to the
17 juvenile.

18 2. The juvenile’s immunization record, including the name and date of each
19 immunization administered to the juvenile.

20 3. Any known medical condition for which the juvenile is receiving medical care
21 or treatment and any known serious medical condition for which the juvenile has
22 previously received medical care or treatment.

23 4. The name, purpose, and dosage of any medication that is being administered
24 to the juvenile and the name of any medication that causes the juvenile to suffer an
25 allergic or other negative reaction.

1 **SECTION 533ef.** 938.38 (4) (e) of the statutes is amended to read:

2 938.38 (4) (e) The A plan for ensuring the safety and appropriateness of the
3 placement and a description of the services provided to meet the needs of the juvenile
4 and family, including a discussion of services that have been investigated and
5 considered and are not available or likely to become available within a reasonable
6 time to meet the needs of the juvenile or, if available, why such services are not safe
7 or appropriate.

8 **SECTION 533eh.** 938.38 (4) (f) (intro.) of the statutes is amended to read:

9 938.38 (4) (f) (intro.) The A description of the services that will be provided to
10 the juvenile, the juvenile’s family, and the juvenile’s foster parent, the juvenile’s
11 treatment foster parent ~~or~~, the operator of the facility where the juvenile is living,
12 or the relative with whom the juvenile is living to carry out the dispositional order,
13 including services planned to accomplish all of the following:

14 **SECTION 533ej.** 938.38 (4) (fg) of the statutes is created to read:

15 938.38 (4) (fg) The goal of the permanency plan or, if the agency is making
16 concurrent reasonable efforts under s. 938.355 (2b), the goals of the permanency
17 plan. If a goal of the permanency plan is any goal other than return of the juvenile
18 to his or her home, the permanency plan shall include the rationale for deciding on
19 that goal. If a goal of the permanency plan is an alternative permanent placement
20 under subd. 5., the permanency plan shall document a compelling reason why it
21 would not be in the best interest of the juvenile to pursue a goal specified in subds.
22 1. to 4. The agency shall determine one or more of the following goals to be the goal
23 or goals of a juvenile’s permanency plan:

- 24 1. Return of the juvenile to the juvenile’s home.
25 2. Placement of the juvenile for adoption.

1 3. Placement of the juvenile with a guardian.

2 4. Permanent placement of the juvenile with a fit and willing relative.

3 5. Some other alternative permanent placement, including sustaining care,
4 independent living, or long-term foster care.

5 **SECTION 533eL.** 938.38 (4) (fm) of the statutes is amended to read:

6 938.38 (4) (fm) If the goal of the permanency plan calls for placing is to place
7 the juvenile for adoption, with a guardian, with a fit and willing relative, or in some
8 other alternative permanent placement, the efforts made to ~~place the juvenile for~~
9 ~~adoption, with a guardian or in some other alternative permanent placement~~ achieve
10 that goal.

11 **SECTION 533en.** 938.38 (4) (h) of the statutes is created to read:

12 938.38 (4) (h) If the juvenile is 15 years of age or over, a description of the
13 programs and services that are or will be provided to assist the juvenile in preparing
14 for the transition from out-of-home care to independent living. The description
15 shall include all of the following:

16 1. The anticipated age at which the juvenile will be discharged from
17 out-of-home care.

18 2. The anticipated amount of time available in which to prepare the juvenile
19 for the transition from out-of-home care to independent living.

20 3. The anticipated location and living situation of the juvenile on discharge
21 from out-of-home care.

22 4. A description of the assessment processes, tools, and methods that have been
23 or will be used to determine the programs and services that are or will be provided
24 to assist the juvenile in preparing for the transition from out-of-home care to
25 independent living.

1 5. The rationale for each program or service that is or will be provided to assist
2 the juvenile in preparing for the transition from out-of-home care to independent
3 living, the time frames for delivering those programs or services, and the intended
4 outcome of those programs or services.

5 **SECTION 533ep.** 938.38 (5) (a) of the statutes, as affected by 2001 Wisconsin Act
6 69, is amended to read:

7 938.38 (5) (a) Except as provided in s. 48.63 (5) (d), the court or a panel
8 appointed under ~~this paragraph~~ par. (ag) shall review the permanency plan ~~every in~~
9 the manner provided in this subsection not later than 6 months from after the date
10 on which the juvenile was first ~~held in physical custody or placed outside of~~ removed
11 from his or her home and every 12 months after a previous review under this
12 subsection for as long as the juvenile is placed outside the home, except that for the
13 review that is required to be conducted not later than 12 months after the juvenile
14 was first removed from his or her home and the reviews that are required to be
15 conducted every 12 months after that review the court shall hold a hearing under
16 sub. (5m) to review the permanency plan, which hearing may be instead of or in
17 addition to the review under this subsection.

18 (ag) If the court elects not to review the permanency plan, the court shall
19 appoint a panel to review the permanency plan. The panel shall consist of 3 persons
20 who are either designated by an independent agency that has been approved by the
21 chief judge of the judicial administrative district or designated by the agency that
22 prepared the permanency plan. A voting majority of persons on each panel shall be
23 persons who are not employed by the agency that prepared the permanency plan and
24 who are not responsible for providing services to the juvenile or the parents of the
25 juvenile whose permanency plan is the subject of the review.

1 **SECTION 533er.** 938.38 (5) (b) of the statutes is amended to read:

2 938.38 (5) (b) The court or the agency shall notify the parents of the juvenile,
3 the juvenile, if he or she is 10 years of age or older, and the juvenile's foster parent,
4 the juvenile's treatment foster parent ~~or~~, the operator of the facility in which the
5 juvenile is living, or the relative with whom the juvenile is living of the date, time,
6 and place of the review, of the issues to be determined as part of the review, and
7 the fact that they may have an opportunity to be heard at the review by submitting
8 written comments not less than 10 working days before the review or by
9 participating at the review. The court or agency shall notify the person representing
10 the interests of the public, the juvenile's counsel, and the juvenile's guardian ad litem
11 of the date of the review, of the issues to be determined as part of the review, and of
12 the fact that they may submit written comments not less than 10 working days before
13 the review. The notices under this paragraph shall be provided in writing not less
14 than 30 days before the review and copies of the notices shall be filed in the juvenile's
15 case record.

16 **SECTION 533et.** 938.38 (5) (c) 6. (intro.) of the statutes is amended to read:

17 938.38 (5) (c) 6. (intro.) If the juvenile has been placed outside of his or her
18 home, as described in s. 938.365 (1), for 15 of the most recent 22 months, not including
19 any period during which the juvenile was a runaway from the out-of-home
20 placement or the first 6 months of any period during which the juvenile was returned
21 to his or her home for a trial home visit, the appropriateness of the permanency plan
22 and the circumstances which prevent the juvenile from any of the following:

23 **SECTION 533ev.** 938.38 (5) (c) 6. am. of the statutes is renumbered 938.38 (5)
24 (c) 6. cm. and amended to read:

1 938.38 (5) (c) 6. cm. Being placed in the home of a fit and willing relative of the
2 juvenile.

3 **SECTION 533ex.** 938.38 (5) (c) 6. cg. of the statutes is created to read:

4 938.38 (5) (c) 6. cg. Being placed with a guardian.

5 **SECTION 533ez.** 938.38 (5) (c) 6. d. of the statutes is amended to read:

6 938.38 (5) (c) 6. d. Being placed in some other alternative permanent
7 placement, including sustaining care, independent living, or long-term foster care.

8 **SECTION 533f.** 938.38 (5) (c) 7. of the statutes is amended to read:

9 938.38 (5) (c) 7. Whether reasonable efforts were made by the agency to make
10 ~~it possible for the juvenile to return safely to his or her home, except that the court~~
11 ~~or panel need not determine whether those reasonable efforts were made with~~
12 ~~respect to a parent of the juvenile if any of the circumstances specified in s. 938.355~~
13 ~~(2d) (b) 1., 2., 3. or 4. apply to that parent~~ achieve the goal of the permanency plan,
14 unless return of the juvenile to the home is the goal of the permanency plan and any
15 of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies.

16 **SECTION 533fb.** 938.38 (5m) of the statutes is created to read:

17 938.38 (5m) PERMANENCY PLAN HEARING. (a) The court shall hold a hearing to
18 review the permanency plan and to make the determinations specified in sub. (5) (c)
19 no later than 12 months after the date on which the juvenile was first removed from
20 the home and every 12 months after a previous hearing under this subsection for as
21 long as the juvenile is placed outside the home.

22 (b) Not less than 30 days before the date of the hearing, the court shall notify
23 the juvenile; the juvenile's parent, guardian, and legal custodian; the juvenile's foster
24 parent or treatment foster parent, the operator of the facility in which the juvenile
25 is living, the juvenile's counsel, and the juvenile's guardian ad litem; or the relative

1 with whom the juvenile is living; the agency that prepared the permanency plan; and
2 the person representing the interests of the public of the date, time, and place of the
3 hearing.

4 (c) Any person who is provided notice of the hearing may have an opportunity
5 to be heard at the hearing by submitting written comments relevant to the
6 determinations specified in sub. (5) (c) not less than 10 working days before the date
7 of the hearing or by participating at the hearing. A foster parent, treatment foster
8 parent, operator of a facility in which a juvenile is living, or relative with whom a
9 juvenile is living who receives notice of a hearing under par. (b) and an opportunity
10 to be heard under this paragraph does not become a party to the proceeding on which
11 the hearing is held solely on the basis of receiving that notice and opportunity to be
12 heard.

13 (d) At least 5 days before the date of the hearing the agency that prepared the
14 permanency plan shall provide a copy of the permanency plan and any written
15 comments submitted under par. (c) to the court, to the juvenile's parent, guardian,
16 and legal custodian, to the person representing the interests of the public, and to the
17 juvenile's counsel or guardian ad litem. Notwithstanding s. 938.78 (2) (a), the person
18 representing the interests of the public and the juvenile's counsel or guardian ad
19 litem may have access to any other records concerning the juvenile for the purpose
20 of participating in the review. A person permitted access to a juvenile's records under
21 this paragraph may not disclose any information from the records to any other
22 person.

23 (e) After the hearing, the court shall make written findings of fact and
24 conclusions of law relating to the determinations under sub. (5) (c) and shall provide
25 a copy of those findings of fact and conclusions of law to the juvenile; the juvenile's

1 parent, guardian, and legal custodian; the juvenile’s foster parent or treatment foster
2 parent, the operator of the facility in which the juvenile is living, or the relative with
3 whom the juvenile is living; the agency that prepared the permanency plan; and the
4 person representing the interests of the public. The court shall make the findings
5 specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances specific to
6 the juvenile and shall document or reference the specific information on which those
7 findings are based in the findings of fact and conclusions of law prepared under this
8 paragraph. Findings of fact and conclusions of law that merely reference sub. (5) (c)
9 7. without documenting or referencing that specific information in the findings of fact
10 and conclusions of law or amended findings of fact and conclusions of law that
11 retroactively correct earlier findings of fact and conclusions of law that do not comply
12 with this paragraph are not sufficient to comply with this paragraph.

13 (f) If the findings of fact and conclusions of law under par. (e) conflict with the
14 juvenile’s dispositional order or provide for any additional services not specified in
15 the dispositional order, the court shall revise the dispositional order under s. 938.363
16 or order a change in placement under s. 938.357, as appropriate.

17 **SECTION 533fd.** 938.78 (2) (a) of the statutes is amended to read:

18 938.78 (2) (a) No agency may make available for inspection or disclose the
19 contents of any record kept or information received about an individual in its care
20 or legal custody, except as provided under sub. (3) or s. 938.371, 938.38 (5) (b) or (d)
21 or (5m) (d), or 938.51 or by order of the court.”.

22 **440.** Page 228, line 3: after that line insert:

23 “**SECTION 535m.** 939.24 (2) of the statutes is amended to read:

1 939.24 (2) Except as provided in ss. 940.285, 940.29 and, 940.295, and 943.76,
2 if criminal recklessness is an element of a crime in chs. 939 to 951, the recklessness
3 is indicated by the term “reckless” or “recklessly”.

4 **441.** Page 232, line 6: after that line insert:

5 “SECTION 559v. 939.615 (1) (b) 1. of the statutes is amended to read:

6 939.615 (1) (b) 1. A violation, or the solicitation, conspiracy, or attempt to
7 commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 948.02 (1) or (2), 948.025
8 (1), 948.05 (1) or (1m), 948.055 (1), 948.06, 948.07, 948.075, 948.08, 948.11 (2) (a),
9 948.12, or 948.13.”.

10 **442.** Page 233, line 3: delete lines 3 to 9 and substitute:

11 “SECTION 566d. 939.62 (2m) (a) 2m. b. of the statutes is amended to read:

12 939.62 (2m) (a) 2m. b. Any felony under s. 940.01, 940.02, 940.03, 940.05,
13 940.09 (1), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305, 940.31,
14 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m), or (1r), 943.32 (2), 946.43 (1m),
15 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.075, 948.08,
16 948.30 (2), 948.35 (1) (b) or (c), or 948.36.

17 SECTION 566f. 939.62 (2m) (a) 2m. b. of the statutes, as affected by 2001
18 Wisconsin (this act), is amended to read:

19 939.62 (2m) (a) 2m. b. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
20 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., or s.
21 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
22 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
23 (1m), or (1r), 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
24 948.05, 948.06, 948.07, 948.075, 948.08, or 948.30 (2), 948.35 (1) (b) or (c), or 948.36.”.

1 **443.** Page 235, line 25: after that line insert:

2 “**SECTION 582p.** 939.74 (2) (c) of the statutes, as affected by 2001 Wisconsin Act
3 16, is amended to read:

4 939.74 (2) (c) A prosecution for violation of s. 948.02, 948.025, 948.03 (2) (a),
5 948.05, 948.06, 948.07 (1), (2), (3), or (4), 948.075, 948.08, or 948.095 shall be
6 commenced before the victim reaches the age of 31 years or be barred, except as
7 provided in sub. (2d) (c).”.

8 **444.** Page 248, line 19: after that line insert:

9 “**SECTION 657b.** 940.32 (1) (a) of the statutes is renumbered 940.32 (1) (a)
10 (intro.) and amended to read:

11 940.32 (1) (a) (intro.) “Course of conduct” means ~~repeatedly maintaining a~~
12 ~~visual or physical proximity to a person. a series of 2 or more acts carried out over~~
13 time, however short or long, that show a continuity of purpose, including any of the
14 following:

15 **SECTION 657c.** 940.32 (1) (a) 1. of the statutes is created to read:

16 940.32 (1) (a) 1. Maintaining a visual or physical proximity to the victim.

17 **SECTION 657d.** 940.32 (1) (a) 2. of the statutes is created to read:

18 940.32 (1) (a) 2. Approaching or confronting the victim.

19 **SECTION 657e.** 940.32 (1) (a) 3. of the statutes is created to read:

20 940.32 (1) (a) 3. Appearing at the victim’s workplace or contacting the victim’s
21 employer or coworkers.

22 **SECTION 657f.** 940.32 (1) (a) 4. of the statutes is created to read:

23 940.32 (1) (a) 4. Appearing at the victim’s home or contacting the victim’s
24 neighbors.

- 1 **SECTION 657g.** 940.32 (1) (a) 5. of the statutes is created to read:
2 940.32 (1) (a) 5. Entering property owned, leased, or occupied by the victim.
- 3 **SECTION 657h.** 940.32 (1) (a) 6. of the statutes is created to read:
4 940.32 (1) (a) 6. Contacting the victim by telephone or causing the victim’s
5 telephone or any other person’s telephone to ring repeatedly or continuously,
6 regardless of whether a conversation ensues.
- 7 **SECTION 657i.** 940.32 (1) (a) 7. of the statutes is created to read:
8 940.32 (1) (a) 7. Sending material by any means to the victim or, for the purpose
9 of obtaining information about, disseminating information about, or communicating
10 with the victim, to a member of the victim’s family or household or an employer,
11 coworker, or friend of the victim.
- 12 **SECTION 657j.** 940.32 (1) (a) 8. of the statutes is created to read:
13 940.32 (1) (a) 8. Placing an object on or delivering an object to property owned,
14 leased, or occupied by the victim.
- 15 **SECTION 657k.** 940.32 (1) (a) 9. of the statutes is created to read:
16 940.32 (1) (a) 9. Delivering an object to a member of the victim’s family or
17 household or an employer, coworker, or friend of the victim or placing an object on,
18 or delivering an object to, property owned, leased, or occupied by such a person with
19 the intent that the object be delivered to the victim.
- 20 **SECTION 657m.** 940.32 (1) (a) 10. of the statutes is created to read:
21 940.32 (1) (a) 10. Causing a person to engage in any of the acts described in
22 subds. 7. to 9.
- 23 **SECTION 657n.** 940.32 (1) (am) of the statutes is created to read:
24 940.32 (1) (am) “Domestic abuse” has the meaning given in s. 813.12 (1) (am).
- 25 **SECTION 657no.** 940.32 (1) (ap) of the statutes is created to read:

1 940.32 (1) (ap) “Domestic abuse offense” means an act of domestic abuse that
2 constitutes a crime.

3 **SECTION 657p.** 940.32 (1) (b) of the statutes is renumbered 940.32 (1) (cb) and
4 amended to read:

5 940.32 (1) (cb) ~~“Immediate family”~~ “Member of a family” means a spouse,
6 parent, child, sibling, or any other person who regularly resides in the household or
7 ~~who within the prior 6 months regularly resided in the household~~ who is related by
8 blood or adoption to another.

9 **SECTION 657q.** 940.32 (1) (cd) of the statutes is created to read:

10 940.32 (1) (cd) “Member of a household” means a person who regularly resides
11 in the household of another or who within the previous 6 months regularly resided
12 in the household of another.

13 **SECTION 657r.** 940.32 (1) (d) of the statutes is repealed.

14 **SECTION 657s.** 940.32 (2) (intro.) of the statutes is amended to read:

15 940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class
16 ~~A misdemeanor~~ E felony:”.

17 **445.** Page 248, line 20: delete lines 20 to 22 and substitute:

18 “**SECTION 658b.** 940.32 (2) (intro.) of the statutes, as affected by 2001 Wisconsin
19 Act (this act), is amended to read:

20 940.32 (2) (intro.) Whoever meets all of the following criteria is guilty of a Class
21 E I felony:

22 **SECTION 658c.** 940.32 (2) (a) of the statutes is amended to read:

23 940.32 (2) (a) The actor intentionally engages in a course of conduct directed
24 at a specific person that would cause a reasonable person under the same

1 ~~circumstances to fear bodily injury to himself or herself or a member of his or her~~
2 ~~immediate family or to fear the death of himself or herself or a member of his or her~~
3 ~~immediate family or household.~~

4 **SECTION 658d.** 940.32 (2) (b) of the statutes is amended to read:

5 940.32 (2) (b) The actor ~~has knowledge or should have knowledge~~ intends that
6 at least one of the acts that constitute the course of conduct will place the specific
7 person ~~will be placed~~ in reasonable fear of bodily injury to himself or herself or a
8 member of his or her immediate family or ~~will be placed in reasonable fear of the~~
9 death of himself or herself or a member of his or her ~~immediate family~~ or household.

10 **SECTION 658e.** 940.32 (2) (c) of the statutes is amended to read:

11 940.32 (2) (c) The actor's acts induce fear in the specific person of bodily injury
12 to ~~himself or herself or a member of his or her immediate family~~ or induce fear in the
13 specific person of the death of himself or herself or a member of his or her ~~immediate~~
14 family or household.

15 **SECTION 658f.** 940.32 (2e) of the statutes is created to read:

16 940.32 (2e) Whoever meets all of the following criteria is guilty of a Class E
17 felony:

18 (a) After having been convicted of sexual assault under s. 940.225, 948.02, or
19 948.025 or a domestic abuse offense, the actor engages in any of the acts listed in sub.
20 (1) (a) 1. to 10., if the act is directed at the victim of the sexual assault or the domestic
21 abuse offense.

22 (b) The actor intends that the act will place the specific person in reasonable
23 fear of bodily injury to or the death of himself or herself or a member of his or her
24 family or household.

1 (c) The actor’s act induces fear in the specific person of bodily injury to or the
2 death of himself or herself or a member of his or her family or household.

3 **SECTION 658g.** 940.32 (2e) (intro.) of the statutes, as created by 2001 Wisconsin
4 Act (this act), is amended to read:

5 940.32 (2e) (intro.) Whoever meets all of the following criteria is guilty of a
6 Class E I felony:

7 **SECTION 658h.** 940.32 (2m) of the statutes is renumbered 940.32 (2m) (intro.)
8 and amended to read:

9 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class D felony if he
10 or she any of the following applies:

11 (c) The actor intentionally gains access or causes another person to gain access
12 to a record in electronic format that contains personally identifiable information
13 regarding the victim in order to facilitate the violation ~~under sub. (2).~~”.

14 **446.** Page 248, line 23: delete the material beginning with that line and
15 ending with page 249, line 2, and substitute:

16 “**SECTION 659b.** 940.32 (2m) (intro.) of the statutes, as affected by 2001
17 Wisconsin Act (this act), is amended to read:

18 940.32 (2m) (intro.) Whoever violates sub. (2) is guilty of a Class D H felony if
19 any of the following applies:

20 **SECTION 659c.** 940.32 (2m) (a) of the statutes is created to read:

21 940.32 (2m) (a) The actor has a previous conviction for a violent crime, as
22 defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013
23 (1r), (1t), (1v), or (1x).

24 **SECTION 659d.** 940.32 (2m) (b) of the statutes is created to read:

1 940.32 (2m) (b) The actor has a previous conviction for a crime, the victim of
2 that crime is the victim of the present violation of sub. (2), and the present violation
3 occurs within 7 years after the prior conviction.

4 **SECTION 659e.** 940.32 (2m) (d) of the statutes is created to read:

5 940.32 (2m) (d) The person violates s. 968.31 (1) or 968.34 (1) in order to
6 facilitate the violation.

7 **SECTION 659f.** 940.32 (2m) (e) of the statutes is created to read:

8 940.32 (2m) (e) The victim is under the age of 18 years at the time of the
9 violation.

10 **SECTION 659g.** 940.32 (3) (intro.) of the statutes is amended to read:

11 940.32 (3) (intro.) Whoever violates sub. (2) ~~under any of the following~~
12 circumstances is guilty of a Class E C felony if any of the following applies:”.

13 **447.** Page 249, line 3: delete lines 3 to 5 and substitute:

14 “**SECTION 660b.** 940.32 (3) (intro.) of the statutes, as affected by 2001 Wisconsin
15 Act (this act), is amended to read:

16 940.32 (3) (intro.) Whoever violates sub. (2) is guilty of a Class C F felony if any
17 of the following applies:

18 **SECTION 660c.** 940.32 (3) (a) of the statutes is amended to read:

19 940.32 (3) (a) The act results in bodily harm to the victim or a member of the
20 victim’s family or household.

21 **SECTION 660d.** 940.32 (3) (b) of the statutes is amended to read:

22 940.32 (3) (b) The actor has a previous conviction for a violent crime, as defined
23 in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r),
24 (1t), (1v) or (1x) ~~for a violation against,~~ the same victim of that crime is the victim of

1 the present violation of sub. (2), and the present violation occurs within 7 years after
2 the prior conviction.

3 **SECTION 660e.** 940.32 (3) (c) of the statutes is created to read:

4 940.32 (3) (c) The actor uses a dangerous weapon in carrying out any of the acts
5 listed in sub. (1) (a) 1. to 9.”.

6 **448.** Page 249, line 6: delete lines 6 to 8 and substitute:

7 “**SECTION 661b.** 940.32 (3m) of the statutes is repealed.”.

8 **449.** Page 271, line 8: after that line insert:

9 “**SECTION 810g.** 943.76 (1) of the statutes, as created by 2001 Wisconsin Act 16,
10 is renumbered 943.76 (1) (intro.) and amended to read:

11 943.76 (1) (intro.) In this section, ~~“livestock”~~;

12 (a) “Livestock” means cattle, horses, swine, sheep, goats, farm-raised deer, as
13 defined in s. 95.001 (1) (a), poultry, and other animals used or to be used in the
14 production of food, fiber, or other commercial products.

15 **SECTION 810k.** 943.76 (1) (b) of the statutes is created to read:

16 943.76 (1) (b) “Paratuberculosis” has the meaning given in s. 95.001 (1) (c).

17 **SECTION 810n.** 943.76 (1) (c) of the statutes is created to read:

18 943.76 (1) (c) “Reckless conduct” means conduct which creates a substantial
19 risk of an animal’s death or a substantial risk of bodily harm to an animal if the actor
20 is aware of that risk.”.

21 **450.** Page 271, line 18: after that line insert:

22 “**SECTION 812m.** 943.76 (3) of the statutes is created to read:

1 943.76 (3) (a) Whoever, through reckless conduct, introduces a contagious or
2 infectious disease other than paratuberculosis into livestock without the consent of
3 the owner of the livestock is guilty of a Class A misdemeanor.

4 (b) Whoever, through reckless conduct, introduces a contagious or infectious
5 disease other than paratuberculosis into wild deer without the consent of the
6 department of natural resources is guilty of a Class A misdemeanor.

7 (c) This subsection does not apply if the actor's conduct is undertaken pursuant
8 to a directive issued by the department of agriculture, trade and consumer protection
9 or an agreement between the actor and the department of agriculture, trade and
10 consumer protection, if the purpose of the directive or the agreement is to prevent
11 or control the spread of the disease.”.

12 **451.** Page 271, line 18: after that line insert:

13 “**SECTION 812t.** 943.76 (4) of the statutes is created to read:

14 943.76 (4) (a) Whoever intentionally threatens to introduce a contagious or
15 infectious disease into livestock located in this state without the consent of the owner
16 of the livestock is guilty of a Class D felony if one of the following applies:

17 1. The owner of the livestock is aware of the threat and reasonably believes that
18 the actor will attempt to carry out the threat.

19 2. The owner of the livestock is unaware of the threat, but if the owner were
20 apprised of the threat, it would be reasonable for the owner to believe that the actor
21 would attempt to carry out the threat.

22 (b) Whoever intentionally threatens to introduce a contagious or infectious
23 disease into wild deer located in this state without the consent of the department of
24 natural resources is guilty of a Class D felony if one of the following applies:

1 1. The department of natural resources is aware of the threat and reasonably
2 believes that the actor will attempt to carry out the threat.

3 2. The department of natural resources is unaware of the threat, but if the
4 department were apprised of the threat, it would be reasonable for the department
5 to believe that the actor would attempt to carry out the threat.

6 **SECTION 812u.** 943.76 (4) (a) (intro.) of the statutes, as created by 2001
7 Wisconsin Act (this act), is amended to read:

8 943.76 (4) (a) (intro.) Whoever intentionally threatens to introduce a
9 contagious or infectious disease into livestock located in this state without the
10 consent of the owner of the livestock is guilty of a Class ~~D~~ H felony if one of the
11 following applies:

12 **SECTION 812v.** 943.76 (4) (b) (intro.) of the statutes, as created by 2001
13 Wisconsin Act (this act), is amended to read:

14 943.76 (4) (b) (intro.) Whoever intentionally threatens to introduce a
15 contagious or infectious disease into wild deer located in this state without the
16 consent of the department of natural resources is guilty of a Class ~~D~~ H felony if one
17 of the following applies:”.

18 **452.** Page 282, line 8: after that line insert:

19 “**SECTION 874x.** 947.013 (1t) of the statutes is amended to read:

20 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class E felony if the person
21 has a prior conviction under this subsection or sub. (1r), (1v)_x or (1x) or s. 940.32 (2),
22 (2e), (2m), or (3) ~~or (3m)~~ involving the same victim and the present violation occurs
23 within 7 years of the prior conviction.”.

24 **453.** Page 282, line 9: delete lines 9 to 13 and substitute:

1 “**SECTION 875b.** 947.013 (1t) of the statutes, as affected by 2001 Wisconsin Act
2 ... (this act), is amended to read:

3 947.013 (1t) Whoever violates sub. (1r) is guilty of a Class ~~E~~ I felony if the
4 person has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s.
5 940.32 (2), (2e), (2m), or (3) involving the same victim and the present violation
6 occurs within 7 years of the prior conviction.”.

7 **454.** Page 282, line 21: after that line insert:

8 “**SECTION 877g.** 947.013 (1x) (a) of the statutes is amended to read:

9 947.013 (1x) (a) The person has a prior conviction under sub. (1r), (1t) or (1v)
10 or this subsection or s. 940.32 (2), (2e), (2m), or (3) ~~or (3m)~~.”.

11 **455.** Page 284, line 14: after that line insert:

12 “**SECTION 886f.** 948.025 (3) of the statutes is amended to read:

13 948.025 (3) The state may not charge in the same action a defendant with a
14 violation of this section and with a felony violation involving the same child under
15 ch. 944 or a violation involving the same child under s. 948.02, 948.05, 948.06,
16 948.07, 948.075, 948.08, 948.10, 948.11, or 948.12, unless the other violation
17 occurred outside of the time period applicable under sub. (1). This subsection does
18 not prohibit a conviction for an included crime under s. 939.66 when the defendant
19 is charged with a violation of this section.”.

20 **456.** Page 287, line 17: after that line insert:

21 “**SECTION 904m.** 948.075 of the statutes is created to read:

22 **948.075 Use of a computer to facilitate a child sex crime.** (1) Whoever
23 uses a computerized communication system to communicate with an individual who
24 the actor believes or has reason to believe has not attained the age of 16 years with

1 intent have sexual contact or sexual intercourse with the individual in violation of
2 s. 948.02 (1) or (2) is guilty of a Class BC felony.

3 (2) This section does not apply if, at the time of the communication, the actor
4 reasonably believed that the age of the person to whom the communication was sent
5 was no more than 24 months less than the age of the actor.

6 (3) Proof that the actor did an act, other than use a computerized
7 communication system to communicate with the individual, to effect the actor's
8 intent under sub. (1) shall be necessary to prove that intent.

9 **SECTION 904n.** 948.075 (1) of the statutes, as created by 2001 Wisconsin Act
10 (this act), is amended to read:

11 948.075 (1) Whoever uses a computerized communication system to
12 communicate with an individual who the actor believes or has reason to believe has
13 not attained the age of 16 years with intent have sexual contact or sexual intercourse
14 with the individual in violation of s. 948.02 (1) or (2) is guilty of a ~~Class BC~~ Class D
15 felony.”.

16 **457.** Page 288, line 23: after that line insert:

17 “**SECTION 910v.** 948.13 (1) (a) of the statutes is amended to read:

18 948.13 (1) (a) A crime under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim
19 is under 18 years of age at the time of the offense, or a crime under s. 948.02 (1),
20 948.025 (1), 948.05 (1) or (1m), 948.06 or, 948.07 (1), (2), (3), or (4), or 948.075.”.

21 **458.** Page 293, line 14: after that line insert:

22 “**SECTION 939m.** 950.04 (1v) (gm) of the statutes is created to read:

23 950.04 (1v) (gm) To have reasonable attempts made to notify the victim of
24 petitions for sentence adjustment as provided under s. 973.195 (1r) (d).”.

1 **459.** Page 327, line 10: after that line insert:

2 “**SECTION 1108d.** 971.17 (1m) (b) 2m. of the statutes is amended to read:

3 971.17 (**1m**) (b) 2m. If the defendant under sub. (1) is found not guilty by reason
4 of mental disease or defect for a violation, or for the solicitation, conspiracy, or
5 attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02
6 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.075, 948.08, 948.095, 948.11
7 (2) (a) or (am), 948.12, 948.13, or 948.30, or of s. 940.30 or 940.31 if the victim was
8 a minor and the defendant was not the victim’s parent, the court shall require the
9 defendant to comply with the reporting requirements under s. 301.45 unless the
10 court determines, after a hearing on a motion made by the defendant, that the
11 defendant is not required to comply under s. 301.45 (1m).”.

12 **460.** Page 332, line 7: after that line insert:

13 “**SECTION 1131m.** 973.01 (3m) of the statutes is amended to read:

14 973.01 (**3m**) CHALLENGE INCARCERATION PROGRAM ELIGIBILITY. When imposing
15 a bifurcated sentence under this section on a person convicted of a crime other than
16 a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05, 948.055, 948.06,
17 948.07, 948.075, 948.08, or 948.095, the court shall, as part of the exercise of its
18 sentencing discretion, decide whether the person being sentenced is eligible or
19 ineligible for the challenge incarceration program under s. 302.045 during the term
20 of confinement in prison portion of the bifurcated sentence.”.

21 **461.** Page 332, line 13: substitute “302.113 (9g), or 973.195 (1r)” for “or
22 302.113 (9g)”.

23 **462.** Page 332, line 17: delete lines 17 to 23 and substitute:

24 “**SECTION 1134f.** 973.0135 (1) (b) 2. of the statutes is amended to read:

1 973.0135 (1) (b) 2. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09
2 (1), 940.16, 940.19 (5), 940.195 (5), 940.21, 940.225 (1) or (2), 940.305, 940.31,
3 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g), (1m), or (1r), 943.32 (2), 946.43 (1m),
4 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.06, 948.07, 948.075, 948.08,
5 948.30 (2), 948.35 (1) (b) or (c), or 948.36.

6 **SECTION 1134g.** 973.0135 (1) (b) 2. of the statutes, as affected by 2001
7 Wisconsin Act (this act), is amended to read:

8 973.0135 (1) (b) 2. Any felony under s. 940.09 (1), 1999 stats., s. 943.23 (1m)
9 or (1r), 1999 stats., s. 948.35 (1) (b) or (c), 1999 stats., or s. 948.36, 1999 stats., s.
10 940.01, 940.02, 940.03, 940.05, 940.09 (1) (1c), 940.16, 940.19 (5), 940.195 (5), 940.21,
11 940.225 (1) or (2), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),
12 ~~(1m), or (1r)~~, 943.32 (2), 946.43 (1m), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c),
13 948.05, 948.06, 948.07, 948.075, 948.08, or 948.30 (2), ~~948.35 (1) (b) or (c), or 948.36.~~”.

14 **463.** Page 338, line 20: delete “only”.

15 **464.** Page 338, line 21: after “decision” insert “or there is not substantial
16 evidence in the record to support the sentencing decision”.

17 **465.** Page 339, line 13: after that line insert:

18 “**SECTION 1138k.** 973.034 of the statutes is amended to read:

19 **973.034 Sentencing; restriction on child sex offender working with**
20 **children.** Whenever a court imposes a sentence or places a defendant on probation
21 regarding a conviction under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim is
22 under 18 years of age at the time of the offense, or a conviction under s. 948.02 (1),
23 948.025 (1), 948.05 (1) or (1m), 948.06 ~~or~~, 948.07 (1), (2), (3), or (4), or 948.075, the
24 court shall inform the defendant of the requirements and penalties under s. 948.13.

1 **SECTION 1138n.** 973.048 (2m) of the statutes is amended to read:

2 973.048 **(2m)** If a court imposes a sentence or places a person on probation for
3 a violation, or for the solicitation, conspiracy or attempt to commit a violation, of s.
4 940.22 (2), 940.225 (1), (2), or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,
5 948.06, 948.07, ~~948.075~~, 948.08, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or
6 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the person was not the
7 victim’s parent, the court shall require the person to comply with the reporting
8 requirements under s. 301.45 unless the court determines, after a hearing on a
9 motion made by the person, that the person is not required to comply under s. 301.45
10 (1m).”.

11 **466.** Page 342, line 6: after that line insert:

12 **“SECTION 1143m.** 973.195 of the statutes is created to read:

13 **973.195 Sentence adjustment. (1g)** In this section, “applicable percentage”
14 means 85 percent for a Class C to E felony and 75 percent for a Class F to I felony.

15 **(1r) CONFINEMENT IN PRISON.** (a) An inmate who is serving a sentence imposed
16 under s. 973.01 for a crime other than a Class B felony may petition the sentencing
17 court to adjust the sentence if the inmate has served at least the applicable
18 percentage of the term of confinement in prison portion of the sentence. If an inmate
19 is subject to more than one sentence imposed under this section, the sentences shall
20 be treated individually for purposes of sentence adjustment under this subsection.

21 (b) Any of the following is a ground for a petition under par. (a):

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

1 3. A change in law or procedure related to sentencing or revocation of extended
2 supervision effective after the inmate was sentenced that would have resulted in a
3 shorter term of confinement in prison or, if the inmate was returned to prison upon
4 revocation of extended supervision, a shorter period of confinement in prison upon
5 revocation, if the change had been applicable when the inmate was sentenced.

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

8 5. Sentence adjustment is otherwise in the interests of justice.

9 (c) Upon receipt of a petition filed under par. (a), the sentencing court may deny
10 the petition or hold the petition for further consideration. If the court holds the
11 petition for further consideration, the court shall notify the district attorney of the
12 inmate's petition. If the district attorney objects to adjustment of the inmate's
13 sentence within 45 days of receiving notification under this paragraph, the court
14 shall deny the inmate's petition.

15 (d) If the sentence for which the inmate seek's adjustment is for an offense
16 under s. 940.225 (2) or (3), 948.02 (2), or 948.08 and the district attorney does not
17 object to the petition within 10 days of receiving notice under par. (c), the district
18 attorney shall notify the the victim, as defined under s. 950.02 (4), of the inmate's
19 petition. The notice to the victim shall include information on the sentence
20 adjustment petition process under this subsection, including information on how to
21 object to the inmate's petition. If the victim objects to adjustment of the inmate's
22 sentence within 45 days of the date on which the district attorney received notice
23 under par. (c), the court shall deny the inmate's petition.

24 (e) Notwithstanding the confidentiality of victim address information obtained
25 under s. 302.113 (9g) (g) 3., a district attorney who is required to send notice to a

1 victim under par. (d) may obtain from the clerk of the circuit court victim address
2 information that the victim provided to the clerk under s. 302.113 (9g) (g) 3.

3 (f) If the sentencing court receives no objection to sentence adjustment from the
4 district attorney under par. (c) or the victim under par. (d) and the court determines
5 that sentence adjustment is in the public interest, the court may adjust the inmate's
6 sentence as provided under par. (g). The court shall include in the record written
7 reasons for any sentence adjustment granted under this subsection.

8 (g) Except as provided under par. (h), the only sentence adjustments that a
9 court may make under this subsection are as follows:

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

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

18 (h) 1. If the court adjusts a sentence under par. (g) on the basis of a change in
19 law or procedure as provided under par. (b) 3. and the total sentence length of the
20 adjusted sentence is greater than the maximum sentence length that the offender
21 could have received if the change in law or procedure had been applicable when the
22 inmate was originally sentenced, the court may reduce the length of the term of
23 extended supervision so that the total sentence length does not exceed the maximum
24 sentence length that the offender could have received if the change in law or
25 procedure had been applicable when the inmate was originally sentenced.

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

10 (i) An inmate may submit only one petition under this subsection for each
11 sentence imposed under s. 973.01.”.

12 **467.** Page 345, line 19: after that line insert:

13 “**SECTION 1151r.** 979.012 of the statutes is created to read:

14 **979.012 Reporting deaths of public health concern.** (1) If a coroner or
15 medical examiner is aware of the death of a person who, at the time of his or her
16 death, had an illness or a health condition that satisfies s. 166.02 (7) (a), the coroner
17 or medical examiner shall report the illness or health condition to the department
18 of health and family services and to the local health department, as defined in s.
19 250.01 (4), in whose jurisdiction the coroner or medical examiner is located in writing
20 or by electronic transmission within 24 hours of learning of the deceased’s illness or
21 health condition.

22 (2) In a report under sub. (1), the coroner or medical examiner shall include all
23 of the following information if such information is available:

24 (a) The illness or health condition of the deceased.

1 (b) The name, date of birth, gender, race, occupation, and home and work
2 addresses of the deceased.

3 (c) The name and address of the coroner or medical examiner.

4 (d) If the illness or health condition was related to an animal or insect bite, the
5 suspected location where the bite occurred and the name and address of the owner
6 of the animal or insect, if an owner is identified.”.

7 **468.** Page 345, line 25: after that line insert:

8 “**SECTION 1157s.** 1999 Wisconsin Act 9, section 9158 (8w) (e) is amended to
9 read:

10 [1999 Wisconsin Act 9] Section 9158 (8w) (e) Notwithstanding the procedures
11 for dissolution of a regional planning commission that are specified under section
12 66.945 (15) of the statutes, the Dane County regional planning commission shall be
13 dissolved on October 1, ~~2002~~ 2004. All unexpended funds of the commission on that
14 date shall be applied to any outstanding indebtedness of the commission. If any
15 outstanding indebtedness of the commission remains after the application of the
16 unexpended funds to such debts, the remaining indebtedness shall be assessed to
17 Dane County. If the commission has no outstanding indebtedness and has
18 unexpended funds, such funds shall be returned to the cities, villages, towns or
19 county that supplied them.”.

20 **469.** Page 346, line 8: after that line insert:

21 “**SECTION 1160p.** 2001 Wisconsin Act 16, section 9157 (7e) is amended to read:

22 [2001 Wisconsin Act 16] Section 9157 (7e) COST-EFFECTIVE TRANSPORTATION
23 SERVICES FOR VETERANS. The department of veterans affairs and the department of
24 administration, jointly, shall determine the most cost-effective methods for

1 providing statewide transportation services to disabled veterans under section 45.43
2 (7m) of the statutes, as created by this act.”.

3 **470.** Page 346, line 8: after that line insert:

4 “**SECTION 1160p.** 2001 Wisconsin Act 16, section 9158 (8x) is amended to read:

5 [2001 Wisconsin Act 16] Section 9158 (8x) COMMUNITY YOUTH GRANTS.

6 Notwithstanding section 49.175 (1) (z) of the statutes, as affected by this act, from
7 the moneys allocated under section 49.175 (1) (z) of the statutes, as affected by this
8 act, the department of workforce development shall provide grants in each fiscal year
9 of the 2001–03 fiscal biennium to the Wisconsin chapters of the Boys and Girls Clubs
10 of America to improve social, academic, and employment skills of youth who are
11 eligible to receive temporary assistance for needy families under 42 USC 601 et seq.
12 The total amount of grants that are provided under this subsection in each fiscal year
13 of the 2001–03 fiscal biennium shall be ~~\$50,000~~ \$300,000.”.

14 **471.** Page 346, line 13: after that line insert:

15 “**SECTION 1160rd.** 2001 Wisconsin Act 16, section 9323 (18k), (18m), (18n),
16 (18pk), (18pm) and (18pn) are repealed.

17 **SECTION 1160ut.** 2001 Wisconsin Act 16, section 9423 (18k) is repealed.”.

18 **472.** Page 348, line 9: after that line insert:

19 “(6e) LAPSES FROM CERTAIN APPROPRIATIONS FROM WHICH MEMBERSHIP DUES IN
20 NATIONAL, STATE, AND LOCAL NONGOVERNMENTAL ORGANIZATIONS ARE PAID.

21 (a) In this subsection:

22 1. “Secretary” means the secretary of administration.

23 2. “State agency” has the meaning given in section 20.001 (1) of the statutes.

1 (b) The secretary shall determine for each state agency the amount expended
2 by the state agency for membership dues for any national, state, or local
3 nongovernmental organization in the 2000–01 fiscal year that was funded from
4 general purpose revenue and the appropriation from which the dues were paid.

5 (c) From each sum certain appropriation of general purpose revenue identified
6 in paragraph (b), the secretary shall lapse to the general fund in the 2002–03 fiscal
7 year an amount that equals 20% of the amount specified in paragraph (b) for that
8 appropriation. After the secretary makes the lapse, each of the sum certain
9 appropriations is decreased by the amount of the lapse.

10 (d) For each sum sufficient appropriation of general purpose revenue identified
11 in paragraph (b), the expenditure estimate for the appropriation during the 2002–03
12 fiscal year is reestimated to subtract an amount that equals 20% of the amount
13 specified in paragraph (b) for that appropriation.”.

14 **473.** Page 350, line 2: after that line insert:

15 “(8w) TUITION APPROPRIATION EXPENDITURE ESTIMATE INCREASE. When amending
16 the schedule under section 20.004 (2) of the statutes, in addition to making any other
17 reduction required by law, the department of administration shall increase the
18 estimated expenditure amount that appears in the schedule for the appropriation
19 account under section 20.285 (1) (im) of the statutes by \$6,700,000 to reflect
20 additional academic fees and tuition that may be received under section 36.27 (1)
21 (cm) of the statutes, as created by this act.”.

22 **474.** Page 350, line 3: delete lines 3 to 11.

23 **475.** Page 352, line 12: after that line insert:

24 “(9b) SALE OR LEASE OF STATE SURPLUS PROPERTY.

1 (a) In this subsection:

2 1. "State agency" has the meaning given in section 20.001 (1) of the statutes.

3 2. "State property" means land and improvements thereto that are owned by
4 this state.

5 3. "Surplus property" means state property under the jurisdiction of the
6 building commission or any other state agency that is not used or needed to carry out
7 the program responsibilities of a state agency and is not included in the plan of a state
8 agency for construction or development.

9 (b) The department of administration shall compile an inventory of surplus
10 property that has the potential to be sold or leased by the state no later than March
11 15, 2003.

12 (c) No later than October 1, 2003, the department of administration shall
13 submit to the cochairpersons of the joint committee on finance a report containing
14 a list of surplus property that the department recommends be offered for sale or
15 lease. In the report, the department shall specify, for each property listed, whether
16 a sale or lease is recommended. If the cochairpersons of the committee do not notify
17 the department that the committee has scheduled a meeting for the purpose of
18 reviewing the proposed sale or lease of a particular surplus property that is included
19 in the report, the department shall direct the building commission to proceed with
20 the sale or lease. If, within 14 working days after the date of the department's
21 submittal, the cochairpersons of the committee notify the department that the
22 committee has scheduled a meeting for the purpose of reviewing the proposed sale
23 or lease of a particular surplus property, the department and the building
24 commission shall not proceed with the proposed sale or lease unless the sale or lease
25 is approved by the committee."

1 **476.** Page 352, line 18: after that line insert:

2 “(4xv) TRANSFER OF CONSUMER PROTECTION FUNCTIONS.

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

14 (b) *Employee transfers.* In the department of agriculture, trade and consumer
15 protection 21.0 FTE positions that are primarily related to programs or functions
16 that are transferred to the department of justice under this act, and the incumbents
17 holding these positions are transferred to the department of justice. The secretary
18 of administration shall determine which incumbents will be transferred. If either
19 department is dissatisfied with the secretary’s decision, the department may bring
20 the matter to the cochairpersons of the joint committee on finance for consideration
21 by the committee, and the committee shall affirm or modify the decision.

22 (c) *Employee status.* Employees transferred under paragraph (b) have all the
23 rights and same status under subchapter V of chapter 111 and chapter 230 of the
24 statutes in the department of justice that they enjoyed in the department of

1 agriculture, trade and consumer protection immediately before the transfer.
2 Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who
3 has attained permanent status in class is required to serve a probationary period.

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

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

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

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

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

22 (h) *Decrease in positions.* The authorized FTE positions for the department of
23 agriculture, trade and consumer protection, funded from the appropriation under
24 section 20.115 (8) (jm), 1999 stats., are decreased by 5.5 PR positions.”.

1 **477.** Page 352, line 19: after that line insert:

2 “(1c) MILWAUKEE ART MUSEUM. The arts board shall spend the amount in the
3 appropriation account under section 20.215 (1) (cm) of the statutes, as created by this
4 act, for the Leonardo da Vinci and the Splendor of Poland art exhibitions at the
5 Milwaukee Art Museum.”.

6 **478.** Page 353, line 12: after that line insert:

7 “(1b) SALE OR LEASE OF STATE SURPLUS PROPERTY. Notwithstanding section 13.48
8 (14) (am) of the statutes, the building commission shall offer for sale or lease the
9 surplus property authorized under SECTION 9107 (9b) of this act in accordance with
10 section 13.48 (14) (b) of the statutes. Notwithstanding section 13.48 (14) (c) of the
11 statutes, the commission shall deposit any net proceeds from sales or leases of those
12 properties, after depositing any amount required to be deposited into the bond
13 security and redemption fund, into the budget stabilization fund. Section 13.48 (14)
14 (d) of the statutes does not apply to that property.”.

15 **479.** Page 353, line 15: after that line insert:

16 “(1z) RELATIVE PLACEMENT PERMANENCY PLANS.

17 (a) Notwithstanding sections 48.38 (3) and 938.38 (3) of the statutes, for
18 children or juveniles who are living in the home of a relative, as defined in section
19 48.02 (15) or 938.02 (15) of the statutes, under the supervision of an agency under
20 section 48.64 (2) of the statutes, under a consent decree under section 48.32 or 938.32
21 of the statutes, or under an order under section 48.355 or 938.355 of the statutes on
22 the day before the effective date of this paragraph, the agency assigned primary
23 responsibility for providing services to those children or juveniles shall file a
24 permanency plan with that court with respect to not less than 33% of those children

1 or juveniles by September 1, 2002, with respect to not less than 67% of those children
2 or juveniles by November 1, 2002, and with respect to all of those children or
3 juveniles by January 1, 2003, giving priority to those children or juveniles who have
4 been living in the home of a relative for the longest period of time.

5 (b) The agency shall request the court assigned to exercise jurisdiction under
6 chapters 48 and 938 of the statutes, as affected by this act, to make a finding under
7 section 48.363 or 938.363 of the statutes that reasonable efforts have been made to
8 prevent the removal of the child or juvenile from the home or that those efforts are
9 not required to be made because a circumstance specified in section 48.355 (2d) (b)
10 1. to 5. of the statutes, as affected by this act, or section 938.355 (2d) (b) 1. to 4. of the
11 statutes, as affected by this act, applies, not more than 60 days after the date on
12 which the permanency plan is filed.

13 (c) Notwithstanding section 48.38 (5) (a) of the statutes, as affected by this act,
14 section 48.38 (5m) of the statutes, as created by this act, section 938.38 (5) (a) of the
15 statutes, as affected by this act, and section 938.38 (5m) of the statutes, as created
16 by this act, a permanency plan filed under this subsection shall be reviewed within
17 6 months after the date on which the permanency plan is filed and a permanency
18 plan hearing shall be had to review a permanency plan filed under this subsection
19 within 12 months after the date on which the permanency plan is filed.”.

20 **480.** Page 353, line 16: after that line insert:

21 “(1v) PROPOSAL FOR RURAL FINANCE AUTHORITY. The department of commerce
22 shall work with the department of administration, the department of agriculture,
23 trade and consumer protection, and the Wisconsin Housing and Economic
24 Development Authority to develop a proposal, to be included in the department of

1 commerce’s budget request that is submitted to the department of administration,
2 for the 2003–05 biennium for the creation of a rural finance authority. In developing
3 the proposal, the departments and the authority shall do all of the following:

4 (a) Consider proposing that the rural finance authority be created to offer
5 low-interest loans to agricultural producers in this state.

6 (b) Include a governing board to head the authority and consider the feasibility
7 of an 11–member board consisting of 3 agricultural producers; 3 commercial bankers;
8 2 other members appointed by the governor; the secretary of commerce and the
9 secretary of agriculture, trade and consumer protection or their designees; and the
10 executive director of the Wisconsin Housing and Economic Development Authority
11 or his or her designee.

12 (c) Consider including programs such as farm purchase assistance loans,
13 including seller assisted loans; beginning farmer loans for the purchase of animals,
14 machinery, and real estate; an agricultural improvement program to finance
15 physical improvements of farm operations; a livestock modernization program; and
16 a program to finance purchases by agricultural producers of stock in cooperatives
17 that engage in agricultural processing.

18 (d) Consider transferring agricultural programs administered by the
19 Wisconsin Housing and Economic Development Authority to the rural finance
20 authority.”.

21 **481.** Page 353, line 16: after that line insert:

22 “(1c) GRANT TO FORWARD WISCONSIN, INC., FOR STUDY AND PROPOSAL ON BRAND
23 IMAGE. From the appropriation under section 20.143 (1) (bp) of the statutes, as
24 created by this act, the department of commerce shall provide a grant of \$50,000 in

1 fiscal year 2002-03 to Forward Wisconsin, Inc., to contract for a study and the
2 creation of a proposal for a national brand image for the state related to technology
3 and biotechnology. The department of commerce shall enter into an agreement with
4 Forward Wisconsin, Inc., that specifies the uses for the grant proceeds under this
5 subsection and reporting and auditing requirements. No later than December 31,
6 2003, the department of commerce shall submit to the appropriate standing
7 committees of the legislature in the manner provided under section 13.172 (3) of the
8 statutes a report that includes the results of the study and the conclusions and
9 recommendations of Forward Wisconsin, Inc., with respect to a proposal for a
10 national brand image for the state.”.

11 **482.** Page 353, line 16: after that line insert:

12 “(1z) DIVISION OF INTERNATIONAL AND EXPORT SERVICES. The authorized FTE
13 positions for the department of commerce are increased by 2.5 PR positions on July
14 1, 2002, or on the day after publication, whichever is later, to be funded from the
15 appropriation under section 20.143 (1) (g) of the statutes, for the division of
16 international and export services.”.

17 **483.** Page 355, line 15: after that line insert:

18 “(1v) HIRING FREEZE EXEMPTION. Notwithstanding any action of the governor or
19 the secretary of administration under section 16.505 (3) of the statutes before the
20 effective date of this subsection, the department of employee trust funds may fill 3.5
21 FTE GPR positions that are vacant on the effective date of this subsection, that are
22 authorized to the department under section 16.505 of the statutes, and that are
23 funded from the appropriation under section 20.512 (2) (a) of the statutes.”.

24 **484.** Page 356, line 1: delete lines 1 to 4.

1 **485.** Page 356, line 4: after that line insert:

2 “(1z) RURAL HEALTH DENTAL CLINICS.

3 (a) Notwithstanding the amounts specified for expenditure in state fiscal year
4 2001–02 under section 146.65 (1) (a) and (b) of the statutes, the department of health
5 and family services shall, in state fiscal year 2002–03, distribute moneys under
6 section 146.65 (1) (a) of the statutes that were unexpended under that paragraph on
7 July 1, 2002, and distribute moneys under section 146.65 (1) (b) of the statutes that
8 were unexpended under that paragraph on July 1, 2002.

9 (b) Notwithstanding section 16.42 of the statutes, in submitting information
10 under section 16.42 of the statutes for purposes of the 2003–2005 biennial budget
11 bill, the department of health and family services shall submit information
12 concerning the appropriation under section 20.435 (5) (dm) of the statutes as though
13 the increase in the dollar amount of that appropriation by SECTION 9329 (18z) of this
14 act had not been made.”.

15 **486.** Page 356, line 4: after that line insert:

16 “(1x) UNDERAGE TOBACCO ENFORCEMENT. The department of health and family
17 services shall identify \$3,012,200 in appropriated moneys in the appropriation
18 accounts of that department, other than sum sufficient appropriation accounts, to
19 fund activities conducted under section 254.916 of the statutes to achieve compliance
20 with the requirements under 42 USC 300x–26 (a) and (b) that the state enact and
21 enforce a law prohibiting the sale or distribution of tobacco products to persons under
22 18 years of age and with the certification required under P.L. 107–116, section 214,
23 that the state commit additional state funds to enforce that law. In identifying
24 appropriated moneys to fund activities conducted under section 254.916 of the

1 statutes as described in this subsection, the department may not identify any
2 appropriated moneys to fund those activities if funding those activities would change
3 legislative intent with respect to the program funded by those appropriated moneys.
4 By September 30, 2002, the department shall submit a plan to the joint committee
5 on finance for funding the activities described in this subsection and a report on the
6 status of the negotiations that the department is conducting with the federal
7 department of health and human services relating to the certification required under
8 P. L. 107-116, section 214.”.

9 **487.** Page 357, line 24: after that line insert:

10 “(2v) DISEASE MANAGEMENT.

11 (a) In this subsection, “disease management” has the meaning given in section
12 49.45 (50) (a) of the statutes, as created by this act.

13 (b) By January 1, 2003, the department of health and family services shall
14 invite proposals, under the department’s request-for-proposals procedures, from
15 entities to engage in activities of disease management on behalf of recipients of
16 medical assistance.”.

17 **488.** Page 357, line 24: after that line insert:

18 “(2zw) EXCEPTIONS TO COMPULSORY VACCINATION; RULES.

19 (a) The department of health and family services shall submit in proposed form
20 the rules required under section 252.041 (2) of the statutes, as created by this act,
21 to the legislative council staff under section 227.15 (1) of the statutes no later than
22 the first day of the 6th month beginning after the effective date of this subsection.

23 (b) Using the procedure under section 227.24 of the statutes, the department
24 of health and family services may promulgate rules required under section 252.041

1 (2) of the statutes, as created by this act, for the period before the effective date of the
2 rules submitted under paragraph (a), but not to exceed the period authorized under
3 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
4 (2) (b), and (3) of the statutes, the department of health and family services is not
5 required to provide evidence that promulgating a rule under this paragraph as an
6 emergency rule is necessary for the preservation of the public peace, health, safety,
7 or welfare and is not required to provide a finding of emergency for a rule
8 promulgated under this paragraph.

9 (2zx) MEDICAL CONDITIONS FOR WHICH PHARMACEUTICAL DRUGS ARE DISPENSED OR
10 SOLD; RULES.

11 (a) The department of health and family services shall submit in proposed form
12 the rules required under section 252.02 (7) of the statutes, as created by this act, to
13 the legislative council staff under section 227.15 (1) of the statutes no later than the
14 first day of the 6th month beginning after the effective date of this subsection.

15 (b) Using the procedure under section 227.24 of the statutes, the department
16 of health and family services may promulgate rules required under section 252.02
17 (7) of the statutes, as created by this act, for the period before the effective date of the
18 rules submitted under paragraph (a), but not to exceed the period authorized under
19 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
20 (2) (b) and (3) of the statutes, the department of health and family services is not
21 required to provide evidence that promulgating a rule under this paragraph as an
22 emergency rule is necessary for the preservation of the public peace, health, safety,
23 or welfare and is not required to provide a finding of emergency for a rule
24 promulgated under this paragraph.”.

1 **489.** Page 357, line 24: after that line insert:

2 “(2w) MEDICAL ASSISTANCE PROVIDER FRAUD AND ABUSE; RULES. The department
3 of health and family services shall submit in proposed form the rules required under
4 section 49.45 (2) (a) 9. of the statutes, as affected by this act, to the legislative council
5 staff under section 227.15 (1) of the statutes no later than the first day of the 7th
6 month beginning after the effective date of this subsection.”.

7 **490.** Page 358, line 15: after that line insert:

8 “(4r) PROHIBITING RECOVERY OF PHARMACY OVERPAYMENTS.

9 (a) The department of health and family services may not recover any part of
10 a payment to which all of the following apply:

11 1. The payment was made by the department between July 1, 1998, and
12 January 29, 2001, for a prescription drug under the health insurance risk-sharing
13 plan under chapter 149 of the statutes.

14 2. In December 2001, the department issued a notice of intent to recover all or
15 part of the payment.

16 3. The intended recovery of all or part of the payment is based on a
17 determination by the department that the amount paid was incorrect due to the
18 transition of the administration of the health insurance risk-sharing plan under
19 chapter 149 of the statutes from the office of the commissioner of insurance to the
20 department.

21 (b) The department of health and family services shall return to any person,
22 as defined in section 990.01 (26) of the statutes, any amount that is prohibited from
23 recovery under this subsection that was recovered by the department before the
24 effective date of this paragraph.”.

1 **491.** Page 358, line 15: after that line insert:

2 “(3xz) STATE CENTERS TASK FORCE.

3 (a) The department of health and family services shall create a task force that
4 shall develop a plan for the state centers for the developmentally disabled. The plan,
5 which shall be completed by the first day of the 7th month beginning after the
6 effective date of this paragraph, shall include any recommended statutory language
7 changes needed to implement the plan. The department shall submit this
8 recommended statutory language to the department of administration as part of the
9 department of health and family services’ 2003-05 biennial budget request and to
10 the legislature. The plan shall do the following:

11 1. Specify the future role of the state and the state centers for the
12 developmentally disabled in providing services for persons with developmental
13 disabilities.

14 2. Attempt to maximize the potential for independent living in the most
15 appropriate setting and ensure quality care and services for each person residing in
16 the state centers for the developmentally disabled, according to the person’s wishes.

17 3. If the task force recommends closing a state center for the developmentally
18 disabled, define and recommend changes in the role of one or more of the state centers
19 for the developmentally disabled, including functioning other than as a state center
20 for the developmentally disabled.

21 4. Ensure the provision of quality community-based services for persons who
22 are able to be relocated from the state centers.

1 5. Provide for transitional employment opportunities and services for existing
2 staff of the state centers for the developmentally disabled, in the event that one or
3 more of the state centers close or are assigned new functions.

4 (b) The department of health and family services shall appoint the membership
5 of the task force described in paragraph (a). The task force shall include
6 representatives of all of the following:

7 1. The department of health and family services.

8 2. The department of veterans affairs.

9 3. The department of corrections.

10 4. The governor's office.

11 5. The American Federation of State, County and Municipal Employees union,
12 the Service Employees International union, District 1199, and other labor unions.

13 6. Parents or guardians of current residents of the state centers for the
14 developmentally disabled.

15 7. Former and current residents of the state centers for the developmentally
16 disabled.

17 8. Advocates for persons with developmental disabilities.

18 9. A member of the board of an intermediate care facility for the mentally
19 retarded.

20 10. Organizations that provide services to persons with developmental
21 disabilities in the community.

22 11. County departments that provide services to persons with developmental
23 disabilities.”.

24 **492.** Page 358, line 15: after that line insert:

1 “(4g) FEES FOR PATIENT HEALTH CARE RECORDS; RULES.

2 (a) The department of health and family services shall submit in proposed form
3 the rules required under section 146.83 (3m) of the statutes, as created by this act,
4 to the legislative council staff under section 227.15 (1) of the statutes no later than
5 the first day of the 10th month beginning after the effective date of this subsection.

6 (b) To develop the rules under paragraph (a), the secretary of health and family
7 services shall establish an advisory committee composed of members who represent
8 a balance of persons who maintain patient health care records and persons who
9 request patient health care records.”.

10 **493.** Page 358, line 18: after that line insert:

11 “(1d) HISTORICAL SOCIETY. The historical society shall allocate \$100,000 in fiscal
12 year 2001-02 and \$100,000 in fiscal year 2002-03 for the office of local history and
13 the historical society library.”.

14 **494.** Page 358, line 21: after that line insert:

15 “(1x) UNIFORM EMPLOYEE APPLICATION FORM RULES. The commissioner of
16 insurance shall submit in proposed form the rules required under section 601.41 (8)
17 (b) of the statutes, as created by this act, to the legislative council staff under section
18 227.15 (1) of the statutes no later than the first day of the 5th month beginning after
19 the effective date of this subsection.”.

20 **495.** Page 358, line 25: after that line insert:

21 “(2x) AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM WORK STATION FOR CITY OF
22 RACINE. From the appropriation under section 20.455 (2) (cr) of the statutes, as
23 created by this act, the department of justice shall award \$63,200 to the city of Racine
24 police department in fiscal year 2002-03 for the purchase of an automated

1 fingerprint identification system work station and for the installation of a Badgernet
2 line for the work station. The city of Racine police department and the department
3 of justice shall enter into an agreement regarding the duties and obligations of the
4 police department and the department of justice with respect to the use of the
5 automated fingerprint identification system work station and regarding the use of,
6 and access to, the state automated fingerprint identification system and to other
7 criminal record databases.”.

8 **496.** Page 358, line 25: after that line insert:

9 “(2xz) INCREASE IN POSITIONS. The authorized FTE positions for the department
10 of justice, funded from the appropriation under section 20.455 (1) (j) of the statutes,
11 as created by this act, are increased by 5.5 PR positions.”.

12 **497.** Page 359, line 1: after that line insert:

13 “(1c) PROGRAM EVALUATION AND MANAGEMENT AUDIT OF DEPARTMENT OF
14 ADMINISTRATION.

15 (a) The joint legislative audit committee is requested to direct the legislative
16 audit bureau to conduct a program evaluation and management audit of the
17 department of administration to determine whether state government could
18 function effectively without the department. If the audit is undertaken, the bureau
19 is requested to include each of the following elements to the extent they are
20 considered appropriate by the bureau:

21 1. A comparison of the functions and responsibilities of the department at the
22 time that it was created and the current functions and responsibilities of the
23 department.

1 2. A review of whether any administrative functions have been removed from
2 the department since the time that it was created and whether the administrative
3 functions that the department retains are significant enough to justify a separate
4 department.

5 3. A comparison of the department's central administrative functions,
6 efficiencies, and related budgetary impacts with the central administrative
7 functions, efficiencies, and budgetary impacts associated with similar agencies in
8 other states.

9 4. A comparison of the budgeted and per capita costs of the department at the
10 time of its creation with the current budgeted and per capita costs of the department,
11 together with the costs of any other agencies or subunits thereof to which original
12 functions or responsibilities of the department have been transferred.

13 5. A review of the policy-making responsibilities that have been assigned to the
14 department, including an assessment of whether such responsibilities could be more
15 effectively administered by other state agencies.

16 6. An assessment of whether any functions or responsibilities of the
17 department duplicate those of other state agencies and could therefore be reduced
18 or eliminated.

19 7. A review of whether the efficiencies and cost savings intended by the
20 legislature and governor when the department was created have been realized.

21 8. An assessment of whether there are any impediments to decentralizing those
22 responsibilities and functions that are currently assigned to the department by
23 assigning these functions and responsibilities to the office of the governor or to other
24 state agencies.

1 9. A review of the costs charged by the department to other state agencies or
2 to local governments and an assessment of whether the responsibilities and
3 functions funded by these charges could be effectively undertaken by this state if the
4 department did not exist.

5 (b) If the bureau undertakes the audit, the bureau is requested to submit a
6 report of its findings and recommendations to the distributees specified in section
7 13.94 (1) (b) of the statutes no later than the first day of the 9th month beginning after
8 the effective date of this paragraph.”.

9 **498.** Page 359, line 1: after that line insert:

10 “(3q) STUDY OF CERTAIN ELECTION ADMINISTRATION SERVICES. The joint legislative
11 council is requested to conduct a study of election administration services performed
12 by municipalities and counties and prepare recommendations for the consolidation
13 of those services. If the joint legislative council conducts the study and prepares the
14 recommendations, it shall report its findings, conclusions, and recommendations, in
15 the manner provided under section 13.172 (2) of the statutes, to the 2003 legislature
16 when that legislature convenes.”.

17 **499.** Page 359, line 10: delete that line and substitute “appropriation under
18 section 20.465 (4) (ka) of the statutes, as affected by this”.

19 **500.** Page 359, line 12: delete lines 12 to 15.

20 **501.** Page 359, line 22: after that line insert:

21 “(1v) COUNCIL ON FORESTRY. Notwithstanding the length of term specified in
22 section 15.347 (19) (c) of the statutes, as created in this act, of the members first
23 appointed to the council on forestry under section 15.347 (19) (a) 6. to 19. of the
24 statutes, as created by this act, the governor shall designate 4 members to serve for

1 terms expiring on July 1, 2005, 3 members to serve for terms expiring on July 1, 2006,
2 4 members to serve for terms expiring on July 1, 2007, and 3 members to serve for
3 terms expiring on July 1, 2008.”.

4 **502.** Page 360, line 13: after that line insert:

5 “(2fxq) INVASIVE SPECIES COUNCIL STAGGERED TERMS. Notwithstanding the length
6 of term specified in section 15.347 (18) (b) 7. of the statutes, as created in this act, of
7 the members first appointed to the invasive species council under section 15.347 (18)
8 (b) 7. of the statutes, as created by this act, the governor shall designate 2 members
9 to serve for terms expiring on July 1, 2007, 2 members to serve for terms expiring on
10 July 1, 2008, and 3 members to serve for terms expiring on July 1, 2009.”.

11 **503.** Page 360, line 13: after that line insert:

12 “(2x) RECREATIONAL BOATING AIDS, FISH, MUD, AND CRYSTAL LAKES.

13 (a) From the appropriation under section 20.370 (5) (cq) of the statutes, and
14 before applying the percentages under section 30.92 (4) (b) 6. of the statutes, the
15 department of natural resources in fiscal year 2002–03 shall provide financial aid to
16 Dane County for water–quality and lake–level improvements for Fish Lake and Mud
17 Lake located in Dane County and for Crystal Lake located in both Dane County and
18 Columbia County. The amount provided to Dane County under this paragraph shall
19 equal the total amount contributed by local entities for the improvements or
20 \$200,000, whichever is less. Notwithstanding section 30.92 (4) (b) 7. of the statutes,
21 the improvements specified under this paragraph qualify as a recreational boating
22 project for the purpose of providing moneys under this paragraph. This
23 improvement project need not be placed on the priority list under section 30.92 (3)
24 (a) of the statutes.

1 (b) Contributions by local entities under paragraph (a) may be made by Dane
2 County, Columbia County, the town of Roxbury in Dane County, the town of West
3 Point in Columbia County, any public inland lake protection and rehabilitation
4 district organized for Fish, Mud, and Crystal lakes, any other local governmental
5 unit, as defined in section 66.0131 (1) (a) of the statutes, that seeks contributions for
6 the improvements specified under paragraph (a), and any other organization that
7 seeks such contributions.”.

8 **504.** Page 360, line 23: delete lines 23 to 25.

9 **505.** Page 361, line 1: delete lines 1 to 12.

10 **506.** Page 361, line 13: delete lines 13 to 16.

11 **507.** Page 361, line 16: after that line insert:

12 “(2x) HOME INSTRUCTION PROGRAM FOR PRESCHOOL YOUNGSTERS. To the extent
13 permitted under federal law, in the 2002–03 fiscal year, the department of public
14 instruction shall award a subgrant under 20 USC 6368 or other applicable federal
15 programs of at least \$250,000 to the home instruction program for preschool
16 youngsters from the appropriation under section 20.255 (3) (ms) of the statutes.”.

17 **508.** Page 361, line 16: after that line insert:

18 “(3q) TRANSFER OF DUTIES FROM THE TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT
19 IN WISCONSIN BOARD.

20 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
21 liabilities of the department of administration primarily related to the functions of
22 the technology for educational achievement in Wisconsin board, as determined by
23 the secretary of administration, shall become the assets and liabilities of the
24 department of public instruction.

1 (b) *Position and employee transfers.* All positions authorized for the technology
2 for educational achievement in Wisconsin board on the day before the effective date
3 of this paragraph, except for the position of executive director, are, on the effective
4 date of this paragraph, transferred to the department of public instruction, and the
5 incumbent employees in those positions are transferred on the effective date of this
6 paragraph to the department of public instruction.

7 (c) *Employee status.* Employees transferred under paragraph (b) have all the
8 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
9 statutes in the department of public instruction that they enjoyed in the technology
10 for educational achievement in Wisconsin board immediately before the transfer.
11 Notwithstanding section 230.28 (4) of the statutes, no transferred employee who has
12 attained permanent status in class is required to serve a probationary period.

13 (cm) *Tangible personal property.* On the effective date of this paragraph, all
14 tangible personal property, including records, of the department of administration
15 that is primarily related to the functions of the technology for educational
16 achievement in Wisconsin board, as determined by the secretary of administration,
17 is transferred to the department of public instruction.

18 (d) *Contracts.* 1. All contracts entered into by the technology for educational
19 achievement in Wisconsin board in effect on the effective date of this paragraph
20 remain in effect and are transferred to the department of public instruction. The
21 department of public instruction shall carry out any obligations under a transferred
22 contract until the department of public instruction modifies or rescinds the contract.

23 2. All contracts entered into by the department of administration in effect on
24 the effective date of this paragraph that are primarily related to the functions of the
25 technology for educational achievement in Wisconsin board, as determined by the

1 secretary of administration, remain in effect and are transferred to the department
2 of public instruction. The department of public instruction shall carry out any
3 obligations under a transferred contract until the department of public instruction
4 modifies or rescinds the contract.

5 (e) *Rules and orders.* All rules promulgated by the technology for educational
6 achievement in Wisconsin board that are in effect on the effective date of this
7 paragraph remain in effect until their specified expiration date or until the
8 department of public instruction amends or repeals them. All orders issued by the
9 technology for educational achievement in Wisconsin board that are in effect on the
10 effective date of this paragraph remain in effect until their specified expiration date
11 or until the department of public instruction modifies or rescinds them.

12 (f) *Pending matters.* Any matter pending with the technology for educational
13 achievement in Wisconsin board on the effective date of this paragraph is transferred
14 to the department of public instruction, and all materials submitted to or actions
15 taken by the technology for educational achievement in Wisconsin board concerning
16 the pending matter are considered to have been submitted to or taken by the
17 department of public instruction.”.

18 **509.** Page 362, line 12: after that line insert:

19 “(1v) ENERGY CONSERVATION.

20 (a) In this subsection:

21 1. “Commission” means the public service commission.

22 2. “Utility” has the meaning given in section 196.374 (1) (c) of the statutes.

23 (b) Notwithstanding the requirement under section 196.374 (3) of the statutes
24 for a utility to make specified contributions to the commission in a fiscal year of the

1 amounts determined by the commission under section 196.374 (2) of the statutes, the
2 commission may allow a utility to retain, until December 31, 2004, a portion of the
3 amounts determined by the commission under section 196.374 (2) (b), (c), and (d) of
4 the statutes, instead of contributing the portion to the commission, if the commission
5 determines that the portion is attributable to energy conservation programs for
6 industrial, commercial, and agricultural customers in the utility's service area. If the
7 commission allows a utility to retain a portion under this paragraph, the utility must
8 contribute 1.75% of the portion to the commission for research and development for
9 energy conservation and efficiency and must contribute 4.5% of the portion to the
10 commission for renewable resource programs.

11 (1x) HIRING FREEZE EXEMPTION. Notwithstanding any action of the governor or
12 the secretary of administration under section 16.505 (3) of the statutes before the
13 effective date of this subsection, the public service commission may fill 3.0 FTE PR
14 positions that are vacant on the effective date of this subsection, that are related to
15 the performance of environmental analyses and engineering reviews, that are
16 authorized to the commission under section 16.505 of the statutes, and that are
17 funded from the appropriation under section 20.155 (1) (g) of the statutes. If the
18 public service commission does not fill the positions by the first day of the 6th month
19 beginning after the effective date of this subsection, the commission shall, no later
20 than the first day of the 7th month beginning after the effective date of this
21 subsection, submit a report to the joint committee on finance of the legislature that
22 explains the reasons for not filling the positions.”.

23 **510.** Page 362, line 15: delete lines 15 to 18.

24 **511.** Page 362, line 18: after that line insert:

1 “(1m) PENALTY FOR CONVERTING AGRICULTURAL LAND. Notwithstanding section
2 70.32 (2s) (c) of the statutes, as created by this act, and section 74.485 of the statutes,
3 as created by this act, land assessed as agricultural land for the property tax
4 assessments as of January 1, 2002, that may no longer be assessed as agricultural
5 land for the property tax assessments as of January 1, 2003, because the land is not
6 used as a farm, as defined under section 70.32 (2s) (a) 2. of the statutes, is not subject
7 to the penalty under section 74.485 of the statutes with regard to the property tax
8 assessments as of January 1, 2002, and January 1, 2003.

9 (1vv) ALCOHOL AND TOBACCO ENFORCEMENT AGENTS. The department of revenue
10 shall retain 13 agents in the department’s alcohol and tobacco enforcement section
11 at least until July 1, 2003.

12 (1vw) LARGE-CASE FIELD AUDITORS. The department of revenue shall retain 10
13 large-case field auditors in New York at least until July 1, 2003.”.

14 **512.** Page 362, line 19: delete lines 19 to 24.

15 **513.** Page 363, line 21: delete that line and substitute “avoid adverse impacts
16 on activities related to highway planning and programming,”.

17 **514.** Page 364, line 5: delete that line and substitute “avoid adverse impacts
18 on activities related to highway planning and programming,”.

19 **515.** Page 364, line 6: after that line insert:

20 “(2f) IMPROVEMENTS TO USH 51 IN CITY OF MADISON. Notwithstanding section
21 85.07 of the statutes, during the 2001–03 fiscal biennium, the department of
22 transportation shall expend funds not to exceed \$300,000 from federal funds
23 available under 23 USC 152 for a highway improvement project on USH 51 at the
24 intersection of Rieder Road in the city of Madison in Dane County, if the project is

1 consistent with the requirements of 23 USC 152 and regulations promulgated under
2 23 USC 152. The project shall include reconstruction of the southbound lanes of USH
3 51 at Rieder Road to incorporate a divided deceleration and turn lane on USH 51 for
4 southbound traffic turning east onto Rieder Road from USH 51 and a divided
5 acceleration lane on USH 51 for traffic traveling west on Rieder Road turning south
6 onto USH 51. The project shall also include installation of any traffic control signals
7 necessary to allow traffic traveling west on Rieder Road to turn onto southbound
8 USH 51 without requiring southbound traffic on USH 51 to stop.”.

9 **516.** Page 364, line 6: after that line insert:

10 “(4q) REQUEST ON SOUTHEAST WISCONSIN FREEWAY REHABILITATION. By the date
11 specified by the cochairpersons of the joint committee on finance for the submission
12 of requests for consideration at the next quarterly meeting of the committee
13 occurring after the effective date of this subsection, the department of transportation
14 shall submit a request for the transfer of moneys from the appropriations under
15 section 20.395 (3) (cq), (cv), and (cx) of the statutes, as affected by this act, to the
16 appropriations under section 20.395 (3) (cr), (cw), and (cy) of the statutes to allocate
17 funds for rehabilitation of the southeast Wisconsin freeways. The department’s
18 request, and the committee’s action on the request, may not include funding now
19 allocated for projects in other parts of the state or other funding that is not currently
20 allocated to rehabilitation of southeast Wisconsin freeways.”.

21 **517.** Page 364, line 7: after that line insert:

22 “(1k) GRANDFATHER PROVISION; UNCLAIMED GIFT CERTIFICATES. The treatment of
23 sections 177.01 (10) (a) 2. and 177.14 of the statutes does not apply to any property

1 paid or delivered to the state treasurer under section 177.17 (4) (a) 2. of the statutes
2 or section 177.19 (1), 1999 stats., before the effective date of this subsection.”.

3 **518.** Page 364, line 24: after that line insert:

4 “(1q) ORDER OF STATE EMPLOYEE LAYOFFS.

5 (a) In this subsection, “state agency” has the meaning given in section 16.375
6 (1) of the statutes, but does not include the board of regents of the University of
7 Wisconsin System.

8 (b) If a state agency is required to lay off any of its employees as a result of any
9 appropriation reduction required under this act, no employee of the state agency who
10 is in the classified service of the state civil service system may be laid off until all
11 employees of the state agency who are in the unclassified service of the state civil
12 service system are laid off other than the chief administrative officer of the state
13 agency.”.

14 **519.** Page 364, line 25: delete the material beginning with that line and
15 ending with page 365, line 9.

16 **520.** Page 365, line 9: after that line insert:

17 “(2z) COGENERATION FACILITY.

18 (d) In this subsection:

- 19 1. “Board” means the board of regents of the University of Wisconsin System.
20 2. “Department” means the department of administration.
21 3. “Public utility” means the public utility that provides electric service to the
22 University of Wisconsin–Madison or an affiliate of that public utility.

23 (e) To further the energy conservation and efficiency goals of section 1.12 (5)
24 of the statutes and to meet the needs of the University of Wisconsin System for

1 electric, steam, and chilled-water services in a cost-effective and technically feasible
2 manner, the board and department shall negotiate an agreement with the public
3 utility for the public utility to construct a centralized cogeneration facility with a
4 nominal output of 150 megawatts at the campus of the University of
5 Wisconsin-Madison for the purpose of providing, no later than July 1, 2004, electric,
6 steam, and chilled-water services. This paragraph does not affect the authority of
7 the public service commission under chapter 196 of the statutes with respect to such
8 a facility.”.

9 **521.** Page 365, line 16: after that line insert:

10 “(5m) CONSOLIDATION OF STATE VEHICLE FLEET MAINTENANCE OPERATIONS.

11 (a) On the effective date of this paragraph, the assets and liabilities of the board
12 of regents of the University of Wisconsin System that are primarily related to its
13 vehicle fleet maintenance functions at the University of Wisconsin-Madison, as
14 determined by the secretary of administration, shall become assets and liabilities of
15 the department of administration.

16 (b) On the effective date of this paragraph, all tangible personal property,
17 including records, of the board of regents of the University of Wisconsin System that
18 is primarily related to its vehicle fleet maintenance functions at the University of
19 Wisconsin-Madison, as determined by the secretary of administration, is
20 transferred to the department of administration.

21 (c) All contracts entered into by the board of regents of the University of
22 Wisconsin System in effect on the effective date of this paragraph that are primarily
23 related to its vehicle fleet maintenance functions at the University of
24 Wisconsin-Madison, as determined by the secretary of administration, are

1 transferred to the department of administration. The department of administration
2 shall carry out any contractual obligations under such a contract until the contract
3 is modified or rescinded by the department of administration to the extent allowed
4 under the contract.

5 (d) All rules promulgated by the board of regents of the University of Wisconsin
6 System that are primarily related to its vehicle fleet maintenance functions at the
7 University of Wisconsin-Madison, and that are in effect on the effective date of this
8 paragraph remain in effect until their specified expiration dates or until amended
9 or repealed by the department of administration. All orders issued by the board of
10 regents of the University of Wisconsin System that are primarily related to its
11 vehicle fleet maintenance functions at the University of Wisconsin-Madison, and
12 that are in effect on the effective date of this paragraph remain in effect until their
13 specified expiration dates or until modified or rescinded by the department of
14 administration.

15 (e) Any matter pending with the board of regents of the University of Wisconsin
16 System that is primarily related to its vehicle fleet maintenance functions at the
17 University of Wisconsin-Madison on the effective date of this paragraph is
18 transferred to the department of administration, and all materials submitted to or
19 actions taken by the board of regents of the University of Wisconsin System with
20 respect to the pending matter are considered as having been submitted to or taken
21 by the department of administration.

22 (f) Notwithstanding section 16.42 of the statutes, the board of regents of the
23 University of Wisconsin System shall submit information under section 16.42 of the
24 statutes for purposes of the 2003-05 biennial budget bill reflecting any savings

1 incurred by the board of regents from consolidation of vehicle fleet maintenance
2 functions under this subsection.

3 (g) The board of regents of the University of Wisconsin System shall fully
4 cooperate with the department of administration in implementing this subsection.”.

5 **522.** Page 365, line 23: delete lines 23 to 25.

6 **523.** Page 366, line 1: delete lines 1 to 10.

7 **524.** Page 366, line 15: after “subsection” insert “, except that “state agency”
8 does not include the department of employee trust funds or the investment board”.

9 **525.** Page 366, line 21: delete “May” and substitute “July”.

10 **526.** Page 366, line 24: delete “May” and substitute “July”.

11 **527.** Page 368, line 8: after that line insert:

12 “(4z) VOLUNTARY EMPLOYEE FURLOUGH. Any chief administrative officer of a state
13 agency, as defined in section 20.001 (1) of the statutes, may permit any employee of
14 that agency, other than an employee who is an elected official or is nominated or
15 appointed by the governor for a fixed term to his or her position, to take a voluntary
16 unpaid leave of absence during the 2001-03 fiscal biennium for a period not to exceed
17 8 weeks. During any time in which an employee is on a leave of absence granted
18 under this subsection, the chief administrative officer shall continue to make all
19 required employer contributions for that employee, as well as any required employee
20 contributions that the employer is required to make on behalf of that employee in
21 accordance with a collective bargaining agreement under subchapter V of chapter
22 111 or section 230.12 of the statutes, for benefits provided under chapter 40 of the
23 statutes, but not including any such contributions under section 40.05 (1) and (2) of
24 the statutes. During the leave of absence, the employee’s employment shall be

1 considered not to have been interrupted for all purposes relating to wages, hours, and
2 conditions of employment, except that the employee shall not be paid a salary nor
3 accrue creditable service, as defined in section 40.02 (17) of the statutes, for purposes
4 of the Wisconsin retirement system. The timing of any leave of absence granted
5 under this subsection shall be at the discretion of the chief administrative officer.
6 Notwithstanding section 111.91 (1) of the statutes, for employees who are included
7 in a collective bargaining unit for which a representative is recognized or certified
8 under subchapter V of chapter 111 of the statutes, this subsection shall apply except
9 as otherwise provided in a collective bargaining agreement.”.

10 **528.** Page 369, line 2: after that line insert:

11 “(5z) IMPLEMENTATION OF APPROPRIATION DECREASES.

12 (a) In this subsection, “department” has the meaning given for “executive
13 branch agency” under section 16.70 (4) of the statutes.

14 (b) In implementing appropriation decreases made by or under this act for the
15 2002-03 fiscal year, each department shall ensure that any reduction of services
16 provided by the department under each affected appropriation is equitably
17 apportioned between residents of rural areas and residents of urban areas.

18 (c) Notwithstanding section 16.50 (1) of the statutes, the secretary of
19 administration shall require each department to submit an expenditure estimate for
20 any expenditure to be made from an appropriation that is decreased by or under this
21 act for the 2002-03 fiscal year. Notwithstanding section 16.50 (2) of the statutes, the
22 secretary shall disapprove any such estimate that provides for any reallocation of
23 services provided by the department in contravention of the requirement under
24 paragraph (b).”.

1 **529.** Page 369, line 2: after that line insert:

2 “(5t) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT.

3 (a) *Assets and liabilities.* Except as provided in SECTION 9259 (9r) of this act,
4 on the effective date of this paragraph, the assets and liabilities of the department
5 of electronic government shall become assets and liabilities of the department of
6 administration.

7 (b) *Positions and employees.*

8 1. On the effective date of this subdivision, all full-time equivalent positions
9 in the department of electronic government, except the positions occupied by the
10 secretary, the deputy secretary, the executive assistant, and 2 division administrator
11 positions determined by the secretary of administration, are transferred to the
12 department of administration.

13 2. All incumbent employees holding positions specified in subdivision 1. are
14 transferred on the effective date of this subdivision to the department of
15 administration.

16 3. Employees transferred under subdivision 2. have all of the rights and the
17 same status under subch. V of ch. 111 and chapter 230 of the statutes in the
18 department of administration that they enjoyed in the department of electronic
19 government immediately before the transfer. Notwithstanding section 230.28 (4) of
20 the statutes, no employee so transferred who has attained permanent status in class
21 is required to serve a probationary period.

22 (c) *Tangible personal property.* On the effective date of this paragraph, all
23 tangible personal property, including records, of the department of electronic
24 government is transferred to the department of administration.

1 (d) *Contracts.* All contracts entered into by the department of electronic
2 government that are in effect on the effective date of this paragraph are transferred
3 to the department of administration. The department of administration shall carry
4 out any contractual obligations under such a contract until the contract is modified
5 or rescinded by the department of administration to the extent allowed under the
6 contract.

7 (e) *Rules and orders.* All rules promulgated by the department of electronic
8 government that are in effect on the effective date of this paragraph remain in effect
9 until their specified expiration dates or until amended or repealed by the department
10 of administration. All orders issued by the department of electronic government that
11 are in effect on the effective date of this paragraph remain in effect until their
12 specified expiration dates or until modified or rescinded by the department of
13 administration.

14 (f) *Pending matters.* Any matter pending with the department of electronic
15 government on the effective date of this paragraph is transferred to the department
16 of administration, and all materials submitted to or actions taken by the department
17 of electronic government with respect to the pending matter are considered as having
18 been submitted to or taken by the department of administration.”.

19 **530.** Page 370, line 3: delete lines 3 to 8.

20 **531.** Page 370, line 14: after that line insert:

21 “(7q) TELECOMMUNICATIONS AND VETERANS SERVICES. In the schedule under
22 section 20.005 (3) of the statutes for the appropriation to the department of
23 administration under section 20.505 (1) (ke) of the statutes, as affected by the acts

1 of 2001, the dollar amount is decreased by \$102,500 for fiscal year 2002–03 to
2 decrease funding for the purposes for which the appropriation is made.”.

3 **532.** Page 371, line 6: after that line insert:

4 “(10d) PERFORMANCE EVALUATION OFFICE. In the schedule under section 20.005
5 (3) of the statutes for the appropriation to the department of administration under
6 section 20.505 (1) (kj) of the statutes, as affected by the acts of 2001, the dollar
7 amount is decreased by \$672,800 for fiscal year 2002–03 to decrease the authorized
8 FTE positions for the department by 8.0 PR positions for the performance of the
9 duties of the performance evaluation office, attached administratively to the office
10 of the secretary of administration.”.

11 **533.** Page 372, line 5: delete “\$1,400” and substitute “\$1,300”.

12 **534.** Page 372, line 15: delete lines 15 to 20.

13 **535.** Page 376, line 8: after that line insert:

14 “(14xz) CONSUMER PROTECTION TRANSFER.

15 (a) In the schedule under section 20.005 (3) of the statutes for the appropriation
16 to the department of agriculture, trade and consumer protection under section
17 20.115 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
18 decreased by \$2,292,100 for fiscal year 2002–03 to reflect the transfer of certain
19 consumer protection programs, functions, and enforcement activities to the
20 department of justice and to decrease the authorized FTE positions for the
21 department of agriculture, trade and consumer protection by 41.25 GPR positions
22 related to those consumer protection programs, functions, and enforcement
23 activities.

1 (b) In the schedule under section 20.005 (3) of the statutes for the appropriation
2 to the department of agriculture, trade and consumer protection under section
3 20.115 (8) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
4 decreased by \$292,400 for fiscal year 2002-03 to reflect the transfer of certain
5 consumer protection programs, functions, and enforcement activities to the
6 department of justice and to decrease the authorized FTE positions for the
7 department of agriculture, trade and consumer protection by 2.5 GPR positions
8 related to those consumer protection programs, functions, and enforcement
9 activities.”.

10 **536.** Page 376, line 13: delete “\$17,600” and substitute “\$19,400”.

11 **537.** Page 379, line 15: after that line insert:

12 “(10w) WISCONSIN DEVELOPMENT FUND. In the schedule under section 20.005 (3)
13 of the statutes for the appropriation to the department of commerce under section
14 20.143 (1) (c) of the statutes, as affected by the acts of 2001, the dollar amount is
15 decreased by \$1,000,000 for fiscal year 2002-03 to decrease funding for the purposes
16 for which the appropriation is made.”.

17 **538.** Page 379, line 21: after that line insert:

18 “(11z) DIVISION OF INTERNATIONAL AND EXPORT SERVICES. In the schedule under
19 section 20.005 (3) of the statutes for the appropriation to the department of commerce
20 under section 20.143 (1) (a) of the statutes, as affected by the acts of 2001, the dollar
21 amount is decreased by \$500,000 for fiscal year 2002-03 to decrease funding for the
22 division of international and export services and to decrease the authorized FTE
23 positions for the department by 2.5 GPR positions on July 1, 2002, or on the day after
24 publication, whichever is later, for the division of international and export services.”.

1 **539.** Page 380, line 8: after that line insert:

2 “(2c) LAPSE TO THE GENERAL FUND. In fiscal year 2001–02, the secretary of
3 administration shall lapse to the general fund \$2,267,800 from the appropriation
4 account under s. 20.410 (1) (kx) of the statutes.”.

5 **540.** Page 381, line 9: delete “\$1,302,600” and substitute “\$76,200”.

6 **541.** Page 382, line 5: delete “\$14,560,100” and substitute “\$13,776,800”.

7 **542.** Page 382, line 6: delete “496.53” and substitute “460.02”.

8 **543.** Page 382, line 12: delete lines 12 to 16 and substitute:

9 “(11f) INSTITUTIONAL DELAYS; STANLEY. In the schedule under section 20.005 (3)
10 of the statutes for the appropriation to the department of corrections under section
11 20.410 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
12 decreased by \$3,448,800 for fiscal year 2001–02 and \$3,712,700 for fiscal year
13 2002–03 to decrease the authorized FTE positions for the department by 73.79 GPR
14 positions for fiscal year 2001–02 and delay the opening of the Stanley Correctional
15 Institution.”.

16 **544.** Page 383, line 9: after that line insert:

17 “(13vo) STANLEY DELAY; CORRECTIONS CONTRACTS AND AGREEMENTS. In the
18 schedule under section 20.005 (3) of the statutes for the appropriation to the
19 department of corrections under section 20.410 (1) (ab) of the statutes, as affected by
20 the acts of 2001, the dollar amount is increased by \$8,558,900 for fiscal year 2002–03
21 as a result of delaying the opening of the Stanley Correctional Institution.”.

22 **545.** Page 384, line 4: after that line insert:

1 “(15vo) STANLEY DELAY; PURCHASED SERVICES FOR OFFENDERS. In the schedule
2 under section 20.005 (3) of the statutes for the appropriation to the department of
3 corrections under section 20.410 (1) (d) of the statutes, as affected by the acts of 2001,
4 the dollar amount is decreased by \$30,600 for fiscal year 2002–03 as a result of
5 delaying the opening of the Stanley Correctional Institution.”.

6 **546.** Page 384, line 17: delete “\$24,400” and substitute “\$23,200”.

7 **547.** Page 384, line 18: delete “0.8 PR positions” and substitute “0.4 PR
8 position”.

9 **548.** Page 384, line 23: after that line insert:

10 “(17vo) STANLEY DELAY; INSTITUTIONAL OPERATIONS AND CHARGES. In the schedule
11 under section 20.005 (3) of the statutes for the appropriation to the department of
12 corrections under section 20.410 (1) (kk) of the statutes, as affected by the acts of
13 2001, the dollar amount is decreased by \$6,200 for fiscal year 2001–02 and the dollar
14 amount is decreased by \$1,400 for fiscal year 2002–03 to decrease the authorized
15 FTE positions for the department by 0.8 PR position for fiscal year 2001–02 and delay
16 the opening of the Stanley Correctional Institution.”.

17 **549.** Page 385, line 7: after that line insert:

18 “(18vo) STANLEY DELAY; PRISON INDUSTRIES. In the schedule under section 20.005
19 (3) of the statutes for the appropriation to the department of corrections under
20 section 20.410 (1) (km) of the statutes, as affected by the acts of 2001, the dollar
21 amount is decreased by \$32,800 for fiscal year 2002–03 as a result of delaying the
22 opening of the Stanley Correctional Institution.”.

23 **550.** Page 386, line 13: delete “\$361,100” and substitute “\$541,700”.

24 **551.** Page 388, line 16: after that line insert:

1 “(1v) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of employee
3 trust funds under section 20.515 (2) (a) of the statutes, as affected by the acts of 2001,
4 the dollar amount is increased by \$850,000 for fiscal year 2001–02 to increase
5 funding for the purpose for which the appropriation is made.”.

6 **552.** Page 388, line 23: delete “\$159,000” and substitute “\$172,300”.

7 **553.** Page 389, line 7: delete “\$351,500” and substitute “\$380,800”.

8 **554.** Page 389, line 13: delete “\$14,900” and substitute “\$16,100”.

9 **555.** Page 390, line 7: delete “\$521,700” and substitute “\$539,100”.

10 **556.** Page 394, line 16: after that line insert:

11 “(18w) MEDICAL ASSISTANCE AUDITS AND INVESTIGATIONS; LAPSE. Notwithstanding
12 section 20.001 (3) (c) of the statutes, on January 1, 2003, there is lapsed to the general
13 fund the unencumbered balance in the appropriation under section 20.435 (4) (iL)
14 of the statutes immediately before the effective date of the repeal of section 20.435
15 (4) (iL) of the statutes.

16 (18z) RURAL HEALTH DENTAL CLINICS. In the schedule under section 20.005 (3)
17 of the statutes for the appropriation to the department of health and family services
18 under section 20.435 (5) (dm) of the statutes, as affected by the acts of 2001, the dollar
19 amount for fiscal year 2002–03 is increased by an amount equal to the amount, if any,
20 of the moneys under that appropriation that were allocated for the purpose of
21 providing grants to rural health dental clinics under section 146.65 of the statutes
22 and that lapsed to the general fund on July 1, 2002, for the purpose of providing
23 grants to rural health dental clinics under section 146.65 of the statutes.”.

24 **557.** Page 394, line 22: after that line insert:

1 “(20x) MEDICAL ASSISTANCE DIRECT CARE NURSING HOME INCREASE IN MEDICARE
2 LABOR REGIONS. In the schedule under section 20.005 (3) of the statutes for the
3 appropriation to the department of health and family services under section 20.435
4 (4) (w) of the statutes, as affected by the acts of 2001, the dollar amount is increased
5 by \$513,900 for fiscal year 2002–03 to provide under section 49.45 (6m) (ar) 1. a. of
6 the statutes, as affected by this act, for direct care costs in Douglas, Pierce, and St.
7 Croix counties under the medicare hospital reimbursement wage index.”.

8 **558.** Page 395, line 14: delete “\$40,100” and substitute “\$52,100”.

9 **559.** Page 395, line 16: delete lines 16 to 20.

10 **560.** Page 396, line 11: delete “2,690,100” and substitute “2,639,500”.

11 **561.** Page 399, line 3: after that line insert:

12 “(10xo) CONSUMER PROTECTION TRANSFER. In the schedule under section 20.005
13 (3) of the statutes for the appropriation to the department of justice under section
14 20.455 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
15 increased by \$1,502,200 for fiscal year 2002–03 to reflect the transfer of certain
16 consumer protection programs, functions, and enforcement activities from the
17 department of agriculture, trade and consumer protection and to increase the
18 authorized FTE positions for the department of justice by 26.0 GPR positions related
19 to those consumer protection programs, functions, and enforcement activities.”.

20 **562.** Page 399, line 14: delete “\$5,116,900” and substitute “\$5,384,800”.

21 **563.** Page 399, line 21: delete “\$33,800” and substitute “\$36,600”.

22 **564.** Page 404, line 11: substitute “\$3,004,200” for “\$4,200”.

23 **565.** Page 409, line 10: after that line insert:

1 “(36vv) RECREATION AREAS IN STATE FORESTS. In the schedule under section
2 20.005 (3) of the statutes for the appropriation to the department of natural
3 resources under section 20.370 (7) (fa) of the statutes, as affected by the acts of 2001,
4 the dollar amount is increased by \$114,600 for fiscal year 2002–03 to increase
5 funding for the purposes related to forestry for which the appropriation is made.

6 (36vw) ROADS IN STATE FORESTS. In the schedule under section 20.005 (3) of the
7 statutes for the appropriation to the department of natural resources under section
8 20.370 (7) (mc) of the statutes, as affected by the acts of 2001, the dollar amount is
9 increased by \$190,500 for fiscal year 2002–03 to increase funding for state forest
10 roads.”.

11 **566.** Page 409, line 11: delete lines 11 to 16.

12 **567.** Page 409, line 16: after that line insert:

13 “(37g) POSITION DECREASE. In the schedule under section 20.005 (3) of the
14 statutes for the appropriation to the department of natural resources under section
15 20.370 (3) (ma) of the statutes, as affected by the acts of 2001, the dollar amount is
16 decreased by \$86,200 for fiscal year 2002–03 to decrease the authorized FTE
17 positions for the department by 1.0 GPR position.”.

18 **568.** Page 409, line 21: delete “\$51,700” and substitute “\$56,000”.

19 **569.** Page 410, line 25: after that line insert:

20 “(1r) FUNDING FOR TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT. In the schedule
21 under section 20.005 (3) of the statutes for the appropriation to the department of
22 public instruction under section 20.255 (1) (a) of the statutes, as affected by the acts
23 of 2001, the dollar amount is increased by \$498,800 for fiscal year 2002–03 to fund

1 the positions transferred from the technology for educational achievement in
2 Wisconsin board under SECTION 9140 (3q) of this act and the supporting expenses.”.

3 **570.** Page 411, line 10: delete “\$737,500” and substitute “\$553,100”.

4 **571.** Page 412, line 7: delete “\$2,362,900” and substitute “\$636,600”.

5 **572.** Page 412, line 8: after that line insert:

6 “(1j) GENERAL PROGRAM OPERATIONS; DEBT COLLECTION. In the schedule under
7 section 20.005 (3) of the statutes for the appropriation to the department of revenue
8 under section 20.566 (1) (h) of the statutes, as affected by the acts of 2001, the dollar
9 amount is increased by \$60,000 for fiscal year 2002–03 to increase funding for the
10 purpose for which the appropriation is made.”.

11 **573.** Page 413, line 17: delete “\$3,742,500” and substitute “\$2,375,900”.

12 **574.** Page 414, line 2: after that line insert:

13 “(1x) ADVERTISING AND TRAVEL. In the schedule under section 20.005 (3) of the
14 statutes for the appropriation to the technical college system board under section
15 20.292 (1) (a) of the statutes, as affected by the acts of 2001, the dollar amount is
16 decreased by \$40,000 for fiscal year 2002–03 to decrease funding for advertising and
17 travel.”.

18 **575.** Page 414, line 18: delete lines 18 to 22.

19 **576.** Page 416, line 8: delete lines 8 to 12.

20 **577.** Page 417, line 19: delete the material beginning with “and” and ending
21 with “2002–03” on line 20.

22 **578.** Page 417, line 22: delete the material beginning with that line and
23 ending with page 418, line 2.

1 **579.** Page 418, line 2: after that line insert:

2 “(2g) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3)
3 of the statutes for the appropriation to the technology for educational achievement
4 in Wisconsin board under section 20.275 (1) (a) of the statutes, as affected by the acts
5 of 2001, the dollar amount is decreased by \$3,200 for fiscal year 2002–03 to decrease
6 funding for the purposes for which the appropriation is made.”.

7 **580.** Page 418, line 17: after that line insert:

8 “(2d) TOURISM MARKETING DECREASE. In the schedule under section 20.005 (3)
9 of the statutes for the appropriation to the department of tourism under section
10 20.380 (1) (b) of the statutes, as affected by the acts of 2001, the dollar amount is
11 decreased by \$42,300 for fiscal year 2002–03 to decrease funding for the purposes for
12 which the appropriation is made.”.

13 **581.** Page 418, line 18: after that line insert:

14 “(1e) MOTORCYCLE, MOPED, AND MOTOR BICYCLE SAFETY PROGRAM. In the schedule
15 under section 20.005 (3) of the statutes for the appropriation to the department of
16 transportation under section 20.395 (4) (aq) of the statutes, as affected by the acts
17 of 2001, the dollar amount is increased by \$200,000 for fiscal year 2002–03 to
18 increase funding for the Type 1 motorcycle, moped, and motor bicycle safety
19 program.”.

20 **582.** Page 418, line 24: delete “\$1,700” and substitute “\$1,800”.

21 **583.** Page 419, line 7: delete the material beginning with that line and ending
22 with page 420, line 22.

23 **584.** Page 420, line 23: delete the material beginning with that line and
24 ending with page 421, line 2.

1 **585.** Page 421, line 8: delete “\$40,000,000” and substitute “\$27,000,000”.

2 **586.** Page 421, line 9: after that line insert:

3 “(2x) GENERAL PROGRAM OPERATIONS. In the schedule under section 20.005 (3)
4 of the statutes for the appropriation to the board of regents of the University of
5 Wisconsin System under section 20.285 (1) (a) of the statutes, as affected by the acts
6 of 2001, the dollar amount is decreased by \$6,700,000 for fiscal year 2002-03 to
7 reflect the increased expenditure estimate under SECTION 9101 (8w) of this act.”.

8 **587.** Page 422, line 6: after that line insert:

9 “(4r) EXTENSION RECYCLING EDUCATION. In the schedule under section 20.005 (3)
10 of the statutes for the appropriation to the board of regents of the University of
11 Wisconsin System under section 20.285 (1) (tb) of the statutes, as affected by the acts
12 of 2001, the dollar amount is increased by \$336,900 for fiscal year 2001-02 and the
13 dollar amount is increased by \$336,900 for fiscal year 2002-03 to increase funding
14 for the purpose for which the appropriation is made and to provide funding for 4.0
15 FTE SEG positions previously authorized.

16 “(4s) SOLID WASTE RESEARCH AND EXPERIMENTS. In the schedule under section
17 20.005 (3) of the statutes for the appropriation to the board of regents of the
18 University of Wisconsin System under section 20.285 (1) (tm) of the statutes, as
19 affected by the acts of 2001, the dollar amount is increased by \$154,900 for fiscal year
20 2001-02 and the dollar amount is increased by \$154,900 for fiscal year 2002-03 to
21 increase funding for the purposes for which the appropriation is made and to provide
22 funding for 0.5 FTE SEG position previously authorized.”.

23 **588.** Page 425, line 10: after that line insert:

1 “(13c) COMMUNITY YOUTH GRANT FOR BOYS AND GIRLS CLUBS. In the schedule under
2 section 20.005 (3) of the statutes for the appropriation to the department of workforce
3 development under section 20.445 (3) (md) of the statutes, as affected by the acts of
4 2001, the dollar amount is increased by ~~\$450,000~~ \$250,000 for fiscal year 2001-02
5 to increase funding for the purpose of providing grants to the Wisconsin chapters of
6 the Boys and Girls Clubs of America.

7 (14d) TEMPORARY ASSISTANCE FOR NEEDY FAMILIES TRANSFER TO JOINT COMMITTEE
8 ON FINANCE.

9 (a) In the schedule under section 20.005 (3) of the statutes for the appropriation
10 to the department of workforce development under section 20.445 (3) (md) of the
11 statutes, as affected by the acts of 2001, the dollar amount is increased by
12 \$10,000,000 for fiscal year 2001-02 to increase funding for the transfer of moneys to
13 the appropriation account under section 20.865 (4) (k) of the statutes.

14 (b) On the effective date of this paragraph, there is transferred from the
15 appropriation account to the department of workforce development under section
16 20.445 (3) (md) of the statutes to the appropriation account to the joint committee on
17 finance under section 20.865 (4) (k) of the statutes, as affected by this act,
18 \$10,000,000 to supplement appropriations for any purpose that is allowable under
19 the federal temporary assistance for needy families program under 42 USC 601 to
20 619.”.

21 **589.** Page 425, line 22: after that line insert:

22 “(1) (ke)	-0-	1,250,000”.
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23 **590.** Page 426, line 17: delete lines 17 to 19.

24 **591.** Page 427, line 3: delete that line.

1 **592.** Page 427, line 4: delete “1,250,000” and substitute “-0-”.

2 **593.** Page 427, line 12: delete “121,900” and substitute “21,900”.

3 **594.** Page 427, line 12: delete “174,200” and substitute “74,200”.

4 **595.** Page 427, line 22: delete that line and substitute:

5	“(1) (g)	-0-	707,700.”.
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6 **596.** Page 428, line 3: delete lines 3 and 4.

7 **597.** Page 428, line 4: after that line insert:

8	“20.575 Secretary of state		
9	(1) (g)	-0-	3,500”.

10 **598.** Page 428, line 9: after the period insert “In addition, the secretary of
11 administration may not lapse the amounts specified in paragraph (a) from the
12 appropriation account under section 20.155 (1) (g) of the statutes to the general fund
13 unless the public service commission fills the positions that are described in SECTION
14 9142 (1x) of this act no later than the first day of the 6th month beginning after the
15 effective date of this subsection.”.

16 **599.** Page 428, line 13: delete “\$129,600” and substitute “\$194,400”.

17 **600.** Page 428, line 18: delete “\$27,100” and substitute “\$29,400”.

18 **601.** Page 429, line 4: delete “\$113,800” and substitute “\$123,300”.

19 **602.** Page 429, line 11: delete “\$173,800” and substitute “\$188,300”.

20 **603.** Page 429, line 16: delete “\$65,300” and substitute “\$98,000”.

21 **604.** Page 429, line 22: delete “\$380,500” and substitute “\$412,200”.

22 **605.** Page 430, line 2: delete “\$200,000,000” and substitute “\$231,000,000”.

1 **606.** Page 430, line 8: delete “\$1,600” and substitute “\$1,700”.

2 **607.** Page 430, line 9: after that line insert:

3 “(6z) COMPENSATION AND FRINGE BENEFIT SAVINGS FOR STATE EMPLOYEES WHO ELECT
4 TO TAKE VOLUNTARY FURLOUGHS DURING THE 2001-03 FISCAL BIENNIUM.

5 (a) The definitions in section 20.001 of the statutes are applicable in this
6 subsection, except that “state agency” does not include the department of employee
7 trust funds or the investment board.

8 (b) The secretary of administration shall determine for each state agency the
9 amount that the agency would have been required to expend for compensation and
10 contributions under section 40.05 (1) and (2) of the statutes for state employees who
11 elect to take a voluntary furlough under SECTION 9159 (4z) of this act and each
12 appropriation from which the moneys would have been expended, other than
13 appropriations of federal revenues.

14 (c) From each sum certain appropriation of general purpose revenue identified
15 in paragraph (b), the secretary of administration shall lapse to the general fund the
16 amount specified in paragraph (b) that would otherwise have been expended from
17 each of the appropriations. After the secretary of administration makes the lapse,
18 each of the sum certain appropriations is decreased by the amount specified in
19 paragraph (b) for that appropriation.

20 (d) For each sum sufficient appropriation of general purpose revenue identified
21 in paragraph (b), the expenditure estimate for the appropriation during the 2001-03
22 fiscal biennium is reestimated to subtract the amount specified in paragraph (b) for
23 that appropriation.

1 (e) From each appropriation of program revenues or program revenues-service
2 identified in paragraph (b), the secretary of administration shall lapse to the general
3 fund the amount specified in paragraph (b) that would otherwise have been
4 expended from each of the appropriations. After the secretary of administration
5 makes the lapse, each of the sum certain program revenues or program
6 revenues-service appropriations is decreased by the amount specified in paragraph
7 (b) for that appropriation.

8 (f) From each sum certain appropriation of segregated fund revenues or
9 segregated fund revenues — service identified in paragraph (b), the secretary of
10 administration shall lapse to the underlying fund the amount specified in paragraph
11 (b) that would otherwise have been expended from each of the appropriations. After
12 the secretary of administration makes the lapse, each of the sum certain segregated
13 revenues or segregated revenues — service appropriations is decreased by the
14 amount specified in paragraph (b) for that appropriation. For each appropriation
15 of segregated fund revenues or segregated fund revenues — service identified in
16 paragraph (b) that is not a sum certain appropriation, the expenditure estimate for
17 each appropriation is reestimated to subtract the amount specified in paragraph (b)
18 for that appropriation. The secretary of administration shall transfer from the
19 underlying fund the lapsed amounts and an amount equal to the amount subtracted
20 from the estimates to the general fund.”.

21 **608.** Page 430, line 14: delete “\$13,900” and substitute “\$15,100”.

22 **609.** Page 430, line 19: delete “\$10,500” and substitute “\$15,800”.

23 **610.** Page 431, line 6: delete “196,700” and substitute “295,000”.

24 **611.** Page 431, line 7: delete “77,900” and substitute “116,900”.

- 1 **612.** Page 431, line 8: delete that line.
- 2 **613.** Page 431, line 9: delete “54,800” and substitute “82,200”.
- 3 **614.** Page 431, line 10: delete “9,300” and substitute “13,900”.
- 4 **615.** Page 431, line 11: delete “1,871,000” and substitute “2,806,500”.
- 5 **616.** Page 431, line 12: delete “2,200” and substitute “3,300”.
- 6 **617.** Page 431, line 13: delete “347,600” and substitute “521,400”.
- 7 **618.** Page 431, line 15: delete “457,900” and substitute “686,800”.
- 8 **619.** Page 431, line 16: delete “296,200” and substitute “444,300”.
- 9 **620.** Page 431, line 18: delete “35,500” and substitute “53,200”.
- 10 **621.** Page 431, line 19: delete “112,500” and substitute “168,800”.
- 11 **622.** Page 431, line 20: delete lines 20 and 21.
- 12 **623.** Page 431, line 22: delete “7,400” and substitute “11,100”.
- 13 **624.** Page 431, line 23: delete “350,000” and substitute “525,000”.
- 14 **625.** Page 432, line 19: delete “472,300” and substitute “511,700”.
- 15 **626.** Page 432, line 20: delete “9,500” and substitute “10,300”.
- 16 **627.** Page 432, line 23: delete “66,200” and substitute “71,700”.
- 17 **628.** Page 432, line 25: delete “3,000” and substitute “3,300”.
- 18 **629.** Page 432, line 26: delete “124,000” and substitute “186,000”.
- 19 **630.** Page 433, line 2: delete “6,790,500” and substitute “6,839,700”.
- 20 **631.** Page 433, line 3: delete “574,391,600” and substitute “578,549,600”.
- 21 **632.** Page 433, line 4: delete “12,817,900” and substitute “12,910,700”.

1 **633.** Page 433, line 5: delete lines 5 to 17.

2 **634.** Page 434, line 11: after that line insert:

3 “(9r) APPROPRIATION ACCOUNT BALANCE TRANSFERS; ELECTRONIC GOVERNMENT.

4 (a) Notwithstanding section 20.001 (3) (c) of the statutes, there is lapsed to the
5 general fund from the appropriation account of the department of electronic
6 government under section 20.530 (1) (g), 1999 stats., \$5,286,800 immediately prior
7 to the transfers to be effected under paragraphs (b) to (g).

8 (b) The unencumbered balance in the appropriation account under section
9 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to gifts,
10 grants and bequests received by the department of electronic government, as
11 determined by the secretary of administration, is transferred to the appropriation
12 account under section 20.505 (1) (j) of the statutes.

13 (c) The unencumbered balance in the appropriation account under section
14 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources
15 specified in sections 16.972 (2) (b) and (c) and 16.974 (2) of the statutes, as affected
16 by this act, and section 44.73 (2) (d) of the statutes, for the provision of computer
17 services, telecommunications services, and supercomputer services to state
18 authorities, units of the federal government, local governmental units, and entities
19 in the private sector, as determined by the secretary of administration, is transferred
20 to the appropriation account under section 20.505 (1) (is) of the statutes, as created
21 by this act.

22 (d) The unencumbered balance in the appropriation account under section
23 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source
24 specified in section 16.974 (3) of the statutes, as affected by this act, for the provision

1 of electronic communications services to state authorities, units of the federal
2 government, local governmental units, and entities in the private sector, as
3 determined by the secretary of administration, is transferred to the appropriation
4 account under section 20.505 (1) (it) of the statutes, as created by this act.

5 (e) The unencumbered balance in the appropriation account under section
6 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source
7 specified in section 16.974 (3) of the statutes, as affected by this act, for the provision
8 of electronic communications services to state agencies, as determined by the
9 secretary of administration, is transferred to the appropriation account under
10 section 20.505 (1) (kg) of the statutes, as created by this act.

11 (f) The unencumbered balance in the appropriation account under section
12 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the sources
13 specified in sections 16.972 and 16.973 of the statutes, as affected by this act, for the
14 provision of printing, mail processing, and information technology processing
15 services to state agencies, as determined by the secretary of administration, is
16 transferred to the appropriation account under section 20.505 (1) (kL) of the statutes,
17 as created by this act.

18 (g) The unencumbered balance in the appropriation account under section
19 20.530 (1) (g) of the statutes, as affected by this act, that is attributable to the source
20 specified in section 16.971 (11) of the statutes, as affected by this act, for the provision
21 of information technology development and management services to executive
22 branch agencies, as determined by the secretary of administration, is transferred to
23 the appropriation account under section 20.505 (1) (kr) of the statutes, as created by
24 this act.

1 (h) The unencumbered balance in the appropriation account under section
2 20.530 (1) (m) of the statutes, as affected by this act, is transferred to the
3 appropriation account under section 20.505 (1) (mb) of the statutes.”.

4 **635.** Page 434, line 12: after that line insert:

5 “(1c) REVIEW OF PROPOSED CONTRACTUAL SERVICE CONTRACTS. The treatment of
6 sections 16.705 (2m) and 16.71 (1) of the statutes first applies with respect to
7 contracts for contractual services entered into on the effective date of this
8 subsection.”.

9 **636.** Page 435, line 2: after that line insert:

10 “(1vv) JUVENILE COURT ORDERS. The treatment of sections 48.21 (5) (b) 1. and
11 3., (c), and (d), 48.355 (2) (b) 6. and 6r., (2c) (b), (2d) (b) (intro.), 1., 2., 3. (by SECTION
12 101z), 4., and 5. and (bm), and (4), 48.357 (6), 48.365 (2m) (ag) and (5), 48.977 (2) (f),
13 938.21 (5) (b) 1. and 3., (c), and (d), 938.32 (1) (c) and (d), 938.355 (2) (b) 6. and 6r.,
14 (2c) (b), (2d) (b) (intro.), 1., 2., 3. (by SECTION 531t), and 4., and (bm), (4) (a) and (b)
15 (by SECTION 532v), (6) (a), and (6m) (cm), 938.357 (6), and 938.365 (2m) (ag) and (5)
16 of the statutes, the renumbering and amendment of sections 48.32 (1), 48.355 (2d)
17 (c), 48.365 (2m) (a), 938.355 (2d) (c), and 938.365 (2m) (a) of the statutes, and the
18 creation of sections 48.32 (1) (b) and (c), 48.355 (2d) (c) 2. and 3., 48.365 (2m) (a) 2.
19 and 3. and (ad), 938.355 (2d) (c) 2. and 3., and 938.365 (2m) (a) 2. and 3. and (ad) of
20 the statutes first apply to a physical custody order, consent decree, dispositional
21 order, change in placement order, extension order, sanction order, or guardianship
22 order entered on the effective date of this subsection.

23 (1vw) JUVENILE COURT REPORTS. The treatment of sections 48.33 (4) (intro.) and
24 (c), 48.365 (1) and (2g) (b) 2. and 3., 938.33 (4) (intro.) and (c), and 938.365 (1) and

1 (2g) (b) 2. and 3. of the statutes first applies to reports filed with the court assigned
2 to exercise jurisdiction under chapters 48 and 938 of the statutes on the effective of
3 this subsection.

4 (1vx) JUVENILE COURT HEARINGS. The treatment of sections 48.21 (1) (a) and (3)
5 (am), 48.335 (3g), 48.363 (1m), 938.21 (1) (a), (2) (am), and (3) (am), 938.335 (3g), and
6 938.363 (1m) of the statutes first applies to hearings held by the court assigned to
7 exercise jurisdiction under chapters 48 and 938 of the statutes on the effective of this
8 subsection.

9 (1vy) PERMANENCY PLAN CONTENTS. The treatment of sections 48.38 (4) (intro.),
10 (a), (ag), (am), (bm), (dg), (dm), (dr), (e), (f) (intro.), (fg), (fm), and (h) and 938.38 (4)
11 (intro.), (a), (ag), (am), (bm), (dg), (dm), (dr), (e), (f) (intro.), (fg), (fm), and (h) of the
12 statutes first applies to permanency plans filed on the effective date of this
13 subsection.

14 (1vz) PERMANENCY PLAN REVIEWS AND HEARINGS. The treatment of sections 48.38
15 (5) (a), (b), and (c) 6. (intro.), am., cg., and d. and 7. and (5m) and 938.38 (5) (a), (b),
16 and (c) 6. (intro.), am., cg., and d. and 7. and (5m) of the statutes first applies to
17 permanency plan reviews and hearings for which notice is provided on the effective
18 date of this subsection.

19 (1wv) CHANGES IN PLACEMENT. The treatment of sections 48.357 (1) (a), (2), (2m)
20 (a) and (b), and (2r) and 938.357 (1) (a), (2), (2m) (a) and (b), (2r), (3), (4) (b) 1. and
21 2., (c) 1. and 2., and (d), and (5) (a) of the statutes, the renumbering and amendment
22 of sections 48.357 (1) (b) and (2v) and 938.357 (1) (b) and (2v) of the statutes, and the
23 creation of sections 48.357 (1) (am) 3. and (c), (2m) (c), and (2v) (a) (intro.), 1., and 3.,
24 (b), and (c) and 938.357 (1) (am) 3. and (c), (2m) (c), and (2v) (a) (intro.), 1., and 3., (b),

1 and (c) of the statutes first apply to changes in placement requested or proposed on
2 the effective date of this subsection.

3 (1ww) TIME LIMITS. The treatment of sections 48.315 (2m) and 938.315 (2m) and
4 (3) of the statutes first applies to continuances and extensions granted, and periods
5 of delay that begin, on the effective date of this subsection.

6 (1wx) JUVENILE COURT PETITIONS. The treatment of sections 48.255 (1) (f), (1m)
7 (f), and (2) and 938.255 (1) (f) and (2) of the statutes first applies to petitions filed with
8 the court assigned to exercise jurisdiction under chapters 48 and 938 of the statutes
9 on the effective date of this subsection.

10 (2zy) DOMESTIC VIOLENCE PRIVILEGE. The treatment of section 905.045 of the
11 statutes first applies to communications made or information obtained or
12 disseminated on the effective date of this subsection.

13 (2zz) DOMESTIC ABUSE INJUNCTIONS. The treatment of sections 106.50 (5m) (d),
14 767.11 (8) (b) 2. and (10) (e) 2., 767.24 (1m) (b), (c), and (o), (2) (b) 2. c., and (5) (i),
15 813.12 (1) (a) (intro.) 1., 2., 3., and 4., (ad), (ag), (am) 5., (cg), and (cj), (2) (a), (3) (a)
16 (intro.) and 2. and (c), (4) (a) (intro.), 2., and 3. and (c) 1. and 2., (5) (d), (5m), (6) (d),
17 and (7) (c), 814.61 (1) (e), 814.70 (1) and (3) (intro.), and 895.73 (1) (a) of the statutes
18 first applies to actions commenced on the effective date of this subsection.”.

19 **637.** Page 435, line 2: delete “July 1, 2002” and substitute “the effective date
20 of this subsection”.

21 **638.** Page 435, line 4: after that line insert:

22 “(2f) LIABILITY OF PARENT OR GUARDIAN FOR JUVENILE COMPETENCY OR MENTAL
23 DEFECT EXAMINATIONS. The treatment of sections 46.03 (18) (am), 301.03 (18) (am),

1 and 938.295 (2) (a) and (c) of the statutes first applies to examinations ordered under
2 section 938.295 (2) (a) of the statutes on the effective date of this subsection.”.

3 **639.** Page 435, line 24: after that line insert:

4 “(2x) MEDICAL ASSISTANCE DIRECT CARE NURSING HOME INCREASE IN MEDICARE
5 LABOR REGIONS. The treatment of section 49.45 (6m) (ar) 1. a. of the statutes first
6 applies to payment made for direct care services provided by a facility on July 1, 2002.

7 (3yo) LIABILITY FOR TRANSFER OF BUSINESS. The treatment of section 49.45 (2) (b)
8 8. and (21) (title), (ag), (ar), (b), and (e) of the statutes first applies to sales or other
9 transfers completed on the effective date of this subsection.

10 (3yv) ASSESSMENT FOR REPEATED RECOVERIES AGAINST PROVIDERS OF MEDICAL
11 ASSISTANCE. The treatment of section 49.45 (2) (b) 9. of the statutes first applies to
12 repeated recoveries from the identical provider that are made on the effective date
13 of this subsection.

14 (3yw) DECERTIFICATION OR SUSPENSION OF PROVIDERS OF MEDICAL ASSISTANCE. The
15 treatment of section 49.45 (2) (a) 12. a. and b. and 14. of the statutes first applies to
16 violations of federal statutes or regulations or state statutes or rules committed on
17 the effective date of this subsection.

18 (3yx) CERTIFICATION OF PROVIDERS OF MEDICAL ASSISTANCE. The treatment of
19 section 49.45 (2) (a) 11. a. and b. and (b) 7. of the statutes first applies to applications
20 for certification received on the effective date of this subsection.

21 (3yy) RECOVERIES AGAINST PROVIDERS OF MEDICAL ASSISTANCE. The treatment of
22 sections 49.45 (2) (a) 9. and 10. a., b., and c., 49.85 (2) (a) and (3) (a) 1., and 71.93 (1)
23 (a) 3. of the statutes first applies to recoveries imposed on the effective date of this
24 subsection.

1 (3yz) AUDITS AND ACCESS TO RECORDS OF PROVIDERS OF MEDICAL ASSISTANCE. The
2 treatment of section 49.45 (3) (g) 1. and 2. and (h) 1., 1m., 1n., and 2. of the statutes
3 first applies to audits or investigations performed on or access requested on the
4 effective date of this subsection.

5 (3yzv) LIMIT ON NUMBER OF CERTIFIED MEDICAL ASSISTANCE PROVIDERS. The
6 treatment of section 49.45 (2) (b) 6m. of the statutes first applies to certifications
7 made on the effective date of this subsection.”.

8 **640.** Page 436, line 18: after that line insert:

9 “(1zo) STURGEON SPEARING. The treatment of sections 29.235 (2) and (2m) and
10 29.237 (3) of the statutes first applies to conservation patron licenses issued on the
11 effective date of this subsection.”.

12 **641.** Page 436, line 23: after that line insert:

13 “(2e) SALE OF SOFT DRINKS. The treatment of section 118.12 (4) of the statutes
14 first applies to contracts entered into, modified, extended, or renewed on the effective
15 date of this subsection.”.

16 **642.** Page 437, line 6: after “2001” insert “, except that changes made to
17 section 168 of the Internal Revenue Code by P.L. 107-147 do not apply”.

18 **643.** Page 437, line 6: after that line insert:

19 “(1f) SALE OF MOBILE TELECOMMUNICATIONS SERVICES. The treatment of sections
20 77.52 (3m) (intro.) and (3n), 77.523, 77.525, and 77.72 (3) (b) of the statutes, the
21 renumbering and amendment of section 77.52 (2) (a) 5. of the statutes, and the
22 creation of section 77.52 (2) (a) 5. b. of the statutes first apply to customer bills issued
23 after August 1, 2002.

1 (1m) TAXATION OF AGRICULTURAL LAND. The treatment of sections 70.32 (2) (c) 1.
2 and 1m. and (2s), 74.48, and 74.485 of the statutes first applies to the property tax
3 assessments as of, and the penalties imposed on, January 1, 2003.”.

4 **644.** Page 437, line 7: delete lines 7 to 9.

5 **645.** Page 437, line 10: delete lines 10 to 12.

6 **646.** Page 437, line 12: after that line insert:

7 “(5f) INCOME TAX DEDUCTIONS; COLLEGE SAVINGS. The treatment of sections 71.05
8 (6) (b) 32. (intro.) and a. and 33. (intro.) and a. of the statutes first applies to taxable
9 years beginning on January 1 of the year in which this subsection takes effect, except
10 that if this subsection takes effect after July 31 the treatment of sections 71.05 (6)
11 (b) 32. (intro.) and a. and 33. (intro.) and a. of the statutes first applies to taxable
12 years beginning on January 1 of the year following the year in which this subsection
13 takes effect.”.

14 **647.** Page 437, line 21: after that line insert:

15 “(1g) TRANSPORTATION FACILITIES ECONOMIC ASSISTANCE PROGRAM. The treatment
16 of section 84.185 (3m) of the statutes first applies to applications submitted to the
17 department of transportation in fiscal year 2002–03.

18 (1h) RAILROAD CROSSING VIOLATION DISQUALIFICATIONS. The treatment of sections
19 343.23 (2) (b), 343.245 (3) (c) and (4) (a) and (c), and 343.315 (2) (j) and (3) (b) of the
20 statutes first applies to offenses committed on the effective date of this subsection.

21 (1j) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. The treatment of
22 section 84.02 (15) and 349.067 of the statutes first applies to traffic control signals
23 that are installed on the effective date of this subsection.

1 (1jh) **HOMEMADE AND REPLICA VEHICLES.** The treatment of sections 341.14 (4r),
2 341.268 (1) (e), (2) (a) 4. and 5., and (4m), and 347.02 (7) of the statutes, the
3 renumbering and amendment of section 341.268 (1) (b) of the statutes, and the
4 creation of section 341.268 (1) (b) 2. of the statutes first apply to applications for
5 registration received by the department of transportation on the effective date of this
6 subsection.

7 (1z) **LOCAL ROADS FOR JOB PRESERVATION PROGRAM.** The treatment of section
8 86.312 (2) (a) of the statutes first applies to contracts in furtherance of a grant
9 awarded under section 86.312 of the statutes that are entered into on the effective
10 date of this subsection.”.

11 **648.** Page 438, line 6: delete lines 6 to 8.

12 **649.** Page 438, line 8: after that line insert:

13 “(2f) **FAIR HEARING PROCESS FOR REVIEW OF WISCONSIN WORKS AGENCY DECISIONS.**
14 The treatment of sections 49.152 (title), (1), (2), and (3) (title), (a), and (b), 49.195 (3),
15 and 49.26 (1) (h) 1. as. of the statutes first applies to petitions filed under section
16 49.16 (1) of the statutes, as affected by this act, on the effective date of this
17 subsection.”.

18 **650.** Page 440, line 2: delete “938.355 (2d) (b) 3., 938.355 (4) (b),” and
19 substitute “938.355 (2d) (b) 3. (by SECTION 532b), 938.355 (4) (b) (by SECTION 533b),”.

20 **651.** Page 440, line 17: after “940.32 (2) (intro.)” insert “(by SECTION 658b),
21 940.32 (2e) (intro.) (by SECTION 658g)”.

22 **652.** Page 440, line 17: after “(2m)” insert “(intro.) (by SECTION 659b)”.

23 **653.** Page 440, line 18: after “(3) (intro.)” insert “(by SECTION 660b)”.

24 **654.** Page 440, line 18: delete “940.32 (3m) (intro.),”.

1 **655.** Page 441, line 14: after “943.76 (2) (b)” insert “943.76 (4) (a) (intro.),
2 943.76 (4) (b) (intro.)”.

3 **656.** Page 441, line 24: after “947.013 (1t)” insert “(by SECTION 875b)”.

4 **657.** Page 442, line 3: after “948.07 (intro.)” insert “948.075 (1)”.

5 **658.** Page 444, line 10: delete lines 10 and 11.

6 **659.** Page 444, line 11: after that line insert:

7 “(7v) DISCIPLINARY PROCEDURES; LAW ENFORCEMENT, FIRE FIGHTERS. The treatment
8 of section 62.13 (5) (i) of the statutes first applies to any city, village, or town whose
9 employees are covered by a collective bargaining agreement that is in effect on the
10 effective date of this subsection upon the expiration, extension, renewal, or
11 modification of the agreement.”.

12 **660.** Page 444, line 21: delete lines 21 and 22.

13 **661.** Page 445, line 5: after that line insert:

14 “(1xo) CONSUMER PROTECTION TRANSFER. The treatment of sections 20.115 (1)
15 (hm) and (8) (jm), 20.455 (1) (title), (g), and (j), 93.07 (1), (23), and (24), 93.18 (3) and
16 (7), 93.20 (1), 93.22 (1) and (2), 100.07 (6), 100.171 (7) (b) (by SECTION 263bb) and (8)
17 (intro.), 100.173 (4) (intro.) and (a), 100.174 (5) (intro.) and (6), 100.175 (5) (a) (intro.)
18 and (b) and (7) (a) (intro.) and (b), 100.177 (1) (bm), 100.178 (1) (b), 100.18 (11) (a),
19 (b) 3., (c) 1., 2., 3., and 4., (d), and (e), 100.182 (5) (a) and (b), 100.20 (2) (a) and (b),
20 (3), (4), and (6), 100.201 (6) (d), (8m) (intro.), and (9) (b) and (c), 100.205 (7) and (8),
21 100.207 (6) (b) 1. and 2., (c), and (em) 1. and 2., 100.208 (2) (intro.) and (b), 100.209
22 (3) and (4) (b), 100.2095 (6) (b) and (c), 100.21 (2) (a) and (4) (a) (intro.), 100.22 (4) (b),
23 100.235 (11) (a), 100.26 (6), 100.261 (3) (b), (d), and (e), 100.263, 100.28 (4) (b) and
24 (c), 100.31 (4) and (5), 100.37 (1) (am), 100.38 (5) and (6), 100.41 (1) (bn), 100.42 (1)

1 (cm), 100.43 (1) (am), 100.44 (5), 100.46 (1) and (2), 100.50 (6) (b) and (c), 100.52 (1)
2 (bn), 101.175 (3) (intro.), 134.71 (12), 136.03 (title) and (1) (intro.), 136.04, 165.065
3 (2), 165.25 (4) (ar) and (11), 344.576 (3) (a) 5. and (c), 344.579 (2) (intro.), 704.90 (9)
4 and (11) (title) and (a), 707.49 (4), 707.57 (2) and (3), 779.41 (1m), and 779.93 (title),
5 (1), and (2) (intro.) of the statutes the renumbering and amendment of section
6 100.207 (1) of the statutes, the creation of section 100.207 (1) (a) of the statutes, and
7 SECTIONS 9104 (14xv) and 9131 (2xz) of this act take effect on July 1, 2002, or on the
8 day after publication, whichever is later.”.

9 **662.** Page 445, line 13: after that line insert:

10 “(1e) GRANT TO FORWARD WISCONSIN, INC. The treatment of section 16.501 (2)
11 (by SECTION 17fx) of the statutes and the repeal of section 20.143 (1) (bp) of the
12 statutes take effect on July 1, 2003.”.

13 **663.** Page 445, line 13: after that line insert:

14 “(1z) DIVISION OF INTERNATIONAL AND EXPORT SERVICES. The treatment of section
15 20.143 (1) (a) and (g) of the statutes takes effect on July 1, 2002, or on the day after
16 publication, whichever is later.”.

17 **664.** Page 446, line 4: after that line insert:

18 “(1yv) PROVIDERS OF MEDICAL ASSISTANCE. The treatment of sections 20.435 (4)
19 (iL), 49.45 (2) (a) 9., 10. a., b., and c., 11. a. and b., 12. a. and b., and 14. and (b) 6m.,
20 7., 8., and 9., (3) (g) 1. and 2., (h) 1., 1m., 1n., and 2., and (21) (title), (ag), (ar), (b), and
21 (e), 49.85 (2) (a) and (3) (a) 1., 71.93 (1) (a) 3., and 227.43 (1) (bg) of the statutes and
22 2001 Wisconsin Act 16, sections 9323 (18k), (18m), (18n), (18pk), (18pm), and (18pn)
23 and 9423 (18k) and SECTION 9323 (3yo), (3yv), (3yw), (3yx), (3yy), (3yz), and (3yzv)
24 of this act take effect on January 1, 2003.”.

1 **665.** Page 446, line 5: delete lines 5 and 6.

2 **666.** Page 446, line 6: after that line insert:

3 “(2zw) EXCEPTIONS TO COMPULSORY VACCINATION; RULES. The treatment of section
4 252.041 (1) of the statutes takes effect on the first day of the 5th month beginning
5 after publication.

6 (2zx) MEDICAL CONDITIONS FOR WHICH PHARMACEUTICAL DRUGS ARE DISPENSED OR
7 SOLD; RULES. The treatment of section 440.142 (1) of the statutes takes effect on the
8 first day of the 5th month beginning after publication.”.

9 **667.** Page 446, line 6: after that line insert:

10 “(3f) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The treatment of sections
11 146.83 (1) (b) and (c) and 908.03 (6m) (d) (by SECTION 523q) of the statutes takes effect
12 on January 1, 2003.”.

13 **668.** Page 446, line 7: after that line insert:

14 “(1d) TUITION AND FINANCIAL AID. The treatment of sections 20.235 (1) (fe) and
15 20.285 (4) (dd) of the statutes takes effect on July 1, 2003.”.

16 **669.** Page 446, line 19: after that line insert:

17 “(2x) AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM WORK STATION GRANT. The
18 repeal of section 20.455 (2) (cr) of the statutes takes effect on July 1, 2003.”.

19 **670.** Page 446, line 21: delete lines 21 and 22 and substitute:

20 “(1) JOINT REVIEW COMMITTEE ON CRIMINAL PENALTIES. The treatment of section
21 13.525 (5) of the statutes”.

22 **671.** Page 446, line 23: delete “13.525 (5m) of the statutes”.

23 **672.** Page 447, line 1: delete lines 1 to 2.

1 **673.** Page 447, line 8: delete “121.90 (1) (intro.), and 301.26 (2) (c)” and
2 substitute “and 121.90 (1) (intro.)”.

3 **674.** Page 447, line 19: after that line insert:

4 “(1zo) STURGEON SPEARING LICENSES. The treatment of sections 20.370 (4) (kw),
5 29.235 (2) and (2m), 29.237 (1) (a), (1m) (c), (2), (3), (4), and (5), 29.503 (3), 29.563 (3)
6 (a) 10., (b) 7., and (d) (title), 1., and 2., 29.569 (3) (b) and (bm) (intro.), 29.977 (1) (i),
7 and 29.983 (1) (b) 9. of the statutes, the renumbering and amendment of section
8 29.237 (1) of the statutes, and SECTION 9337 (1zo) of this act take effect on March 10,
9 2003.”.

10 **675.** Page 447, line 24: after that line insert:

11 “(3q) EDUCATIONAL TECHNOLOGY RESPONSIBILITIES. The treatment of sections
12 15.105 (25), 16.70 (3m), 16.71 (4), 16.72 (8), 16.974, (1), (2), (3), and (4), 20.275 (intro.),
13 (1) (title), (a), (d), (er), (es), (et), (f), (g), (h), (hb), (i), (im), (jm), (js), (k), (L), (m), (mp),
14 (q), (s), (tm), 20.866 (1) (u) and (2) (zc) and (zcm), 20.923 (4) (e) 1b., 36.25 (38) (a), 44.70
15 (intro.), (1), (1d), (1m), (2), (2g), (3), (3d), (3g), (3j), (3m), (3r), (4), (5), and (6), 44.71
16 (title), (1), (2) (title), (intro.), (a), (b), (c), (d), (e), (f), (g), (h), and (i), and (3), 44.72
17 (title), (1) (intro.), (a), (b), and (c), (2) (title), (b) 1. and 2., (c), (d), and (e), (3), and (4)
18 (title), (a), (b), (c), and (d), 44.73 (title), (1), (2) (intro.), (a), (b), (c), (d), (e), and (f), (2g),
19 (2r), (3), (4), (5), and (6) (a) and (b), 115.28 (25), 120.18 (1) (i), 121.15 (3m) (a) 2., and
20 196.218 (3) (a) 3. b., (4t), and (5) (a) 5., 7., and 10., subchapter IV (title) of chapter 44,
21 subchapter VIII (title) of chapter 115, and chapter 44 (title) of the statutes takes
22 effect on July 1, 2002.”.

23 **676.** Page 448, line 3: after that line insert:

1 “(1c) TAX-EXEMPT LIVESTOCK. The treatment of sections 77.52 (13) and 77.53 (10)
2 of the statutes takes effect on the first day of the 2nd month beginning after
3 publication.”.

4 **677.** Page 448, line 16: after that line insert:

5 “(1v) GRANTS FOR BADGER STATE GAMES. The treatment of sections 20.380 (1) (b)
6 and 41.11 (6) of the statutes takes effect on July 1, 2002, or on the day after
7 publication, whichever is later.”.

8 **678.** Page 448, line 19: after that line insert:

9 “(1ff) RAILROAD CROSSING VIOLATION DISQUALIFICATIONS. The treatment of
10 sections 343.23 (2) (b), 343.245 (3) (c) and (4) (a) and (c), and 343.315 (2) (j) and (3)
11 (b) of the statutes and SECTION 9352 (1h) of this act take effect on October 4, 2002.”.

12 **679.** Page 448, line 19: after that line insert:

13 “(1fg) LICENSE PLATES FOR MOTORCYCLES. The treatment of sections 341.09 (8),
14 341.13 (2m), and 341.14 (6w) (by SECTION 432w), of the statutes takes effect on the
15 first day of the 9th month beginning after publication.”.

16 **680.** Page 448, line 19: after that line insert:

17 “(2q) HAIL-DAMAGED VEHICLES. The treatment of sections 340.01 (20m) and (55g)
18 and 342.10 (3) (h) of the statutes takes effect on the first day of the 4th month
19 beginning after publication.”.

20 **681.** Page 448, line 19: after that line insert:

21 “(1fh) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. The treatment
22 of sections 84.02 (15) and 349.067 of the statutes and SECTION 9352 (1j) of this act take
23 effect on the first day of the 7th month beginning after publication.”.

24 **682.** Page 448, line 19: after that line insert:

1 “(2j) **HOMEMADE AND REPLICA VEHICLES.** The treatment of sections 341.14 (4r),
2 341.268 (1) (e), (2) (a) 4. and 5., and (4m), and 347.02 (7) of the statutes, the
3 renumbering and amendment of section 341.268 (1) (b) of the statutes, and the
4 creation of section 341.268 (1) (b) 2. of the statutes and SECTION 9352 (1jh) of this act
5 take effect on the first day of the 3rd month beginning after publication.”.

6 **683.** Page 449, line 3: delete lines 3 to 5.

7 **684.** Page 449, line 5: after that line insert:

8 “(2f) **FAIR HEARING PROCESS FOR REVIEW OF WISCONSIN WORKS AGENCY DECISIONS.**
9 The treatment of sections 49.152 (title), (1), (2), and (3) (title), (a), and (b), 49.195 (3),
10 and 49.26 (1) (b) 1. as. of the statutes and SECTION 9358 (2f) of this act take effect on
11 the first day of the 7th month beginning after publication.”.

12 **685.** Page 450, line 1: after “48.355 (2d) (b) 3.” insert “(by SECTION 102b)”.

13 **686.** Page 450, line 2: after “48.417 (1) (d)” insert “(by SECTION 104b)”.

14 **687.** Page 450, line 4: after “48.685 (5) (bm) 4.” insert “(by SECTION 114b)”.

15 **688.** Page 451, line 4: delete “938.355 (2d) (b) 3., 938.355 (4) (b),” and
16 substitute “938.355 (2d) (b) 3. (by SECTION 532b), 938.355 (4) (b) (by SECTION 533b),”.

17 **689.** Page 451, line 7: after “2m. b.” insert “(by SECTION 566f of this act)”.

18 **690.** Page 451, line 20: after “940.32 (2) (intro.)” insert “(by SECTION 658b),
19 940.32 (2e) (intro.) (by SECTION 658g)”.

20 **691.** Page 451, line 20: after “940.32 (2m)” insert “(intro.) (by SECTION 659b)”.

21 **692.** Page 451, line 20: after “940.32 (3) (intro.)” insert “(by SECTION 660b)”.

22 **693.** Page 451, line 20: delete “940.32 (3m) (intro.),”.

1 **694.** Page 452, line 17: after “943.76 (2) (b)” insert “943.76 (4) (a) (intro.),
2 943.76 (4) (b) (intro.),”.

3 **695.** Page 453, line 2: after “947.013 (1t)” insert “(by SECTION 875b)”.

4 **696.** Page 453, line 5: after “948.07 (intro.),” insert “948.075 (1),”.

5 **697.** Page 454, line 13: after “(b) 2.” insert “(by SECTION 1134g of this act)”.

6 **698.** Page 454, line 23: before “950.04” insert “950.04 (1v) (gm),”.

7 **699.** Page 455, line 2: after “973.15 (2m),” insert “973.195,”.

8 **700.** Page 455, line 7: after that line insert:

9 “(3q) ABOLITION OF DEPARTMENT OF ELECTRONIC GOVERNMENT. The treatment of
10 sections 13.101 (14), 13.58 (5) (a) 5. and (b) 4. (intro.), 13.90 (6), 13.93 (2) (h), 14.20
11 (1) (a), 15.07 (2) (L), 15.103 (6), 15.107 (7) (f), 15.21, 15.215 (title) and (1), 16.43, 16.61
12 (2) (af) and (3n), 16.70 (4m) and (15), 16.71 (1m), (2m), and (4), 16.72 (2) (a) and (b)
13 and (4) (a), 16.75 (3t) (a) and (6) (am), 16.752 (12) (i), 16.78, 16.97, 16.974 (intro.),
14 19.36 (4), 20.225 (1) (kb), 20.275 (1) (t), (tu), and (tw), 20.505 (1) (im), (is), (it), (kg),
15 (kL), and (kr) and (6) (j) 12., 20.530 (intro.) and (1) (title), (g), (ir), (ja), (ke), (kp), (kq),
16 and (m), 20.293 (4) (h) 2., 22.01 (intro.), (1), (2), (2m), (3), (4), (5), and (5m) to (10),
17 22.03 (title), (2) (intro.), (a), and (ae), (2) (am) to (k), (L) to (m), and (n), (2m) (intro.)
18 and (a) to (h), (3), (4) (a), (b), and (c), (6), (9), and (11), 22.05 (title), (1), (2) (intro.), (a)
19 to (d), (e), (f), (g), (h), and (i), 22.07 (intro.), (1), (2), (3), (4) to (8), and (9), 22.09 (intro.),
20 (1) to (3), and (5), 22.11, 22.13 (title), (1), (2), and (3) to (6), 22.15 (intro.) and (1) to
21 (3), 22.17 (title) and (1) to (4), 22.19, 22.41 (title), (2) (intro.) and (a) to (f), and (3),
22 29.038 (1) (a), 36.25 (38) (b) 6., 85.12 (3), 196.218 (5) (a) 5. and 6., 196.858 (1) and (2),
23 221.0320 (3) (a), 230.08 (2) (e) 1. and 3r., 283.84 (1) (c), and 758.19 (7), subchapter VII

1 (title) of chapter 16, and chapter 22 (title) of the statutes and SECTION 9159 (5t), 9201
2 (7q), and 9259 (9r) of this act take effect on July 1, 2002.”.

3 (END)