

1 ***b0777/2.19* 933.** Page 1235, line 2: delete that line and substitute “under
2 s. 255.10, \$500,000 in”.

3 ***b0777/2.20* 934.** Page 1235, line 4: delete lines 4 to 6.

4 ***b0777/2.21* 935.** Page 1235, line 11: delete lines 11 to 15.

5 ***b0777/2.22* 936.** Page 1236, line 12: delete “beginning in fiscal year
6 2000–01,”.

7 ***b0759/1.4* 937.** Page 1238, line 10: after that line insert:

8 ***b0759/1.4* “SECTION 2487x.** 281.165 of the statutes is created to read:

9 **281.165 Compliance with water quality standards for wetlands.** An
10 activity shall be considered to comply with the water quality standards that are
11 applicable to wetlands and that are promulgated as rules under s. 281.15 and is
12 exempt from any prohibition, restriction, requirement, permit, license, approval,
13 authorization, fee, notice, hearing, procedure or penalty specified under s. 29.601 (3)
14 or chs. 30, 31, 281, 283, 289 to 292 or 299 or specified under any rule promulgated,
15 order issued or ordinance adopted under any of those sections or chapters, if the
16 activity meets all of the following requirements:

17 (1) The wetland area that will be affected by the activity is less than 15 acres
18 in size.

19 (2) The site of the activity is zoned for industrial use and is in the vicinity of
20 a manufacturing facility.

21 (3) The site of the activity is within the corporate limits of a city on January
22 1, 1999.

1 (4) The governing body of the city adopts a resolution stating that the
2 exemption under this section is necessary to protect jobs that exist in the city on the
3 date of the adoption of the resolution or is necessary to promote job creation.

4 (5) The site of the activity is located in Trempealeau County.”.

5 ***b1199/2.3* 938.** Page 1239, line 2: after that line insert:

6 ***b1199/2.3* “SECTION 2490z.** 281.57 (10t) of the statutes is created to read:

7 281.57 (10t) LOAN FOR A DRINKING WATER TREATMENT PLANT. Notwithstanding
8 subs. (2), (4) to (10) and (12), during the 1999–2001 biennium, the department shall
9 provide a loan of \$1,100,000 to the village of Marathon for the upgrading or
10 replacement of a drinking water treatment plant. The department may not charge
11 any interest on the loan. The department may not require the municipality to repay
12 the loan until the municipality receives a grant from the federal environmental
13 protection agency for the upgrading or replacement of the drinking water treatment
14 plant. If the federal environmental protection agency denies the grant or a portion
15 of the grant, the village of Marathon shall repay the amount of the loan that exceeds
16 the amount of the grant.”.

17 ***b1141/2.16* 939.** Page 1276, line 4: after that line insert:

18 ***b1141/2.16* “SECTION 2554r.** 285.53 (1) (a) of the statutes is amended to read:

19 285.53 (1) (a) *Applicability.* This subsection applies to a medical waste
20 incinerator, as defined in s. 287.07 (7)(e) ~~1. cr. (8) (a) 5.~~, that has a capacity of 5 tons
21 or more per day.

22 ***b1141/2.16* SECTION 2554rm.** 285.53 (2) of the statutes is amended to read:

1 285.53 (2) CONTINUOUS MONITORING. A person operating or responsible for the
2 operation of a medical waste incinerator, as defined in s. 287.07 (7)(e) ~~1. or (8)(a) 5.~~,
3 shall continuously monitor emissions from the medical waste incinerator.

4 ***b1141/2.16* SECTION 2554t.** 285.55 (1) of the statutes is amended to read:

5 285.55 (1) In this section, “medical waste incinerator” means a facility for solid
6 waste treatment, as defined in s. 289.01 (39), that burns medical waste, as defined
7 in s. 287.07 (7)(e) ~~1. or (8)(a) 4.~~

8 ***b1141/2.16* SECTION 2554u.** 285.55 (4) (intro.) of the statutes is amended to
9 read:

10 285.55 (4) (intro.) Subsection (2) does not apply to the issuance of an air
11 pollution control permit or a license under s. 289.31 for the construction or
12 modification of a medical waste incinerator by one or more hospitals, as defined in
13 s. 50.33 (2), clinics, as defined in s. 287.07 (7)(e) ~~1. a. (8)(a) 1.~~, or nursing homes, as
14 defined in s. 50.01 (3), if all of the following apply:

15 ***b1141/2.16* SECTION 2555e.** 285.63 (10) (a) of the statutes is amended to
16 read:

17 285.63 (10) (a) In this subsection, “medical waste incinerator” has the meaning
18 given in s. 287.07 (7)(e) ~~1. or (8)(a) 5.~~

19 ***b1141/2.16* SECTION 2555f.** 285.63 (10) (c) 4. of the statutes is repealed.”.

20 ***b1141/2.17* 940.** Page 1278, line 15: after that line insert:

21 ***b1141/2.17* SECTION 2559b.** 287.01 (2) of the statutes is repealed.

22 ***b1141/2.17* SECTION 2559bm.** 287.01 (5) of the statutes is repealed.

23 ***b1141/2.17* SECTION 2559c.** 287.01 (6) of the statutes is repealed.

24 ***b1141/2.17* SECTION 2559cm.** 287.01 (8) of the statutes is repealed.

1 ***b1141/2.17* SECTION 2559d.** 287.01 (9) of the statutes is repealed.

2 ***b1141/2.17* SECTION 2559e.** 287.03 (1) (e) of the statutes is created to read:

3 287.03 (1) (e) Promulgate by rule a model recycling ordinance for
4 municipalities and counties.

5 ***b1141/2.17* SECTION 2559f.** 287.07 (1m) (title) of the statutes is amended to
6 read:

7 287.07 (1m) (title) BATTERIES, MAJOR APPLIANCES ~~AND~~ OIL AND TIRES.

8 ***b1141/2.17* SECTION 2559fm.** 287.07 (1m) (c) of the statutes is created to
9 read:

10 287.07 (1m) (c) Dispose of a waste tire, as defined in s. 289.55 (1) (c), in a solid
11 waste disposal facility or burn a waste tire, as defined in s. 289.55 (1) (c), without
12 energy recovery in a solid waste treatment facility in this state.

13 ***b1141/2.17* SECTION 2559g.** 287.07 (2) of the statutes is repealed.

14 ***b1141/2.17* SECTION 2559gm.** 287.07 (3) of the statutes is repealed.

15 ***b1141/2.17* SECTION 2559h.** 287.07 (4) of the statutes is repealed.

16 ***b1141/2.17* SECTION 2559i.** 287.07 (7) (a) of the statutes, as affected by 1997
17 Wisconsin Act 27, is repealed.

18 ***b1141/2.17* SECTION 2559j.** 287.07 (7) (b) 1. b. of the statutes is amended to
19 read:

20 287.07 (7) (b) 1. b. “Operating solid waste treatment facility” means a solid
21 waste treatment facility that has an operating permit or license issued under s.
22 285.60 or 289.31 prior to May 11, 1990, except for a medical waste incinerator, as
23 defined in ~~par. (c) 1. or sub. (8) (a) 5.~~

24 ***b1141/2.17* SECTION 2559jm.** 287.07 (7) (b) 2. of the statutes is amended to
25 read:

1 287.07 (7) (b) 2. ~~A~~ The prohibition in sub. (3) (b), (e), (e), (f), (g), (h) or (j) or (4)
2 (b), (e), (f), (g), (h) or (i) (1m) (c) does not apply to a person who converts into fuel or
3 burns at an operating solid waste treatment facility ~~a~~ the type of material identified
4 ~~in one of those paragraphs that paragraph~~ that was converted into fuel or burned at
5 the operating solid waste treatment facility during April, 1990, and either is
6 generated in the operating solid waste treatment facility's current service area or is
7 generated by the owner of the operating solid waste treatment facility.

8 ***b1141/2.17* SECTION 2559k.** 287.07 (7) (b) 3. of the statutes, as created by
9 1997 Wisconsin Act 27, is amended to read:

10 287.07 (7) (b) 3. ~~The prohibitions in subs. (3) and (4) do~~ prohibition in sub. (1m)
11 (c) does not apply to a person who converts into fuel or burns at an operating solid
12 waste treatment facility ~~any~~ the material identified in ~~those subsections that~~
13 paragraph if the person converted into fuel or burned the material at the operating
14 solid waste treatment facility during April, 1990, and the material is generated
15 outside of this state.

16 ***b1141/2.17* SECTION 2559L.** 287.07 (7) (bg) of the statutes is amended to
17 read:

18 287.07 (7) (bg) The prohibitions in subs. sub. (1m) to (4) do not apply to a person
19 who burns solid waste at a facility that uses solid waste as a supplemental fuel if less
20 than 30% of heat input to the facility is derived from the solid waste burned as
21 supplemental fuel.

22 ***b1141/2.17* SECTION 2559m.** 287.07 (7) (c) of the statutes is repealed.

23 ***b1141/2.17* SECTION 2559mm.** 287.07 (7) (d) of the statutes, as affected by
24 1997 Wisconsin Act 27, is repealed.

25 ***b1141/2.17* SECTION 2559n.** 287.07 (7) (e) of the statutes is repealed.

1 ***b1141/2.17* SECTION 2559p.** 287.07 (7) (f) of the statutes is amended to read:

2 287.07 (7) (f) The ~~prohibitions in subs. (2) and (3) do prohibition in sub. (1m)~~
3 (c) does not apply to the beneficial reuse of ~~a material waste tires~~ within a solid waste
4 disposal facility if the beneficial reuse of the ~~material waste tires~~ is approved in the
5 solid waste disposal facility's plan of operation under s. 289.30.

6 ***b1141/2.17* SECTION 2559pm.** 287.07 (7) (g) of the statutes is repealed.

7 ***b1141/2.17* SECTION 2559q.** 287.07 (7) (h) of the statutes is repealed.

8 ***b1141/2.17* SECTION 2559qm.** 287.07 (8) (a) of the statutes is renumbered
9 287.07 (8) (am), and 287.07 (8) (am) (intro.), as renumbered, is amended to read:

10 287.07 (8) (am) (intro.) A generator of medical waste that sends waste to a
11 medical waste incinerator shall develop policies concerning reduction of medical
12 waste, ~~as defined in sub. (7) (e) 1. eg.,~~ including all of the following:

13 ***b1141/2.17* SECTION 2559r.** 287.07 (8) (a) of the statutes is created to read:

14 287.07 (8) (a) In this subsection:

15 1. "Clinic" means a place, other than a residence, that is used primarily for the
16 provision of nursing, medical, podiatric, dental, chiropractic, optometric or
17 veterinary care and treatment.

18 2. "Hospital" has the meaning given in s. 50.33 (2).

19 3. "Infectious waste" means solid waste that contains pathogens with sufficient
20 virulence and in sufficient quantity that exposure of a susceptible human or animal
21 to the solid waste could cause the human or animal to contract an infectious disease.

22 4. "Medical waste" means containers, packages and materials that contain
23 infectious waste or that are from a treatment area and are mixed with infectious
24 waste.

1 5. “Medical waste incinerator” means a solid waste treatment facility that
2 primarily burns infectious waste and other waste that contains or may be mixed with
3 infectious waste.

4 6. “Nursing home” has the meaning given in s. 50.01 (3).

5 7. “Treatment area” means a room or area in a hospital or clinic the primary
6 use of which is to provide emergency care, diagnosis or radiological treatment; an
7 obstetrics delivery room in a hospital, other than a patient’s room; or a room or area
8 in a hospital, clinic or nursing home, identified by the department by rule, in which
9 infectious waste is generated.

10 ***b1141/2.17* SECTION 2559rm.** 287.09 of the statutes is repealed.

11 ***b1141/2.17* SECTION 2559s.** 287.095 of the statutes is amended to read:

12 **287.095 Responsible unit Local governmental liability.** (1) DEFINITION.
13 In this section, “~~responsible unit local~~ official” means any officer, official, agent or
14 employe of a ~~responsible unit~~ municipality or county engaged in the planning,
15 management, operation or approval of a recycling program or recycling site or
16 facility.

17 (2) EXEMPTION FROM LIABILITY. No ~~responsible unit local~~ official is liable for civil
18 damages as a result of good faith actions taken by the ~~responsible unit local~~ official
19 within the scope of duties relating to the ~~responsible unit’s~~ municipality or county
20 recycling program or recycling site or facility.

21 ***b1141/2.17* SECTION 2559t.** 287.10 of the statutes is repealed.”.

22 ***b1141/2.18* 941.** Page 1278, line 16: delete that line and substitute:

23 ***b1141/2.18* “SECTION 2559v.** 287.11 of the statutes, as affected by 1997
24 Wisconsin Act 27, is repealed.

1 ***b1141/2.18* SECTION 2560e.** 287.19 (1) (b) (intro.) of the statutes is amended
2 to read:

3 287.19 (1) (b) *Recycling programs.* (intro.) With respect to local recycling
4 programs ~~created under s. 287.09 (2) (a):~~

5 ***b1141/2.18* SECTION 2560m.** 287.21 (intro.) of the statutes is amended to
6 read:

7 **287.21 Statewide education program.** (intro.) The department shall
8 collect, prepare and disseminate information and conduct educational and training
9 programs designed to assist in the implementation of solid waste management
10 programs under ss. 287.01 to 287.31, enhance municipal and county solid waste
11 management programs ~~under s. 287.09 (2) (a)~~ and inform the public of the
12 relationship among an individual's consumption of goods and services, the
13 generation of different types and quantities of solid waste and the implementation
14 of the solid waste management priorities in s. 287.05 (12). The department shall
15 prepare the information and programs on a statewide basis for the following groups:

16 ***b1141/2.18* SECTION 2560w.** 287.23 of the statutes, as affected by 1999
17 Wisconsin Act (this act), is repealed.”.

18 ***b1141/2.19* 942.** Page 1278, line 17: delete the material beginning with
19 that line and ending with page 1279, line 7, and substitute:

20 ***b1141/2.19* “SECTION 2560wm.** 287.23 (4) (intro.) of the statutes is amended
21 to read:

22 287.23 (4) APPLICATION. (intro.) A responsible unit that seeks assistance under
23 the program shall submit an application to the department. To qualify for a full
24 grant, the responsible unit must submit the application no later than October 1 in

1 the year preceding the year for which the assistance is sought. For the purpose of
2 this subsection ~~and sub. (5p)~~, if an application is postmarked, it is considered to be
3 submitted on the date that it is postmarked. An application shall include all of the
4 following:

5 ***b1141/2.19* SECTION 2560x.** 287.23 (5) (intro.) of the statutes is renumbered
6 287.23 (5) and amended to read:

7 287.23 (5) GRANT AWARD. The department shall award a grant to each eligible
8 responsible unit that submits a complete grant application under sub. (4) for
9 expenses allowable under sub. (3) (b). ~~Except as provided under sub. (5m) or (5p),~~
10 the amount of the grant shall be determined as follows: For the grant for 2000, the
11 department shall award to a responsible unit the proportion of the total amount
12 available for grants under this section for 2000 that is equal to the proportion of the
13 total amount awarded under this section for 1999 that the responsible unit received
14 for 1999. For the grant for 2001, the department shall award to a responsible unit
15 the proportion of the total amount available for grants for 2001 that is equal to the
16 proportion of the total amount warded under this section for 1999 that the
17 responsible unit received for 1999.

18 ***b1141/2.19* SECTION 2560y.** 287.23 (5) (a) to (c) of the statutes are repealed.

19 ***b1141/2.19* SECTION 2562m.** 287.23 (5e) to (5s) of the statutes are repealed.”.

20 ***b0975/2.5* 943.** Page 1279, line 10: after that line insert:

21 ***b0975/2.5* “SECTION 2565b.** 287.42 (4) of the statutes is created to read:

22 287.42 (4) Award a grant of \$50,000 in each fiscal year to a private, nonprofit,
23 industry-supported organization that is described in section 501 (c) (3) of the
24 Internal Revenue Code and that provides waste reduction and recycling assistance

1 through business-to-business peer exchange. An organization that is awarded a
2 grant must be instrumental in assisting and encouraging companies and institutions
3 to reduce their operating costs through improved production and solid waste
4 management practices and must be in existence on the effective date of this
5 subsection [revisor inserts date].

6 ***b0975/2.5* SECTION 2565d.** 287.46 (4) of the statutes, as affected by 1997
7 Wisconsin Acts 27 and 1999 Wisconsin Act (this act), is repealed.

8 ***b0975/2.5* SECTION 2565e.** 287.46 (4) (a) of the statutes is amended to read:

9 287.46 (4) (a) ~~From the appropriations Subject to par. (b), from the~~
10 appropriation under s. 20.143 (1) (L) ~~and (tm)~~, the department of commerce shall
11 provide financial assistance awarded by the board under this subchapter. ~~Subject~~
12 ~~to par. (b), from the appropriation under s. 20.143 (1) (tm), the department of~~
13 ~~commerce shall~~ and pay contracts entered into by the board under s. 287.42 (3) and
14 (3m) and grants awarded by the board under s. 287.42 (4).

15 ***b0975/2.5* SECTION 2565f.** 287.46 (4) (b) of the statutes is amended to read:

16 287.46 (4) (b) In any biennium, the department of commerce may not expend
17 more than 10% of the amount ~~appropriated~~ credited to the appropriation account
18 under s. 20.143 (1) (tm) for (L) in that biennium for contracts with and financial
19 assistance to responsible units and other local units of government.”.

20 ***b1141/2.20* 944.** Page 1279, line 10: after that line insert:

21 ***b1141/2.20* SECTION 2564c.** 287.25 of the statutes is repealed.

22 ***b1141/2.20* SECTION 2564e.** 287.27 (1) of the statutes is amended to read:

23 287.27 (1) DEFINITION. In this section, “materials recovery facility” means a
24 facility where the materials specified in sub. (4) (b) or s. 287.07 (3), 1997 stats., or s.

1 287.07 (4), 1997 stats., not mixed with other solid waste, are processed for reuse or
2 recycling by conversion into a consumer product or a product which is used as a raw
3 material in a commercial or industrial process. "Materials recovery facility" does not
4 include a facility operated by a pulp or paper mill which utilizes fiber or paper that
5 has been separated from waste for use as a raw material in a commercial product.

6 ***b1141/2.20* SECTION 2564g.** 287.27 (2) of the statutes is amended to read:

7 287.27 (2) REPORTS BY MATERIALS RECOVERY FACILITIES. Annually, the owner or
8 operator of a materials recovery facility shall report to the department the amount
9 of each of the materials specified in s. 287.07 (3), 1997 stats., or s. 287.07 (4), 1997
10 stats., and any other materials specified by the department under sub. (4) (b) that
11 the materials recovery facility receives and that were recovered from waste
12 generated in this state.

13 ***b1141/2.20* SECTION 2567e.** 287.91 (2) of the statutes is amended to read:

14 287.91 (2) Notwithstanding sub. (1) and s. ~~287.95 (3) (a)~~, the attorney general
15 may enforce s. 287.07 (3) and (4) (1m) (c) by seeking injunctive relief against any
16 person violating those provisions.

17 ***b1141/2.20* SECTION 2567g.** 287.95 (2) (a) of the statutes is repealed.

18 ***b1141/2.20* SECTION 2567h.** 287.95 (2) (b) of the statutes is renumbered
19 287.95 (2) and amended to read:

20 287.95 (2) (b) ~~After December 31, 1994, any~~ Any person who violates s. ~~287.07~~
21 ~~(2)~~ or 287.08 may be required to forfeit \$50 for a first violation, may be required to
22 forfeit \$200 for a 2nd violation and may be required to forfeit not more than \$2,000
23 for a 3rd or subsequent violation.

24 ***b1141/2.20* SECTION 2567j.** 287.95 (3) of the statutes is repealed.

25 ***b1141/2.20* SECTION 2567L.** 287.95 (4) of the statutes is amended to read:

1 287.95 (4) The department may follow the procedures for the issuance of a
2 citation under ss. 23.50 to 23.99 to collect a forfeiture for the violations under subs.
3 (1), and (2) ~~(b) and (3) (b).~~”.

4 ***b1029/1.1* 945.** Page 1282, line 21: after that line insert:

5 ***b1029/1.1* “SECTION 2581r.** 292.13 (1) (intro.) of the statutes is amended to
6 read:

7 292.13 (1) EXEMPTION FROM LIABILITY FOR GROUNDWATER CONTAMINATION. (intro.)
8 A person, ~~other than a state agency,~~ is exempt from s. 292.11 (3), (4) and (7) (b) and
9 (c) with respect to the existence of a hazardous substance in the groundwater on
10 property possessed or controlled by the person if all of the following apply:

11 ***b1029/1.1* SECTION 2581w.** 292.13 (1m) (intro.) of the statutes is amended
12 to read:

13 292.13 (1m) EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. (intro.) A
14 person, ~~other than a state agency,~~ is exempt from s. 292.11 (3), (4) and (7) (b) and (c)
15 with respect to the existence of a hazardous substance in the soil on property
16 possessed or controlled by the person if all of the following apply.”.

17 ***b0917/2.2* 946.** Page 1300, line 1: delete lines 1 to 5.

18 ***b0917/2.3* 947.** Page 1302, line 6: delete lines 6 to 13.

19 ***b0817/1.3* 948.** Page 1303, line 20: after that line insert:

20 ***b0817/1.3* “SECTION 2648c.** 292.70 of the statutes is created to read:

21 **292.70 Indemnification for disposal of polychlorinated biphenyls. (1)**
22 DEFINITION. In this section, “PCBs” has the meaning given in s. 299.45 (1) (a).

23 **(2) INDEMNIFICATION AGREEMENTS CONCERNING DISPOSAL OF CONTAMINATED**
24 **SEDIMENTS.** Subject to sub. (4), the department may enter into an agreement with a

1 municipality under which this state agrees to indemnify the municipality and its
2 agencies, officials, employes and agents against liability for damage to persons,
3 property or the environment resulting from the municipality's acceptance for
4 disposal of sediments that are from the Great Lakes basin and are contaminated
5 with PCBs, if the sediments are disposed of in a manner approved by the department.

6 (3) INDEMNIFICATION AGREEMENTS CONCERNING TREATMENT OF CONTAMINATED
7 LEACHATE. Subject to sub. (4), the department may enter into an agreement with a
8 municipality under which this state agrees to indemnify the municipality and its
9 agencies, officials, employes and agents against any liability for damage to persons,
10 property or the environment resulting from the municipality's conveyance or
11 treatment of leachate that is contaminated with PCBs and that is from a landfill that
12 accepts sediments contaminated with PCBs, if the leachate is treated in a manner
13 approved by the department.

14 (4) REQUIREMENTS. The department may enter into an agreement under sub.
15 (2) or (3) only if all of the following apply:

16 (a) The agreement is approved by the governor, the attorney general, the
17 secretary and the governing body of the municipality.

18 (b) The agreement specifies a method for determining whether the
19 municipality is liable for damage described in sub. (2) or (3).

20 (c) The agreement requires the municipality to notify the department and the
21 attorney general when a claim or lawsuit to which the agreement may apply is filed
22 against the political subdivision.

23 (d) The agreement authorizes the attorney general to intervene on behalf of the
24 municipality and this state in any lawsuit to which the agreement may apply.

1 (e) The agreement requires the operator of the solid waste disposal facility or
2 wastewater treatment facility to minimize risks related to PCBs.

3 (f) The agreement authorizes the department to require the operator of the
4 solid waste disposal facility or wastewater treatment facility to operate in a manner
5 specified by the department in order to minimize risks related to PCBs.

6 (5) LIMITATION. The department may include in an agreement under sub. (4)
7 a limitation on the amount that this state will pay to a municipality under the
8 agreement.

9 (6) IMMUNITY. This section and any agreement entered into under sub. (3) or
10 (4) may not be construed as consent to sue this state.

11 (7) REVIEW AND PAYMENT. If a claim is filed under an agreement under sub. (2)
12 or (3), the department shall review the claim to determine whether it is valid. A valid
13 claim shall be paid from the appropriation under s. 20.370 (2) (fq).”.

14 *b0901/1.1* **949**. Page 1308, line 19: delete the material beginning with that
15 line and ending with page 1309, line 11.

16 *b1141/2.21* **950**. Page 1313, line 16: after that line insert:

17 *b1141/2.21* “SECTION 2681m. 299.51 (1) (a) of the statutes is amended to
18 read:

19 299.51 (1) (a) “Clinic” has the meaning given in s. 287.07 ~~(7) (e) 1. a.~~ (8) (a) 1.

20 *b1141/2.21* SECTION 2681n. 299.51 (1) (b) of the statutes is amended to read:

21 299.51 (1) (b) “Medical waste” means infectious waste, as defined in s. 287.07
22 ~~(7) (e) 1. e.~~ (8) (a) 3., and other waste that contains or may be mixed with infectious
23 waste.”.

24 *b0803/3.17* **951**. Page 1314, line 14: after that line insert:

1 ***b0803/3.17* SECTION 2683d.** 301.01 (2) (b) of the statutes is amended to
2 read:

3 301.01 (2) (b) Any resident of a secured correctional facility, ~~as defined in s.~~
4 ~~938.02 (15m), or of a secured child caring institution, as defined in s. 938.02 (15g) or~~
5 a secured group home.

6 ***b0803/3.17* SECTION 2684d.** 301.01 (3k) of the statutes is created to read:

7 301.01 (3k) "Secured child caring institution" has the meaning given in s.
8 938.02 (15g).

9 ***b0803/3.17* SECTION 2685d.** 301.01 (3m) of the statutes is created to read:

10 301.01 (3m) "Secured correctional facility" has the meaning given in s. 938.02
11 (15m).

12 ***b0803/3.17* SECTION 2686d.** 301.01 (3p) of the statutes is created to read:

13 301.01 (3p) "Secured group home" has the meaning given in s. 938.02 (15p).

14 ***b0803/3.17* SECTION 2687d.** 301.01 (4) of the statutes is amended to read:

15 301.01 (4) "State correctional institution" means a state prison under s. 302.01
16 or a secured correctional facility, ~~as defined in s. 938.02 (15m), other than the~~
17 Mendota Juvenile Treatment Center operated by the department.

18 ***b0803/3.17* SECTION 2688d.** 301.027 of the statutes is amended to read:

19 **301.027 Treatment program at one or more juvenile secured**
20 **correctional institutions facilities.** The department shall maintain a
21 cottage-based intensive alcohol and other drug abuse program at one or more
22 juvenile secured correctional institutions facilities.".

23 ***b0803/3.18* 952.** Page 1315, line 8: after that line insert:

1 ***b0803/3.18*** “**SECTION 2690d.** 301.03 (10) (d) of the statutes is amended to
2 read:

3 301.03 (10) (d) Administer the office of juvenile offender review in the division
4 of juvenile corrections in the department. The office shall be responsible for decisions
5 regarding case planning, the release of juvenile offenders from juvenile secured
6 correctional institutions facilities, secured child caring institutions or secured group
7 homes to aftercare placements and the transfer of juveniles to the Racine youthful
8 offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d).

9 ***b0803/3.18*** **SECTION 2691d.** 301.03 (10) (e) of the statutes is amended to
10 read:

11 301.03 (10) (e) Provide educational programs in all secured correctional
12 facilities, ~~as defined in s. 938.02 (15m), other than the Mendota Juvenile Treatment~~
13 ~~Center operated by the department.~~

14 ***b0803/3.18*** **SECTION 2692d.** 301.03 (10) (f) of the statutes is amended to read:

15 301.03 (10) (f) Provide health services and psychiatric services for residents of
16 all secured correctional facilities, ~~as defined in s. 938.02 (15m), other than the~~
17 ~~Mendota Juvenile Treatment Center operated by the department.”.~~

18 ***b0803/3.19*** **953.** Page 1316, line 18: after that line insert:

19 ***b0803/3.19*** “**SECTION 2693d.** 301.08 (1) (b) 3. of the statutes is amended to
20 read:

21 301.08 (1) (b) 3. Contract with public, private or voluntary agencies for the
22 supervision, maintenance and operation of secured correctional facilities, ~~as defined~~
23 ~~in s. 938.02 (15m),~~ child caring institutions, as defined in s. 938.02 (2c), and secured
24 child caring institutions, ~~as defined in s. 938.02 (15g),~~ for the placement of juveniles

1 who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183
2 or 938.34 (4d), (4h) or (4m). The department may designate a secured correctional
3 facility, child caring institution or a secured child caring institution contracted for
4 under this subdivision as a Type 2 secured correctional facility, as defined in s. 938.02
5 (20), and may designate a child caring institution or secured child caring institution
6 contracted for under this subdivision as a Type 2 child caring institution, as defined
7 in s. 938.02 (19r).

8 *b0803/3.19* **SECTION 2694d.** 301.08 (1)(b) 4. of the statutes is created to read:
9 301.08 (1) (b) 4. Contract with not more than 5 counties or with not more than
10 5 consortia of not more than 5 counties for the operation of not more than 5 secured
11 group homes for the placement of juveniles who have been convicted under s. 938.183
12 or adjudicated delinquent under s. 983.183 or 938.34 (4m). The contract shall specify
13 that the county or counties operating a secured group home must comply with all
14 rules of the department that are applicable to the treatment of juveniles who are
15 placed in a secured correctional facility.”

16 *b0737/1.2* **954.** Page 1318, line 3: delete that line and substitute
17 “conversion or has approved the construction or conversion of the building, structure
18 or facility.”

19 *b0737/1.3* **955.** Page 1318, line 4: delete lines 4 and 5.

20 *b0803/3.20* **956.** Page 1318, line 9: after that line insert:

21 *b0803/3.20* **SECTION 2699d.** 301.205 of the statutes is amended to read:

22 **301.205 Reimbursement to visiting families.** The department may
23 reimburse families visiting girls at a secured correctional facility, ~~as defined in s.~~
24 ~~938.02 (15m).~~ If the department decides to provide the reimbursement, it the

1 department shall establish criteria for the level of reimbursement, which shall
2 include family income and size and other relevant factors.”.

3 ***b0803/3.21* 957.** Page 1318, line 20: after that line insert:

4 ***b0803/3.21* “SECTION 2701d.** 301.26 (4) (cm) 1. of the statutes is amended to
5 read:

6 301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
7 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
8 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile secured
9 correctional institutions facilities, secured child caring institutions, ~~as defined in s.~~
10 ~~938.02 (15g)~~, alternate care providers, aftercare supervision providers and corrective
11 sanctions supervision providers for costs incurred beginning on July 1, 1996, for the
12 care of any juvenile 14 years of age or over who has been placed in a juvenile secured
13 correctional facility based on a delinquent act that is a violation of s. 939.31, 939.32
14 (1) (a), 940.03, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10
15 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02 (1), 948.025, 948.30 (2), 948.35 (1) (b)
16 or 948.36 and for the care of any juvenile 10 years of age or over who has been placed
17 in a juvenile secured correctional institution ~~or a facility~~ or secured child caring
18 institution for attempting or committing a violation of s. 940.01 or for committing a
19 violation of s. 940.02 or 940.05.

20 ***b0803/3.21* SECTION 2702d.** 301.26 (4) (cm) 2. of the statutes is amended to
21 read:

22 301.26 (4) (cm) 2. Notwithstanding pars. (a), (b) and (bm), the department shall
23 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
24 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile secured

1 correctional ~~institutions~~ facilities, secured child caring institutions, as defined in s.
2 938.02 (15g), alternate care providers, aftercare supervision providers and corrective
3 sanctions supervision providers for costs incurred beginning on July 1, 1996, for the
4 care of any juvenile 14 years of age or over and under 18 years of age who has been
5 placed in a juvenile secured correctional facility under s. 48.366 based on a
6 delinquent act that is a violation of s. 940.01, 940.02, 940.05 or 940.225 (1).”.

7 *b0803/3.22* **958.** Page 1319, line 25: after that line insert:

8 *b0803/3.22* “SECTION 2706d. 301.26 (4) (dt) of the statutes is amended to
9 read:

10 301.26 (4) (dt) ~~For~~ Except as provided in pars. (e) to (g), for serious juvenile
11 offender services, all uniform fee collections under s. 301.03 (18) shall be credited to
12 the appropriation account under s. 20.410 (3) (hm).”.

13 *b0803/3.23* **959.** Page 1321, line 9: after that line insert:

14 *b0803/3.23* “SECTION 2709L. 301.26 (7) (a) 3. of the statutes, as created by
15 1999 Wisconsin Act (this act), is amended to read:

16 301.26 (7) (a) 3. Each county’s proportion of the number of juveniles statewide
17 who are placed in a ~~juvenile correctional institution or~~ secured correctional facility,
18 a secured child caring institution, as defined in s. 938.02 (15g), or a secured group
19 home during the most recent 3-year period for which that information is available.”.

20 *b0803/3.24* **960.** Page 1322, line 12: after that line insert:

21 *b0803/3.24* “SECTION 2710d. 301.263 (3) of the statutes is amended to read:

22 301.263 (3) The department shall distribute 33% of the amounts distributed
23 under sub. (1) based on each county’s proportion of the violent Part I juvenile arrests
24 reported statewide under the uniform crime reporting system of the office of justice

1 assistance in the department of administration, during the most recent 2-year
2 period for which that information is available. The department shall distribute 33%
3 of the amounts distributed under sub. (1) based on each county's proportion of the
4 number of juveniles statewide who are placed in a juvenile secured correctional
5 institution or facility, a secured child caring institution, as defined in s. 938.02 (15g),
6 or a secured group home during the most recent 2-year period for which that
7 information is available. The department shall distribute 34% of the amounts
8 distributed under sub. (1) based on each county's proportion of the total Part I
9 juvenile arrests reported statewide under the uniform crime reporting system of the
10 office of justice assistance, during the most recent 2-year period for which that
11 information is available."

12 *b0803/3.25* **961.** Page 1323, line 13: after that line insert:

13 *b0803/3.25* "SECTION 2712d. 301.36 (1) of the statutes is amended to read:

14 301.36 (1) GENERAL AUTHORITY. The department shall investigate and
15 supervise all of the state ~~correctional institutions~~ prisons under s. 302.01, all secured
16 correctional facilities, all secured child caring institutions, all secured group homes
17 and all secure detention facilities and familiarize itself with all of the circumstances
18 affecting their management and usefulness.

19 *b0803/3.25* SECTION 2713d. 301.37 (1) of the statutes is amended to read:

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

1 under s. 303.09 and, after consulting with the department of health and family
2 services, all secured group homes and secure detention facilities, with respect to
3 their adequacy and fitness for the needs which they are to serve.

4 ***b0803/3.25* SECTION 2714d.** 301.45 (1) (b) of the statutes is amended to read:

5 301.45 (1) (b) Is in prison, a secured correctional facility, ~~as defined in s. 938.02~~
6 ~~(15m), or a secured child caring institution, as defined in s. 938.02 (15g), or a secured~~
7 group home or is on probation, extended supervision, parole, supervision or aftercare
8 supervision on or after December 25, 1993, for any violation, or for the solicitation,
9 conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225 (1), (2) or (3),
10 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or
11 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the person was not the
12 victim's parent.

13 ***b0803/3.25* SECTION 2715d.** 301.45 (1) (bm) of the statutes is amended to
14 read:

15 301.45 (1) (bm) Is in prison, a secured correctional facility, ~~as defined in s.~~
16 ~~938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or~~
17 a secured group home or is on probation, extended supervision, parole, supervision
18 or aftercare supervision on or after December 25, 1993, for a violation, or for the
19 solicitation, conspiracy or attempt to commit a violation, of a law of this state that
20 is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025,
21 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or 948.30 or that is comparable to a
22 violation of s. 940.30 or 940.31 if the victim was a minor and the person was not the
23 victim's parent.

24 ***b0803/3.25* SECTION 2716d.** 301.45 (3) (a) 2. of the statutes is amended to
25 read:

1 301.45 (3) (a) 2. If the person has been sentenced to prison or placed in a secured
2 correctional facility ~~or~~, a secured child caring institution or a secured group home,
3 he or she is subject to this subsection upon being released on parole, extended
4 supervision or aftercare supervision.”.

5 ***b0803/3.26* 962.** Page 1323, line 18: after that line insert:

6 ***b0803/3.26* “SECTION 2717m.** 301.45 (5) (a) 2. of the statutes is amended to
7 read:

8 301.45 (5) (a) 2. If the person has been sentenced to prison or placed in a secured
9 correctional facility ~~or~~, a secured child caring institution or a secured group home,
10 15 years after discharge from parole or aftercare supervision.”.

11 ***b0771/3.2* 963.** Page 1324, line 14: after that line insert:

12 ***b0771/3.2* “SECTION 2718ck.** 302.075 of the statutes is created to read:

13 **302.075 Drug detection dog units. (1)** The department shall establish and
14 maintain 3 drug detection dog units. Each unit shall consist of one dog that is trained
15 to use its sense of smell to detect the presence of controlled substances and one
16 correctional officer trained to handle the dog. Each drug detection dog unit shall be
17 based at a different state correctional institution but may be used to detect controlled
18 substances at any state correctional institution. A drug detection dog unit
19 correctional officer shall report directly to the secretary.

20 **(2)** A drug detection dog unit may investigate a state correctional institution
21 for the presence of controlled substances at the request of the secretary, at the
22 request of the warden, superintendent or other officer or employe of the institution
23 or, if he or she receives credible information that controlled substances may be
24 present in the institution, on the initiative of the unit correctional officer. The

1 secretary shall establish the amount of advance notice that a drug detection dog unit
2 must provide to the appropriate warden or superintendent that the unit will be at
3 a state correctional institution.

4 (3) Notwithstanding s. 302.04, the warden, superintendent and other officers
5 and employes of a state correctional institution shall at all times give a drug
6 detection dog unit free access to and unrestrained ability to inspect all parts of the
7 buildings and grounds of the institution, including visitation areas and areas to
8 which prisoners may not have access.”.

9 *b0842/2.1* **964.** Page 1340, line 20: after that line insert:

10 *b0842/2.1* “SECTION 2734hdm. 342.07 (1) of the statutes is renumbered
11 342.07 (1) (intro.) and amended to read:

12 342.07 (1) Application for registration of and a new certificate of title for a
13 repaired salvage vehicle must be accompanied by ~~the~~ all of the following:

14 (a) The required fees, ~~a.~~

15 (b) A properly assigned salvage certificate of title or a properly assigned
16 certificate of title by a dealer under s. 342.16 (1) (a) for the vehicle and any.

17 (c) Any other transfer document required by law, ~~and by the.~~

18 (d) The certificate of inspection under sub. (4).

19 *b0842/2.1* SECTION 2734hdp. 342.07 (2) (a) of the statutes is amended to
20 read:

21 342.07 (2) (a) To determine whether the vehicle is the same vehicle for which
22 the salvage title is ~~in~~ submitted under sub. (1) was issued;”.

23 *b0842/2.2* **965.** Page 1341, line 9: after that line insert:

24 *b0842/2.2* “SECTION 2734hgd. 342.15 (2) of the statutes is amended to read:

1 342.15 (2) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~
2 ~~a salvage vehicle~~, the transferee shall, promptly after delivery to him or her of the
3 vehicle, execute the application for a new certificate of title in the space provided
4 ~~therefor~~ on the certificate or as the department prescribes, and ~~cause~~ deliver or mail
5 the certificate and application ~~to be mailed or delivered~~ to the department. A salvage
6 vehicle purchaser shall comply with s. 342.065 (1) ~~(b)~~ (a).

7 ***b0842/2.2* SECTION 2734hgf.** 342.15 (3) of the statutes is amended to read:

8 342.15 (3) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~
9 ~~a salvage vehicle~~ and as between the parties, a transfer by an owner is not effective
10 until the provisions of this section have been complied with. An owner who has
11 delivered possession of the vehicle to the transferee and has complied with the
12 provisions of this section ~~requiring action by him or her~~ is not liable as owner for any
13 damages thereafter resulting from operation of the vehicle.

14 ***b0842/2.2* SECTION 2734hgh.** 342.15 (6) of the statutes is amended to read:

15 342.15 (6) (a) Except as provided in s. 342.16 ~~with respect to a vehicle which~~
16 ~~is not a salvage vehicle~~, any transferee of a vehicle who fails to make application for
17 a new certificate of title immediately upon transfer to him or her of a vehicle may be
18 required to forfeit not more than \$200. A certificate is considered to have been
19 applied for when the application accompanied by the required fee has been delivered
20 to the department or deposited in the mail properly addressed with postage prepaid.

21 (b) Except as provided in s. 342.16 ~~with respect to a vehicle which is not a~~
22 ~~salvage vehicle~~, any transferee of a vehicle who with intent to defraud fails to make
23 application for a new certificate of title immediately upon transfer to him or her of
24 a vehicle may be fined not more than \$1,000 or imprisoned for not more than 30 days
25 or both. A certificate is considered to have been applied for when the application

1 accompanied by the required fee has been delivered to the department or deposited
2 in the mail properly addressed with postage prepaid.

3 *b0842/2.2* SECTION 2734hgj. 342.16 (1) (a) of the statutes is amended to
4 read:

5 342.16 (1) (a) Except as provided in par. (c), if a dealer acquires a new or used
6 vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage
7 vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts
8 a vehicle for sale on consignment, the dealer may not submit to the department the
9 certificate of title or application for certificate of title naming the dealer as owner of
10 the vehicle. Upon transferring the vehicle to another person, the dealer shall
11 immediately give the transferee on a form prescribed by the department a receipt for
12 all title, registration, security interest and sales tax moneys paid to the dealer for
13 transmittal to the department when required. The dealer shall promptly execute the
14 assignment and warranty of title, showing the name and address of the transferee
15 and of any secured party holding a security interest created or reserved at the time
16 of the resale or sale on consignment, in the spaces provided therefor on the certificate
17 or as the department prescribes. Within 7 business days following the sale or
18 transfer, the dealer shall mail or deliver the certificate or application for certificate
19 to the department with the transferee's application for a new certificate. A
20 nonresident who purchases a motor vehicle from a dealer in this state may not,
21 unless otherwise authorized by rule of the department, apply for a certificate of title
22 issued for the vehicle in this state unless the dealer determines that a title is
23 necessary to protect the interests of a secured party. The dealer is responsible for
24 determining whether a title and perfection of security interest is required. The
25 dealer is liable for any damages incurred by the department or any secured party for

1 the dealer's failure to perfect a security interest which the dealer had knowledge of
2 at the time of sale.

3 *b0842/2.2* SECTION 2734hgm. 342.16 (1) (c) of the statutes is amended to
4 read:

5 342.16 (1) (c) Except when all available spaces for a dealer's or wholesaler's
6 reassignment on a certificate of title have been completed or as otherwise authorized
7 by rules of the department, a dealer or wholesaler who acquires a new or used vehicle
8 that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that
9 is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for
10 sale on consignment may not apply for a certificate of title naming the dealer or
11 wholesaler as owner of the vehicle. The rules may regulate the frequency of
12 application by a dealer or wholesaler for transfer of registration or credits for
13 registration from a previously registered vehicle to another vehicle that the dealer
14 or wholesaler intends to register in his or her own name.

15 *b0842/2.2* SECTION 2734hgo. 342.16 (1) (d) of the statutes is amended to
16 read:

17 342.16 (1) (d) Unless exempted by rule of the department, a dealer or
18 wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds
19 it for resale or acquires a salvage vehicle currently titled as a salvage vehicle and
20 holds it for resale shall make application for a certificate of title naming the dealer
21 or wholesaler as owner of the vehicle when all of the available spaces for a dealer's
22 or wholesaler's reassignment on the certificate of title for such vehicle have been
23 completed.”.

24 *b0985/1.1* 966. Page 1344, line 2: after that line insert:

1 ***b0985/1.1*** “SECTION 2747s. 343.43 (1) (f) of the statutes is amended to read:
2 343.43 (1) (f) Reproduce by any means whatever a copy of a license, unless the
3 reproduction is done pursuant to rules promulgated by the department and for a
4 valid business or occupational purpose; or”.

5 ***b1015/1.1* 967.** Page 1349, line 6: after that line insert:

6 ***b1015/1.1*** “SECTION 2761r. 348.15 (3) (bg) of the statutes is amended to read:
7 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting
8 exclusively milk from the point of production to the primary market and the return
9 of dairy supplies and dairy products from such primary market to the farm, the gross
10 weight imposed on the highway by the wheels of any one axle may not exceed 21,000
11 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more
12 consecutive axles ~~more than~~ 9 feet or more apart, a weight of 2,000 pounds more than
13 is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply
14 to the national system of interstate and defense highways, except for that portion of
15 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51
16 and the I 90/94 interchange near Portage upon their federal designation as I 39.”.

17 ***b0731/1.1* 968.** Page 1359, line 21: after that line insert:

18 ***b0731/1.1*** “SECTION 2818r. 409.104 (12m) of the statutes is created to read:
19 409.104 (12m) To a transfer of an interest under a rent-to-own agreement
20 under ch. 435; or”.

21 ***b0731/1.2* 969.** Page 1362, line 23: after that line insert:

22 ***b0731/1.2*** “SECTION 2822no. 421.202 (7m) of the statutes is created to read:
23 421.202 (7m) A rent-to-own agreement under ch. 435;

24 ***b0731/1.2*** SECTION 2822nt. 421.301 (9) of the statutes is amended to read:

1 421.301 (9) “Consumer credit sale” means a sale of goods, services or an
2 interest in land to a customer on credit where the debt is payable in instalments or
3 a finance charge is imposed and includes any agreement in the form of a bailment
4 of goods or lease of goods or real property if the bailee or lessee pays or agrees to pay
5 as compensation for use a sum substantially equivalent to or in excess of the
6 aggregate value of the goods or real property involved and it is agreed that the bailee
7 or lessee will become, or for no other or a nominal consideration has the option to
8 become, the owner of the goods or real property upon full compliance with the terms
9 of the agreement. “Consumer credit sale” does not include a rent-to-own agreement
10 under ch. 435.

11 ***b0731/1.2* SECTION 2822nu.** 421.301 (10) of the statutes is amended to read:

12 421.301 (10) “Consumer credit transaction” means a consumer transaction
13 between a merchant and a customer in which real or personal property, services or
14 money is acquired on credit and the customer’s obligation is payable in instalments
15 or for which credit a finance charge is or may be imposed, whether such transaction
16 is pursuant to an open-end credit plan or is a transaction involving other than
17 open-end credit. The term includes consumer credit sales, consumer loans,
18 consumer leases and transactions pursuant to open-end credit plans. “Consumer
19 credit transaction” does not include a rent-to-own agreement under ch. 435.

20 ***b0731/1.2* SECTION 2822nv.** 421.301 (11) of the statutes is amended to read:

21 421.301 (11) “Consumer lease” means a lease of goods which a merchant makes
22 to a customer for a term exceeding 4 months. “Consumer lease” does not include a
23 rent-to-own agreement under ch. 435.”

24 ***b0731/1.3* 970.** Page 1363, line 15: after that line insert:

1 (c) A lease or bailment of personal property which is incidental to the lease of
2 real property.

3 (d) A lease of a motor vehicle, as defined in s. 218.01 (1) (m).

4 (e) A credit sale, as defined in 15 USC 1602 (g) and in the regulations
5 promulgated under that section.

6 (f) A consumer lease, as defined in 15 USC 1667 (1) and in the regulations
7 promulgated under that section.

8 **435.201 Definitions.** In this chapter:

9 (1) “Department” means the department of financial institutions.

10 (2) “Lessee” means an individual who rents personal property under a
11 rent-to-own agreement.

12 (3) “Rental property” means property rented under a rent-to-own agreement.

13 (4) “Rental-purchase company” means a person who regularly provides the use
14 of property through rent-to-own agreements and to whom rental payments are
15 initially payable under the terms of a particular rent-to-own agreement.

16 (5) “Rent-to-own agreement” means an agreement between a
17 rental-purchase company and a lessee for the use of personal property if all of the
18 following conditions are met:

19 (a) The personal property is to be used primarily for personal, family or
20 household purposes.

21 (b) The agreement has an initial term of 4 months or less and is automatically
22 renewable with each payment after the initial term.

23 (c) The agreement does not obligate or require the lessee to renew the
24 agreement beyond the initial term.

1 (d) The agreement permits, but does not obligate, the lessee to acquire
2 ownership of the personal property.

3 **435.301 Registration. (1) REQUIREMENT; APPLICATION.** Every person engaging
4 in business as a rental-purchase company in this state shall file a registration
5 statement with the department within 30 days after the date on which the person
6 commences business in this state and no later than February 28 of each year
7 thereafter. Except during the first 30 days after the date on which the person
8 commences business in this state, no person may engage in business as a
9 rental-purchase company in this state without a valid unsuspended registration
10 filed under this subsection. A registration statement under this section shall include
11 all of the following information:

12 (a) The name of the rental-purchase company.

13 (b) The name under which the rental-purchase company transacts business.

14 (c) The address of the rental-purchase company's principal office.

15 (d) The addresses of all stores or other retail locations in this state at which the
16 rental-purchase company offers rent-to-own agreements to potential lessees.

17 (e) The address of the rental-purchase company's designated agent upon whom
18 service of process may be made in this state.

19 **(2) RULES.** The department shall promulgate rules and prescribe forms for the
20 efficient administration of this section.

21 **435.302 Registration fees. (1) WHEN DUE.** Any rental-purchase company
22 required to register under s. 435.301 shall pay a registration fee to the department
23 when the rental-purchase company files the registration statement required under
24 s. 435.301.

1 (2) AMOUNT. The amount of the registration fee shall be \$25 per store or other
2 retail location in this state at which the rental-purchase company offers
3 rent-to-own agreements to potential lessees. However, the registration fee shall not
4 be less than \$50 nor more than \$750.

5 **435.303 Examination of books and records.** (1) PURPOSE OF EXAMINATION.
6 The department may examine the books and records of any rental-purchase
7 company for the purpose of determining compliance with this chapter.

8 (2) AVAILABILITY OF BOOKS AND RECORDS. A rental-purchase company shall make
9 its books and records reasonably available for inspection by the department. If the
10 rental-purchase company's books and records are located outside of this state, the
11 rental-purchase company shall, at the rental-purchase company's option, either
12 make the books and records available to the department at a convenient location in
13 this state or pay the reasonable and necessary expenses for the department to
14 examine the books and records at the location where they are maintained.

15 (3) METHOD OF BOOKKEEPING. A rental-purchase company shall use generally
16 accepted accounting principles and practices in keeping its books and records so that
17 the department may determine if the rental-purchase company is in compliance
18 with this chapter.

19 (4) DESTRUCTION OF RECORDS; WHEN AUTHORIZED. A rental-purchase company
20 shall keep records relating to each rent-to-own agreement entered into by the
21 rental-purchase company and the payments made under each rent-to-own
22 agreement for at least 2 years after the date on which the rent-to-own agreement
23 is terminated.

1 **435.304 Suspension or revocation of registration.** (1) **GROUND**S. The
2 department may issue an order suspending or revoking a rental-purchase
3 company's registration if any of the following conditions is met:

4 (a) The rental-purchase company has violated any provision of this chapter,
5 the violation is not isolated or inadvertent, and the department determines that the
6 violation justifies the suspension or revocation of the registration.

7 (b) The department becomes aware that any fact or condition exists which, if
8 it had existed at the time that the rental-purchase company first filed the
9 registration statement, would have warranted the department's refusal to honor the
10 registration.

11 (c) The rental-purchase company has failed to pay the registration fee under
12 s. 435.302.

13 **(2) PROCEDURE.** The following procedure applies to every order of the
14 department that suspends or revokes a registration under this chapter:

15 (a) The department shall provide a written notice to the rental-purchase
16 company registered under s. 435.301 of the department's intent to issue an order
17 suspending or revoking the rental-purchase company's registration. The notice
18 shall specify the grounds for and the effective date of the proposed order.

19 (b) The rental-purchase company shall file with the department a written
20 response to the allegations contained in the notice within 20 days after receiving the
21 notice. The rental-purchase company's written response may contain a request for
22 a hearing pursuant to s. 227.42. If the written response does not contain a request
23 for a hearing pursuant to s. 227.42, the right to a hearing is waived.

24 (c) If a written response containing a request for a hearing pursuant to s. 227.42
25 is received by the department within the time provided under par. (b) and if, in the

1 opinion of the department, the matter satisfies one of the conditions under s. 227.42
2 (1) (a) to (d), the matter shall be scheduled for a contested hearing to commence
3 within 60 days after the date on which the department receives the written response.

4 (d) If the rental–purchase company fails to file a written response within the
5 time provided under par. (b) or if the rental–purchase company files a timely written
6 response but fails to request a hearing pursuant to s. 227.42, the department may
7 issue an order suspending or revoking the rental–purchase company’s registration
8 under sub. (1). If the rental–purchase company files a timely written response
9 containing a request for a hearing pursuant to s. 227.42, any order of the department
10 suspending or revoking the rental–purchase company’s registration shall be stayed
11 pending completion of proceedings under ch. 227.

12 **435.401 General requirements of disclosure. (1) FORM, LOCATION, SIZE AND**
13 **TIME OF DISCLOSURE.** All information required under s. 435.402 shall satisfy all of the
14 following:

15 (a) The information shall be clearly and conspicuously disclosed.

16 (b) The information shall be disclosed in writing.

17 (c) The information shall be disclosed on the face of the rent–to–own agreement
18 above the line for the lessee’s signature.

19 (d) The information shall be disclosed in not less than 8–point standard type.

20 (e) The information shall be disclosed at or before the time that the lessee
21 becomes legally obligated under the rent–to–own agreement.

22 (2) **ACCURACY OF DISCLOSURE.** All information required under s. 435.402 must
23 be accurate as of the time that it is disclosed. If any information subsequently
24 becomes inaccurate as a result of any act, occurrence or agreement by the lessee, the
25 resulting inaccuracy is not a violation of this chapter.

1 **(3) COPY OF RENT-TO-OWN AGREEMENT.** The rental-purchase company shall
2 provide the lessee with a copy of the completed rent-to-own agreement signed by the
3 lessee. If more than one lessee is legally obligated under the same rent-to-own
4 agreement, delivery of a copy of the completed rent-to-own agreement to one of the
5 lessees shall satisfy this subsection.

6 **435.402 Required provisions of rent-to-own agreement.** A
7 rental-purchase company shall include all of the following information, to the extent
8 applicable, in every rent-to-own agreement:

9 **(1) DESCRIPTION.** A brief description of the rental property, sufficient to identify
10 the rental property to the lessee and the rental-purchase company, including an
11 identification number, and a statement indicating whether the rental property is
12 new or used. A statement that incorrectly indicates that new rental property is used
13 is not a violation of this chapter.

14 **(2) CASH PRICE.** The price at which the rental-purchase company would have
15 sold the rental property to the lessee for cash on the date on which the rent-to-own
16 agreement is executed.

17 **(3) RENTAL PAYMENT.** The periodic rental payment for the rental property.

18 **(4) UP-FRONT PAYMENT.** The payment required of the lessee at the time that the
19 agreement is executed or the rental property is delivered, whichever is later,
20 including the initial rental payment, any application or processing charge, any
21 delivery fee, any charge for a liability damage waiver or for other optional services
22 agreed to by the lessee, and the applicable tax.

23 **(5) PAYMENT TO ACQUIRE OWNERSHIP.** The total number, total dollar amount and
24 due date of all rental payments necessary to acquire ownership of the rental property.

1 **(6) OTHER CHARGES.** A statement that the total dollar amount of all rental
2 payments necessary to acquire ownership of the rental property does not include
3 other charges that a lessee may incur, such as application, processing or delivery
4 charges, and late payment, reinstatement, default and pickup fees. These charges
5 shall be separately identified in the rental-purchase agreement and the amount of
6 each charge and fee disclosed.

7 **(7) RENTAL, NOT PURCHASE.** A statement that the lessee will not own the rental
8 property until the lessee has made the total amount of payments necessary to acquire
9 ownership or has exercised the lessee's early-purchase option.

10 **(8) SUMMARY OF EARLY-PURCHASE OPTION.** A statement summarizing the terms
11 of the lessee's option to acquire ownership of the rental property, including a
12 statement indicating that the lessee has the right to exercise an early purchase
13 option and indicating the price, or the formula or method for determining the price,
14 at which the rental property may be purchased under the early-purchase option.

15 **(9) RESPONSIBILITY FOR THEFT OR DAMAGE.** A statement that, unless otherwise
16 agreed, the lessee is responsible for the fair market value of the rental property,
17 determined according to the early-purchase option formula or method, if, and as of
18 the time, the rental property is stolen, damaged or destroyed while in the possession
19 of or subject to the control of the lessee.

20 **(10) SERVICE AND WARRANTY.** A statement identifying the party responsible for
21 maintaining or servicing the rental property during the term of the rent-to-own
22 agreement, together with a description of that responsibility, and a statement that
23 if any part of a manufacturer's express warranty covers the rental property when the
24 lessee acquires ownership of the rental property the manufacturer's express

1 warranty will be transferred to the lessee, if the transfer is allowed by the terms of
2 the manufacturer's express warranty.

3 (11) TERMINATION AT OPTION OF LESSEE. A statement that the lessee may
4 terminate the agreement at any time without penalty by voluntarily surrendering
5 or returning the rental property in good repair along with any past-due rental
6 payments, fees and charges.

7 (12) RIGHT TO REINSTATE. A brief explanation of the lessee's right to reinstate
8 a rent-to-own agreement under s. 435.405.

9 (13) GENERAL NOTICE. A notice reading substantially as follows: "You are
10 renting this property. You will not own the property until you make all of the
11 regularly scheduled rental payments necessary to acquire ownership or until you
12 exercise your early-purchase option. If you do not make your rental payments as
13 scheduled or exercise your early-purchase option, the lessor may repossess the
14 property."

15 (14) INFORMATION ABOUT RENTAL-PURCHASE COMPANY AND LESSEE. The names of
16 the rental-purchase company and the lessee, the rental-purchase company's
17 business address and telephone number, the lessee's address and the date on which
18 the rent-to-own agreement is executed.

19 **435.403 Prohibited provisions of rent-to-own agreement.** A
20 rent-to-own agreement may not contain any of the following:

21 (1) CONFESSION. A confession of judgment.

22 (2) SECURITY. A provision granting the rental-purchase company a security
23 interest in any property except rental property delivered by the rental-purchase
24 company pursuant to the rent-to-own agreement.

1 (3) REPOSSESSION. A provision authorizing a rental–purchase company or an
2 agent of the rental–purchase company to enter the lessee’s premises or to commit a
3 breach of the peace in the repossession of rental property delivered by the
4 rental–purchase company pursuant to the rent–to–own agreement.

5 (4) WAIVER. A waiver of a defense or counterclaim, or a waiver of any right to
6 assert any claim that the lessee may have against the rental–purchase company or
7 an agent of the rental–purchase company or a waiver of any provision of this chapter.

8 (5) OVERPAYMENT. A provision requiring rental payments totaling more than
9 the total dollar amount of all rental payments necessary to acquire ownership, as
10 disclosed in the rental–purchase agreement.

11 (6) INSURANCE. A provision requiring the purchase of insurance from the
12 rental–purchase company to cover the rental property.

13 **435.404 Late payment, grace period and late fees. (1) LATE FEE;**
14 **GENERALLY.** If a lessee fails to make any payment when due under a rent–to–own
15 agreement or if, at the end of any rental term, the lessee fails to return the rental
16 property or to renew the rent–to–own agreement for an additional term, the
17 rental–purchase company may require the lesscc to pay a late fee. However, except
18 as provided under sub. (4), this subsection does not apply if the lessee’s failure to
19 return rental property or failure to renew the rent–to–own agreement at the end of
20 the rental term is due to the lessee’s exercise of an early–purchase option under the
21 rent–to–own agreement or due to the lessee’s making all payments necessary to
22 acquire ownership of the rental property.

23 (2) GRACE PERIODS. The following grace periods shall apply to rental payments
24 made with respect to a rental–purchase agreement:

1 (a) For an agreement that is renewed on a weekly basis, no late fee may be
2 assessed for a payment that is made within 2 days after the date on which the
3 scheduled payment is due.

4 (b) For an agreement that is renewed for a term that is longer than one week,
5 no late fee may be assessed for a payment that is made within 5 days after the date
6 on which the scheduled payment is due.

7 **(3) COLLECTION, RECORDING AND LIMITATION OF LATE FEES.** Late fees are subject
8 to all of the following limitations:

9 (a) A late fee may not exceed \$5 for each past-due rental payment.

10 (b) A late fee may be collected only once on each rental payment due, regardless
11 of how long the payment remains past due.

12 (c) Payments received shall be applied first to the payment of any rent that is
13 due and then to late fees and any other charges.

14 (d) A late fee may be collected at the time that the late fee accrues or at any time
15 afterward.

16 **(4) EFFECT OF OUTSTANDING LATE FEE ON TRANSFER OF OWNERSHIP.** A
17 rental-purchase company may require payment of any outstanding late fees before
18 transferring ownership of rental property to a lessee.

19 **435.405 Reinstatement of terminated rent-to-own agreement. (1)**
20 REINSTATEMENT, GENERALLY. A lessee shall have the right to reinstate a terminated
21 rent-to-own agreement without losing any rights or options previously acquired if
22 all of the following conditions apply:

23 (a) The lessee returned or surrendered the rental property within 5 days after
24 the termination of the agreement.

1 (b) Not more than 21 days have passed after the date that the rental property
2 was returned to the rental-purchase company or, if the lessee has paid two-thirds
3 or more of the total of rental payments necessary to acquire ownership of the rental
4 property, not more than 45 days have passed since the date that the rental property
5 was returned to the rental-purchase company.

6 (2) AUTHORIZED CONDITIONS ON REINSTATEMENT. As a condition of reinstatement
7 under this section, the rental-purchase company may require the payment of all
8 past-due rental charges, any applicable late fees, a reinstatement fee not to exceed
9 \$5, and the rental payment for an additional term.

10 (3) EFFECT OF REPOSSESSION ON REINSTATEMENT. Nothing in this section shall
11 prevent a rental-purchase company from attempting to repossess rental property
12 upon termination of a rent-to-own agreement, but such efforts shall not affect the
13 lessee's right to reinstate as long as the rental property is voluntarily returned or
14 surrendered within 5 days after the termination of the rent-to-own agreement.

15 (4) PROPERTY AVAILABLE UPON REINSTATEMENT. Upon reinstatement, the
16 rental-purchase company shall provide the lessee with the same rental property, if
17 the property is available and is in the same condition as when it was returned to the
18 rental-purchase company, or with substitute property of comparable quality and
19 condition.

20 **435.406 Liability waiver.** A rental-purchase company may offer a liability
21 waiver to the lessee. The terms of the waiver must be provided to the lessee in writing
22 and the face of the writing must clearly disclose that the lessee is not required to
23 purchase the waiver. The fee for the waiver may not exceed 10% of the periodic rental
24 payment.

1 **435.407 Early-purchase option.** A rental-purchase company shall offer an
2 early-purchase option to every lessee who enters into a rent-to-own agreement with
3 the rental-purchase company. The early-purchase option shall permit the lessee to
4 purchase the rental property for cash at any time after the initial payment. As a
5 condition of exercising the early-purchase option, the rental-purchase company
6 may require the lessee to be current on the lessee's rent-to-own agreement or to pay
7 any past-due rental charges and other outstanding fees that are owed.

8 **435.408 Referral transactions. (1) PROHIBITED REFERRAL TRANSACTIONS.** No
9 rental-purchase company may induce any individual to enter into a rent-to-own
10 agreement by giving or offering to give a rebate or discount to the individual in
11 consideration of the individual's giving to the rental-purchase company the names
12 of prospective lessees if the earning of the rebate or discount is contingent upon the
13 occurrence of any event that takes place after the time that the individual enters into
14 the rent-to-own agreement.

15 **(2) AUTHORIZED REFERRAL TRANSACTIONS.** A rental-purchase company may give
16 or offer to give a rebate or discount to a lessee who rents personal property from the
17 rental-purchase company in consideration of the lessee's giving to the
18 rental-purchase company the names of prospective lessees. A rebate or discount
19 under this subsection may be contingent upon the occurrence of any event that takes
20 place after the time that the names are given to the rental-purchase company.

21 **435.409 Receipts and statements. (1) RECEIPTS DUE UPON REQUEST.** Upon
22 the request of a lessee, a rental-purchase company shall provide a written receipt
23 to the lessee for any payment made by the lessee.

24 **(2) STATEMENT DUE UPON REQUEST.** Upon the request of a lessee, a
25 rental-purchase company shall provide a written statement to the lessee showing

1 the lessee's payment history on each rent-to-own agreement between the lessee and
2 the rental-purchase company. A rental-purchase company is not required to
3 provide a statement covering any rent-to-own agreement that was terminated or
4 completed more than one year prior to the date of the lessee's request. A
5 rental-purchase company may provide a single statement covering all rent-to-own
6 agreements or separate statements for each rent-to-own agreement, at the
7 rental-purchase company's option.

8 **435.501 Price cards displayed.** (1) PRICE CARDS; GENERALLY. A card or tag
9 that clearly and conspicuously states all of the following shall be displayed on or next
10 to any property displayed or offered by a rental-purchase company for rent under a
11 rent-to-own agreement:

12 (a) The price of the property if purchased in cash.

13 (b) The amount of the periodic rental payment and the term over which the
14 payment must be made.

15 (c) The total number and total amount of rental payments that must be paid
16 in order to acquire ownership of the property under a rent-to-own agreement.

17 (d) Whether the property is new or used.

18 (2) EXCEPTIONS. If property is offered for rent under a rent-to-own agreement
19 through a catalog or if the size of the property is such that displaying a card or tag
20 on or next to the property would be impractical, a rental-purchase company may
21 make the disclosures required by this section in a catalog or list, if the catalog or list
22 is readily available to prospective lessees.

23 **435.502 Advertising.** (1) DISCLOSURE REQUIRED. Except as provided under
24 sub. (2), if an advertisement for a rent-to-own agreement refers to or states the
25 amount of a payment for any property and the right to acquire ownership of that

1 property, the advertisement shall also clearly and conspicuously state all of the
2 following:

3 (a) That the transaction advertised is a rent-to-own agreement.

4 (b) The total number and total dollar amount of rental payments that must be
5 paid to acquire ownership.

6 (c) That the lessee does not acquire ownership of the property if the total dollar
7 amount of payments necessary to acquire ownership is not paid.

8 (2) EXCEPTION. Subsection (1) does not apply to any in-store display or any
9 advertisement that is published in the yellow pages of a telephone directory or in any
10 similar directory of businesses.

11 (3) ADVERTISER NOT LIABLE. An owner or agent of the medium in which an
12 advertisement for a rent-to-own agreement appears or through which an
13 advertisement for a rent-to-own agreement is disseminated shall not be liable for
14 any violation of sub. (1).

15 **435.601 Default and right to cure. (1) DEFAULT; GENERALLY.** A lessee is in
16 default under a rent-to-own agreement if any of the following applies:

17 (a) The lessee fails to return rental property within 7 days after the date that
18 the last rental term for which a rental payment was made expires, unless the lessee
19 has exercised an early-purchase option or has made all payments necessary to
20 acquire ownership of the rental property.

21 (b) The lessee materially breaches any other provision of the rent-to-own
22 agreement.

23 (2) DEFAULT; NECESSARY FOR LESSEE LIABILITY. No cause of action shall accrue
24 against a lessee with respect to the lessee's obligations under a rent-to-own
25 agreement except by reason of a default.

1 (3) NOTICE OF DEFAULT; GENERAL REQUIREMENT. As a condition precedent to
2 bringing an action against a lessee arising out of the lessee's default, a
3 rental-purchase company shall provide a written notice of the default and of the
4 right to cure the default to the lessee. The notice shall specify the default and the
5 action required to cure the default and shall inform the lessee that if the default is
6 not cured within 15 days after the notice is given the rental-purchase company will
7 have the right to bring an action against the lessee.

8 (4) NOTICE OF DEFAULT; EXCEPTION. Notwithstanding sub. (3), a rental-purchase
9 company is not required to provide a notice of default and right to cure as a condition
10 precedent to bringing an action against a lessee if each of the following occurred twice
11 during the 12 months before the date of the current default with respect to the same
12 rent-to-own agreement:

13 (a) The lessee was in default.

14 (b) The rental-purchase company gave the lessee written notice of the default
15 and of the lessee's right to cure under sub. (3).

16 (c) The lessee cured the default.

17 (5) REQUEST FOR VOLUNTARY SURRENDER OF PROPERTY. A rental-purchase
18 company may request the voluntary return or surrender of rental property prior to
19 the declaration of a default and the sending of written notice of default and right to
20 cure. A request under this subsection is subject to the requirements of s. 435.602.

21 **435.602 Rental-purchase company collection practices.** In attempting
22 to recover possession of rental property or to collect past-due rental payments or
23 other charges owed under a rent-to-own agreement, a rental-purchase company
24 may not do any of the following:

1 **(1) USE OF FORCE.** Use or threaten to use force or violence to cause physical harm
2 to the lessee or the lessee's dependents or property.

3 **(2) CRIMINAL PROSECUTION.** Threaten criminal prosecution, unless the
4 rental-purchase company reasonably believes, in good faith, that the lessee has
5 violated a law of this state and, as a result of the violation, is subject to penalties
6 including a fine or imprisonment or both and the rental-purchase company intends
7 to seek the filing of criminal charges against the lessee.

8 **(3) DISCLOSURE OF FALSE INFORMATION.** Disclose or threaten to disclose
9 information adversely affecting the lessee's reputation for credit worthiness with
10 knowledge or reason to know that the information is false.

11 **(4) COMMUNICATION WITH LESSEE'S EMPLOYER.** Initiate or threaten to initiate
12 communication with the lessee's employer prior to obtaining final judgment against
13 the lessee, except as permitted by statute, including specifically s. 422.404. This
14 subsection does not prohibit a rental-purchase company from communicating with
15 a lessee's employer solely to verify employment status or earnings or to determine
16 if the employer has an established debt counseling service or procedure.

17 **(5) DISCLOSURE OF INFORMATION REGARDING A DISPUTED DEBT.** Disclose or threaten
18 to disclose information concerning the existence of a debt known to be reasonably
19 disputed by the lessee without disclosing the fact that the lessee disputes the debt.

20 **(6) HARASSMENT.** Communicate with the lessee or a person related to the lessee
21 with such frequency or at such unusual hours or in such a manner as can reasonably
22 be expected to threaten or harass the lessee or engage in any other conduct which can
23 reasonably be expected to threaten or harass the lessee or a person related to the
24 lessee.

1 (7) USE OF OBSCENE OR THREATENING LANGUAGE. Use obscene or threatening
2 language in communicating with the lessee or a person related to the lessee.

3 (8) USE OF THREAT TO ENFORCE FALSE RIGHT. Threaten to enforce a right with
4 knowledge that the right does not exist.

5 (9) USE OF FALSE PROCESS. Use a communication which simulates legal or
6 judicial process or which gives the appearance of being authorized, issued or
7 approved by a government, government agency or attorney-at-law when it is not.

8 (10) USE OF THREAT TO SUE. Threaten to file a civil action against the lessee
9 unless such action is taken in the regular course of business or is intended with
10 respect to the lessee in question.

11 **435.701 Civil actions and defenses. (1) LIABILITY; GENERALLY.** Except as
12 provided under sub. (2), a a rental-purchase company that violates any provision of
13 this chapter is liable to a lessee damaged as a result of that violation for the costs of
14 the action and for reasonable attorney fees as determined by the court, plus an
15 amount equal to the greater of the following:

16 (a) The actual damages, including any incidental and consequential damages,
17 sustained by the lessee as a result of the violation.

18 (b) An amount equal to 25% of the total amount of payments due in one month
19 under the lessee's rent-to-own agreement, except that liability under this
20 paragraph may not be less than \$100 nor more than \$1,000.

21 (2) LIABILITY; CERTAIN VIOLATIONS. If a rent-to-own agreement violates s.
22 435.403, the lessee shall be entitled to retain the rental property without obligation
23 to pay any amount and to recover any sums paid to the rental-purchase company
24 pursuant to the transaction.

1 **(3) CLASS ACTION.** In the case of a class action, a rental–purchase company that
2 violates this chapter is liable to the members of the class in an amount determined
3 by the court, except that the total recovery for all lessees whose recovery is computed
4 pursuant to sub. (1) (b) may not exceed \$100,000 plus the costs of the action and
5 reasonable attorney fees as determined by the court. In determining the amount to
6 award under this subsection, the court shall consider, among other relevant factors,
7 the amount of actual damages sustained by members of the class, the frequency and
8 persistence of violations by the rental–purchase company, the resources of the
9 rental–purchase company, the number of persons damaged by the violation, the
10 presence or absence of good faith on the part of the rental–purchase company, and
11 the extent to which the violation was intentional.

12 **(4) DEFENSE; ERROR NOTIFICATION AND CORRECTION.** A rental–purchase company
13 is not liable for a violation of this chapter resulting from an error by the
14 rental–purchase company if, within 60 days after discovering the error, the
15 rental–purchase company notifies the lessee of the error and makes any adjustments
16 necessary to correct the error.

17 **(5) DEFENSE; UNINTENTIONAL ERROR.** A rental–purchase company is not liable
18 for a violation of this chapter if the rental–purchase company shows by a
19 preponderance of the evidence that the violation was not intentional, that the
20 violation resulted from a bona fide error notwithstanding the maintenance of
21 procedures reasonably adapted to avoid these errors and that the rental–purchase
22 company has acted to correct the error. A bona fide error under this subsection
23 includes a clerical error, an error in making calculations, an error due to computer
24 malfunction or computer programming, or a printing error.

1 (6) NECESSARY PARTIES. If more than one lessee is a party to the same
2 rent-to-own agreement, all of the lessees that are parties to the rent-to-own
3 agreement shall be joined as plaintiffs in any action under sub. (1) and the lessees
4 are entitled to only a single recovery under sub. (1).

5 (7) LIABILITY FOR MULTIPLE VIOLATIONS. Multiple violations of this chapter in
6 connection with the same rent-to-own agreement shall only entitle the lessee to a
7 single recovery under sub. (1), except that a violation of s. 435.602 that occurs after
8 recovery has been granted with respect to that rent-to-own agreement may entitle
9 the lessee to an additional recovery under sub. (1).

10 **435.702 Limitation on actions.** An action brought by a lessee under this
11 chapter shall be commenced within one year after the date on which the alleged
12 violation occurred, 2 years after the date on which the rent-to-own agreement was
13 entered into, or one year after the date on which the last payment was made under
14 the rent-to-own agreement, whichever is later.”

15 ***b0767/1.5* 971.** Page 1365, line 25: after that line insert:

16 ***b0767/1.5* “SECTION 2841mt.** 440.08 (2) (a) 14f. of the statutes is created to
17 read:

18 440.08 (2) (a) 14f. Athletic trainer: July 1 of each even-numbered year; \$41.”

19 ***b0762/1.1* 972.** Page 1375, line 12: after that line insert:

20 ***b0762/1.1* “SECTION 2922g.** 440.947 of the statutes is created to read:

21 **440.947 Disclosures and representations for certain sales.** (1) In this
22 section:

23 (a) “Cash advance item” means personal property or a service that is obtained
24 by a person from a 3rd party and that is paid for by the person on behalf of, and

1 subject to reimbursement from, a buyer of a casket, outer burial container or
2 cemetery merchandise from the person. "Cash advance item" includes cemetery or
3 crematory services, pallbearers, public transportation, clergy honoraria, flowers,
4 musicians or vocalists, nurses, obituary notices, gratuities and death certificates.

5 (b) "Direct cremation service" means the disposition of human remains by
6 cremation without any formal viewing, visitation or ceremony in which the body of
7 the deceased is present.

8 (c) "Outer burial container" has the meaning given in s. 157.061 (11g).

9 (d) "Person" does not include a person issued a funeral director's license under
10 ch. 445 or an operator of a funeral establishment, as defined in s. 445.01 (7).

11 (2) No person may sell or offer for sale a casket, outer burial container or
12 cemetery merchandise unless the person has provided to the buyer, prior to the sale,
13 a price list in a clearly legible and conspicuous format that includes each of the
14 following:

15 (a) The name, address and telephone number of the person's place of business.

16 (b) The effective date of the price list.

17 (c) The price and a description of each type of casket, outer burial container and
18 cemetery merchandise that the person usually offers for sale without special
19 ordering. A description required under this paragraph shall enable a buyer to
20 identify and understand the specific casket, outer burial container or cemetery
21 merchandise that is offered for sale.

22 (d) If the person usually offers an outer burial container for sale without special
23 ordering, a statement that is identical to the following: "State law does not require
24 that you buy a container to surround the casket in the grave. However, many

1 cemeteries require that you have such a container so that the grave will not sink in.
2 Either a grave liner or a burial vault will satisfy these requirements.”

3 (e) The price and a description of any direct cremation or burial service offered
4 by the person and, if the person offers direct cremation service, a statement that is
5 identical to the following: “If you want to arrange a direct cremation, you can use an
6 alternative container. Alternative containers encase the body and can be made of
7 materials like fiberboard or composition materials (with or without an outside
8 covering). The containers that we provide are [insert a description of the
9 containers offered for direct cremation].”

10 (f) The price and a description of any service offered by the person for the use
11 any facilities, equipment or staff related to a viewing, funeral ceremony, memorial
12 service or graveside service.

13 (g) The amount and a description of any basic service fee that is charged in
14 addition to any price described under pars. (c), (e) or (f).

15 (3) A person who sells a casket, outer burial container or cemetery merchandise
16 shall, immediately after completing the sale, provide the buyer with a form in a
17 clearly legible and conspicuous format that includes each of the following:

18 (a) The price and a description of the casket, outer burial container or cemetery
19 merchandise.

20 (b) The price and a description of any service specified in sub. (2) (e) or (f) that
21 is sold in addition to the casket, outer burial container or cemetery merchandise.

22 (c) The amount and a description of any basic service fee that is charged in
23 addition to any price described under par. (a) or (b).

1 (d) A statement that the buyer may be charged only for the items that he or she
2 has selected or that are required by law and a description and explanation of any
3 items that he or she is required by law to purchase.

4 (e) A description of any charge for a cash advance item, including any
5 commission, discount or rebate that the person receives for a cash advance item from
6 the 3rd party from which the cash advance item is obtained and that the person does
7 not pass on to the buyer.

8 (4) No person who sells a casket, outer burial container or cemetery
9 merchandise may do any of the following:

10 (a) Provide inaccurate information regarding the information specified in sub.
11 (2) (c), (e), (f) or (g) to a prospective buyer who contacts the person by telephone.

12 (b) Represent that state or local law requires a prospective buyer to purchase
13 a casket for a direct cremation service.

14 (c) Misrepresent to a prospective buyer any requirement under federal, state
15 or local law or under the rules of any cemetery, mausoleum or crematory relating to
16 the use of a casket, outer burial container or cemetery merchandise.

17 (d) Represent that any casket, outer burial container or cemetery merchandise
18 will delay the natural decomposition of human remains for a long or indefinite period
19 of time.

20 (e) Require a buyer to pay an additional fee or surcharge if the buyer purchases
21 a casket, outer burial container or cemetery merchandise from a 3rd party.

22 (f) Alter a price specified in sub. (2) (c), (e), (f) or (g) based on the type of casket,
23 outer burial container or cemetery merchandise purchased by a buyer.

24 (5) A person who sells a casket, outer burial container or cemetery merchandise
25 shall retain a copy of the price list specified in sub. (2) (intro.) for at least one year

1 after the date of its last distribution to a prospective buyer and shall retain a copy
2 of each form that is provided to a buyer under sub. (3) (intro.) for at least one year
3 after completion of a sale. A person required to retain a copy under this subsection
4 shall make the copy available for inspection by the department upon request.

5 *b0762/1.1* **SECTION 2922r.** 440.95 (3) of the statutes is amended to read:

6 440.95 (3) Except as provided in subs. (1) and (2), any person who violates s.
7 440.91 or 440.947 or any rule promulgated under s. 440.91 may be fined not more
8 than \$1,000 or imprisoned for not more than 6 months or both.”.

9 *b0763/1.1* **973.** Page 1375, line 20: after that line insert:

10 *b0763/1.1* **SECTION 2923r.** 452.12 (3) (c) of the statutes is created to read:

11 452.12 (3) (c) The department shall promulgate rules that specify the
12 responsibility and supervision requirements under this subsection and the most
13 appropriate means for a broker to fulfill such requirements.”.

14 *b0767/1.6* **974.** Page 1375, line 20: after that line insert:

15 *b0767/1.6* **SECTION 2923t.** Subchapter VI of chapter 448 [precedes 448.95]
16 of the statutes is created to read:

17 **CHAPTER 448**

18 **SUBCHAPTER VI**

19 **ATHLETIC TRAINERS AFFILIATED**

20 **CREDENTIALING BOARD**

21 **448.95 Definitions.** In this subchapter:

22 (1) “Affiliated credentialing board” means the athletic trainers affiliated
23 credentialing board.

1 (2) “Athlete” means a person participating in vigorous activities, sports, games
2 or recreation.

3 (3) “Athletic injury” means any of the following:

4 (a) An injury or illness sustained by an athlete as a result of the athlete’s
5 participation in exercise, sports, games or recreation.

6 (b) An injury or illness that impedes or prevents an athlete from participating
7 in exercise, sports, games or recreation.

8 (4) “Athletic trainer” means an individual who engages in athletic training.

9 (5) “Athletic training” means doing any of the following:

10 (a) Preventing, recognizing and evaluating athletic injuries.

11 (b) Managing and administering the initial treatment of athletic injuries.

12 (c) Giving emergency care or first aid for an athletic injury.

13 (d) Rehabilitating and physically reconditioning athletic injuries.

14 (5m) “Consulting physician” means a person licensed as a physician under
15 subch. II who consults with an athletic trainer while the athletic trainer is engaging
16 in athletic training.

17 (6) “Licensee” means a person who is licensed as an athletic trainer under this
18 subchapter.

19 **448.951 Use of title.** Except as provided in s. 448.952, no person may
20 designate himself or herself as an athletic trainer or use or assume the title “athletic
21 trainer”, “licensed athletic trainer”, “certified athletic trainer” or “registered athletic
22 trainer” or append to the person’s name any other title, letters or designation which
23 represents or may tend to represent the person as an athletic trainer unless the
24 person is licensed under this subchapter.

1 **448.952 Applicability.** This subchapter does not require a license under this
2 subchapter for any of the following:

3 (1) Any person lawfully practicing within the scope of a license, permit,
4 registration or certification granted by this state or the federal government, if the
5 person does not represent himself or herself as an athletic trainer.

6 (2) An athletic training student practicing athletic training within the scope
7 of the student's education or training, if he or she clearly indicates that he or she is
8 an athletic training student.

9 (3) An athletic trainer who is in this state temporarily with an individual or
10 group that is participating in a specific athletic event or series of athletic events and
11 who is licensed, certified or registered by another state or country or certified as an
12 athletic trainer by the Board of Certification of the National Athletic Trainers
13 Association.

14 **448.9525 Duties of affiliated credentialing board.** (1) The affiliated
15 credentialing board shall do all of the following:

16 (a) Maintain a complete list of athletic trainers licensed under this subchapter
17 that includes the address of each person on the list.

18 (b) Provide a copy of the list maintained under par. (a) to any person who
19 requests a copy.

20 (c) Prescribe a form for the recording of a protocol required under s. 448.956 (1).

21 (d) Promulgate rules establishing the minimum amount of liability insurance
22 or surety bonding that a licensee must have to be eligible for renewal of his or her
23 license.

1 (2) Subject to s. 448.956 (1), (4) and (5), the affiliated credentialing board and
2 the medical examining board shall jointly promulgate rules relating to the minimum
3 requirements of a protocol required under s. 448.956 (1).

4 **448.953 Licensure of athletic trainers.** (1) The affiliated credentialing
5 board shall grant an athletic trainer license to a person who does all of the following:

6 (a) Submits an application for the license to the department on a form provided
7 by the department.

8 (b) Pays the fee specified in s. 440.05 (1).

9 (c) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory
10 to the affiliated credentialing board that he or she does not have an arrest or
11 conviction record.

12 (d) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory
13 to the affiliated credentialing board that he or she does not have a history of alcohol
14 or other drug abuse.

15 (e) Submits evidence satisfactory to the affiliated credentialing board that he
16 or she has received at least a bachelor's degree from an accredited college or
17 university.

18 (f) Submits evidence satisfactory to the affiliated credentialing board that he
19 or she has met the requirements for certification established by the National Athletic
20 Trainers Association Board of Certification and has passed the certification
21 examination administered by the National Athletic Trainers Association Board of
22 Certification.

23 (g) Provides all of the following information:

1 1. A statement as to whether the person has been granted an athletic trainer
2 credential from any licensing jurisdiction in the United States or in any foreign
3 country.

4 2. If the person has been granted an athletic trainer credential from any
5 licensing jurisdiction in the United States or in any foreign country, a description of
6 any disciplinary actions initiated against the person by the licensing jurisdiction
7 that issued the credential.

8 3. A statement as to whether the person has ever applied for an athletic trainer
9 credential from any licensing jurisdiction in the United States or in any foreign
10 country and had the application denied, along with a description of why the
11 credential application was denied.

12 (h) Passes an examination under s. 448.954.

13 **(2)** The affiliated credentialing board may waive the requirements under sub.
14 (1) (c) to (h) for an applicant for a license under sub. (1) who establishes to the
15 satisfaction of the affiliated credentialing board all of the following:

16 (a) That he or she has been issued a credential as an athletic trainer by another
17 licensing jurisdiction in the United States.

18 (b) That the jurisdiction that issued the credential under par. (a) has
19 requirements for credentialing that are substantially equivalent to the
20 requirements under sub. (1) (c) to (h).

21 **(3)** (a) The affiliated credentialing board shall issue a temporary license to a
22 person who satisfies the requirements under sub. (1) (a) and (c) to (g) and who pays
23 the fee specified in s. 440.05 (6). The temporary license is valid for one year and may
24 not be renewed.

1 (b) If a person who is issued a temporary license under par. (a) submits, before
2 the temporary license expires, evidence satisfactory to the affiliated credentialing
3 board that he or she has passed the examination required under s. 448.954, the
4 affiliated credentialing board shall issue the person a license under sub. (1).

5 (4) (a) The affiliated credentialing board shall issue a temporary license to a
6 person who satisfies the requirements under sub. (1) (a), (c) to (e) and (g), pays the
7 fee specified in s. 440.05 (6) and submits evidence satisfactory to the affiliated
8 credentialing board that he or she has engaged in athletic training during each of the
9 12 consecutive months immediately preceding the effective date of this paragraph
10 [revisor inserts date]. The temporary license is valid for 2 years and shall be
11 renewed once if a license holder submits evidence satisfactory to the affiliated
12 credentialing board at the time of renewal that he or she has made significant
13 progress toward satisfying the requirement under sub. (1) (f).

14 (b) If a person who is issued a temporary license under par. (a) satisfies the
15 requirements under sub. (1) (f) and (h) before the temporary license expires, the
16 affiliated credentialing board shall issue the person a license under
17 sub. (1).

18 (5) An application form for a license under this section shall include all of the
19 following:

20 (a) An affirmation by the applicant that the information that he or she is
21 supplying on the application is true and complete.

22 (b) A statement that the applicant authorizes the affiliated credentialing board
23 to have access to any of the following:

24 1. The applicant's records at the college or university at which he or she
25 received the bachelor's degree required under sub. (1) (e).

1 2. The records of any credentialing authority in any licensing jurisdiction in the
2 United States or in any foreign country that has granted the applicant a credential
3 in athletic training.

4 **448.954 Examination.** (1) The affiliated credentialing board shall conduct
5 or arrange for examinations for athletic trainer licensure at least semiannually and
6 at times and places determined by the affiliated credentialing board. Examinations
7 shall consist of written or oral tests, or both, requiring applicants to demonstrate
8 minimum competency in subjects substantially related to athletic training.

9 (2) In lieu of an examination under sub. (1), the affiliated credentialing board
10 may accept the results of an examination administered by the National Athletic
11 Trainers Association Board of Certification.

12 **448.9545 Continuing education.** (1) (a) To be eligible for renewal of a license
13 issued under s. 448.953 (1) or (2), a licensee shall, during the 2-year period
14 immediately preceding the renewal date specified under s. 440.08 (2) (a), complete
15 not less than 30 credit hours of continuing education in courses of study approved by
16 the affiliated credentialing board.

17 (b) No more than 10 credit hours of the continuing education required under
18 par. (a) may be on any of the following subject areas or combination of subject areas:

- 19 1. Management.
- 20 2. Risk management.
- 21 3. Personal growth.
- 22 4. Educational techniques.

23 (2) The affiliated credentialing board may approve any of the following courses
24 for continuing education credit:

1 (a) A course that has been approved for continuing education credit by the
2 National Athletic Trainers Association Board of Certification.

3 (b) Any course that satisfies all of the following:

4 1. The course is directly related to the practice of athletic training or sports
5 medicine and lasts at least one hour.

6 2. Each member of the course faculty has expertise in the subject area of the
7 course because he or she has received a degree from an accredited college or
8 university relating to the subject area, has experience or special training in the
9 subject area covered by the course or has previously taught the subject area covered
10 by the course.

11 3. The course has specific written objectives describing the goals of the course
12 for the participants.

13 4. The sponsor of the course keeps attendance records for the course and retains
14 copies of those records for at least 4 years after the date of the course.

15 **448.955 Issuance of license; expiration and renewal.** (1) The renewal
16 dates for licenses granted under this subchapter, other than temporary licenses
17 granted under s. 448.953 (3) or (4), are specified under s. 440.08 (2) (a).

18 (2) Renewal applications shall be submitted to the department on a form
19 provided, subject to sub. (3), by the department and shall include the renewal fee
20 specified in s. 440.08 (2) (a) and evidence satisfactory to the affiliated credentialing
21 board that the licensee has all of the following:

22 (a) Completed, during the 2-year period immediately preceding the renewal
23 date specified in s. 440.08 (2) (a), the continuing education requirements specified
24 in s. 448.9545.

25 (b) Current certification in cardiopulmonary resuscitation.

1 (c) Liability insurance or a surety bond in at least the minimum amount
2 required by the rules promulgated under s. 448.9525 (1) (d).

3 (3) A renewal application form for renewal of a license issued under this
4 subchapter shall include all of the following:

5 (a) A place for the licensee to describe his or her work history, including the
6 average number of hours worked each week, for the 2-year period immediately
7 preceding the renewal date specified in s. 440.08 (2) (a).

8 (c) A statement, signed by the licensee and the licensee's consulting physician,
9 that a current copy of the protocol required under s. 448.956 (1) is on file at the place
10 of employment of the athletic trainer and of the consulting physician.

11 **448.956 Practice requirements.** (1) (a) A licensee may engage in athletic
12 training only in accordance with an evaluation and treatment protocol that is
13 established by the athletic trainer and approved by the consulting physician in
14 accordance with the rules promulgated under s. 448.9525 (2) and recorded on a
15 protocol form prescribed by the affiliated credentialing board under s. 448.9525 (1)
16 (c).

17 (am) A protocol established under par. (a) shall require an athletic trainer to
18 notify the consulting physician as soon as possible if a person being treated by the
19 athletic trainer sustains new injuries.

20 (b) A licensee shall have a copy of the protocol established under par. (a) at his
21 or her place of employment at all times.

22 (c) A protocol established under par. (a) shall be updated no later than 30 days
23 before the date specified in s. 440.08 (2) (a) 14f.

24 (2) In addition to engaging in athletic training under a protocol established
25 under sub. (1), a licensee may do any of the following:

1 (a) Monitor the general behavior and general physical response of a person to
2 treatment and rehabilitation, including monitoring whether the person's behavior
3 or response show abnormal characteristics and monitoring whether the person
4 exhibits abnormal signs or symptoms.

5 (b) Suggest modifications in treatment or rehabilitation of an injured person
6 to the consulting physician or any other health care provider who is providing
7 treatment to the person.

8 (c) Develop and administer an athletic training program for a person. An
9 athletic training program under this paragraph may include providing education
10 and counseling to a person.

11 **(3)** When working on behalf of his or her primary employer, a licensee may, in
12 accordance with a protocol established under sub. (1) (a), do all of the following:

13 (a) Treat and rehabilitate an athletic injury using cold, heat, light, sound,
14 electricity, exercise, chemicals or mechanical devices.

15 (b) Evaluate and treat a person for an athletic injury that has not previously
16 been diagnosed.

17 (c) Treat or rehabilitate an employe of the primary employer with an injury that
18 is identical to an athletic injury and that has resulted from an occupational activity
19 as directed, supervised and inspected by a physician, as defined in s. 448.01 (5), or
20 by a person licensed under s. 446.02, who has the power to direct, decide and oversee
21 the implementation of the treatment or rehabilitation.

22 **(4)** If a licensee or the consulting physician of the licensee determines that a
23 patient's medical condition is beyond the scope of practice of the licensee, the licensee
24 shall, in accordance with the protocol established under sub. (1) (a), refer the patient

1 to a health care practitioner who is licensed under ch. 446 or 447 or subch. II, III or
2 IV of ch. 448 and who can provide appropriate treatment to the patient.

3 (5) A licensee shall modify or terminate treatment of a patient that is not
4 beneficial to a patient or that the patient cannot tolerate.

5 **448.957 Disciplinary proceedings and actions.** (1) Subject to the rules
6 promulgated under s. 440.03 (1), the affiliated credentialing board may make
7 investigations and conduct hearings to determine whether a violation of this
8 subchapter or any rule promulgated under this subchapter has occurred.

9 (2) Subject to the rules promulgated under s. 440.03 (1), the affiliated
10 credentialing board may reprimand a licensee or may deny, limit, suspend or revoke
11 a license granted under this subchapter if it finds that the applicant or licensee has
12 done any of the following:

13 (a) Made a material misstatement in an application for a license or for renewal
14 of a license.

15 (b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense the
16 circumstances of which substantially relate to the practice of athletic training.

17 (c) Advertised in a manner that is false, deceptive or misleading.

18 (d) Advertised, practiced or attempted to practice under another's name.

19 (e) Subject to ss. 111.321, 111.322 and 111.34, practiced athletic training while
20 the applicant's or licensee's ability to practice was impaired by alcohol or other drugs.

21 (f) Engaged in unprofessional or unethical conduct.

22 (g) Engaged in conduct while practicing athletic training that evidences a lack
23 of knowledge or ability to apply professional principles or skills.

24 (h) Failed to cooperate with the affiliated credentialing board in an
25 investigation under this section.

1 (i) Aided another person in violating this subchapter or any rule promulgated
2 under this subchapter.

3 (j) Violated this subchapter or any rule promulgated under this subchapter.

4 (3) In addition to or in lieu of the penalties provided under sub. (2), the
5 affiliated credentialing board may assess against an applicant or licensee a forfeiture
6 of not more than \$10,000 for each violation specified under sub. (2).

7 **448.958 Injunctive relief.** If the affiliated credentialing board has reason to
8 believe that any person is violating this subchapter or any rule promulgated under
9 this subchapter, the affiliated credentialing board, the department, the attorney
10 general or the district attorney of the proper county may investigate and may, in
11 addition to any other remedies, bring an action in the name and on behalf of this state
12 to enjoin the person from the violation.

13 **448.959 Penalties.** Any person who violates this subchapter or any rule
14 promulgated under this subchapter may be fined not more than \$10,000 or
15 imprisoned for not more than 9 months or both.

16 ***b0767/1.6* SECTION 2923v.** 450.10 (3) (a) 5q. of the statutes is created to read:
17 450.10 (3) (a) 5q. An athletic trainer licensed under subch. VI of ch. 448.”

18 ***b1282/2.7* 975.** Page 1375, line 20: after that line insert:

19 ***b1282/2.7* “SECTION 2923mm.** 445.125 (1) (a) 2. of the statutes is amended
20 to read:

21 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
22 irrevocable as to the first ~~\$2,000~~ \$2,500 of the funds paid under the agreement by
23 each depositor.”

1 ***b1282/2.7* SECTION 2923mn.** 445.125 (1) (a) 2. of the statutes, as affected by
2 1999 Wisconsin Act (this act), is amended to read:

3 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
4 irrevocable as to the first ~~\$2,500~~ \$3,000 of the funds paid under the agreement by
5 each depositor.”.

6 ***b0710/3.3* 976.** Page 1376, line 21: after that line insert:

7 ***b0710/3.3* “SECTION 2929c.** 560.01 (2) (a) of the statutes is amended to read:

8 560.01 (2) (a) *State economic policy.* The department shall develop a state
9 economic policy. The department shall promote and provide technical assistance,
10 consultative services and other assistance to commercial, industrial and recreational
11 development and expansion; facilitate the establishment and retention of business
12 enterprises in this state, including small and minority business enterprises;
13 encourage cooperation between financial institutions and business persons to
14 encourage commercial, industrial and recreational business expansion in this state;
15 encourage creation of jobs throughout the state and especially in urban and rural
16 economically depressed areas; develop and coordinate state public and private
17 economic development plans and federal economic development assistance
18 programs affecting local governments and business and industry; advise, assist and
19 cooperate with the biotechnology development finance company under s. 234.64;
20 encourage the growth of tourism in the state; promote state products and industries
21 in both foreign and domestic markets; provide informational clearinghouses for
22 businesses and communities in their dealings with other state and federal agencies;
23 advise the governor and legislature on the role of the state in state-local affairs;
24 study the problems affecting local government relations as they impact on economic

1 development and make recommendations for relieving these problems; develop a
2 state-local relations policy to facilitate closer coordination and cooperation between
3 state and local governments; advise the governor and the legislature regarding
4 problems faced by local governments; develop an improved pattern of state-local
5 relations; and develop recommendations for legislative or administrative action as
6 may appear necessary.”.

7 ***b0730/1.12* 977.** Page 1376, line 21: after that line insert:

8 ***b0730/1.12* “SECTION 2927a.** 552.23 (1) of the statutes is amended to read:
9 552.23 (1) If the target company is an insurance company subject to regulation
10 by the commissioner of insurance, a banking corporation subject to regulation by the
11 division of banking, a savings bank or savings and loan association subject to
12 regulation by the division of savings ~~and loan~~ institutions, or a company subject to
13 regulation by the public service commission, the department of transportation or the
14 office of the commissioner of railroads, the division of securities shall promptly
15 furnish a copy of the registration statement filed under this chapter to the regulatory
16 agency having supervision of the target company. Any hearing under this chapter
17 involving any such target company shall be held jointly with the regulatory agency
18 having supervision, and any determination following the hearing shall be made
19 jointly with that regulatory agency.”.

20 ***b1141/2.22* 978.** Page 1378, line 12: after that line insert:

21 ***b1141/2.22* “SECTION 2937p.** 560.12 (1) (ae) of the statutes is amended to
22 read:

23 560.12 (1) (ae) “Recyclable material” means a material identified in s. 287.07
24 (3), 1997 stats., or s. 287.07 (4), 1997 stats., that is recovered from solid waste.”.