

1           **\*b0881/2.2\* 975.** Page 1186, line 9: after that line insert:

2           **\*b0881/2.2\* "SECTION 2337m.** 214.04 (21) (b) of the statutes is amended to  
3 read:

4           214.04 (21) (b) The rules of the division shall provide that any remote service  
5 unit shall be available for use, on a nondiscriminatory basis, by any state or federal  
6 savings bank which has its principal place of business in this state, by any other state  
7 or federal savings bank obtaining the consent of a state or federal savings bank that  
8 has its principal place of business in this state and is using the terminal and by all  
9 customers designated by a savings bank using the unit. This paragraph does not  
10 authorize a savings bank which has its principal place of business outside this state  
11 to conduct business as a savings bank in this state. A remote service unit shall be  
12 available for use, on a nondiscriminatory basis, by any credit union, state or national  
13 bank or state or federal savings and loan association, whose home office is located  
14 in this state, if the credit union, bank or savings and loan association requests to  
15 share its use, subject to joint rules established ~~by the division of banking, the office~~  
16 ~~of credit unions and the division~~ under s. 221.0303 (2). The joint rules under s.  
17 221.0303 (2) shall prohibit a state or federal savings bank that owns or operates a  
18 remote service unit from charging a person a fee for a transaction using that remote  
19 service unit, unless the transaction relates to or affects an account held by that  
20 person with that savings bank. The division by order may authorize the installation  
21 and operation of a remote service unit in a mobile facility, after notice and hearing  
22 upon the proposed service stops of the mobile facility.

23           **\*b0881/2.2\* SECTION 2340m.** 215.13 (46) (a) 1. of the statutes is amended to  
24 read:

1           215.13 (46) (a) 1. Directly or indirectly, acquire, place and operate, or  
2 participate in the acquisition, placement and operation of, at locations other than its  
3 home or branch offices, remote service units, in accordance with rules established by  
4 the division. Remote service units established in accordance with such rules are not  
5 subject to sub. (36), (39), (40) or (47) or s. 215.03 (8). The rules of the division shall  
6 provide that any such remote service unit shall be available for use, on a  
7 nondiscriminatory basis, by any state or federal savings and loan association which  
8 has its principal place of business in this state, by any other savings and loan  
9 association obtaining the consent of a state or federal savings and loan association  
10 which has its principal place of business in this state and is using the terminal and  
11 by all customers designated by a savings and loan association using the unit. This  
12 paragraph does not authorize a savings and loan association which has its principal  
13 place of business outside this state to conduct business as a savings and loan  
14 association in this state. The remote service units also shall be available for use, on  
15 a nondiscriminatory basis, by any credit union, state or national bank or state or  
16 federal savings bank, whose home office is located in this state, if the credit union,  
17 bank or savings bank requests to share its use, subject to the joint rules established  
18 under s. 221.0303 (2). The joint rules under s. 221.0303 (2) shall prohibit a state or  
19 federal savings and loan association that owns or operates a remote service unit from  
20 charging a person a fee for a transaction using that remote service unit, unless the  
21 transaction relates to or affects an account held by that person with that savings and  
22 loan association. The division by order may authorize the installation and operation  
23 of a remote service unit in a mobile facility, after notice and hearing upon the  
24 proposed service stops of the mobile facility.”.

1           **\*b0973/1.4\* 976.** Page 1186, line 9: after that line insert:

2           **\*b0973/1.4\* "SECTION 2336q.** 196.856 of the statutes is created to read:

3           **196.856 Assessment for stray voltage research.** The commission shall  
4 assess annually the amount appropriated under s. 20.285 (1) (gs) to public utilities  
5 that produce electricity in proportion to their respective electric gross operating  
6 revenues during the last calendar year, derived from intrastate operations. The  
7 amounts received under this section shall be credited to the appropriation account  
8 under s. 20.285 (1) (gs). A public utility shall pay the total amount that it is assessed  
9 under this section within 30 days after it receives a bill for that amount from the  
10 commission. The bill constitutes notice of the assessment and demand of payment.”.

11           **\*b1329/1.15\* 977.** Page 1186, line 9: after that line insert:

12           **\*b1329/1.15\* "SECTION 2336u.** 200.01 (2) of the statutes is amended to read:

13           **200.01 (2) "Public service corporation"** means and embraces every corporation,  
14 except municipalities and other political subdivisions, which is a public utility as  
15 defined in s. 196.01, and every corporation which is a railroad as defined in s. 195.02,  
16 but shall not include a public utility corporation receiving an annual gross revenue  
17 of less than \$1,000 for the calendar year next preceding the issuance of any securities  
18 by it. "Public service corporation" includes a holding company, as defined under s.  
19 196.795 (1) (h), which is a public utility, as defined under s. 196.01 (5). "Public service  
20 corporation" does not include a telecommunications utility, as defined in s. 196.01  
21 (10). "Public service corporation" does not include any other holding company unless  
22 the holding company was formed after November 28, 1985, and unless the  
23 commission has determined, under s. 196.795 (7) (a), that each nonutility affiliate,  
24 as defined under s. 196.795 (1) (j), does not and cannot reasonably be expected to do

1 at least one of the items specified in s. 196.795 (7) (a). “Public service corporation”  
2 does not include a company, as defined in s. 196.795 (1) (f), which owns, operates,  
3 manages or controls a telecommunications utility, as defined in s. 196.01 (10), unless  
4 such company also owns, operates, manages or controls a public utility which is not  
5 a telecommunications utility. “Public service corporation” does not include a  
6 transmission company, as defined in s. 196.485 (1) (ge).”

7 \*b0881/2.3\* **978.** Page 1193, line 3: after that line insert:

8 \*b0881/2.3\* **SECTION 2344a.** 221.0303 (2) of the statutes is amended to read:

9 221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS  
10 TERMINALS. A bank may, directly or indirectly, acquire, place and operate, or  
11 participate in the acquisition, placement and operation of, at locations other than its  
12 main or branch offices, customer bank communications terminals, in accordance  
13 with rules established by the division. The rules of the division shall provide that  
14 any such customer bank communications terminal shall be available for use, on a  
15 nondiscriminatory basis, by any state or national bank and by all customers  
16 designated by a bank using the terminal. This subsection does not authorize a bank  
17 which has its principal place of business outside this state to conduct banking  
18 business in this state. The customer bank communications terminals also shall be  
19 available for use, on a nondiscriminatory basis, by any credit union, savings and loan  
20 association or savings bank, if the credit union, savings and loan association or  
21 savings bank requests to share its use, subject to rules jointly established by the  
22 division of banking, the office of credit unions and the division of savings and loan.  
23 The joint rules shall prohibit a state or national bank that owns or operates a  
24 customer bank communications terminal from charging a person a fee for a

1 transaction using that customer bank communications terminal, unless the  
2 transaction relates to or affects an account held by that person with that bank. The  
3 division by order may authorize the installation and operation of a customer bank  
4 communications terminal in a mobile facility, after notice and hearing upon the  
5 proposed service stops of the mobile facility.”.

6 \*b0884/1.3\* **979.** Page 1193, line 3: after that line insert:

7 \*b0884/1.3\* “SECTION 2343d. 220.06 (1) of the statutes is amended to read:

8 220.06 (1) In this section, “licensee” means a person licensed by the division  
9 under ch. 138, 217 or 218 or under s. 224.92.”.

10 \*b0735/1.1\* **980.** Page 1193, line 10: delete that line and substitute “The  
11 department may by rule establish fees to be”.

12 \*b0735/1.2\* **981.** Page 1193, line 17: delete lines 17 to 19.

13 \*b0884/1.4\* **982.** Page 1193, line 19: after that line insert:

14 \*b0884/1.4\* “SECTION 2353d. Subchapter IV of Chapter 224 [precedes 224.90]  
15 of the statutes is created to read:

16 **CHAPTER 224**

17 **SUBCHAPTER IV**

18 **NONDEPOSITORY SMALL**

19 **BUSINESS LENDERS**

20 **224.90 Definitions.** In this subchapter:

21 (1) “Division” means the division of banking.

22 (2) “In control” means any of the following:

23 (a) Owning 10% or more of the outstanding voting stock of a nondepository  
24 lender.

1 (b) Possessing, directly or indirectly, alone or in concert with others, the power  
2 to control or vote 10% or more of the outstanding voting stock of a nondepository  
3 lender or to elect or control the election of a majority of the board of directors of a  
4 nondepository lender.

5 (3) "Licensee" means a lender licensed under this subchapter.

6 (4) "Nondepository lender" means a lender that, in the ordinary course of  
7 business, provides loans that are guaranteed by the U.S. small business  
8 administration under 15 USC 636 (a) to small businesses. "Nondepository lender"  
9 does not include a bank, credit union, savings and loan association or savings bank.

10 **224.92 License required.** No person may engage in business as a  
11 nondepository lender in this state without a license issued under this subchapter.

12 **224.923 License application.** An application for a license under this  
13 subchapter shall be made to the division in writing on a form to be prescribed by the  
14 division. An application for a license under this subchapter shall state the full name  
15 and business address of the applicant and each officer, director and person in control  
16 of the applicant. The application also shall contain the applicant's federal employer  
17 identification number. In addition, the application shall contain the applicant's  
18 business plan, 3 years of detailed financial projections and other relevant  
19 information, all as prescribed by the division.

20 **224.927 Disclosure of certain application information.** The division may  
21 not disclose an applicant's federal employer identification number received under s.  
22 224.923, except as follows:

23 (1) The division may disclose the information to the department of revenue for  
24 the sole purpose of requesting certification under s. 73.0301.

1           (2) The division may disclose the information to the department of workforce  
2 development in accordance with a memorandum of understanding under s. 49.857.

3           **224.93 License approval.** After a review of information regarding the  
4 directors, officers and controlling persons of the applicant for a license, a review of  
5 the applicant's business plan, including at least three years of detailed financial  
6 projections and other information considered relevant by the division, the division  
7 may approve an application for a license if the division determines that all of the  
8 following conditions are met:

9           (1) The applicant has at least \$500,000 in capital and the amount of capital is  
10 adequate for the applicant to transact business as a nondepository lender.

11           (2) Each director, officer and person in control of the applicant is of good  
12 character and sound financial standing; the directors and officers of the applicant are  
13 competent to perform their functions with respect to the applicant and the directors  
14 and officers of the applicant are collectively adequate to manage the business of the  
15 applicant as a nondepository lender.

16           (3) The business plan of the applicant will be honestly and efficiently conducted  
17 in accordance with the intent and purpose of this subchapter.

18           (4) The proposed activity of the applicant possesses a reasonable prospect for  
19 success.

20           (5) The applicant has paid to the division the application fee prescribed by the  
21 division, together with the actual cost incurred by the division in investigating the  
22 application.

23           **224.935 Expiration of license.** (1) GENERALLY. Except as provided under  
24 sub. (2), a license issued under this subchapter expires on the June 30 following the  
25 date on which the license was issued.

1           (2) CHANGE IN CONTROL OF LICENSEE. A change in the identity or number of  
2 individuals that are in control of a licensee terminates the licensee's license under  
3 this subchapter, unless the licensee applies to the division for and receives a renewal  
4 of the license no later than 15 days after the change in control.

5           **224.94 Renewal of license.** Except as provided under s. 224.935 (2), a  
6 licensee shall renew its license by submitting to the division a renewal application  
7 and the renewal fee as prescribed by the division not less than 60 days before the date  
8 on which the license expires. A renewal application is subject to the same criteria  
9 as the criteria for approval of an original license.

10           **224.95 Denial of or disciplinary action relating to license.** (1)  
11 MANDATORY DENIAL. The division shall deny an application for issuance or renewal  
12 of a license under this subchapter if any of the following applies:

13           (a) The applicant has failed to provide its federal employer identification  
14 number under s. 224.923.

15           (b) The department of revenue has certified under s. 73.0301 that the applicant  
16 is liable for delinquent taxes. An applicant whose application for issuance or renewal  
17 of a license is denied under this paragraph is entitled to a notice under s. 73.0301 (2)  
18 (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is not entitled to a notice or hearing  
19 under sub. (4).

20           (c) The applicant is an individual who has failed to comply, after appropriate  
21 notice, with a subpoena or warrant issued by the department of workforce  
22 development or a county child support agency under s. 59.53 (5) and related to  
23 paternity or child support proceedings or who is delinquent in making court-ordered  
24 payments of child or family support, maintenance, birth expenses, medical expenses  
25 or other expenses related to the support of a child or former spouse, as provided in



1 a memorandum of understanding entered into under s. 49.857. An applicant whose  
2 application for issuance or renewal of a license is denied under this paragraph is  
3 entitled to a notice and a hearing under s. 49.857 but is not entitled to a notice or  
4 hearing under sub. (4).

5 (2) DISCRETIONARY DENIAL OR DISCIPLINARY ACTION. The division may deny an  
6 application for issuance or renewal of a license under this subchapter or may revoke,  
7 suspend or limit a license issued under this subchapter if the division finds that the  
8 applicant or nondepository lender did any of the following:

9 (a) Made a material misstatement in an application for issuance or renewal of  
10 a license issued under this subchapter or in information provided to the division.

11 (b) Demonstrated a lack of competency to act as a nondepository lender.

12 (c) Violated any provision of this subchapter or any rule of the division.

13 (3) DISCIPLINARY ORDERS. The division may issue general or special orders  
14 necessary to prevent or correct actions by a nondepository lender that constitute  
15 cause under this section for revoking, suspending or limiting a license.

16 (4) APPEAL OF DENIAL OR DISCIPLINARY ACTION. A person whose application for  
17 issuance or renewal of a license under this subchapter has been denied or whose  
18 license has been revoked, suspended or limited under this section may request a  
19 hearing under s. 227.42 within 30 days after the date of denial, revocation,  
20 suspension or limitation. Failure of a person to request a hearing within the time  
21 provided under this subsection is a waiver of the person's right to a hearing on the  
22 denial, revocation, suspension or limitation.

23 **224.96 Required loan loss reserve.** Each licensee shall provide for a loan  
24 loss reserve sufficient to cover projected loan losses that are not guaranteed by the  
25 U.S. government or any agency of the U.S. government.

1           **224.97 Division review of nondepository lender operations.** The  
2 division may, at any reasonable time, examine the books of account, records,  
3 condition and affairs of a nondepository lender licensed under this subchapter. The  
4 division shall examine the books of account, records, condition and affairs of every  
5 nondepository lender licensed under this subchapter at least once during every 12  
6 month period. The division shall prepare a report of each examination conducted  
7 under this section. As part of an examination under this section or as part of the  
8 preparation of an examination report, the division may examine under oath any  
9 person in control, officer, director, agent, employe or customer of the nondepository  
10 lender. The division may require a nondepository lender that is examined under this  
11 section to pay to the division a reasonable fee for the costs of conducting the  
12 examination.

13           **224.98 Powers of licensee.** A licensee may do any of the following:

14           (1) Participate in the loan guaranty program under 15 USC 636 (a).

15           (2) Participate in any other government program for which the licensee is  
16 eligible and which has as its function the provision or facilitation of financing or  
17 management assistance to business firms.

18           **224.985 Required records and reports.** (1) RECORD KEEPING. A licensee  
19 shall keep books, accounts, and other records in such a form and manner as required  
20 by rule of the division. These records shall be kept at a location and shall be  
21 preserved for a length of time as prescribed by rule of the division.

22           (2) ANNUAL REPORT. Not more than ninety days after the close of a licensee's  
23 fiscal year or upon request of the division, every licensee shall file with the division  
24 a report containing all of the following:

1 (a) Financial statements, including the balance sheet, the statement of income  
2 or loss, the statement of changes in capital accounts and the statement of changes  
3 in financial position of the licensee. The licensee shall ensure that the financial  
4 statements have been audited by an independent certified public account and  
5 prepared in accordance with generally accepted account principles.

6 (b) Other relevant information requested by the division.

7 **224.99 Rulemaking.** The division may promulgate rules for the efficient  
8 administration of this subchapter.”

9 **\*b1426/3.4\* 983.** Page 1194, line 18: before “175.05” insert “125.72 (3) (b).”.

10 **\*b1426/3.5\* 984.** Page 1194, line 20: after that line insert:

11 **\*b1426/3.5\* “SECTION 2356t.** 227.43 (3) (f) of the statutes is created to read:  
12 227.43 (3) (f) The administrator of the division of hearings and appeals may  
13 set the fees to be charged for any services rendered under s. 125.72 to the department  
14 of revenue by a hearing examiner under this section. The fee shall cover the total  
15 cost of the services less any costs covered by the appropriation under s. 20.505 (4) (f)  
16 and those costs recovered under s. 125.72 (3) (b) 3m.

17 **\*b1426/3.5\* SECTION 2356v.** 227.43 (4) (f) of the statutes is created to read:  
18 227.43 (4) (f) The department of revenue shall pay all costs of the services of  
19 a hearing examiner assigned under sub. (1) (bg), according to the fees set under sub.  
20 (3) (f).”.

21 **\*b0788/3.3\* 985.** Page 1195, line 6: delete the material beginning with that  
22 line and ending with page 1197, line 13.

23 **\*b0936/1.3\* 986.** Page 1195, line 24: after that line insert:

24 **\*b0936/1.3\* “SECTION 2359tb.** 230.04 (19m) of the statutes is created to read:

1           230.04 (19m) The secretary shall ensure that no agency require that its  
2 employes record their number of hours worked during any part of a pay period on a  
3 form on which the employe's social security number is printed.”.

4           **\*b0934/1.1\* 987.** Page 1197, line 14: delete lines 14 and 15.

5           **\*b1259/1.43\* 988.** Page 1197, line 16: delete lines 16 to 22.

6           **\*b1033/3.25\* 989.** Page 1197, line 25: delete that line.

7           **\*b1033/3.26\* 990.** Page 1198, line 1: delete that line.

8           **\*b1189/2.2\* 991.** Page 1198, line 1: after that line insert:

9           **\*b1189/2.2\* “SECTION 2361d.** 230.08 (2) (e) 8. of the statutes is amended to  
10 read:

11           230.08 (2) (e) 8. Natural resources — 6 7.”.

12           **\*b1259/1.44\* 992.** Page 1198, line 2: delete lines 2 to 14.

13           **\*b1259/1.45\* 993.** Page 1198, line 16: delete lines 16 to 23.

14           **\*b1041/2.13\* 994.** Page 1198, line 23: after that line insert:

15           **\*b1041/2.13\* “SECTION 2364me.** 230.08 (2) (wy) of the statutes is created to  
16 read:

17           230.08 (2) (wy) The executive director and staff of the tobacco control board.”.

18           **\*b1033/3.27\* 995.** Page 1198, line 24: delete that line.

19           **\*b1033/3.28\* 996.** Page 1199, line 1: delete lines 1 and 2.

20           **\*b1259/1.46\* 997.** Page 1199, line 3: delete lines 3 to 21.

21           **\*b0788/3.4\* 998.** Page 1199, line 22: delete the material beginning with that  
22 line and ending with page 1200, line 6.

23           **\*b0788/3.5\* 999.** Page 1201, line 1: delete lines 1 to 5.

1           **\*b1012/1.3\* 1000.** Page 1209, line 5: delete lines 5 to 12.

2           **\*b1012/1.4\* 1001.** Page 1209, line 20: delete the material beginning with  
3 that line and ending with page 1210, line 11.

4           **\*b1396/2.1\* 1002.** Page 1210, line 11: after that line insert:

5           **\*b1396/2.1\* "SECTION 2400em.** 250.01 (4) (a) 5. of the statutes is created to  
6 read:

7           250.01 (4) (a) 5. A multiple municipal local health department established  
8 under s. 251.02 (3r)."

9           **\*b1046/1.2\* 1003.** Page 1211, line 18: after that line insert:

10           “(c) From the appropriation under s. 20.435 (5) (fh), the department shall  
11 award \$25,000 in each fiscal year as a grant to HealthNet of Janesville, Inc.”.

12           **\*b1396/2.2\* 1004.** Page 1211, line 18: after that line insert:

13           **\*b1396/2.2\* "SECTION 2400qc.** 251.02 (1) of the statutes is amended to read:

14           251.02 (1) In counties with a population of less than 500,000, the county board  
15 shall establish a county health department that meets the requirements of this  
16 chapter. The county health department shall serve all areas of the county that are  
17 not served by a city health department that was established prior to January 1, 1994,  
18 or by a town or village health department established under sub. (3m) or by a  
19 multiple local health department established under sub. (3r). No city health  
20 department may be established after ~~that date~~ January 1, 1994, but a city-county  
21 health department may be established after that date.

22           **\*b1396/2.2\* SECTION 2400qd.** 251.02 (3r) of the statutes is created to read:

23           251.02 (3r) In a county described in sub. (3m), in addition to the local health  
24 department required to be established under sub. (3m), the governing body of a city,

1 village or town in that county may, in concert with the governing body of another city,  
2 village or town in that county, establish a multiple municipal local health  
3 department and elect a local health officer consistent with this chapter.

4 **\*b1396/2.2\* SECTION 2400qe.** 251.03 (4r) of the statutes is created to read:

5 251.03 (4r) Subsections (1) to (4m) do not apply to a city, village or town that  
6 establishes a multiple municipal local health department under s. 251.02 (3r). In  
7 establishing a multiple municipal local health department as described under s.  
8 251.02 (3r), the relevant governing bodies shall agree on how many members of the  
9 local board of health are appointed by each governing body and how many of each  
10 governing body's appointees shall be members who are not elected officials or  
11 employes of the governing body. The members shall be appointed by the relevant  
12 governing bodies. A local board of health under this subsection shall elect a  
13 chairperson and clerk.

14 **\*b1396/2.2\* SECTION 2400qf.** 251.04 (1) of the statutes is amended to read:

15 251.04 (1) A city or county board of health shall govern each local health  
16 department other than a local health department as authorized in s. 251.02 (3m) and  
17 (3r) and a city or county board of health or a board of health for a local health  
18 department as authorized in s. 251.02 (3m) and (3r) shall assure the enforcement of  
19 state public health statutes and public health rules of the department as prescribed  
20 for a Level I local health department. A local board of health may contract or  
21 subcontract to provide public health services. The contractor's staff shall meet the  
22 appropriate qualifications for positions in a Level I local health department.

23 **\*b1396/2.2\* SECTION 2400qg.** 251.04 (2) of the statutes is amended to read:

24 251.04 (2) A city or county board of health or a board of health for a local health  
25 department as authorized in s. 251.02 (3m) or (3r) shall assure that its local health

1 department is a Level I, Level II or Level III local health department, as specified in  
2 s. 251.05 (1).

3 **\*b1396/2.2\* SECTION 2400qh.** 251.04 (3) of the statutes is amended to read:

4 251.04 (3) A city or county board of health or a board of health for a local health  
5 department as authorized in s. 251.02 (3m) or (3r) may adopt those regulations, for  
6 its own guidance and for the governance of the local health department, that it  
7 considers necessary to protect and improve public health. The regulations may be  
8 no less stringent than, and may not conflict with, state statutes and rules of the  
9 department.

10 **\*b1396/2.2\* SECTION 2400qi.** 251.06 (1) (a) 2. of the statutes is amended to  
11 read:

12 251.06 (1) (a) 2. A local health officer of a village or town health department  
13 established under s. 251.02 (3m) or of a multiple municipal local health department  
14 established under s. 251.02 (3r) shall be either a physician or a registered nurse. The  
15 local health officer shall be a voting member of the local board of health and shall take  
16 an oath of office. With respect to the levels of services of a Level I local health  
17 department, as specified in s. 251.05 (2) (a), the local health officer shall be  
18 authorized to act by and be directed by the county health officer of the county  
19 specified under s. 251.02 (3m).

20 **\*b1396/2.2\* SECTION 2400qim.** 251.06 (2) (c) (intro.) of the statutes is  
21 amended to read:

22 251.06 (2) (c) (intro.) A local health officer of a local health department of a  
23 village or town established under s. 251.02 (3m) or a local health officer of a multiple  
24 municipal local health department established under s. 251.02 (3r) shall be one of the  
25 following:

1           **\*b1396/2.2\* SECTION 2400qin.** 251.06 (2) (c) 1. of the statutes is amended to  
2 read:

3           251.06 (2) (c) 1. An employe of the local health department of the village or town  
4 or an employe of the multiple municipal local health department.

5           **\*b1396/2.2\* SECTION 2400qj.** 251.06 (4) (c) of the statutes is amended to read:

6           251.06 (4) (c) A local health officer of a village or town health department  
7 established under s. 251.02 (3m) and a local health officer of a multiple municipal  
8 local health department established under s. 251.02 (3r) shall be appointed by the  
9 local board of health.

10           **\*b1396/2.2\* SECTION 2400qk.** 251.12 of the statutes is amended to read:

11           **251.12 City health department, how financed.** The common council shall  
12 appropriate funds for the operation of a city health department that is established  
13 as specified in s. 251.02 (1) and (2) and for the operation of a multiple municipal local  
14 health department that is established under s. 251.02 (3r) by the governing body of  
15 a city in concert with the governing body of another city or a village or town.

16           **\*b1396/2.2\* SECTION 2400qL.** 251.125 of the statutes is amended to read:

17           **251.125 Village health department, how financed.** If a village health  
18 department is established under s. 251.02 (2) or (3m) or if a multiple municipal local  
19 health department is established under s. 251.01 (3r) by the governing body of a  
20 village in concert with the governing body of another village or a city or town, the  
21 village board shall appropriate funds for the operation of the department.

22           **\*b1396/2.2\* SECTION 2400qm.** 251.127 of the statutes is amended to read:

23           **251.127 Town health department, how financed.** If a town health  
24 department is established under s. 251.02 (3m) or if a multiple municipal local health  
25 department is established under s. 251.02 (3r) by the governing body of a town in



1 concert with the governing body of another town or a city or village, the town board  
2 shall appropriate funds for the operation of the department.”.

3 \*b1047/1.4\* **1005**. Page 1218, line 17: after that line insert:

4 \*b1047/1.4\* **SECTION 2440b**. 253.12 of the statutes is repealed and recreated  
5 to read:

6 **253.12 Birth defect prevention and surveillance system. (1)**

7 **DEFINITIONS.** In this section:

8 (a) “Birth defect” means any of the following conditions affecting an infant or  
9 child that occurs prior to or at birth and that requires medical or surgical  
10 intervention or interferes with normal growth and development:

- 11 1. A structural deformation, disruption or dysplasia.
- 12 2. A genetic, inherited or biochemical disease.

13 (b) “Pediatric specialty clinic” means a clinic the primary purpose of which is  
14 to provide pediatric specialty diagnostic, counseling and medical management  
15 services to persons with birth defects by physician subspecialist.

16 (c) “Infant or child” means a human being from birth to the age of 2 years.

17 (d) “Physician” has the meaning given in s. 448.01 (5).

18 **(2) REPORTING.** (a) Except as provided in par. (b), all of the following shall report  
19 in the manner prescribed by the department under sub. (3) (a) 3. a birth defect in an  
20 infant or child:

- 21 1. A hospital or pediatric specialty clinic in which the birth defect is diagnosed  
22 in an infant or child or treatment for the birth defect is provided to the infant or child.
- 23 2. A physician who diagnoses the birth defect or provides treatment to the  
24 infant or child for the birth defect.

1           3. A clinical laboratory that identifies a birth defect in the infant or child as the  
2 result of laboratory analysis.

3           (b) No person specified under par. (a) 1. to 3. need report under par. (a) if that  
4 person knows that another person specified under par. (a) 1. to 3. has already  
5 reported to the department the required information with respect to the same birth  
6 defect of the same infant or child.

7           (c) Upon request of the department, a physician, hospital or pediatric specialty  
8 clinic shall provide to the department information contained in the medical records  
9 of patients who have a confirmed or suspected birth defect diagnosis. The physician,  
10 hospital or pediatric specialty clinic shall provide that information within 10  
11 working days after the department requests it.

12           **(3) DEPARTMENT DUTIES AND POWERS.** (a) The department shall do all of the  
13 following:

14           1. Establish and maintain an up-to-date registry that documents the  
15 diagnosis in this state of any infant or child who has a birth defect, regardless of the  
16 residence of the infant or child. The department shall include in the registry  
17 information that will facilitate all of the following:

18           a. Identification of risk factors for birth defects.

19           b. Investigation of the incidence, prevalence and trends of birth defects using  
20 epidemiological surveys.

21           c. Development of preventive strategies to decrease the occurrence of birth  
22 defects.

23           2. Specify by rule the birth defects the existence of which requires a report  
24 under sub. (2) to be submitted to the department.

1           3. Specify by rule the content, format and procedures for submitting a report  
2 under sub. (2).

3           (b) The department may monitor the data contained in the reports submitted  
4 under sub. (2) to ensure the quality of that data and to make improvements in  
5 reporting methods.

6           (4) COUNCIL ON BIRTH DEFECT PREVENTION AND SURVEILLANCE. The council on  
7 birth defect prevention and surveillance, created under s. 15.197 (12), shall make  
8 recommendations to the department regarding the establishment of a registry that  
9 documents the diagnosis and treatment in the state of an infant or child who has a  
10 birth defect, as required under sub. (3) (a) 1. and regarding the rules that the  
11 department is required to promulgate under sub. (3) (a) 2. and 3.

12           (5) CONFIDENTIALITY. (a) Any information contained in a report made to the  
13 department under sub. (2) that may specifically identify the subject of the report is  
14 confidential. The department may not release that confidential information except  
15 to the following, under the following conditions:

16           1. The parent or guardian of an infant or child for whom a report is made under  
17 sub. (2).

18           2. A local health officer, upon receipt of a written request and informed written  
19 consent from the parent or guardian of the infant or child. The local health officer  
20 may disclose information received under this subdivision only to the extent  
21 necessary to render and coordinate follow-up care for the infant or child or to conduct  
22 a health, demographic or epidemiological investigation. The local health officer shall  
23 destroy all information received under this subdivision within one year after  
24 receiving it.

1           3. A physician, hospital or pediatric specialty clinic reporting under sub. (2),  
2 for the purpose of verification of information reported by the physician, hospital or  
3 pediatric specialty clinic.

4           4. A representative of a federal or state agency upon written request and to the  
5 extent that the information is necessary to perform a legally authorized function of  
6 that agency, including investigation of causes, mortality, methods of prevention,  
7 treatment or care of birth defects, associated diseases or disabilities. The  
8 information may not include the name or address of an infant or child with a  
9 condition reported under sub. (2). The department shall notify the parent or  
10 guardian of an infant or child about whom information is released under this  
11 subdivision, of the release. The representative of the federal or state agency may  
12 disclose information received under this paragraph only as necessary to perform the  
13 legally authorized function of that agency for which the information was requested.

14           (b) The department may also release confidential information to a person  
15 proposing to conduct research if all of the following conditions are met:

16           1. The person proposing to conduct the research applies in writing to the  
17 department for approval to perform the research and the department approves the  
18 application. The application for approval shall include a written protocol for the  
19 proposed research, the person's professional qualifications to perform the proposed  
20 research and any other information requested by the department.

21           2. The research is for the purpose of studying birth defects surveillance and  
22 prevention.

23           3. If the research will involve direct contact with a subject of a report made  
24 under sub. (2) or with any member of the subject's family, the department determines  
25 that the contact is necessary for meeting the research objectives and that the

1 research is in response to a public health need or is for the purpose of or in connection  
2 with birth defects surveillance or investigations sponsored and conducted by public  
3 health officials. The department must also determine that the research has been  
4 approved by a certified institutional review board or a committee for the protection  
5 of human subjects in accordance with the regulations for research involving human  
6 subjects required by the federal department of health and human services for  
7 projects supported by that agency. Contact may only be made in a manner and  
8 method approved by the department.

9 4. The person agrees in writing that the information provided will be used only  
10 for the research approved by the department.

11 5. The person agrees in writing that the information provided will not be  
12 released to any person except other persons involved in the research.

13 6. The person agrees in writing that the final product of the research will not  
14 reveal information that may specifically identify the subject of a report made under  
15 sub. (2).

16 7. The person agrees in writing to any other conditions imposed by the  
17 department.”.

18 \*b1041/2.14\* **1006.** Page 1233, line 22: delete that line and substitute  
19 “section, “board” means the tobacco control board.”.

20 \*b1041/2.15\* **1007.** Page 1233, line 23: delete the material beginning with  
21 that line and ending with page 1234, line 19 and substitute:

22 **“(1m) DUTIES.** The board shall do all of the following:

1 (a) Appoint an executive director within the classified service who shall employ  
2 staff within the classified service with appropriate programmatic and technical  
3 expertise.

4 (b) Administer the grant program under sub. (3).

5 (c) Promulgate rules establishing criteria for recipients of grants awarded  
6 under sub. (3), including performance-based standards for grant recipients that  
7 propose to use the grant for media efforts. The board shall ensure that programs or  
8 projects conducted under the grants are culturally sensitive.

9 (d) Provide a forum for the discussion, development, and recommendation of  
10 public policy alternatives in the field of smoking cessation and prevention.

11 (e) Provide a clearinghouse of information on matters relating to tobacco issues  
12 and how they are being met in different places throughout the nation such that both  
13 lay and professional groups in the field of government, health care and education  
14 may have additional avenues for sharing experiences and interchanging ideas in the  
15 formulation of public policy on tobacco.

16 (f) Develop and prepare an annual plan regarding the allocation of funding for  
17 a statewide tobacco control program based on successful tobacco control programs in  
18 other states and based on recommendations of the U.S. Centers for Disease Control  
19 regarding the allocation of funding for comprehensive tobacco control programs.”.

20 \*b1041/2.16\* **1008.** Page 1234, line 20: delete “20.435 (5) (tc)” and substitute  
21 “20.436 (1) (tc)”.

22 \*b1041/2.17\* **1009.** Page 1234, line 21: delete “department” and substitute  
23 “board”.

24 \*b1041/2.18\* **1010.** Page 1235, line 11: delete lines 11 to 19 and substitute:

1           “(b) From the appropriation under s. 20.436 (1) (tc), the board may distribute  
2 grants for any of the following:”.

3           **\*b1041/2.19\* 1011.** Page 1236, line 8: after that line insert:

4           “10. Development of policies that restrict access to tobacco products and reduce  
5 exposure to environmental tobacco smoke.”.

6           **\*b1041/2.20\* 1012.** Page 1236, line 11: delete lines 11 to 21 and substitute:

7           “(d) From the appropriation under s. 20.436 (1) (tb), beginning in fiscal year  
8 2000–01 and annually thereafter, the board may expend for administration of the  
9 program under this section not more than 5% of the total amount deposited in that  
10 fiscal year into the tobacco control fund under s. 25.66.

11           (4) REPORTS. Not later than July 1, 2001, and annually thereafter, the board  
12 shall submit to the governor and to the chief clerk of each house of the legislature for  
13 distribution under s. 13.172 (2) a report that evaluates the success of the grant  
14 program under sub. (3). The report shall specify the number of grants awarded  
15 during the immediately preceding fiscal year and the purpose for which each grant  
16 was made. The report shall also specify donations and grants accepted by the board  
17 under sub. (5).

18           (5) FUNDS. The board may accept for any of its purposes any donations and  
19 grants of money, equipment, supplies, materials and services from any person. The  
20 board shall include in the report under sub. (4) any donation or grant accepted by the  
21 board under this subsection, including the nature, amount and conditions, if any, of  
22 the donation or grant and the identity of the donor.

1           **(6) SUBCOMMITTEES.** The board may create subcommittees to assist in its work.  
2 If the board creates subcommittees, one of the subcommittees shall address the issue  
3 of populations most adversely affected by tobacco.”

4           **\*b1352/2.7\* 1013.** Page 1236, line 21: after that line insert:

5           **\*b1352/2.7\* “SECTION 2486u.** 281.01 (3e) of the statutes is created to read:  
6           281.01 **(3e)** “Design–build construction process” has the meaning given in s.  
7 59.52 (29) (c) 1.”.

8           **\*b1230/1.4\* 1014.** Page 1238, line 10: after that line insert:

9           **\*b1230/1.4\* “SECTION 2487x.** 281.165 of the statutes is created to read:  
10           **281.165 Compliance with water quality standards for wetlands.** An  
11 activity shall be considered to comply with the water quality standards that are  
12 applicable to wetlands and that are promulgated as rules under s. 281.15 and is  
13 exempt from any prohibition, restriction, requirement, permit, license, approval,  
14 authorization, fee, notice, hearing, procedure or penalty specified under s. 29.601 (3)  
15 or chs. 30, 31, 281, 283, 289 to 292 or 299 or specified under any rule promulgated,  
16 order issued or ordinance adopted under any of those sections or chapters, if the  
17 activity meets all of the following requirements:

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

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

22           **(3)** The site of the activity is within the corporate limits of a city on January  
23 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           **\*b1352/2.8\* 1015.** Page 1238, line 10: after that line insert:

6           **\*b1352/2.8\*** “SECTION 2489e. 281.41 (1) of the statutes is amended to read:

7           281.41 (1) Except as provided under sub. (2), every owner, within the time  
8 prescribed by the department, shall file with the department a certified copy of  
9 complete plans of a proposed system or plant or extension thereof, in scope and detail  
10 satisfactory to the department, and, if required, of existing systems or plants, and  
11 such other information concerning maintenance, operation and other details as the  
12 department requires, including the information specified under s. 281.35 (5) (a), if  
13 applicable. An owner contracting for a system, plant or extension under the  
14 design-build construction process, other than an owner that is a town or the state,  
15 may submit to the department performance objectives and preliminary designs in a  
16 form that is satisfactory to the department, rather than complete plans. Material  
17 changes with a statement of the reasons shall be likewise submitted. Before plans  
18 are drawn a statement concerning the improvement may be made to the department  
19 and the department may, if requested, outline generally what it will require. Upon  
20 receipt of such plans for approval, the department or its duly authorized  
21 representative shall notify the owner of the date of receipt. Within 90 days from the  
22 time of receipt of complete plans or within the time specified in s. 281.35 (5) (c), if  
23 applicable, the department or its authorized representative shall examine and take  
24 action to approve, approve conditionally or reject the plans and shall state in writing

1 any conditions of approval or reasons for rejection. Approval or disapproval of such  
2 plans and specifications shall not be contingent upon eligibility of such project for  
3 federal aid. The time period for review may be extended by agreement with the  
4 owner if the plans and specifications cannot be reviewed within the specified time  
5 limitation due to circumstances beyond the control of the department or in the case  
6 of extensive installation involving expenditures of \$350,000 or more. The extension  
7 shall not exceed 6 months. Failure of the department or its authorized  
8 representative to act before the expiration of the time period allowed for review shall  
9 constitute an approval of the plans, and upon demand a written certificate of  
10 approval shall be issued. Approval may be subject to modification by the department  
11 upon due notice. Construction or material change shall be according to approved  
12 plans only. The department may disapprove plans which are not in conformance  
13 with any existing approved areawide waste treatment management plan prepared  
14 pursuant to the federal water pollution control act, P.L. 92-500, as amended, and  
15 shall disapprove plans that do not meet the grounds for approval specified under s.  
16 281.35 (5) (d), if applicable. The department shall require each person whose plans  
17 are approved under this section to report that person's volume and rate of water  
18 withdrawal, as defined under s. 281.35 (1) (m), and that person's volume and rate of  
19 water loss, as defined under s. 281.35 (1) (L), if any, in the form and at the times  
20 specified by the department.”.

21 \*b0744/1.5\* **1016.** Page 1245, line 7: delete “and the” and substitute “.the”.

22 \*b0744/1.6\* **1017.** Page 1245, line 8: after “loan program” insert “and the  
23 safe drinking water loan program”.

24 \*b0744/1.7\* **1018.** Page 1245, line 12: delete “or the” and substitute “.the”.

1           **\*b0744/1.8\* 1019.** Page 1245, line 13: after “program” insert “or the safe  
2 drinking water loan program”.

3           **\*b0744/1.9\* 1020.** Page 1246, line 7: after “loan program” insert “plus the  
4 amounts required to be paid under s. 20.320 (2) (c) and (u) for the safe drinking water  
5 loan program”.

6           **\*b0744/1.10\* 1021.** Page 1246, line 10: after that line insert:

7           **\*b0744/1.10\* “SECTION 2510m.** 281.59 (4) (f) of the statutes is amended to  
8 read:

9           281.59 (4) (f) Revenue obligations may be contracted by the building  
10 commission when it reasonably appears to the building commission that all  
11 obligations incurred under this subsection can be fully paid on a timely basis from  
12 moneys received or anticipated to be received. Revenue obligations issued under this  
13 subsection for the clean water fund program and the urban storm water loan  
14 program shall not exceed \$1,297,755,000 in principal amount, excluding obligations  
15 issued to refund outstanding revenue obligation notes. Revenue obligations issued  
16 under this subsection for the safe drinking water loan program shall not exceed  
17 \$27,700,000 in principal amount, excluding obligations issued to refund outstanding  
18 revenue obligation notes.”.

19           **\*b1081/2.6\* 1022.** Page 1275, line 18: delete lines 18 to 21.

20           **\*b1102/1.1\* 1023.** Page 1275, line 21: after that line insert:

21           **\*b1102/1.1\* “SECTION 2554em.** 285.14 of the statutes is created to read:

22           **285.14 Air pollution control; limitation.** Notwithstanding s. 285.11 (6), in  
23 establishing nitrogen oxide emission reductions for the control of atmospheric ozone  
24 in another state pursuant to a call for a state implementation plan issued by the

1 federal environmental protection agency before the effective date of this section ....  
2 [revisor inserts date], the department may not, in an implementation plan, by rule  
3 or through the adoption of control strategies, regulate nitrogen oxide emissions from  
4 motor vehicle manufacturing facilities.”.

5 \*b1329/1.16\* **1024.** Page 1276, line 4: after that line insert:

6 \*b1329/1.16\* “SECTION 2554j. 285.48 of the statutes is created to read:

7 **285.48 Nitrogen oxide emissions from certain electric generation**  
8 **facilities.** (1) In establishing nitrogen oxide emission reductions for the control of  
9 atmospheric ozone in another state pursuant to a call for a state implementation plan  
10 issued prior to the effective date of this subsection .... [revisor inserts date], the  
11 department may not, in an implementation plan under s. 285.11 (6), by rule or  
12 through the adoption of control strategies, regulate nitrogen oxide emissions from  
13 electric generation facilities that are located in Ashland, Barron, Bayfield, Buffalo,  
14 Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, La Crosse,  
15 Monroe, Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau,  
16 Vernon or Washburn county.

17 (2) The department may not, based solely on the prohibition under sub. (1),  
18 require more stringent nitrogen oxide emission reductions for any electric utility, as  
19 defined in s. 196.491 (1) (d), or large industrial core source in this state that is  
20 identified by the federal environmental protection agency.”.

21 \*b1081/2.7\* **1025.** Page 1276, line 5: delete the material beginning with that  
22 line and ending with page 1277, line 18, and substitute:

23 \*b1081/2.7\* “SECTION 2556. 285.69 (2) (c) (intro.) of the statutes is amended  
24 to read:

1           285.69 (2) (c) (intro.) The fees collected under ~~par. pars.~~ (a) and (e) shall be  
2 credited to the appropriations under s. 20.370 (2) (bg), (3) (bg), (8) (mg) and (9) (mh)  
3 for the following:

4           **\*b1081/2.7\* SECTION 2557.** 285.69 (2) (e) of the statutes is created to read:

5           285.69 (2) (e) The owner or operator of a stationary source for which an  
6 operation permit is required shall pay to the department an annual facility fee based  
7 on the total amount of actual emissions in the preceding year of all air contaminants  
8 on which the fee under par. (a) is based, if the total amount of those emissions is 5  
9 tons or more. The amount of the fee is as follows:

10           1. If the total amount of emissions is at least 5 tons but does not exceed 25 tons,  
11 \$50.

12           2. If the total amount of emissions exceeds 25 tons but does not exceed 100 tons,  
13 \$650.

14           3. If the total amount of emissions exceeds 100 tons but does not exceed 250  
15 tons, \$2,000.

16           4. If the total amount of emissions exceeds 250 tons but does not exceed 4,000  
17 tons, \$7,000.

18           5. If the total amount of the emissions exceeds 4,000 tons, \$20,000.”.

19           **\*b1439/3.10\* 1026.** Page 1278, line 16: delete lines 16 to 25.

20           **\*b1439/3.11\* 1027.** Page 1279, line 1: delete lines 1 to 10.

21           **\*b1439/3.12\* 1028.** Page 1279, line 8: before that line insert:

22           **\*b1439/3.12\* “SECTION 2563dd.** 287.23 (5) (intro.) of the statutes is amended  
23 to read:

1           287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000. (intro.) The department shall  
2 award a grant to each eligible responsible unit that submits a complete grant  
3 application under sub. (4) for expenses allowable under sub. (3) (b). Except as  
4 provided under sub. (5m) or (5p), the amount of the grant for years before 2000 shall  
5 be determined as follows:

6           **\*b1439/3.12\* SECTION 2563de.** 287.23 (5) (d) of the statutes is created to read:  
7           287.23 (5) (d) This subsection does not apply after December 31, 1999.

8           **\*b1439/3.12\* SECTION 2563dh.** 287.23 (5c) of the statutes is created to read:  
9           287.23 (5c) GRANT AWARD FOR 2000 AND THEREAFTER. Beginning with grants for  
10 calendar year 2000, the department shall award a grant to each eligible responsible  
11 unit that submits a complete grant application under sub. (4). Grants under this  
12 subsection shall be paid from the appropriation under s. 20.370 (6) (bu). Except as  
13 provided in sub. (5m) or (5p), the amount of the grant shall be the sum of the  
14 following:

15           (a) The product of \$11.45 times the population served at least once per month  
16 by residential collection of at least 2 of the materials listed in s. 287.07 (3).

17           (b) The product of \$5.85 times the population served by a system for collecting  
18 materials listed in s. 287.07 (3) taken by individuals to designated collection sites.  
19 The population counted under par. (a) may not be counted under this paragraph.

20           **\*b1439/3.12\* SECTION 2563dp.** 287.23 (5e) of the statutes is renumbered  
21 287.23 (5e) (a) and amended to read:

22           287.23 (5e) (a) If For calendar years before 2000, if available funds are  
23 insufficient, under sub. (5) (c) 2., to pay \$8 times the population of all of the  
24 responsible units that are entitled to that amount, the department shall distribute  
25 the funds so that each responsible unit that would be entitled to \$6 times its

1 population if the per person amount in sub. (5) (c) 2. were \$6 receives \$6 times its  
2 population and shall prorate the remaining funds.

3 **\*b1439/3.12\* SECTION 2563dr.** 287.23 (5e) (b) of the statutes is created to read:

4 287.23 (5e) (b) Beginning in 2000, if the amounts appropriated in s. 20.370 (6)  
5 (bu) are insufficient to pay all of the grants in amounts calculated under sub. (5c),  
6 the department shall prorate the available funds.

7 **\*b1439/3.12\* SECTION 2563ds.** 287.23 (5m) of the statutes is amended to read:

8 287.23 (5m) ALTERNATE PROCESS. The department shall establish, by rule, a  
9 process for distributing grants if the amount that would be awarded under sub. (5)  
10 or (5e) exceeds the amount of funds available under s. 20.370 (6) (bq) or (bu).

11 **\*b1439/3.12\* SECTION 2563dt.** 287.23 (5p) (a) of the statutes is amended to  
12 read:

13 287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after  
14 October 1 but no later than October 10, the amount of the responsible unit's grant  
15 is 95% of the amount determined under sub. (5), (5c) or (5m).

16 **\*b1439/3.12\* SECTION 2563ed.** 287.23 (5p) (b) of the statutes is amended to  
17 read:

18 287.23 (5p) (b) If a responsible unit submits its application under sub. (4) after  
19 October 10 but no later than October 20, the amount of the responsible unit's grant  
20 is 90% of the amount determined under sub. (5), (5c) or (5m).

21 **\*b1439/3.12\* SECTION 2563eh.** 287.23 (5p) (c) of the statutes is amended to  
22 read:

23 287.23 (5p) (c) If a responsible unit submits its application under sub. (4) after  
24 October 20 but no later than October 30, the amount of the responsible unit's grant  
25 is 75% of the amount determined under sub. (5), (5c) or (5m).

1           **\*b1439/3.12\* SECTION 2563ep.** 287.23 (5s) of the statutes is repealed.

2           **\*b1439/3.12\* SECTION 2563er.** 287.23 (6) of the statutes is amended to read:

3           287.23 (6) DISBURSEMENT. The department shall disburse 50% of a grant to the  
4 applicant upon approval, but no later than February 1 of the year for which the grant  
5 is made.

6           **\*b1439/3.12\* SECTION 2563et.** 287.23 (7) of the statutes is repealed.”.

7           **\*b1222/3.10\* 1029.** Page 1279, line 10: after that line insert:

8           **\*b1222/3.10\* “SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are  
9 repealed.

10           **\*b1222/3.10\* SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031

11 (1) (a).

12           **\*b1222/3.10\* SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031

13 (1) (b).

14           **\*b1222/3.10\* SECTION 2565f.** 287.40 (3) of the statutes is renumbered 560.031

15 (1) (c) and amended to read:

16           560.031 (1) (c) “Recovered material” means a material specified by the board  
17 under s. 287.42 (5) that is recovered from solid waste for recycling.

18           **\*b1222/3.10\* SECTION 2565g.** 287.40 (4) of the statutes is renumbered 560.031

19 (1) (e) and amended to read:

20           560.031 (1) (e) “Waste generator” means a person who generates solid waste  
21 that contains a material specified by the board under s. 287.42 (5) or a responsible  
22 unit.

23           **\*b1222/3.10\* SECTION 2565h.** 287.41 of the statutes is repealed.

24           **\*b1222/3.10\* SECTION 2565i.** 287.42 of the statutes is repealed.



1           **\*b1222/3.10\* SECTION 2565j.** 287.44 of the statutes is repealed.

2           **\*b1222/3.10\* SECTION 2565k.** 287.46 of the statutes is repealed.

3           **\*b1222/3.10\* SECTION 2565L.** 287.48 of the statutes is repealed.”.

4           **\*b1074/2.3\* 1030.** Page 1280, line 7: after that line insert:

5           **\*b1074/2.3\* “SECTION 2569k.** 289.645 of the statutes is created to read:

6           **289.645 Recycling fee. (1) IMPOSITION OF RECYCLING FEE ON GENERATORS.**

7           Except as provided under sub. (4), a generator of solid waste or hazardous waste shall  
8           pay a recycling fee for each ton or equivalent volume of solid waste or hazardous  
9           waste that is disposed of at a licensed solid waste or hazardous waste disposal  
10          facility. If a person arranges for collection or disposal services on behalf of one or  
11          more generators, that person shall pay the recycling fee to the licensed solid waste  
12          or hazardous waste disposal facility or to any intermediate hauler used to transfer  
13          wastes from collection points to a licensed facility. An intermediate hauler who  
14          receives the recycling fee under this subsection shall pay the fee to the licensed solid  
15          waste or hazardous waste disposal facility. Tonnage or equivalent volume shall be  
16          calculated in the same manner as the calculation made for tonnage fees under s.  
17          289.62 (1).

18          **(2) COLLECTION.** The owner or operator of a licensed solid waste or hazardous  
19          waste disposal facility shall collect the recycling fee from the generator, a person who  
20          arranges for disposal on behalf of one or more generators or an intermediate hauler  
21          and shall pay to the department the amount of the fee required to be collected  
22          according to the amount of solid waste or hazardous waste received and disposed of  
23          at the facility during the preceding reporting period.

24          **(3) AMOUNT OF RECYCLING FEE.** The fee imposed under this section is as follows:

1 (a) For all solid waste other than high-volume industrial waste, \$10 per ton.

2 (b) For all high-volume industrial waste, \$2 per ton.

3 (4) EXEMPTIONS FROM RECYCLING FEE. (a) Solid waste materials approved by the  
4 department for lining, daily cover or capping or for constructing berms, dikes or  
5 roads within a solid waste disposal facility are not subject to the recycling fee  
6 imposed under sub. (1), except that materials approved for use under s. 289.30 (5)  
7 or 289.31 (9) are subject to the fee.

8 (b) Except as provided in par. (c), the recycling fee does not apply to waste  
9 generated by an organization described in section 501 (c) (3) of the Internal Revenue  
10 Code that is exempt from federal income tax under section 501 (a) of the Internal  
11 Revenue Code, that derives a portion of its income from the recycling and reuse  
12 programs and that does one of the following:

13 1. Provides services and programs for people with disabilities.

14 2. Primarily serves low-income persons.

15 (c) Waste generated by an organization described in par. (b) which is  
16 commingled with waste generated by a person other than an organization described  
17 in par. (b) is subject to the fee.

18 (5) REPORTING PERIOD. The reporting period under this section is the same as  
19 the reporting period under s. 289.62 (1). The owner or operator of any licensed solid  
20 waste or hazardous waste disposal facility shall pay the recycling fee required to be  
21 collected under sub. (2) at the same time as any tonnage fees under s. 289.62 (1) are  
22 paid.

23 (6) USE OF RECYCLING FEES. The fees collected under sub. (2) shall be deposited  
24 in the recycling fund.

1           (7) FAILURE TO PAY RECYCLING FEE. (a) If a person required under sub. (1) to pay  
2 the recycling fee to a licensed solid waste or hazardous waste disposal facility fails  
3 to pay the fee, the owner or operator of the licensed solid waste or hazardous waste  
4 disposal facility shall submit to the department with the payment required under  
5 sub. (2) an affidavit stating facts sufficient to show the person's failure to comply with  
6 sub. (1).

7           (b) If the person named in the affidavit under par. (a) is a generator or a person  
8 who arranges for collection or disposal services on behalf of one or more generators  
9 and the person holds a license for the collection and transportation of solid waste or  
10 hazardous waste, the department shall immediately notify the person that the  
11 license will be suspended 30 days after the date the notice is mailed unless the person  
12 submits to the department an affidavit stating facts sufficient to show that it has  
13 paid the fee as required under sub. (1).

14           (c) If the person named in the affidavit under par. (a) is an intermediate hauler  
15 that holds a license for the collection and transportation of solid waste or hazardous  
16 waste, the department shall immediately notify the person that the license will be  
17 suspended 30 days after the date the notice is mailed unless the person submits to  
18 the department an affidavit stating facts sufficient to show that either of the  
19 following has occurred:

20           1. The person named in the affidavit under par. (a) received the required fee  
21 from a generator, from a person who arranges for collection or disposal services on  
22 behalf of one or more generators or from an earlier intermediate hauler, and paid the  
23 fee to the licensed solid waste or hazardous waste disposal facility or to a subsequent  
24 intermediate hauler.

1           2. A generator, a person who arranges for collection or disposal services on  
2 behalf of one or more generators or an earlier intermediate hauler failed to pay the  
3 required fee to the person named in the affidavit under par. (a).

4           (d) If the department does not receive an affidavit under par. (b) or (c) within  
5 30 days after the date the notice is mailed, the department shall suspend the license  
6 issued to the person for the collection and transportation of solid waste or hazardous  
7 waste. Notwithstanding s. 227.42, the department is not required to provide the  
8 licensee with a hearing before the suspension.

9           (e) When a person whose license is suspended under par. (d) provides the  
10 department with proof that the person has paid the owner or operator of the licensed  
11 solid waste or hazardous waste facility the amount of the unpaid fee, the department  
12 shall immediately reinstate the suspended license.

13           **\*b1074/2.3\* SECTION 2569L.** 289.67 (1) (cm) of the statutes is amended to read:

14           289.67 (1) (cm) *Amount of environmental repair fee.* Except as provided under  
15 par. (d), the environmental repair fee imposed under par. (a) is ~~15 cents per ton for~~  
16 ~~solid or hazardous waste received by a licensed solid or hazardous waste disposal~~  
17 ~~facility after December 31, 1985, but before July 1, 1989, and 20~~ 21 cents per ton ~~for~~  
18 ~~solid or hazardous waste received by a licensed solid or hazardous waste disposal~~  
19 ~~facility on or after July 1, 1989.~~

20           **\*b1074/2.3\* SECTION 2569m.** 289.67 (1) (cp) of the statutes is amended to read:

21           289.67 (1) (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm)  
22 and except as provided under par. (d), the environmental repair fee imposed under  
23 par. (a) is ~~30~~ 69 cents per ton for solid or hazardous waste, other than high-volume  
24 industrial waste, ~~disposed of on or after January 1, 1988, but before July 1, 1989,~~  
25 ~~and 50 cents per ton disposed of on or after July 1, 1989."~~

1           **\*b1080/1.2\* 1031.** Page 1306, line 16: before “Green” insert “Beloit, the city  
2 of”.

3           **\*b1080/1.3\* 1032.** Page 1307, line 6: after that line insert:  
4 “(e) To the city of Beloit, \$250,000.”

5           **\*b1085/1.1\* 1033.** Page 1308, line 19: delete the material beginning with  
6 that line and ending with page 1309, line 11.

7           **\*b1084/1.1\* 1034.** Page 1312, line 6: delete lines 6 to 8.

8           **\*b1084/1.2\* 1035.** Page 1312, line 10: delete “after fiscal year 1999–2000”.

9           **\*b0840/2.5\* 1036.** Page 1314, line 22: after “social security number” insert  
10 “or any personal identifying information, as defined in s. 943.201 (1) (b), of an  
11 individual who is not a prisoner”.

12           **\*b1202/3.4\* 1037.** Page 1317, line 8: delete lines 8 to 10.

13           **\*b1202/3.5\* 1038.** Page 1318, line 3: delete that line and substitute  
14 “conversion or has approved the construction or conversion of the building, structure  
15 or facility.”

16           **\*b1202/3.6\* 1039.** Page 1318, line 4: delete lines 4 and 5.

17           **\*b1403/3.7\* 1040.** Page 1320, line 16: delete “\$42,091,800” and substitute  
18 “\$42,343,200”.

19           **\*b1403/3.8\* 1041.** Page 1320, line 17: delete that line and substitute  
20 “\$82,741,700 1999, \$85,688,700 for 1998 2000 and \$41,091,900 \$43,345,500 for the”.

21           **\*b1403/3.9\* 1042.** Page 1320, line 19: delete that line and substitute  
22 “\$1,251,400 for the last 6 months of 1999, \$3,505,000 for 2000 and \$2,253,600 for  
23 the”.

1           **\*b0837/2.2\* 1043.** Page 1324, line 15: delete the material beginning with  
2 that line and ending with page 1325, line 17 and substitute:

3           **\*b0837/2.2\*** “SECTION 2718ex. 303.01 (2) (em) of the statutes is repealed.”.

4           **\*b0837/2.3\* 1044.** Page 1326, line 6: delete the material beginning with that  
5 line and ending with page 1327, line 12.

6           **\*b1136/1.1\* 1045.** Page 1327, line 16: after that line insert:

7           **\*b1136/1.1\*** “SECTION 2718wc. 303.08 (5) (a) of the statutes is renumbered  
8 303.08 (5) (cg).

9           **\*b1136/1.1\* SECTION 2718wg.** 303.08 (5) (b) of the statutes is amended to read:  
10 303.08 (5) (b) Necessary travel expense to and from work ~~and other~~;  
11 (cr) Other incidental expenses of the prisoner;

12           **\*b1136/1.1\* SECTION 2718wL.** 303.08 (5) (c) of the statutes is amended to read:  
13 303.08 (5) (c) Support Court-ordered support of the prisoner’s dependents, if  
14 any;

15           **\*b1136/1.1\* SECTION 2718wq.** 303.08 (5m) of the statutes is amended to read:  
16 303.08 (5m) A county may receive payments under sub. (5) ~~(a) and (b), (cg) and~~  
17 (cr) or seek reimbursement under s. 302.372, but may not collect for the same  
18 expenses twice.”.

19           **\*b0808/1.11\* 1046.** Page 1334, line 13: delete that line and substitute  
20 “obtained and any licensing fees relating to the word or words or the symbol on  
21 special group plates under par. (f) 54. have been waived by the National Football  
22 League.”.

23           **\*b0808/1.12\* 1047.** Page 1335, line 15: delete “as follows:”.

24           **\*b0808/1.13\* 1048.** Page 1335, line 16: delete lines 16 to 18.

1           **\*b0808/1.14\* 1049.** Page 1335, line 19: delete “shall be credited”.

2           **\*b1286/1.1\* 1050.** Page 1335, line 19: after that line insert:

3           **\*b1286/1.1\* “SECTION 2726v.** 341.14 (6r) (bm) of the statutes is created to read:  
4           341.14 (6r) (bm) Upon receipt of an application for a special group plate under  
5           par. (f) 53., a person authorized to issue registration plates shall forward the  
6           application to the department’s special license plate unit. The department may not  
7           charge a fee for forwarding an application under this paragraph.”.

8           **\*b0808/1.15\* 1051.** Page 1337, line 25: delete that line.

9           **\*b0808/1.16\* 1052.** Page 1338, line 1: delete lines 1 to 3.

10          **\*b1187/3.2\* 1053.** Page 1339, line 3: after that line insert:

11          **\*b1187/3.2\* “SECTION 2734c.** 341.406 of the statutes is created to read:  
12          **341.406 Uniform hazardous materials transportation plan and fees.**  
13          (1) The department shall promulgate rules establishing criteria for the payment of  
14          fees by persons who may be required to file hazardous materials transportation  
15          registration statements with the federal department of transportation under 49 USC  
16          5108 or who may be required to register with the state under 49 USC 5119. The rules  
17          promulgated under this subsection shall be consistent with the procedures,  
18          limitations and recommendations under 49 USC 5119. The department shall design  
19          the rules so that revenue from the fees paid in fiscal year 2000–01 are approximately  
20          \$700,000.”.

21          **\*b1131/1.1\* 1054.** Page 1340, line 20: after that line insert:

22          **\*b1131/1.1\* “SECTION 2734hdm.** 342.07 (1) of the statutes is renumbered  
23          342.07 (1) (intro.) and amended to read:

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

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

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

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

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

8           **\*b1131/1.1\* SECTION 2734hdp.** 342.07 (2) (a) of the statutes is amended to  
9 read:

10           342.07 (2) (a) To determine whether the vehicle is the same vehicle for which  
11 the ~~salvage title in~~ submitted under sub. (1) was issued;”.

12           **\*b1131/1.2\* 1055.** Page 1341, line 9: after that line insert:

13           **\*b1131/1.2\* “SECTION 2734hgd.** 342.15 (2) of the statutes is amended to read:

14           342.15 (2) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~  
15 ~~a salvage vehicle,~~ the transferee shall, promptly after delivery to him or her of the  
16 vehicle, execute the application for a new certificate of title in the space provided  
17 ~~therefor~~ on the certificate or as the department prescribes, and ~~cause~~ deliver or mail  
18 the certificate and application ~~to be mailed or delivered~~ to the department. A salvage  
19 vehicle purchaser shall comply with s. 342.065 (1) ~~(b)~~ (a).

20           **\*b1131/1.2\* SECTION 2734hgf.** 342.15 (3) of the statutes is amended to read:

21           342.15 (3) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~  
22 ~~a salvage vehicle~~ and as between the parties, a transfer by an owner is not effective  
23 until the provisions of this section have been complied with. An owner who has  
24 delivered possession of the vehicle to the transferee and has complied with the



1 provisions of this section ~~requiring action by him or her~~ is not liable as owner for any  
2 damages thereafter resulting from operation of the vehicle.

3 **\*b1131/1.2\* SECTION 2734hgh.** 342.15 (6) of the statutes is amended to read:

4 342.15 (6) (a) Except as provided in s. 342.16 ~~with respect to a vehicle which~~  
5 ~~is not a salvage vehicle~~, any transferee of a vehicle who fails to make application for  
6 a new certificate of title immediately upon transfer to him or her of a vehicle may be  
7 required to forfeit not more than \$200. A certificate is considered to have been  
8 applied for when the application accompanied by the required fee has been delivered  
9 to the department or deposited in the mail properly addressed with postage prepaid.

10 (b) Except as provided in s. 342.16 ~~with respect to a vehicle which is not a~~  
11 ~~salvage vehicle~~, any transferee of a vehicle who with intent to defraud fails to make  
12 application for a new certificate of title immediately upon transfer to him or her of  
13 a vehicle may be fined not more than \$1,000 or imprisoned for not more than 30 days  
14 or both. A certificate is considered to have been applied for when the application  
15 accompanied by the required fee has been delivered to the department or deposited  
16 in the mail properly addressed with postage prepaid.

17 **\*b1131/1.2\* SECTION 2734hgj.** 342.16 (1) (a) of the statutes is amended to read:

18 342.16 (1) (a) Except as provided in par. (c), if a dealer acquires a new or used  
19 vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage  
20 vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts  
21 a vehicle for sale on consignment, the dealer may not submit to the department the  
22 certificate of title or application for certificate of title naming the dealer as owner of  
23 the vehicle. Upon transferring the vehicle to another person, the dealer shall  
24 immediately give the transferee on a form prescribed by the department a receipt for  
25 all title, registration, security interest and sales tax moneys paid to the dealer for

1 transmittal to the department when required. The dealer shall promptly execute the  
2 assignment and warranty of title, showing the name and address of the transferee  
3 and of any secured party holding a security interest created or reserved at the time  
4 of the resale or sale on consignment, in the spaces provided therefor on the certificate  
5 or as the department prescribes. Within 7 business days following the sale or  
6 transfer, the dealer shall mail or deliver the certificate or application for certificate  
7 to the department with the transferee's application for a new certificate. A  
8 nonresident who purchases a motor vehicle from a dealer in this state may not,  
9 unless otherwise authorized by rule of the department, apply for a certificate of title  
10 issued for the vehicle in this state unless the dealer determines that a title is  
11 necessary to protect the interests of a secured party. The dealer is responsible for  
12 determining whether a title and perfection of security interest is required. The  
13 dealer is liable for any damages incurred by the department or any secured party for  
14 the dealer's failure to perfect a security interest which the dealer had knowledge of  
15 at the time of sale.

16 \*b1131/1.2\* SECTION 2734hgm. 342.16 (1) (c) of the statutes is amended to  
17 read:

18 342.16 (1) (c) Except when all available spaces for a dealer's or wholesaler's  
19 reassignment on a certificate of title have been completed or as otherwise authorized  
20 by rules of the department, a dealer or wholesaler who acquires a new or used vehicle  
21 that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that  
22 is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for  
23 sale on consignment may not apply for a certificate of title naming the dealer or  
24 wholesaler as owner of the vehicle. The rules may regulate the frequency of  
25 application by a dealer or wholesaler for transfer of registration or credits for

1 registration from a previously registered vehicle to another vehicle that the dealer  
2 or wholesaler intends to register in his or her own name.

3 \*b1131/1.2\* **SECTION 2734hgo.** 342.16 (1) (d) of the statutes is amended to  
4 read:

5 342.16 (1) (d) Unless exempted by rule of the department, a dealer or  
6 wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds  
7 it for resale or acquires a salvage vehicle currently titled as a salvage vehicle and  
8 holds it for resale shall make application for a certificate of title naming the dealer  
9 or wholesaler as owner of the vehicle when all of the available spaces for a dealer's  
10 or wholesaler's reassignment on the certificate of title for such vehicle have been  
11 completed.”.

12 \*b1420/1.1\* **1056.** Page 1344, line 13: after that line insert:

13 \*b1420/1.1\* **SECTION 2751m.** 345.05 (1) (c) of the statutes is amended to read:

14 345.05 (1) (c) “Municipality” means any county, city, village, town, school  
15 district (as enumerated in s. 67.01 (5), sewer district, drainage district, commission  
16 formed by a contract under s. 66.30 (2) and, without restriction because of failure of  
17 enumeration, any other political subdivision of the state.”.

18 \*b1423/2.2\* **1057.** Page 1347, line 7: after “suspended” insert “The  
19 operating privilege shall be suspended”.

20 \*b1423/2.3\* **1058.** Page 1347, line 14: after “privilege.” insert “This  
21 paragraph does not apply if the judgment was entered solely for violation of an  
22 ordinance unrelated to the violator's operation of a motor vehicle.”.

23 \*b0735/1.3\* **1059.** Page 1361, line 6: delete the material beginning with that  
24 line and ending with page 1362, line 20.

1           **\*b1262/1.1\* 1060.** Page 1375, line 12: after that line insert:

2           **\*b1262/1.1\* "SECTION 2922g.** 440.947 of the statutes is created to read:

3           **440.947 Disclosures and representations for certain sales.** (1) In this  
4 section:

5           (a) "Cash advance item" means personal property or a service that is obtained  
6 by a person from a 3rd party and that is paid for by the person on behalf of, and  
7 subject to reimbursement from, a buyer of a casket, outer burial container or  
8 cemetery merchandise from the person. "Cash advance item" includes cemetery or  
9 crematory services, pallbearers, public transportation, clergy honoraria, flowers,  
10 musicians or vocalists, nurses, obituary notices, gratuities and death certificates.

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

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

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

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

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

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

23           (c) The price and a description of each type of casket, outer burial container and  
24 cemetery merchandise that the person usually offers for sale without special

1 ordering. A description required under this paragraph shall enable a buyer to  
2 identify and understand the specific casket, outer burial container or cemetery  
3 merchandise that is offered for sale.

4 (d) If the person usually offers an outer burial container for sale without special  
5 ordering, a statement that is identical to the following: “State law does not require  
6 that you buy a container to surround the casket in the grave. However, many  
7 cemeteries require that you have such a container so that the grave will not sink in.  
8 Either a grave liner or a burial vault will satisfy these requirements.”

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 (5) A person who sells a casket, outer burial container or cemetery merchandise  
4 shall retain a copy of the price list specified in sub. (2) (intro.) for at least one year  
5 after the date of its last distribution to a prospective buyer and shall retain a copy  
6 of each form that is provided to a buyer under sub. (3) (intro.) for at least one year  
7 after completion of a sale. A person required to retain a copy under this subsection  
8 shall make the copy available for inspection by the department upon request.

9 \*b1262/1.1\* SECTION 2922r. 440.95 (3) of the statutes is amended to read:  
10 440.95 (3) Except as provided in subs. (1) and (2), any person who violates s.  
11 440.91 or 440.947 or any rule promulgated under s. 440.91 may be fined not more  
12 than \$1,000 or imprisoned for not more than 6 months or both.”

13 \*b1222/3.11\* 1061. Page 1376, line 21: after that line insert:

14 \*b1222/3.11\* “SECTION 2927m. 560.031 of the statutes is repealed and  
15 recreated to read:

16 **560.031 Recycling market development.** (1) In this section:

17 (d) “Responsible unit” has the meaning given in s. 287.01 (9).

18 (2) (a) At the request of the board, the department shall provide the financial  
19 assistance awarded to a governmental entity or business entity by the board under  
20 sub. (3).

21 (b) The department shall provide the financial assistance from the  
22 appropriations under s. 20.143 (1) (L) and (tm).

23 (3) The board may award a grant, loan or manufacturing rebate under this  
24 subsection to a governmental unit or business entity for a project to assist waste

1 generators in the marketing of recovered materials or to develop markets for  
2 recovered materials. Before awarding a grant, loan or manufacturing rebate, the  
3 board shall consider the extent to which the project does the following:

4 (a) Maximizes the marketability of recovered materials on a statewide basis.

5 (b) Minimizes the amount of recovered materials disposed of in landfills or  
6 burned without energy recovery in incinerators.

7 (c) Includes materials that are banned from landfills and that will support  
8 community recycling efforts.

9 (d) Maintains present markets or creates new or expanded markets for  
10 recovered materials.

11 (4) If the board determines that financial assistance is required to stimulate  
12 an activity that it determines is needed to assist responsible units in the marketing  
13 of recovered materials or to develop markets for recovered materials, the board shall  
14 request the department to issue a request for proposals for that activity, unless the  
15 board determines that a request for proposals is not an effective means for  
16 distributing the financial assistance for that activity. Upon a request from the board  
17 under this subsection, the department shall issue a request for proposals for the  
18 activity specified by the board.

19 (5) The department shall annually contract for the operation of a statewide  
20 materials exchange program with a materials exchange program that received  
21 funding from the board in the 1997–99 fiscal biennium. The department shall  
22 provide funding for the materials exchange program from the appropriation under  
23 s. 20.143 (1) (tm).

24 (6) The department shall consult with the board and seek advice from the  
25 council on recycling before promulgating any rules under this section.”



1           **\*b0717/1.2\* 1062.** Page 1378, line 12: after that line insert:

2           **\*b0717/1.2\* "SECTION 2937f.** 560.083 of the statutes is created to read:

3           **560.083 Grants for public retail markets.** (1) In this section,  
4 "municipality" means a city, village, town or county in this state.

5           (2) From the appropriation under s. 20.143 (1) (c), the department may make  
6 grants to municipalities and nonprofit organizations to fund costs related to  
7 conducting public retail markets. The department shall promulgate rules for the  
8 administration of this section."

9           **\*b1222/3.12\* 1063.** Page 1378, line 12: after that line insert:

10          **\*b1222/3.12\* "SECTION 2937m.** 560.09 (5) of the statutes is repealed."

11          **\*b1064/1.5\* 1064.** Page 1384, line 23: after that line insert:

12          **\*b1064/1.5\* "SECTION 2955f.** 560.155 of the statutes is created to read:

13          **560.155 Business employes' skills training financial assistance**  
14 **program.** (1) From the appropriations under s. 20.143 (1) (c) and (Lm), the  
15 department may award financial assistance as provided in sub. (2) (a) to a business  
16 if all of the following apply:

17          (a) The business is located in this state and satisfies any of the following  
18 criteria:

19               1. The business has no more than 35 full-time employes.

20               2. The business had no more than \$2,500,000 in gross annual income in the  
21 year preceding the year in which the business receives the financial assistance.

22          (b) The business uses the financial assistance to provide skills training or other  
23 education related to the needs of the business to current or prospective employes of  
24 the business.

1 (c) The business submits a plan to the department detailing the proposed use  
2 of the financial assistance and the secretary approves the plan.

3 (d) The business enters into a written agreement with the department that  
4 specifies the conditions for the use of the financial assistance, including reporting,  
5 auditing and repayment requirements.

6 (e) The business agrees in writing that, before providing training or other  
7 education to a current or prospective employe with the financial assistance, it will  
8 enter into a contract with the employe under which the business agrees to retain the  
9 employe, and the employe agrees to work for the business, for at least one year after  
10 the employe's training or education is completed.

11 (f) The business agrees in writing to submit to the department the report  
12 required under sub. (3) by the time required under sub. (3).

13 (2) (a) The department may not award a business more than \$10,000 in  
14 financial assistance under this section. One-half of the amount awarded to a  
15 business shall be a grant and one-half shall be a loan.

16 (b) In awarding financial assistance under this section, the department shall  
17 give preference to businesses in industries with especially severe labor shortages.  
18 The department shall consult with the department of workforce development to  
19 determine which industries are experiencing severe labor shortages.

20 (c) 1. Except as provided in subd. 2., the department shall award not less than  
21 30% of the financial assistance awarded under this section in a fiscal biennium to  
22 businesses that are located in counties with populations of less than 100,000.

23 2. Subdivision 1. does not apply in any fiscal biennium in which the department  
24 receives applications from an insufficient number of qualified businesses to comply  
25 with subd. 1.

1           **(3)** A business that receives financial assistance under this section shall submit  
2 to the department, within 6 months after spending the full amount of the proceeds,  
3 a report detailing how the proceeds were used.”.

4           **\*b1030/3.3\* 1065.** Page 1394, line 11: after that line insert:

5           **\*b1030/3.3\* “SECTION 2982k.** 560.27 of the statutes is created to read:

6           **560.27 Grants for work-based learning programs.** (1) From the  
7 appropriation under s. 20.143 (1) (kj), the department may make a grant of up to  
8 \$350,000 in each fiscal year to the College of the Menominee Nation for the provision  
9 of work-based learning programs for students of the tribal college.

10           **(2)** The department shall promulgate rules for the administration of this  
11 section, including rules related to the use of the proceeds and auditing and reporting  
12 requirements.”.

13           **\*b1097/1.2\* 1066.** Page 1394, line 11: after that line insert:

14           **\*b1097/1.2\* “SECTION 2980m.** 560.26 of the statutes is created to read:

15           **560.26 Wisconsin Procurement Institute grants.** (1) Subject to sub. (3),  
16 the department shall make grants annually from the appropriation under s. 20.143  
17 (1) (c) to the Wisconsin Procurement Institute if all of the following apply:

18           (a) The Wisconsin Procurement Institute uses the grant proceeds to further its  
19 efforts to secure federal government contracts and create jobs in the state.

20           (b) The Wisconsin Procurement Institute submits a plan to the department for  
21 each grant detailing the proposed use of the grant and the secretary approves the  
22 plan.

1 (c) The Wisconsin Procurement Institute enters into a written agreement with  
2 the department that specifies the conditions for use of the grant proceeds, including  
3 reporting and auditing requirements.

4 (d) The Wisconsin Procurement Institute agrees in writing to submit to the  
5 department the report required under sub. (2) by the time required under sub. (2).

6 (2) If the Wisconsin Procurement Institute receives a grant under this section,  
7 it shall submit to the department, within 6 months after spending the full amount  
8 of the grant, a report detailing how the grant proceeds were used.

9 (3) The department may not make grants under sub. (1) that exceed \$100,000  
10 in total in any year.”.

11 \*b1222/3.13\* **1067.** Page 1396, line 17: after that line insert:

12 \*b1222/3.13\* “SECTION 2996p. 560.65 (4) (a) of the statutes is repealed.”.

13 \*b0714/1.1\* **1068.** Page 1396, line 24: delete the material beginning with  
14 that line and ending with page 1397, line 3, and substitute:

15 “560.68 (3) The department may charge a ~~grant or loan~~ recipient of a grant or  
16 loan awarded under this subchapter an origination fee of up to 1.5% of the grant or  
17 loan amount if the grant or loan ~~exceeds \$200,000 and is awarded under s. 560.63~~  
18 or 560.66 equals \$100,000 or more. The department shall deposit all origination fees  
19 collected under this subsection in the appropriation account under s. 20.143 (1)  
20 (gm).”.

21 \*b1222/3.14\* **1069.** Page 1400, line 18: after that line insert:

22 \*b1222/3.14\* “SECTION 3020m. 560.835 (7) (b) of the statutes is amended to  
23 read:

1           560.835 (7) (b) The department shall deposit in the ~~recycling fund~~  
2 appropriation account under s. 20.143 (1) (L) all moneys received after ~~July 1, 1995~~  
3 the effective date of this paragraph ... [revisor inserts date], in repayment of loans  
4 made under this section.”.

5           **\*b1129/2.3\* 1070.** Page 1401, line 5: after that line insert:

6           **\*b1129/2.3\* “SECTION 3023j.** 562.065 (4) of the statutes is amended to read:  
7           562.065 (4) UNCLAIMED PRIZES. ~~Any A licensee under s. 562.05 (1) (b) may retain~~  
8 any winnings on a race which that are not claimed within 90 days after the end of  
9 the period authorized for racing in that year under s. 562.05 (9) ~~shall be paid to the~~  
10 ~~department. The department shall credit moneys received under this subsection to the~~  
11 ~~appropriation accounts under ss. 20.455 (2) (g) and 20.505 (8) (g).”.~~

12           **\*b0871/2.8\* 1071.** Page 1402, line 19: after that line insert:

13           **\*b0871/2.8\* “SECTION 3025t.** 569.01 (1j) of the statutes is created to read:  
14           569.01 (1j) “Indian gaming facility” means a facility at which Indian gaming  
15 is conducted under an Indian gaming compact.”.

16           **\*b1424/2.6\* 1072.** Page 1402, line 19: after that line insert:

17           **\*b1424/2.6\* “SECTION 3025r.** 565.30 (3m) of the statutes is amended to read:  
18           565.30 (3m) VALUE OF CERTAIN PRIZES. A prize that is a lottery ticket or lottery  
19 share in the same lottery game in which the prize is won or in another lottery game  
20 shall, for prize structure accounting purposes, be valued at ~~the same percentage of~~  
21 the 50% of the retail price, as specified under s. 25.75 (3) (a), as are other prizes in  
22 the same lottery game in which the prize is won.

23           **\*b1424/2.6\* SECTION 3025w.** 565.45 of the statutes is repealed.”.

24           **\*b1453/1.5\* 1073.** Page 1402, line 19: after that line insert:

1           **\*b1453/1.5\*** **SECTION 3025r.** 565.30 (5m) of the statutes is amended to read:

2           565.30 (5m) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE OR  
3 FAMILY SUPPORT. The administrator shall report to the department of workforce  
4 development the name, address and social security number of each winner of a  
5 lottery prize that is payable in instalments. Upon receipt of the report, the  
6 department of workforce development shall certify to the administrator whether any  
7 payee named in the report is obligated to provide child support, spousal support,  
8 maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25,  
9 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) (a) or  
10 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize  
11 under s. 767.265. The administrator shall withhold the certified amount from each  
12 payment made to the winner and remit the certified amount to the department of  
13 workforce development.”.

14           **\*b0871/2.9\* 1074.** Page 1402, line 23: after that line insert:

15           **\*b0871/2.9\*** **SECTION 3026h.** 569.01 (4) of the statutes is created to read:  
16 569.01 (4) “Net win” means the amount wagered at an Indian gaming facility,  
17 less the amount paid out in winnings at the Indian gaming facility.

18           **\*b0871/2.9\*** **SECTION 3026p.** 569.02 (5) of the statutes is created to read:

19           569.02 (5) On March 1 annually, for each payment of Indian gaming receipts,  
20 as described under s. 569.01 (1m) (d), received by the state from an Indian tribe in  
21 the prior calendar year, determine the amount to be transferred under s. 20.505 (8)  
22 (hm) to the lottery fund by doing all of the following:

23           (a) Dividing the net win in the prior calendar year at all of the Indian tribe’s  
24 Indian gaming facilities at which pari-mutuel racing is conducted and at which

1 pari-mutuel racing under ch. 562 was conducted on the effective date of this  
2 paragraph .... [revisor inserts date], by the net win in the prior calendar year at all  
3 of the Indian tribe's Indian gaming facilities.

4 (b) Multiplying the number calculated under par. (a) by the amount of Indian  
5 gaming receipts, as described under s. 569.01 (1m) (d), received by the state from the  
6 Indian tribe in the prior calendar year.”.

7 **\*b0974/2.1\* 1075.** Page 1404, line 15: after that line insert:

8 **\*b0974/2.1\* SECTION 3036c.** 609.05 (2) of the statutes is amended to read:

9 609.05 (2) Subject to s. 609.22 (4) and (4m), a limited service health  
10 organization, preferred provider plan or managed care plan may require an enrollee  
11 to designate a primary provider and to obtain health care services from the primary  
12 provider when reasonably possible.

13 **\*b0974/2.1\* SECTION 3036f.** 609.05 (3) of the statutes is amended to read:

14 609.05 (3) Except as provided in ss. 609.22 (4m), 609.65 and 609.655, a limited  
15 service health organization, preferred provider plan or managed care plan may  
16 require an enrollee to obtain a referral from the primary provider designated under  
17 sub. (2) to another participating provider prior to obtaining health care services from  
18 that participating provider.

19 **\*b0974/2.1\* SECTION 3036j.** 609.22 (4m) of the statutes is created to read:

20 609.22 (4m) OBSTETRIC AND GYNECOLOGIC SERVICES. (a) A managed care plan  
21 that provides coverage of obstetric or gynecologic services may not require a female  
22 enrollee of the managed care plan to obtain a referral for coverage of those services  
23 provided by a participating provider who is a physician licensed under ch. 448 and  
24 who specializes in obstetrics and gynecology, regardless of whether the participating

1 provider is the enrollee's primary provider. Notwithstanding sub. (4), the managed  
2 care plan may not require the enrollee to obtain a standing referral under the  
3 procedure established under sub. (4) (a) for coverage of the services specified in this  
4 paragraph.

5 (b) A managed care plan under par. (a) may not do any of the following:

6 1. Penalize or restrict the coverage of a female enrollee on account of her having  
7 obtained obstetric or gynecologic services in the manner provided under par. (a).

8 2. Penalize or restrict the contract of a participating provider on account of his  
9 or her having provided obstetric or gynecologic services in the manner provided  
10 under par. (a).

11 (c) A managed care plan under par. (a) shall provide written notice of the  
12 requirement under par. (a) in every policy or group certificate issued by the managed  
13 care plan and, during each open enrollment period, to every female enrollee and  
14 every female applicant for coverage.”.

15 \*b1073/1.3\* **1076.** Page 1404, line 15: after that line insert:

16 \*b1073/1.3\* **SECTION 3036c.** 609.23 of the statutes is created to read:

17 **609.23 Point-of-service coverage option.** (1) In this section,  
18 “point-of-service coverage option” means a health benefit plan coverage option  
19 under which all of the following apply:

20 (a) An insured may obtain health care services from a provider of his or her  
21 choice.

22 (b) A provider selected under par. (a) is not necessarily a participating provider  
23 of the health benefit plan or a member of the health benefit plan's network of  
24 providers.



1 (c) The health benefit plan reimburses a provider selected under par. (a) for the  
2 cost of services provided to the insured if the provider is appropriately licensed and  
3 the services provided are covered under the health benefit plan.

4 (2) (a) Notwithstanding ss. 609.05 (2) and 628.36 (2) (b) 1. and 3., a managed  
5 care plan shall offer to its enrollees at least one point-of-service coverage option in  
6 each geographic service area of the managed care plan.

7 (b) An enrollee who selects point-of-service coverage shall be responsible for  
8 any extra costs associated with the coverage, including additional administrative  
9 costs and provider fees. Nothing in this section is intended to require a managed care  
10 plan to incur any additional costs resulting from the selection by an enrollee of  
11 point-of-service coverage.

12 (c) The commissioner shall ensure that premium rates, copayments,  
13 deductibles or any other cost-sharing provisions related to point-of-service  
14 coverage are based on sound actuarial principles and supported by reliable data or  
15 actual or reasonably anticipated experience.”

16 \*b0830/3.11\* **1077.** Page 1405, line 24: after that line insert:

17 \*b0830/3.11\* “SECTION 3044ad. 632.75 (5) of the statutes is amended to read:

18 632.75 (5) PAYMENTS FOR HOSPITAL SERVICES. No insurer may reimburse a  
19 hospital for patient health care costs at a rate exceeding the rate price cap  
20 established under ~~ch. 54, 1985 stats., or s. 146.60, 1983 stats., for care provided prior~~  
21 ~~to July 1, 1987~~ subch. II of ch. 196.”

22 \*b1453/1.6\* **1078.** Page 1406, line 3: after that line insert:

23 \*b1453/1.6\* “SECTION 3044L. 632.897 (10) (a) 3. of the statutes is amended to  
24 read:

1           632.897 (10) (a) 3. The fact that the group member or insured does not claim  
2 the child as an exemption for federal income tax purposes under 26 USC 151 (c) (1)  
3 (B), or as an exemption for state income tax purposes under s. 71.07 (8) (b) or under  
4 the laws of another state, if a court order under s. 767.25 (4m), ~~767.51 (3m)~~ or ~~767.62~~  
5 ~~(4) (b)~~ or the laws of another state assigns responsibility for the child's health care  
6 expenses to the group member or insured.”

7           **\*b0843/3.4\* 1079.** Page 1407, line 18: after that line insert:

8           **\*b0843/3.4\* “SECTION 3049d.** 753.015 of the statutes is created to read:

9           **753.015 Elections.** (1) Except as provided in sub. (2), circuit judges shall be  
10 elected by qualified electors of that circuit on an at-large basis. A circuit judge shall  
11 reside within the circuit in which he or she is elected.

12           (2) At each applicable election held on or after the effective date of this  
13 subsection .... [revisor inserts date], the circuit judges for each of the odd-numbered  
14 branches in the 1st judicial administrative district shall be elected from judicial  
15 subdistricts, numbered 1 to 25. The boundaries of each judicial subdistrict shall be  
16 the same as the boundaries of the supervisory districts for the election of the  
17 Milwaukee County board of supervisors. Each judicial subdistrict shall take the  
18 same number as the corresponding county supervisory district that bounds it. One  
19 circuit judge shall be elected from each of the 25 judicial subdistricts. The circuit  
20 judge to be elected from each judicial subdistrict shall be for those odd-numbered  
21 branches numbered in ascending numerical order, such that the circuit judge for  
22 branch one shall be elected by the electors of judicial subdistrict one, the circuit judge  
23 for branch 3 shall be elected by the electors of judicial subdistrict 2, the circuit judge  
24 for branch 5 shall be elected by the electors of judicial subdistrict 3, and continuing

1 in that manner with the circuit judge for branch 49 being elected by the electors of  
2 judicial subdistrict 25. The person elected as circuit judge from a judicial subdistrict  
3 under this subsection shall reside in the judicial subdistrict from which he or she is  
4 elected.

5 (3) Within 30 days after the number of branches in the first judicial  
6 administrative district changes or the boundaries of Milwaukee County supervisory  
7 districts change, the Milwaukee County board of supervisors shall, by ordinance,  
8 create revised judicial subdistricts in a number that results in the creation of one  
9 judicial subdistrict for each of the odd-numbered circuit branches, with the  
10 boundaries of each judicial subdistrict being concurrent with the boundaries of one  
11 county supervisory district.

12 \*b0843/3.4\* SECTION 3049g. 753.06 (1) (a) of the statutes is amended to read:  
13 753.06 (1) (a) Milwaukee County. The circuit has 46 branches. Commencing  
14 August 1, 1999, the circuit has 47 branches. Commencing August 1, 2001, the circuit  
15 has 50 branches.”

16 \*b1453/1.7\* 1080. Page 1409, line 4: after that line insert:

17 \*b1453/1.7\* “SECTION 3051n. 767.045 (1) (a) 2. of the statutes is amended to  
18 read:

19 767.045 (1) (a) 2. The Except as provided in par. (am), the legal custody or  
20 physical placement of the child is contested.

21 \*b1453/1.7\* SECTION 3051no. 767.045 (1) (am) of the statutes is created to  
22 read:

23 767.045 (1) (am) The court is not required to appoint a guardian ad litem under  
24 par. (a) 2. if all of the following apply:

1           1. Legal custody or physical placement is contested in an action to modify legal  
2 custody or physical placement under s. 767.325 or 767.327.

3           2. The modification sought would not substantially alter the amount of time  
4 that a parent may spend with his or her child.

5           3. The court determines any of the following:

6           a. That the appointment of a guardian ad litem will not assist the court in the  
7 determination regarding legal custody or physical placement because the facts or  
8 circumstances of the case make the likely determination clear.

9           b. That a party seeks the appointment of a guardian ad litem solely for a tactical  
10 purpose, or for the sole purpose of delay, and not for a purpose that is in the best  
11 interest of the child.

12           **\*b1453/1.7\* SECTION 3051p.** 767.045 (1) (e) of the statutes is created to read:

13           767.045 (1) (e) Nothing in this subsection prohibits the court from making a  
14 temporary order under s. 767.23 that concerns the child before a guardian ad litem  
15 is appointed or before the guardian ad litem has made a recommendation to the  
16 court, if the court determines that the temporary order is in the best interest of the  
17 child.

18           **\*b1453/1.7\* SECTION 3051r.** 767.078 (1) (a) 1. of the statutes is amended to  
19 read:

20           767.078 (1) (a) 1. Is an action for modification of a child support order under  
21 s. 767.32 or an action in which an order for child support is required under s. 767.25  
22 (1), 767.51 (3) or 767.62 (4) (a).”.

23           **\*b1237/1.5\* 1081.** Page 1409, line 12: after that line insert:

24           **\*b1237/1.5\* “SECTION 3054m.** 767.245 (1) of the statutes is amended to read:

1           767.245 (1) Except as provided in ~~sub.~~ subs. (1m) and (2m), upon petition by  
2 a grandparent, greatgrandparent, stepparent or person who has maintained a  
3 relationship similar to a parent-child relationship with the child, the court may  
4 grant reasonable visitation rights to that person if the parents have notice of the  
5 hearing and if the court determines that visitation is in the best interest of the child.

6           **\*b1237/1.5\* SECTION 3054p.** 767.245 (1m) of the statutes is created to read:

7           767.245 (1m) (a) Except as provided in par. (b), the court may not grant  
8 visitation rights under sub. (1) to a person who has been convicted under s. 940.01  
9 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree  
10 intentional homicide, of a parent of the child, and the conviction has not been  
11 reversed, set aside or vacated.

12           (b) Paragraph (a) does not apply if the court determines by clear and convincing  
13 evidence that the visitation would be in the best interests of the child. The court shall  
14 consider the wishes of the child in making the determination.

15           **\*b1237/1.5\* SECTION 3054r.** 767.245 (6) of the statutes is created to read:

16           767.245 (6) (a) If a person granted visitation rights with a child under this  
17 section is convicted under s. 940.01 of the first-degree intentional homicide, or under  
18 s. 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the  
19 conviction has not been reversed, set aside or vacated, the court shall modify the  
20 visitation order by denying visitation with the child upon petition, motion or order  
21 to show cause by a parent or guardian of the child, or upon the court's own motion,  
22 and upon notice to the person granted visitation rights.

23           (b) Paragraph (a) does not apply if the court determines by clear and convincing  
24 evidence that the visitation would be in the best interests of the child. The court shall  
25 consider the wishes of the child in making that determination.

1           **\*b1237/1.5\* SECTION 3054t.** 767.247 of the statutes is created to read:

2           **767.247 Prohibiting visitation or physical placement if a parent kills**  
3 **other parent.** (1) Notwithstanding ss. 767.23 (1) (am), 767.24 (1), (4) and (5),  
4 767.51 (3) and 767.62 (4) (a) and except as provided in sub. (2), in an action under this  
5 chapter that affects a minor child, a court or family court commissioner may not  
6 grant to the child's parent visitation or physical placement rights with the child if the  
7 parent has been convicted under s. 940.01 of the first-degree intentional homicide,  
8 or under s. 940.05 of the 2nd-degree intentional homicide, of the child's other parent,  
9 and the conviction has not been reversed, set aside or vacated.

10           (2) Subsection (1) does not apply if the court or family court commissioner  
11 determines by clear and convincing evidence that the visitation or periods of physical  
12 placement would be in the best interests of the child. The court or family court  
13 commissioner shall consider the wishes of the child in making the determination.”.

14           **\*b1453/1.8\* 1082.** Page 1409, line 12: after that line insert:

15           **\*b1453/1.8\* “SECTION 3054c.** 767.078 (2) of the statutes is amended to read:

16           767.078 (2) Subsection (1) does not limit the authority of a court to issue an  
17 order, other than an order under sub. (1), regarding employment of a parent in an  
18 action for modification of a child support order under s. 767.32 or an action in which  
19 an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) (a).

20           **\*b1453/1.8\* SECTION 3054cd.** 767.11 (12) (b) of the statutes is amended to  
21 read:

22           767.11 (12) (b) If after mediation under this section the parties do not reach  
23 agreement on legal custody or periods of physical placement, the parties or the  
24 mediator shall so notify the court. The Except as provided in s. 767.045 (1) (am), the

1 court shall promptly appoint a guardian ad litem under s. 767.045. After the  
2 ~~appointment~~ Regardless of whether the court appoints a guardian ad litem, the court  
3 shall, if appropriate, refer the matter for a legal custody or physical placement study  
4 under sub. (14). If the parties come to agreement on legal custody or physical  
5 placement after the matter has been referred for a study, the study shall be  
6 terminated. The parties may return to mediation at any time before any trial of or  
7 final hearing on legal custody or periods of physical placement. If the parties return  
8 to mediation, the county shall collect any applicable fee under s. 814.615.

9 \*b1453/1.8\* SECTION 3054ce. 767.115 (title) of the statutes is amended to read:

10 **767.115 (title) Educational program in action programs and classes in**  
11 **actions affecting the family.**

12 \*b1453/1.8\* SECTION 3054cf. 767.115 (4) of the statutes is created to read:

13 767.115 (4) (a) At any time during the pendency of a divorce or paternity action,  
14 the court or family court commissioner may order the parties to attend a class that  
15 is approved by the court or family court commissioner and that addresses such issues  
16 as child development, family dynamics, how parental separation affects a child's  
17 development and what parents can do to make raising a child in a separated  
18 situation less stressful for the child.

19 (b) The court or family court commissioner may not require the parties to  
20 attend a class under this subsection as a condition to the granting of the final  
21 judgment or order in the divorce or paternity action, however, the court or family  
22 court commissioner may refuse to hear a custody or physical placement motion of a  
23 party who refuses to attend a class ordered under this subsection.

24 (c) 1. Except as provided in subd. 2., the parties shall be responsible for any cost  
25 of attending the class.

1           2. If the court or family court commissioner finds that a party is indigent, any  
2 costs that would be the responsibility of that party shall be paid by the county.

3           **\*b1453/1.8\* SECTION 3054cg.** 767.23 (1) (a) of the statutes is amended to read:

4           767.23 (1) (a) ~~Upon~~ Subject to s. 767.477, upon request of one party, granting  
5 legal custody of the minor children to the parties jointly, to one party solely or to a  
6 relative or agency specified under s. 767.24 (3). ~~The, in a manner consistent with s.~~  
7 767.24, except that the court or family court commissioner may order ~~joint~~ sole legal  
8 custody without the agreement of the other party and without the findings required  
9 under s. 767.24 (2) (b) 2. This order may not have a binding effect on a final custody  
10 determination.

11           **\*b1453/1.8\* SECTION 3054ch.** 767.23 (1) (am) of the statutes is amended to  
12 read:

13           767.23 (1) (am) ~~Upon~~ Subject to s. 767.477, upon the request of a party,  
14 granting periods of physical placement to a party in a manner consistent with s.  
15 767.24. The court or family court commissioner shall make a determination under  
16 this paragraph within 30 days after the request for a temporary order regarding  
17 periods of physical placement is filed.

18           **\*b1453/1.8\* SECTION 3054ci.** 767.23 (1) (c) of the statutes is amended to read:

19           767.23 (1) (c) ~~Requiring~~ Subject to s. 767.477, requiring either party or both  
20 parties to make payments for the support of minor children, which payment amounts  
21 may be expressed as a percentage of parental income or as a fixed sum, or as a  
22 combination of both in the alternative by requiring payment of the greater or lesser  
23 of either a percentage of parental income or a fixed sum.

24           **\*b1453/1.8\* SECTION 3054cj.** 767.23 (1) (k) of the statutes is amended to read:



1           767.23 (1) (k) ~~Requiring~~ Subject to s. 767.477, requiring either party or both  
2 parties to maintain minor children as beneficiaries on a health insurance policy or  
3 plan.

4           **\*b1453/1.8\* SECTION 3054ck.** 767.23 (1n) of the statutes is amended to read:

5           767.23 (1n) Before making any temporary order under sub. (1), the court or  
6 family court commissioner shall consider those factors ~~which~~ that the court is  
7 required by this chapter to consider before entering a final judgment on the same  
8 subject matter. In making a determination under sub. (1) (a) or (am), the court or  
9 family court commissioner shall consider the factors under s. 767.24 (5). If the court  
10 or family court commissioner makes a temporary child support order that deviates  
11 from the amount of support that would be required by using the percentage standard  
12 established by the department under s. 49.22 (9), the court or family court  
13 commissioner shall comply with the requirements of s. 767.25 (1n). A temporary  
14 order under sub. (1) may be based upon the written stipulation of the parties, subject  
15 to the approval of the court or the family court commissioner. Temporary orders  
16 made by the family court commissioner may be reviewed by the court as provided in  
17 s. 767.13 (6).

18           **\*b1453/1.8\* SECTION 3054cL.** 767.24 (1) of the statutes is amended to read:

19           767.24 (1) GENERAL PROVISIONS. In rendering a judgment of annulment, divorce  
20 ~~or~~, legal separation or paternity, or in rendering a judgment in an action under s.  
21 767.02 (1) (e) or 767.62 (3), the court shall make such provisions as it deems just and  
22 reasonable concerning the legal custody and physical placement of any minor child  
23 of the parties, as provided in this section.

24           **\*b1453/1.8\* SECTION 3054cm.** 767.24 (1m) of the statutes is created to read:

1           767.24 (1m) PARENTING PLAN. In an action for annulment, divorce or legal  
2 separation, an action to determine paternity or an action under s. 767.02 (1) (e) or  
3 767.62 (3) in which legal custody or physical placement is contested, a party seeking  
4 sole or joint legal custody or periods of physical placement shall file a parenting plan  
5 with the court before any pretrial conference may be held. A parenting plan shall  
6 provide information about the following questions:

7           (a) What legal custody or physical placement the parent is seeking.

8           (b) Where the parent lives currently and where the parent intends to live  
9 during the next 2 years.

10          (c) Where the parent works and the hours of employment.

11          (d) Who will provide any necessary child care when the parent cannot and who  
12 will pay for the child care.

13          (e) Where the child will go to school.

14          (f) What doctor or health care facility will provide medical care for the child.

15          (g) How the child's medical expenses will be paid.

16          (h) What the child's religious commitment will be, if any.

17          (i) Who will make decisions about the child's education, medical care, choice of  
18 child care providers and extracurricular activities.

19          (j) How the parent proposes to resolve disagreements related to matters over  
20 which the court orders joint decision making.

21          (k) What child support, family support, maintenance or other income transfer  
22 there will be.

23           **\*b1453/1.8\* SECTION 3054cn.** 767.24 (2) (a) of the statutes is amended to read:

1           767.24 (2) (a) Subject to ~~par. (b)~~ pars. (am), (b) and (c), based on the best interest  
2 of the child and after considering the factors under sub. (5), the court may give joint  
3 legal custody or sole legal custody of a minor child.

4           **\*b1453/1.8\* SECTION 3054co.** 767.24 (2) (am) of the statutes is created to read:

5           767.24 (2) (am) The court shall presume that joint legal custody is in the best  
6 interest of the child.

7           **\*b1453/1.8\* SECTION 3054cp.** 767.24 (2) (b) of the statutes is amended to read:

8           767.24 (2) (b) The court may give ~~joint~~ sole legal custody only if it finds that  
9 doing so is in the child's best interest and that either of the following applies:

10           1. Both parties agree to ~~joint~~ sole legal custody with the same party.

11           2. The parties do not agree to ~~joint~~ sole legal custody with the same party, but  
12 at least one party requests joint sole legal custody and the court specifically finds all  
13 2 or more of the following:

14           a. ~~Both parties are~~ One party is not capable of performing parental duties and  
15 responsibilities and or does not wish to have an active role in raising the child.

16           b. No One or more conditions exist at that time ~~which that~~ would substantially  
17 interfere with the exercise of joint legal custody.

18           c. The parties will not be able to cooperate in the future decision making  
19 required under an award of joint legal custody. In making this finding the court shall  
20 consider, along with any other pertinent items, any reasons offered by a party  
21 objecting to joint legal custody. Evidence that either party engaged in abuse, as  
22 defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of  
23 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,  
24 as defined in s. 813.12 (1) (a), creates a rebuttable presumption that the parties will  
25 not be able to cooperate in the future decision making required. ~~This presumption~~

1 ~~may be rebutted by clear and convincing evidence that the abuse will not interfere~~  
2 ~~with the parties' ability to cooperate in the future decision making required.~~

3 \*b1453/1.8\* SECTION 3054cq. 767.24 (2) (c) of the statutes is created to read:

4 767.24 (2) (c) The court may not give sole legal custody to a parent who refuses  
5 to cooperate with the other parent if the court finds that the refusal to cooperate is  
6 unreasonable.

7 \*b1453/1.8\* SECTION 3054cr. 767.24 (4) (a) of the statutes is renumbered  
8 767.24 (4) (a) 1. and amended to read:

9 767.24 (4) (a) 1. Except as provided under par. (b), if the court orders sole or  
10 joint legal custody under sub. (2), the court shall allocate periods of physical  
11 placement between the parties in accordance with this subsection.

12 2. In determining the allocation of periods of physical placement, the court  
13 shall consider each case on the basis of the factors in sub. (5). The court shall set a  
14 placement schedule that allows the child to have regularly occurring, meaningful  
15 periods of physical placement with each parent and that maximizes the amount of  
16 time the child may spend with each parent, taking into account geographic  
17 separation and accommodations for different households.

18 \*b1453/1.8\* SECTION 3054cs. 767.24 (4) (a) 3. of the statutes is created to read:

19 767.24 (4) (a) 3. Notwithstanding subd. 2. and sub. (5), the court shall presume  
20 that any proposal submitted to the court with respect to periods of physical  
21 placement that has been voluntarily agreed to by the parties is in the child's best  
22 interest.

23 \*b1453/1.8\* SECTION 3054ct. 767.24 (4) (c) of the statutes is amended to read:

1           767.24 (4) (c) No court may deny periods of physical placement for failure to  
2 meet, or grant periods of physical placement for meeting, any financial obligation to  
3 the child or, if the parties were married, to the former spouse.

4           **\*b1453/1.8\* SECTION 3054cu.** 767.24 (5) (intro.) of the statutes is amended to  
5 read:

6           767.24 (5) FACTORS IN CUSTODY AND PHYSICAL PLACEMENT DETERMINATIONS.  
7 (intro.) In determining legal custody and periods of physical placement, the court  
8 shall consider all facts relevant to the best interest of the child. The court may not  
9 prefer one parent or potential custodian over the other on the basis of the sex or race  
10 of the parent or potential custodian. ~~The court shall consider reports of appropriate~~  
11 ~~professionals if admitted into evidence when legal custody or physical placement is~~  
12 ~~contested.~~ The court shall consider the following factors in making its  
13 determination:

14           **\*b1453/1.8\* SECTION 3054cv.** 767.24 (5) (a) of the statutes is amended to read:

15           767.24 (5) (a) The wishes of the child's parent or parents, as shown by any  
16 stipulation between the parties, any proposed parenting plan or any legal custody  
17 or physical placement proposal submitted to the court at trial.

18           **\*b1453/1.8\* SECTION 3054cw.** 767.24 (5) (bm) of the statutes is created to read:

19           767.24 (5) (bm) The right of the child to spend the same amount of time or  
20 substantial periods of time with each parent.

21           **\*b1453/1.8\* SECTION 3054cx.** 767.24 (5) (cm) of the statutes is created to read:

22           767.24 (5) (cm) The amount and quality of time that each parent has spent with  
23 the child in the past, changes to the parents' custodial roles made necessary by the  
24 divorce and any reasonable life-style changes that a parent proposes to make to be  
25 able to spend time with the child in the future.

1           **\*b1453/1.8\* SECTION 3054cy.** 767.24 (5) (dm) of the statutes is created to read:  
2           767.24 (5) (dm) The age of the child and the child’s developmental and  
3 educational needs at different ages.

4           **\*b1453/1.8\* SECTION 3054cz.** 767.24 (5) (em) of the statutes is created to read:  
5           767.24 (5) (em) The need for regularly occurring and meaningful periods of  
6 physical placement to provide predictability and stability for the child.

7           **\*b1453/1.8\* SECTION 3054d.** 767.24 (5) (fm) of the statutes is created to read:  
8           767.24 (5) (fm) The cooperation and communication between the parties and  
9 whether either party unreasonably refuses to cooperate or communicate with the  
10 other party.

11           **\*b1453/1.8\* SECTION 3054dc.** 767.24 (5) (g) of the statutes is amended to read:  
12           767.24 (5) (g) Whether each party can support the other party’s relationship  
13 with the child, including encouraging and facilitating frequent and continuing  
14 contact with the child, or whether one party is likely to unreasonably interfere with  
15 the child’s continuing relationship with the other party.

16           **\*b1453/1.8\* SECTION 3054dd.** 767.24 (5) (jm) of the statutes is created to read:  
17           767.24 (5) (jm) The reports of appropriate professionals if admitted into  
18 evidence.

19           **\*b1453/1.8\* SECTION 3054de.** 767.242 of the statutes is created to read:  
20           **767.242 Enforcement of physical placement orders. (1) DEFINITIONS.** In  
21 this section:

22           (a) “Petitioner” means the parent filing a petition under this section, regardless  
23 of whether that parent was the petitioner in the action in which periods of physical  
24 placement were awarded under s. 767.24.

1 (b) “Respondent” means the parent upon whom a petition under this section is  
2 served, regardless of whether that parent was the respondent in the action in which  
3 periods of physical placement were awarded under s. 767.24.

4 (2) WHO MAY FILE. A parent who has been awarded periods of physical  
5 placement under s. 767.24 may file a petition under sub. (3) if any of the following  
6 applies:

7 (a) The parent has had one or more periods of physical placement denied by the  
8 other parent.

9 (b) The parent has had one or more periods of physical placement substantially  
10 interfered with by the other parent.

11 (c) The parent has incurred a financial loss or expenses as a result of the other  
12 parent’s intentional failure to exercise one or more periods of physical placement  
13 under an order allocating specific times for the exercise of periods of physical  
14 placement.

15 (3) PETITION. (a) The petition shall allege facts sufficient to show the following:

16 1. The name of the petitioner and that the petitioner has been awarded periods  
17 of physical placement.

18 2. The name of the respondent.

19 3. That the criteria in sub. (2) apply.

20 (b) The petition shall request the imposition of a remedy or any combination  
21 of remedies under sub. (5) (b). This paragraph does not prohibit a judge or family  
22 court commissioner from imposing a remedy under sub. (5) (b) if the remedy was not  
23 requested in the petition.

24 (c) A judge or family court commissioner shall accept any legible petition for  
25 an order under this section.

1 (d) The petition shall be filed under the principal action under which the  
2 periods of physical placement were awarded.

3 (e) A petition under this section is a motion for remedial sanction for purposes  
4 of s. 785.03 (1) (a).

5 (4) SERVICE ON RESPONDENT; RESPONSE. Upon the filing of a petition under sub.  
6 (3), the petitioner shall serve a copy of the petition upon the respondent. The  
7 respondent may respond to the petition either in writing before or at the hearing  
8 under sub. (5) (a) or orally at that hearing.

9 (5) HEARING; REMEDIES. (a) A judge or family court commissioner shall hold a  
10 hearing on the petition no later than 30 days after the petition has been served,  
11 unless the time is extended by mutual agreement of the parties or upon the motion  
12 of a guardian ad litem and the approval of the judge or family court commissioner.  
13 The judge or family court commissioner may, on his or her own motion or the motion  
14 of any party, order that a guardian ad litem be appointed for the child prior to the  
15 hearing.

16 (b) At the conclusion of the hearing, the judge or family court commissioner  
17 may do any of the following:

18 1. If the judge or family court commissioner finds that the respondent has  
19 intentionally and unreasonably denied the petitioner one or more periods of physical  
20 placement or that the respondent has intentionally and unreasonably interfered  
21 with one or more of the petitioner's periods of physical placement, do one or more of  
22 the following:

23 a. Issue an order granting additional periods of physical placement to replace  
24 those denied or interfered with.



1           b. If the underlying order or judgment relating to periods of physical placement  
2 does not provide for specific times for the exercise of periods of physical placement,  
3 issue an order specifying the times for the exercise of periods of physical placement.

4           c. Find the respondent in contempt of court under ch. 785.

5           d. Grant an injunction ordering the respondent to strictly comply with the  
6 judgment or order relating to the award of physical placement. In determining  
7 whether to issue an injunction, the judge or family court commissioner shall consider  
8 whether alternative remedies requested by the petitioner would be as effective in  
9 obtaining compliance with the order or judgment relating to physical placement.

10          2. If the judge or family court commissioner finds that the petitioner has  
11 incurred a financial loss or expenses as a result of the respondent's failure,  
12 intentionally and unreasonably and without adequate notice to the petitioner, to  
13 exercise one or more periods of physical placement under an order allocating specific  
14 times for the exercise of periods of physical placement, issue an order requiring the  
15 respondent to pay to the petitioner a sum of money sufficient to compensate the  
16 petitioner for the financial loss or expenses.

17          (c) Except as provided in par. (b) 1. a. and b., the judge or family court  
18 commissioner may not modify an order of legal custody or physical placement in an  
19 action under this section.

20          (d) The judge or family court commissioner shall award the prevailing party  
21 a reasonable amount for the cost of maintaining an action under this section and for  
22 attorney fees.

23          (e) An injunction issued under par. (b) 1. d. is effective according to its terms,  
24 for the period of time that the petitioner requests, but not more than 2 years.

1           **(6) ENFORCEMENT ASSISTANCE.** (a) If an injunction is issued under sub. (5) (b)  
2 1. d., upon request by the petitioner the judge or family court commissioner shall  
3 order the sheriff to assist the petitioner in executing or serving the injunction.

4           (b) Within 24 hours after a request by the petitioner, the clerk of the circuit  
5 court shall send a copy of an injunction issued under sub. (5) (b) 1. d. to the sheriff  
6 or to any other local law enforcement agency that is the central repository for orders  
7 and that has jurisdiction over the respondent's residence. If the respondent does not  
8 reside in this state, the clerk shall send a copy of the injunction to the sheriff of the  
9 county in which the circuit court is located.

10           (c) The sheriff or other appropriate local law enforcement agency under par. (b)  
11 shall make available to other law enforcement agencies, through a verification  
12 system, information on the existence and status of any injunction issued under sub.  
13 (5) (b) 1. d. The information need not be maintained after the injunction is no longer  
14 in effect.

15           **(7) ARREST.** A law enforcement officer may arrest and take a person into custody  
16 if all of the following apply:

17           (a) A petitioner under this section presents the law enforcement officer with a  
18 copy of an injunction issued under sub. (5) (b) 1. d. or the law enforcement officer  
19 determines that such an injunction exists through communication with appropriate  
20 authorities.

21           (b) The law enforcement officer has probable cause to believe that the person  
22 has violated the injunction issued under sub. (5) (b) 1. d.

23           **(8) PENALTY.** Whoever intentionally violates an injunction issued under sub.  
24 (5) (b) 1. d. may be fined not more than \$10,000 or imprisoned for not more than 2  
25 years or both.

1           **\*b1453/1.8\* SECTION 3054df.** 767.25 (1) (intro.) of the statutes is amended to  
2 read:

3           767.25 (1) (intro.) Whenever the court approves a stipulation for child support  
4 under s. 767.10, enters a judgment of annulment, divorce or legal separation, or  
5 enters an order or a judgment in a paternity action or in an action under s. 767.02  
6 (1) (f) or (j) ~~or~~, 767.08 or 767.62 (3), the court shall do all of the following:

7           **\*b1453/1.8\* SECTION 3054dg.** 767.25 (1m) (b) of the statutes is amended to  
8 read:

9           767.25 (1m) (b) The financial resources of both parents ~~as determined under~~  
10 s. 767.255.

11           **\*b1453/1.8\* SECTION 3054dh.** 767.25 (1m) (c) of the statutes is amended to  
12 read:

13           767.25 (1m) (c) ~~The~~ If the parties were married, the standard of living the child  
14 would have enjoyed had the marriage not ended in annulment, divorce or legal  
15 separation.

16           **\*b1453/1.8\* SECTION 3054di.** 767.25 (4m) (b) of the statutes is amended to  
17 read:

18           767.25 (4m) (b) In addition to ordering child support for a child under sub. (1),  
19 the court shall specifically assign responsibility for and direct the manner of  
20 payment of the child's health care expenses. In assigning responsibility for a child's  
21 health care expenses, the court shall consider whether a child is covered under a  
22 parent's health insurance policy or plan at the time the court approves a stipulation  
23 for child support under s. 767.10, enters a judgment of annulment, divorce or legal  
24 separation, or enters an order or a judgment in a paternity action or in an action  
25 under s. 767.02 (1) (f) or (j) ~~or~~, 767.08 or 767.62 (3), the availability of health

1 insurance to each parent through an employer or other organization, the extent of  
2 coverage available to a child and the costs to the parent for the coverage of the child.  
3 A parent may be required to initiate or continue health care insurance coverage for  
4 a child under this subsection. If a parent is required to do so, he or she shall provide  
5 copies of necessary program or policy identification to the custodial parent and is  
6 liable for any health care costs for which he or she receives direct payment from an  
7 insurer. This subsection shall not be construed to limit the authority of the court to  
8 enter or modify support orders containing provisions for payment of medical  
9 expenses, medical costs, or insurance premiums which are in addition to and not  
10 inconsistent with this subsection.

11 **\*b1453/1.8\* SECTION 3054dj.** 767.25 (5) of the statutes is amended to read:

12 767.25 (5) Liability Subject to ss. 767.51 (4) and 767.62 (4m), liability for past  
13 support shall be limited to the period after the birth of the child.

14 **\*b1453/1.8\* SECTION 3054dk.** 767.25 (6) (intro.) of the statutes, as affected by  
15 1997 Wisconsin Act 191, section 398, is amended to read:

16 767.25 (6) (intro.) A party ordered to pay child support under this section shall  
17 pay simple interest at the rate of ~~1.5%~~ 1% per month on any amount in arrears that  
18 is equal to or greater than the amount of child support due in one month. If the party  
19 no longer has a current obligation to pay child support, interest at the rate of ~~1.5%~~  
20 1% per month shall accrue on the total amount of child support in arrears, if any.  
21 Interest under this subsection is in lieu of interest computed under s. 807.01 (4),  
22 814.04 (4) or 815.05 (8) and is paid to the department or its designee under s. 767.29.  
23 Except as provided in s. 767.29 (1m), the department or its designee, whichever is  
24 appropriate, shall apply all payments received for child support as follows:

25 **\*b1453/1.8\* SECTION 3054dL.** 767.253 of the statutes is amended to read:

1           **767.253 Seek-work orders.** In an action for modification of a child support  
2 order under s. 767.32 or an action in which an order for child support is required  
3 under s. 767.25 (1), 767.51 (3) or 767.62 (4) (~~a~~), the court may order either or both  
4 parents of the child to seek employment or participate in an employment or training  
5 program.

6           **\*b1453/1.8\* SECTION 3054dm.** 767.254 (2) (intro.) of the statutes is amended  
7 to read:

8           767.254 (2) (intro.) In an action for revision of a judgment or order providing  
9 for child support under s. 767.32 or an action in which an order for child support is  
10 required under s. 767.25 (1), 767.51 (3) or 767.62 (4) (~~a~~), the court shall order an  
11 unemployed teenage parent to do one or more of the following:

12           **\*b1453/1.8\* SECTION 3054dn.** 767.261 (intro.) of the statutes, as affected by  
13 1997 Wisconsin Act 191, section 403, is amended to read:

14           **767.261 Family support.** (intro.) The court may make a financial order  
15 designated “family support” as a substitute for child support orders under s. 767.25  
16 and maintenance payment orders under s. 767.26. A party ordered to pay family  
17 support under this section shall pay simple interest at the rate of ~~1.5%~~ 1% per month  
18 on any amount in arrears that is equal to or greater than the amount of child support  
19 due in one month. If the party no longer has a current obligation to pay child support,  
20 interest at the rate of ~~1.5%~~ 1% per month shall accrue on the total amount of child  
21 support in arrears, if any. Interest under this section is in lieu of interest computed  
22 under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the department or its  
23 designee under s. 767.29. Except as provided in s. 767.29 (1m), the department or  
24 its designee, whichever is appropriate, shall apply all payments received for family  
25 support as follows:”