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- 1 ~~*b3084/5.18* 350. Page 146, line 8: on lines 8 and 16, delete "except for the~~
2 ~~distribution and substitute "ending with the distributions".~~
- 3 ~~*b3084/5.19* 351. Page 146, line 9: delete "sub. (1) subs. (1), (6), and (7)" and~~
4 ~~substitute "sub. (1)".~~
- 5 ~~*b3084/5.20* 352. Page 146, line 10: on lines 10 and 18, delete "from the~~
6 ~~public utility account".~~
- 7 ~~*b3084/5.21* 353. Page 146, line 17: delete "sub. (2) subs. (2), (6), and (7)" and~~
8 ~~substitute "sub. (2)".~~
- 9 ~~*b3084/5.22* 354. Page 147, line 1: delete "2003" and substitute "2004".~~
- 10 ~~*b3084/5.23* 355. Page 147, line 3: delete the material beginning with that~~
11 ~~line and ending with page 153, line 2.~~
- 12 ~~*b3084/5.24* 356. Page 153, line 4: on lines 4 and 10, delete "2002" and~~
13 ~~substitute "2003".~~
- 14 ~~*b3084/5.25* 357. Page 153, line 7: delete "2003" and substitute "2004".~~
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- 15 ✓ ✓ ~~*b3084/5.26* 358. Page 153, line 18: delete lines 18 and 19 and substitute:~~ F
16 ~~*b3084/5.26* "SECTION 254bm. 79.058 (3) (e) of the statutes, as created by~~
17 ~~2001 Wisconsin Act 16, is amended to read:~~
- 18 ~~79.058 (3) (e) In 2003 and subsequent years, \$21,181,100."~~
- 19 ✓ ✓ ~~*b3084/5.27* 359. Page 153, line 21: delete "2003" and substitute "2004".~~
- 20 ✓ ~~*b3084/5.28* 360. Page 153, line 22: after that line insert:~~
- 21 ~~*b3084/5.28* "SECTION 256b. 79.06 (1) (b) of the statutes is amended to read:~~
22 ~~79.06 (1) (b) If Ending with the distributions in 2003, if the payments to any~~
23 ~~municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in~~

1 1986 or any year thereafter are less than 95% of the combined payments to the
2 municipality or county under this section and s. 79.03, excluding payments under s.
3 79.03 (3c), for the previous year, the municipality or county has an aids deficiency.
4 The amount of the aids deficiency is the amount by which 95% of the combined
5 payments to the municipality or county under this section and s. 79.03, excluding
6 payments under s. 79.03 (3c), in the previous year exceeds the payments to the
7 municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in the
8 current year.

9 ***b3084/5.28* SECTION 256d.** 79.06 (1) (c) of the statutes is amended to read:

10 79.06 (1) (c) ~~A~~ Ending with the distributions in 2003, a municipality or county
11 that has an aids deficiency shall receive a payment from the amounts withheld under
12 sub. (2) equal to its proportion of all the aids deficiencies of municipalities or counties
13 respectively for that year.

14 ***b3084/5.28* SECTION 256e.** 79.06 (2) (b) of the statutes, as affected by 2001
15 Wisconsin Act 16, is amended to read:

16 79.06 (2) (b) ~~If~~ Ending with the distributions in 2003, if the payments to a
17 municipality or county, except any county in which there are no cities or villages, or
18 any county created in the year 1846 or 1847, with a population in the year 1990
19 greater than 16,000 but less than 17,000, as determined by the 1990 federal
20 decennial census, in any year exceed its combined payments under this section and
21 s. 79.03, excluding payments under s. 79.03 (3c), in the previous year by more than
22 the maximum allowable increase, the excess shall be withheld to fund minimum
23 payments in that year under sub. (1) (c).”

24 ***b3084/5.29* 361.** Page 153, line 24: delete “2003” and substitute “2004”.

1 ✓ ***b2428/1.1* 362.** Page 153, line 25: after that line insert:

2 ***b2428/1.1* "SECTION 257p.** 84.30 (10m) of the statutes is amended to read:

3 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may
4 promulgate a rule requiring persons specified in the rule to pay annual permit fees
5 for signs. The rule shall specify that no permit fee may be charged for an
6 off-premises advertising sign that is owned by a nonprofit organization. If the
7 department establishes an annual permit fee under this subsection, failure to pay
8 the fee within 2 months after the date on which payment is due is evidence that the
9 sign has been abandoned for the purposes of s. TRANS 201.10 (2) (f), Wis. Adm.
10 Code.”.

11 ✓ ***b2825/1.1* 363.** Page 153, line 25: after that line insert:

12 ***b2825/1.1* "SECTION 257m.** 84.185 (3m) of the statutes is created to read:

13 84.185 (3m) REVIEW OF APPLICATIONS. The department shall accept, review, and
14 make determinations on applications for assistance under this section on a
15 continuing, year-round basis. The department shall make a determination on each
16 application for assistance under this section within a reasonable time after its
17 receipt by the department.”.

18 ✓ ***b2900/2.20* 364.** Page 153, line 25: after that line insert:

19 ***b2900/2.20* "SECTION 258m.** 85.12 (3) of the statutes, as affected by 2001
20 Wisconsin Act 16, is amended to read:

21 85.12 (3) The department may contract with any local governmental unit, as
22 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services
23 under this section.”.

24 ✓ ***b2976/2.1* 365.** Page 153, line 25: after that line insert:

1 ***b2976/2.1*** **SECTION 258r.** 84.02 (15) of the statutes is created to read:

2 84.02 (15) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this
3 subsection:

4 1. “Additional cost” means the difference in cost between installation of a traffic
5 control signal that is equipped with an emergency preemption device and
6 confirmation signal and installation of a traffic control signal that is not so equipped,
7 and includes the difference in incidental costs such as electrical wiring.

8 2. “Authorized emergency vehicle” has the meaning given in s. 340.01 (3) (a),
9 (c), (g), or (i).

10 3. “Confirmation signal” means a white signal, located on or near a traffic
11 control signal equipped with an emergency preemption device, that is designed to be
12 visible to the operator of an approaching authorized emergency vehicle and that
13 confirms to the operator that the emergency preemption device has received a
14 transmission from the operator.

15 4. “Emergency preemption device” means an electrical device, located on or
16 within a traffic control signal, that is designed to receive an electronic, radio, or sonic
17 transmission from an approaching authorized emergency vehicle that alters the
18 normal sequence of the traffic control signal to provide or maintain a green signal for
19 the authorized emergency vehicle to proceed through the intersection.

20 5. “Political subdivision” means a county, city, village, or town.

21 6. “Traffic control signal” means any electrical device by which traffic is
22 alternately directed to stop and permitted to proceed by means of exhibiting different
23 colored lights successively.

1 (b) Before the department installs a new traffic control signal on a state trunk
2 highway within the corporate limits of any political subdivision, the department
3 shall do all of the following:

4 1. Notify the political subdivision of the planned traffic control signal
5 installation.

6 2. Notify the political subdivision of the additional cost of equipping the traffic
7 control signal with an emergency preemption device and confirmation signal.

8 3. Provide the political subdivision with the opportunity to request that the
9 traffic control signal be equipped with an emergency preemption device and
10 confirmation signal.

11 (c) If any political subdivision requests under par. (b) 3. that the department
12 equip the traffic control signal with an emergency preemption device and
13 confirmation signal, and one or more political subdivisions contributes a total of 50%
14 of the additional cost specified under par. (b) 2., the department shall equip the traffic
15 control signal with an emergency preemption device and confirmation signal when
16 the department installs the traffic control signal.

17 (d) Notwithstanding pars. (b) and (c), this subsection does not prohibit the
18 department from installing on any state trunk highway, at the department's
19 expense, any traffic control signal equipped with an emergency preemption device
20 and confirmation signal. The department may install a new traffic control signal
21 equipped with an emergency preemption device and confirmation signal under this
22 paragraph without providing notice and an opportunity to respond under par. (b) to
23 any political subdivision. The department shall install a confirmation signal with
24 every new emergency preemption device installed by the department under this
25 paragraph.

1 (e) Any new traffic control signal installed by the department after the effective
2 date of this paragraph [revisor inserts date], that is not equipped with an
3 emergency preemption device shall include all electrical wiring necessary to equip
4 the traffic control signal with an emergency preemption device and confirmation
5 signal.

6 (f) The department shall promulgate rules to implement and administer this
7 subsection. The rules shall include procedures and deadlines for the department's
8 notification of political subdivisions, and for political subdivisions' requests and
9 contributions to the department, under this subsection.

10 *b2976/2.1* **SECTION 258x.** 85.07 (7) (c) of the statutes is created to read:

11 85.07 (7) (c) Notwithstanding par. (b), the department shall, in each fiscal year,
12 expend federal funds available under 23 USC 152 for hazard elimination projects
13 that reduce the response time of emergency vehicles regardless of reduction in motor
14 vehicle accidents.”

15 *b3042/2.2* **366.** Page 153, line 25: after that line insert:

16 *b3042/2.2* **“SECTION 258m.** 84.09 (9) of the statutes is created to read:

17 84.09 (9) Subsections (5), (5m), and (6) do not apply to state surplus property
18 that is directed to be sold under 2001 Wisconsin Act (this act), section 9107 (1b).”.

19 *b3066/1.5* **367.** Page 153, line 25: after that line insert:

20 *b3066/1.5* **“SECTION 258ps.** 84.013 (2) of the statutes, as affected by 2001
21 Wisconsin Act 16, is amended to read:

22 84.013 (2) (a) Subject to s. ~~ss. 84.555 and~~ 86.255, major highway projects shall
23 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
24 20.866 (2) (ur) to ~~(uu)~~ (uum).

1 (b) Except as provided in ss. 84.014 and, 84.03 (3), and 84.555, and subject to
2 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be
3 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

4 ***b3066/1.5* SECTION 258pt.** 84.014 (2) of the statutes, as created by 2001
5 Wisconsin Act 16, is amended to read:

6 84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and
7 86.255, any southeast Wisconsin freeway rehabilitation projects, including the
8 Marquette interchange reconstruction project and projects that involve adding one
9 or more lanes 5 miles or more in length to the existing freeway, may be funded only
10 from the appropriations under s. ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2)
11 (uum).

12 ***b3066/1.5* SECTION 258pv.** 84.03 (2) (c) of the statutes is amended to read:

13 84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the
14 joint committee on finance jointly shall determine whether the plan is complete. If
15 the joint committee on finance meets and either approves or modifies and approves
16 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine
17 that the plan is complete, the secretary shall implement the plan as approved by the
18 committee. If the joint committee on finance does not meet and either approve or
19 modify and approve a plan submitted under par. (b) 1. within 14 days after the
20 cochairpersons determine that the plan is complete, the secretary shall implement
21 the proposed plan. If the joint committee on finance approves a plan under s. 84.555
22 for a state fiscal year, the joint committee on finance may modify a plan implemented
23 under this paragraph for that fiscal year.

24 ***b3066/1.5* SECTION 258pw.** 84.555 of the statutes is created to read:

1 **84.555 Additional funding of major highway and rehabilitation**
2 **projects.** (1) Notwithstanding ss. 84.51 and 84.59, major highway projects, as
3 defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast
4 Wisconsin freeway rehabilitation projects under s. 84.014, and state highway
5 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
6 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) if all
7 of the following conditions are satisfied:

8 (a) The department's most recent estimate of the amount of federal funds, as
9 defined in s. 84.03 (2) (a) 1., that the department will be appropriated under s. 20.395
10 in the current state fiscal year is less than 95% of the amount of federal funds shown
11 in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395
12 in that fiscal year.

13 (b) The secretary has submitted a plan to the joint committee on finance for the
14 use of proceeds of general obligation bonds issued under s. 20.866 (2) (uum) and the
15 joint committee on finance has approved the plan, except that the secretary may not
16 submit, and the joint committee on finance may not approve, a plan for the use of an
17 amount of proceeds of general obligation bonds that exceeds the difference between
18 the amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the
19 department to be appropriated under s. 20.395 in the current state fiscal year and
20 the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2.,
21 for the appropriations under s. 20.395 in that fiscal year.

22 (2) The joint committee on finance may approve, or modify and approve, a plan
23 received under sub. (1) (b) using the procedure specified in s. 84.03 (2) (c). No plan
24 submitted under sub. (1) (b) may be implemented unless the joint committee on
25 finance has approved, or modified and approved, the plan.

1 (3) The secretary may submit a plan under sub. (1) (b) at any time during a
2 state fiscal year after the condition specified in sub. (1) (a) is satisfied for that fiscal
3 year.”.

4 ***b3067/1.1* 368.** Page 153, line 25: after that line insert:

5 ***b3067/1.1* SECTION 258pr.** 84.013 (1) (a) (intro.) of the statutes is amended
6 to read:

7 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project
8 providing an approach to a bridge over a river that forms a boundary of the state or
9 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a
10 total cost of more than \$5,000,000 and which involves any of the following:

11 ***b3067/1.1* SECTION 258pu.** 84.014 (5m) of the statutes is created to read:

12 84.014 (5m) (a) Notwithstanding any other provision of this section, the
13 department may not expend any moneys from the appropriations under s. 20.395 (3)
14 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that
15 involves adding one or more lanes 5 miles or more in length to the existing freeway
16 unless the project is specifically enumerated in a list under par. (b).

17 (b) The department may proceed with the following southeast Wisconsin
18 freeway rehabilitation projects:

19 1. No projects are enumerated under this paragraph as of the effective date of
20 this subdivision [revisor inserts date].”.

21 ***b3104/1.1* 369.** Page 153, line 25: after that line insert:

22 ***b3104/1.1* SECTION 257g.** 84.014 (5) of the statutes is created to read:

23 84.014 (5) The department shall design the reconstruction of I 94 in Milwaukee
24 and Waukesha counties, other than the Marquette interchange, to allow for

1 expansion of capacity for vehicular traffic on I 94 in these counties to meet the
2 projected vehicular traffic capacity needs, as determined by the department, for 25
3 years following the completion of such reconstruction.”.

4 ✓ ***b2431/2.1* 370.** Page 154, line 4: after that line insert:

5 ***b2431/2.1* “SECTION 259g.** 86.312 (2) (a) of the statutes is amended to read:

6 86.312 (2) (a) The department shall administer a local roads for job
7 preservation program to award grants to political subdivisions for any project that
8 the department determines is necessary to support business and retain jobs in the
9 vicinity of the local road. The department may award grants under this section for
10 any costs related to a project, including costs of acquiring rights-of-way, planning,
11 designing, engineering, and constructing a local road. The department may specify
12 the pavement to be used in any project funded under this section for the purpose of
13 enhancing the pavement life and cost-effectiveness of the project.”.

14 ✓ ***b3008/1.2* 371.** Page 154, line 4: after that line insert:

15 ***b3008/1.2* “SECTION 259g.** 87.30 (1) (d) of the statutes is amended to read:

16 87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects
17 an activity that meets all of the requirements under s. 281.165 (2) ~~or (3) (a)~~, the
18 department may not proceed under this subsection, or otherwise review the
19 amendment, to determine whether the ordinance, as amended, is insufficient.”.

20 ✓ ***b3052/1.5* 372.** Page 154, line 4: after that line insert:

21 ***b3052/1.5* “SECTION 259d.** 93.07 (1) of the statutes is amended to read:

22 93.07 (1) REGULATIONS. To make and enforce such regulations, not inconsistent
23 with law, as it may deem necessary for the exercise and discharge of all the powers
24 and duties of the department, and to adopt such measures and make such

1 regulations as are necessary and proper for the enforcement by the state of
2 department to carry out its duties and powers under chs. 93 to 100, which regulations
3 shall have the force of law.”

4 ✓ ✓ *b3052/1.6* **373.** Page 154, line 17: after that line insert:

5 *b3052/1.6* “SECTION 259sd. 93.07 (23) of the statutes is created to read:

6 93.07 (23) CONSUMER PROTECTION ADMINISTRATION. To administer ss. 100.01 to
7 100.03, 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201, 100.206, 100.208,
8 100.21, 100.22, 100.235, 100.265, 100.27, 100.285 to 100.297, 100.30, 100.33 to
9 100.36, 100.45, 100.47, 100.48, and 100.51 and to enforce ss. 100.206, 100.21, 100.30,
10 and 100.51.

11 *b3052/1.6* SECTION 259se. 93.07 (24) of the statutes is amended to read:

12 93.07 (24) ENFORCEMENT OF LAWS. To enforce or assist in the enforcement of chs.
13 88 and 93 to 100 and all other laws entrusted to its administration, and especially:

14 (a) To enforce the laws administered by the department regarding the
15 production, manufacture and sale, offering or exposing for sale or having in
16 possession with intent to sell, of any dairy, food or drug product.

17 (b) To enforce the laws administered by the department regarding the
18 adulteration or misbranding of any articles of food, drink, condiment or drug.

19 (c) To inspect any milk, butter, cheese, lard, syrup, coffee, tea or other article
20 of food, drink, condiment or drug made or offered for sale within this state which it
21 may suspect or have reason to believe, under the laws administered by the
22 department, to be impure, unhealthful, misbranded, adulterated or counterfeit, or
23 in any way unlawful.

1 (d) To prosecute or cause to be prosecuted, under the laws administered by the
2 department, any person engaged in the manufacture or sale, offering or exposing for
3 sale or having in possession with intent to sell, of any adulterated dairy product or
4 of any adulterated, misbranded, counterfeit, or otherwise unlawful article or articles
5 of food, drink, condiment or drug.

6 *b3052/1.6* SECTION 259sf. 93.18 (3) of the statutes is amended to read:

7 93.18 (3) The department of justice, after acting pursuant to s. 100.37 or 100.41
8 to 100.43 to order the sale or distribution of any substance, article, furnishing, fabric,
9 product or related material ceased, shall give written notice of its finding to the
10 manufacturer, seller or other person responsible for placing the item in the channels
11 of trade in this state. After such notice no person may sell, remove or otherwise
12 dispose of such item except as directed by the department. Any person affected by
13 such notice may demand a prompt hearing to determine the validity of the
14 department's findings. The hearing, if requested, shall be held as expeditiously as
15 possible but not later than 30 days after notice. A request for hearing does not
16 operate to stay enforcement of the order during the pendency of the hearing. The
17 person petitioning for a hearing shall be entitled to the same rights specified under
18 sub. (2).

19 *b3052/1.6* SECTION 259sh. 93.18 (7) of the statutes is created to read:

20 93.18 (7) The department of justice shall follow the procedures under subs. (1),
21 (2), (4), (5), and (6) in enforcing the provisions of ch. 100 that are administered by the
22 department of justice.

23 *b3052/1.6* SECTION 259sj. 93.20 (1) of the statutes is amended to read:

24 93.20 (1) DEFINITION. In this section, "action" means an action that is
25 commenced in court by, or on behalf of, the department of agriculture, trade and

1 consumer protection to enforce chs. 88, 91 to 100 or 127 or an action that is
2 commenced in court by the department of justice to enforce ch. 100.

3 *b3052/1.6* SECTION 259sm. 93.22 (1) of the statutes is amended to read:

4 93.22 (1) In cases arising under chs. 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21,
5 100.30, and 100.51, the department may be represented by its attorney.

6 *b3052/1.6* SECTION 259sp. 93.22 (2) of the statutes is amended to read:

7 93.22 (2) The department may, with the approval of the governor, appoint
8 special counsel to prosecute or assist in the prosecution of any case arising under chs.
9 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21, 100.30, and 100.51. The cost of such
10 special counsel shall be charged to the appropriation for the department.”

11 ✓ *b2745/1.2* **374**. Page 154, line 18: delete that line.

12 ✓ *b2391/1.7* **375**. Page 154, line 18: after that line insert:

13 *b2391/1.7* “SECTION 260g. 95.22 of the statutes is renumbered 95.22 (1).

14 *b2391/1.7* SECTION 260h. 95.22 (2) of the statutes is created to read:

15 95.22 (2) The department shall provide the reports of any communicable
16 diseases under sub. (1) to the department of health and family services.”

17 ✓ *b3052/1.7* **376**. Page 155, line 7: after that line insert:

18 *b3052/1.7* “SECTION 262m. 100.07 (6) of the statutes is amended to read:

19 100.07 (6) ~~Action~~ Upon request of the department, an action to enjoin violation
20 of this section may be commenced and prosecuted by the department of justice in the
21 name of the state in any court having equity jurisdiction.”

22 ✓ *b3052/1.8* **377**. Page 155, line 13: after that line insert:

23 *b3052/1.8* “SECTION 263bb. 100.171 (7) (b) of the statutes, as affected by

24 2001 Wisconsin Act (this act), is amended to read:

1 100.171 (7) (b) Whoever intentionally violates this section is guilty of a Class
2 I felony. A person intentionally violates this section if the violation occurs after the
3 department of justice or a district attorney has notified the person by certified mail
4 that the person is in violation of this section.

5 ***b3052/1.8* SECTION 263bd.** 100.171 (8) (intro.) of the statutes is amended to
6 read:

7 100.171 (8) ENFORCEMENT. (intro.) The department of justice shall investigate
8 violations of this section. The department of justice or any district attorney may on
9 behalf of the state:

10 ***b3052/1.8* SECTION 263bg.** 100.173 (4) (intro.) of the statutes is amended to
11 read:

12 100.173 (4) (intro.) The department of justice shall investigate violations of this
13 section. The department of justice, or any district attorney upon informing the
14 department of justice, may, on behalf of the state, do any of the following:

15 ***b3052/1.8* SECTION 263bj.** 100.173 (4) (a) of the statutes is amended to read:

16 100.173 (4) (a) Bring an action for temporary or permanent injunctive relief in
17 any court of competent jurisdiction for any violation of this section. The relief sought
18 by the department of justice or district attorney may include the payment by a
19 promoter into an escrow account of an amount estimated to be sufficient to pay for
20 ticket refunds. The court may, upon entry of final judgment, award restitution when
21 appropriate to any person suffering loss because of violations of this section if proof
22 of such loss is submitted to the satisfaction of the court.

23 ***b3052/1.8* SECTION 263bn.** 100.174 (5) (intro.) of the statutes is amended to
24 read:

1 100.174 (5) (intro). The department of justice or any district attorney may on
2 behalf of the state:

3 ***b3052/1.8* SECTION 263bq.** 100.174 (6) of the statutes is amended to read:

4 100.174 (6) The department of justice shall investigate violations of and
5 enforce this section.

6 ***b3052/1.8* SECTION 263bt.** 100.175 (5) (a) (intro.) of the statutes is amended
7 to read:

8 100.175 (5) (a) (intro.) No person may collect or by contract require a buyer to
9 pay more than \$100 for dating services before the buyer receives or has the
10 opportunity to receive those services unless the person selling dating services
11 establishes proof of financial responsibility by maintaining any of the following
12 commitments approved by the department of justice in an amount not less than
13 \$25,000:

14 ***b3052/1.8* SECTION 263bw.** 100.175 (5) (b) of the statutes is amended to read:

15 100.175 (5) (b) The commitment described in par. (a) shall be established in
16 favor of or made payable to the state, for the benefit of any buyer who does not receive
17 a refund under the contractual provision described in sub. (3). The person selling
18 dating services shall file with the department of justice any agreement, instrument
19 or other document necessary to enforce the commitment against the person selling
20 dating services or any relevant 3rd party, or both.

21 ***b3052/1.8* SECTION 263bz.** 100.175 (7) (a) (intro.) of the statutes is amended
22 to read:

23 100.175 (7) (a) (intro.) The department of justice or any district attorney may
24 on behalf of the state:

25 ***b3052/1.8* SECTION 263gb.** 100.175 (7) (b) of the statutes is amended to read:

1 100.175 (7) (b) The department of justice may bring an action in circuit court
2 to recover on a financial commitment maintained under sub. (5) against a person
3 selling dating services or relevant 3rd party, or both, on behalf of any buyer who does
4 not receive a refund due under the contractual provision described in sub. (3).

5 ***b3052/1.8* SECTION 263gd.** 100.177 (1) (bm) of the statutes is created to read:

6 100.177 (1) (bm) Notwithstanding s. 93.01 (3), “department” means the
7 department of justice.

8 ***b3052/1.8* SECTION 263gg.** 100.178 (1) (b) of the statutes is amended to read:

9 100.178 (1) (b) Notwithstanding s. 93.01 (3), “department” means the
10 department of ~~health and family services~~ justice.

11 ***b3052/1.8* SECTION 263gj.** 100.18 (11) (a) of the statutes is amended to read:

12 100.18 (11) (a) The department of ~~agriculture, trade and consumer protection~~
13 justice shall enforce this section. Actions to enjoin violation of this section or any
14 regulations thereunder may be commenced and prosecuted by the department of
15 justice in the name of the state in any court having equity jurisdiction. This remedy
16 is not exclusive.

17 ***b3052/1.8* SECTION 263gm.** 100.18 (11) (b) 3. of the statutes is amended to
18 read:

19 100.18 (11) (b) 3. No action may be commenced under this section more than
20 3 years after the occurrence of the unlawful act or practice which is the subject of the
21 action. No injunction may be issued under this section which would conflict with
22 general or special orders of the department of justice or any statute, rule or
23 regulation of the United States or of this state.

24 ***b3052/1.8* SECTION 263gp.** 100.18 (11) (c) 1. of the statutes is amended to

25 read:

1 100.18 (11) (c) 1. Whenever the department of justice has reason to believe that
2 a person is in possession, custody or control of any information or documentary
3 material relevant to the enforcement of this section it may require that person to
4 submit a statement or report, under oath or otherwise, as to the facts and
5 circumstances concerning any activity in the course of trade or commerce; examine
6 under oath that person with respect to any activity in the course of trade or
7 commerce; and execute in writing and cause to be served upon such person a civil
8 investigative demand requiring the person to produce any relevant documentary
9 material for inspection and copying.

10 ***b3052/1.8* SECTION 263gs.** 100.18 (11) (c) 2. of the statutes is amended to
11 read:

12 100.18 (11) (c) 2. The department of justice, in exercising powers under this
13 subsection, may issue subpoenas, administer oaths and conduct hearings to aid in
14 any investigation.

15 ***b3052/1.8* SECTION 263gu.** 100.18 (11) (c) 3. of the statutes is amended to
16 read:

17 100.18 (11) (c) 3. Service of any notice by the department of justice requiring
18 a person to file a statement or report, or service of a subpoena upon a person, or
19 service of a civil investigative demand shall be made in compliance with the rules of
20 civil procedure of this state.

21 ***b3052/1.8* SECTION 263gx.** 100.18 (11) (c) 4. of the statutes is amended to
22 read:

23 100.18 (11) (c) 4. If a person fails to file any statement or report, or fails to
24 comply with any civil investigative demand, or fails to obey any subpoena issued by
25 the department of justice, such person may be coerced as provided in s. 885.12, except

1 that no person shall be required to furnish any testimony or evidence under this
2 subsection which might tend to incriminate the person.

3 ***b3052/1.8* SECTION 263mb.** 100.18 (11) (d) of the statutes is amended to read:

4 100.18 (11) (d) ~~The department or the department of justice, after consulting~~
5 ~~with the department,~~ or any district attorney, upon informing the department of
6 justice, may commence an action in circuit court in the name of the state to restrain
7 by temporary or permanent injunction any violation of this section. The court may
8 in its discretion, prior to entry of final judgment, make such orders or judgments as
9 may be necessary to restore to any person any pecuniary loss suffered because of the
10 acts or practices involved in the action, provided proof thereof is submitted to the
11 satisfaction of the court. ~~The department and the department of justice may~~
12 ~~subpoena persons and require the production of books and other documents, and the~~
13 ~~department of justice may request the department to exercise its authority under~~
14 ~~par. (c) to aid in the investigation of alleged violations of this section.~~

15 ***b3052/1.8* SECTION 263mf.** 100.18 (11) (e) of the statutes is amended to read:

16 100.18 (11) (e) In lieu of instituting or continuing an action pursuant to this
17 section, ~~the department or the department of justice~~ may accept a written assurance
18 of discontinuance of any act or practice alleged to be a violation of this section from
19 the person who has engaged in such act or practice. The acceptance of such assurance
20 by ~~either the department or the department of justice~~ shall be deemed acceptance by
21 ~~the other state officials enumerated in par. (d)~~ any district attorney if the terms of
22 the assurance so provide. An assurance entered into pursuant to this section shall
23 not be considered evidence of a violation of this section, provided that violation of
24 such an assurance shall be treated as a violation of this section, and shall be
25 subjected to all the penalties and remedies provided therefor.

1 ***b3052/1.8* SECTION 263mj.** 100.182 (5) (a) of the statutes is amended to read:

2 100.182 (5) (a) Any district attorney, after informing the department of justice,
3 or the department of justice may seek a temporary or permanent injunction in circuit
4 court to restrain any violation of this section. Prior to entering a final judgment the
5 court may award damages to any person suffering monetary loss because of a
6 violation. The department of justice may subpoena any person or require the
7 production of any document to aid in investigating alleged violations of this section.

8 ***b3052/1.8* SECTION 263mm.** 100.182 (5) (b) of the statutes is amended to
9 read:

10 100.182 (5) (b) In lieu of instituting or continuing an action under this
11 subsection, the department of justice may accept a written assurance from a violator
12 of this section that the violation has ceased. If the terms of the assurance so provide,
13 its acceptance by the department of justice prevents all district attorneys from
14 prosecuting the violation. An assurance is not evidence of a violation of this section
15 but violation of an assurance is subject to the penalties and remedies of violating this
16 section.

17 ***b3052/1.8* SECTION 263mp.** 100.20 (2) (a) of the statutes is amended to read:

18 100.20 (2) (a) The department of justice, after public hearing, may issue
19 general orders forbidding methods of competition in business or trade practices in
20 business which are determined by the department of justice to be unfair. The
21 department of justice, after public hearing, may issue general orders prescribing
22 methods of competition in business or trade practices in business which are
23 determined by the department of justice to be fair.

24 ***b3052/1.8* SECTION 263mr.** 100.20 (2) (b) of the statutes, as affected by 2001
25 Wisconsin Act 16, is amended to read:

1 100.20 (2) (b) Notwithstanding par. (a), the department of justice may not issue
2 any order or promulgate any rule that regulates the provision of water or sewer
3 service by a manufactured home park operator, as defined in s. 101.91 (8), or
4 manufactured home park contractor, as defined in s. 101.91 (6m), or enforce any rule
5 to the extent that the rule regulates the provision of such water or sewer service.

6 ***b3052/1.8* SECTION 263mt.** 100.20 (3) of the statutes is amended to read:

7 100.20 (3) The department of justice, after public hearing, may issue a special
8 order against any person, enjoining such person from employing any method of
9 competition in business or trade practice in business which is determined by the
10 department of justice to be unfair or from providing service in violation of sub. (1t).
11 The department of justice, after public hearing, may issue a special order against any
12 person, requiring such person to employ the method of competition in business or
13 trade practice in business which is determined by the department of justice to be fair.

14 ***b3052/1.8* SECTION 263mv.** 100.20 (4) of the statutes is amended to read:

15 100.20 (4) ~~The if the department of justice may file a written complaint with~~
16 ~~the department alleging that the has reason to believe that a person named is~~
17 ~~employing unfair methods of competition in business or unfair trade practices in~~
18 ~~business or both. Whenever such a complaint is filed, it shall be the duty of the~~
19 ~~department of justice to proceed, after proper notice and in accordance with its rules,~~
20 ~~to the hearing and adjudication of the matters alleged, and a representative of the~~
21 ~~department of justice designated by the attorney general may appear before the~~
22 ~~department in such proceedings. The department of justice shall be entitled to~~
23 ~~judicial review of the decisions and orders of the department under ch. 227 matter.~~

24 ***b3052/1.8* SECTION 263mx.** 100.20 (6) of the statutes is amended to read:

1 100.20 (6) The department of justice may commence an action in circuit court
2 in the name of the state to restrain by temporary or permanent injunction the
3 violation of any order issued under this section. The court may in its discretion, prior
4 to entry of final judgment make such orders or judgments as may be necessary to
5 restore to any person any pecuniary loss suffered because of the acts or practices
6 involved in the action, provided proof thereof is submitted to the satisfaction of the
7 court. The department of justice may ~~use its authority in ss. 93.14 and 93.15 to~~
8 investigate violations of any order issued under this section.

9 ***b3052/1.8* SECTION 263mz.** 100.201 (6) (d) of the statutes is amended to read:

10 100.201 (6) (d) The failure to pay fees under this subsection within the time
11 provided under par. (c) is a violation of this section. The department of justice may
12 also commence an action to recover the amount of any overdue fees plus interest at
13 the rate of 2% per month for each month that the fees are delinquent.

14 ***b3052/1.8* SECTION 263nb.** 100.201 (8m) (intro.) of the statutes is amended
15 to read:

16 100.201 (8m) JURISDICTION. (intro.) This section shall apply to transactions,
17 acts or omissions which take place in whole or in part outside this state. In any action
18 or administrative proceeding the department of justice has jurisdiction of the person
19 served under s. 801.11 when any act or omission outside this state by the defendant
20 or respondent results in local injury or may have the effect of injuring competition
21 or a competitor in this state or unfairly diverts trade or business from a competitor,
22 if at the time:

23 ***b3052/1.8* SECTION 263nd.** 100.201 (9) (b) of the statutes is amended to read:

24 100.201 (9) (b) The department, after public hearing held under s. 93.18, may
25 issue a special order against any person requiring such person to cease and desist.

1 from acts, practices or omissions determined by the department to violate this
2 section. Such orders shall be subject to judicial review under ch. 227. Any violation
3 of a special order issued hereunder shall be punishable as a contempt under ch. 785
4 in the manner provided for disobedience of a lawful order of a court, upon the filing
5 of an affidavit by the department of justice of the commission of such violation in any
6 court of record in the county where the violation occurred.

7 ***b3052/1.8* SECTION 263nf.** 100.201 (9) (c) of the statutes is amended to read:

8 100.201 (9) (c) The department of justice, in addition to or in lieu of any other
9 remedies herein provided, may apply to a circuit court for a temporary or permanent
10 injunction to prevent, restrain or enjoin any person from violating this section or any
11 special order of the department of agriculture, trade and consumer protection issued
12 hereunder under this section, without being compelled to allege or prove that an
13 adequate remedy at law does not exist.

14 ***b3052/1.8* SECTION 263nj.** 100.205 (7) of the statutes is amended to read:

15 100.205 (7) The department of justice, or any district attorney on informing the
16 department of justice, may commence an action in circuit court in the name of the
17 state to restrain by temporary or permanent injunction any violation of this section.
18 The court may, before entry of final judgment and after satisfactory proof, make
19 orders or judgments necessary to restore to any person any pecuniary loss suffered
20 because of a violation of this section. The department of justice may conduct
21 hearings, administer oaths, issue subpoenas and take testimony to aid in its
22 investigation of violations of this section.

23 ***b3052/1.8* SECTION 263nm.** 100.205 (8) of the statutes is amended to read:

1 100.205 (8) The department of justice or any district attorney may commence
2 an action in the name of the state to recover a forfeiture to the state of not more than
3 \$10,000 for each violation of this section.

4 ***b3052/1.8* SECTION 263nn.** 100.207 (1) of the statutes is renumbered 100.207
5 (1) (intro.) and amended to read:

6 100.207 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,
7 ~~“telecommunications;~~

8 (b) “Telecommunications service” has the meaning given in s. 196.01 (9m).

9 ***b3052/1.8* SECTION 263no.** 100.207 (1) (a) of the statutes is created to read:

10 100.207 (1) (a) Notwithstanding s. 93.01 (3), “department” means the
11 department of justice.

12 ***b3052/1.8* SECTION 263nq.** 100.207 (6) (b) 1. of the statutes is amended to
13 read:

14 100.207 (6) (b) 1. The department of justice, ~~after consulting with the~~
15 ~~department of agriculture, trade and consumer protection,~~ or any district attorney
16 upon informing the department of agriculture, trade and consumer protection, may
17 commence an action in circuit court in the name of the state to restrain by temporary
18 or permanent injunction any violation of this section. Injunctive relief may include
19 an order directing telecommunications providers, as defined in s. 196.01 (8p), to
20 discontinue telecommunications service provided to a person violating this section
21 or ch. 196. Before entry of final judgment, the court may make such orders or
22 judgments as may be necessary to restore to any person any pecuniary loss suffered
23 because of the acts or practices involved in the action if proof of these acts or practices
24 is submitted to the satisfaction of the court.

1 ***b3052/1.8* SECTION 263nt.** 100.207 (6) (b) 2. of the statutes is amended to
2 read:

3 100.207 (6) (b) 2. The department ~~may exercise its authority under ss. 93.14~~
4 ~~to 93.16 and 100.18 (11) (e) to~~ shall administer this section. The department ~~and the~~
5 ~~department of justice~~ may subpoena persons ~~and,~~ require the production of books
6 and other documents, and ~~the department of justice may request the department of~~
7 ~~agriculture, trade and consumer protection to exercise its authority to aid in the~~
8 ~~investigation of~~ investigate alleged violations of this section.

9 ***b3052/1.8* SECTION 263nv.** 100.207 (6) (c) of the statutes is amended to read:

10 100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to
11 forfeit not less than \$25 nor more than \$5,000 for each offense. Forfeitures under this
12 paragraph shall be enforced by the department of justice, ~~after consulting with the~~
13 ~~department of agriculture, trade and consumer protection,~~ or, upon informing the
14 department, by the district attorney of the county where the violation occurs.

15 ***b3052/1.8* SECTION 263nz.** 100.207 (6) (em) 1. of the statutes is amended to
16 read:

17 100.207 (6) (em) 1. Before preparing any proposed rule under this section, the
18 department shall form an advisory group to suggest recommendations regarding the
19 content and scope of the proposed rule. The advisory group shall consist of one or
20 more persons who may be affected by the proposed rule, ~~a representative from the~~
21 ~~department of justice~~ and a representative from the public service commission.

22 ***b3052/1.8* SECTION 263pb.** 100.207 (6) (em) 2. of the statutes is amended to
23 read:

1 100.207 (6) (em) 2. The department shall submit the recommendations under
2 subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2)
3 ~~and to the board of agriculture, trade and consumer protection.~~

4 ***b3052/1.8* SECTION 263pf.** 100.208 (2) (intro.) of the statutes is amended to
5 read:

6 100.208 (2) (intro.) The department of justice shall notify the public service
7 commission if any of the following conditions exists:

8 ***b3052/1.8* SECTION 263pj.** 100.208 (2) (b) of the statutes is amended to read:

9 100.208 (2) (b) The department of justice has issued an order under s. 100.20
10 (3) prohibiting a telecommunications provider from engaging in an unfair trade
11 practice or method of competition.

12 ***b3052/1.8* SECTION 263pm.** 100.209 (3) of the statutes is amended to read:

13 100.209 (3) RULES AND LOCAL ORDINANCES ALLOWED. This section does not
14 prohibit the department of justice from promulgating a rule or from issuing an order
15 consistent with its authority under this chapter that gives a subscriber greater rights
16 than the rights under sub. (2) or prohibit a city, village or town from enacting an
17 ordinance that gives a subscriber greater rights than the rights under sub. (2).

18 ***b3052/1.8* SECTION 263pp.** 100.209 (4) (b) of the statutes is amended to read:

19 100.209 (4) (b) The department of justice and the district attorneys of this state
20 have concurrent authority to institute civil proceedings under this section.

21 ***b3052/1.8* SECTION 263ps.** 100.2095 (6) (b) of the statutes is amended to
22 read:

23 100.2095 (6) (b) The department of justice may commence an action in the
24 name of the state to restrain by temporary or permanent injunction a violation of sub.
25 (3), (4) or (5). Before entry of final judgment, the court may make any necessary

1 orders to restore to any person any pecuniary loss suffered by the person because of
2 the violation.

3 ***b3052/1.8* SECTION 263pv.** 100.2095 (6) (c) of the statutes is amended to read:

4 100.2095 (6) (c) The department of justice or any district attorney may
5 commence an action in the name of the state to recover a forfeiture to the state of not
6 less than \$100 nor more than \$10,000 for each violation of sub. (3), (4) or (5).”

7 ✓ ✓ ***b3052/1.9* 378.** Page 155, line 17: after that line insert:

8 ***b3052/1.9* “SECTION 264d.** 100.21 (2) (a) of the statutes is amended to read:

9 100.21 (2) (a) No person may make an energy savings or safety claim without
10 a reasonable and currently accepted scientific basis for the claim when the claim is
11 made. Making an energy savings or safety claim without a reasonable and currently
12 accepted scientific basis is also an unfair method of competition and trade practice
13 prohibited under s. 100.20.

14 ***b3052/1.9* SECTION 264h.** 100.21 (4) (a) (intro.) of the statutes is amended
15 to read:

16 100.21 (4) (a) (intro.) The department may, after public hearing, issue general
17 or special orders ~~under s. 100.20~~:

18 ***b3052/1.9* SECTION 264p.** 100.22 (4) (b) of the statutes is amended to read:

19 100.22 (4) (b) The department of justice may, without alleging or proving that
20 no other adequate remedy at law exists, bring an action to enjoin violations of this
21 section or a special order issued under this section in the circuit court for the county
22 where the alleged violation occurred.

23 ***b3052/1.9* SECTION 264t.** 100.235 (11) (a) of the statutes is amended to read:

1 100.235 (11) (a) *Forfeiture*. Any person who violates this section or any rule
2 promulgated or order issued under this section may be required to forfeit not less
3 than \$100 nor more than \$10,000. ~~Notwithstanding s. 165.25 (1), the department~~
4 ~~may commence an action to recover a forfeiture under this paragraph.”.~~

5 ✓ ✓ ***b3052/1.10* 379.** Page 156, line 3: after that line insert:

6 ***b3052/1.10* “SECTION 266m.** 100.26 (6) of the statutes is amended to read:

7 100.26 (6) ~~The department, the department of justice, after consulting with the~~
8 ~~department, or any district attorney may commence an action in the name of the~~
9 ~~state to recover a civil forfeiture to the state of not less than \$100 nor more than~~
10 ~~\$10,000 for each violation of~~ Any person violating an injunction issued under s.
11 ~~100.18, 100.182 or 100.20 (6). The department of agriculture, trade and consumer~~
12 ~~protection or any district attorney may commence an action in the name of the state~~
13 ~~to recover a civil~~ is subject to a forfeiture of not less than \$100 nor more than \$10,000
14 for each violation. Any person violating an order issued under s. 100.20 is subject
15 ~~to a forfeiture to the state of not less than \$100 nor more than \$10,000 for each~~
16 ~~violation of an order issued under s. 100.20.”.~~

17 ✓ ***b2366/1.1* 380.** Page 156, line 9: after that line insert:

18 ***b2366/1.1* “SECTION 267m.** 101.01 (11) of the statutes, as affected by 2001
19 Wisconsin Act 16, section 2446rb, is amended to read:

20 101.01 (11) “Place of employment” includes every place, whether indoors or out
21 or underground and the premises appurtenant thereto where either temporarily or
22 permanently any industry, trade, or business is carried on, or where any process or
23 operation, directly or indirectly related to any industry, trade, or business, is carried
24 on, and where any person is, directly or indirectly, employed by another for direct or

1 indirect gain or profit, but does not include any place where persons are employed
2 in private domestic service which does not involve the use of mechanical power or in
3 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~
4 ~~includes;~~ the transportation of farm products, supplies, or equipment directly to the
5 farm by the operator of the farm or employees for use thereon, if such activities are
6 directly or indirectly for the purpose of producing commodities for market, or as an
7 accessory to such production; and the operation of a horse boarding facility or horse
8 training facility that does not contain an area for the public to view a horse show.

9 When used with relation to building codes, “place of employment” does not include
10 an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11,
11 a previously constructed building used as a community-based residential facility, as
12 defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the
13 operator or administrator.

14 *b2366/1.1* SECTION 267q. 101.01 (12) of the statutes, as affected by 2001
15 Wisconsin Act 16, section 2447db, is amended to read:

16 101.01 (12) “Public building” means any structure, including exterior parts of
17 such building, such as a porch, exterior platform, or steps providing means of ingress
18 or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,
19 traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation
20 to building codes, “public building” does not include a horse boarding facility or horse
21 training facility that does not contain an area for the public to view a horse show or
22 a previously constructed building used as a community-based residential facility as
23 defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the
24 operator or administrator or an adult family home, as defined in s. 50.01 (1).”.

1 ✓ *b3052/1.11* **381.** Page 156, line 9: after that line insert:

2 *b3052/1.11* **SECTION 267kb.** 100.261 (3) (b) of the statutes, as affected by
3 2001 Wisconsin Act 16, is amended to read:

4 100.261 (3) (b) The state treasurer shall deposit the consumer protection
5 assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch.
6 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them
7 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.
8 (c).

9 *b3052/1.11* **SECTION 267kd.** 100.261 (3) (d) of the statutes is created to read:

10 100.261 (3) (d) The state treasurer shall deposit the consumer protection
11 assessment amounts imposed for a violation of this chapter, a rule promulgated
12 under this chapter, or an ordinance enacted under this chapter in the general fund
13 and shall credit them to the appropriation account under s. 20.455 (1) (g), subject to
14 the limit under par. (e).

15 *b3052/1.11* **SECTION 267ke.** 100.261 (3) (e) of the statutes is created to read:

16 100.261 (3) (e) The amount credited to the appropriation account under s.
17 20.455 (1) (g) may not exceed \$185,000 in each fiscal year.

18 *b3052/1.11* **SECTION 267kf.** 100.263 of the statutes is amended to read:

19 **100.263 Recovery.** In addition to other remedies available under this chapter,
20 the court may award ~~the department~~ the reasonable and necessary costs of
21 investigation and an amount reasonably necessary to remedy the harmful effects of
22 the violation and the court may award ~~the department of justice~~ the reasonable and
23 necessary expenses of prosecution, including attorney fees, from any person who
24 violates this chapter. The ~~department and the department of justice~~ amounts

1 awarded under this subsection shall ~~deposit be deposited~~ in the state treasury for
2 deposit in the general fund ~~all moneys that the court awards to the department, the~~
3 ~~department of justice or the state under this section. Ten percent of the money~~
4 ~~deposited in the general fund that was awarded under this section for the costs of~~
5 ~~investigation and the expenses of prosecution, including attorney fees, shall be~~
6 ~~credited to the appropriation account under s. 20.455 (1) (gh).~~

7 ***b3052/1.11* SECTION 267kh.** 100.28 (4) (b) of the statutes is amended to read:

8 100.28 (4) (b) In lieu of or in addition to forfeitures under par. (a), the
9 department of justice may seek an injunction restraining any person from violating
10 this section.

11 ***b3052/1.11* SECTION 267kj.** 100.28 (4) (c) of the statutes is amended to read:

12 100.28 (4) (c) The department of justice, or any district attorney upon the
13 request of the department of justice, may commence an action in the name of the
14 state under par. (a) or (b).

15 ***b3052/1.11* SECTION 267kL.** 100.31 (4) of the statutes is amended to read:

16 100.31 (4) PENALTIES. For any violation of this section, the department of
17 justice or a district attorney may commence an action on behalf of the state to recover
18 a forfeiture of not less than \$100 nor more than \$10,000 for each offense. Each
19 delivery of a drug sold to a purchaser at a price in violation of this section and each
20 separate day in violation of an injunction issued under this section is a separate
21 offense.

22 ***b3052/1.11* SECTION 267kn.** 100.31 (5) of the statutes is amended to read:

23 100.31 (5) SPECIAL REMEDIES. The department of justice or a district attorney
24 may bring an action to enjoin a violation of this section without being compelled to
25 allege or prove that an adequate remedy at law does not exist. An action under this

1 subsection may be commenced and prosecuted by the department of justice or a
2 district attorney, in the name of the state, in a circuit court in the county where the
3 offense occurred or in Dane County, notwithstanding s. 801.50.

4 ***b3052/1.11* SECTION 267ko.** 100.37 (1) (am) of the statutes is created to read:

5 100.37 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
6 department of justice.

7 ***b3052/1.11* SECTION 267kp.** 100.38 (5) of the statutes is amended to read:

8 100.38 (5) INSPECTION. The department of justice shall enforce this section by
9 inspection, chemical analyses or any other appropriate method and the department
10 of justice may promulgate such rules as are necessary to effectively enforce this
11 section.

12 ***b3052/1.11* SECTION 267kq.** 100.38 (6) of the statutes is amended to read:

13 100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze which is
14 adulterated or misbranded. In addition to the penalties provided under sub. (7), the
15 department of justice may bring an action to enjoin violations of this section.

16 ***b3052/1.11* SECTION 267kr.** 100.41 (1) (bn) of the statutes is created to read:

17 100.41 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
18 department of justice.

19 ***b3052/1.11* SECTION 267ks.** 100.42 (1) (cm) of the statutes is created to read:

20 100.42 (1) (cm) Notwithstanding s. 93.01 (3), “department” means the
21 department of justice.

22 ***b3052/1.11* SECTION 267kt.** 100.43 (1) (am) of the statutes is created to read:

23 100.43 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
24 department of justice.

25 ***b3052/1.11* SECTION 267ku.** 100.44 (5) of the statutes is amended to read:

1 100.44 (5) ENFORCEMENT. For any violation of sub. (3), the department of justice
2 may, on behalf of the state, bring an action in any court of competent jurisdiction for
3 the recovery of forfeitures authorized under sub. (4), for temporary or permanent
4 injunctive relief and for any other appropriate relief. The court may make any order
5 or judgment that is necessary to restore to any person any pecuniary loss suffered
6 because of a violation of sub. (3) if proof of the loss is shown to the satisfaction of the
7 court.

8 ***b3052/1.11* SECTION 267kv.** 100.46 (1) of the statutes is amended to read:

9 100.46 (1) ENERGY CONSERVATION STANDARDS. The department of justice may by
10 rule adopt energy conservation standards for products that have been established in
11 or promulgated under 42 USC 6291 to 6309.

12 ***b3052/1.11* SECTION 267kw.** 100.46 (2) of the statutes is amended to read:

13 100.46 (2) PROHIBITED ACTS; ENFORCEMENT. No person may sell at retail, install
14 or cause to be installed any product that is not in compliance with rules promulgated
15 under sub. (1). In addition to other penalties and enforcement procedures, the
16 department of justice may apply to a court for a temporary or permanent injunction
17 restraining any person from violating a rule adopted under sub. (1).

18 ***b3052/1.11* SECTION 267kx.** 100.50 (6) (b) of the statutes is amended to read:

19 100.50 (6) (b) In lieu of or in addition to the remedy under par. (a), the
20 department of justice may seek an injunction restraining any person from violating
21 this section.

22 ***b3052/1.11* SECTION 267ky.** 100.50 (6) (c) of the statutes is amended to read:

23 100.50 (6) (c) The department of justice, or any district attorney upon the
24 request of the department of justice, may commence an action in the name of the
25 state under par. (a) or (b).

1 ***b3052/1.11* SECTION 267kz.** 100.52 (1) (bn) of the statutes is created to read:
2 100.52 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
3 department of justice.”.

4 ✓ ***b2367/2.2* 382.** Page 156, line 20: after that line insert:

5 ***b2367/2.2* SECTION 269r.** 101.563 of the statutes is created to read:

6 **101.563 Payments without regard to eligibility; calendar years 2000 to**
7 **2004. (1) ENTITLEMENT TO DUES. (a) *Payments from calendar year 2000 dues.***
8 Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to (5), the department
9 shall pay the amount determined under sub. (2) (a) to every city, village, and town
10 that was ineligible to receive a proportionate share of fire department dues collected
11 for calendar year 2000 as a result of that city, village, or town failing to satisfy all
12 eligibility requirements under s. 101.575 (1) and (3) to (5) or to demonstrate to the
13 department that the city, village, or town was eligible under s. 101.575 (1) and (3) to
14 (5) to receive a proportionate share of the fire department dues.

15 (b) *Payments from dues for calendar years 2001 to 2004.* Notwithstanding ss.
16 101.573 (3) (a) and 101.575 (1) and (3) to (5) and except as otherwise provided in this
17 paragraph, the department may not withhold payment of a proportionate share of
18 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based
19 upon the failure of that city, village, or town to satisfy all eligibility requirements
20 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,
21 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive a proportionate
22 share of fire department dues. This paragraph applies only to the payment of a
23 proportionate share of fire department dues collected for calendar years 2001 to
24 2004.

1 (2) DISTRIBUTION OF DUES. (a) *Payments from calendar year 2000 dues.*
2 Notwithstanding s. 101.573 (3) (a), the department shall pay every city, village, and
3 town that is entitled to payment under sub. (1) (a) the amount to which that city,
4 village, or town would have been entitled to receive on or before August 1, 2001, had
5 the city, village, or town been eligible to receive a payment on that date. The
6 department shall calculate the amount due under this paragraph as if every city,
7 village, and town maintaining a fire department was eligible to receive a payment
8 on that date. By the date on which the department provides a certification or
9 recertification to the state treasurer under par. (b) 1., the department shall certify
10 to the state treasurer the amount to be paid to each city, village, and town under this
11 paragraph. On or before August 1, 2002, the state treasurer shall pay the amount
12 certified by the department under this paragraph to each such city, village, and town.
13 The state treasurer may combine any payment due under this paragraph with any
14 amount due to be paid on or before August 1, 2002, to the same city, village, or town
15 under par. (b) 1.

16 (b) *Payments from dues for calendar years 2001 to 2004.* 1. 'Payments from
17 calendar year 2001 dues.' Notwithstanding s. 101.575 (3) (a), by the 30th day
18 following the effective date of this subdivision [revisor inserts date], the
19 department shall compile the fire department dues paid by all insurers under s.
20 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds
21 remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under
22 par. (a), withhold 0.5%, and certify to the state treasurer the proper amount to be paid
23 from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled
24 to a proportionate share of fire department dues as provided under sub. (1) (b) and
25 s. 101.575. If the department has previously certified an amount to the state

1 treasurer under s. 101.57 (3) (a) during calendar year 2002, the department shall
2 recertify the amount in the manner provided under this subdivision. On or before
3 August 1, 2002, the state treasurer shall pay the amounts certified or recertified by
4 the department under this subdivision to each city, village, and town entitled to a
5 proportionate share of fire department dues as provided under sub. (1) and s.
6 101.575. The state treasurer may combine any payment due under this subdivision
7 with any amount due to be paid on or before August 1, 2002, to the same city, village,
8 or town under par. (a).

9 2. 'Payments from dues for calendar years 2002 to 2004.' Notwithstanding s.
10 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May
11 1 in each year, the department shall compile the fire department dues paid by all
12 insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1)
13 and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the state
14 treasurer the proper amount to be paid from the appropriation under s. 20.143 (3)
15 (L) to each city, village, and town entitled to a proportionate share of fire department
16 dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1,
17 the state treasurer shall pay the amounts certified by the department to each such
18 city, village, and town. This paragraph applies only to payment of a proportionate
19 share of fire department dues collected for calendar years 2002 to 2004.

20 3. The amounts withheld under subds. 1. and 2. shall be disbursed to correct
21 errors of the department or the commissioner of insurance. The department shall
22 certify to the state treasurer the amount that must be disbursed to correct an error
23 and the state treasurer shall pay the amount to the specified city, village, or town.
24 The balance of the amount withheld in a calendar year under subds. 1. or 2., as
25 applicable, which is not disbursed under this subdivision shall be included in the

1 total compiled by the department under subd. 2. for the next calendar year, except
2 that amounts withheld under subd. 2. from fire department dues collected for
3 calendar year 2004 that are not disbursed under this subdivision shall be included
4 in the total compiled by the department under s. 101.573 (3) (a) for the next calendar
5 year. If errors in payments exceed the amount withheld, adjustments shall be made
6 in the distribution for the next year.

7 (3) NOTICES OF INELIGIBILITY AND DEPARTMENTAL AUDITS; EXCEPTIONS. Except as
8 otherwise provided in this subsection and notwithstanding s. 101.575 (1) (am) and
9 (4) (a) 2., the department may not issue a notice of noncompliance with regard to a
10 city, village, or town that fails to satisfy all eligibility requirements under s. 101.575
11 (1) and (3) to (5) and may not audit any city, village, town, or fire department for
12 purposes of determining whether the city, village, town, or fire department complies
13 with s. 101.575 (6) and s. 101.14 (2). This subsection does not apply after August 1,
14 2005.

15 *b2367/2.2* SECTION 269t. 101.573 (4) of the statutes is amended to read:

16 101.573 (4) The department shall transmit to the treasurer of each city, village,
17 and town entitled to fire department dues, a statement of the amount of dues payable
18 to it ~~under this section~~, and the commissioner of insurance shall furnish to the state
19 treasurer, upon request, a list of the insurers paying dues under s. 601.93 and the
20 amount paid by each.”

21 ✓ *b3052/1.12* 383. Page 156, line 20: after that line insert:

22 *b3052/1.12* “SECTION 269m. 101.175 (3) (intro.) of the statutes is amended
23 to read:

1 101.175 (3) (intro.) The department, in consultation with the department of
2 agriculture, ~~trade and consumer protection~~ justice, shall establish by rule quality
3 standards for local energy resource systems which do not impede development of
4 innovative systems but which do.”.

5 ✓ ***b2892/3.1* 384.** Page 157, line 22: after that line insert:

6 ***b2892/3.1* “SECTION 274m.** 106.50 (5m) (d) of the statutes is amended to
7 read:

8 106.50 (5m) (d) Nothing in this section requires that housing be made available
9 to an individual whose tenancy would constitute a direct threat to the safety of other
10 tenants or persons employed on the property or whose tenancy would result in
11 substantial physical damage to the property of others, if the risk of direct threat or
12 damage cannot be eliminated or sufficiently reduced through reasonable
13 accommodations. A claim that an individual’s tenancy poses a direct threat or a
14 substantial risk of harm or damage must be evidenced by behavior by the individual
15 ~~which that~~ caused harm or damage, ~~which that~~ directly threatened harm or damage,
16 or ~~which that~~ caused a reasonable fear of harm or damage to other tenants, persons
17 employed on the property, or the property. No claim that an individual’s tenancy
18 would constitute a direct threat to the safety of other persons or would result in
19 substantial damage to property may be based on the fact that a tenant has been or
20 may be the victim of domestic abuse, as defined in s. 813.12 (1) (a) (am).”.

21 ✓ ***b3087/1.2* 385.** Page 157, line 22: after that line insert:

22 ***b3087/1.2* “SECTION 274c.** 103.49 (5) (a) of the statutes is amended to read:

23 103.49 (5) (a) Each contractor, subcontractor, or contractor’s or subcontractor’s
24 agent performing work on a project that is subject to this section shall keep full and

1 accurate records clearly indicating the name and trade or occupation of every person
2 performing the work described in sub. (2m) and an accurate record of the number of
3 hours worked by each of those persons and the actual wages paid for the hours
4 worked. If requested by any person, a contractor, subcontractor, or contractor's or
5 subcontractor's agent performing work on a project that is subject to this section
6 shall permit that person to inspect and copy any of those records to the same extent
7 as if the record were maintained by the department, except that s. 19.36 (3) does not
8 limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit
9 inspection and copying of a record under this paragraph. Before permitting the
10 inspection and copying of a record under this paragraph, a contractor, subcontractor,
11 or contractor's or subcontractor's agent shall delete from the record any personally
12 identifiable information, as defined in s. 19.62 (5), contained in the record about any
13 person performing the work described in sub. (2m) other than the trade or occupation
14 of the person, the number of hours worked by the person, and the actual wages paid
15 for those hours worked.

16 *b3087/1.2* SECTION 274cj. 103.50 (6m) of the statutes is created to read:

17 103.50 (6m) RECORDS; INSPECTION. Each contractor, subcontractor, or
18 contractor's or subcontractor's agent performing work on a project that is subject to
19 this section shall keep full and accurate records clearly indicating the name and
20 trade or occupation of every person performing the work described in sub. (2m) and
21 an accurate record of the number of hours worked by each of those persons and the
22 actual wages paid for the hours worked. If requested by any person, a contractor,
23 subcontractor, or contractor's or subcontractor's agent performing work on a project
24 that is subject to this section shall permit that person to inspect and copy any of those
25 records to the same extent as if the record were maintained by the department,

1 except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or
2 subcontractor's agent to permit inspection and copying of a record under this
3 subsection. Before permitting the inspection and copying of a record under this
4 subsection, a contractor, subcontractor, or contractor's or subcontractor's agent shall
5 delete from the record any personally identifiable information, as defined in s. 19.62
6 (5), contained in the record about any person performing the work described in sub.
7 (2m) other than the trade or occupation of the person, the number of hours worked
8 by the person, and the actual wages paid for those hours worked.”.

9 ***b3112/1.3* 386.** Page 157, line 22: after that line insert:

10 ***b3112/1.3* SECTION 274h.** 103.67 (1) of the statutes is amended to read:

11 103.67 (1) A minor 14 to 18 years of age shall may not be employed or permitted
12 to work in any gainful occupation during the hours that the minor is required to
13 attend school under s. 118.15 unless the minor has completed high school, except that
14 any minor may be employed in a public ~~exhibitions~~ exhibition as provided in s. 103.78
15 and a minor 16 years of age or over may be employed as an election inspector as
16 provided in s. 7.30 (2) (am).

17 ***b3112/1.3* SECTION 274j.** 103.68 (1) of the statutes is amended to read:

18 103.68 (1) No minor shall be employed or permitted to work at any gainful
19 occupation other than domestic service ~~or~~, farm labor, or service as an election
20 inspector under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than
21 40 hours nor more than 6 days in any one week, nor during such hours as the minor
22 is required under s. 118.15 ~~(2)~~ to attend school.

23 ***b3112/1.3* SECTION 274L.** 103.70 (2) of the statutes is amended to read:

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SUBCHAPTER VIII
TECHNOLOGY FOR EDUCATIONAL
ACHIEVEMENT”.

b3112/1.4 **391.** Page 159, line 17: after that line insert:

b3112/1.4 “SECTION 280p. 118.15 (3) (d) of the statutes is created to read:

118.15 (3) (d) Any child excused in writing by his or her parent or guardian and by the principal of the school that the child attends for the purpose of serving as an election official under s. 7.30 (2) (am). A principal may not excuse a child under this paragraph unless the child has at least a 3.0 grade point average or the equivalent. The principal shall allow the child to take examinations and complete course work missed during the child’s absences under this paragraph. The principal shall promptly notify the municipal clerk or the board of election commissioners of the municipality that appointed the child as an election official if the child ceases to be enrolled in school or if the child no longer has at least a 3.0 grade point average or the equivalent.”.

b3033/2.13 **392.** Page 161, line 11: after that line insert:

b3033/2.13 “SECTION 284d. 120.18 (1) (i) of the statutes is amended to read:

120.18 (1) (i) A description of the educational technology used by the school district, including the uses made of the technology, the cost of the technology and the number of persons using or served by the technology. In this paragraph, “educational technology” has the meaning given in s. 44.70 (3) 115.997 (3).”.

b2599/1.3 **393.** Page 162, line 9: delete lines 9 to 12.

b3033/2.14 **394.** Page 163, line 7: after that line insert:

1 ***b3033/2.14*** **SECTION 287d.** 121.15 (3m) (a) 2. of the statutes, as affected by
2 2001 Wisconsin Act 16, is amended to read:

3 121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.
4 20.255 (1) (b) and (2), other than s. 20.255 (2) (fm), (fu), (k), and (m), and under ss.
5 ~~20.275 (1) (d)~~, 20.255 (4) (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids
6 appropriated under s. ~~20.275 (1)~~ 20.255 (4) (s) that are used to provide grants or
7 educational telecommunications access to school districts under s. ~~44.73~~ 115.9995.”

8 ***b2372/2.4* 395.** Page 166, line 6: after that line insert:

9 ***b2372/2.4*** **SECTION 298n.** 133.16 of the statutes is amended to read:

10 **133.16 Injunction; pleading; practice.** Any circuit court may prevent or
11 restrain, by injunction or otherwise, any violation of this chapter. The department
12 of justice, any district attorney or any person by complaint may institute actions or
13 proceedings to prevent or restrain a violation of this chapter, setting forth the cause
14 and grounds for the intervention of the court and praying that such violation,
15 whether intended or continuing be enjoined or prohibited. When the parties
16 informed against or complained of have been served with a copy of the information
17 or complaint and cited to answer it, the court shall proceed, as soon as may be in
18 accordance with its rules, to the hearing and determination of the case; and pending
19 the filing of the answer to such information or complaint may, at any time, upon
20 proper notice, make such temporary restraining order or prohibition as is just.
21 Whenever it appears to the court that the ends of justice require that other persons
22 be made parties to the action or proceeding the court may cause them to be made
23 parties in such manner as it directs. The party commencing or maintaining the
24 action or proceeding may demand and recover the cost of suit including reasonable

1 attorney fees. In an action commenced by the department of justice, the court may
2 award the department of justice the reasonable and necessary costs of investigation
3 and an amount reasonably necessary to remedy the harmful effects of the violation.
4 The department of justice shall deposit in the state treasury for deposit in the general
5 fund all moneys that the court awards to the department or the state under this
6 section. ~~Ten percent of the money deposited in the general fund that was awarded~~
7 ~~under this section for the costs of investigation and the costs of suit, including~~
8 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).~~
9 Copies of all pleadings filed under this section shall be served on the department of
10 justice.”.

11 ✓ ***b3052/1.13* 396.** Page 167, line 16: after that line insert:

12 ***b3052/1.13* “SECTION 312m.** 134.71 (12) of the statutes is amended to read:

13 134.71 (12) APPLICATIONS AND FORMS. The department of agriculture, trade and
14 consumer protection, in consultation with the department of justice, shall develop
15 applications and other forms required under subs. (5) (intro.) and (8) (c). The
16 department of agriculture, trade and consumer protection shall print a sufficient
17 number of applications and forms to provide to counties and municipalities for
18 distribution to pawnbrokers, secondhand article dealers and secondhand jewelry
19 dealers at no cost.

20 ***b3052/1.13* SECTION 314m.** 136.03 (title) of the statutes is amended to read:

21 **136.03 (title) Duties of the department of agriculture, trade and**
22 **consumer protection justice.**

23 ***b3052/1.13* SECTION 314p.** 136.03 (1) (intro.) of the statutes is amended to
24 read:

1 136.03 (1) (intro.) The department of ~~agriculture, trade and consumer~~
2 ~~protection of justice~~ shall investigate violations of this chapter and of rules and
3 orders issued under s. 136.04. The department of justice may subpoena persons and
4 records to facilitate its investigations, and may enforce compliance with such
5 subpoenas as provided in s. 885.12. The department of justice may ~~in~~ on behalf of
6 the state:

7 ***b3052/1.13* SECTION 314r.** 136.04 of the statutes is amended to read:

8 **136.04 Powers of the department of ~~agriculture, trade and consumer~~**
9 **~~protection justice.~~** (1) The department of ~~agriculture, trade and consumer~~
10 ~~protection justice~~ may adopt such rules as may be required to carry out the purposes
11 of this chapter.

12 (2) The department of ~~agriculture, trade and consumer protection justice~~ after
13 public hearing may issue general or special orders to carry out the purposes of this
14 chapter and to determine and prohibit unfair trade practices in business or unfair
15 methods of competition in business pursuant to s. 100.20 (2) to (4).”.

16 ✓ ***b3090/1.1* 397.** Page 167, line 16: after that line insert:

17 ***b3090/1.1* “SECTION 303g.** 134.74 of the statutes is created to read:

18 **134.74 Nondisclosure of information on receipts. (1)** In this section:

19 (a) “Credit card” has the meaning given in s. 421.301 (15).

20 (b) “Debit card” means a plastic card or similar device that may be used to
21 purchase goods or services by providing the purchaser with direct access to the
22 purchaser’s account at a depository institution.

23 (c) “Depository institution” means a bank, savings bank, savings and loan
24 association, or credit union.

1 (2) Beginning on the first day of the 37th month beginning after the effective
2 date of this subsection [revisor inserts date], no person who is in the business of
3 selling goods at retail or selling services and who accepts a credit card or a debit card
4 for the purchase of goods or services may issue a credit card or debit card receipt, for
5 that purchase, on which is printed more than 5 digits of the credit card or debit card
6 number.

7 (3) This section does not apply to any person who issues a credit card or debit
8 card receipt that is handwritten or that is manually prepared by making an imprint
9 of the credit card or debit card.”.

10 ✓ *b3074/1.1* **398.** Page 170, line 15: after that line insert:

11 *b3074/1.1* “SECTION 329r. 146.50 (4) (title) of the statutes is amended to read:
12 146.50 (4) (title) AMBULANCE STAFFING AND OPERATIONAL PLANS; LIMITATIONS;
13 RULES.

14 *b3074/1.1* SECTION 329s. 146.50 (4) (c) of the statutes is renumbered 146.50
15 (4) (c) (intro.) and amended to read:

16 146.50 (4) (c) (intro.) Notwithstanding par. (a), the department may
17 promulgate rules that establish standards for approval by the department of
18 operational plans for the staffing of ambulances in which the primary services
19 provided are those which an emergency medical technician – intermediate is
20 authorized to provide or those which an emergency medical technician – paramedic
21 is authorized to provide. Rules promulgated by the department under this
22 paragraph may permit the department to approve an operational plan, for services
23 that an emergency medical technician–paramedic is authorized to provide, that is
24 submitted by an ambulance service provider that provided these services before

1 January 1, 2000, only if the operational plan specifies all of the following for the
2 transport of a patient in a prehospital setting:

3 ***b3074/1.1* SECTION 329t.** 146.50 (4) (c) 1. of the statutes is created to read:

4 146.50 (4) (c) 1. That the ambulance service provider ensures, in writing, that
5 the ambulance is staffed with at least 2 emergency medical technicians–paramedic,
6 licensed registered nurses, licensed physician assistants, or physicians or a
7 combination of any 2 of these, who are trained in the use of all skills authorized by
8 rule for an emergency medical technician–paramedic and are designated by the
9 medical director of the ambulance service. This subdivision does not apply during
10 an emergency when there is an agreement for the sharing of emergency services in
11 place between a town, village, or city and another town, village, or city.

12 ***b3074/1.1* SECTION 329u.** 146.50 (4) (c) 2. of the statutes is created to read:

13 146.50 (4) (c) 2. That the ambulance staff, as specified in subd. 1., is dispatched
14 from the same site, together, to the scene of an emergency. This subdivision does not
15 apply if the ambulance service provider, as of October 1, 2001, dispatched ambulance
16 staff from multiple sites to the scene of an emergency.

17 ***b3074/1.1* SECTION 329v.** 146.50 (4) (c) 3. of the statutes is created to read:

18 146.50 (4) (c) 3. That if an emergency medical technician–paramedic arrives
19 at the scene of an emergency prior to the arrival of the ambulance staff, as specified
20 in subd. 1., the emergency medical technician–paramedic may provide services using
21 all skills authorized by rule for an emergency medical technician–paramedic.”

22 ✓ ✓ ***b3074/1.2* 399.** Page 171, line 12: after that line insert:

23 ***b3074/1.2* “SECTION 333h.** 146.50 (13) (a) of the statutes is amended to read:

1 146.50 (13) (a) The department may promulgate rules necessary for
2 administration of this section, as limited under sub. (4) (c).”.

3 ***b3041/1.1* 400.** Page 172, line 10: after that line insert:

4 ***b3041/1.1* SECTION 336d.** 146.96 of the statutes is created to read:

5 **146.96 Uniform claim processing form.** Beginning no later than July 1,
6 2004, every health care provider, as defined in s. 146.81 (1), shall use the uniform
7 claim processing form developed by the commissioner of insurance under s. 601.41
8 (9) (b) when submitting a claim to an insurer.”.

9 ***b3077/1.1* 401.** Page 172, line 10: after that line insert:

10 ***b3077/1.1* SECTION 336f.** 146.83 (1) (b) of the statutes is amended to read:

11 146.83 (1) (b) Receive a copy of the patient’s health care records upon payment
12 of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

13 ***b3077/1.1* SECTION 336g.** 146.83 (1) (c) of the statutes is amended to read:

14 146.83 (1) (c) Receive a copy of the health care provider’s X–ray reports or have
15 the X–rays referred to another health care provider of the patient’s choice upon
16 payment of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

17 ***b3077/1.1* SECTION 336h.** 146.83 (3m) of the statutes is created to read:

18 146.83 (3m) (a) The department shall, by rule, prescribe fees that are based on
19 an approximation of actual costs. The fees, plus applicable tax, are the maximum
20 amount that a health care provider may charge under sub. (1) (b) for duplicate
21 patient health care records and under sub. (1) (c) for duplicate X–ray reports or the
22 referral of X–rays to another health care provider of the patient’s choice. The rule
23 shall also permit the health care provider to charge for actual postage or other actual

1 delivery costs. In determining the approximation of actual costs for the purposes of
2 this subsection, the department may consider all of the following factors:

3 1. Operating expenses, such as wages, rent, utilities, and duplication
4 equipment and supplies.

5 2. The varying cost of retrieval of records, based on the different media on which
6 the records are maintained.

7 3. The cost of separating requested patient health care records from those that
8 are not requested.

9 4. The cost of duplicating requested patient health care records.

10 5. The impact on costs of advances in technology.

11 (b) By January 1, 2006, and every 3 years thereafter, the department shall
12 revise the rules under par. (a) to account for increases or decreases in actual costs.”.

13 ✓ ***b3092/1.1* 402.** Page 172, line 10: after that line insert:

14 ***b3092/1.1* “SECTION 336jc.** 149.143 (1) (b) 1. a. of the statutes is amended to
15 read:

16 149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage
17 under s. 149.14 (2) (a) set at a rate that is 140% to 150% of the rate that a standard
18 risk would be charged under an individual policy providing substantially the same
19 coverage and deductibles as are provided under the plan and from eligible persons
20 with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including
21 amounts received for premium and deductible subsidies under s. 149.144 and under
22 the transfer to the fund from the appropriation account under s. 20.435 (4) (ah), and
23 from premiums collected from eligible persons with coverage under s. 149.146 set in
24 accordance with s. 149.146 (2) (b).

1 ***b3092/1.1* SECTION 336jf.** 149.143 (1) (b) 1. c. of the statutes is amended to
2 read:

3 149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with
4 coverage under s. 149.14 (2) (a) to more than ~~150%~~ the rate at which premiums were
5 set under subd. 1. a. but not more than 200% of the rate that a standard risk would
6 be charged under an individual policy providing substantially the same coverage and
7 deductibles as are provided under the plan and from eligible persons with coverage
8 under s. 149.14 (2) (b) by a comparable amount in accordance with s. 149.14 (5m),
9 including amounts received for premium and deductible subsidies under s. 149.144
10 and under the transfer to the fund from the appropriation account under s. 20.435
11 (4) (ah), and by increasing premiums from eligible persons with coverage under s.
12 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under
13 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

14 ***b3092/1.1* SECTION 336jh.** 149.143 (2) (a) 2. of the statutes is amended to
15 read:

16 149.143 (2) (a) 2. After making the determinations under subd. 1., by rule set
17 premium rates for the new plan year, including the rates under s. 149.146 (2) (b), in
18 the manner specified in sub. (1) (b) 1. a. and c. and such that a rate for coverage under
19 s. 149.14 (2) (a) is approved by the board and is not less than ~~150%~~ 140% nor more
20 than 200% of the rate that a standard risk would be charged under an individual
21 policy providing substantially the same coverage and deductibles as are provided
22 under the plan.

23 ***b3092/1.1* SECTION 336jm.** 149.143 (2m) (b) 1. of the statutes is amended to
24 read:

end of
F

1 149.143 (2m) (b) 1. To reduce premiums in succeeding plan years as provided
2 in sub. (1) (b) 1. b. For eligible persons with coverage under s. 149.14 (2) (a),
3 premiums may not be reduced below ~~150%~~ 140% of the rate that a standard risk
4 would be charged under an individual policy providing substantially the same
5 coverage and deductibles as are provided under the plan.”.

6 ***b2391/1.8* 403.** Page 173, line 16: after that line insert:

7 ***b2391/1.8*** “SECTION 338g. 157.055 of the statutes is created to read:

8 **157.055 Disposal of human remains during state of emergency relating**
9 **to public health. (1) In this section:**

10 (a) “Funeral establishment” has the meaning given in s. 445.01 (6).

11 (b) “Public health authority” has the meaning given in s. 250.01 (6g).

12 (2) Notwithstanding ss. 69.18 (4), 445.04 (2), 445.14, 979.01 (3), (3m), and (4),
13 979.02, and 979.10, during a period of a state of emergency related to public health
14 declared by the governor under s. 166.03 (1) (b) 1., a public health authority may do
15 all of the following:

16 (a) Issue and enforce orders that are reasonable and necessary to provide for
17 the safe disposal of human remains, including by embalming, burial, cremation,
18 interment, disinterment, transportation, and other disposal.

19 (b) Take possession and control of any human remains.

20 (c) Order the disposal, through burial or cremation, of any human remains of
21 an individual who has died of a communicable disease, within 24 hours after the
22 individual’s death and consider, to the extent feasible, the religious, cultural, or
23 individual beliefs of the deceased individual or his or her family in disposing of the
24 remains.

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