

1           **\*b3052/1.8\* SECTION 263bb.** 100.171 (7) (b) of the statutes, as affected by 2001  
2 Wisconsin Act .... (this act), is amended to read:

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

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

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

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

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

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

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

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

3           100.174 (5) (intro). The department of justice or any district attorney may on  
4 behalf of the state:

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

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

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

10           100.175 (5) (a) (intro.) No person may collect or by contract require a buyer to  
11 pay more than \$100 for dating services before the buyer receives or has the  
12 opportunity to receive those services unless the person selling dating services  
13 establishes proof of financial responsibility by maintaining any of the following  
14 commitments approved by the department of justice in an amount not less than  
15 \$25,000:

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

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

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

1           100.175 (7) (a) (intro.) The department of justice or any district attorney may  
2 on behalf of the state:

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

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

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

9           100.177 (1) (bm) Notwithstanding s. 93.01 (3), “department” means the  
10 department of justice.

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

12           100.178 (1) (b) Notwithstanding s. 93.01 (3), “department” means the  
13 department of ~~health and family services~~ justice.

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

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

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

22           100.18 (11) (b) 3. No action may be commenced under this section more than  
23 3 years after the occurrence of the unlawful act or practice which is the subject of the  
24 action. No injunction may be issued under this section which would conflict with

1 general or special orders of the department of justice or any statute, rule or  
2 regulation of the United States or of this state.

3 **\*b3052/1.8\* SECTION 263gp.** 100.18 (11) (c) 1. of the statutes is amended to  
4 read:

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

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

16 100.18 (11) (c) 2. The department of justice, in exercising powers under this  
17 subsection, may issue subpoenas, administer oaths and conduct hearings to aid in  
18 any investigation.

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

21 100.18 (11) (c) 3. Service of any notice by the department of justice requiring  
22 a person to file a statement or report, or service of a subpoena upon a person, or  
23 service of a civil investigative demand shall be made in compliance with the rules of  
24 civil procedure of this state.

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

3           100.18 (11) (c) 4. If a person fails to file any statement or report, or fails to  
4 comply with any civil investigative demand, or fails to obey any subpoena issued by  
5 the department of justice, such person may be coerced as provided in s. 885.12, except  
6 that no person shall be required to furnish any testimony or evidence under this  
7 subsection which might tend to incriminate the person.

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

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

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

21           100.18 (11) (e) In lieu of instituting or continuing an action pursuant to this  
22 section, ~~the department or the~~ department of justice may accept a written assurance  
23 of discontinuance of any act or practice alleged to be a violation of this section from  
24 the person who has engaged in such act or practice. The acceptance of such assurance  
25 by ~~either the department or the~~ department of justice shall be deemed acceptance by

1 ~~the other state officials enumerated in par. (d)~~ any district attorney if the terms of  
2 the assurance so provide. An assurance entered into pursuant to this section shall  
3 not be considered evidence of a violation of this section, provided that violation of  
4 such an assurance shall be treated as a violation of this section, and shall be  
5 subjected to all the penalties and remedies provided therefor.

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

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

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

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

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

23 100.20 (2) (a) The department of justice, after public hearing, may issue  
24 general orders forbidding methods of competition in business or trade practices in  
25 business which are determined by the department of justice to be unfair. The

1 department of justice, after public hearing, may issue general orders prescribing  
2 methods of competition in business or trade practices in business which are  
3 determined by the department of justice to be fair.

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

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

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

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

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

20 100.20 (4) ~~The If the~~ department of justice ~~may file a written complaint with~~  
21 ~~the department alleging that the~~ has reason to believe that a person named is  
22 employing unfair methods of competition in business or unfair trade practices in  
23 business or both. ~~Whenever such a complaint is filed,~~ it shall be the duty of the  
24 department of justice to proceed, after proper notice and in accordance with its rules,  
25 to the hearing and adjudication of the ~~matters alleged, and a representative of the~~

1 ~~department of justice designated by the attorney general may appear before the~~  
2 ~~department in such proceedings. The department of justice shall be entitled to~~  
3 ~~judicial review of the decisions and orders of the department under ch. 227 matter.~~

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

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

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

14 100.201 (6) (d) The failure to pay fees under this subsection within the time  
15 provided under par. (c) is a violation of this section. The department of justice may  
16 also commence an action to recover the amount of any overdue fees plus interest at  
17 the rate of 2% per month for each month that the fees are delinquent.

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

20 100.201 (8m) JURISDICTION. (intro.) This section shall apply to transactions,  
21 acts or omissions which take place in whole or in part outside this state. In any action  
22 or administrative proceeding the department of justice has jurisdiction of the person  
23 served under s. 801.11 when any act or omission outside this state by the defendant  
24 or respondent results in local injury or may have the effect of injuring competition

1 or a competitor in this state or unfairly diverts trade or business from a competitor,  
2 if at the time:

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

4 100.201 (9) (b) The department, after public hearing held under s. 93.18, may  
5 issue a special order against any person requiring such person to cease and desist  
6 from acts, practices or omissions determined by the department to violate this  
7 section. Such orders shall be subject to judicial review under ch. 227. Any violation  
8 of a special order issued hereunder shall be punishable as a contempt under ch. 785  
9 in the manner provided for disobedience of a lawful order of a court, upon the filing  
10 of an affidavit by the department of justice of the commission of such violation in any  
11 court of record in the county where the violation occurred.

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

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

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

20 100.205 (7) The department of justice, or any district attorney on informing the  
21 department of justice, may commence an action in circuit court in the name of the  
22 state to restrain by temporary or permanent injunction any violation of this section.  
23 The court may, before entry of final judgment and after satisfactory proof, make  
24 orders or judgments necessary to restore to any person any pecuniary loss suffered  
25 because of a violation of this section. The department of justice may conduct

1 hearings, administer oaths, issue subpoenas and take testimony to aid in its  
2 investigation of violations of this section.

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

4 100.205 (8) The department of justice or any district attorney may commence  
5 an action in the name of the state to recover a forfeiture to the state of not more than  
6 \$10,000 for each violation of this section.

7 **\*b3052/1.8\* SECTION 263nn.** 100.207 (1) of the statutes is renumbered 100.207

8 (1) (intro.) and amended to read:

9 100.207 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,  
10 ~~“telecommunications:~~

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

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

13 100.207 (1) (a) Notwithstanding s. 93.01 (3), “department” means the  
14 department of justice.

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

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

1 because of the acts or practices involved in the action if proof of these acts or practices  
2 is submitted to the satisfaction of the court.

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

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

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

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

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

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

24 \*b3052/1.8\* **SECTION 263pb.** 100.207 (6) (em) 2. of the statutes is amended to  
25 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 **\*-4548/2.71\* \*-3266/P1.46\* SECTION 264.** 100.2095 (6) (d) of the statutes is  
8 amended to read:

9 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less  
10 than ~~\$100 nor~~ more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~  
11 9 months or both. Each day of violation constitutes a separate offense.

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

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

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

20 100.21 (4) (a) (intro.) The department may, after public hearing, issue general  
21 or special orders ~~under s. 100.20:~~

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

23 100.22 (4) (b) The department of justice may, without alleging or proving that  
24 no other adequate remedy at law exists, bring an action to enjoin violations of this

1 section or a special order issued under this section in the circuit court for the county  
2 where the alleged violation occurred.

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

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

8 **\*-4548/2.72\* \*-3266/P1.47\* SECTION 265.** 100.26 (2) of the statutes is  
9 amended to read:

10 100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~  
11 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~  
12 ~~6 months or both is guilty of a Class I felony.~~

13 **\*-4548/2.73\* \*-3266/P1.48\* SECTION 266.** 100.26 (5) of the statutes, as  
14 affected by 2001 Wisconsin Act 16, is amended to read:

15 100.26 (5) Any person violating s. 100.18 (9) ~~shall~~ may be fined not less than  
16 ~~\$100 nor~~ more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years 9 months~~  
17 or both. Each day of violation constitutes a separate offense.

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

19 100.26 (6) ~~The department, the department of justice, after consulting with the~~  
20 ~~department, or any district attorney may commence an action in the name of the~~  
21 ~~state to recover a civil forfeiture to the state of not less than \$100 nor more than~~  
22 ~~\$10,000 for each violation of~~ Any person violating an injunction issued under s.  
23 100.18, 100.182 or 100.20 (6). ~~The department of agriculture, trade and consumer~~  
24 ~~protection or any district attorney may commence an action in the name of the state~~  
25 ~~to recover a civil is subject to a forfeiture of not less than \$100 nor more than \$10,000~~

1 for each violation. Any person violating an order issued under s. 100.20 is subject  
2 to a forfeiture to the state of not less than \$100 nor more than \$10,000 for each  
3 violation of ~~an order issued under s. 100.20.~~

4 \*~~4548/2.74~~\* \*~~3266/P1.49~~\* **SECTION 267.** 100.26 (7) of the statutes is  
5 amended to read:

6 100.26 (7) Any person violating s. 100.182 shall may be fined not less than \$500  
7 ~~nor~~ more than ~~\$5,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or  
8 both for each offense. Each unlawful advertisement published, printed or mailed on  
9 separate days or in separate publications, hand bills or direct mailings is a separate  
10 violation of this section.

11 \***b3052/1.11**\* **SECTION 267kb.** 100.261 (3) (b) of the statutes, as affected by  
12 2001 Wisconsin Act 16, is amended to read:

13 100.261 (3) (b) The state treasurer shall deposit the consumer protection  
14 assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch.  
15 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them  
16 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.  
17 (c).

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

19 100.261 (3) (d) The state treasurer shall deposit the consumer protection  
20 assessment amounts imposed for a violation of this chapter, a rule promulgated  
21 under this chapter, or an ordinance enacted under this chapter in the general fund  
22 and shall credit them to the appropriation account under s. 20.455 (1) (g), subject to  
23 the limit under par. (e).

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

1           100.261 (3) (e) The amount credited to the appropriation account under s.  
2           20.455 (1) (g) may not exceed \$185,000 in each fiscal year.

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

4           **100.263 Recovery.** In addition to other remedies available under this chapter,  
5           the court may award ~~the department~~ the reasonable and necessary costs of  
6           investigation and an amount reasonably necessary to remedy the harmful effects of  
7           the violation and the court may award ~~the department of justice~~ the reasonable and  
8           necessary expenses of prosecution, including attorney fees, from any person who  
9           violates this chapter. ~~The department and the department of justice~~ amounts  
10          awarded under this subsection shall ~~deposit~~ be deposited in the state treasury for  
11          deposit in the general fund ~~all moneys that the court awards to the department, the~~  
12          ~~department of justice or the state under this section. Ten percent of the money~~  
13          ~~deposited in the general fund that was awarded under this section for the costs of~~  
14          ~~investigation and the expenses of prosecution, including attorney fees, shall be~~  
15          ~~credited to the appropriation account under s. 20.455 (1) (gh).~~

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

17          100.28 (4) (b) In lieu of or in addition to forfeitures under par. (a), the  
18          department of justice may seek an injunction restraining any person from violating  
19          this section.

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

21          100.28 (4) (c) The department of justice, or any district attorney upon the  
22          request of the department of justice, may commence an action in the name of the  
23          state under par. (a) or (b).

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

1           100.31 (4) PENALTIES. For any violation of this section, the department of of  
2 justice or a district attorney may commence an action on behalf of the state to recover  
3 a forfeiture of not less than \$100 nor more than \$10,000 for each offense. Each  
4 delivery of a drug sold to a purchaser at a price in violation of this section and each  
5 separate day in violation of an injunction issued under this section is a separate  
6 offense.

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

8           100.31 (5) SPECIAL REMEDIES. The department of of justice or a district attorney  
9 may bring an action to enjoin a violation of this section without being compelled to  
10 allege or prove that an adequate remedy at law does not exist. An action under this  
11 subsection may be commenced and prosecuted by the department of of justice or a  
12 district attorney, in the name of the state, in a circuit court in the county where the  
13 offense occurred or in Dane County, notwithstanding s. 801.50.

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

15           100.37 (1) (am) Notwithstanding s. 93.01 (3), “department” means the  
16 department of justice.

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

18           100.38 (5) INSPECTION. The department of of justice shall enforce this section by  
19 inspection, chemical analyses or any other appropriate method and the department  
20 of of justice may promulgate such rules as are necessary to effectively enforce this  
21 section.

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

23           100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze which is  
24 adulterated or misbranded. In addition to the penalties provided under sub. (7), the  
25 department of of justice may bring an action to enjoin violations of this section.

1           **\*b3052/1.11\* SECTION 267kr.** 100.41 (1) (bn) of the statutes is created to read:  
2           100.41 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the  
3           department of justice.

4           **\*b3052/1.11\* SECTION 267ks.** 100.42 (1) (cm) of the statutes is created to read:  
5           100.42 (1) (cm) Notwithstanding s. 93.01 (3), “department” means the  
6           department of justice.

7           **\*b3052/1.11\* SECTION 267kt.** 100.43 (1) (am) of the statutes is created to read:  
8           100.43 (1) (am) Notwithstanding s. 93.01 (3), “department” means the  
9           department of justice.

10           **\*b3052/1.11\* SECTION 267ku.** 100.44 (5) of the statutes is amended to read:  
11           100.44 (5) ENFORCEMENT. For any violation of sub. (3), the department of justice  
12           may, on behalf of the state, bring an action in any court of competent jurisdiction for  
13           the recovery of forfeitures authorized under sub. (4), for temporary or permanent  
14           injunctive relief and for any other appropriate relief. The court may make any order  
15           or judgment that is necessary to restore to any person any pecuniary loss suffered  
16           because of a violation of sub. (3) if proof of the loss is shown to the satisfaction of the  
17           court.

18           **\*b3052/1.11\* SECTION 267kv.** 100.46 (1) of the statutes is amended to read:  
19           100.46 (1) ENERGY CONSERVATION STANDARDS. The department of justice may by  
20           rule adopt energy conservation standards for products that have been established in  
21           or promulgated under 42 USC 6291 to 6309.

22           **\*b3052/1.11\* SECTION 267kw.** 100.46 (2) of the statutes is amended to read:  
23           100.46 (2) PROHIBITED ACTS; ENFORCEMENT. No person may sell at retail, install  
24           or cause to be installed any product that is not in compliance with rules promulgated  
25           under sub. (1). In addition to other penalties and enforcement procedures, the

1 department of justice may apply to a court for a temporary or permanent injunction  
2 restraining any person from violating a rule adopted under sub. (1).

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

4 100.50 (6) (b) In lieu of or in addition to the remedy under par. (a), the  
5 department of justice may seek an injunction restraining any person from violating  
6 this section.

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

8 100.50 (6) (c) The department of justice, or any district attorney upon the  
9 request of the department of justice, may commence an action in the name of the  
10 state under par. (a) or (b).

11 **\*b3052/1.11\* SECTION 267kz.** 100.52 (1) (bn) of the statutes is created to read:

12 100.52 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the  
13 department of justice.

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

16 101.01 (11) “Place of employment” includes every place, whether indoors or out  
17 or underground and the premises appurtenant thereto where either temporarily or  
18 permanently any industry, trade, or business is carried on, or where any process or  
19 operation, directly or indirectly related to any industry, trade, or business, is carried  
20 on, and where any person is, directly or indirectly, employed by another for direct or  
21 indirect gain or profit, but does not include any place where persons are employed  
22 in private domestic service which does not involve the use of mechanical power or in  
23 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~  
24 ~~includes;~~ the transportation of farm products, supplies, or equipment directly to the  
25 farm by the operator of the farm or employees for use thereon, if such activities are

1 directly or indirectly for the purpose of producing commodities for market, or as an  
2 accessory to such production; and the operation of a horse boarding facility or horse  
3 training facility that does not contain an area for the public to view a horse show.

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

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

11 101.01 (12) “Public building” means any structure, including exterior parts of  
12 such building, such as a porch, exterior platform, or steps providing means of ingress  
13 or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,  
14 traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation  
15 to building codes, “public building” does not include a horse boarding facility or horse  
16 training facility that does not contain an area for the public to view a horse show or  
17 a previously constructed building used as a community-based residential facility as  
18 defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the  
19 operator or administrator or an adult family home, as defined in s. 50.01 (1).

20 **\*-4548/2.75\* SECTION 268.** 101.10 (4) (b) of the statutes, as created by 2001  
21 Wisconsin Act 3, is amended to read:

22 101.10 (4) (b) Except as provided in par. (c), any person who violates sub. (3)  
23 ~~may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6~~  
24 ~~months, or both, for each violation is guilty of a Class I felony.~~ Notwithstanding s.  
25 101.02 (12), each act in violation of sub. (3) constitutes a separate offense.

1           \*~~4548/2.76~~\* \*~~3266/P1.50~~\* **SECTION 269.** 101.143 (10) (b) of the statutes is  
2 amended to read:

3           101.143 (10) (b) Any owner or operator, person owning a home oil tank system  
4 or service provider who intentionally destroys a document that is relevant to a claim  
5 for reimbursement under this section ~~may be fined not more than \$10,000 or~~  
6 ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony.

7           \***b3052/1.12**\* **SECTION 269m.** 101.175 (3) (intro.) of the statutes is amended to  
8 read:

9           101.175 (3) (intro.) The department, in consultation with the department of  
10 ~~agriculture, trade and consumer protection~~ justice, shall establish by rule quality  
11 standards for local energy resource systems which do not impede development of  
12 innovative systems but which do:

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

14           **101.563 Payments without regard to eligibility; calendar years 2000 to**  
15 **2004. (1) ENTITLEMENT TO DUES. (a) *Payments from calendar year 2000 dues.***  
16 Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to (5), the department  
17 shall pay the amount determined under sub. (2) (a) to every city, village, and town  
18 that was ineligible to receive a proportionate share of fire department dues collected  
19 for calendar year 2000 as a result of that city, village, or town failing to satisfy all  
20 eligibility requirements under s. 101.575 (1) and (3) to (5) or to demonstrate to the  
21 department that the city, village, or town was eligible under s. 101.575 (1) and (3) to  
22 (5) to receive a proportionate share of the fire department dues.

23           (b) *Payments from dues for calendar years 2001 to 2004.* Notwithstanding ss.  
24 101.573 (3) (a) and 101.575 (1) and (3) to (5) and except as otherwise provided in this  
25 paragraph, the department may not withhold payment of a proportionate share of

1 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based  
2 upon the failure of that city, village, or town to satisfy all eligibility requirements  
3 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,  
4 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive a proportionate  
5 share of fire department dues. This paragraph applies only to the payment of a  
6 proportionate share of fire department dues collected for calendar years 2001 to  
7 2004.

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

23 (b) *Payments from dues for calendar years 2001 to 2004.* 1. 'Payments from  
24 calendar year 2001 dues.' Notwithstanding s. 101.575 (3) (a), by the 30th day  
25 following the effective date of this subdivision .... [revisor inserts date], the

1 department shall compile the fire department dues paid by all insurers under s.  
2 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds  
3 remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under  
4 par. (a), withhold 0.5%, and certify to the state treasurer the proper amount to be paid  
5 from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled  
6 to a proportionate share of fire department dues as provided under sub. (1) (b) and  
7 s. 101.575. If the department has previously certified an amount to the state  
8 treasurer under s. 101.57 (3) (a) during calendar year 2002, the department shall  
9 recertify the amount in the manner provided under this subdivision. On or before  
10 August 1, 2002, the state treasurer shall pay the amounts certified or recertified by  
11 the department under this subdivision to each city, village, and town entitled to a  
12 proportionate share of fire department dues as provided under sub. (1) and s.  
13 101.575. The state treasurer may combine any payment due under this subdivision  
14 with any amount due to be paid on or before August 1, 2002, to the same city, village,  
15 or town under par. (a).

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

1 city, village, and town. This paragraph applies only to payment of a proportionate  
2 share of fire department dues collected for calendar years 2002 to 2004.

3 3. The amounts withheld under subds. 1. and 2. shall be disbursed to correct  
4 errors of the department or the commissioner of insurance. The department shall  
5 certify to the state treasurer the amount that must be disbursed to correct an error  
6 and the state treasurer shall pay the amount to the specified city, village, or town.  
7 The balance of the amount withheld in a calendar year under subds. 1. or 2., as  
8 applicable, which is not disbursed under this subdivision shall be included in the  
9 total compiled by the department under subd. 2. for the next calendar year, except  
10 that amounts withheld under subd. 2. from fire department dues collected for  
11 calendar year 2004 that are not disbursed under this subdivision shall be included  
12 in the total compiled by the department under s. 101.573 (3) (a) for the next calendar  
13 year. If errors in payments exceed the amount withheld, adjustments shall be made  
14 in the distribution for the next year.

15 (3) NOTICES OF INELIGIBILITY AND DEPARTMENTAL AUDITS; EXCEPTIONS. Except as  
16 otherwise provided in this subsection and notwithstanding s. 101.575 (1) (am) and  
17 (4) (a) 2., the department may not issue a notice of noncompliance with regard to a  
18 city, village, or town that fails to satisfy all eligibility requirements under s. 101.575  
19 (1) and (3) to (5) and may not audit any city, village, town, or fire department for  
20 purposes of determining whether the city, village, town, or fire department complies  
21 with s. 101.575 (6) and s. 101.14 (2). This subsection does not apply after August 1,  
22 2005.

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

24 101.573 (4) The department shall transmit to the treasurer of each city, village,  
25 and town entitled to fire department dues, a statement of the amount of dues payable

1 to it ~~under this section~~, and the commissioner of insurance shall furnish to the state  
2 treasurer, upon request, a list of the insurers paying dues under s. 601.93 and the  
3 amount paid by each.

4 \*~~4548/2.77~~\* **SECTION 270.** 101.9204 (2) of the statutes is amended to read:

5 101.9204 (2) Any person who knowingly makes a false statement in an  
6 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
7 ~~for not more than 5 years or both~~ is guilty of a Class H felony.

8 \*~~4548/2.78~~\* \*~~3266/P1.51~~\* **SECTION 271.** 101.94 (8) (b) of the statutes is  
9 amended to read:

10 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who  
11 knowingly and wilfully violates this subchapter in a manner which threatens the  
12 health or safety of a purchaser ~~shall~~ may be fined not more than \$1,000 \$10,000 or  
13 imprisoned for not more than 2 years 9 months or both.

14 \*~~4548/2.79~~\* \*~~3266/P1.52~~\* **SECTION 272.** 102.835 (11) of the statutes is  
15 amended to read:

16 102.835 (11) **EVASION.** Any person who removes, deposits or conceals or aids in  
17 removing, depositing or concealing any property upon which a levy is authorized  
18 under this section with intent to evade or defeat the assessment or collection of any  
19 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~  
20 ~~6 months or both~~, is guilty of a Class I felony and shall be liable to the state for the  
21 costs of prosecution.

22 \*~~4548/2.80~~\* \*~~3266/P1.53~~\* **SECTION 273.** 102.835 (18) of the statutes is  
23 amended to read:

24 102.835 (18) **RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY.** No  
25 employer may discharge or otherwise discriminate with respect to the terms and

1 conditions of employment against any employee by reason of the fact that his or her  
2 earnings have been subject to levy for any one levy or because of compliance with any  
3 provision of this section. Whoever wilfully violates this subsection may be fined not  
4 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2-years~~ 9 months or both.

5 ~~\*-4548/2.81\*~~ ~~\*-3266/P1.54\*~~ **SECTION 274.** 102.85 (3) of the statutes is  
6 amended to read:

7 102.85 (3) An employer who violates an order to cease operations under s.  
8 ~~102.28 (4) may be fined not more than \$10,000 or imprisoned for not more than 3~~  
9 ~~years or both~~ is guilty of a Class I felony.

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

11 103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's  
12 agent performing work on a project that is subject to this section shall keep full and  
13 accurate records clearly indicating the name and trade or occupation of every person  
14 performing the work described in sub. (2m) and an accurate record of the number of  
15 hours worked by each of those persons and the actual wages paid for the hours  
16 worked. If requested by any person, a contractor, subcontractor, or contractor's or  
17 subcontractor's agent performing work on a project that is subject to this section  
18 shall permit that person to inspect and copy any of those records to the same extent  
19 as if the record were maintained by the department, except that s. 19.36 (3) does not  
20 limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit  
21 inspection and copying of a record under this paragraph. Before permitting the  
22 inspection and copying of a record under this paragraph, a contractor, subcontractor,  
23 or contractor's or subcontractor's agent shall delete from the record any personally  
24 identifiable information, as defined in s. 19.62 (5), contained in the record about any  
25 person performing the work described in sub. (2m) other than the trade or occupation

1 of the person, the number of hours worked by the person, and the actual wages paid  
2 for those hours worked.

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

4 103.50 (6m) RECORDS; INSPECTION. Each contractor, subcontractor, or  
5 contractor's or subcontractor's agent performing work on a project that is subject to  
6 this section shall keep full and accurate records clearly indicating the name and  
7 trade or occupation of every person performing the work described in sub. (2m) and  
8 an accurate record of the number of hours worked by each of those persons and the  
9 actual wages paid for the hours worked. If requested by any person, a contractor,  
10 subcontractor, or contractor's or subcontractor's agent performing work on a project  
11 that is subject to this section shall permit that person to inspect and copy any of those  
12 records to the same extent as if the record were maintained by the department,  
13 except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or  
14 subcontractor's agent to permit inspection and copying of a record under this  
15 subsection. Before permitting the inspection and copying of a record under this  
16 subsection, a contractor, subcontractor, or contractor's or subcontractor's agent shall  
17 delete from the record any personally identifiable information, as defined in s. 19.62  
18 (5), contained in the record about any person performing the work described in sub.  
19 (2m) other than the trade or occupation of the person, the number of hours worked  
20 by the person, and the actual wages paid for those hours worked.

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

22 103.67 (1) A minor 14 to 18 years of age ~~shall~~ may not be employed or permitted  
23 to work in any gainful occupation during the hours that the minor is required to  
24 attend school under s. 118.15 unless the minor has completed high school, except that  
25 any minor may be employed in a public ~~exhibitions~~ exhibition as provided in s. 103.78

1 and a minor 16 years of age or over may be employed as an election inspector as  
2 provided in s. 7.30 (2) (am).

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

4 103.68 (1) No minor shall be employed or permitted to work at any gainful  
5 occupation other than domestic service ~~or~~, farm labor, or service as an election  
6 inspector under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than  
7 40 hours nor more than 6 days in any one week, nor during such hours as the minor  
8 is required under s. 118.15 (2) to attend school.

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

10 103.70 (2) Minors may be employed without permits in any employment  
11 limited to work in or around a home in work usual to the home of the employer, if the  
12 employment is not in connection with or a part of the business, trade, or profession  
13 of the employer, is in accordance with the minimum age stated in s. 103.67 (2) (d) (f),  
14 and is not specifically prohibited by ss. 103.64 to 103.82 or by any order of the  
15 department. Minors may also be employed without permits as election inspectors  
16 as provided in s. 7.30 (2) (am).

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

18 106.50 (5m) (d) Nothing in this section requires that housing be made available  
19 to an individual whose tenancy would constitute a direct threat to the safety of other  
20 tenants or persons employed on the property or whose tenancy would result in  
21 substantial physical damage to the property of others, if the risk of direct threat or  
22 damage cannot be eliminated or sufficiently reduced through reasonable  
23 accommodations. A claim that an individual's tenancy poses a direct threat or a  
24 substantial risk of harm or damage must be evidenced by behavior by the individual  
25 ~~which that~~ caused harm or damage, which that directly threatened harm or damage,

1 or ~~which~~ that caused a reasonable fear of harm or damage to other tenants, persons  
2 employed on the property, or the property. No claim that an individual's tenancy  
3 would constitute a direct threat to the safety of other persons or would result in  
4 substantial damage to property may be based on the fact that a tenant has been or  
5 may be the victim of domestic abuse, as defined in s. 813.12 (1) ~~(a)~~ (am).

6 \*~~4548/2.82~~\* \*~~3266/P1.55~~\* **SECTION 275.** 108.225 (11) of the statutes is  
7 amended to read:

8 108.225 (11) **EVASION.** Any person who removes, deposits or conceals or aids in  
9 removing, depositing or concealing any property upon which a levy is authorized  
10 under this section with intent to evade or defeat the assessment or collection of any  
11 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~  
12 ~~6 months or both,~~ is guilty of a Class I felony and shall be liable to the state for the  
13 costs of prosecution.

14 \*~~4548/2.83~~\* \*~~3266/P1.56~~\* **SECTION 276.** 108.225 (18) of the statutes is  
15 amended to read:

16 108.225 (18) **RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY.** No  
17 employer may discharge or otherwise discriminate with respect to the terms and  
18 conditions of employment against any employee by reason of the fact that his or her  
19 earnings have been subject to levy for any one levy or because of compliance with any  
20 provision of this section. Whoever wilfully violates this subsection may be fined not  
21 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

22 \*~~4548/2.84~~\* \*~~0590/P5.9~~\* **SECTION 277.** 110.07 (5) (a) of the statutes is  
23 amended to read:



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SUBCHAPTER VIII  
TECHNOLOGY FOR EDUCATIONAL  
ACHIEVEMENT

**\*b2748/1.1\* SECTION 280n.** 118.12 (4) of the statutes is created to read:

118.12 (4) If a school board enters into a contract that grants to one vendor the exclusive right to sell soft drinks in one or more schools of the school district, the contract may not prohibit the sale of milk in any school and, to the maximum extent possible, the school board shall ensure that milk is available to pupils in each school covered by the contract whenever and wherever the soft drinks are available to pupils.

**\*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.

**\*-4548/2.87\* \*-0590/P5.11\* SECTION 281.** 118.19 (4) (a) of the statutes is amended to read:

118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent may not grant a license, for 6 years following the date of the conviction, to any person

1 who has been convicted of any Class A, B, C, or D felony under ch. 940 or 948, except  
2 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a  
3 violation that occurs on or after September 12, 1991, ~~for 6 years following the date~~  
4 ~~of the conviction, and or any Class E, F, G, or H felony under ch. 940 or 948, except~~  
5 ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this  
6 paragraph .... [revisor inserts date]. The state superintendent may grant the license  
7 only if the person establishes by clear and convincing evidence that he or she is  
8 entitled to the license.

9 **\*-4559/1.1\* SECTION 282.** 118.30 (1m) (d) of the statutes is amended to read:

10 118.30 (1m) (d) If the school board operates high school grades, beginning in  
11 the ~~2002-03~~ 2004-05 school year administer the high school graduation  
12 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in  
13 the school district, including pupils enrolled in charter schools located in the school  
14 district, in the 11th and 12th grades. The school board shall administer the  
15 examination at least twice each school year and may administer the examination  
16 only to pupils enrolled in the 11th and 12th grades.

17 **\*-4559/1.2\* SECTION 283.** 118.30 (1r) (d) of the statutes is amended to read:

18 118.30 (1r) (d) If the charter school operates high school grades, beginning in  
19 the ~~2002-03~~ 2004-05 school year, administer the high school graduation  
20 examination adopted by the operator of the charter school under sub. (1g) (b) to all  
21 pupils enrolled in the 11th and 12th grades in the charter school. The operator of the  
22 charter school shall administer the examination at least twice each school year and  
23 may administer the examination only to pupils enrolled in the 11th and 12th grades.

24 **\*-4559/1.3\* SECTION 284.** 118.33 (1) (f) of the statutes is amended to read:

1           118.33 (1) (f) 1. By September 1, ~~2002~~ 2004, each school board operating high  
2 school grades shall develop a written policy specifying criteria for granting a high  
3 school diploma that are in addition to the requirements under par. (a). The criteria  
4 shall include the pupil's score on the examination administered under s. 118.30 (1m)  
5 (d), the pupil's academic performance, and the recommendations of teachers. Except  
6 as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located  
7 in the school district.

8           2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40  
9 (2r) that operates high school grades shall develop a policy specifying criteria for  
10 granting a high school diploma. The criteria shall include the pupil's score on the  
11 examination administered under s. 118.30 (1r) (d), the pupil's academic  
12 performance, and the recommendations of teachers.

13           3. Beginning on September 1, ~~2003~~ 2005, neither a school board nor an  
14 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to  
15 any pupil unless the pupil has satisfied the criteria specified in the school board's or  
16 charter school's policy under subd. 1. or 2.

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

18           120.18 (1) (i) A description of the educational technology used by the school  
19 district, including the uses made of the technology, the cost of the technology and the  
20 number of persons using or served by the technology. In this paragraph, "educational  
21 technology" has the meaning given in s. ~~44.70 (3)~~ 115.997 (3).

22           **\*b2296/2.5\* SECTION 284m.** 121.05 (1) (a) 13. of the statutes is created to read:

23           121.05 (1) (a) 13. Pupils attending the Youth Challenge program under s. 21.26.

24           **\*-4490/6.2\* SECTION 285.** 121.07 (7) (a) of the statutes is amended to read:

1           121.07 (7) (a) The “primary guaranteed valuation per member” is \$2,000,000  
2           \$1,930,000.

3           **\*b2296/2.6\* SECTION 285m.** 121.095 of the statutes is created to read:

4           **121.095 State aid adjustment; Youth Challenge program.** (1) Annually  
5           the department shall reduce each school district’s state aid payment under s. 121.08,  
6           or other state aid payments, if necessary, by an amount calculated as follows:

7           (a) Determine the number of pupils counted in the school district’s membership  
8           who are attending the Youth Challenge program under s. 21.26.

9           (b) Multiply the result under par. (a) by the lesser of the following:

10           1. The amount determined by the department of military affairs under s. 21.26

11           (2) (a).

12           2. The amount determined for the school district under s. 121.91 (2m) (e) 3. for  
13           the current school year.

14           (2) From the appropriation under s. 20.255 (2) (ac), annually the department  
15           of public instruction shall pay to the department of military affairs an amount equal  
16           to the sum of the reductions under sub. (1). The department of public instruction  
17           shall ensure that the aid adjustment under sub. (1) does not affect the amount  
18           determined to be received by a school district as state aid under s. 121.08 or for any  
19           other purpose.

20           **\*-4490/6.3\* SECTION 286.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001  
21           Wisconsin Act 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

22           121.15 (3m) (a) 1. (intro.) “Partial school revenues” means the sum of state  
23           school aids, other than the amounts appropriated under s. 20.255 (2) and (cv),  
24           property taxes levied for school districts and aid paid to school districts under s.  
25           79.095 (4), less the all of the following:

1           a. The amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a  
2 school board's increasing the services that it provides by adding responsibility for  
3 providing a service transferred to it from another school board,~~less the~~

4           b. The amount of any revenue limit increase under s. 121.91 (4) (a) 3.,~~less the~~

5           c. The amount of any revenue limit increase under s. 121.91 (4) (j),~~less the~~

6           d. The amount of any revenue limit increase under s. 121.91 (4) (h),~~less the~~

7           e. The amount of any property taxes levied for the purpose of s. 120.13 (19),~~and~~  
8 less an.

9           f. An amount equal to 45% of the amount estimated to be paid under s. 119.23  
10 (4) and (4m).

11           \*~~4490/6.4~~ **SECTION 287.** 121.15 (3m) (a) 1. g. of the statutes is created to read:

12           121.15 (3m) (a) 1. g. The amount by which the property tax levy for debt service  
13 on debt that has been approved by a referendum exceeds \$490,000,000.

14           \***b3033/2.14** **SECTION 287d.** 121.15 (3m) (a) 2. of the statutes, as affected by  
15 2001 Wisconsin Act 16, is amended to read:

16           121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s.  
17 20.255 (1) (b) and (2), other than s. 20.255 (2) (fm), (fu), (k), and (m), and under ss.  
18 ~~20.275 (1) (d)~~, 20.255 (4) (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids  
19 appropriated under s. ~~20.275 (1)~~ 20.255 (4) (s) that are used to provide grants or  
20 educational telecommunications access to school districts under s. ~~44.73~~ 115.9995.

21           \***b2320/1.3** **SECTION 287m.** 121.15 (3m) (b) of the statutes is amended to read:

22           121.15 (3m) (b) By May 15, ~~1999~~ 2003, and annually by May 15 thereafter, the  
23 department, the department of administration and the legislative fiscal bureau shall  
24 jointly certify to the joint committee on finance an estimate of the amount necessary  
25 to appropriate under s. 20.255 (2) (ac) in the following school year to ensure that the

1 sum of state school aids and the school levy tax credit under s. 79.10 (4) equals  
2 two-thirds of partial school revenues.

3 **\*-4490/6.5\* SECTION 288.** 121.15 (3m) (c) of the statutes is amended to read:

4 121.15 (3m) (c) By June 30, ~~1999~~ 2004, and annually biennially by June 30  
5 thereafter, the joint committee on finance shall determine the amount appropriated  
6 under s. 20.255 (2) (ac) in the following school year.

7 **\*b2296/2.7\* SECTION 288m.** 121.90 (1) (intro.) of the statutes is amended to  
8 read:

9 121.90 (1) (intro.) “Number of pupils enrolled” means the number of pupils  
10 enrolled on the 3rd Friday of September, including pupils identified in s. 121.05 (1)  
11 (a) 1. to 11., and the number of pupils enrolled in the previous school year who were  
12 attending the Youth Challenge program in the previous school year, except that  
13 “number of pupils enrolled” excludes the number of pupils attending public school  
14 under s. 118.145 (4) and except as follows:

15 **\*-4548/2.88\* \*-3266/P1.58\* SECTION 289.** 125.075 (2) of the statutes is  
16 renumbered 125.075 (2) (a) and amended to read:

17 125.075 (2) (a) ~~Whoever violates sub. (1) may be fined not more than \$10,000~~  
18 ~~or imprisoned for not more than 7 years and 6 months or both is guilty of a Class H~~  
19 felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

20 **\*-4548/2.89\* \*-3266/P1.59\* SECTION 290.** 125.075 (2) (b) of the statutes is  
21 created to read:

22 125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the  
23 underage person dies.

24 **\*-4548/2.90\* \*-3266/P1.60\* SECTION 291.** 125.085 (3) (a) 2. of the statutes is  
25 amended to read:

1           125.085 (3) (a) 2. Any person who violates subd. 1. for money or other  
2           consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~  
3           ~~3 years or both~~ is guilty of a Class I felony.

4           \*~~4548/2.91~~\* \*~~3266/P1.61~~\* **SECTION 292.** 125.105 (2) (b) of the statutes is  
5           amended to read:

6           125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,  
7           a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~  
8           ~~and 6 months or both~~ is guilty of a Class H felony.

9           \*~~4548/2.92~~\* \*~~3266/P1.62~~\* **SECTION 293.** 125.66 (3) of the statutes is  
10          amended to read:

11          125.66 (3) Any person manufacturing or rectifying intoxicating liquor without  
12          holding appropriate permits under this chapter, or any person who sells such liquor,  
13          ~~shall be fined not more than \$10,000 or imprisoned for not more than 15 years or~~  
14          ~~both. Second or subsequent convictions shall be punished by both the fine and~~  
15          ~~imprisonment~~ is guilty of a Class F felony.

16          \*~~4548/2.93~~\* \*~~3266/P1.63~~\* **SECTION 294.** 125.68 (12) (b) of the statutes is  
17          amended to read:

18          125.68 (12) (b) Whoever violates par. (a) ~~shall be fined not less than \$1,000 nor~~  
19          ~~more than \$5,000 or imprisoned for not less than one year nor more than 15 years~~  
20          ~~or both~~ is guilty of a Class F felony.

21          \*~~4548/2.94~~\* \*~~3266/P1.64~~\* **SECTION 295.** 125.68 (12) (c) of the statutes is  
22          amended to read:

23          125.68 (12) (c) Any person causing the death of another human being through  
24          the selling or otherwise disposing of, for beverage purposes, either denatured alcohol

1 or alcohol or alcoholic liquid redistilled from denatured alcohol, ~~shall be imprisoned~~  
2 ~~for not more than 15 years~~ is guilty of a Class E felony.

3 \*~~4548/2.95~~\* \*~~3266/P1.65~~\* **SECTION 296.** 132.20 (2) of the statutes is  
4 amended to read:

5 132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic  
6 in this state in a counterfeit mark or in any goods or service bearing or provided  
7 under a counterfeit mark ~~shall~~ is guilty of a Class H felony, except that,  
8 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an  
9 individual, he or she may be fined not more than \$250,000 ~~or imprisoned for not more~~  
10 ~~than 7 years and 6 months or both, or, and~~ if the person is not an individual, the  
11 person may be fined not more than \$1,000,000.

12 \*~~4548/2.96~~\* \*~~3266/P1.66~~\* **SECTION 297.** 133.03 (1) of the statutes is  
13 amended to read:

14 133.03 (1) Every contract, combination in the form of trust or otherwise, or  
15 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any  
16 contract or engages in any combination or conspiracy in restraint of trade or  
17 commerce is guilty of a Class H felony, except that, notwithstanding the maximum  
18 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if  
19 a corporation, or, if any other person, may be fined not more than \$50,000 ~~or~~  
20 ~~imprisoned for not more than 7 years and 6 months or both.~~

21 \*~~4548/2.97~~\* \*~~3266/P1.67~~\* **SECTION 298.** 133.03 (2) of the statutes is  
22 amended to read:

23 133.03 (2) Every person who monopolizes, or attempts to monopolize, or  
24 combines or conspires with any other person or persons to monopolize any part of  
25 trade or commerce is guilty of a Class H felony, except that, notwithstanding the

1 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than  
2 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000  
3 ~~or imprisoned for not more than 7 years and 6 months or both.~~

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

5 **133.16 Injunction; pleading; practice.** Any circuit court may prevent or  
6 restrain, by injunction or otherwise, any violation of this chapter. The department  
7 of justice, any district attorney or any person by complaint may institute actions or  
8 proceedings to prevent or restrain a violation of this chapter, setting forth the cause  
9 and grounds for the intervention of the court and praying that such violation,  
10 whether intended or continuing be enjoined or prohibited. When the parties  
11 informed against or complained of have been served with a copy of the information  
12 or complaint and cited to answer it, the court shall proceed, as soon as may be in  
13 accordance with its rules, to the hearing and determination of the case; and pending  
14 the filing of the answer to such information or complaint may, at any time, upon  
15 proper notice, make such temporary restraining order or prohibition as is just.  
16 Whenever it appears to the court that the ends of justice require that other persons  
17 be made parties to the action or proceeding the court may cause them to be made  
18 parties in such manner as it directs. The party commencing or maintaining the  
19 action or proceeding may demand and recover the cost of suit including reasonable  
20 attorney fees. In an action commenced by the department of justice, the court may  
21 award the department of justice the reasonable and necessary costs of investigation  
22 and an amount reasonably necessary to remedy the harmful effects of the violation.  
23 The department of justice shall deposit in the state treasury for deposit in the general  
24 fund all moneys that the court awards to the department or the state under this  
25 section. ~~Ten percent of the money deposited in the general fund that was awarded~~

1 ~~under this section for the costs of investigation and the costs of suit, including~~  
2 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).~~

3 Copies of all pleadings filed under this section shall be served on the department of  
4 justice.

5 ~~\*4548/2.98\*~~ ~~\*3266/P1.68\*~~ **SECTION 299.** 134.05 (4) of the statutes is  
6 amended to read:

7 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~  
8 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~  
9 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than  
10 9 months or both.

11 ~~\*4548/2.99\*~~ ~~\*3266/P1.69\*~~ **SECTION 300.** 134.16 of the statutes is amended  
12 to read:

13 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,  
14 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,  
15 brokerage or deposit company, corporation or institution, or of any person, company  
16 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit  
17 business in any way, or any person engaged in such business in whole or in part, who  
18 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any  
19 money, or any bills, notes or other paper circulating as money, or any notes, drafts,  
20 bills of exchange, bank checks or other commercial paper for safekeeping or for  
21 collection, when he or she knows or has good reason to know that such bank, company  
22 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~  
23 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~  
24 not more than \$10,000 is guilty of a Class F felony.

1           \*~~4548/2.100~~\* \*~~3266/P1.70~~\* **SECTION 301.** 134.20 (1) (intro.) of the statutes  
2 is amended to read:

3           134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following  
4 ~~shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6~~  
5 ~~months or both~~ is guilty of a Class H felony:

6           \*~~4548/2.101~~\* \*~~3266/P1.71~~\* **SECTION 302.** 134.205 (4) of the statutes is  
7 amended to read:

8           134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt  
9 without entering the same in a register as required by this section ~~shall be fined not~~  
10 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
11 guilty of a Class H felony.

12           \*~~4548/2.102~~\* \*~~3266/P1.72~~\* **SECTION 303.** 134.58 of the statutes is amended  
13 to read:

14           **134.58 Use of unauthorized persons as officers.** Any person who,  
15 individually, in concert with another or as agent or officer of any firm, joint-stock  
16 company or corporation, uses, employs, aids or assists in employing any body of  
17 armed persons to act as militia, police or peace officers for the protection of persons  
18 or property or for the suppression of strikes, not being authorized by the laws of this  
19 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~  
20 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

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

22           134.71 (12) APPLICATIONS AND FORMS. The department of agriculture, trade and  
23 consumer protection, in consultation with the department of justice, shall develop  
24 applications and other forms required under subs. (5) (intro.) and (8) (c). The  
25 department of agriculture, trade and consumer protection shall print a sufficient

1 number of applications and forms to provide to counties and municipalities for  
2 distribution to pawnbrokers, secondhand article dealers and secondhand jewelry  
3 dealers at no cost.

4 **\*b3090/1.1\* SECTION 313g.** 134.74 of the statutes is created to read:

5 **134.74 Nondisclosure of information on receipts.** (1) In this section:

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

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

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

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

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

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

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

24 **\*b3052/1.13\* SECTION 314p.** 136.03 (1) (intro.) of the statutes is amended to  
25 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           **\*-4548/2.103\* \*-3266/P1.73\* SECTION 316.** 139.44 (1) of the statutes is  
17 amended to read:

18           139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits  
19 any stamp or procures or causes the same to be done, or who knowingly utters,  
20 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who  
21 affixes the same to any package or container of cigarettes, or who possesses with the  
22 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps  
23 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~  
24 ~~years~~ is guilty of a Class G felony.

1           \*~~4548/2.104~~\* \*~~3266/P1.74~~\* **SECTION 317.** 139.44 (1m) of the statutes is  
2 amended to read:

3           139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette  
4 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~  
5 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

6           \*~~4548/2.105~~\* \*~~3266/P1.75~~\* **SECTION 318.** 139.44 (2) of the statutes is  
7 amended to read:

8           139.44 (2) Any person who makes or signs any false or fraudulent report or who  
9 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the  
10 evasion or attempted evasion of that tax ~~shall~~ may be fined not less than \$1,000 nor  
11 ~~more than \$5,000~~ \$10,000 or imprisoned for not less than 90 days nor more than 2  
12 ~~years~~ 9 months or both.

13           \*~~4548/2.106~~\* \*~~3266/P1.76~~\* **SECTION 319.** 139.44 (8) (c) of the statutes is  
14 amended to read:

15           139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~  
16 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a  
17 Class I felony.

18           \*~~4548/2.107~~\* **SECTION 320.** 139.85 (1) of the statutes is amended to read:

19           139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)  
20 apply to this subchapter. In addition, a person who violates s. 139.82 (8) ~~shall~~ may  
21 be fined not less than \$1,000 nor more than \$5,000 \$10,000 or imprisoned for not less  
22 ~~than 90 days nor more than one year~~ 9 months or both.

23           \*~~4548/2.108~~\* **SECTION 321.** 139.95 (2) of the statutes is amended to read:

24           139.95 (2) A dealer who possesses a schedule I controlled substance, a schedule  
25 II controlled substance or ketamine or flunitrazepam that does not bear evidence

1 that the tax under s. 139.88 has been paid ~~may be fined not more than \$10,000 or~~  
2 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
3 felony.

4 \*~~4548/2.109~~\* **SECTION 322.** 139.95 (3) of the statutes is amended to read:

5 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits  
6 any stamp or procures or causes the same to be done or who knowingly utters,  
7 publishes, passes or tenders as true any false, altered or counterfeit stamp or who  
8 affixes a counterfeit stamp to a schedule I controlled substance, a schedule II  
9 controlled substance or ketamine or flunitrazepam or who possesses a schedule I  
10 controlled substance, a schedule II controlled substance or ketamine or  
11 flunitrazepam to which a false, altered or counterfeit stamp is affixed ~~may be fined~~  
12 ~~not more than \$10,000 or imprisoned for not less than one year nor more than 15~~  
13 ~~years or both~~ is guilty of a Class F felony.

14 \*~~4548/2.110~~\* \*~~3266/P1.79~~\* **SECTION 324.** 146.345 (3) of the statutes is  
15 amended to read:

16 146.345 (3) Any person who violates this section is guilty of a Class H felony,  
17 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the  
18 person may be fined not more than \$50,000 ~~or imprisoned for not more than 7 years~~  
19 ~~and 6 months or both.~~

20 \*~~4548/2.111~~\* \*~~3266/P1.80~~\* **SECTION 325.** 146.35 (5) of the statutes is  
21 amended to read:

22 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~  
23 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
24 felony.

1           \*~~4572/4.7~~\* **SECTION 326.** 146.50 (1) (a) of the statutes is renumbered 146.50  
2 (1) (am).

3           \*~~4572/4.8~~\* **SECTION 327.** 146.50 (1) (ag) of the statutes is created to read:  
4           146.50 (1) (ag) “Act of terrorism” means a felony under ch. 939 to 951 that is  
5 committed with intent to terrorize and is committed under any of the following  
6 circumstances:

7           1. The person committing the felony causes bodily harm, great bodily harm, or  
8 death to another.

9           2. The person committing the felony causes damage to the property of another  
10 and the total property damaged is reduced in value by \$25,000 or more. For purposes  
11 of this subdivision, property is reduced in value by the amount that it would cost  
12 either to repair or replace it, whichever is less.

13           3. The person committing the felony uses force or violence or the threat of force  
14 or violence.

15           **SECTION 328.** 146.50 (1) (hr) of the statutes is created to read:

16           146.50 (1) (hr) “Governmental unit” means the United States; the state; any  
17 county, city, village, or town; or any political subdivision, department, division,  
18 board, or agency of the United States, the state, or any county, city, village, or town.

19           \*~~4572/4.9~~\* **SECTION 329.** 146.50 (1) (ig) of the statutes is created to read:

20           146.50 (1) (ig) “Intent to terrorize” means intent to influence the policy of a  
21 governmental unit by intimidation or coercion, to punish a governmental unit for a  
22 prior policy decision, to affect the conduct of a governmental unit by homicide or  
23 kidnapping, or to intimidate or coerce a civilian population.

24           \*~~b3074/1.1~~\* **SECTION 329r.** 146.50 (4) (title) of the statutes is amended to read:

1           146.50 (4) (title) AMBULANCE STAFFING AND OPERATIONAL PLANS; LIMITATIONS;  
2           RULES.

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

5           146.50 (4) (c) (intro.) Notwithstanding par. (a), the department may  
6           promulgate rules that establish standards for approval by the department of  
7           operational plans for the staffing of ambulances in which the primary services  
8           provided are those which an emergency medical technician – intermediate is  
9           authorized to provide or those which an emergency medical technician – paramedic  
10          is authorized to provide. Rules promulgated by the department under this  
11          paragraph may permit the department to approve an operational plan, for services  
12          that an emergency medical technician–paramedic is authorized to provide, that is  
13          submitted by an ambulance service provider that provided these services before  
14          January 1, 2000, only if the operational plan specifies all of the following for the  
15          transport of a patient in a prehospital setting:

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

17          146.50 (4) (c) 1. That the ambulance service provider ensures, in writing, that  
18          the ambulance is staffed with at least 2 emergency medical technicians–paramedic,  
19          licensed registered nurses, licensed physician assistants, or physicians or a  
20          combination of any 2 of these, who are trained in the use of all skills authorized by  
21          rule for an emergency medical technician–paramedic and are designated by the  
22          medical director of the ambulance service. This subdivision does not apply during  
23          an emergency when there is an agreement for the sharing of emergency services in  
24          place between a town, village, or city and another town, village, or city.

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

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

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

6           146.50 (4) (c) 3. That if an emergency medical technician–paramedic arrives  
7 at the scene of an emergency prior to the arrival of the ambulance staff, as specified  
8 in subd. 1., the emergency medical technician–paramedic may provide services using  
9 all skills authorized by rule for an emergency medical technician–paramedic.

10          ~~**\*4572/4.10\* SECTION 330.**~~ 146.50 (6) (a) 2. of the statutes is amended to read:

11          146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and  
12 training, including training for response to acts of terrorism, prescribed by the  
13 department or have presented evidence satisfactory to the department of sufficient  
14 education and training in the field of emergency care.

15          ~~**\*4572/4.11\* SECTION 331.**~~ 146.50 (6) (b) 2. of the statutes is amended to read:

16          146.50 (6) (b) 2. The department, in conjunction with the technical college  
17 system board, shall promulgate rules specifying training, education, or examination  
18 requirements, including requirements for training for response to acts of terrorism,  
19 for license renewals for emergency medical technicians.

20          ~~**\*4572/4.12\* SECTION 332.**~~ 146.50 (8) (b) 3. of the statutes is amended to read:

21          146.50 (8) (b) 3. The individual satisfactorily completes a first responder course  
22 that meets or exceeds the guidelines issued by the National Highway Traffic Safety  
23 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to  
24 acts of terrorism, and that is approved by the department.

25          ~~**\*4572/4.13\* SECTION 333.**~~ 146.50 (8) (c) of the statutes is amended to read:

1           146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,  
2           except as provided in ss. 146.51 and 146.52, the holder of the certificate shall  
3           satisfactorily complete a first responder refresher course that meets or exceeds the  
4           guidelines issued by the National Highway Traffic Safety Administration under 23  
5           CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that  
6           is approved by the department.

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

8           146.50 (13) (a) The department may promulgate rules necessary for  
9           administration of this section, as limited under sub. (4) (c).

10          **\*-4572/4.14\* SECTION 334.** 146.55 (1) (a) of the statutes is amended to read:

11          146.55 (1) (a) “Ambulance service” means the business of transporting sick,  
12          disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) ~~(a)~~ (am), to  
13          or from facilities or institutions providing health services.

14          **\*b2309/1.2\* SECTION 334g.** 146.56 (1) of the statutes, as affected by 2001  
15          Wisconsin Act 16, is amended to read:

16          146.56 (1) ~~Not later than July 1, 2002, the~~ The department shall develop and  
17          implement a statewide trauma care system. The department shall seek the advice  
18          of the statewide trauma advisory council under s. 15.197 (25) in developing and  
19          implementing the system, and, as part of the system, shall develop regional trauma  
20          advisory councils.

21          **\*-4548/2.112\* \*-3266/P1.81\* SECTION 335.** 146.60 (9) (am) of the statutes is  
22          amended to read:

23          146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person ~~shall~~  
24          may be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more  
25          than 2 years 9 months or both.

1           \*~~4548/2.113~~\* \*~~3266/P1.82~~\* **SECTION 336.** 146.70 (10) (a) of the statutes is  
2 amended to read:

3           146.70 (10) (a) Any person who intentionally dials the telephone number “911”  
4 to report an emergency, knowing that the fact situation which he or she reports does  
5 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more  
6 than 90 days or both for the first offense and ~~shall be fined not more than \$10,000~~  
7 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H  
8 felony for any other offense committed within 4 years after the first offense.

9           \*~~b3077/1.1~~\* **SECTION 336f.** 146.83 (1) (b) of the statutes is amended to read:  
10           146.83 (1) (b) Receive a copy of the patient’s health care records upon payment  
11 of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

12           \*~~b3077/1.1~~\* **SECTION 336g.** 146.83 (1) (c) of the statutes is amended to read:  
13           146.83 (1) (c) Receive a copy of the health care provider’s X-ray reports or have  
14 the X-rays referred to another health care provider of the patient’s choice upon  
15 payment of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

16           \*~~b3077/1.1~~\* **SECTION 336h.** 146.83 (3m) of the statutes is created to read:  
17           146.83 (3m) (a) The department shall, by rule, prescribe fees that are based on  
18 an approximation of actual costs. The fees, plus applicable tax, are the maximum  
19 amount that a health care provider may charge under sub. (1) (b) for duplicate  
20 patient health care records and under sub. (1) (c) for duplicate X-ray reports or the  
21 referral of X-rays to another health care provider of the patient’s choice. The rule  
22 shall also permit the health care provider to charge for actual postage or other actual  
23 delivery costs. In determining the approximation of actual costs for the purposes of  
24 this subsection, the department may consider all of the following factors:

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

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

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

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

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

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

11           **\*b3041/1.1\* SECTION 336j.** 146.96 of the statutes is created to read:

12           **146.96 Uniform claim processing form.** Beginning no later than July 1,  
13 2004, every health care provider, as defined in s. 146.81 (1), shall use the uniform  
14 claim processing form developed by the commissioner of insurance under s. 601.41  
15 (9) (b) when submitting a claim to an insurer.

16           **\*b3092/1.1\* SECTION 336jc.** 149.143 (1) (b) 1. a. of the statutes is amended to  
17 read:

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

1 from premiums collected from eligible persons with coverage under s. 149.146 set in  
2 accordance with s. 149.146 (2) (b).

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

5 149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with  
6 coverage under s. 149.14 (2) (a) to more than ~~150%~~ the rate at which premiums were  
7 set under subd. 1. a. but not more than 200% of the rate that a standard risk would  
8 be charged under an individual policy providing substantially the same coverage and  
9 deductibles as are provided under the plan and from eligible persons with coverage  
10 under s. 149.14 (2) (b) by a comparable amount in accordance with s. 149.14 (5m),  
11 including amounts received for premium and deductible subsidies under s. 149.144  
12 and under the transfer to the fund from the appropriation account under s. 20.435  
13 (4) (ah), and by increasing premiums from eligible persons with coverage under s.  
14 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under  
15 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

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

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

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

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

8           **\*b2308/1.1\* SECTION 336L.** 150.401 of the statutes is created to read:

9           **150.401 Redistribution of nursing home beds to replace transferred**  
10 **beds.** (1) Notwithstanding ss. 150.33, 150.35, and 150.39, from the nursing home  
11 beds that are available under s. 150.31, the department shall redistribute a number  
12 of beds that corresponds to the number of approved beds of a nursing home whose  
13 owner has transferred to another location, resulting in the loss of a nursing home  
14 within 15 miles of a city with a population of 4,474 in 1990 in a county with a  
15 population of 30,226 in 1990.

16           (2) All of the following apply to the redistributed nursing home beds under sub.

17 (1):

18           (a) The beds may be redistributed only to a location in a city that is specified  
19 in sub. (1).

20           (b) A person may not receive approval for the beds unless the person submits  
21 to the department, on a form provided by the department, an application that meets  
22 the requirements under s. 150.33 (2).

23           **\*-4548/2.114\* \*-3266/P1.83\* SECTION 337.** 154.15 (2) of the statutes is  
24 amended to read:

1           154.15 (2) Any person who, with the intent to cause a withholding or  
2 withdrawal of life-sustaining procedures or feeding tubes contrary to the wishes of  
3 the declarant, illegally falsifies or forges the declaration of another or conceals a  
4 declaration revoked under s. 154.05 (1) (a) or (b) or any person who intentionally  
5 withholds actual knowledge of a revocation under s. 154.05 ~~shall be fined not more~~  
6 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F  
7 felony.

8           \*~~4548/2.115~~\* \*~~3266/P1.84~~\* **SECTION 338.** 154.29 (2) of the statutes is  
9 amended to read:

10           154.29 (2) Any person who, with the intent to cause the withholding or  
11 withdrawal of resuscitation contrary to the wishes of any patient, falsifies, forges or  
12 transfers a do-not-resuscitate bracelet to that patient or conceals the revocation  
13 under s. 154.21 of a do-not-resuscitate order or any responsible person who  
14 withholds personal knowledge of a revocation under s. 154.21 ~~shall be fined not more~~  
15 ~~than \$10,000 or imprisoned for not more than 15 years or both~~ is guilty of a Class F  
16 felony.

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

18           **157.055 Disposal of human remains during state of emergency relating**  
19 **to public health. (1)** In this section:

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

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

22           (2) Notwithstanding ss. 69.18 (4), 445.04 (2), 445.14, 979.01 (3), (3m), and (4),  
23 979.02, and 979.10, during a period of a state of emergency related to public health  
24 declared by the governor under s. 166.03 (1) (b) 1., a public health authority may do  
25 all of the following:

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

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

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

10 (d) If reasonable and necessary for emergency response, require a funeral  
11 establishment, as a condition of its permit under s. 445.105 (1), to accept human  
12 remains or provide the use of its business or facility, including by transferring the  
13 management and supervision of the funeral establishment to the public health  
14 authority, for a period of time not to exceed the period of the state of emergency.  
15 Reasonable and necessary expenses of a funeral establishment in complying with the  
16 requirements under this paragraph may be paid by the department from the  
17 appropriation under s. 20.435 (1) (e).

18 (e) Require the labeling of all human remains before disposal with all available  
19 identifying information and information concerning the circumstances of death and,  
20 in addition, require that the human remains of an individual with a communicable  
21 disease be clearly tagged to indicate that remains contain a communicable disease  
22 and, if known, the specific communicable disease.

23 (f) Maintain or require the maintenance of a written or electronic record of all  
24 human remains that are disposed of, including all available identifying information  
25 and information concerning the circumstances of death and disposal. If it is

1 impossible to identify human remains prior to disposal, the public health authority  
2 may require that a qualified person obtain any fingerprints, photographs, or  
3 identifying dental information, and collect a specimen of deoxyribonucleic acid from  
4 the human remains and transmit this information to the public health authority.

5 (g) Notwithstanding s. 59.34 (1) or 59.35 (1), authorize a county medical  
6 examiner or a county coroner to appoint emergency assistant medical examiners or  
7 emergency deputy coroners, whichever is applicable, if necessary to perform the  
8 duties of the office of medical examiner or coroner, and to prescribe the duties of the  
9 emergency assistant medical examiners or emergency deputy coroners. The term of  
10 any emergency appointment authorized under this paragraph may not exceed the  
11 period of the state emergency. A county medical examiner or county coroner may  
12 terminate an emergency appointment before the end of the period of the state  
13 emergency, if termination of the appointment will not impede the performance of the  
14 duties of his or her office. From the appropriation under s. 20.435 (1) (e), the  
15 department shall reimburse counties for the cost of any emergency medical  
16 examiners or emergency deputy coroners appointed under this paragraph.

17 **\*b2819/1.1\* SECTION 338ge.** 160.257 of the statutes is created to read:

18 **160.257 Exceptions for aquifer storage and recovery systems.** (1) In  
19 this section:

20 (a) “Aquifer storage and recovery system” means all of the aquifer storage and  
21 recovery wells and related appurtenances that are part of a municipal water system.

22 (b) “Aquifer storage and recovery well” means a well through which treated  
23 drinking water is placed underground for the purpose of storing and later recovering  
24 the water through the same well for use as drinking water.

1 (c) "Municipal water system" means a community water system, as defined in  
2 s. 281.62 (1) (a), that is owned by a city, village, town, county, town sanitary district,  
3 utility district, public inland lake protection and rehabilitation district, or municipal  
4 water district, or by a privately owned water utility serving any of the foregoing.

5 (d) "Specified substance" means one of the following:

- 6 1. Chloroform.
- 7 2. Bromodichloromethane.
- 8 3. Dibromochloromethane.
- 9 4. Bromoform.

10 (e) "Treated drinking water" means potable water that has been treated so that  
11 it complies with the primary drinking water standards promulgated under ss. 280.11  
12 and 281.17 (8).

13 (2) Notwithstanding s. 160.19 (1) and (2), the department is not required to  
14 promulgate or amend rules that define design or management criteria for aquifer  
15 storage and recovery systems to minimize the amount of a specified substance in  
16 groundwater or to maintain compliance with the preventive action limit for a  
17 specified substance, however, the department shall promulgate rules that define  
18 design or management criteria for aquifer storage and recovery systems to maintain  
19 compliance with drinking water standards promulgated under ss. 280.11 and 281.17  
20 (8).

21 (3) Notwithstanding s. 160.21 (2), the point of standards application for an  
22 aquifer storage and recovery well with respect to a specified substance is 1,200 feet  
23 from the aquifer storage and recovery well and at any other well that is within 1,200  
24 feet from the aquifer storage and recovery well.

25 \*b3052/1.14\* **SECTION 338gf.** 165.065 (2) of the statutes is amended to read:

1           165.065 (2) The assistant attorney general in charge of antitrust investigations  
2 and prosecutions is to cooperate actively with the antitrust division of the U.S.  
3 department of justice in everything that concerns monopolistic practices in  
4 Wisconsin, and also to cooperate actively with the department of agriculture, trade  
5 and consumer protection in the work which this agency is carrying on ~~under s. 100.20~~  
6 ~~of the marketing law~~ with regard to monopolistic practices in the field of agriculture  
7 and with the federal trade commission on matters arising in or affecting Wisconsin  
8 which pertain to its jurisdiction.

9           **\*b3052/1.14\* SECTION 338m.** 165.25 (4) (ar) of the statutes, as affected by 2001  
10 Wisconsin Act 16, section 2856b, is amended to read:

11           165.25 (4) (ar) The department of justice shall ~~furnish all legal services~~  
12 ~~required by~~ represent the department of agriculture, trade and consumer protection  
13 in any court action relating to the enforcement of ~~ss. 100.171, 100.173, 100.174,~~  
14 ~~100.175, 100.177, 100.18, 100.182, 100.20, 100.205, 100.207, 100.209, 100.21,~~  
15 ~~100.28, 100.37, 100.42, 100.50 and 100.51 and chs. 126, 136, 344, 704, 707, and 779~~  
16 ch. 126 and 100.01 to 100.03, 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201,  
17 100.22, 100.235, 100.27, 100.285 to 100.297, 100.33 to 100.36, 100.45, 100.47, and  
18 100.48, together with any other services as are necessarily connected to the legal  
19 services.

20           **\*b3052/1.14\* SECTION 338r.** 165.25 (11) of the statutes is created to read:

21           165.25 (11) CONSUMER PROTECTION ADMINISTRATION AND ENFORCEMENT.  
22 Administer and enforce ss. 100.15 to 100.182, 100.20, 100.205, 100.207 to 100.2095,  
23 100.28, 100.31, 100.37 to 100.44, 100.46, 100.50, and 100.52 and chs. 136, 344, 704,  
24 707, and 779. The department may issue general or special orders in administering  
25 and enforcing these provisions.

1           **\*b2613/1.2\* SECTION 338t.** 165.70 (1) (b) of the statutes is amended to read:

2           165.70 (1) (b) Enforce chs. 945 and 961 and ss. 940.20 (3), 940.201, 941.25 to  
3           941.27, 943.01 (2) (c), 943.011, 943.27, 943.28, 943.30, 944.30, 944.31, 944.32, 944.33,  
4           944.34, 946.65, 947.02 (3) and (4), 948.075, and 948.08.

5           **\*-4572/4.15\* SECTION 339.** 165.85 (4) (b) 1. of the statutes, as affected by 2001  
6           Wisconsin Act 16, is amended to read:

7           165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law  
8           enforcement officer, except on a temporary or probationary basis, unless the person  
9           has satisfactorily completed a preparatory program of law enforcement training  
10          approved by the board and has been certified by the board as being qualified to be  
11          a law enforcement or tribal law enforcement officer. The program shall include 400  
12          hours of training, except the program for law enforcement officers who serve as  
13          rangers for the department of natural resources includes 240 hours of training. The  
14          board shall promulgate a rule under ch. 227 providing a specific curriculum for a  
15          400-hour conventional program and a 240-hour ranger program. ~~The rule shall~~  
16          ~~ensure that there is an adequate amount of training for each program to enable the~~  
17          ~~person to deal effectively with domestic abuse incidents, including training that~~  
18          ~~addresses the emotional and psychological effect that domestic abuse has on victims.~~  
19          ~~The training under this subdivision shall include training on emergency detention~~  
20          ~~standards and procedures under s. 51.15, emergency protective placement~~  
21          ~~standards and procedures under s. 55.06 (11) and information on mental health and~~  
22          ~~developmental disabilities agencies and other resources that may be available to~~  
23          ~~assist the officer in interpreting the emergency detention and emergency protective~~  
24          ~~placement standards, making emergency detentions and emergency protective~~  
25          ~~placements and locating appropriate facilities for the emergency detentions and~~

1 ~~emergency protective placements of persons. The training under this subdivision~~  
2 ~~shall include at least one hour of instruction on recognizing the symptoms of~~  
3 ~~Alzheimer's disease or other related dementias and interacting with and assisting~~  
4 ~~persons who have Alzheimer's disease or other related dementias. The training~~  
5 ~~under this subdivision shall include training on police pursuit standards, guidelines~~  
6 ~~and driving techniques established under par. (em) 2. b. The period of temporary or~~  
7 ~~probationary employment established at the time of initial employment shall not be~~  
8 ~~extended by more than one year for an officer lacking the training qualifications~~  
9 ~~required by the board. The total period during which a person may serve as a law~~  
10 ~~enforcement and tribal law enforcement officer on a temporary or probationary basis~~  
11 ~~without completing a preparatory program of law enforcement training approved by~~  
12 ~~the board shall not exceed 2 years, except that the board shall permit part-time law~~  
13 ~~enforcement and tribal law enforcement officers to serve on a temporary or~~  
14 ~~probationary basis without completing a program of law enforcement training~~  
15 ~~approved by the board to a period not exceeding 3 years. For purposes of this section,~~  
16 ~~a part-time law enforcement or tribal law enforcement officer is a law enforcement~~  
17 ~~or tribal law enforcement officer who routinely works not more than one-half the~~  
18 ~~normal annual work hours of a full-time employee of the employing agency or unit~~  
19 ~~of government. Law enforcement training programs including municipal, county~~  
20 ~~and state programs meeting standards of the board are acceptable as meeting these~~  
21 ~~training requirements.~~

22 \*~~4572/4.16~~\* **SECTION 340.** 165.85 (4) (b) 1d. of the statutes is created to read:

23 165.85 (4) (b) 1d. Any training program developed under subd. 1. shall include  
24 all of the following:

1           a. An adequate amount of training to enable the person being trained to deal  
2 effectively with domestic abuse incidents, including training that addresses the  
3 emotional and psychological effect that domestic abuse has on victims.

4           b. Training on emergency detention standards and procedures under s. 51.15,  
5 emergency protective placement standards and procedures under s. 55.06 (11), and  
6 information on mental health and developmental disabilities agencies and other  
7 resources that may be available to assist the officer in interpreting the emergency  
8 detention and emergency protective placement standards, making emergency  
9 detentions and emergency protective placements, and locating appropriate facilities  
10 for the emergency detentions and emergency protective placements of persons.

11           c. At least one hour of instruction on recognizing the symptoms of Alzheimer’s  
12 disease or other related dementias and interacting with and assisting persons who  
13 have Alzheimer’s disease or other related dementias.

14           d. Training on police pursuit standards, guidelines, and driving techniques  
15 established under par. (cm) 2. b.

16           e. Training on responding to an act of terrorism, as defined in s. 146.50 (1) (ag).

17           **\*b2391/1.9\* SECTION 340g.** 166.02 (1p) of the statutes is created to read:

18           166.02 (1p) “Biological agent” means any of the following:

19           (a) A select agent that is a virus, bacterium, rickettsia, fungus, or toxin that is  
20 specified under 42 CFR 72, Appendix A.

21           (b) A genetically modified microorganism or genetic element from an organism  
22 under par. (a) that is shown to produce or encode for a factor associated with a  
23 disease.

24           (c) A genetically modified microorganism or genetic element that contains  
25 nucleic acid sequences coding for a toxin under par. (a) or its toxic subunit.

1 (d) An agent specified by the department of health and family services by rule.

2 **\*b2391/1.9\* SECTION 340h.** 166.02 (1r) of the statutes is created to read:

3 166.02 (1r) “Bioterrorism” means the intentional use of any biological,  
4 chemical, or radiological agent to cause death, disease or biological malfunction in  
5 a human, animal, plant, or other living organism in order to influence the policy of  
6 a governmental unit or to intimidate or coerce the civilian population.

7 **\*b2391/1.9\* SECTION 340i.** 166.02 (1t) of the statutes is created to read:

8 166.02 (1t) “Chemical agent” means a substance that has chemical properties  
9 that produce lethal or serious effects in plants or animals.

10 **\*b2391/1.9\* SECTION 340j.** 166.02 (7) of the statutes is created to read:

11 166.02 (7) “Public health emergency” means the occurrence or imminent threat  
12 of an illness or health condition that meets all of the following criteria:

13 (a) Is believed to be caused by bioterrorism or a novel or previously controlled  
14 or eradicated biological agent.

15 (b) Poses a high probability of any of the following:

- 16 1. A large number of deaths or serious or long-term disabilities among humans.  
17 2. A high probability of widespread exposure to a biological, chemical, or  
18 radiological agent that creates a significant risk of substantial future harm to a large  
19 number of people.

20 **\*b2391/1.9\* SECTION 340k.** 166.02 (8) of the statutes is created to read:

21 166.02 (8) “Radiological agent” means radiation or radioactive material at a  
22 level that is dangerous to human health.

23 **\*b2391/1.9\* SECTION 340L.** 166.03 (1) (b) 1. of the statutes is amended to read:

24 166.03 (1) (b) 1. Proclaim a state of emergency for the state or any portion  
25 thereof of the state if he or she determines that an emergency resulting from enemy

1 action or natural or man-made disaster exists. If the governor determines that a  
2 public health emergency exists, he or she may declare a state of emergency related  
3 to public health and may designate the department of health and family services as  
4 the lead state agency to respond to that emergency. The duration of such state of  
5 emergency shall not exceed 60 days as to emergencies resulting from enemy action  
6 or 30 days as to emergencies resulting from natural or man-made disaster, unless  
7 either is extended by joint resolution of the legislature. A copy of the proclamation  
8 shall be filed with the secretary of state. The proclamation may be revoked at the  
9 discretion of either the governor by written order or the legislature by joint  
10 resolution.

11 \*b2391/1.9\* SECTION 340m. 166.03 (1) (b) 8. of the statutes is created to read:

12 166.03 (1) (b) 8. During a state of emergency related to public health, suspend  
13 the provisions of any administrative rule if the strict compliance with that rule would  
14 prevent, hinder, or delay necessary actions to respond to the emergency and increase  
15 the health threat to the population.

16 \*b2391/1.9\* SECTION 340n. 166.03 (2) (a) 6. of the statutes is created to read:

17 166.03 (2) (a) 6. No later than 90 days after a state of emergency relating to  
18 public health is declared and the department of health and family services is not  
19 designated under s. 166.03 (1) (b) 1. as the lead state agency to respond to that  
20 emergency and no later than 90 days after the termination of this state of emergency  
21 relating to public health, submit to the legislature under s. 13.172 (2) and to the  
22 governor a report on all of the following:

23 a. The emergency powers used by the department of military affairs or its  
24 agents.

1           b. The expenses incurred by the department of military affairs and its agents  
2 in acting under the state of emergency related to public health.

3           \*~~4548/2.116~~\* \*~~3266/P1.85~~\* **SECTION 341.** 166.20 (11) (b) of the statutes is  
4 amended to read:

5           166.20 (11) (b) Any person who knowingly and wilfully fails to report the  
6 release of a hazardous substance covered under 42 USC 11004 as required under sub.  
7 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. shall is subject to the following  
8 penalties:

9           1. For the first offense, the person is guilty of a Class I felony, except that,  
10 notwithstanding the maximum fine specified in s. 939.50 (3) (i), the person may be  
11 fined not less than \$100 nor more than \$25,000 or imprisoned for not more than 3  
12 years or both.

13           2. For the 2nd and subsequent offenses, the person is guilty of a Class I felony,  
14 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (i), the  
15 person may be fined not less than \$200 nor more than \$50,000 or imprisoned for not  
16 more than 3 years or both.

17           \*~~4548/2.117~~\* \*~~3266/P1.86~~\* **SECTION 342.** 167.10 (9) (g) of the statutes is  
18 amended to read:

19           167.10 (9) (g) Whoever violates sub. (6m) (a), (b) or (c) or a rule promulgated  
20 under sub. (6m) (e) may be fined not more than \$10,000 or imprisoned for not more  
21 than 15 years or both is guilty of a Class G felony.

22           \*~~4548/2.118~~\* \*~~3266/P1.87~~\* **SECTION 343.** 175.20 (3) of the statutes is  
23 amended to read:

24           175.20 (3) Any person who violates any of the provisions of this section shall  
25 may be fined not less than \$25 nor more than \$1,000 and \$10,000 or may be

1 imprisoned for not less than ~~30 days~~ nor more than ~~2 years~~ 9 months or both. In  
2 addition, the court may revoke the license or licenses of the person or persons  
3 convicted.

4 **\*b2389/1.1\* SECTION 343m.** 177.01 (10) (a) 2. of the statutes is amended to  
5 read:

6 177.01 (10) (a) 2. Credit balances, customer overpayments, ~~gift certificates,~~  
7 security deposits, refunds, credit memos, unpaid wages, unused airline tickets and  
8 unidentified remittances.

9 **\*b2389/1.1\* SECTION 343q.** 177.14 of the statutes is amended to read:

10 **177.14 ~~Gift certificates and credit~~ Credit memos.** (1) A ~~gift certificate or~~  
11 ~~a~~ credit memo issued in the ordinary course of the issuer's business that remains  
12 unclaimed by the owner for more than 5 years after becoming payable or  
13 distributable is presumed abandoned.

14 (2) ~~In the case of a gift certificate, the amount presumed abandoned is the price~~  
15 ~~paid by the purchaser of the gift certificate. In the case of a credit memo, the~~ The  
16 amount presumed abandoned under sub. (1) is the amount credited to the recipient  
17 of the credit memo.

18 **\*-4548/2.119\* \*-3266/P1.88\* SECTION 344.** 180.0129 (2) of the statutes is  
19 amended to read:

20 180.0129 (2) Whoever violates this section ~~may be fined not more than \$10,000~~  
21 ~~or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

22 **\*-4548/2.120\* \*-3266/P1.89\* SECTION 345.** 181.0129 (2) of the statutes is  
23 amended to read:

1 181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~  
2 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I  
3 felony.

4 \*~~4548/2.121~~\* \*~~3266/P1.90~~\* **SECTION 346.** 185.825 of the statutes is  
5 amended to read:

6 **185.825 Penalty for false document.** Whoever causes a document to be  
7 filed, knowing it to be false in any material respect, ~~may be fined not more than~~  
8 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a  
9 Class I felony.

10 \***b3033/2.15**\* **SECTION 346c.** 196.218 (3) (a) 3. b. of the statutes, as affected by  
11 2001 Wisconsin Act 16, is amended to read:

12 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), ~~20.275~~  
13 ~~(1) 20.255 (4) (s), (t) and (tm) and 20.285 (1) (q).~~

14 \***b3033/2.15**\* **SECTION 346m.** 196.218 (4t) of the statutes is amended to read:

15 196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The  
16 commission, in consultation with the department of administration and the  
17 ~~technology for educational achievement in Wisconsin board~~ department of public  
18 instruction, shall promulgate rules specifying the telecommunications services  
19 eligible for funding through the educational telecommunications access program  
20 under s. ~~44.73~~ 115.9995.

21 \***b3033/2.15**\* **SECTION 346r.** 196.218 (5) (a) 5. of the statutes, as affected by  
22 2001 Wisconsin Act 16, is amended to read:

23 196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971  
24 ~~(13) to (16)~~ to the extent that these costs are not paid under s. ~~44.73 (2) (d)~~ 115.9995  
25 (2) (d), except that no moneys in the universal service fund may be used to pay

1 installation costs that are necessary for a political subdivision to obtain access to  
2 bandwidth under a shared service agreement under s. ~~44.73 (2r) (a)~~ 115.9995 (2r) (a).

3 **\*b2900/2.21\* SECTION 346rh.** 196.218 (5) (a) 6. of the statutes, as affected by  
4 2001 Wisconsin Act 16, is amended to read:

5 196.218 (5) (a) 6. To pay the department of ~~electronic government~~  
6 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1)  
7 to the campuses of the University of Wisconsin System at River Falls, Stout, Superior  
8 and Whitewater.

9 **\*b3033/2.15\* SECTION 346rm.** 196.218 (5) (a) 7. of the statutes is amended to  
10 read:

11 196.218 (5) (a) 7. To make grants awarded by the ~~technology for educational~~  
12 achievement in Wisconsin board department of public instruction to school districts  
13 and private schools under s. ~~44.73 (6)~~ 115.9995 (6). This subdivision does not apply  
14 after December 31, 2005.

15 **\*b3033/2.15\* SECTION 346rt.** 196.218 (5) (a) 10. of the statutes, as created by  
16 2001 Wisconsin Act 16, is amended to read:

17 196.218 (5) (a) 10. To make the grant awarded by the ~~technology for educational~~  
18 achievement in Wisconsin board department of public instruction to the Racine  
19 Unified School District under s. ~~44.72 (3)~~ 115.999 (3).

20 **\*b2900/2.21\* SECTION 346rs.** 196.858 (1) and (2) of the statutes, as affected  
21 by 2001 Wisconsin Act 16, are amended to read:

22 196.858 (1) The commission shall annually assess against local exchange and  
23 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the  
24 amounts appropriated under s. ~~20.530~~ 20.505 (1) (ir).

1           (2) The commission shall assess a sum equal to the annual total amount under  
2 sub. (1) to local exchange and interexchange telecommunications utilities in  
3 proportion to their gross operating revenues during the last calendar year. If total  
4 expenditures for telephone relay service exceeded the payment made under this  
5 section in the prior year, the commission shall charge the remainder to assessed  
6 telecommunications utilities in proportion to their gross operating revenues during  
7 the last calendar year. A telecommunications utility shall pay the assessment within  
8 30 days after the bill has been mailed to the assessed telecommunication utility. The  
9 bill constitutes notice of the assessment and demand of payment. Payments shall  
10 be credited to the appropriation account under s. ~~20.530~~ 20.505 (1) (ir).

11           \*~~4548/2.122~~\* \*~~3266/P1.91~~\* **SECTION 347.** 201.09 (2) of the statutes is  
12 amended to read:

13           201.09 (2) Every director, president, secretary or other official or agent of any  
14 public service corporation, who shall practice fraud or knowingly make any false  
15 statement to secure a certificate of authority to issue any security, or issue under a  
16 certificate so obtained and with knowledge of such fraud, or false statement, or  
17 negotiate, or cause to be negotiated, any security, in violation of this chapter, ~~shall~~  
18 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~  
19 ~~15 years or both~~ is guilty of a Class I felony.

20           \*~~4548/2.123~~\* \*~~3266/P1.92~~\* **SECTION 348.** 214.93 of the statutes is amended  
21 to read:

22           **214.93 False statements.** A person may not knowingly make, cause, or allow  
23 another person to make or cause to be made, a false statement, under oath if required  
24 by this chapter or on any report or statement required by the division or by this

1 chapter. In addition to any forfeiture under s. 214.935, a person who violates this  
2 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

3 \*~~4548/2.124~~\* \*~~3266/P1.93~~\* **SECTION 349.** 215.02 (6) (b) of the statutes is  
4 amended to read:

5 215.02 (6) (b) If any person mentioned in par. (a) discloses the name of any  
6 debtor of any association or any information about the private account or  
7 transactions of such association, discloses any fact obtained in the course of any  
8 examination of any association, or discloses examination or other confidential  
9 information obtained from any state or federal regulatory authority, including an  
10 authority of this state or another state, for financial institutions, mortgage bankers,  
11 insurance or securities, except as provided in par. (a), he or she is guilty of a Class  
12 I felony and shall forfeit his or her office or position and may be fined not less than  
13 \$100 nor more than \$1,000 or imprisoned for not less than 6 months nor more than  
14 3 years or both.

15 \*~~4548/2.125~~\* \*~~3266/P1.94~~\* **SECTION 350.** 215.12 of the statutes is amended  
16 to read:

17 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,  
18 director, employee or agent of any association who steals, abstracts, or wilfully  
19 misapplies any property of the association, whether owned by it or held in trust, or  
20 who, without authority, issues or puts forth any certificate of savings accounts,  
21 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry  
22 in any book, record, report or statement of the association with intent to injure or  
23 defraud the association or any person or corporation, or to deceive any officer or  
24 director of the association, or any other person, or any agent appointed to examine  
25 the affairs of such association, or any person who, with like intent, aids or abets any

1 officer, director, employee or agent in the violation of this section, ~~shall be imprisoned~~  
2 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

3 \*~~4548/2.126~~\* \*~~3266/P1.95~~\* **SECTION 351.** 215.21 (21) of the statutes is  
4 amended to read:

5 215.21 (21) PENALTY FOR GIVING OR ACCEPTING MONEY FOR LOANS. Every officer,  
6 director, employee or agent of any association, or any appraiser making appraisals  
7 for any association, who accepts or receives, or offers or agrees to accept or receive  
8 anything of value in consideration of its loaning any money to any person; or any  
9 person who offers, gives, presents or agrees to give or present anything of value to  
10 any officer, director, employee or agent of any association or to any appraiser making  
11 appraisals for any association in consideration of its loaning money to the person,  
12 ~~shall be fined not more than \$10,000 or imprisoned in the Wisconsin state prisons~~  
13 ~~for not more than 3 years or both~~ is guilty of a Class I felony. Nothing in this  
14 subsection prohibits an association from employing an officer, employee or agent to  
15 solicit mortgage loans and to pay the officer, employee or agent on a fee basis.

16 \*~~4548/2.127~~\* \*~~3266/P1.96~~\* **SECTION 352.** 218.21 (7) of the statutes is  
17 amended to read:

18 218.21 (7) Any person who knowingly makes a false statement in an  
19 application for a motor vehicle salvage dealer license ~~may be fined not more than~~  
20 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a  
21 Class H felony.

22 \*~~4548/2.128~~\* \*~~3266/P1.97~~\* **SECTION 353.** 220.06 (2) of the statutes is  
23 amended to read:

24 220.06 (2) If any employee in the division or any member of the banking review  
25 board or any employee thereof discloses the name of any debtor of any bank or