

1 taxes of any license year shall on March 1 of the succeeding year be paid by the county
2 treasurer to the county humane society or other organization designated by the
3 county board to provide a pound. If there is no humane society or other organization
4 designated to provide a pound, these funds shall be paid to the towns, villages, and
5 cities of the county for their use in the proportion in which the towns, villages, and
6 cities contributed to the fund out of which the surplus arises.

7 ***b2820/1.2* SECTION 342pz.** 174.09 (3) of the statutes is created to read:

8 174.09 (3) In a county in which an agreement under s. 174.10 (2) is in effect,
9 the intergovernmental commission shall maintain the dog license fund, consisting
10 of the dog license taxes and late fees. The intergovernmental commission shall pay
11 5% of the minimum dog license tax provided for under s. 174.05 (2) to the department
12 and shall expend the remainder of the dog license fund for the purposes of
13 administering the dog license law, providing a pound for dogs, and paying claims
14 allowed under s. 174.11. If on March 1 there is remaining in the dog license fund a
15 surplus from the dog license taxes of the previous license year that exceeds 5% of the
16 dog license taxes collected in that license year, the intergovernmental commission
17 shall return the excess to the towns, villages, and cities of the county in the
18 proportion in which the towns, villages, and cities contributed to the fund in that
19 license year.

20 ***b2820/1.2* SECTION 342qb.** 174.10 of the statutes is created to read:

21 **174.10 Dog licensing in populous counties.** (1) In this section,
22 “municipality” means a city, village, or town.

23 (2) If all of the municipalities in a county with a population of 500,000 or more
24 form an intergovernmental commission by contract under s. 66.0301 (2) for the
25 purpose of providing animal control services, the county and the intergovernmental

1 commission may enter into an agreement under which the intergovernmental
2 commission assumes the county's responsibility for activities related to dog
3 licensing.

4 (3) If a county and an intergovernmental commission enter into an agreement
5 under sub. (2), the intergovernmental commission shall provide a copy of the
6 agreement to the department.

7 *b2820/1.2* SECTION 342qd. 174.11 (1) of the statutes is amended to read:

8 174.11 (1) The owner of any domestic animal, including a ranch mink, when
9 it is proven that a dog forcibly entered an enclosure in which the mink was kept,
10 which is attacked, chased, injured, or killed by a dog may, within 3 days after the
11 owner has knowledge or notice thereof, file a written claim for damages with the
12 clerk of the town, village, or city in which the damage occurred or, if it occurred in
13 a town or village, with the chairperson of such town or the president of such village.
14 The form of the claim may be prescribed by the department of agriculture, trade and
15 consumer protection. Upon presentation of a claim the supervisors of the town, the
16 board of trustees of the village, or the common council of the city, or a committee
17 appointed for that purpose by the supervisors, the board of trustees, or the common
18 council shall promptly investigate the claim and may subpoena witnesses,
19 administer oaths, and take testimony relative to the claim and shall within 30 days
20 after the filing of the claim make, certify, and return to the county clerk or, in a county
21 in which an agreement under s. 174.10 (2) is in effect, to the intergovernmental
22 commission the claim, a report of the investigation, the testimony taken, and the
23 amount of damages suffered by the owner of the domestic animal.

24 *b2820/1.2* SECTION 342qf. 174.11 (2) of the statutes is renumbered 174.11
25 (2) (a) and amended to read:

1 174.11 (2) (a) The form of the report and certification under sub. (1) may be
2 prescribed by the department of agriculture, trade and consumer protection, and
3 shall be subscribed by the supervisors, board, or committee making the report and
4 certification. The

5 (b) Except as provided in par. (c), the county clerk shall submit to the county
6 board at its first meeting, following the receipt of any such claim, all claims filed and
7 reported, and the claims shall be acted upon and determined by the county board as
8 other claims are determined and acted upon. The Except as provided in par. (c), the
9 amount of damages filed and reported to the county clerk shall be prima facie proof
10 of the actual damages sustained, but evidence may be taken before the county board
11 relative to the claims as in other cases, and appeals from the action of the county
12 board shall lie as in other cases.

13 (d) On appeal from the action of the county board or, in a county in which an
14 agreement under s. 174.10 (2) is in effect, from the action of the intergovernmental
15 commission, the trial shall be by the court without a jury.

16 ***b2820/1.2* SECTION 342qh.** 174.11 (2) (c) of the statutes is created to read:

17 174.11 (2) (c) In a county in which an agreement under s. 174.10 (2) is in effect,
18 the intergovernmental commission shall act upon and determine all claims filed and
19 reported under sub. (1).

20 ***b2820/1.2* SECTION 342qj.** 174.11 (4) of the statutes is amended to read:

21 174.11 (4) Subject to sub. (5), the county board or, in a county in which an
22 agreement under s. 174.10 (2) is in effect, the intergovernmental commission shall
23 allow, as the amount of a claim for a domestic animal, including a ranch mink, killed
24 by a dog, the amount determined to be the fair market value of the domestic animal,
25 including a ranch mink, on the date the death occurred. Subject to sub. (5), the

1 county board or, in a county in which an agreement under s. 174.10 (2) is in effect,
2 the intergovernmental commission shall allow, as the amount of a claim for a
3 domestic animal, including a ranch mink, injured by a dog, the amount determined
4 to be the total of the costs resulting from the injury including a loss in fair market
5 value but the total amount of the claim may not exceed the fair market value. No
6 claim may be paid to any person who has failed to pay a dog tax on an assessable dog.

7 ***b2820/1.2* SECTION 342qL.** 174.12 (1) of the statutes is amended to read:

8 174.12 (1) The allowance by ~~the a~~ county of any claim for damages done by dogs
9 ~~shall work~~ constitutes an assignment to the county of the cause of the action of the
10 claimant for which the claim is filed, and the county may sue and recover from the
11 owner of the dog or dogs doing the damages the full amount thereof and which shall
12 not be limited to the sum paid the claimant by the county. The allowance under s.
13 174.11 (2) (c) by an intergovernmental commission of any claim for damages done by
14 dogs constitutes an assignment to the intergovernmental commission of the cause
15 of the action of the claimant for which the claim is filed, and the intergovernmental
16 commission may sue and recover from the owner of the dog or dogs doing the damages
17 the full amount thereof and which shall not be limited to the sum paid the claimant
18 by the intergovernmental commission. Before any claim shall be allowed by ~~the a~~
19 county or an intergovernmental commission on account of damages done by dogs, the
20 claimant shall furnish satisfactory proof that the damage was not done in whole or
21 in part by any dog owned, kept, or harbored by the claimant.

22 ***b2820/1.2* SECTION 342qn.** 174.12 (2) of the statutes is amended to read:

23 174.12 (2) No claim shall be allowed by ~~the a~~ county board or an
24 intergovernmental commission at less than the amount so certified and reported,
25 unless the claimant shall first be notified that such action is contemplated and shall

1 have been given a reasonable opportunity to be heard and to offer further evidence
2 in support of the claimant's claim.”.

3 *b2878/3.1* **397**. Page 176, line 20: after that line insert:

4 *b2878/3.1* **SECTION 342g**. 167.31 (2) (d) of the statutes, as affected by 2001
5 Wisconsin Act 8, is amended to read:

6 167.31 (2) (d) Except as provided in sub. (4) (a), (b), (c), (e), and (g), no person
7 may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or
8 across a highway or within 50 feet of the center of a roadway.

9 *b2878/3.1* **SECTION 342m**. 167.31 (4) (bg) of the statutes is created to read:

10 167.31 (4) (bg) Subsection (2) (b), (c), and (d) does not apply to a state or federal
11 employee acting within the scope of his or her employment who holds a permit or
12 license issued by the department of natural resources that authorizes the taking of
13 wild animals from the wild for the purpose of testing for disease in wild animals or
14 for the purpose of removing diseased wild animals.”.

15 *b2796/3.2* *b2389/1.1* **398**. Page 177, line 2: after that line insert:

16 *b2796/3.2* *b2389/1.1* **SECTION 343m**. 177.01 (10) (a) 2. of the statutes is
17 amended to read:

18 177.01 (10) (a) 2. Credit balances, customer overpayments, ~~gift certificates,~~
19 security deposits, refunds, credit memos, unpaid wages, unused airline tickets and
20 unidentified remittances.

21 *b2796/3.2* *b2389/1.1* **SECTION 343q**. 177.14 of the statutes is amended to
22 read:

23 **177.14 ~~Gift certificates and credit~~ Credit memos**. (1) A ~~gift certificate or~~
24 ~~a~~ credit memo issued in the ordinary course of the issuer's business that remains

1 unclaimed by the owner for more than 5 years after becoming payable or
2 distributable is presumed abandoned.

3 (2) ~~In the case of a gift certificate, the amount presumed abandoned is the price~~
4 ~~paid by the purchaser of the gift certificate. In the case of a credit memo, the~~ The
5 amount presumed abandoned under sub. (1) is the amount credited to the recipient
6 of the credit memo.”.

7 *b2881/1.3* **399**. Page 177, line 9: after that line insert:

8 *b2881/1.3* “SECTION 345m. 185.42 (2) of the statutes is amended to read:

9 185.42 (2) The register of deeds, upon payment of the fee specified under s.
10 59.43 (2) (e) (ag), shall number each contract consecutively and shall record it. The
11 register of deeds shall enter the name of every member–maker of such a contract
12 ~~alphabetically in a book to be kept for that purpose. He or she shall place members~~
13 ~~and cooperatives under a separate head and shall state in separate columns, opposite~~
14 ~~each name, the number of the contract, the date of the filing, and a brief description~~
15 ~~of the products, goods or services covered by such contract~~ in the real estate records
16 index under s. 59.43 (9).”.

17 *b2725/5.15* **400**. Page 177, line 14: after that line insert:

18 *b2725/5.15* “SECTION 346c. 196.218 (3) (a) 3. b. of the statutes, as affected
19 by 2001 Wisconsin Act 16, is amended to read:

20 196.218 (3) (a) 3. b. The amounts appropriated under ss. 20.255 (3) (q), ~~20.275~~
21 ~~(1)~~ 20.255 (4) (s), (t) and (tm) and 20.285 (1) (q).

22 *b2725/5.15* SECTION 346m. 196.218 (4t) of the statutes is amended to read:

23 196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The
24 commission, in consultation with the department of administration and the

1 ~~technology for educational achievement in Wisconsin board~~ department of public
2 instruction, shall promulgate rules specifying the telecommunications services
3 eligible for funding through the educational telecommunications access program
4 under s. 44.73 115.9995.

5 *b2725/5.15* SECTION 346r. 196.218 (5) (a) 5. of the statutes, as affected by
6 2001 Wisconsin Act 16, is amended to read:

7 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 to the
8 extent that these costs are not paid under s. ~~44.73 (2) (d)~~ 115.9995 (2) (d), except that
9 no moneys in the universal service fund may be used to pay installation costs that
10 are necessary for a political subdivision to obtain access to bandwidth under a shared
11 service agreement under s. ~~44.73 (2r) (a)~~ 115.9995 (2r) (a).

12 *b2725/5.15* SECTION 346rm. 196.218 (5) (a) 7. of the statutes is amended to
13 read:

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

18 *b2725/5.15* SECTION 346rt. 196.218 (5) (a) 10. of the statutes, as created by
19 2001 Wisconsin Act 16, is amended to read:

20 196.218 (5) (a) 10. To make the grant awarded by the ~~technology for educational~~
21 ~~achievement in Wisconsin board~~ department of public instruction to the Racine
22 Unified School District under s. ~~44.72 (3)~~ 115.999 (3).”.

23 *b2798/3.3* 401. Page 177, line 14: after that line insert:

24 *b2798/3.3* “SECTION 346cd. 186.01 (2) of the statutes is amended to read:

1 186.01 (2) “Credit union” means, except as specifically provided under ss.
2 186.41 (1) and 186.45 (1), a cooperative, nonprofit corporation, incorporated under
3 this chapter to encourage thrift among its members, create a source of credit at a fair
4 and reasonable cost, and provide an opportunity for its members to improve their
5 economic and social conditions.

6 ***b2798/3.3* SECTION 346cf.** 186.02 (2) (a) 1. of the statutes is amended to read:

7 186.02 (2) (a) 1. ~~The conditions of residence or occupation which qualify persons~~
8 that determine eligibility for membership.

9 ***b2798/3.3* SECTION 346ch.** 186.02 (2) (b) 2. of the statutes is amended to
10 read:

11 186.02 (2) (b) 2. ~~Residents~~ Except as otherwise provided in this subdivision,
12 individuals who reside or are employed within –a– well-defined neighborhood,
13 community or rural district and contiguous neighborhoods and communities. If the
14 office of credit unions, subsequent to a credit union merger, determines that it would
15 be inappropriate under the circumstances to require members of the credit union
16 that results from the merger to reside or be employed in contiguous neighborhoods
17 and communities, the requirement that these neighborhoods and communities be
18 contiguous does not apply.

19 ***b2798/3.3* SECTION 346cj.** 186.02 (2) (b) 2m. of the statutes is created to read:

20 186.02 (2) (b) 2m. Individuals who reside or are employed within well-defined
21 and contiguous rural districts or multicounty regions.

22 ***b2798/3.3* SECTION 346cL.** 186.02 (2) (c) of the statutes is amended to read:

23 186.02 (2) (c) Members of the immediate family of all qualified persons are
24 eligible for membership. ~~In this paragraph, “members of the immediate family”~~
25 ~~include the wife, husband, parents, stepchildren and children of a member whether~~

1 living together in the same household or not and any other relatives of the member
2 or spouse of a member living together in the same household as the member.

3 *b2798/3.3* SECTION 346cn. 186.02 (2) (d) of the statutes is renumbered
4 186.02 (2) (d) 1. and amended to read:

5 186.02 (2) (d) 1. ~~Organizations and associations~~ An organization or association
6 of individuals, the majority of ~~whom~~ the directors, owners, or members of which are
7 eligible for membership, may be admitted to membership in the same manner and
8 under the same conditions as individuals.

9 *b2798/3.3* SECTION 346cp. 186.02 (2) (d) 2. of the statutes is created to read:
10 186.02 (2) (d) 2. An organization or association that has its principal business
11 location within any geographic limits of the credit union's field of membership may
12 be admitted to membership.

13 *b2798/3.3* SECTION 346cr. 186.11 (4) (title) of the statutes is amended to
14 read:

15 186.11 (4) (title) INVESTMENT IN CREDIT UNION SERVICE CORPORATIONS
16 ORGANIZATIONS.

17 *b2798/3.3* SECTION 346ct. 186.11 (4) (a) of the statutes is renumbered 186.11
18 (4) (a) (intro.) and amended to read:

19 186.11 (4) (a) (intro.) ~~A~~ Unless the office of credit unions approves a higher
20 percentage, a credit union may invest not more than 1.5% of its total assets in the
21 capital shares or obligations of ~~a credit union service corporation~~ organizations that
22 satisfy all of the following:

23 2. Are organized primarily to provide goods and services to credit unions, credit
24 union organizations, and credit union members.

25 *b2798/3.3* SECTION 346cv. 186.11 (4) (a) 1. of the statutes is created to read:

1 186.11 (4) (a) 1. Are corporations, limited partnerships, limited liability
2 companies, or other entities that are permitted under the laws of this state and that
3 are approved by the office of credit unions.

4 ***b2798/3.3* SECTION 346cx.** 186.11 (4) (b) (intro.) and 1. of the statutes are
5 amended to read:

6 186.11 (4) (b) (intro.) A credit union service corporation organization under par.
7 (a) may provide goods and services including any of the following:

8 1. Credit union operations services, including service centers, credit and debit
9 card services, automated teller and remote terminal services, electronic transaction
10 services, accounting systems, data processing, management training and support,
11 payment item processing, record retention and storage, locator services, research,
12 debt collection, credit analysis and loan servicing, coin and currency services, and
13 marketing and advertising services.

14 ***b2798/3.3* SECTION 346dd.** 186.11 (4) (c) of the statutes is amended to read:

15 186.11 (4) (c) A credit union service corporation organization may be subject
16 to audit by the office of credit unions.

17 ***b2798/3.3* SECTION 346df.** 186.113 (1) of the statutes is amended to read:

18 186.113 (1) BRANCH OFFICES. ~~If the need and necessity exist and with~~ With the
19 approval of the office of credit unions, establish branch offices inside ~~this state or no~~
20 ~~more than 25 miles or~~ outside of this state. Permanent records may be maintained
21 at branch offices established under this subsection. In this subsection, the term
22 “branch office” does not include a remote terminal, a limited services office, or a
23 service center.

24 ***b2798/3.3* SECTION 346dh.** 186.113 (1m) (a) (intro.) of the statutes is
25 amended to read:

1 186.113 (1m) (a) (intro.) ~~Establish~~ Before the effective date of this paragraph
2 ... [revisor inserts date], establish limited services offices outside this state to serve
3 any member of the credit union if all of the following requirements are met:

4 ***b2798/3.3* SECTION 346dj.** 186.113 (6) (b) and (c) of the statutes are amended
5 to read:

6 186.113 (6) (b) Act as trustees or custodians of member tax deferred retirement
7 benefit accounts or funds permitted by federal law to be deposited in a credit union.
8 benefit accounts or funds permitted by federal law to be deposited in a credit union.

9 (c) Act as a depository for ~~member-deferred~~ member qualified and
10 nonqualified deferred compensation funds as permitted by federal law.

11 ***b2798/3.3* SECTION 346dL.** 186.113 (24) of the statutes is created to read:

12 186.113 (24) FUNERAL TRUSTS. Accept deposits made by members for the
13 purpose of funding burial agreements by trusts created pursuant to s. 445.125.

14 ***b2798/3.3* SECTION 346dn.** 186.20 of the statutes is created to read:

15 **186.20 Financial privacy.** A credit union shall comply with any applicable
16 requirements under 15 USC 6801 to 6803 and any applicable regulations prescribed
17 by the national board under 15 USC 6804.

18 ***b2798/3.3* SECTION 346dp.** 186.235 (7) (a) (intro.) of the statutes is amended
19 to read:

20 186.235 (7) (a) (intro.) Employees of the office of credit unions and members
21 of the review board shall keep secret all the facts and information obtained in the
22 course of examinations, ~~except~~ or contained in any report provided by a credit union
23 other than any semiannual or quarterly financial report that is regularly filed with
24 the office of credit unions. This requirement does not apply in any of the following
25 situations:

1 ***b2798/3.3* SECTION 346dq.** 186.235 (7) (c) of the statutes is created to read:

2 186.235 (7) (c) If any person mentioned in par. (a) discloses any information
3 about the private account or transactions of a credit union or any information
4 obtained in the course of an examination of a credit union, except as provided in pars.
5 (a) and (b), that person may be required to forfeit his or her office or position and may
6 be fined not less than \$100 nor more than \$1,000, or imprisoned for not less than 6
7 months nor more than 3 years, or both.

8 ***b2798/3.3* SECTION 346dr.** 186.235 (7) (c) of the statutes, as created by 2001
9 Wisconsin Act (this act), is repealed and recreated to read:

10 186.235 (7) (c) If any person mentioned in par. (a) discloses any information
11 about the private account or transactions of a credit union or any information
12 obtained in the course of an examination of a credit union, except as provided in pars.
13 (a) and (b), that person is guilty of a Class I felony.

14 ***b2798/3.3* SECTION 346dt.** 186.235 (7m) of the statutes is created to read:

15 186.235 (7m) RETURN OF EXAMINATION REPORTS. Examination reports possessed
16 by a credit union are confidential, remain the property of the office of credit unions,
17 and shall be returned to the office of credit unions immediately upon request.

18 ***b2798/3.3* SECTION 346dx.** 186.235 (16) (b) of the statutes is repealed.

19 ***b2798/3.3* SECTION 346ed.** 186.235 (16) (bm) of the statutes is created to
20 read:

21 186.235 (16) (bm) Except as otherwise provided in this paragraph, the
22 examination of a credit union under par. (a) shall include an examination of the credit
23 union's compliance with s. 186.20. The examination under par. (a) need not include
24 an examination of the credit union's compliance with s. 186.20 if, during the 12
25 months preceding the date of the examination under par. (a), the credit union

1 received from the national board a consumer compliance examination that contains
2 information regarding the credit union's compliance with 15 USC 6801 to 6803 and
3 any applicable regulations prescribed under 15 USC 6804.

4 *b2798/3.3* SECTION 346ef. 186.36 of the statutes is amended to read:

5 **186.36 Sale of insurance in credit unions.** Any officer or employee of a
6 credit union, when acting as an agent for the sale of insurance on behalf of the credit
7 union, shall pay all commissions received from the sale of ~~credit life insurance or~~
8 ~~credit accident and sickness~~ insurance to the credit union.

9 *b2798/3.3* SECTION 346eh. 186.41 (title) of the statutes is amended to read:

10 **186.41 (title) Interstate ~~acquisition~~ acquisitions and merger mergers**
11 **of credit unions.**

12 *b2798/3.3* SECTION 346ej. 186.41 (1) (a) of the statutes is renumbered 186.41
13 (1) (bm) and amended to read:

14 186.41 (1) (bm) "~~In-state~~ Wisconsin credit union" means a credit union having
15 its principal office located in this state.

16 *b2798/3.3* SECTION 346eL. 186.41 (1) (c) of the statutes is renumbered
17 186.41 (1) (am) and amended to read:

18 186.41 (1) (am) "~~Regional Out-of-state~~ credit union" means a state or federal
19 credit union ~~that has its~~ the principal office of which is located in ~~one of the regional~~
20 states a state other than this state.

21 *b2798/3.3* SECTION 346en. 186.41 (1) (d) of the statutes is repealed.

22 *b2798/3.3* SECTION 346ep. 186.41 (2) and (3) of the statutes are amended to
23 read:

24 186.41 (2) ~~IN-STATE WISCONSIN~~ CREDIT UNION. (a) ~~An in-state~~ A Wisconsin credit
25 union may do any of the following:

1 1. Acquire an interest in, or some or all of the assets and liabilities of, one or
2 more ~~regional out-of-state~~ credit unions.

3 2. Merge with one or more ~~regional out-of-state~~ credit unions.

4 (b) ~~An in-state~~ A Wisconsin credit union proposing any action under par. (a)
5 shall provide the office of credit unions a copy of any original application seeking
6 approval by a federal agency or by an agency of ~~the regional another~~ state and of any
7 supplemental material or amendments filed in connection with any application.

8 **(3) REGIONAL OUT-OF-STATE CREDIT UNIONS.** Except as provided in sub. (4), a
9 ~~regional an out-of-state~~ credit union may do any of the following:

10 (a) Acquire an interest in, or some or all of the assets of, one or more ~~in-state~~
11 Wisconsin credit unions.

12 (b) Merge with one or more ~~in-state~~ Wisconsin credit unions.

13 ***b2798/3.3* SECTION 346er.** 186.41 (4) (intro.), (a) to (d) and (f) of the statutes
14 are amended to read:

15 186.41 (4) LIMITATIONS. (intro.) ~~A regional~~ An out-of-state credit union may
16 not take any action under sub. (3) until all of the following conditions have been met:

17 (a) The office of credit unions finds that the statutes of the ~~regional~~ state in
18 which the ~~regional out-of-state~~ credit union has its principal office permit ~~in-state~~
19 Wisconsin credit unions to both acquire ~~regional out-of-state~~ credit union assets and
20 merge with one or more ~~regional out-of-state~~ credit unions in ~~the regional that~~ state.

21 (b) The office of credit unions has not disapproved the acquisition of ~~in-state~~
22 Wisconsin credit union assets or the merger with the ~~in-state~~ Wisconsin credit union
23 under sub. (5).

24 (c) The office of credit unions gives a class 3 notice, under ch. 985, in the official
25 state newspaper, of the application to take an action under sub. (3) and of the

1 opportunity for a hearing and, if at least 25 residents of this state petition for a
2 hearing within 30 days of the final notice or if the office of credit unions on its own
3 motion calls for a hearing within 30 days of the final notice, the office of credit unions
4 holds a public hearing on the application, except that a hearing is not required if the
5 office of credit unions finds that an emergency exists and that the proposed action
6 under sub. (3) is necessary and appropriate to prevent the probable failure of an
7 ~~in-state~~ Wisconsin credit union that is closed or in danger of closing.

8 (d) The office of credit unions is provided a copy of any original application
9 seeking approval by a federal agency of the acquisition of ~~in-state~~ Wisconsin credit
10 union assets or of the merger with an ~~in-state~~ Wisconsin credit union and of any
11 supplemental material or amendments filed with the application.

12 (f) With regard to an acquisition of assets of an ~~in-state~~ Wisconsin credit
13 union that is chartered on or after May 9, 1986, the ~~in-state~~ Wisconsin credit union
14 has been in existence for at least 5 years before the date of acquisition.

15 *b2798/3.3* SECTION 346et. 186.41 (5) (a), (b), (c) and (cr) of the statutes are
16 amended to read:

17 186.41 (5) (a) Considering the financial and managerial resources and future
18 prospects of the applicant and of the ~~in-state~~ Wisconsin credit union concerned, the
19 action would be contrary to the best interests of the members of the ~~in-state~~
20 Wisconsin credit union.

21 (b) The action would be detrimental to the safety and soundness of the
22 applicant or of the ~~in-state~~ Wisconsin credit union concerned, or to a subsidiary or
23 affiliate of the applicant or of the ~~in-state~~ Wisconsin credit union.

24 (c) Because the applicant, its executive officers, or directors have not
25 established a record of sound performance, efficient management, financial

1 responsibility, and integrity, the action would be contrary to the best interests of the
2 creditors, ~~the members or, the~~ other customers of the applicant ~~or of the in-state, the~~
3 Wisconsin credit union, ~~or contrary to the best interests of the public.~~

4 (cr) The applicant has failed to propose to provide adequate and appropriate
5 services of the type contemplated by the community reinvestment act of 1977 in the
6 community in which the ~~in-state~~ Wisconsin credit union which the applicant
7 proposes to acquire or merge with is located.

8 *b2798/3.3* SECTION 346ev. 186.41 (6) (a) of the statutes is renumbered 186.41
9 (6).

10 *b2798/3.3* SECTION 346ex. 186.41 (6) (b) of the statutes is repealed.

11 *b2798/3.3* SECTION 346fd. 186.41 (8) of the statutes is repealed.

12 *b2798/3.3* SECTION 346ff. 186.45 of the statutes is created to read:

13 **186.45 Non-Wisconsin credit union, Wisconsin offices. (1) DEFINITIONS.**

14 In this section:

15 (a) “Non-Wisconsin credit union” means a credit union organized under the
16 laws of and with its principal office located in a state other than this state.

17 (b) “Wisconsin credit union” has the meaning given in s. 186.41 (1) (bm).

18 (2) APPROVAL. A non-Wisconsin credit union may open an office and conduct
19 business as a credit union in this state if the office of credit unions finds that
20 Wisconsin credit unions are allowed to do business in the other state under
21 conditions similar to those contained in this section and that all of the following apply
22 to the non-Wisconsin credit union:

23 (a) It is a credit union organized under laws similar to the credit union laws of
24 this state.

25 (b) It is financially solvent based upon national board ratings.

1 (c) It has member savings insured with federal share insurance.

2 (d) It is effectively examined and supervised by the credit union authorities of
3 the state in which it is organized.

4 (e) It has received approval from the credit union authorities of the state in
5 which it is organized.

6 (f) It has a need to place an office in this state to adequately serve its members
7 in this state.

8 (g) It meets all other relevant standards or qualifications established by the
9 office of credit unions.

10 (3) REQUIREMENTS. A non-Wisconsin credit union shall agree to do all of the
11 following:

12 (a) Grant loans at rates not in excess of the rates permitted for Wisconsin credit
13 unions.

14 (b) Comply with this state's laws.

15 (c) Designate and maintain an agent for the service of process in this state.

16 (4) RECORDS. As a condition of a non-Wisconsin credit union doing business in
17 this state under this section, the office of credit unions may require copies of
18 examination reports and related correspondence regarding the non-Wisconsin
19 credit union.

20 *b2798/3.3* SECTION 346fg. 186.80 of the statutes is created to read:

21 **186.80 False statements.** (1) No officer, director, or employee of a credit
22 union may do any of the following:

23 (a) Willfully and knowingly subscribe to or make, or cause to be made, a false
24 statement or entry in the books of the credit union.

1 (b) Knowingly subscribe to or exhibit false information with the intent to
2 deceive any person authorized to examine the affairs of the credit union.

3 (c) Knowingly make, state, or publish any false report or statement of the credit
4 union.

5 (2) Any person who violates sub. (1) may be fined not more than \$5,000, or
6 imprisoned for not less than one year nor more than 15 years, or both.

7 *b2798/3.3* SECTION 346fh. 186.80 (2) of the statutes, as created by 2001
8 Wisconsin Act (this act), is repealed and recreated to read:

9 186.80 (2) Any person who violates sub. (1) is guilty of a Class F felony.”

10 *b2837/1.6* 402. Page 177, line 14: after that line insert:

11 *b2837/1.6* “SECTION 346cm. 185.981 (4t) of the statutes is amended to read:

12 185.981 (4t) A sickness care plan operated by a cooperative association is
13 subject to ss. 252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85,
14 632.853, 632.855, 632.87 (2m), (3), (4), and (5), 632.89, 632.895 (10) to (14) (15), and
15 632.897 (10) and chs. 149 and 155.

16 *b2837/1.6* SECTION 346dr. 185.983 (1) (intro.) of the statutes is amended to
17 read:

18 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
19 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
20 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93,
21 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853,
22 632.855, 632.87 (2m), (3), (4), and (5), 632.89, 632.895 (5) and (9) to (14) (15), 632.896,
23 and 632.897 (10) and chs. 609, 630, 635, 645, and 646, but the sponsoring association
24 shall.”

1 ***b2871/1.5* 403.** Page 177, line 14: after that line insert:

2 ***b2871/1.5*** “SECTION 346b. 196.196 (3) (a) of the statutes is amended to read:

3 196.196 (3) (a) Except to the extent expressly permitted by this section and ss.

4 196.19 (1m), 196.194, 196.195, 196.1995, 196.20 (1m), 196.204, 196.209 ~~and~~,

5 196.219, and 196.37, the commission may not have jurisdiction over the prices or

6 terms and conditions for the offering of any other services, including new

7 telecommunications services, offered by a price-regulated telecommunications

8 utility.

9 ***b2871/1.5* SECTION 346d.** 196.196 (6) (title) of the statutes is created to read:

10 196.196 (6) (title) MANDATORY CREDITS.

11 ***b2871/1.5* SECTION 346f.** 196.196 (6) (a) of the statutes is created to read:

12 196.196 (6) (a) *Definitions.* In this subsection:

13 1. “Customer” means any person, including a telecommunications provider,

14 that uses the services, products, or facilities provided by a telecommunications

15 utility.

16 2. “End-user customer” means a person that receives local exchange service

17 from a telecommunications utility or another telecommunications provider, and that

18 does not resell the local exchange service or use such service to provide

19 telecommunications service to any other customer.

20 3. “Large telecommunications utility” means a telecommunications utility that

21 has more than 500,000 access lines in use in this state at the time of electing to

22 become price regulated.

23 4. “Local exchange service” has the meaning given in s. 196.50 (1) (b) 1.

24 ***b2871/1.5* SECTION 346h.** 196.196 (6) (b) of the statutes is created to read:

1 196.196 (6) (b) *Service disruptions.* 1. If the local exchange service of an
2 end-user customer is disrupted by a large telecommunications utility, or a
3 telecommunications utility specified in an order under par. (f), and remains
4 disrupted for more than 24 hours after the disruption is reported to the utility, the
5 utility shall issue a credit in an amount specified in subd. 2. to the end-user customer
6 unless one of the following applies:

7 a. The disruption is caused by the end-user customer or the end-user
8 customer's telecommunications equipment.

9 b. The disruption is caused by a natural disaster, act of God, military action,
10 war, insurrection, or riot.

11 c. The end-user customer fails to keep an appointment to repair the disruption
12 and the utility is not able to obtain access to repair the disruption.

13 2. If service is disrupted for 24 hours or more, the amount of the credit under
14 subd. 1. shall be \$35 for each primary residential line, \$5 for each other residential
15 line, \$135 for each main billing business line, and \$25 for each other business line,
16 for each 24-hour period, or portion of a 24-hour period, in which service is disrupted.

17 ***b2871/1.5* SECTION 346j.** 196.196 (6) (c) of the statutes is created to read:

18 196.196 (6) (c) *Failure to install local exchange service.* 1. Except as provided
19 in subd. 2., if a large telecommunications utility, or a telecommunications utility
20 specified in an order under par. (f), fails to install local exchange service or related
21 equipment within 5 business days after an end-user customer places an order for the
22 service or equipment, the utility shall issue a credit to the end-user customer in an
23 amount equal to \$35 for each residential line and \$135 for each business line for each
24 business day, or portion of a business day, beyond the 5th business day that the
25 service or equipment is not installed.

1 2. Subdivision 1. does not apply to any of the following:

2 a. The installation of service in an undeveloped area where there are no
3 telecommunications facilities.

4 b. A failure to install that is caused by a natural disaster, act of God, military
5 action, war, insurrection, or riot.

6 c. A failure to install resulting from the end–user customer voluntarily
7 changing the installation date without providing notice 48 hours before the
8 originally scheduled installation date.

9 ***b2871/1.5* SECTION 346L.** 196.196 (6) (d) of the statutes is created to read:

10 196.196 (6) (d) *Failure to keep appointments.* 1. A large telecommunications
11 utility, or a telecommunications utility specified in an order under par. (f), shall do
12 all of the following:

13 a. Except as provided in subd. 2., if the utility fails to keep an appointment to
14 install service or make on–premises or outside repairs for an end–user customer,
15 issue a \$35 credit for each residential line and a \$135 credit for each business line
16 that is affected by the failure.

17 b. Inform an end–user customer about the utility’s obligation to issue a credit
18 under subd. 1. a. at the time an appointment is made.

19 2. Subdivision 1. a. does not apply if the telecommunications utility provides
20 the end–user customer with 24–hour advance notice that the utility is not able to
21 keep the appointment or if a natural disaster, act of God, military action, war,
22 insurrection, or riot prevents the utility from keeping the appointment.

23 ***b2871/1.5* SECTION 346n.** 196.196 (6) (e) of the statutes is created to read:

24 196.196 (6) (e) *Credit procedure.* 1. If a large telecommunications utility, or
25 a telecommunications utility specified in an order under par. (f), is required to

1 provide a credit to an end–user customer under this subsection, the utility shall issue
2 the credit by adjusting the end–user customer’s first bill following the event for
3 which the credit is required.

4 2. Except for an end–user customer report under par. (b) 1., a large
5 telecommunications utility, or a telecommunications utility specified in an order
6 under par. (f), may not require an end–user customer to provide any notice as a
7 condition for issuing a credit required under this subsection.

8 ***b2871/1.5* SECTION 346p.** 196.196 (6) (f) of the statutes is created to read:

9 196.196 (6) (f) *Other telecommunications utilities.* In addition to any other
10 order issued by the commission, the commission may issue an order that applies the
11 requirements of this subsection to a telecommunications utility other than a large
12 telecommunications utility, but only if the commission finds, after notice and
13 reasonable opportunity for hearing, that the telecommunications utility has engaged
14 in a demonstrable pattern of poor retail service that was not caused by poor
15 wholesale service from a telecommunications utility, or has intentionally violated
16 any state or federal law, rule, regulation, or order relating to retail service.

17 ***b2871/1.5* SECTION 346r.** 196.196 (6) (g) of the statutes is created to read:

18 196.196 (6) (g) *Other remedies available.* The remedies under this subsection
19 are not exclusive.

20 ***b2871/1.5* SECTION 346t.** 196.196 (6) (h) of the statutes is created to read:

21 196.196 (6) (h) *Sunset.* This subsection does not apply after the first day of the
22 36th month beginning after the effective date of this paragraph [revisor inserts
23 date].

24 ***b2871/1.5* SECTION 346v.** 196.196 (7) of the statutes is created to read:

1 196.196 (7) PENALTY. A price-regulated telecommunications utility that
2 provides inadequate service or makes insufficient investment may be required to
3 forfeit no more than the dollar value of the decrease in rates that would result from
4 applying a penalty mechanism of 10 percentage points and an incentive mechanism
5 of zero percentage points under sub. (1) (c) 1. The commission may directly impose
6 a forfeiture under this subsection by administrative action on a price-regulated
7 telecommunications utility with more than 500,000 access lines in use in this state
8 if the commission determines during its annual review of rate increases under sub.
9 (1) (c) that the utility has provided inadequate service or made insufficient
10 investment.

11 ***b2871/1.5* SECTION 346x.** 196.1995 of the statutes is created to read:

12 **196.1995 Interconnection, collocation, and network elements. (1)**
13 **DEFINITIONS.** In this section:

14 (a) “End-user customer” has the meaning given in s. 196.196 (6) (a) 2.

15 (b) “Large telecommunications utility” means a telecommunications utility
16 that has more than 500,000 access lines in use in this state at the time of electing to
17 become price regulated.

18 (c) “Local exchange service” has the meaning given in s. 196.50 (1) (b) 1.

19 (d) “Network element” means a facility or equipment used to provide
20 telecommunications service. “Network element” includes features, functions, and
21 capabilities that are provided by means of such a facility or equipment, including
22 subscriber numbers, databases, signaling systems, and information sufficient for
23 bills or collections or that are used in transmitting, routing, or otherwise providing
24 telecommunications service.

1 (e) “Wholesale customer” means a telecommunications provider that uses the
2 services, products, or facilities of a large telecommunications utility to provide
3 telecommunications service to an end-user customer.

4 **(2) GENERALLY.** (a) A large telecommunications utility shall provide
5 interconnection, collocation, and network elements to telecommunications providers
6 in a manner that promotes the maximum development of competitive
7 telecommunications service offerings in this state.

8 (b) A large telecommunications utility shall provide interconnection,
9 collocation, and network elements in a manner specified by a telecommunications
10 provider if that manner is technically feasible. A manner is presumed to be
11 technically feasible if the large telecommunications utility or any of its affiliates offer
12 or provide interconnection, collocation, and network elements in that manner in any
13 jurisdiction.

14 **(3) COLLOCATION.** (a) A large telecommunications utility shall provide physical
15 or virtual collocation of any type of equipment for interconnection with, or access to
16 the network elements of, the utility or any collocated telecommunications provider
17 at the utility’s premises, at rates and on terms and conditions that are just,
18 reasonable, and nondiscriminatory. In this paragraph, “equipment” includes optical
19 transmission equipment, multiplexers, remote switching modules, and
20 cross-connects between the facilities or equipment of other collocated
21 telecommunications providers. In this paragraph, “equipment” also includes
22 microwave transmission facilities on the exterior or interior of any premises owned
23 or controlled by a large telecommunications utility, unless the large
24 telecommunications utility demonstrates to the satisfaction of the commission that

1 physical or virtual collocation of such facilities is not feasible due to technical issues
2 or space limitations.

3 (b) Upon request, a large telecommunications utility shall provide for each of
4 the following in a manner that is consistent with safety and network reliability
5 standards:

6 1. Cross-connects between the facilities or equipment of collocated
7 telecommunications providers that are the most reasonably direct and efficient, as
8 determined by the collocated telecommunications provider.

9 2. Cross-connects between the facilities or equipment of a collocated
10 telecommunications provider and the network elements platform or transport
11 facilities of a noncollocated telecommunications provider.

12 (4) NETWORK ELEMENTS. (a) Upon the request of a telecommunications provider,
13 a large telecommunications utility shall provide network elements on a bundled or
14 unbundled basis, as requested by the telecommunications provider, at any point that
15 the telecommunications provider determines is technically feasible, and in a manner
16 that allows the telecommunications provider to combine the network elements to
17 provide new or existing telecommunications service. A large telecommunications
18 utility must provide network elements under this paragraph at rates, and on terms
19 and conditions, that are just, reasonable, and nondiscriminatory.

20 (b) A large telecommunications utility may not require a wholesale customer
21 to purchase network elements on an unbundled basis if the utility ordinarily
22 combines the elements to provide service to the utility's own end-user customers,
23 except at the direction of a telecommunications provider that requests unbundled
24 network elements.

1 (c) At the direction of a telecommunications provider that requests network
2 elements, a large telecommunications utility shall provide network elements on a
3 bundled or unbundled basis, and shall combine any sequence of network elements
4 requested by the telecommunications provider that the utility ordinarily combines
5 for itself.

6 (d) If a telecommunications provider uses the network elements platform of a
7 large telecommunications utility that consists solely of combined network elements
8 and the use is for the purpose of providing telecommunications service to an
9 end-user customer, the large telecommunications utility may not require that the
10 telecommunications provider purchase other network elements or retail services of
11 the utility. A telecommunications provider may order the network elements platform
12 on an as-is basis for an end-user customer that has received local exchange service
13 from the large telecommunications utility and the telecommunications provider may
14 direct the utility not to change any of the features previously selected by the
15 end-user customer. A large telecommunications utility that provides a network
16 elements platform to a telecommunications provider shall provide the platform
17 without any disruption of services to end-user customers.

18 (5) COMPLIANCE PLAN. (a) No later than the first day of the 9th month beginning
19 after the effective date of this paragraph [revisor inserts date], the commission
20 shall, after notice and, if requested, a hearing, issue an order establishing a
21 compliance plan for each large telecommunications utility that includes each of the
22 following:

23 1. Standards for the utility to provide nondiscriminatory access to the utility's
24 services and network elements, including the utility's operational support system,
25 to the utility's wholesale customers. The access must be at least equal in quality to

1 the access provided by the utility to itself or to any subsidiary, affiliate, or other
2 person to which the utility provides interconnection.

3 2. Procedures for measuring the large telecommunications utility's compliance
4 with the standards under subd. 1.

5 3. Requirements for the utility to make specified monetary payments to a
6 wholesale customer if the utility fails to comply with the standards under subd. 1.

7 (b) The requirements of this subsection apply in addition to any requirements
8 under an interconnection agreement.

9 *b2871/1.5* SECTION 346y. 196.219 (3m) of the statutes is created to read:
10 196.219 (3m) WHOLESale SERVICE. (a) In this subsection:

11 1. "Large telecommunications utility" means a telecommunications utility that
12 has more than 500,000 access lines in use in this state at the time of electing to
13 become price regulated.

14 2. "Repeat trouble report" means a trouble report by a wholesale customer who
15 has previously made a trouble report regarding the same wholesale service.

16 3. "Trouble report" means a report to a telecommunications utility by a
17 wholesale customer about a problem regarding a wholesale service provided by the
18 telecommunications utility.

19 4. "Wholesale services" means telecommunications services, products, or
20 facilities, provided by a telecommunications utility to a telecommunications
21 provider, including preordering, ordering and provisioning, maintenance and repair,
22 network performance, unbundled elements, operator services and directory
23 assistance, system performance, service center availability, billing, and any other
24 service that the commission specifies by order.

1 (b) No later than the first day of the 4th month beginning after the effective date
2 of this paragraph [revisor inserts date], the commission shall, by order, establish
3 minimum wholesale service standards that require a large telecommunications
4 utility to do all of the following:

5 1. Provision wholesale services and related facilities in a timely manner.

6 2. Repair wholesale service outages in a timely manner.

7 3. Minimize the frequency of trouble reports, including trouble reports within
8 30 days after initiating a wholesale service.

9 4. Minimize the frequency of repeat trouble reports.

10 (c) In addition to any other order issued by the commission, the commission
11 may issue an order that applies the requirements of par. (b) to a telecommunications
12 utility other than a large telecommunications utility, but only if the commission
13 finds, after notice and reasonable opportunity for hearing, that the
14 telecommunications utility has engaged in a demonstrable pattern of poor wholesale
15 service or has intentionally violated any state or federal law, rule, regulation, or
16 order relating to wholesale service.

17 (d) An order under par. (b) or (c) may require a telecommunications utility that
18 fails to comply with the order to make payments to a telecommunications provider
19 that is affected by the failure to comply or to the commission in amounts and
20 according to schedules that are specified in the order. Any payments to the
21 commission shall be credited to the appropriation account under s. 20.155 (1) (Lm).

22 (e) After the commission issues an order under par. (b) or (c), the commission
23 may promulgate rules that implement the requirements of the order.

1 (f) A telecommunications utility that provides wholesale services to a
2 telecommunications provider shall provide the services on the same terms and
3 conditions that the utility provides to itself or to any of its affiliates.

4 *b2871/1.5* SECTION 346z. 196.37 (2) of the statutes is amended to read:

5 196.37 (2) If the commission finds that any measurement, regulation, practice,
6 act or service is unjust, unreasonable, insufficient, preferential, unjustly
7 discriminatory or otherwise unreasonable or unlawful, or that any service is
8 inadequate, or that any service which reasonably can be demanded cannot be
9 obtained, the commission shall determine and make any just and reasonable order
10 relating to a measurement, regulation, practice, act or service to be furnished,
11 imposed, observed and followed in the future. An order under this subsection against
12 a large telecommunications utility, as defined in s. 196.219 (3m) (a) 1., may require
13 the utility to make payments in amounts specified in the order to persons affected
14 by the measurement, regulation, practice, act, or service or to the commission. Any
15 payments to the commission shall be credited to the appropriation account under s.
16 20.155 (1) (Lm).”.

17 *b2872/1.1* 404. Page 177, line 14: after that line insert:

18 *b2872/1.1* “SECTION 346m. 196.195 (5) of the statutes is amended to read:

19 196.195 (5) COMMISSION ACTION. If after the proceedings under subs. (2), (3) and
20 (4) the commission has determined that effective competition exists in the market
21 for the telecommunications service which justifies a lesser degree of regulation and
22 that lesser regulation in that market will serve the public interest, the commission
23 may, by order, suspend any of the following provisions of law, except as provided
24 under subs. (7) and (8): ~~eh. 201 and~~ sub. (12) (d) 2. or (e); s. 196.02 (2); s. 196.05; s.

1 196.06; s. 196.07; s. 196.09; s. 196.10; s. 196.12; s. 196.13 (2); s. 196.19; tariffing
2 requirements under s. 196.194; s. 196.196 (1) or (5); s. 196.20; s. 196.204 (5), (6), or
3 (7); s. 196.21; s. 196.22; s. 196.26; s. 196.28; s. 196.37; s. 196.49; s. 196.52; s. 196.58;
4 s. 196.60; s. 196.604; s. 196.77; s. 196.78; s. 196.79; and s. 196.805; or ch. 201.”

5 ***b2900/2.21* 405.** Page 177, line 14: after that line insert:

6 ***b2900/2.21* SECTION 346g.** 196.218 (5) (a) 5. of the statutes, as affected by
7 2001 Wisconsin Act 16, is amended to read:

8 196.218 (5) (a) 5. To pay costs incurred under contracts under s. ~~16.974~~ 16.971
9 (13) to (16) to the extent that these costs are not paid under s. 44.73 (2) (d), except
10 that no moneys in the universal service fund may be used to pay installation costs
11 that are necessary for a political subdivision to obtain access to bandwidth under a
12 shared service agreement under s. 44.73 (2r) (a).

13 ***b2900/2.21* SECTION 346h.** 196.218 (5) (a) 6. of the statutes, as affected by
14 2001 Wisconsin Act 16, is amended to read:

15 196.218 (5) (a) 6. To pay the department of ~~electronic government~~
16 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1)
17 to the campuses of the University of Wisconsin System at River Falls, Stout, Superior
18 and Whitewater.

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

21 196.858 (1) The commission shall annually assess against local exchange and
22 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the
23 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 ***b2947/3.21* 406.** Page 177, line 22: after that line insert:

12 ***b2947/3.21* “SECTION 347c.** 214.72 (1) (b) of the statutes is amended to read:
13 214.72 (1) (b) “Financial regulator” means the department secretary ~~and~~
14 ~~deputy secretary~~, and an administrator, a supervisor of data processing, legal counsel
15 and a financial institution examiner employed by the department and includes any
16 member of a financial regulator’s immediate family, as defined in s. 19.42 (7).

17 ***b2947/3.21* SECTION 347p.** 214.72 (3) of the statutes is amended to read:

18 214.72 (3) Within 30 days after commencing employment as a financial
19 regulator and at least once each year, each financial regulator, for himself or herself
20 and covering his or her immediate family, shall complete a written, sworn report
21 disclosing the nature of all business relationships with savings banks on forms
22 prescribed by the department. Each report shall be reviewed by the department,
23 except that the secretary’s ~~and deputy secretary’s~~ report shall be reviewed by the
24 review board. The reviewers shall determine if any business relationship is or

1 appears improper and, if so, may direct the termination of that business relationship
2 within a reasonable, prescribed time period.”

3 ***b2947/3.22* 407.** Page 179, line 14: after that line insert:

4 ***b2947/3.22*** “**SECTION 351n.** 218.0114 (23) (intro.) of the statutes is amended
5 to read:

6 218.0114 (23) (intro.) After the receipt of an application in due form, properly
7 verified and certified, and upon the payment of the \$5 examination fee, the secretary,
8 ~~deputy secretary~~ or any salaried employee of the department of transportation
9 designated by the secretary shall, within a reasonable time and in a place reasonably
10 accessible to the applicant for a license, subject each first-time applicant for license
11 and, if the secretary deems necessary, any applicant for renewal of license to a
12 personal written examination as to competency to act as a motor vehicle salesperson.
13 The secretary shall issue to an applicant a resident or nonresident motor vehicle
14 salesperson’s license if the application and examination show that the applicant
15 meets all of the following requirements:”

16 ***b2900/2.22* 408.** Page 180, line 3: after that line insert:

17 ***b2900/2.22*** “**SECTION 353m.** 221.0320 (3) (a) of the statutes, as affected by
18 2001 Wisconsin Act 16, is amended to read:

19 221.0320 (3) (a) In this subsection, “local governmental unit” has the meaning
20 given in s. ~~22.01~~ 16.97 (7).”

21 ***b2798/3.4* 409.** Page 180, line 18: after that line insert:

22 ***b2798/3.4*** “**SECTION 357p.** Subchapter V of chapter 224 [precedes 224.991]
23 of the statutes is created to read:

24 **CHAPTER 224**

1 SUBCHAPTER V

2 CONSUMER REPORTING AGENCIES

3 **224.991 Definitions.** In this subchapter:

4 (1) “Consumer report” has the meaning given in 15 USC 1681a (d).

5 (2) “Consumer reporting agency” has the meaning given in 15 USC 1681a (f).

6 (3) “File” has the meaning given in 15 USC 1681a (g).

7 (4) “Investigative consumer report” has the meaning given in 15 USC 1681a
8 (e).

9 (5) “Summary of rights” means the information a consumer reporting agency
10 is required to provide under 15 USC 1681g (c).

11 **224.993 Disclosure to individual.** (1) IN GENERAL. A consumer reporting
12 agency shall, upon the written request of an individual, provide the individual with
13 a written disclosure report within 5 business days after receiving the written
14 request.

15 (2) CONTENTS. Except as provided in sub. (4), the written disclosure report
16 provided under sub. (1) shall contain all of the following:

17 (a) A current consumer report pertaining to the individual.

18 (b) The date of each request for credit information pertaining to the individual
19 received by the consumer reporting agency during the 12 months before the date that
20 the consumer reporting agency provides the written disclosure report.

21 (c) The name of each person requesting credit information pertaining to the
22 individual during the 12 months before the date that the consumer reporting agency
23 provides the written disclosure report.

24 (d) The dates, original payees, and amounts of any checks upon which any
25 adverse characterization of the consumer is based.

1 (e) Any other information contained in the individual's file.

2 (f) A clear and concise explanation of the contents of the written disclosure
3 report.

4 (g) A summary of rights.

5 (3) COST. A consumer reporting agency shall provide the written disclosure
6 report required under sub. (1) free of charge, unless the individual has requested a
7 written disclosure report from the consumer reporting agency during the preceding
8 12 months.

9 (4) EXCEPTIONS. A consumer reporting agency may not disclose to an individual
10 making a request under sub. (1) any of the following:

11 (a) The sources of any information that was both acquired solely for use in
12 preparing an investigative consumer report and used for no other purpose.

13 (b) Any credit score or other risk score or predictor relating to the consumer.

14 **224.997 Penalties.** Any person who violates this subchapter may be fined not
15 more than \$500 for the first offense and may be fined not more than \$1,000 or
16 imprisoned for not more than 6 months or both for each subsequent offense occurring
17 within 6 months.”.

18 *b2871/1.6* **410.** Page 180, line 18: after that line insert:

19 *b2871/1.6* “SECTION 358m. 227.01 (13) (cm) of the statutes is created to read:
20 227.01 (13) (cm) Is an order under s. 196.1995 (5) (a) or 196.219 (3m) (a) 4. or
21 (b).”.

22 *b2949/3.3* **411.** Page 180, line 19: delete lines 19 and 20.

23 *b2863/1.5* **412.** Page 180, line 20: after that line insert:

24 *b2863/1.5* “SECTION 359f. 227.43 (1) (bg) of the statutes is amended to read:

1 227.43 (1) (bg) Assign a hearing examiner to preside over any hearing or review
2 under ss. 49.45 (2) (a) 10. and 14., 84.30 (18), 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16
3 (5), 86.195 (9) (b), 86.32 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b),
4 114.135 (9), 114.20 (19), 175.05 (4) (b), 194.145 (1), 194.46, 218.0114 (7) (d) and (12)
5 (b), 218.0116 (2), (4), (7) (a), (8) (a), and (10), 218.0131 (3), 218.11 (7) (a) and (b), 218.22
6 (4) (a) and (b), 218.32 (4) (a) and (b), 218.41 (4), 218.51 (5) (a) and (b), 341.09 (2m) (d),
7 342.26, 343.69, and 348.25 (9).”.

8 ***b2900/2.23* 413.** Page 180, line 20: after that line insert:

9 ***b2900/2.23* “SECTION 362m.** 230.08 (2) (e) 1. of the statutes, as affected by
10 2001 Wisconsin Act 16, is amended to read:

11 230.08 (2) (e) 1. Administration — ~~10~~ 11.

12 ***b2900/2.23* SECTION 362p.** 230.08 (2) (e) 3r. of the statutes, as created by
13 2001 Wisconsin Act 16, is repealed.”.

14 ***b2947/3.23* 414.** Page 180, line 20: after that line insert:

15 ***b2947/3.23* “SECTION 361e.** 230.08 (2) (e) of the statutes, as affected by 2001
16 Wisconsin Act 16, is repealed.

17 ***b2947/3.23* SECTION 361m.** 230.08 (2) (fs) of the statutes is repealed.

18 ***b2947/3.23* SECTION 361r.** 230.08 (2) (g) of the statutes is amended to read:

19 230.08 (2) (g) One stenographer appointed by each elective executive officer,
20 and one ~~deputy or~~ assistant appointed by each elective executive officer except the
21 attorney general, secretary of state, state treasurer, and superintendent of public
22 instruction.”.

23 ***b2947/3.24* 415.** Page 180, line 21: delete lines 21 and 22 and substitute:

24 ***b2947/3.24* “SECTION 363m.** 230.08 (2) (L) of the statutes is repealed.”.

1 ***b2947/3.25* 416.** Page 180, line 23: before that line insert:

2 ***b2947/3.25*** “SECTION 363r. 230.08 (2) (m) of the statutes is repealed.

3 ***b2947/3.25*** SECTION 363t. 230.08 (2) (mL) of the statutes is repealed.”.

4 ***b2793/1.8* 417.** Page 180, line 25: after that line insert:

5 ***b2793/1.8*** “SECTION 365c. 230.08 (2) (yz) of the statutes is created to read:

6 230.08 (2) (yz) The executive director of the Wisconsin tribal–state council.”.

7 ***b2947/3.26* 418.** Page 180, line 25: after that line insert:

8 ***b2947/3.26*** “SECTION 365cb. 230.08 (4) of the statutes is repealed.

9 ***b2947/3.26*** SECTION 365cm. 230.12 (3) (e) (title) of the statutes is amended

10 to read:

11 230.12 (3) (e) (title) *University of Wisconsin System senior executives, faculty,*
12 *and academic staff employees; Wisconsin ~~director of the Wisconsin Technical College~~*
13 *System senior executives.*

14 ***b2947/3.26*** SECTION 365cp. 230.12 (3) (e) 2. of the statutes, as created by
15 2001 Wisconsin Act 29, is amended to read:

16 230.12 (3) (e) 2. The secretary, after receiving recommendations from the board
17 of the Technical College System, shall submit to the joint committee on employment
18 relations a proposal for adjusting compensation and employee benefits for ~~employees~~
19 the director of the Wisconsin Technical College System under s. 20.923 (7). The
20 proposal shall include the salary ranges and adjustments to the salary ranges for the
21 ~~general senior executive salary groups~~ director established under s. 20.923 (7).
22 Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay
23 adjustments for ~~such employees~~ the director. The proposal as approved by the joint
24 committee on employment relations and the governor shall be based upon a

1 percentage of the budgeted salary base for ~~such employees~~ the position under s.
2 20.923 (7).”

3 *b2947/3.27* **419.** Page 181, line 3: after that line insert:

4 *b2947/3.27* “SECTION 365e. 230.35 (1m) (a) 2. of the statutes, as affected by
5 2001 Wisconsin Act (this act), is amended to read:

6 230.35 (1m) (a) 2. A position designated in s. 19.42 (10) (L) or 20.923 (4), (7),
7 and (8), ~~and (9)~~.

8 *b2947/3.27* SECTION 365em. 230.35 (1m) (a) 3. of the statutes is repealed.”.

9 *b2930/3.1* **420.** Page 181, line 15: after that line insert:

10 *b2930/3.1* “SECTION 365j. 231.03 (6) (intro.) of the statutes is amended to
11 read:

12 231.03 (6) (intro.) Subject to s. 231.08 (7), issue bonds of the authority, ~~and may~~
13 ~~refuse to issue bonds of the authority only if it determines that the issuance would~~
14 ~~not be financially feasible, to do any of the following:”.~~

15 *b2947/3.28* **421.** Page 181, line 15: after that line insert:

16 *b2947/3.28* “SECTION 365h. 230.35 (2) of the statutes, as affected by 2001
17 Wisconsin Act (this act), is amended to read:

18 230.35 (2) Leave of absence with pay owing to sickness and leave of absence
19 without pay, other than annual leave and leave under s. 103.10, shall be regulated
20 by rules of the secretary, except that unused sick leave shall accumulate from year
21 to year. After July 1, 1973, employees appointed to career executive positions under
22 the program established under s. 230.24 or positions designated in s. 19.42 (10) (L)
23 or 20.923 (4), (7), and (8), ~~and (9)~~ ~~or authorized under s. 230.08 (2) (e)~~ shall have any
24 unused sick leave credits restored if they are reemployed in a career executive

1 position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), and (8), ~~and (9) or~~
2 ~~authorized under s. 230.08 (2) (e)~~, regardless of the duration of their absence.
3 Restoration of unused sick leave credits if reemployment is to a position other than
4 those specified above shall be in accordance with rules of the secretary.”.

5 ***b2937/2.2* 422.** Page 182, line 9: after that line insert:

6 ***b2937/2.2* “SECTION 367e.** 236.45 (2) (am) of the statutes is created to read:

7 236.45 (2) (am) An ordinance adopted under this section by a municipality may
8 require any person, as a condition of obtaining approval of a land division, to dedicate
9 land or pay fees to fund the acquisition of land or the construction of public
10 improvements or facilities for any purpose specified in sub. (1). Any fees that are
11 imposed as a condition of approving a land division shall bear a rational relationship
12 to the need for the land or new public improvements or facilities that are necessary
13 to serve the land division.”.

14 ***b2735/1.2* 423.** Page 182, line 10: delete that line.

15 ***b2741/2.15* 424.** Page 182, line 16: after that line insert:

16 ***b2741/2.15* “SECTION 369jd.** 281.16 (3) (b) of the statutes is amended to read:

17 281.16 (3) (b) The department of ~~agriculture, trade and consumer protection,~~
18 ~~in consultation with the department of natural resources,~~ shall promulgate rules
19 prescribing conservation practices to implement the performance standards and
20 prohibitions under par. (a) and specifying a process for the development and
21 dissemination of technical standards to implement the performance standards and
22 prohibitions under par. (a).

23 ***b2741/2.15* SECTION 369je.** 281.16 (3) (c) of the statutes is amended to read:

1 281.16 (3) (c) Using the process specified under par. (b), the department of
2 ~~agriculture, trade and consumer protection, in consultation with the University of~~
3 ~~Wisconsin-Extension,~~ shall develop and disseminate technical standards to
4 implement the performance standards and prohibitions under par. (a). The
5 department of ~~agriculture, trade and consumer protection~~ shall disseminate
6 alternative technical standards for situations in which more than one method exists
7 to implement the performance standards and prohibitions.

8 ***b2741/2.15* SECTION 369jg.** 281.16 (3) (e) of the statutes is amended to read:

9 281.16 (3) (e) An owner or operator of an agricultural facility or practice that
10 is in existence before October 14, 1997, may not be required by this state or a
11 municipality to comply with the performance standards, prohibitions, conservation
12 practices or technical standards under this subsection unless cost-sharing is
13 available, under s. 92.14 or 281.65 or from any other source, to the owner or operator.
14 For the purposes of this paragraph, sub. (4) and ss. 92.07 (2), 92.105 (1), ~~92.15~~ 93.38
15 (4) and 823.08 (3) (c) 2., the department of natural resources shall promulgate rules
16 that specify criteria for determining whether cost-sharing is available under s. 92.14
17 ~~or 281.65 and the department of agriculture, trade and consumer protection shall~~
18 ~~promulgate rules that specify criteria for determining whether cost-sharing is~~
19 ~~available under s. 92.14~~ or from any other source. The rules may not allow a
20 determination that cost-sharing is available to meet local regulations under s. 92.07
21 (2), 92.105 (1) or ~~92.15~~ 93.38 that are consistent with or that exceed the performance
22 standards, prohibitions, conservation practices or technical standards under this
23 subsection unless the cost-sharing is at least 70% of the cost of compliance or is from
24 70% to 90% of the cost of compliance in cases of economic hardship, as defined in the
25 rules.

1 ***b2741/2.15* SECTION 369kd.** 281.20 (1) (a) of the statutes is amended to read:

2 281.20 (1) (a) Order or cause the abatement of pollution which the department,
3 in consultation with the ~~department of agriculture, trade and consumer protection~~
4 University of Wisconsin–Extension if the source is agricultural, has determined to
5 be significant and caused by a nonpoint source, as defined in s. 281.65 (2) (b),
6 including pollution which causes the violation of a water quality standard, pollution
7 which significantly impairs aquatic habitat or organisms, pollution which restricts
8 navigation due to sedimentation, pollution which is deleterious to human health or
9 pollution which otherwise significantly impairs water quality, except that under this
10 paragraph the department may not order or cause the abatement of any pollution
11 caused primarily by animal waste or of pollution from an agricultural source that is
12 located in a priority watershed or priority lake area unless the source is designated
13 as a critical site in a priority watershed or priority lake plan under s. 281.65 (5m) or
14 a modification to such a plan under s. 281.65 (5s).

15 ***b2741/2.15* SECTION 369kh.** 281.20 (3) (c) of the statutes is amended to read:

16 281.20 (3) (c) If the nonpoint source which is the subject of a notice under par.
17 (a) is agricultural, the department shall send the notice to the ~~department of~~
18 ~~agriculture, trade and consumer protection~~ University of Wisconsin–Extension. The
19 ~~department of agriculture, trade and consumer protection~~ University of
20 Wisconsin–Extension shall do all of the following:

21 1. Upon receipt of the notice and in cooperation with the land conservation
22 committee, provide to the person whom the department has determined to be
23 responsible for the nonpoint source under sub. (1) (a) a listing of management
24 practices which, if followed, would reduce pollution to an amount determined to be
25 acceptable by the department, in consultation with either the ~~department of~~

1 ~~agriculture, trade and consumer protection~~ University of Wisconsin–Extension or
2 the land conservation committee. The list shall, with reasonable limits, set forth all
3 of the options which are available to the person to reduce pollution to that amount
4 of pollution. The department of ~~agriculture, trade and consumer protection~~ shall
5 provide to each person receiving a notice an explanation of financial aids and
6 technical assistance which may be available to the person for the abatement of
7 pollution or the implementation of best management practices from the department
8 ~~of agriculture, trade and consumer protection~~ under s. 92.14 and from other sources.

9 2. Issue a report to the department within one year after the date of the notice
10 describing the actions taken by the person receiving the notice and a
11 recommendation as to whether the department should issue an order to abate the
12 pollution or implement the best management practices. Notwithstanding par. (a),
13 the department may not issue an order until the department receives that report
14 unless the department determines that the pollution is causing or will cause severe
15 water quality degradation which could be mitigated or prevented by abatement
16 action taken in less than one year and unless the ~~department of agriculture, trade~~
17 ~~and consumer protection~~ University of Wisconsin–Extension files a concurring
18 determination in writing with the department within 30 days after receiving notice
19 of the department's determination.

20 ***b2741/2.15* SECTION 369kk.** 281.20 (3) (d) 3. of the statutes is amended to
21 read:

22 281.20 (3) (d) 3. If the nonpoint source is agricultural, the department provides
23 a copy of the temporary emergency order to the ~~department of agriculture, trade and~~
24 ~~consumer protection~~ University of Wisconsin–Extension and to the land

1 conservation committee created under s. 92.06 in every county in which the nonpoint
2 source is located.

3 ***b2741/2.15* SECTION 369pc.** 281.65 (3) (f) of the statutes is amended to read:

4 281.65 (3) (f) Require the department ~~and the department of agriculture, trade~~
5 ~~and consumer protection~~ to conduct or contract for another person to conduct any
6 evaluation or audit of the program under this section and of individual priority
7 watershed or priority lake projects that the board determines is necessary.

8 ***b2741/2.15* SECTION 369pf.** 281.65 (4) (as) of the statutes is amended to read:

9 281.65 (4) (as) Consult with the ~~department of agriculture, trade and consumer~~
10 ~~protection~~ University of Wisconsin–Extension in developing any federal grant
11 application under par. (ar). Every application is subject to s. 16.54 and shall include
12 the proposed expenditures of federal nonpoint source water pollution abatement
13 grant moneys and the allocation of such moneys between the department and the
14 ~~department of agriculture, trade and consumer protection~~ University of
15 Wisconsin–Extension.

16 ***b2741/2.15* SECTION 369ph.** 281.65 (4) (dr) of the statutes is amended to
17 read:

18 281.65 (4) (dr) Appoint a committee for each priority watershed and priority
19 lake, to advise the department, ~~the department of agriculture, trade and consumer~~
20 ~~protection~~ and the counties, cities and villages concerning all aspects of the nonpoint
21 source pollution abatement financial assistance program. Each committee shall
22 include at least 2 farmers as members if the priority watershed or priority lake area
23 includes property in agricultural use. Each committee shall include at least 2
24 representatives of a public inland lake protection and rehabilitation district that is
25 within the priority watershed or priority lake area or, if one does not exist, of riparian

1 property owners. Each committee for a priority watershed or priority lake area with
2 any area in the Milwaukee River basin shall include a member of the county board
3 from each county with any area in that priority watershed or priority lake area.

4 ***b2741/2.15* SECTION 369pi.** 281.65 (4) (e) of the statutes is amended to read:

5 281.65 (4) (e) Promulgate rules, in consultation with the ~~department of~~
6 ~~agriculture, trade and consumer protection~~ University of Wisconsin–Extension, as
7 are necessary for the proper execution and administration of the program under this
8 section. Before promulgating rules under this paragraph, the department shall
9 submit the rules to the land and water conservation board for review under sub. (3)
10 (at). The rules shall include standards and specifications concerning best
11 management practices which are required for eligibility for cost-sharing grants
12 under this section. The standards and specifications shall be consistent with the
13 performance standards, prohibitions, conservation practices and technical
14 standards under s. 281.16. The department may waive the standards and
15 specifications in exceptional cases. The rules shall specify which best management
16 practices are cost-effective best management practices. Only persons involved in the
17 administration of the program under this section, persons who are grant recipients
18 or applicants and persons who receive notices of intent to issue orders under s. 281.20
19 (1) (b) are subject to the rules promulgated under this paragraph. Any rule
20 promulgated under this paragraph which relates or pertains to agricultural
21 practices relating to animal waste handling and treatment is subject to s. 13.565.

22 ***b2741/2.15* SECTION 369pk.** 281.65 (4) (g) (intro.) of the statutes is amended
23 to read:

24 281.65 (4) (g) (intro.) In cooperation with the ~~department of agriculture, trade~~
25 ~~and consumer protection~~ and the appropriate governmental unit, prepare priority

1 watershed and priority lakes plans to implement nonpoint source water pollution
2 abatement projects in priority watersheds and priority lake areas. In preparing the
3 plans, the department shall:

4 ***b2741/2.15* SECTION 369pL.** 281.65 (4) (g) 2. of the statutes is amended to
5 read:

6 281.65 (4) (g) 2. Promote significant participation from ~~the department of~~
7 ~~agriculture, trade and consumer protection and~~ other state agencies, governmental
8 units and other persons located in any priority watershed or in any priority lake area
9 that is the subject of the plan.

10 ***b2741/2.15* SECTION 369pn.** 281.65 (4) (g) 4. of the statutes is amended to
11 read:

12 281.65 (4) (g) 4. In cooperation with the ~~department of agriculture, trade and~~
13 ~~consumer protection~~ University of Wisconsin-Extension, incorporate the
14 appropriate best management practices into the plan.

15 ***b2741/2.15* SECTION 369pp.** 281.65 (4) (i) of the statutes is repealed.

16 ***b2741/2.15* SECTION 369pr.** 281.65 (4) (L) of the statutes is amended to read:

17 281.65 (4) (L) Before September 1 of each year, ~~in consultation with the~~
18 ~~department of agriculture, trade and consumer protection~~, submit a budget report
19 to the board that includes anticipated expenditures for projects under this section
20 during the next year, criteria for ending projects under this section and, if anticipated
21 expenditures exceed anticipated funding, a plan for reducing expenditures.

22 ***b2741/2.15* SECTION 369pt.** 281.65 (4) (o) of the statutes is amended to read:

23 281.65 (4) (o) Annually, ~~in cooperation with the department of agriculture,~~
24 ~~trade and consumer protection~~, submit a report on the progress of the program under
25 this section to the land and water conservation board.

1 ***b2741/2.15* SECTION 369pu.** 281.65 (4) (p) of the statutes is amended to read:

2 281.65 (4) (p) ~~Jointly with the department of agriculture, trade and consumer~~
3 ~~protection, prepare~~ Prepare the plan required under s. 92.14 (13). ~~The department~~
4 ~~shall review and approve or disapprove the plan and shall notify the land and water~~
5 conservation board of its final action on the plan. The department shall implement
6 ~~any part of the plan for which the plan gives it responsibility.~~

7 ***b2741/2.15* SECTION 369pv.** 281.65 (4) (pm) of the statutes is amended to
8 read:

9 281.65 (4) (pm) ~~Jointly with the department of agriculture, trade and consumer~~
10 ~~protection, develop~~ Develop the forms required and implement the process under s.
11 92.14 (14).

12 ***b2741/2.15* SECTION 369px.** 281.65 (4c) (am) 2. of the statutes, as affected
13 by 2001 Wisconsin Act 16, is amended to read:

14 281.65 (4c) (am) 2. The department, ~~in consultation with the department of~~
15 ~~agriculture, trade and consumer protection,~~ determines that funding provided under
16 s. 92.14 is insufficient to fund the project.

17 ***b2741/2.15* SECTION 369pz.** 281.65 (4m) (c) of the statutes is amended to
18 read:

19 281.65 (4m) (c) The department shall submit a copy of any plan it completes
20 under this subsection to any county located in or containing any watershed which is
21 a subject of the plan and to the ~~department of agriculture, trade and consumer~~
22 ~~protection~~ University of Wisconsin–Extension. ~~The department of agriculture, trade~~
23 ~~and consumer protection~~ University of Wisconsin–Extension shall review the plan
24 and notify the department of ~~natural resources~~ of its comments on the plan. A county

1 receiving a plan under this subsection shall review the plan, approve or disapprove
2 the plan and notify the department of ~~natural resources~~ of its action on the plan.

3 ***b2741/2.15* SECTION 369qc.** 281.65 (4m) (d) of the statutes is amended to
4 read:

5 281.65 (4m) (d) After the department considers the comments of the
6 ~~department of agriculture, trade and consumer protection~~ University of
7 Wisconsin–Extension on a plan under par. (c) and receives approval of the plan by
8 every county to which it was sent and by the land and water conservation board, the
9 department shall designate the plan to be an element of the appropriate areawide
10 water quality management plan under P.L. 92–500, section 208.

11 ***b2741/2.15* SECTION 369qd.** 281.65 (5) (intro.) of the statutes is amended to
12 read:

13 281.65 (5) (intro.) The department of ~~agriculture, trade and consumer~~
14 ~~protection, in consultation with the University of Wisconsin–Extension,~~ shall:

15 ***b2741/2.15* SECTION 369qe.** 281.65 (5m) of the statutes is amended to read:

16 281.65 (5m) Upon completion of plans by the department under sub. (4) (g), and
17 (5) and the governmental unit or regional planning commission under sub. (4m) and
18 ~~the department of agriculture, trade and consumer protection under sub. (5), and~~
19 upon receiving the approval of the land and water conservation board, the
20 department shall prepare and approve the final plan for a priority watershed or
21 priority lake.

22 ***b2741/2.15* SECTION 369qh.** 281.65 (7) (a) 2. of the statutes is amended to
23 read:

24 281.65 (7) (a) 2. A county land conservation committee receiving a request
25 under subd. 1. shall provide the owner or operator with a hearing and shall provide

1 reasonable notice of the hearing to the owner or operator, the department and the
2 ~~department of agriculture, trade and consumer protection~~ University of
3 Wisconsin–Extension. The county land conservation committee shall conduct the
4 hearing under this subdivision as an informal hearing. Section 68.11 (2) does not
5 apply to the hearing. The land conservation committee shall hold the hearing in a
6 place convenient to the owner or operator. Within 60 days after the hearing, the
7 department shall, and the ~~department of agriculture, trade and consumer protection~~
8 University of Wisconsin–Extension may, submit a report and recommendation to the
9 land conservation committee concerning the issues at the hearing. The land
10 conservation committee may affirm or reverse the designation of the site as a critical
11 site.

12 ***b2741/2.15* SECTION 369qj.** 281.65 (10) of the statutes is amended to read:

13 281.65 (10) To the greatest extent practicable, the department, ~~the department~~
14 ~~of agriculture, trade and consumer protection~~ and the administering and
15 implementing governmental unit shall encourage and utilize the Wisconsin
16 conservation corps for appropriate projects.

17 ***b2741/2.15* SECTION 369qL.** 281.65 (11) of the statutes, as affected by 2001
18 Wisconsin Act 16, is amended to read:

19 281.65 (11) Notwithstanding subs. (3) (am) and (3m), the South Fork of the Hay
20 River is a priority watershed for the period ending on June 30, 2005.
21 Notwithstanding subs. (2) (a), (4) (dm), (e), (em) and (g) 4., (4m) (b) 3. and (8) (b) and
22 (e), the department, in consultation with the local units of government involved with
23 the priority watershed project, shall establish guidelines for the types of nonpoint
24 source water pollution abatement practices to be eligible for cost-sharing grants in
25 the watershed. Notwithstanding sub. (8) (f), the amount of a cost-sharing grant in

1 the watershed may be based on the amount of pollution reduction achieved rather
2 than on the cost of the practices installed, using guidelines developed by the
3 department, in consultation with the local units of government involved with the
4 priority watershed project. In providing funding under s. 92.14 (3), the department
5 of ~~agriculture, trade and consumer protection~~ shall determine the amount of
6 matching funds required for staff for the priority watershed project as though the
7 funding termination date of June 30, 2005, had been in effect on October 6, 1998. The
8 department and the local governmental staff involved with the priority watershed
9 project shall evaluate the cost effectiveness of the project and the reduction in
10 nonpoint source water pollution associated with the project.

11 *b2741/2.15* SECTION 369sc. 281.67 of the statutes is repealed.

12 *b2741/2.15* SECTION 369tc. 281.695 (5) of the statutes is amended to read:

13 281.695 (5) Any municipality may participate in the state financial assistance
14 program for soil and water resources protection established under s. 281.55, 281.57
15 or 281.65 and may enter into agreements with the department of natural resources
16 for that purpose. Any municipality may participate in the clean water fund program
17 under ss. 281.58 and 281.59 and may enter into agreements with the department of
18 administration and the department of natural resources for that purpose. Any
19 county may participate in the state financial assistance program for soil and water
20 resources protection established under s. 92.14 and may enter into agreements with
21 the department of ~~agriculture, trade and consumer protection~~ natural resources for
22 that purpose.”.

23 *b2819/1.2* 425. Page 182, line 16: after that line insert:

24 *b2819/1.2* “SECTION 369gm. 280.25 of the statutes is created to read:

1 **280.25 Report on aquifer recovery system. (1)** In this section:

2 (a) “Aquifer storage and recovery system” has the meaning given in s. 160.257

3 (1).

4 (b) “Municipal water system” has the meaning given in s. 160.257 (1) (c).

5 **(2)** The operator of a municipal water system that uses an aquifer storage and
6 recovery system shall submit a report to the department, no later than the first day
7 of the 60th month after beginning to operate the aquifer storage and recovery system,
8 describing the experience that the operator has had with using the aquifer storage
9 and recovery system.”.

10 ***b2833/1.1* 426.** Page 182, line 16: after that line insert:

11 ***b2833/1.1* “SECTION 369qm.** 281.65 (12) of the statutes is created to read:

12 281.65 (12) Notwithstanding sub. (8), during fiscal year 2002–03, the
13 department shall make a payment under this section to a landowner who received
14 a notice of discharge under ch. 283, who entered into a cost–share agreement with
15 the department of agriculture, trade and consumer protection for a grant under s.
16 92.14 (4) (c), 1997 stats., and who complied with the cost–share agreement but who
17 did not receive the grant under s. 92.14 (4) (c), 1997 stats. The department shall
18 make a payment under this subsection in the amount to which the landowner would
19 have been entitled under the cost–share agreement with the department of
20 agriculture, trade and consumer protection. The department may not require a
21 landowner to file an application to receive payment under this subsection.”.

22 ***b2900/2.24* 427.** Page 182, line 16: after that line insert:

23 ***b2900/2.24* “SECTION 369m.** 283.84 (1) (c) of the statutes, as affected by 2001
24 Wisconsin Act 16, is amended to read:

1 283.84 (1) (c) Reaches an agreement with the department or a local
2 governmental unit, as defined in s. ~~22.01~~ 16.97 (7), under which the person pays
3 money to the department or local governmental unit and the department or local
4 governmental unit uses the money to reduce water pollution in the project area.”.

5 ***b2953/1.1* 428.** Page 182, line 16: after that line insert:

6 ***b2953/1.1* “SECTION 369h.** 255.06 (2) (h) of the statutes is created to read:

7 255.06 (2) (h) *Multiple sclerosis education.* Conduct a multiple sclerosis
8 education program to raise public awareness concerning the causes and nature of
9 multiple sclerosis and options for diagnosing and treating multiple sclerosis.”.

10 ***b2850/1.1* 429.** Page 186, line 6: after that line insert:

11 ***b2850/1.1* “SECTION 372s.** 299.41 of the statutes is amended to read:

12 **299.41 Household hazardous waste.** The department shall establish and
13 administer a grant program to assist municipalities and regional planning
14 commissions in creating and operating local programs for the collection and disposal
15 of household hazardous waste.”.

16 ***b2949/3.4* 430.** Page 186, line 13: after that line insert:

17 ***b2949/3.4* “SECTION 373g.** 301.03 (3) of the statutes is amended to read:

18 301.03 (3) ~~Administer~~ Subject to sub. (3a), administer parole, extended
19 supervision, and probation matters, except that the decision to grant or deny parole
20 to inmates shall be made by the parole commission, and the decision to revoke
21 probation, extended supervision, or parole in cases in which there is no waiver of the
22 right to a hearing shall be made by the division of hearings and appeals in the
23 department of administration. The secretary may grant special action parole
24 releases under s. 304.02. The department shall promulgate rules establishing a drug

1 testing program for probationers, parolees, and persons placed on extended
2 supervision. The rules shall provide for assessment of fees upon probationers,
3 parolees, and persons placed on extended supervision to partially offset the costs of
4 the program.

5 *b2949/3.4* **SECTION 373r.** 301.03 (3a) of the statutes is created to read:

6 301.03 (3a) The department shall take steps to promote the increased
7 effectiveness of probation, extended supervision, and parole in Brown, Dane,
8 Kenosha, Milwaukee, Racine, and Rock counties. In each of these counties, the
9 department shall, beginning on the first day of the 10th month beginning after the
10 effective date of this subsection [revisor inserts date], develop a partnership with
11 the community, have strategies for local crime prevention, supervise offenders
12 actively, commit additional resources to enhance supervision and purchase services
13 for offenders, establish day reporting centers, and ensure that probation, extended
14 supervision, and parole agents, on average, supervise no more than 25 persons on
15 probation, extended supervision, or parole.”

16 *b2788/1.1* **431.** Page 187, line 7: after that line insert:

17 *b2788/1.1* **SECTION 377bc.** 301.048 (2m) of the statutes is repealed.

18 *b2788/1.1* **SECTION 377be.** 301.048 (3) (a) (intro.) of the statutes is amended
19 to read:

20 301.048 (3) (a) (intro.) The Subject to par. (bm), the department shall provide
21 each participant with one or more of the following sanctions:

22 *b2788/1.1* **SECTION 377bg.** 301.048 (3) (a) 1. of the statutes is amended to
23 read:

1 301.048 (3) (a) 1. Placement in a Type 1 prison or a jail, county reforestation
2 camp, residential treatment facility or community-based residential facility. The
3 Except as provided in par. (bm), the department may not place a participant under
4 this paragraph for more than one year ~~or, if applicable, the period specified by the~~
5 ~~court under s. 973.032 (3) (b), whichever is shorter, except as provided in s. 973.032~~
6 (4).

7 ***b2788/1.1* SECTION 377bi.** 301.048 (3) (b) of the statutes is amended to read:

8 301.048 (3) (b) The Except as provided in par. (bm), the department may
9 provide the sanctions under par. (a) in any order and may provide more than one
10 sanction at a time. Subject to the cumulative time restrictions under ~~par. pars.~~ (a)
11 1. and (bm) 2., the department may return to a sanction that was used previously for
12 a participant. A participant is not entitled to a hearing regarding the department's
13 exercise of authority under this subsection or its decision to not petition the court
14 under s. 973.032 (4m) (b) for permission to release a person from a placement under
15 par. (a) 1. unless the department provides for a hearing by rule.

16 ***b2788/1.1* SECTION 377bj.** 301.048 (3) (bm) of the statutes is created to read:

17 301.048 (3) (bm) 1. The department shall initially place a person required to
18 participate in the intensive sanctions program under s. 973.032 (1) in a Type 1 prison
19 or a jail, county reforestation camp, residential treatment facility, or
20 community-based residential facility under par. (a) 1. Except as provided under
21 subd. 2. or unless, under sub. (4) (a), the person's extended supervision is revoked,
22 the department shall maintain the person in that placement until the court
23 authorizes the person's release from the placement under s. 973.032 (4m).

24 2. The department may not place a person described in subd. 1. in a placement
25 under par. (a) 1. for a total of more than 2 years.

1 ***b2788/1.1* SECTION 377bL.** 301.048 (4) (a) of the statutes is amended to read:

2 301.048 (4) (a) A participant is in the custody and under the control of the
3 department, subject to its rules and discipline. A participant entering the program
4 under sub. (2) (am) 1. is a prisoner, except that he or she is a person on extended
5 supervision for the purposes of revocation if the department is precluded under sub.
6 (3) (bm) 2. from placing the person under sub. (3) (a) 1. A participant entering the
7 program under sub. (2) (am) ~~1.~~ or 2. is a prisoner. A participant entering the program
8 under sub. (2) (am) 3. is a prisoner, except that he or she is a parolee for purposes of
9 revocation. A participant entering the program under sub. (2) (am) 3m. is a prisoner,
10 except that he or she remains a person on extended supervision for purposes of
11 revocation. A participant entering the program under sub. (2) (am) 4. is a prisoner,
12 except that he or she remains a probationer, parolee, or person on extended
13 supervision, whichever is applicable, for purposes of revocation.

14 ***b2788/1.1* SECTION 377bn.** 301.048 (4) (ar) of the statutes is created to read:

15 301.048 (4) (ar) If a participant enters the program under sub. (2) (am) 1. and
16 his or her extended supervision is revoked, the time remaining on the bifurcated
17 sentence for the purposes of s. 302.113 (9) is the total length of the bifurcated
18 sentence, less time served by the person in custody under sub. (3) (a) 1. before release
19 to extended supervision.

20 ***b2788/1.1* SECTION 377bp.** 301.048 (6) (a) of the statutes is amended to read:

21 301.048 (6) (a) Except as provided in ~~par.~~ pars. (b) and (c), the department may
22 discharge a participant from participation in the program and from departmental
23 custody and control at any time.

24 ***b2788/1.1* SECTION 377br.** 301.048 (6) (c) of the statutes is created to read:

1 301.048 (6) (c) 1. If the department determines that a person participating
2 under sub. (2) (am) 1. has successfully completed the intensive sanctions program,
3 the department shall inform the court that sentenced the inmate.

4 2. Upon being informed by the department under subd. 1. that an inmate whom
5 the court sentenced under s. 973.01 has successfully completed the intensive
6 sanctions program, the court shall modify the inmate's bifurcated sentence as
7 follows:

8 a. The court shall reduce the term of confinement in prison portion of the
9 inmate's bifurcated sentence in a manner that provides for the release of the inmate
10 to extended supervision within 30 days of the date on which the court receives the
11 information from the department under subd. 1.

12 b. The court shall lengthen the term of extended supervision imposed so that
13 the total length of the bifurcated sentence originally imposed does not change.”.

14 ***b2837/1.7* 432.** Page 187, line 7: after that line insert:

15 ***b2837/1.7* “SECTION 377cm.** 301.12 (8) (d) of the statutes is amended to read:

16 301.12 (8) (d) After due regard to the case and to a spouse and minor children
17 who are lawfully dependent on the property for support, compromise or waive any
18 portion of any claim of the state or county for which a person specified under sub. (2)
19 is liable, but not any claim payable by an insurer under s. 632.89 (2) or ~~(2m)~~ (4m) or
20 by any other 3rd party.

21 ***b2837/1.7* SECTION 377dm.** 301.12 (14) (a) of the statutes is amended to read:

22 301.12 (14) (a) Except as provided in pars. (b) and (c), liability of a person
23 specified in sub. (2) or s. 301.03 (18) for care and maintenance of persons under 17
24 years of age in residential, nonmedical facilities such as group homes, foster homes,

1 treatment foster homes, child caring institutions, and juvenile correctional
2 institutions is determined in accordance with the cost-based fee established under
3 s. 301.03 (18). The department shall bill the liable person up to any amount of
4 liability not paid by an insurer under s. 632.89 (2) or ~~(2m)~~ (4m) or by other 3rd-party
5 benefits, subject to rules which include formulas governing ability to pay
6 promulgated by the department under s. 301.03 (18). Any liability of the resident not
7 payable by any other person terminates when the resident reaches age 17, unless the
8 liable person has prevented payment by any act or omission.”.

9 *b2951/1.3* **433.** Page 187, line 7: after that line insert:

10 *b2951/1.3* “SECTION 377b. 301.205 (title) of the statutes is repealed and
11 recreated to read:

12 **301.205 (title) Transportation for visits.**

13 *b2951/1.3* SECTION 377c. 301.205 of the statutes is renumbered 301.205 (2).

14 *b2951/1.3* SECTION 377d. 301.205 (1) of the statutes is created to read:

15 301.205 (1) (a) Except as provided in par. (b), the department may not use state
16 funds to transport persons visiting inmates in state prisons.

17 (b) The department may do any of the following to pay for the cost of
18 transporting persons visiting inmates in state prisons:

19 1. Charge a reasonable fee to persons to whom the transportation is provided.

20 2. Use money received from gifts, grants, donations, and burial trusts that is
21 provided for the purpose of paying for the cost of such transportation.”.

22 *b2788/1.2* **434.** Page 189, line 18: after that line insert:

23 *b2788/1.2* “SECTION 383m. 302.11 (1i) of the statutes is repealed.”.

1 ***b2949/3.5* 435.** Page 191, line 22: after “302.045 (3m) (b) 1.” insert “or
2 973.195 (1)”.

3 ***b2949/3.6* 436.** Page 191, line 23: after that line insert:

4 ***b2949/3.6* “SECTION 392m.** 302.113 (3) (a) (intro.) of the statutes is amended
5 to read:

6 302.113 (3) (a) (intro.) The warden or superintendent shall keep a record of the
7 conduct of each inmate subject to this section, specifying each infraction of the rules.
8 If an inmate subject to this section violates an order under s. 973.031 requiring him
9 or her to participate in a drug treatment program, violates any regulation of the
10 prison, or refuses or neglects to perform required or assigned duties, the department
11 may extend the term of confinement in prison portion of the inmate’s bifurcated
12 sentence as follows:”.

13 ***b2788/1.3* 437.** Page 194, line 20: delete that line and substitute “sentence.
14 The Except as provided in s. 301.048 (4) (ar), the time remaining on the bifurcated
15 sentence is the total length of the”.

16 ***b2949/3.7* 438.** Page 201, line 13: after that line insert:

17 ***b2949/3.7* “SECTION 406s.** 302.114 (3) (a) (intro.) of the statutes is amended
18 to read:

19 302.114 (3) (a) (intro.) The warden or superintendent shall keep a record of the
20 conduct of each inmate subject to this section, specifying each infraction of the rules.
21 If any an inmate subject to this section violates an order under s. 973.031 requiring
22 him or her to participate in a drug treatment program, violates any regulation of the
23 prison, or refuses or neglects to perform required or assigned duties, the department

1 may extend the extended supervision eligibility date set under s. 973.014 (1g) (a) 1.
2 or 2., whichever is applicable, as follows:”.

3 ***b2835/2.3* 439.** Page 205, line 20: after that line insert:

4 ***b2835/2.3* “SECTION 420h.** 302.46 (1) (a) of the statutes is amended to read:

5 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
6 for a violation of state law or for a violation of a municipal or county ordinance except
7 for a violation of s. 101.123 (2) (a), (am) 1., (ar) or (bm) or (5) or state laws or municipal
8 or county ordinances involving nonmoving traffic violations, headlamp violations
9 under s. 347.065 (1), or safety belt use violations under s. 347.48 (2m), the court, in
10 addition, shall impose a jail assessment in an amount of 1% of the fine or forfeiture
11 imposed or \$10, whichever is greater. If multiple offenses are involved, the court
12 shall determine the jail assessment on the basis of each fine or forfeiture. If a fine
13 or forfeiture is suspended in whole or in part, the court shall reduce the jail
14 assessment in proportion to the suspension.”.

15 ***b2949/3.8* 440.** Page 205, line 20: after that line insert:

16 ***b2949/3.8* “SECTION 420m.** 302.43 of the statutes is amended to read:

17 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
18 in the amount of one-fourth of his or her term for good behavior if sentenced to at
19 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
20 for time served prior to sentencing under s. 973.155, including good time under s.
21 973.155 (4). An inmate who violates an order under s. 973.031 requiring him or her
22 to participate in a drug treatment program, violates any law or any regulation of the
23 jail, or neglects or refuses to perform any duty lawfully required of him or her, may
24 be deprived by the sheriff of good time under this section, except that the sheriff shall

1 not deprive the inmate of more than 2 days good time for any one offense without the
2 approval of the court. An inmate who files an action or special proceeding, including
3 a petition for a common law writ of certiorari, to which s. 807.15 applies shall be
4 deprived of the number of days of good time specified in the court order prepared
5 under s. 807.15 (3).”.

6 *b2788/1.4* **441.** Page 207, line 19: after that line insert:

7 *b2788/1.4* “SECTION 428n. 304.02 (4) of the statutes is repealed.”.

8 *b2788/1.5* **442.** Page 208, line 10: after that line insert:

9 *b2788/1.5* “SECTION 430m. 304.06 (1y) of the statutes is repealed.”.

10 *b2788/1.6* **443.** Page 208, line 13: delete that line and substitute “or s.
11 939.62 (2m) (c), ~~961.49 (2)~~, 973.01 (6), or 973.014 (1) (c) or (1g) ~~or 973.032 (5)~~, he”.

12 *b2835/2.4* **444.** Page 209, line 22: after that line insert:

13 *b2835/2.4* “SECTION 432pb. 340.01 (74v) of the statutes is created to read:
14 340.01 (74v) “Windshield” means the shield of safety glass, glass, or another
15 material, mounted forward of the passenger compartment of a motor vehicle, other
16 than a motor-driven cycle.

17 *b2835/2.4* SECTION 432pd. 340.01 (74x) of the statutes is created to read:

18 340.01 (74x) “Windshield wiper” means a mechanical device for cleaning rain,
19 snow, or other moisture from the windshield of a vehicle.”.

20 *b2966/1.1* **445.** Page 209, line 22: after that line insert:

21 *b2966/1.1* “SECTION 432p. 340.01 (20m) of the statutes is created to read:

22 340.01 (20m) “Hail-damaged vehicle” means a vehicle less than 7 years old
23 that is not precluded from subsequent registration and titling and which is damaged

1 solely by hail to the extent that the estimated or actual cost, whichever is greater, of
2 repairing the vehicle exceeds 70% of its fair market value.

3 *b2966/1.1* **SECTION 432s.** 340.01 (55g) of the statutes is amended to read:

4 340.01 (55g) “Salvage vehicle” means a vehicle less than 7 years old that is not
5 precluded from subsequent registration and titling and which is damaged by
6 collision or other occurrence to the extent that the estimated or actual cost,
7 whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.
8 The term does not include a hail-damaged vehicle unless the vehicle is repaired with
9 any replacement part, as defined in s. 632.38 (1) (e).”

10 *b2966/1.2* **446.** Page 210, line 11: after that line insert:

11 *b2966/1.2* **SECTION 435m.** 342.10 (3) (h) of the statutes is created to read:

12 342.10 (3) (h) That the vehicle was a hail-damaged vehicle. This paragraph
13 does not apply to a hail-damaged vehicle that was repaired with any replacement
14 part, as defined in s. 632.38 (1) (e).”.

15 *b2835/2.5* **447.** Page 211, line 3: after that line insert:

16 *b2835/2.5* **SECTION 439s.** 343.23 (2) (c) of the statutes is created to read:

17 343.23 (2) (c) The file for a licensee under par. (a) shall not include any
18 conviction under s. 347.065 (1) or a local ordinance in conformity therewith or a law
19 of a federally recognized American Indian tribe or band in this state in conformity
20 with s. 347.065 (1) or the law of another jurisdiction prohibiting operating a vehicle
21 at any time that a windshield wiper is being used without lighted headlamps, tail
22 lamps, or clearance lamps, as those or substantially similar terms are used in that
23 jurisdiction’s laws.”.

24 *b2913/2.15* **448.** Page 211, line 13: after that line insert:

1 ***b2913/2.15*** “SECTION 442g. 344.576 (3) (a) 5. of the statutes is amended to
2 read:

3 344.576 (3) (a) 5. The address and telephone number of the department of
4 ~~agriculture, trade and consumer protection~~ justice.

5 ***b2913/2.15*** SECTION 442m. 344.576 (3) (c) of the statutes is amended to read:

6 344.576 (3) (c) The department of ~~agriculture, trade and consumer protection~~
7 justice shall promulgate rules specifying the form of the notice required under par.
8 (a), including the size of the paper and the type size and any highlighting of the
9 information described in par. (a). The rule may specify additional information that
10 must be included in the notice and the precise language that must be used.

11 ***b2913/2.15*** SECTION 442r. 344.579 (2) (intro.) of the statutes is amended to
12 read:

13 344.579 (2) ENFORCEMENT. (intro.) The department of ~~agriculture, trade and~~
14 ~~consumer protection~~ justice shall investigate violations of ss. 344.574, 344.576 (1),
15 (2) and (3) (a) and (b), 344.577 and 344.578. The department of ~~agriculture, trade~~
16 ~~and consumer protection~~ justice may on behalf of the state.”.

17 ***b2761/1.1*** **449.** Page 215, line 7: after that line insert:

18 ***b2761/1.1*** “SECTION 461j. 346.94 (19) of the statutes is created to read:

19 346.94 (19) ENGINE BRAKING. (a) In this subsection, “engine brake” means a
20 hydraulically operated device that converts a power-producing diesel engine into a
21 power-absorbing, retarding mechanism that is used to augment or replace the use
22 of the primary brake system or mechanism on a motor vehicle.

23 (b) No operator of a motor vehicle may use engine brakes on the exit ramps from
24 I 94 to STH 25 proceeding northerly in the city of Menomonie in Dunn County. The