

1 (5) This section first applies to fines and forfeitures imposed on the first day
2 of the first month beginning after the director of the technical college system notifies
3 the director of state courts under 2001 Wisconsin Act ... (this act), section 9148 (1f)
4 that the truck driver training center at Waukesha County Technical College is
5 scheduled to open.

6 **SECTION 3456m.** 349.06 (3) of the statutes is amended to read:

7 349.06 (3) If an operator of a vehicle violates a local ordinance in strict
8 conformity with s. 346.04 (1) or (2), 346.18 (6), 346.27, 346.37, 346.39, 346.46 (1),
9 346.57 (2), (3), (4) (d) to (h), (L), or (m) or (5) or 346.62 (2) where persons engaged in
10 work in a highway maintenance or construction area or in a utility work area are at
11 risk from traffic, any applicable minimum and maximum forfeiture for the violation
12 shall be doubled.

13 **SECTION 3456mg.** 349.06 (4) of the statutes is created to read:

14 349.06 (4) Any municipality or county may enact and enforce an ordinance that
15 regulates the equipment of a low-speed vehicle if the ordinance strictly conforms to
16 rules promulgated under s. 347.02 (8). An ordinance that incorporates by reference
17 existing and future amendments of rules promulgated under s. 347.02 (8) shall be
18 considered to be in strict conformity and not contrary to or inconsistent with s. 347.02
19 (8) and rules promulgated under that subsection.

20 **SECTION 3456nm.** 349.105 of the statutes is amended to read:

21 **349.105 Authority to prohibit certain traffic on expressways and**
22 **freeways.** The authority in charge of maintenance of an expressway or freeway
23 may, by order, ordinance or resolution, prohibit the use of such expressway or
24 freeway by pedestrians, persons riding bicycles or other nonmotorized traffic or by
25 persons operating low-speed vehicles, mopeds or motor bicycles. The state or local

1 authority adopting any such prohibitory regulation shall erect and maintain official
2 signs giving notice thereof on the expressway or freeway to which such prohibition
3 applies.

4 **SECTION 3456p.** 349.11 (2) (d) of the statutes is created to read:

5 349.11 (2) (d) Modify the limits stated in s. 346.57 (4) (L) or (m).

6 **SECTION 3456s.** 349.237 of the statutes is created to read:

7 **349.237 Authority to regulate operation of low-speed vehicles.** The
8 governing body of any municipality or county may by ordinance do any of the
9 following:

10 (1) Designate any roadway under its jurisdiction having a speed limit of more
11 than 25 miles per hour but not more than 35 miles per hour upon which a low-speed
12 vehicle may be operated.

13 (2) Designate locations for low-speed vehicles to cross a state trunk highway
14 or connecting highway that is not a controlled-access highway. A municipality or
15 county may erect official signs or mark a crossing designated under this subsection
16 only as directed by the department.

17 **SECTION 3457.** 350.01 (3r) of the statutes is repealed.

18 **SECTION 3457m.** 350.01 (9g) of the statutes is amended to read:

19 350.01 (9g) “Law enforcement officer” has the meaning specified under s.
20 165.85 (2) (c) and includes a person appointed as a conservation warden by the
21 department under s. 23.10 (1) or a state forest ranger appointed under s. 28.92.

22 **SECTION 3458.** 350.01 (10t) of the statutes is created to read:

23 350.01 (10t) “Registration documentation” means a snowmobile registration
24 certificate, a validated registration receipt, or a registration decal.

25 **SECTION 3459.** 350.01 (22) of the statutes is created to read:

1 350.01 (22) “Validated registration receipt” means a receipt issued by the
2 department or an agent under s. 350.12 (3h) (ag) 1. a. that shows that an application
3 and the required fee for a registration certificate has been submitted to the
4 department.

5 **SECTION 3460.** 350.12 (3) (a) (intro.) of the statutes is amended to read:

6 350.12 (3) (a) (intro.) Except as provided under subs. (2) and (5) (cm), no person
7 may operate and no owner may give permission for the operation of any snowmobile
8 within this state unless the snowmobile is registered for public use or private use
9 under this paragraph or s. 350.122 or as an antique under par. (b) and has the
10 registration decals displayed as required under sub. (5) or s. 350.122 or unless the
11 snowmobile has a reflectorized plate attached as required under par. (c) 3. A
12 snowmobile that is not registered as an antique under par. (b) may be registered for
13 public use. A snowmobile that is not registered as an antique under par. (b) and that
14 is used exclusively on private property, as defined under s. 23.33 (1) (n), may be
15 registered for private use. A snowmobile public-use registration certificate is valid
16 for 2 years beginning on the July 1 prior to the date of application if registration is
17 made prior to April 1 and beginning on the July 1 subsequent to the date of
18 application if registration is made after April 1 and ending on June 30, 2 years
19 thereafter. A snowmobile private-use registration certificate is valid from the date
20 of issuance until ownership of the snowmobile is transferred. The fee for the issuance
21 or renewal of a public-use registration certificate is ~~\$20~~ \$30, except that the fee is
22 \$5 if it is a snowmobile owned and operated by a political subdivision of this state.
23 There is no fee for the issuance of a private-use registration certificate or for the
24 issuance of a registration certificate to the state.

25 **SECTION 3461.** 350.12 (3) (a) 3. of the statutes is amended to read:

1 350.12 (3) (a) 3. The purchaser shall complete the application for transfer and
2 cause it to be mailed or delivered to the department or an agent appointed under sub.
3 (3h) (a) 3. within 10 days from the date of purchase. A fee of \$5 shall be paid for
4 transfer of a current registration certificate.

5 **SECTION 3462.** 350.12 (3) (c) 2. of the statutes is amended to read:

6 350.12 (3) (c) 2. The fee for issuing or renewing a commercial snowmobile
7 certificate is ~~\$60~~ \$90. Upon receipt of the application form required by the
8 department and the fee required under this subdivision, the department shall issue
9 to the applicant a commercial snowmobile certificate and 3 reflectorized plates. The
10 fee for additional reflectorized plates is ~~\$20~~ \$30 per plate.

11 **SECTION 3463.** 350.12 (3) (cm) of the statutes is created to read:

12 350.12 (3) (cm) Subsection (3h) does not not apply to commercial snowmobile
13 certificates, reflectorized plates, or registration certificates issued for antique
14 snowmobiles under par. (b).

15 **SECTION 3464.** 350.12 (3) (d) of the statutes is amended to read:

16 350.12 (3) (d) Upon receipt of the required fee, a sales tax report, payment of
17 sales and use taxes due under s. 77.61 (1), and an application on forms prescribed
18 by it, the department or an agent appointed under sub. (3h) (a) 3. shall issue to the
19 applicant ~~a~~ an original registration certificate stating the registration number, the
20 name and address of the owner, and other information the department deems
21 necessary or a validated registration receipt. The department or an agent appointed
22 under sub. (3h) (a) 3. shall issue 2 registration decals per snowmobile owned by an
23 individual owner, this state, or a political subdivision of this state. The decals shall
24 be no larger than 3 inches in height and 6 inches in width. The decals shall contain
25 reference to the state, the department, whether the snowmobile is registered for

1 public use or private use under par. (a), or as an antique under par. (b), and shall show
2 the expiration date of the registration.

3 **SECTION 3465.** 350.12 (3) (e) of the statutes is amended to read:

4 350.12 (3) (e) If a ~~commercial snowmobile certificate~~, registration certificate,
5 registration decal, commercial snowmobile certificate, or reflectorized plate is lost or
6 destroyed, the holder of the certificate, decal, or plate may apply for a duplicate on
7 forms provided for by the department accompanied by a fee of \$5. Upon receipt of
8 a proper application and the required fee, the department or an agent appointed
9 under sub. (3h) (a) 3. shall issue a duplicate certificate, decal, or plate to the
10 applicant.

11 **SECTION 3466.** 350.12 (3h) (title) of the statutes is amended to read:

12 350.12 (3h) (title) REGISTRATION; RENEWALS; AGENTS PROCEDURES.

13 **SECTION 3467.** 350.12 (3h) (a) (intro.) of the statutes is amended to read:

14 350.12 (3h) (a) ~~Issuance; appointment of agents~~ Issuers. (intro.) For the
15 issuance of ~~snowmobile certificates~~ original or duplicate registration documentation
16 and for the transfer or renewal of registration documentation, the department may
17 do any of the following:

18 **SECTION 3468.** 350.12 (3h) (a) 1. of the statutes is amended to read:

19 350.12 (3h) (a) 1. Directly issue the certificates, transfer, or renew the
20 registration documentation with or without using the expedited services specified in
21 par. (ag) 1.

22 **SECTION 3469.** 350.12 (3h) (a) 2. of the statutes is repealed.

23 **SECTION 3470.** 350.12 (3h) (a) 3. of the statutes is amended to read:

24 350.12 (3h) (a) 3. Appoint persons who are not employees of the department
25 as agents of the department to issue the certificates ~~as agents of the department,~~

1 transfer, or renew the registration documentation using either or both of the
2 expedited services specified in par. (ag) 1.

3 **SECTION 3471.** 350.12 (3h) (ag) of the statutes is created to read:

4 350.12 **(3h)** (ag) *Registration; methods of issuance.* 1. For the issuance of
5 original or duplicate registration documentation and for the transfer or renewal of
6 registration documentation, the department may implement either or both of the
7 following expedited procedures to be provided by the department and any agents
8 appointed under par. (a) 3.:

9 a. A noncomputerized procedure under which the department or agent may
10 accept applications for registration certificates and issue a validated registration
11 receipt at the time the applicant submits the application accompanied by the
12 required fees.

13 b. A computerized procedure under which the department or agent may accept
14 applications for registration documentation and issue to each applicant all or some
15 of the items of the registration documentation at the time the applicant submits the
16 application accompanied by the required fees.

17 2. Under either procedure under subd. 1., the applicant shall receive any
18 remaining items of registration documentation directly from the department at a
19 later date. The items of registration documentation issued at the time of the
20 submittal of the application under either procedure shall be sufficient to allow the
21 snowmobile for which the application is submitted to be operated in compliance with
22 the registration requirements under this section.

23 **SECTION 3472.** 350.12 (3h) (ar) of the statutes is created to read:

24 350.12 **(3h)** (ar) *Fees.* 1. In addition to the applicable fee under sub. (3) (a), each
25 agent appointed under par. (a) 3. shall collect an expedited service fee of \$3 each time

1 the agent issues a validated registration receipt under par. (ag) 1. a. The agent shall
2 retain the entire amount of each expedited service fee the agent collects.

3 2. In addition to the applicable fee under sub. (3) (a), the department or the
4 agent appointed under par. (a) 3. shall collect an expedited service fee of \$3 each time
5 the expedited service under par. (ag) 1. b. is provided. The agent shall remit to the
6 department \$1 of each expedited service fee the agent collects.

7 **SECTION 3473.** 350.12 (3h) (b) of the statutes is repealed.

8 **SECTION 3474.** 350.12 (3h) (c) of the statutes is repealed.

9 **SECTION 3475.** 350.12 (3h) (d) of the statutes is repealed.

10 **SECTION 3476.** 350.12 (3h) (e) of the statutes is repealed.

11 **SECTION 3477.** 350.12 (3h) (f) of the statutes is repealed.

12 **SECTION 3478.** 350.12 (3h) (g) of the statutes is amended to read:

13 350.12 (3h) (g) *Remittal Receipt of fees.* ~~An agent appointed under par. (e) shall~~
14 ~~remit to the department \$2 of each \$3 fee collected under par. (f). Any All fees~~
15 ~~remitted to or collected by the department under par. (d) or (f) (ar) shall be credited~~
16 ~~to the appropriation account under s. 20.370 (9) (hu).~~

17 **SECTION 3479.** 350.12 (3h) (h) of the statutes is created to read:

18 350.12 (3h) (h) *Rules.* The department may promulgate rules to establish
19 eligibility and other criteria for the appointment of agents under par. (a) 3. and to
20 regulate the activities of these agents.

21 **SECTION 3480.** 350.12 (3j) (b) of the statutes is amended to read:

22 350.12 (3j) (b) The fee for a trail use sticker issued for a snowmobile that is
23 exempt from registration under sub. (2) (b) or (bn) is ~~\$12.25~~ \$17.25. A trail use
24 sticker issued for such a snowmobile may be issued only by the department and
25 persons appointed by the department and expires on June 30 of each year.

1 **SECTION 3483.** 350.12 (4) (b) (intro.) of the statutes is amended to read:

2 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated
3 under s. 20.370 (1) (mq) and (5) (cb), (cr) ~~and~~, (cs), and (cw) shall be used for
4 development and maintenance, the cooperative snowmobile sign program, major
5 reconstruction or rehabilitation to improve bridges on existing approved trails, trail
6 rehabilitation, signing of snowmobile routes, and state snowmobile trails and areas
7 and distributed as follows:

8 **SECTION 3483m.** 350.12 (4) (b) (intro.) of the statutes, as affected by 2001
9 Wisconsin Act (this act), is amended to read:

10 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated
11 under ~~s. ss.~~ 20.370 (1) (mq) and (5) (cb), (cr), (cs), and (cw) and 20.375 (3) (sg) shall
12 be used for development and maintenance, the cooperative snowmobile sign
13 program, major reconstruction or rehabilitation to improve bridges on existing
14 approved trails, trail rehabilitation, signing of snowmobile routes, and state
15 snowmobile trails, and areas and distributed as follows:

16 **SECTION 3484.** 350.12 (4) (bg) of the statutes is renumbered 350.12 (4) (bg) 1.
17 and amended to read:

18 350.12 (4) (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the
19 department shall make available in fiscal year ~~1992-93~~ 2001-02 and each fiscal year
20 thereafter an amount equal to the amount calculated under s. 25.29 (1) (d) 2. to make
21 payments to the department or a county under par. (bm) for trail maintenance costs
22 incurred in the previous fiscal year that exceed the maximum specified under par.
23 (b) 1. before expending any of the amount for the other purposes specified in par. (b).

24 **SECTION 3484m.** 350.12 (4) (bg) 1. of the statutes, as affected by 2001 Wisconsin
25 Act (this act), is amended to read:

1 350.12 (4) (bg) 1. Of the moneys appropriated under s. 20.370 (5) (cs), the
2 department of natural resources shall make available in fiscal year 2001-02 and
3 each fiscal year thereafter an amount equal to the amount calculated under s. 25.29
4 (1) (d) 2. to make payments to itself, to the department of forestry, or to a county under
5 par. (bm) for trail maintenance costs incurred in the previous fiscal year that exceed
6 the maximum specified under par. (b) 1. before expending any of the amount for the
7 other purposes specified in par. (b).

8 **SECTION 3485.** 350.12 (4) (bg) 2. of the statutes is created to read:

9 350.12 (4) (bg) 2. For fiscal year 2001-02, and for each fiscal year thereafter,
10 the department shall calculate an amount equal to the number of trail use stickers
11 issued under sub. (3j) in the previous fiscal year multiplied by \$15 and shall credit
12 this amount to the appropriation account under s. 20.370 (5) (cw). From the
13 appropriation ^{account} under s. 20.370 (5) (cw), the department shall make payments to the
14 department or a county for the purposes specified in par. (b). The department shall
15 make payments under par. (bm) for trail maintenance costs that were incurred in the
16 previous fiscal year and that exceed the maximum specified under par. (b) 1. before
17 making payments for any of the other purposes specified in par. (b).

18 **SECTION 3485c.** 350.12 (4) (bm) (intro.) of the statutes is amended to read:

19 350.12 (4) (bm) *Supplemental trail aid payments; eligibility.* (intro.) A county
20 or, the department of forestry, or the department of natural resources shall be eligible
21 for payments under par. (bg) if it applies for the aid and if all of the following apply:

22 **SECTION 3485g.** 350.12 (4) (bm) 1. of the statutes is amended to read:

23 350.12 (4) (bm) 1. The actual cost incurred by the department of forestry, the
24 department of natural resources, or the county in maintaining its trails that are

1 qualified under par. (b) 1. or 4. in the previous fiscal year exceeds the maximum of
2 \$250 per mile per year under par. (b) 1.

3 **SECTION 3485n.** 350.12 (4) (bm) 2. of the statutes is amended to read:

4 350.12 (4) (bm) 2. Of the actual cost incurred by the department of natural
5 resources, the department of forestry, or the county in maintaining its trails that are
6 qualified under par. (b) 1. or 4. for the fiscal year applicable under subd. 1., the actual
7 cost incurred in grooming the trails exceeds a maximum of \$130 per mile per year.

8 **SECTION 3485r.** 350.12 (4) (br) of the statutes is amended to read:

9 350.12 (4) (br) *Supplemental trail aid payments; insufficient funding.* If the
10 aid that is payable to counties and, to the department of natural resources, and to
11 the department of forestry under par. (bm) exceeds the moneys available under par.
12 (bg), the department of natural resources may prorate the payments or may request
13 the joint committee on finance to take action under s. 13.101. The requirement of a
14 finding of emergency under s. 13.101 (3) (a) 1. does not apply to such a request.

15 **SECTION 3485w.** 350.12 (4) (c) 1. of the statutes is amended to read:

16 350.12 (4) (c) 1. Any moneys appropriated under s. 20.370 (1) (mq), (3) (aq) or
17 (9) (mw) or 20.375 (3) (sg) that lapse shall revert to the snowmobile account in the
18 conservation fund.

19 **SECTION 3486.** 350.12 (5) (b) of the statutes is amended to read:

20 350.12 (5) (b) The registration certificate or, for ~~owners~~ an owner who
21 purchased a snowmobile and who ~~have~~ has received ~~an approved application for a~~
22 validated registration receipt ~~validated by the department~~ but who ~~have~~ has not yet
23 received the registration certificate, the ~~approved application for~~ validated
24 registration receipt shall be in the possession of the ~~user of~~ person operating the
25 snowmobile at all times.

1 **SECTION 3487.** 350.12 (5) (c) of the statutes is amended to read:

2 350.12 (5) (c) The registration certificate or, for ~~owners~~ an owner who
3 purchased a snowmobile and who ~~have~~ has received ~~an approved application for a~~
4 validated registration receipt ~~validated by the department~~ but who ~~have~~ has not yet
5 received the registration certificate, the ~~approved application for~~ validated
6 registration receipt shall be exhibited, upon demand, by the ~~user~~ operator of the
7 snowmobile for inspection by any person authorized to enforce this section as
8 provided under s. 350.17 (1) and (3).

9 **SECTION 3488.** 350.12 (5) (cm) of the statutes is amended to read:

10 350.12 (5) (cm) A person may operate a snowmobile without having the
11 registration decals displayed as provided under par. (a) if the owner has received ~~an~~
12 ~~approved application for a~~ validated registration receipt ~~validated by the~~
13 ~~department~~ and if the ~~user~~ operator of the snowmobile complies with pars. (b) and
14 (c).

15 **SECTION 3489.** 350.12 (5) (d) of the statutes is amended to read:

16 350.12 (5) (d) At the end of the registration period the department shall send
17 the owner of each snowmobile a renewal application. The owner shall sign the
18 renewal application and return or present the application and the proper fee to the
19 department or present the application and fee to an agent appointed under sub. (3h)
20 (e) (a) 3.

21 **SECTION 3490.** 350.125 (1) (a) of the statutes is renumbered 350.125 (1) (a)
22 (intro.) and amended to read:

23 350.125 (1) (a) (intro.) When a snowmobile dealer sells a snowmobile, the
24 dealer, at the time of sale, shall require the buyer to complete an application for a an

1 original registration certificate, collect the required fee, and ~~mail~~ do one of the
2 following:

3 1. Mail the application and fee to the department no later than 5 days after the
4 date of sale and furnish the buyer with a validated registration receipt.

Stricken period

5 (ag) The department shall provide combination application and receipt forms
6 and the dealer shall furnish the buyer with a completed receipt showing that
7 application for registration has been made to be used by the dealer. This completed

LPS:
Stricken
period
after
dealer

8 (am) The validated registration receipt shall be in the possession of the user
9 of person operating the snowmobile until the registration certificate is received.

10 (ar) No snowmobile dealer may charge an additional fee to the buyer for
11 performing the service required under this subsection unless the dealer uses the
12 expedited service specified in s. 350.12 (3h) (ag). No snowmobile dealer may perform
13 this service for a registration under s. 350.122 plain

14 SECTION 3491. 350.125 (1) (a) 2. of the statutes is created to read:

15 350.125 (1) (a) 2. Use the expedited service under s. 350.12 (3h) (ag) as an agent
16 of the department.

17 SECTION 3491d. 350.14 (1) of the statutes is amended to read:

18 350.14 (1) The snowmobile recreational council shall carry out studies and
19 make recommendations to the legislature, governor, department of natural
20 resources, department of forestry, and department of transportation on all matters
21 related to this chapter or otherwise affecting snowmobiles and snowmobiling.

22 SECTION 3491h. 350.145 (3) (a) 1. of the statutes is amended to read:

23 350.145 (3) (a) 1. Before June 30 of each even-numbered year, the department
24 shall consult with the department of forestry and the snowmobile recreational

1 council on the proposed changes for the succeeding biennium in the appropriations
2 and laws that affect snowmobiles and snowmobiling.

3 **SECTION 3491p.** 350.15 (3) (a) of the statutes is amended to read:

4 350.15 (3) (a) If a snowmobile accident results in the death of any person, or
5 in an injury that requires the treatment of a person by a physician, the operator of
6 each snowmobile involved in the accident shall give notice of the accident to a
7 ~~conservation warden or local~~ law enforcement officer as soon as possible and, within
8 10 days after the accident, shall file a written report of the accident with the
9 department on the form prescribed by it.

10 **SECTION 3491t.** 350.17 (1) of the statutes is amended to read:

11 350.17 (1) ~~Any officer of the state traffic patrol under s. 110.07 (1), inspector~~
12 ~~under s. 110.07 (3), warden of the department under s. 23.10, county sheriff or~~
13 ~~municipal peace officer~~ law enforcement officer may enforce the provisions of this
14 chapter.

15 **SECTION 3492.** 409.102 (1) (intro.) of the statutes is amended to read:

16 409.102 (1) (intro.) Except as otherwise provided in s. 409.104 on excluded
17 transactions and s. 16.63 (4) on transactions involving tobacco settlement revenues,
18 this chapter applies:

19 **SECTION 3492f.** 409.104 (12m) of the statutes is created to read:

20 409.104 (12m) To a transfer of an interest under a rent-to-own agreement
21 under subch. XI of ch. 218; or

22 **SECTION 3492r.** 421.202 (7m) of the statutes is created to read:

23 421.202 (7m) A rent-to-own agreement under subch. XI of ch. 218;

24 **SECTION 3492m.** 423.102 of the statutes is amended to read:

1 **423.102 Scope.** This chapter applies to all consumer transactions, except that
2 subch. II does not apply to cemetery preneed sales under s. ss. 440.92 and 440.922.

3 **SECTION 3493.** 426.201 (2) (intro.) of the statutes is amended to read:

4 426.201 (2) (intro.) Each person subject to the registration requirements under
5 sub. (1) shall file a registration statement with the administrator within 30 days
6 after commencing business in this state, and thereafter, on or before February 28 of
7 each year. The registration statement shall include all of the following information:

8 **SECTION 3494.** 426.201 (2) (fm) of the statutes is amended to read:

9 426.201 (2) (fm) The ~~average monthly outstanding year-end~~ balance of all
10 consumer credit transactions held by the person for the reporting period for which
11 the registration statement is filed. In this paragraph, ^{plain space after comma} "average monthly outstanding
12 "year-end balance" and "reporting period" have the meanings has the meaning given
13 under s. 426.202 (1m) (a).

14 **SECTION 3495.** 426.201 (2m) of the statutes is created to read:

15 426.201 (2m) (a) Except as provided in par. (b), each person subject to the
16 registration requirements under sub. (1) shall file a registration statement
17 containing the information under sub. (2) (a) to (g) no later than February 28 of each
18 year following the year of the person's initial registration under sub. (2).

19 (b) 1. In this paragraph, "year-end balance" has the meaning given in s.
20 426.202 (1m) (a).

21 2. Paragraph (a) does not apply if the person's year-end balance is not more
22 than \$250,000.

23 **SECTION 3496.** 426.201 (3) of the statutes is amended to read:

24 426.201 (3) The administrator shall adopt rules governing the filing of changes,
25 additions, or modifications of the registration statement required by this section, and

1 shall adopt rules pertaining to form, verification, fees, and similar matters
2 pertaining to the registration.

3 **SECTION 3497.** 426.202 (1m) (a) 1. (intro.) of the statutes is renumbered
4 426.202 (1m) (a) 3. and amended to read:

5 426.202 (1m) (a) 3. ~~“Average outstanding monthly “Year-end balance” means,~~
6 ~~for any person during any reporting period, the amount calculated as follows:~~
7 outstanding balance of all consumer credit transactions that a person has entered
8 into or has obtained by assignment, and that originated in this state, as of December
9 31 preceding the annual registration filing date under s. 426.201 (2m) (a).

10 **SECTION 3498.** 426.202 (1m) (a) 1. a. of the statutes is repealed.

11 **SECTION 3499.** 426.202 (1m) (a) 1. b. of the statutes is repealed.

12 **SECTION 3500.** 426.202 (1m) (a) 1. c. of the statutes is repealed.

13 **SECTION 3501.** 426.202 (1m) (b) of the statutes is amended to read:

14 426.202 (1m) (b) *Registration fee requirement.* Any person required to register
15 under s. 426.201 shall pay a registration fee to the administrator when the person
16 files the registration statement required under s. 426.201, ^{is comma stricken?} ~~except that a person is not~~
17 ~~required to pay a registration fee under this section if the person's average~~
18 ~~outstanding monthly balance for that reporting period does not exceed \$250,000.~~

19 **SECTION 3502.** 426.202 (1m) (c) of the statutes is amended to read:

20 426.202 (1m) (c) *Amount of registration fee.* The amount of the registration fee
21 shall be determined in accordance with rates set by the administrator, ~~subject to the~~
22 ~~maximum and minimum fees under pars. (d) and (e).~~ In setting these rates, the
23 administrator shall consider the costs of administering chs. 421 to 427 and 429,
24 including the costs of enforcement, education and seeking voluntary compliance with
25 chs. 421 to 427 and 429. ~~Subject to pars. (d) and (e), the~~ The registration fee for a

1 person shall be based on the person's ~~average monthly outstanding year-end~~ balance
2 ~~during for~~ the reporting period.

3 ~~SECTION 3503.~~ 426.202 (1m) (d) of the statutes is repealed.

4 ~~SECTION 3504.~~ 426.202 (1m) (e) of the statutes is repealed.

5 ~~SECTION 3504f.~~ 440.03 (7m) of the statutes is amended to read:

6 440.03 (7m) The department may promulgate rules that establish procedures
7 for submitting an application for a credential or credential renewal by electronic
8 transmission. Any rules promulgated under this subsection shall specify procedures
9 for complying with any requirement that a fee be submitted with the application.
10 The rules may also waive any requirement in chs. 440 to 480 that an application
11 submitted to the department, an examining board or an affiliated credentialing
12 board be executed, verified, certified, signed, sworn, or made under oath,
13 notwithstanding ss. 440.26 (2) (b), 440.42 (2) (intro.), 440.91 (2) (intro.), 443.06 (1)
14 (a), 443.10 (2) (a), 445.04 (2), 445.08 (4), 445.095 (1) (a), 448.05 (7), 450.09 (1) (a),
15 452.10 (1), and 480.08 (2m).

16 ~~SECTION 3504h.~~ 440.03 (13) of the statutes is renumbered 440.03 (13) (a) and
17 amended to read:

18 440.03 (13) (a) The Except as provided in par. (b), the department may conduct
19 an investigation to determine whether an applicant for a credential issued under chs.
20 440 to 480 satisfies any of the eligibility requirements specified for the credential,
21 including whether the applicant does not have an arrest or conviction record.

22 (c) In conducting an investigation under ~~this subsection~~ par. (a) or (b), the
23 department may require an applicant to provide any information that is necessary
24 for the investigation or, for the purpose of obtaining information related to an arrest
25 or conviction record of an applicant, to complete forms provided by the department

1 of justice or the federal bureau of investigation. The department shall charge the
2 applicant any fees, costs, or other expenses incurred in conducting the investigation
3 under ~~this subsection~~ par. (a) or (b).

4 **SECTION 3504k.** 440.03 (13) (b) of the statutes is created to read:

5 440.03 (13) (b) Before granting a credential to a cemetery authority, cemetery
6 salesperson, or preneed seller, or renewing such a credential, the department shall
7 conduct an investigation to determine whether a person specified in s. 440.93 (1)
8 (intro.) has been convicted of an offense specified in s. 440.93 (1) (d).

9 **SECTION 3504p.** 440.03 (16) of the statutes is created to read:

10 440.03 (16) Annually, the department shall distribute the form developed by
11 the medical and optometry examining boards under 2001 Wisconsin Act ... (this act),
12 section 9143 (3c), to all school districts and charter schools that offer kindergarten,
13 to be used by pupils to provide evidence of eye examinations under s. 118.135.

14 **SECTION 3504w.** 440.05 (intro.) of the statutes is amended to read:

15 **440.05 Standard fees.** (intro.) The following standard fees apply to all initial
16 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, ~~442.06~~, 444.03,
17 444.05, 444.11, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46:

18 **SECTION 3505.** 440.05 (1) (a) of the statutes is amended to read:

19 440.05 (1) (a) Initial credential: \$44 ~~\$53~~. Each applicant for an initial
20 credential shall pay the initial credential fee to the department when the application
21 materials for the initial credential are submitted to the department.

22 **SECTION 3506.** 440.05 (1) (b) of the statutes is amended to read:

23 440.05 (1) (b) Examination: If an examination is required, the applicant shall
24 pay an examination fee. The to the department. If the department prepares,
25 administers, or grades the examination, the fee for examination to the department

1 shall be an amount equal to the department's best estimate of the actual cost of
2 preparing, administering ~~and, or~~ grading the examination ~~or obtaining and~~
3 ~~administering an approved examination from a test service.~~ If the department
4 approves an examination prepared, administered, and graded by a test service
5 provider, the fee to the department shall be an amount equal to the department's best
6 estimate of the actual cost of approving the examination, including selecting,
7 evaluating, and reviewing the examination.

8 **SECTION 3507.** 440.08 (1) of the statutes is amended to read:

9 440.08 (1) NOTICE OF RENEWAL. The department shall ~~mail~~ give a notice of
10 renewal to ~~the last address provided to the department by~~ each holder of a credential
11 at least 30 days prior to the renewal date of the credential. Notice may be mailed to
12 the last address provided to the department by the credential holder or may be given
13 by electronic transmission. Failure to receive a notice of renewal is not a defense in
14 any disciplinary proceeding against the holder or in any proceeding against the
15 holder for practicing without a credential. Failure to receive a notice of renewal does
16 not relieve the holder from the obligation to pay a penalty for late renewal under sub.
17 (3).

18 **SECTION 3508m.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

19 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
20 442.06, 444.03, 444.05, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, 449.18 and 459.46,
21 the renewal dates and renewal fees for credentials are as follows:

22 **SECTION 3509.** 440.08 (2) (a) 1. of the statutes is amended to read:

23 440.08 (2) (a) 1. Accountant, certified public: January 1 of each
24 even-numbered year; \$52 \$59.

25 **SECTION 3510m.** 440.08 (2) (a) 2. of the statutes is repealed.

1 ✓
SECTION 3511. 440.08 (2) (a) 3. of the statutes is amended to read:

2 440.08 (2) (a) 3. Accounting corporation or partnership: January 1 of each
3 even-numbered year; ~~\$47~~ \$56.

4 ✓
SECTION 3512. 440.08 (2) (a) 4. of the statutes is amended to read:

5 440.08 (2) (a) 4. Acupuncturist: July 1 of each odd-numbered year; ~~\$78~~ \$70.

6 ✓
SECTION 3513. 440.08 (2) (a) 4m. of the statutes is amended to read:

7 440.08 (2) (a) 4m. Advanced practice nurse prescriber: October 1 of each
8 even-numbered year; ~~\$69~~ \$73.

9 ✓
SECTION 3514. 440.08 (2) (a) 5. of the statutes is amended to read:

10 440.08 (2) (a) 5. Aesthetician: July 1 of each odd-numbered year; ~~\$58~~ \$87.

11 ✓
SECTION 3515. 440.08 (2) (a) 6. of the statutes is amended to read:

12 440.08 (2) (a) 6. Aesthetics establishment: July 1 of each odd-numbered year;
13 ~~\$47~~ \$70.

14 ✓
SECTION 3516. 440.08 (2) (a) 7. of the statutes is amended to read:

15 440.08 (2) (a) 7. Aesthetics instructor: July 1 of each odd-numbered year; ~~\$47~~
16 \$70.

17 ✓
SECTION 3517. 440.08 (2) (a) 9. of the statutes is amended to read:

18 440.08 (2) (a) 9. Aesthetics specialty school: July 1 of each odd-numbered year;
19 ~~\$44~~ \$53.

20 ✓
SECTION 3518. 440.08 (2) (a) 11. of the statutes is amended to read:

21 440.08 (2) (a) 11. Appraiser, real estate, certified general: January 1 of each
22 even-numbered year; ~~\$108~~ \$162.

23 ✓
SECTION 3519. 440.08 (2) (a) 11m. of the statutes is amended to read:

24 440.08 (2) (a) 11m. Appraiser, real estate, certified residential: January 1 of
25 each even-numbered year; ~~\$114~~ \$167.

1 **SECTION 3520.** 440.08 (2) (a) 12. of the statutes is amended to read:

2 440.08 (2) (a) 12. Appraiser, real estate, licensed: January 1 of each
3 even-numbered year; ~~\$134~~ \$185.

4 **SECTION 3521.** 440.08 (2) (a) 13. of the statutes is amended to read:

5 440.08 (2) (a) 13. Architect: August 1 of each even-numbered year; ~~\$49~~ \$60.

6 **SECTION 3522.** 440.08 (2) (a) 14. of the statutes is amended to read:

7 440.08 (2) (a) 14. Architectural or engineering firm, partnership or corporation:
8 February 1 of each even-numbered year; ~~\$47~~ \$70.

9 **SECTION 3523.** 440.08 (2) (a) 14f. of the statutes is amended to read:

10 440.08 (2) (a) 14f. Athletic trainer: July 1 of each even-numbered year; \$44
11 \$53.

12 **SECTION 3524.** 440.08 (2) (a) 14g. of the statutes is amended to read:

13 440.08 (2) (a) 14g. Auction company: January 1 of each odd-numbered year;
14 ~~\$47~~ \$56.

15 **SECTION 3525.** 440.08 (2) (a) 14r. of the statutes is amended to read:

16 440.08 (2) (a) 14r. Auctioneer: January 1 of each odd-numbered year; ~~\$135~~
17 \$174.

18 **SECTION 3526.** 440.08 (2) (a) 15. of the statutes is amended to read:

19 440.08 (2) (a) 15. Audiologist: February 1 of each odd-numbered year; ~~\$100~~
20 \$106.

21 **SECTION 3527.** 440.08 (2) (a) 16. of the statutes is amended to read:

22 440.08 (2) (a) 16. Barbering or cosmetology establishment: July 1 of each
23 odd-numbered year; ~~\$47~~ \$56.

24 **SECTION 3528.** 440.08 (2) (a) 18. of the statutes is amended to read:

1 440.08 (2) (a) 18. Barbering or cosmetology manager: July 1 of each
2 odd-numbered year; ~~\$68~~ \$71.

3 ✓ SECTION 3529. 440.08 (2) (a) 20. of the statutes is amended to read:

4 440.08 (2) (a) 20. Barber or cosmetologist: July 1 of each odd-numbered year;
5 ~~\$55~~ \$63.

6 ✓ SECTION 3530. 440.08 (2) (a) 24. of the statutes is amended to read:

7 440.08 (2) (a) 24. Chiropractor: January 1 of each odd-numbered year; ~~\$139~~
8 \$168.

9 ✓ SECTION 3531. 440.08 (2) (a) 25. of the statutes is amended to read:

10 440.08 (2) (a) 25. Dental hygienist: October 1 of each odd-numbered year; ~~\$48~~
11 \$57.

12 ✓ SECTION 3532. 440.08 (2) (a) 26. of the statutes is amended to read:

13 440.08 (2) (a) 26. Dentist: October 1 of each odd-numbered year; ~~\$105~~ \$131.

14 ✓ SECTION 3532m. 440.08 (2) (a) 26m. of the statutes is created to read:

15 440.08 (2) (a) 26m. Dentist, faculty member: October 1 of each odd-numbered
16 year; \$131.

17 ✓ SECTION 3533. 440.08 (2) (a) 27. of the statutes is amended to read:

18 440.08 (2) (a) 27. Designer of engineering systems: February 1 of each
19 even numbered year; ~~\$52~~ \$58.

20 ✓ SECTION 3534. 440.08 (2) (a) 27m. of the statutes is amended to read:

21 440.08 (2) (a) 27m. Dietitian: November 1 of each even-numbered year; ~~\$47~~
22 \$56.

23 ✓ SECTION 3535. 440.08 (2) (a) 28. of the statutes is amended to read:

24 440.08 (2) (a) 28. Drug distributor: June 1 of each even-numbered year; ~~\$47~~
25 \$70.

1 **SECTION 3536.** 440.08 (2) (a) 29. of the statutes is amended to read:

2 440.08 (2) (a) 29. Drug manufacturer: June 1 of each even-numbered year; \$47
3 \$70.

4 **SECTION 3537.** 440.08 (2) (a) 30. of the statutes is amended to read:

5 440.08 (2) (a) 30. Electrologist: July 1 of each odd-numbered year; ~~\$65~~ \$76.

6 **SECTION 3538.** 440.08 (2) (a) 31. of the statutes is amended to read:

7 440.08 (2) (a) 31. Electrology establishment: July 1 of each odd-numbered
8 year; ~~\$47~~ \$56.

9 **SECTION 3539.** 440.08 (2) (a) 34. of the statutes is amended to read:

10 440.08 (2) (a) 34. Electrology specialty school: July 1 of each odd-numbered
11 year; ~~\$44~~ \$53.

12 **SECTION 3540.** 440.08 (2) (a) 35. of the statutes is amended to read:

13 440.08 (2) (a) 35. Engineer, professional: August 1 of each even-numbered
14 year; ~~\$49~~ \$58.

15 **SECTION 3541.** 440.08 (2) (a) 35m. of the statutes is amended to read:

16 440.08 (2) (a) 35m. Fund-raising counsel: September 1 of each
17 even-numbered year; ~~\$44~~ \$53.

18 **SECTION 3542.** 440.08 (2) (a) 36. of the statutes is amended to read:

19 440.08 (2) (a) 36. Funeral director: January 1 of each even-numbered year;
20 ~~\$140~~ \$135.

21 **SECTION 3543.** 440.08 (2) (a) 37. of the statutes is amended to read:

22 440.08 (2) (a) 37. Funeral establishment: June 1 of each odd-numbered year;
23 ~~\$47~~ \$56.

24 **SECTION 3544.** 440.08 (2) (a) 38. of the statutes is amended to read:

1 440.08 (2) (a) 38. Hearing instrument specialist: February 1 of each
2 odd-numbered year; ~~\$100~~ \$106.

3 **SECTION 3545.** 440.08 (2) (a) 38g. of the statutes is amended to read:

4 440.08 (2) (a) 38g. Home inspector: January 1 of each odd-numbered year; ~~\$44~~
5 \$53.

6 **SECTION 3546.** 440.08 (2) (a) 38m. of the statutes is amended to read:

7 440.08 (2) (a) 38m. Landscape architect: August 1 of each even-numbered
8 year; ~~\$51~~ \$56.

9 **SECTION 3547.** 440.08 (2) (a) 39. of the statutes is amended to read:

10 440.08 (2) (a) 39. Land surveyor: February 1 of each even-numbered year; ~~\$75~~
11 \$77.

12 **SECTION 3548.** 440.08 (2) (a) 42. of the statutes is amended to read:

13 440.08 (2) (a) 42. Manicuring establishment: July 1 of each odd-numbered
14 year; ~~\$44~~ \$53.

15 **SECTION 3549.** 440.08 (2) (a) 43. of the statutes is amended to read:

16 440.08 (2) (a) 43. Manicuring instructor: July 1 of each odd-numbered year;
17 ~~\$44~~ \$53.

18 **SECTION 3550.** 440.08 (2) (a) 45. of the statutes is amended to read:

19 440.08 (2) (a) 45. Manicuring specialty school: July 1 of each odd-numbered
20 year; ~~\$44~~ \$53.

21 **SECTION 3551.** 440.08 (2) (a) 46. of the statutes is amended to read:

22 440.08 (2) (a) 46. Manicurist: July 1 of each odd-numbered year; ~~\$131~~ \$133.

23 **SECTION 3552.** 440.08 (2) (a) 46m. of the statutes is amended to read:

24 440.08 (2) (a) 46m. Marriage and family therapist: July 1 of each
25 odd-numbered year; ~~\$82~~ \$84.

1 **SECTION 3553.** 440.08 (2) (a) 48. of the statutes is amended to read:
2 440.08 (2) (a) 48. Nurse, licensed practical: May 1 of each odd-numbered year;
3 ~~\$54~~ \$69.

4 **SECTION 3554.** 440.08 (2) (a) 49. of the statutes is amended to read:
5 440.08 (2) (a) 49. Nurse, registered: March 1 of each even-numbered year; ~~\$52~~
6 \$66.

7 **SECTION 3555.** 440.08 (2) (a) 50. of the statutes is amended to read:
8 440.08 (2) (a) 50. Nurse-midwife: March 1 of each even-numbered year; ~~\$47~~
9 \$70.

10 **SECTION 3556.** 440.08 (2) (a) 51. of the statutes is amended to read:
11 440.08 (2) (a) 51. Nursing home administrator: July 1 of each even-numbered
12 year; ~~\$111~~ \$120.

13 **SECTION 3557.** 440.08 (2) (a) 52. of the statutes is amended to read:
14 440.08 (2) (a) 52. Occupational therapist: November 1 of each odd-numbered
15 year; ~~\$49~~ \$59.

16 **SECTION 3558.** 440.08 (2) (a) 53. of the statutes is amended to read:
17 440.08 (2) (a) 53. Occupational therapy assistant: November 1 of each
18 odd-numbered year; ~~\$48~~ \$62.

19 **SECTION 3559.** 440.08 (2) (a) 54. of the statutes is amended to read:
20 440.08 (2) (a) 54. Optometrist: January 1 of each even-numbered year; ~~\$61~~
21 \$65.

22 **SECTION 3560.** 440.08 (2) (a) 55. of the statutes is amended to read:
23 440.08 (2) (a) 55. Pharmacist: June 1 of each even-numbered year; ~~\$73~~ \$97.

24 **SECTION 3561.** 440.08 (2) (a) 56. of the statutes is amended to read:
25 440.08 (2) (a) 56. Pharmacy: June 1 of each even-numbered year; ~~\$47~~ \$56.

1 ✓
SECTION 3562. 440.08 (2) (a) 57. of the statutes is amended to read:

2 440.08 (2) (a) 57. Physical therapist: November 1 of each odd-numbered year;
3 ~~\$51~~ \$62.

4 ✓
SECTION 3563. 440.08 (2) (a) 58. of the statutes is amended to read:

5 440.08 (2) (a) 58. Physician: November 1 of each odd-numbered year; ~~\$122~~
6 \$106.

7 /
SECTION 3564. 440.08 (2) (a) 59. of the statutes is amended to read:

8 440.08 (2) (a) 59. Physician assistant: November 1 of each odd-numbered year;
9 ~~\$59~~ \$72.

10 /
SECTION 3565. 440.08 (2) (a) 60. of the statutes is amended to read:

11 440.08 (2) (a) 60. Podiatrist: November 1 of each odd-numbered year; ~~\$140~~
12 \$150.

13 /
SECTION 3566. 440.08 (2) (a) 61. of the statutes is amended to read:

14 440.08 (2) (a) 61. Private detective: September 1 of each even-numbered year;
15 ~~\$89~~ \$101.

16 /
SECTION 3567m. 440.08 (2) (a) 62. of the statutes is amended to read:

17 440.08 (2) (a) 62. Private detective agency: September 1 of each
18 even-numbered year; ~~\$47~~ \$53.

19 /
SECTION 3569. 440.08 (2) (a) 63. of the statutes is amended to read:

20 440.08 (2) (a) 63. Private practice school psychologist: October 1 of each
21 odd-numbered year; ~~\$69~~ \$103.

22 /
SECTION 3570. 440.08 (2) (a) 63g. of the statutes is amended to read:

23 440.08 (2) (a) 63g. Private security person: September 1 of each
24 even-numbered year; ~~\$49~~ \$53.

25 /
SECTION 3571. 440.08 (2) (a) 63m. of the statutes is amended to read:

1 440.08 (2) (a) 63m. Professional counselor: July 1 of each odd-numbered year;
2 ~~\$63~~ \$76. ✓

3 **SECTION 3572.** 440.08 (2) (a) 63t. of the statutes is amended to read:

4 440.08 (2) (a) 63t. Professional fund-raiser: September 1 of each
5 even-numbered year; ~~\$91~~ \$93. ✓

6 **SECTION 3573.** 440.08 (2) (a) 63u. of the statutes is amended to read:

7 440.08 (2) (a) 63u. Professional geologist: August 1 of each even-numbered
8 year; ~~\$48~~ \$59. ✓

9 **SECTION 3574.** 440.08 (2) (a) 63v. of the statutes is amended to read:

10 440.08 (2) (a) 63v. Professional geology, hydrology or soil science firm,
11 partnership or corporation: August 1 of each even-numbered year; ~~\$44~~ \$53.

12 **SECTION 3575.** 440.08 (2) (a) 63w. of the statutes is amended to read:

13 440.08 (2) (a) 63w. Professional hydrologist: August 1 of each even-numbered
14 year; ~~\$44~~ \$53. ✓

15 **SECTION 3576.** 440.08 (2) (a) 63x. of the statutes is amended to read:

16 440.08 (2) (a) 63x. Professional soil scientist: August 1 of each even-numbered
17 year; ~~\$44~~ \$53. ✓

18 **SECTION 3577.** 440.08 (2) (a) 64. of the statutes is amended to read:

19 440.08 (2) (a) 64. Psychologist: October 1 of each odd-numbered year; ~~\$105~~
20 \$157. ✓

21 **SECTION 3578.** 440.08 (2) (a) 65. of the statutes is amended to read:

22 440.08 (2) (a) 65. Real estate broker: January 1 of each odd-numbered year;
23 ~~\$109~~ \$128. ✓

24 **SECTION 3579.** 440.08 (2) (a) 66. of the statutes is amended to read:

1 440.08 (2) (a) 66. Real estate business entity: January 1 of each odd-numbered
2 year; ~~\$57~~ \$56. ✓

3 **SECTION 3579c.** 440.08 (2) (a) 66m. of the statutes is created to read:

4 440.08 (2) (a) 66m. Real estate closing agent: January 1 of each odd-numbered
5 year; \$53. ✓

6 **SECTION 3580.** 440.08 (2) (a) 67. of the statutes is amended to read:

7 440.08 (2) (a) 67. Real estate salesperson: January 1 of each odd-numbered
8 year; ~~\$79~~ \$83. ✓

9 **SECTION 3581.** 440.08 (2) (a) 67m. of the statutes is amended to read:

10 440.08 (2) (a) 67m. Registered interior designer: August 1 of each
11 even-numbered year; ~~\$47~~ \$56.

12 **SECTION 3582.** 440.08 (2) (a) 67q. of the statutes is amended to read:

13 440.08 (2) (a) 67q. Registered massage therapist or bodyworker: March 1 of
14 each odd-numbered year; ~~\$44~~ \$53.

15 **SECTION 3583.** 440.08 (2) (a) 67v. of the statutes is amended to read:

16 440.08 (2) (a) 67v. Registered music, art or dance therapist: October 1 of each
17 odd-numbered year; ~~\$44~~ \$53.

18 **SECTION 3584.** 440.08 (2) (a) 68. of the statutes is amended to read:

19 440.08 (2) (a) 68. Respiratory care practitioner: November 1 of each
20 odd-numbered year; ~~\$50~~ \$65.

21 **SECTION 3585.** 440.08 (2) (a) 68d. of the statutes is amended to read:

22 440.08 (2) (a) 68d. Social worker: July 1 of each odd-numbered year; ~~\$54~~ \$63.

23 **SECTION 3586.** 440.08 (2) (a) 68h. of the statutes is amended to read:

24 440.08 (2) (a) 68h. Social worker, advanced practice: July 1 of each
25 odd-numbered year; ~~\$53~~ \$70.

✓
1 SECTION 3587. 440.08 (2) (a) 68p. of the statutes is amended to read:

2 440.08 (2) (a) 68p. Social worker, independent: July 1 of each odd-numbered
3 year; ~~\$55~~ \$58.

✓
4 SECTION 3588. 440.08 (2) (a) 68t. of the statutes is amended to read:

5 440.08 (2) (a) 68t. Social worker, independent clinical: July 1 of each
6 odd-numbered year; ~~\$69~~ \$73.

✓
7 SECTION 3589. 440.08 (2) (a) 68v. of the statutes is amended to read:

8 440.08 (2) (a) 68v. Speech-language pathologist: February 1 of each
9 odd-numbered year; ~~\$53~~ \$63.

✓
10 SECTION 3590. 440.08 (2) (a) 69. of the statutes is amended to read:

11 440.08 (2) (a) 69. Time-share salesperson: January 1 of each odd-numbered
12 year; ~~\$103~~ \$119.

✓
13 SECTION 3591. 440.08 (2) (a) 70. of the statutes is amended to read:

14 440.08 (2) (a) 70. Veterinarian: January 1 of each even-numbered year; ~~\$95~~
15 \$105.

✓
16 SECTION 3592. 440.08 (2) (a) 71. of the statutes is amended to read:

17 440.08 (2) (a) 71. Veterinary technician: January 1 of each even-numbered
18 year; ~~\$48~~ \$58.

✓
19 SECTION 3607. 445.125 (1) (a) 2. of the statutes is amended to read:

20 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
21 irrevocable as to the first ~~\$2,500~~ \$3,000 of the funds paid under the agreement by
22 each depositor.

✓
23 SECTION 3608e. 450.03 (1) (f) of the statutes is created to read:

24 450.03 (1) (f) A person who has successfully completed his or her second year
25 in, and is enrolled at, an accredited school of pharmacy and whose practice of

1 pharmacy is limited to performing duties under the direct supervision of a person
2 licensed as a pharmacist by the board.

3 **SECTION 3608f.** 450.03 (1) (g) of the statutes is created to read:

4 450.03 (1) (g) A person who has applied for a license under s. 450.05 whose
5 practice of pharmacy is limited to performing duties under the direct supervision of
6 a person licensed as a pharmacist by the board and during the period before which
7 the board takes final action on the person's application.

8 **SECTION 3608h.** 450.04 (3) (b) of the statutes is amended to read:

9 450.04 (3) (b) Has completed an internship in the practice of pharmacy ~~under~~
10 ~~s. 450.045~~ or has practical experience acquired in another state which is comparable
11 to that included in ~~the an~~ an internship and which is approved and verified by the board
12 or by the agency which is the equivalent of the board in the state in which the
13 practical experience was acquired.

14 **SECTION 3608L.** 450.045 of the statutes is repealed.

15 **SECTION 3605pb.** 442.001 of the statutes is renumbered 442.001 (intro.) and
16 amended to read:

17 **442.001 Definition Definitions.** (intro.) In this chapter, ~~“examining:~~

18 **(3) “Examining board”** means the accounting examining board.

19 **SECTION 3605pd.** 442.001 (1) of the statutes is created to read:

20 442.001 (1) “Attest service” means any of the following:

21 (a) An audit or any other engagement that is performed or intended to be
22 performed in accordance with rules promulgated under s. 442.01 (1) (a).

23 (b) A review of a financial statement that is performed or intended to be
24 performed in accordance with rules promulgated under s. 442.01 (1) (b).

1 (c) An examination of prospective financial information that is performed or
2 intended to be performed in accordance with rules promulgated under s. 442.01 (1)
3 (c).

4 **SECTION 3605pf.** 442.001 (4) of the statutes is created to read:

5 442.001 (4) “Firm” means a proprietorship, partnership, limited liability
6 partnership, corporation, service corporation, or limited liability company.

7 **SECTION 3605ph.** 442.001 (5) of the statutes is created to read:

8 442.001 (5) “Member of a firm” means a director, manager, employee, officer,
9 owner, shareholder, principal, or partner of a firm.

10 **SECTION 3605pj.** 442.01 (1) of the statutes is created to read:

11 442.01 (1) The examining board shall promulgate rules that adopt by reference
12 all of the following:

13 (a) The statements on auditing standards issued by the Auditing Standards
14 Board of the American Institute of Certified Public Accountants.

15 (b) The statements on standards for accounting and review services issued by
16 the Accounting and Review Services Committee of the American Institute of
17 Certified Public Accountants.

18 (c) The statements on standards for attestation engagements issued by the
19 Auditing Standards Board, the Accounting and Review Services Committee, and the
20 Consulting Services Executive Committee of the American Institute of Certified
21 Public Accountants.

22 **SECTION 3605pL.** 442.01 (2) of the statutes is amended to read:

23 442.01 (2) No standard or rule relating to professional conduct or unethical
24 practice may be adopted until the examining board has held a public hearing with
25 reference thereto, subject to the rules promulgated under s. 440.03 (1). No rule or

1 standard shall become effective until 60 days after its adoption by the examining
2 board. Any person who has appeared at the public hearing and filed written protest
3 against any proposed standard or rule may, upon the adoption of such standard or
4 rule, obtain a review thereof under ch. 227. Thereafter every person practicing as
5 a certified public accountant in the state shall be governed and controlled by the rules
6 and standards prescribed by the examining board.

7 **SECTION 3605pn.** 442.01 (3) of the statutes is amended to read:

8 442.01 (3) The examining board shall record its proceedings.

9 **SECTION 3605pp.** 442.02 (title) of the statutes is amended to read:

10 **442.02 (title) Public Certified public accountant, definition.**

11 **SECTION 3605pr.** 442.02 (1m) (intro.) of the statutes is amended to read:

12 442.02 (1m) (intro.) A person shall be considered to be in practice as a certified
13 public accountant, within the meaning and intent of this chapter, if any of the
14 following conditions is met:

15 **SECTION 3605pt.** 442.02 (1m) (a) of the statutes is amended to read:

16 442.02 (1m) (a) The person holds himself or herself out to the public in any
17 manner as one skilled in the knowledge, science, and practice of accounting, and as
18 qualified and ready to render professional service therein as a certified public
19 accountant for compensation.

20 **SECTION 3605pv.** 442.02 (1m) (b) of the statutes is amended to read:

21 442.02 (1m) (b) The person maintains an office for the transaction of business
22 as a certified public accountant or, except as an employee of a certified public
23 accountant, practices accounting, as distinguished from bookkeeping, for more than
24 one employer.

1 **SECTION 3605px.** 442.02 (1m) (dm) of the statutes is created to read:

2 442.02 (1m) (dm) The person provides or offers to provide an attest service.

3 **SECTION 3605pz.** 442.02 (5m) of the statutes is amended to read:

4 442.02 (5m) Subsection (1m) (f) does not prohibit any officer, employee,
5 partner, or principal of any organization from affixing his or her signature to any
6 statement or report in reference to the affairs of that organization with any wording
7 designating the position, title, or office that he or she holds in that organization and
8 ~~does not prohibit any act of a public official or public employee in the performance~~
9 ~~of his or her duties.~~

10 **SECTION 3605rb.** 442.02 (6) of the statutes is amended to read:

11 442.02 (6) Every member of a ~~partnership and every officer and director of a~~
12 ~~corporation~~ firm who, ~~in the capacity of partner, officer or director as a member of the~~
13 firm, does any of the things enumerated in sub. (1m) (a) to (f), shall be considered to
14 be in practice as a certified public accountant.

15 **SECTION 3605rd.** 442.02 (7) of the statutes is renumbered 442.025 (1) and
16 amended to read:

17 442.025 (1) ~~Nothing contained in this chapter shall prevent the employment~~
18 Persons employed by a certified public accountant, ~~or by a public accountant, or by~~
19 ~~a firm or corporation furnishing public accounting services as principal, of persons~~
20 licensed under this chapter to serve as accountants in various capacities, as needed,
21 if all of the following conditions are met:

22 (a) The employees serving as accountants work under the control and
23 supervision of certified public accountants, ~~or accountants with certificates of~~
24 ~~authority granted under s. 442.06.~~

1 (b) ~~These~~ The employees serving as accountants shall do not issue any
2 statements or reports over their own names except office reports to their employer
3 that are customary.

4 (c) The employees serving as accountants are not in any manner held out to the
5 public as certified public accountants ~~as described in this chapter.~~

6 **SECTION 3605rf.** 442.02 (8) of the statutes is renumbered 442.025 (2) and
7 amended to read:

8 442.025 (2) ~~Nothing contained in this chapter shall apply to a~~ A practicing
9 attorney, who, in connection with his or her professional work renders any
10 accounting service.

11 **SECTION 3605rh.** 442.02 (9) of the statutes is renumbered 442.025 (3) and
12 amended to read:

13 442.025 (3) (intro.) ~~Nothing contained in this chapter shall apply to any~~
14 ~~persons who may be~~ A person employed by more than one person, ~~partnership or~~
15 ~~corporation,~~ for the purpose of keeping books, making trial balances, or statements,
16 and preparing ~~audits or~~ reports, if all of the following requirements are met:

17 (a) ~~The audits or reports~~ described in this subsection are not used or issued by
18 the employers as having been prepared by a certified public accountant.

19 (b) The persons employed as described in this subsection do not do any of the
20 things enumerated in ~~sub. s. 442.02 (1m) (f) without complying with sub. except as~~
21 authorized under s. 442.02 (5m).

22 **SECTION 3605rj.** 442.02 (10) of the statutes is renumbered 442.025 (4) and
23 amended to read:

24 442.025 (4) ~~Nothing contained in this chapter shall apply to~~ The holders of
25 state-granted certified public accountant certificates from other states who may be

1 temporarily in this state on professional business incident to their regular practice
2 in the states of their domicile, but with neither residence nor office in this state.

3 **SECTION 3605rL.** 442.025 of the statutes is created to read:

4 **442.025 Applicability.** This chapter does not require a certificate or license
5 under this chapter for any of the following:

6 (5) A public official or public employee in performing his or her duties.

7 (6) A person who performs services involving the use of accounting skills,
8 including management advisory services, the preparation of tax returns, and the
9 preparation of financial statements without issuing reports on the statements.

10 (7) A person who prepares financial statements and issues information thereon
11 that does not purport to be in compliance with the statement on standards for
12 accounting and review services issued by the American Institute of Certified Public
13 Accountants.

14 **SECTION 3605rn.** 442.03 (1) of the statutes is renumbered 442.03 and amended
15 to read:

16 **442.03 Licenses required.** No person may lawfully practice in this state as
17 a certified public accountant either in the person's own name, ~~or as an employee, or~~
18 ~~under an assumed name, or as an officer, member or employee of a firm, or as an~~
19 ~~officer or employee of a corporation~~ a member of a firm, unless the person has been
20 granted by the examining board a certificate as a certified public accountant, and
21 unless the person, ~~firm or corporation, jointly and severally, has~~ and firm have
22 complied with all of the provisions of this chapter, including licensure.

23 **SECTION 3605rp.** 442.03 (2) of the statutes is repealed.

24 **SECTION 3605rr.** 442.03 (3) of the statutes is repealed.

25 **SECTION 3605rt.** 442.04 (3) of the statutes is repealed.

1 ✓
SECTION 3605rv. 442.04 (4) (b) of the statutes is repealed.

2 ✓
SECTION 3605rx. 442.04 (4) (bm) of the statutes is amended to read:

3 442.04 (4) (bm) ~~After December 31, 2000, a~~ A person may not take the
4 examination leading to the certificate to practice as a certified public accountant
5 unless the person has completed at least 150 semester hours of education with an
6 accounting concentration at an institution, and has received a bachelor's or higher
7 degree with an accounting concentration from an institution, except as provided in
8 par. (c).

9 ✓
SECTION 3605rz. 442.04 (4) (c) of the statutes is amended to read:

10 442.04 (4) (c) If an applicant has a bachelor's or higher degree from an
11 institution but does not have ~~a resident major in accounting required in par. (b) or~~
12 an accounting concentration required in par. (bm), the examining board may review
13 such other educational experience from an institution as the applicant presents and,
14 if the examining board determines that such other experience provides the
15 reasonable equivalence of ~~a resident major in accounting required in par. (b) or~~ an
16 accounting concentration required in par. (bm), the examining board shall approve
17 the applicant for examination.

18 ✓
SECTION 3605tb. 442.04 (5) of the statutes is amended to read:

19 442.04 (5) The examining board may not grant a certificate as a certified public
20 accountant to any person other than a person who is 18 years of age or older, does not
21 have an arrest or conviction record, subject to ss. 111.321, 111.322, and 111.335, and,
22 except as provided in s. 442.05, has successfully passed ~~a written~~ an examination
23 in such subjects affecting accountancy as the examining board considers necessary.
24 ~~If the person applying for the certificate passes the examination during the period~~
25 ~~beginning on May 17, 1996, and ending on December 31, 2000, the examining board~~

1 ~~may not grant the certificate unless the applicant has at least 3 years of public~~
2 ~~accounting experience or its equivalent, the sufficiency of the experience or the~~
3 ~~equivalency to be judged by the examining board. If the person applying for the~~
4 ~~certificate passes the examination after December 31, 2000, the The examining~~
5 board may not grant the certificate unless the applicant has at least ~~2 years~~ one year
6 of public accounting experience or its equivalent, the sufficiency of the experience or
7 the equivalency to be judged by the examining board. The examining board shall
8 ensure that evaluation procedures and examinations are nondiscriminatory, relate
9 directly to accountancy, and are designed to measure only the ability to perform
10 competently as an accountant. The examining board may use the examination
11 service provided by the American Institute of Certified Public Accountants.

12 **SECTION 3605td.** 442.06 of the statutes is repealed.

13 **SECTION 3605tf.** 442.07 (title) of the statutes is amended to read:

14 **442.07 (title) Requirements for practice as certified public accountant**
15 **or public accountant.**

16 **SECTION 3605th.** 442.07 (1) of the statutes is amended to read:

17 **442.07 (1)** Any person who has been issued a certificate of the person's
18 qualifications to practice as a certified public accountant, shall be styled and known
19 as a "certified public accountant" and no other person shall assume to use such title
20 or the abbreviation "C.P.A." or any other word, words, letters, or figures to indicate
21 that the person using the same is a certified public accountant. The terms "chartered
22 accountant" and "certified accountant" and the abbreviation "C.A." are specifically
23 prohibited to such other persons as being prima facie misleading to the public. ~~Any~~
24 ~~person who has been issued a certificate of authority, as herein provided, shall be~~
25 ~~styled and known as a "public accountant" and no other person, other than a certified~~

1 ~~public accountant, shall assume to use such designation or any other word, words,~~
2 ~~letters or figures to indicate that such person is entitled to practice as a public~~
3 ~~accountant.~~ ✓

4 **SECTION 3605tj.** 442.07 (2) of the statutes is repealed.

5 *Delete blank line*

6 **SECTION 3605tL.** 442.07 (3) of the statutes is amended to read:

7 442.07 (3) Any partnership, which firm that is entitled to practice as certified
8 public accountants in this state or any other state, and every resident member ~~and~~
9 ~~resident manager of which the firm who~~ is a certified public accountant of this state,
10 after registering the partnership firm name with the examining board, may use the
11 designation "certified public accountants" in connection with the partnership firm
12 name. ~~Any partnership, every member and resident manager of which is a certified~~
13 ~~public accountant of this state or any other state or holds a certificate of authority~~
14 ~~under this chapter, after registering the partnership name with the examining~~
15 ~~board, may use the designation "public accountants" in connection with the~~
16 ~~partnership name. An assumed name, in use prior to September 21, 1935, may be~~
17 ~~used the same as a partnership name, provided the individual persons practicing as~~
18 ~~principals under that name hold certificates granted by the examining board and~~
19 ~~register the name with the examining board.~~

20 **SECTION 3605tn.** 442.08 of the statutes is repealed and recreated to read:

21 **442.08 Licensure.** (1) The department shall issue a license to an individual
22 who holds an unrevoked certificate as a certified public accountant, submits an
23 application for the license on a form provided by the department, and pays the fee
24 specified in s. 440.05 (1).

1 (2) The department shall issue a license to a firm that submits an application
2 for the license on a form provided by the department, pays the fee specified in s.
3 440.05 (1), and does each of the following:

4 (a) Identifies each office of the firm that is located in this state.

5 (b) If any person who holds an ownership interest in the firm is not licensed
6 under sub. (1), designates an individual licensed under sub. (1) as the individual
7 responsible for the firm's compliance with this chapter.

8 (c) Demonstrates, to the satisfaction of the department, each of the following:

9 1. That all attest services provided by the firm in this state are under the charge
10 of an individual licensed under sub. (1).

11 2. That more than 50% of the ownership interest of the firm is held by
12 individuals who hold certificates or licenses to practice as a certified public
13 accountant issued under the laws of any state or foreign country.

14 3. That each person who holds an ownership interest in the firm, and who does
15 not hold a certificate or license to practice as a certified public accountant, is an
16 individual who actively participates in the firm or an affiliated entity.

17 (3) The examining board shall promulgate rules that define "ownership
18 interest" for purposes of sub. (2) and for determining the percentage of a person's
19 ownership interest in a firm. In promulgating the rules, the examining board shall
20 consider the financial interests and voting rights of all members of a firm.

21 **SECTION 3605tp.** 442.083 of the statutes is created to read:

22 **442.083 Renewal.** The renewal dates and renewal fees for licenses issued
23 under this chapter are specified under s. 440.08 (2) (a). The department may not
24 renew a license issued to a firm unless, at the time of renewal, the firm satisfies the

1 requirements under s. 442.08 (2) and demonstrates, to the satisfaction of the
2 department, that the firm has complied with the requirements under s. 442.087.

3 **SECTION 3605tr.** 442.087 of the statutes is created to read:

4 **442.087 Peer review. (1) DEFINITION.** In this section, “peer review” means
5 a process for a person licensed under this chapter to evaluate the professional
6 competency of the members of a firm who are responsible for attest services provided
7 by the firm or who sign or authorize another individual to sign accounting reports
8 or financial statements on behalf of the firm.

9 **(2) RENEWAL OF FIRM LICENSES.** After January 1, 2005, the department may not
10 renew the license of a firm unless, at least once every 3 years, the firm undergoes the
11 peer review that is specified in the rules promulgated under sub. (3) and that is
12 conducted by a person approved by the examining board under the rules who is not
13 affiliated with the firm or members of the firm undergoing review.

14 **(3) RULES.** The examining board shall promulgate rules that describe the peer
15 review required to renew a firm’s license under sub. (2). The rules shall include
16 requirements for the examining board to approve one or more persons to conduct the
17 peer reviews. The rules shall also require each person approved by the examining
18 board to conduct peer reviews to periodically report to the examining board on the
19 effectiveness of the peer reviews conducted by the person and to provide the
20 examining board with a listing of all firms that have undergone peer review
21 conducted by the person.

22 **(4) CONFIDENTIALITY.** A person approved by the examining board to conduct
23 peer reviews may not disclose to any person, including the examining board or the
24 department, any information obtained or document produced during the course of or

1 as a result of a review unless the firm undergoing the review consents to the
2 disclosure. ✓

3 **SECTION 3605tt.** 442.10 (1) of the statutes is amended to read:

4 442.10 (1) Whenever any person, as a certified public accountant ~~or public~~
5 ~~accountant~~, signs or certifies any report, schedule, or statement relative to the affairs
6 of any corporation, association, or partnership in which the person is financially
7 interested or by which the person is regularly engaged as an officer or employee, the
8 signature or certification shall be accompanied by a specific statement setting forth
9 the fact that the person is financially interested in or is an officer or regular employee
10 of the corporation, association, or partnership. If the person is both financially
11 interested and an officer or regular employee, the statement shall cover both
12 financial interest and employment. In the case of a ~~corporation holding a certificate~~
13 ~~of authority~~ firm signing or certifying as above described in this subsection, the
14 interest of any of its ~~stockholders~~ members shall be disclosed.

15 **SECTION 3605tv.** 442.10 (2) of the statutes is amended to read:

16 442.10 (2) Notwithstanding sub. (1), no person licensed under this chapter, and
17 no firm of which the person is a ~~partner or shareholder~~ member, may express an
18 opinion as an independent certified public accountant on financial statements of any
19 enterprise unless the person and the firm are independent of the enterprise. The
20 requirement for independence under this subsection also extends to the spouse of
21 such a person and to other relatives having a financial or business relationship with
22 the enterprise which, in the opinion of the examining board, may impair
23 independence.

24 **SECTION 3605tx.** 442.11 (1) of the statutes is amended to read: ✓

1 442.11 (1) Uses any term other than certified public accountant or the
2 abbreviation C. P. A. to indicate that he or she is a certified public accountant with
3 a specially granted title.

4 **SECTION 3605tz.** 442.11 (2) of the statutes is amended to read:

5 442.11 (2) While practicing under an assumed name, or as a member of a
6 partnership firm, other than a partnership firm with a name that is registered under
7 s. 442.07 ~~as composed of certified public accountants, or as an officer of a corporation~~
8 (3), announces, either in writing or by printing, that the assumed name, ~~partnership~~
9 ~~or corporation~~ or firm is practicing as a certified public accountant.

10 **SECTION 3605vb.** 442.11 (3) of the statutes is repealed.

11 **SECTION 3605vd.** 442.11 (4) of the statutes is repealed.

12 **SECTION 3605vf.** 442.11 (6) of the statutes is repealed.

13 **SECTION 3605vh.** 442.11 (7) of the statutes is amended to read:

14 442.11 (7) Practices as a certified public accountant ~~or as a public accountant~~
15 after his or her certificate has been revoked.

16 **SECTION 3605vj.** 442.11 (8) of the statutes is amended to read:

17 442.11 (8) As an individual, ~~member of a partnership or officer or director of~~
18 ~~a corporation~~ or member of a firm, practices or permits the ~~partnership or~~
19 ~~corporation~~ firm to practice as a certified public accountant ~~or as a public accountant~~
20 unless a license has been secured for the current licensure period.

21 **SECTION 3605vL.** 442.11 (9) of the statutes is amended to read:

22 442.11 (9) Scells, buys, gives, or obtains an alleged certificate as a certified
23 public accountant, ~~a certificate of authority~~ or a license in any manner other than
24 that provided for by ~~this~~ chapter.

25 **SECTION 3605vn.** 442.11 (10) of the statutes is amended to read:

1 442.11 (10) Attempts to practice as a certified public accountant ~~or as a public~~
2 ~~accountant~~ under the guise of a certificate not granted by the examining board or
3 under cover of a certificate obtained illegally or fraudulently.

4 **SECTION 3605vp.** 442.11 (12) of the statutes is amended to read:

5 442.11 (12) Attempts by any subterfuge to evade the provisions of this chapter
6 while practicing as a certified public accountant.

7 **SECTION 3605vr.** 442.11 (13) of the statutes is amended to read:

8 442.11 (13) As an individual, ~~a member of a partnership or an officer of a~~
9 ~~corporation or member of a firm~~, permits to be announced by printed or written
10 statement that any report, certificate, exhibit, schedule, or statement has been
11 prepared by or under supervision of a certified public accountant ~~or by or under~~
12 ~~supervision of a public accountant~~ when the person who prepared the report,
13 certificate, exhibit, schedule, or statement was not a certified public accountant ~~or~~
14 public accountant.

15 *Delete blank line*

16 **SECTION 3605vt.** 442.12 (intro.) of the statutes is amended to read:

17 **442.12 Disciplinary action.** (intro.) Subject to the rules promulgated under
18 s. 440.03 (1), the examining board may do any of the following:

19 **SECTION 3605vv.** 442.12 (3) of the statutes is amended to read:

20 442.12 (3) In the case of a ~~corporation or a partnership~~ firm, revoke, limit, or
21 suspend the license of the ~~partnership or corporation~~ firm, or reprimand it, if it is
22 found that any officer, director or member of the firm has been guilty of such act or
23 omission as would be cause for revoking, limiting, or suspending a certificate or
24 license to the person ~~as~~ an individual or for reprimanding the person.

25 **SECTION 3605vx.** 442.13 of the statutes is amended to read:

1 **442.13 Ownership of accountant's working papers.** All statements,
2 records, schedules, working papers, and memoranda made by a certified public
3 accountant ~~or public accountant~~ incident to or in the course of professional service
4 to clients by such a certified public accountant, except reports submitted by a
5 certified public accountant ~~or public accountant~~ to a client, shall be and remain the
6 property of such the certified public accountant, in the absence of an express
7 agreement between such the certified public accountant and the client to the
8 contrary. No such statement, record, schedule, working paper, or memorandum shall
9 be sold, transferred, or bequeathed, without the consent of the client or the client's
10 personal representative or assignee, to anyone other than ~~one or more surviving~~
11 ~~partners or new or successor partners of such~~ any member of the firm of the certified
12 public accountant.

13

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14 **SECTION 3605vz.** 442.14 of the statutes is repealed.

15 **SECTION 3608m.** 447.34 (2) of the statutes is amended to read:

16 447.34 (2) Legal counsel, certified public accountants licensed under ch. 442,
17 or other persons as to matters the director or officer believes in good faith are within
18 the person's professional or expert competence.

19 **SECTION 3608b.** 452.07 (1m) of the statutes is created to read:

20 452.07 (1m) The department shall promulgate rules that specify the
21 supervisory duties of brokers under s. 452.12 (3).

22 **SECTION 3608d.** 452.12 (3) (a) of the statutes is renumbered 452.12 (3) and
23 amended to read:

1 452.12 (3) BROKER'S LIABILITY FOR ACTS OF EMPLOYEES. Each broker shall
2 supervise, and is responsible for the acts of, any broker, salesperson, or time-share
3 salesperson employed by the broker.

4 **SECTION 3608f.** 452.12 (3) (b) of the statutes is repealed.

5 **SECTION 3608h.** 452.139 (2) (c) of the statutes is amended to read:

6 452.139 (2) (c) Nothing in this subsection limits the liability of a broker under
7 s. 452.12 (3) (a) for misrepresentations made by an employee who is a broker.
8 Nothing in this subsection limits the liability of a client for a misrepresentation that
9 the client makes in connection with brokerage services.

10 **SECTION 3608d.** 447.04 (1) (b) of the statutes is amended to read:

11 447.04 (1) (b) ~~The~~ Except as provided in par. (c), the examining board may grant
12 a license to practice dentistry to an individual who is licensed in good standing to
13 practice dentistry in another state or territory of the United States or in another
14 country if the applicant meets the requirements for licensure established by the
15 examining board by rule and upon presentation of the license and payment of the fee
16 specified under s. 440.05 (2).

17 **SECTION 3608f.** 447.04 (1) (c) of the statutes is created to read:

18 447.04 (1) (c) 1. The examining board shall grant a license to practice dentistry
19 to an applicant who is licensed in good standing to practice dentistry in another
20 jurisdiction upon presentation of the license and who does all of the following:

21 a. Pays the fee specified in s. 440.05 (2).

22 b. Submits evidence satisfactory to the examining board that the applicant has
23 been offered employment as a full-time faculty member at a school of dentistry in
24 this state.

1 c. Makes responses during any interview that the examining board may
2 require that demonstrate, to the satisfaction of the examining board, that the
3 applicant is competent to practice dentistry.

4 2. A license granted under subd. 1. authorizes the license holder to practice
5 dentistry only within educational facilities and only for the purpose of carrying out
6 the license holder's teaching duties.

7 3. A license granted under subd. 1. is no longer in effect if the license holder
8 ceases to be employed as a full-time faculty member at a school of dentistry in this
9 state.

10 4. The examining board may promulgate rules to carry out the purposes of this
11 paragraph.

12 **SECTION 3608cg.** 452.01 (3p) of the statutes is created to read:

13 452.01 (3p) "Closing agent" means any person who coordinates the closing of
14 a conveyance of real estate by ensuring that title to the real estate is transferred to
15 the buyer and that the purchase price is transferred to the seller, except that "closing
16 agent" does not include any of the following:

17 (a) A receiver, trustee, administrator, executor, guardian, or other person
18 appointed by or acting under the judgment or order of any court.

19 (b) A public officer while performing his or her official duties.

20 (c) A depository institution.

21 (d) An employee of a person specified in pars. (a) to (c) when the employee is
22 engaged in the specific performance as such an employee.

23 (e) An attorney licensed to practice in this state while acting within the scope
24 of his or her attorney's license.

25 **SECTION 3608cm.** 452.035 of the statutes is created to read:

1 **452.035 Closing agents.** No person, including an escrow agent, as defined in
2 s. 138.052 (5m) (a) or 707.49 (1) (d), may engage in the business or occupation of, or
3 advertise or hold himself or herself out as, a closing agent unless the person is
4 registered as a closing agent by the department. The department shall issue a
5 certificate of registration as a closing agent to a person who submits an application
6 to the department on a form provided by the department, pays the fee specified in
7 s. 440.05 (1), and submits evidence satisfactory to the department that he or she is
8 competent to act as a closing agent. Renewal applications shall be submitted to the
9 department on a form provided by the department on or before the applicable
10 renewal date specified under s. 440.08 (2) (a) and shall include the applicable
11 renewal fee specified under s. 440.08 (2) (a).

12 **SECTION 3608cr.** 452.05 (1) (a) of the statutes is amended to read:

13 452.05 (1) (a) Grant and issue licenses to brokers and salespersons and
14 registrations to time-share salespersons and closing agents.

15 **SECTION 3608dg.** 452.11 (1) of the statutes is amended to read:

16 452.11 (1) A nonresident may become a broker, salesperson ~~or~~ time-share
17 salesperson, or closing agent by conforming to all the provisions of this chapter.

18 **SECTION 3608dm.** 452.12 (6) (a) of the statutes is amended to read:

19 452.12 (6) (a) Any licensee, except a time-share salesperson registered under
20 s. 452.025 or a closing agent registered under s. 452.035, may apply for registration
21 as an inactive licensee on or before the license renewal date. This paragraph does
22 not apply after October 31, 1995.

23 **SECTION 3608dr.** 452.13 (1) (b) of the statutes is renumbered 452.01 (3w).

24 **SECTION 3608eg.** 452.13 (1) (c) of the statutes is created to read:

1 452.13 (1) (c) "Closing funds" means any money related to the closing of real
2 estate conveyance that is received by a closing agent. "Closing funds" does not
3 include client funds, unless the client funds are transferred to a closing agent.

4 **SECTION 3608em.** 452.13 (2) (a) of the statutes is amended to read:

5 452.13 (2) (a) A broker who holds client funds or a closing agent who holds
6 closing funds shall establish an interest-bearing common trust account in a
7 depository institution. The interest-bearing common trust account shall earn
8 interest at a rate not less than that applicable to individual accounts of the same
9 type, size, and duration and for which withdrawals or transfers can be made without
10 delay, subject to any notice period that the depository institution is required to
11 observe by law or regulation.

12 **SECTION 3608er.** 452.13 (2) (b) (intro.) of the statutes is amended to read:

13 452.13 (2) (b) (intro.) Any broker or closing agent who maintains an
14 interest-bearing common trust account shall do all of the following:

15 **SECTION 3608fg.** 452.13 (2) (c) of the statutes is amended to read:

16 452.13 (2) (c) A broker or closing agent shall deposit all client funds or closing
17 funds in the interest-bearing common trust account.

18 **SECTION 3608fm.** 452.13 (2) (e) (intro.) of the statutes is amended to read:

19 452.13 (2) (e) (intro.) For each interest-bearing common trust account, the
20 broker or closing agent shall direct the depository institution to do all of the
21 following:

22

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23 **SECTION 3608fr.** 452.13 (2) (e) 2. of the statutes is amended to read:

24 452.13 (2) (e) 2. When the interest remittance is sent, furnish to the
25 department of administration and to the broker or closing agent maintaining the

1 interest-bearing common trust account a statement that includes the name of the
2 broker or closing agent for whose account the remittance is made, the rate of interest
3 applied, the amount of service charges or fees deducted, if any, and the account
4 balance for the period that the statement covers.

5 **SECTION 3608gg.** 452.13 (2) (f) 1. of the statutes is amended to read:

6 452.13 (2) (f) 1. May not assess a service charge or fee that is due on an
7 interest-bearing common trust account against any broker or closing agent or,
8 except as provided in subd. 3., against any other account, regardless of whether the
9 same broker or closing agent maintains the other account.

10 **SECTION 3608gm.** 452.13 (3) of the statutes is amended to read:

11 452.13 (3) DEPOSIT PROVISIONS. A broker or closing agent who deposits client
12 funds or closing funds in an interest-bearing common trust account in compliance
13 with this section may not be held liable to the owner or beneficial owner of the client
14 funds or closing funds for damages due to compliance with this section. A broker,
15 salesperson, or time-share salesperson who deposits client funds, or a closing agent
16 who deposits closing funds, in an interest-bearing common trust account in
17 compliance with this section is not required to disclose alternative depository
18 arrangements that could be made by the parties or to disclose that a deposit will be
19 made under this section.

20 

21 **SECTION 3608gr.** 452.13 (4) of the statutes is amended to read:

22 452.13 (4) TRUST ACCOUNT OPTIONAL. This section does not require a broker or
23 closing agent to hold client funds or closing funds or require a person to transfer
24 client funds to a broker or transfer closing funds to a closing agent.

25 **SECTION 3608hg.** 452.14 (1) of the statutes is amended to read:

1 452.14 (1) The department shall, upon motion of the board or upon its own
2 determination, conduct investigations and, as appropriate, may hold hearings and
3 make findings, if the department receives credible information that a broker,
4 salesperson ~~or~~, time-share salesperson, or closing agent has violated this chapter or
5 any rule promulgated under this chapter.

6 **SECTION 3608hm.** 452.14 (3) (intro.) of the statutes is amended to read:

7 452.14 (3) (intro.) Disciplinary proceedings shall be conducted by the board
8 according to rules adopted under s. 440.03 (1). The board may revoke, suspend, or
9 limit any broker's, salesperson's ~~or~~, time-share salesperson's, or closing agent's
10 license or registration, or reprimand the holder of the license or registration, if it
11 finds that the holder of the license or registration has:

12 **SECTION 3608hr.** 452.14 (3) (b) of the statutes is amended to read:

13 452.14 (3) (b) Made any substantial misrepresentation with reference to a
14 transaction injurious to a seller or purchaser in which the broker, salesperson ~~or~~,
15 time-share salesperson, or closing agent acts as agent;

16 **SECTION 3608ig.** 452.14 (3) (h) of the statutes is amended to read:

17 452.14 (3) (h) Failed, within a reasonable time, to account for or remit any
18 moneys coming into the broker's, salesperson's ~~or~~, time-share salesperson's, or
19 closing agent's possession which belong to another person;

20 **SECTION 3608im.** 452.14 (3) (i) of the statutes is amended to read:

21 452.14 (3) (i) Demonstrated incompetency to act as a broker, salesperson ~~or~~,
22 time-share salesperson, or closing agent in a manner which safeguards the interests
23 of the public;

24 **SECTION 3608ir.** 452.14 (3) (jm) of the statutes is amended to read:

1 452.14 (3) (jm) Intentionally encouraged or discouraged any person from
2 purchasing or renting real estate in a particular area on the basis of race. If the board
3 finds that any broker, salesperson ~~or~~, time-share salesperson, or closing agent has
4 violated this paragraph, the board shall, in addition to any temporary penalty
5 imposed under this subsection, apply the penalty provided in s. 452.17 (4);

6 **SECTION 3608jg.** 452.17 (2) of the statutes is amended to read:

7 452.17 (2) Any person who engages in or follows the business or occupation of,
8 or advertises or holds himself or herself out as or acts temporarily or otherwise as,
9 a time-share salesperson or closing agent in this state without being registered with
10 the department shall be prosecuted by the district attorney in the county where the
11 violation occurs and may be fined not less than \$25 nor more than \$200 or imprisoned
12 not less than 10 days nor more than 6 months or both.

13 **SECTION 3608jm.** 452.17 (4) (a) (intro.) of the statutes is amended to read:

14 452.17 (4) (a) (intro.) If the board finds that any broker, salesperson ~~or~~,
15 time-share salesperson, or closing agent has violated s. 452.14 (3) (jm), the board:

16 **SECTION 3608jr.** 452.17 (4) (a) 1. of the statutes is amended to read:

17 452.17 (4) (a) 1. Shall, for the first offense, suspend the license or registration
18 of the broker, salesperson ~~or~~, time-share salesperson, or closing agent for not less
19 than 90 days.

20 **SECTION 3608kg.** 452.17 (4) (a) 2. of the statutes is amended to read:

21 452.17 (4) (a) 2. Shall, for the 2nd offense, revoke the license or registration of
22 the broker, salesperson ~~or~~, time share salesperson, ^{or} closing agent.

23 **SECTION 3608km.** 452.20 of the statutes is amended to read:

24 **452.20 Limitation on actions for commissions.** No person engaged in the
25 business or acting in the capacity of a broker, salesperson ~~or~~, time-share salesperson,

1 or closing agent within this state may bring or maintain an action in the courts of this
2 state for the collection of a commission or compensation for the performance of any
3 act mentioned in this chapter without alleging and proving that he or she was a duly
4 licensed broker, or salesperson or registered time-share salesperson or closing agent
5 at the time the alleged cause of action arose.

6 **SECTION 3608kr.** 452.21 of the statutes is amended to read:

7 **452.21 Compensation presumed.** In any prosecution for violation of this
8 chapter, proof that a person acted as a broker, agent, salesperson ~~or~~, time-share
9 salesperson, or closing agent is prima facie proof that compensation therefor was
10 received or promised.

11 **SECTION 3608Lg.** 452.22 (2) of the statutes is amended to read:

12 452.22 (2) The certificate of the secretary or his or her designee to the effect that
13 a specified individual or business entity is not or was not on a specified date the
14 holder of a broker's, salesperson's ~~or~~, time-share salesperson's, or closing agent's
15 license or registration, or that a specified license or registration was not in effect on
16 a date specified, or as to the issuance, limitation, suspension, or revocation of any
17 license or registration or the reprimand of any holder thereof, the filing or
18 withdrawal of any application or its existence or nonexistence, is prima facie
19 evidence of the facts therein stated for all purposes in any action or proceedings.

20 **SECTION 3605gb.** 440.90 (1) of the statutes is renumbered 440.90 (1d).

21 **SECTION 3605gf.** 440.90 (1c) of the statutes is created to read:

22 440.90 (1c) "Burial space" has the meaning given in s. 157.061 (1d).

23 **SECTION 3605gL.** 440.90 (3g) of the statutes is created to read:

24 440.90 (3g) "Columbarium" has the meaning given in s. 157.061 (3g).

25 **SECTION 3605gn.** 440.90 (3r) of the statutes is created to read:

1 440.90 (3r) "Columbarium space" has the meaning given in s. 157.061 (3r).

2 SECTION 3605gp. 440.90 (4e) of the statutes is created to read:

3 440.90 (4e) "Lawn crypt" has the meaning given in s. 157.061 (8g).

4 SECTION 3605gx. 440.90 (10r) of the statutes is created to read:

5 440.90 (10r) "Religious cemetery authority" has the meaning given in s.
6 157.061 (15m).

7 SECTION 3605ic. 440.91 (1) of the statutes is amended to read:

8 440.91 (1) Except as provided in sub. (6m), every cemetery authority that sells
9 or solicits the sale of a total of 10 or more ~~cemetery lots or mausoleum~~ burial spaces
10 during a calendar year and that pays any commission or other compensation to any
11 person for selling or soliciting the sale of its ~~cemetery lots or mausoleum~~ burial
12 spaces shall register with the department. The registration shall be in writing and
13 shall include the names of the officers of the cemetery authority.

14 SECTION 3605ih. 440.91 (2) (intro.) of the statutes is amended to read:

15 440.91 (2) (intro.) Except as provided in subs. (7) and (10), every individual who
16 sells or solicits the sale of, or who expects to sell or solicit the sale of, a total of 10 or
17 more ~~cemetery lots or mausoleum~~ burial spaces during a calendar year shall register
18 with the department. An individual may not be registered as a cemetery salesperson
19 except upon the written request of a cemetery authority and the payment of the fee
20 specified in s. 440.05 (1). The cemetery authority shall certify in writing to the
21 department that the individual is competent to act as a cemetery salesperson.
22 Within 10 days after the certification of any cemetery salesperson, the cemetery
23 salesperson shall verify and furnish to the department, in such form as the
24 department prescribes, all of the following information:

1 **SECTION 3605in.** 440.91 (6m) of the statutes is repealed and recreated to read:
2 440.91 (6m) The registration requirement under sub. (1) does not apply to any
3 of the following:

- 4 1. A religious cemetery authority.
5 2. A town, village, or city or fraternal or benevolent society that does not operate
6 a cemetery in a county with a population that is greater than 600,000.

7 **SECTION 3605iq.** 440.91 (7) of the statutes is renumbered 440.91 (7) (intro.) and
8 amended to read:

9 440.91 (7) (intro.) An individual who solicits the sale of cemetery lots or
10 mausoleum burial spaces in a cemetery organized, maintained, and operated by a
11 any of the following is not required to be registered under sub. (2):

12 **(b)** A town, village, or city, church, synagogue or mosque, religious, or fraternal
13 or benevolent society or incorporated college of a religious order is not required to be
14 registered under sub. (2), if the cemetery is not in a county with a population that is
15 greater than 600,000.

16 **SECTION 3605is.** 440.91 (7) (a) of the statutes is created to read:

17 440.91 (7) (a) A religious cemetery authority.

18 **SECTION 3605iv.** 440.91 (9) of the statutes is amended to read:

19 440.91 (9) No cemetery authority or cemetery salesperson registered under
20 sub. (1) or (2) may pay a fee or commission as compensation for a referral or as a
21 finder's fee relating to the sale of a cemetery lot, cemetery merchandise or
22 mausoleum a burial space to any person who is not registered under sub. (1) or (2)
23 or who is not regularly and lawfully engaged in the sale of cemetery lots, cemetery
24 merchandise or mausoleum burial spaces in another state or territory of the United
25 States or a foreign country.

1 **SECTION 3605kd.** 440.92 (1) (a) of the statutes is amended to read:

2 440.92 (1) (a) Except as provided in subs. (4), (9) (a) and (10), every individual
3 who sells or solicits the sale of cemetery merchandise or an undeveloped space under
4 a preneed sales contract ~~and, if the~~ is required to be registered under this subsection
5 and, if applicable, comply with the requirements under s. 445.125. If such an
6 individual is employed by or acting as an agent for a cemetery authority or any other
7 person, that cemetery authority or other person is also required to be registered
8 under this subsection.

9 **SECTION 3605kL.** 440.92 (2) (title) of the statutes is renumbered 440.922 (title).

10 **SECTION 3605km.** 440.92 (2) (a) of the statutes is renumbered 440.922 (1) (a),
11 and 440.922 (1) (a) 2., 3., 3g. and 4. (intro.), as renumbered, are amended to read:

12 440.922 (1) (a) 2. By affixing the cemetery merchandise to the ~~cemetery lot or~~
13 mausoleum burial space.

14 3. By storing the cemetery merchandise in a warehouse that is located on the
15 property of the preneed seller if the preneed seller insures the cemetery merchandise
16 and the preneed sales contract requires the preneed seller to ultimately affix the
17 cemetery merchandise to the ~~cemetery lot or mausoleum~~ burial space without
18 additional charge.

19 3g. By storing the cemetery merchandise anywhere on the property of the
20 preneed seller if the property of the preneed seller is located in this state, the preneed
21 seller insures the cemetery merchandise and the preneed sales contract requires the
22 preneed seller to ultimately affix the cemetery merchandise to a ~~cemetery lot~~ burial
23 space, to the outside of or the grounds surrounding a mausoleum or columbarium or
24 to any other outdoor location without additional charge.

1 4. (intro.) By having the cemetery merchandise stored in a warehouse that is
2 not located on the property of the preneed seller if the warehouse has agreed to ship
3 the cemetery merchandise to the preneed seller, purchaser, or beneficiary named in
4 the preneed sales contract without additional charge to the purchaser and the
5 preneed sales contract requires that the cemetery merchandise ultimately be affixed
6 to the ~~cemetery lot or mausoleum~~ burial space without additional charge. If the
7 cemetery merchandise is delivered under this subdivision, all of the following apply:

8 **SECTION 3605kn.** 440.92 (2) (am) of the statutes is renumbered 440.922 (2) and
9 amended to read:

10 440.922 (2) AFFIXTURE OF CEMETERY MERCHANDISE. If a preneed sales contract
11 for the sale of cemetery merchandise requires the preneed seller to ultimately affix
12 the cemetery merchandise to a ~~cemetery lot, mausoleum~~ burial space or other
13 location but the purchaser has not informed the preneed seller of the location where
14 the cemetery merchandise is to be affixed and the location where the cemetery
15 merchandise is to be affixed is not specified in the preneed sales contract, the preneed
16 sales contract may provide that the preneed seller may charge the purchaser an
17 additional fee at the time that the cemetery merchandise is affixed not to exceed the
18 additional costs to the preneed seller that are necessitated by the purchaser's choice
19 of location.

20 **SECTION 3605kp.** 440.92 (2) (b) of the statutes is renumbered 440.922 (1) (b).

21 **SECTION 3605kr.** 440.92 (2) (c) of the statutes is renumbered 440.922 (3) and
22 amended to read:

23 440.922 (3) VOIDING OF CONTRACTS. Except as provided in ~~par. (em)~~ sub. (4), a
24 preneed sales contract shall provide that if the purchaser voids the preneed sales
25 contract at any time within 10 days after the date of the initial payment the preneed

1 seller shall, within 30 days after the date on which the preneed sales contract is
2 voided, refund all money paid by the purchaser for cemetery merchandise that has
3 not been supplied or delivered and for the mausoleum space.

4 **SECTION 3605kt.** 440.92 (2) (cm) of the statutes is renumbered 440.922 (4).

5 **SECTION 3605kv.** 440.92 (2) (d) of the statutes is renumbered 440.922 (5) (a).

6 **SECTION 3605kx.** 440.92 (2) (e) of the statutes is renumbered 440.922 (5) (b).

7 **SECTION 3605kz.** 440.92 (2) (f) of the statutes is renumbered 440.922 (5) (c) and
8 amended to read:

9 440.922 (5) (c) If a preneed sales contract is voided under par. (e) (b), the
10 preneed seller shall, within 30 days after the date on which the preneed sales
11 contract is voided, refund all money paid by the purchaser, together with interest
12 calculated at the legal rate of interest as provided under s. 138.04.

13 **SECTION 3605mb.** 440.92 (2) (g) and (h) of the statutes are renumbered 440.922
14 (6) and (10).

15 **SECTION 3605md.** 440.92 (2) (i) of the statutes is renumbered 440.922 (7) and
16 amended to read:

17 440.922 (7) TRUSTING REQUIREMENTS. If a preneed sales contract includes
18 provisions for the sale of cemetery merchandise or an undeveloped space that is
19 subject to the trusting requirements under ~~sub. s. 440.92~~ (3) (a) and (b) and for the
20 sale of other goods or services that are not subject to the trusting requirements under
21 ~~sub. s. 440.92~~ (3) (a) and (b), the sale price of the goods or services that are not subject
22 to the trusting requirements may not be inflated for the purpose of allocating a lower
23 sale price to the cemetery merchandise or undeveloped space that is subject to the
24 trusting requirements.

25 **SECTION 3605mf.** 440.92 (2) (j) of the statutes is renumbered 440.922 (8).

1 **SECTION 3605mh.** 440.92 (2) (k) of the statutes is renumbered 440.922 (9) and
2 amended to read:

3 440.922 (9) NOTICE OF RIGHTS. A preneed sales contract shall include the
4 following language in not less than 10–point boldface type: “SECTION 440.92 (2)
5 440.922 OF THE WISCONSIN STATUTES SPECIFIES THE RIGHTS OF THE
6 PURCHASER UNDER THIS CONTRACT. DEPENDING ON THE
7 CIRCUMSTANCES, THESE MAY INCLUDE THE RIGHT TO VOID THE
8 CONTRACT AND RECEIVE A REFUND OR THE RIGHT TO ASSIGN AN
9 INTEREST IN THE CONTRACT TO ANOTHER PERSON.”

10 **SECTION 3605mj.** 440.92 (3) (a) (intro.) of the statutes is amended to read:

11 440.92 (3) (a) (intro.) ~~A Except as provided in par. (am),~~ a preneed seller shall
12 deposit into a preneed trust fund an amount equal to at least 40% of each payment
13 of principal that is received from the sale of cemetery merchandise under a preneed
14 sales contract, or the wholesale cost ratio for the cemetery merchandise multiplied
15 by the amount of the payment of principal that is received, whichever is greater. In
16 addition to the amount required to be deposited under this paragraph for the sale of
17 cemetery merchandise and except as provided in par. (c), if a preneed seller receives
18 payment for the sale of an undeveloped space under a preneed sales contract, the
19 preneed seller shall deposit a percentage of each payment of principal that is received
20 from the sale of the undeveloped space into a preneed trust fund, determined as
21 follows:

22 **SECTION 3605mm.** 440.92 (3) (am) of the statutes is created to read:

23 440.92 (3) (am) A preneed seller who sells cemetery merchandise for use in a
24 county with a population greater than 600,000 shall deposit into a preneed trust fund
25 an amount equal to at least 40% of each payment of principal that is received from

1 the sale of cemetery merchandise under a preneed sales contract. In addition to the
2 amount required to be deposited under this paragraph for the sale of cemetery
3 merchandise and except as provided in par. (c), if a preneed seller who sells an
4 undeveloped space located in a county with a population greater than 600,000
5 receives payment for the undeveloped space under a preneed sales contract, the
6 preneed seller shall deposit at least 40% of each payment of principal that is received
7 from the sale of the undeveloped space into a preneed trust fund.

8 **SECTION 3605mn.** 440.92 (3) (c) (intro.) of the statutes is amended to read:

9 440.92 (3) (c) (intro.) A preneed seller is not required to make the deposits
10 required under par. (a) ~~1. and 2.~~ or (am) for payments for sales of undeveloped spaces
11 under preneed contracts if any of the following applies:

12 **SECTION 3605mv.** 440.92 (5) of the statutes is renumbered 440.924.

13 **SECTION 3605mx.** 440.92 (6) (title) of the statutes is renumbered 440.926 (title)
14 and amended to read:

15 **440.926 (title) Reporting; Preneed seller reporting and record keeping;**
16 **audits.**

17 **SECTION 3605mz.** 440.92 (6) (a) of the statutes is renumbered 440.926 (1) (a)
18 and amended to read:

19 440.926 (1) (a) Every preneed seller registered under ~~sub. s. 440.92 (1)~~ shall
20 file an annual report with the department. The report shall be made on a form
21 prescribed and furnished by the department. The report shall be made on a
22 calendar-year basis unless the department, by rule, provides for other reporting
23 periods. The report is due on or before the 60th day after the last day of the reporting
24 period.

1 **SECTION 3605ob.** 440.92 (6) (b) and (c) of the statutes are renumbered 440.926
2 (1) (b) and (c).

3 **SECTION 3605od.** 440.92 (6) (d) of the statutes is renumbered 440.926 (2) (c)
4 and amended to read:

5 440.926 (2) (c) All records described under ~~para.~~ sub. (1) (b) 2. and (c) and
6 maintained by the department are confidential and are not available for inspection
7 or copying under s. 19.35 (1). This paragraph does not apply to any information
8 regarding the name, address, or employer of or financial information related to an
9 individual that is requested under s. 49.22 (2m) by the department of workforce
10 development or a county child support agency under s. 59.53 (5).

11 **SECTION 3605of.** 440.92 (6) (e) and (f) of the statutes are renumbered 440.926
12 (1) (d) and (e).

13 **SECTION 3605oh.** 440.92 (6) (g) of the statutes is renumbered 440.926 (2) (a),
14 and 440.926 (2) (a) 1. and 2., as renumbered, are amended to read:

15 440.926 (2) (a) 1. The records needed to prepare the reports required under ~~para.~~
16 sub. (1) (a).

17 2. Records that show, for each deposit in a trust fund or account specified in
18 ~~para.~~ sub. (1) (b) 2. and (c), the name of the purchaser or beneficiary of the preneed
19 sales contract relating to the deposit and the item purchased.

20 **SECTION 3605oj.** 440.92 (6) (h) of the statutes is renumbered 440.926 (2) (b) and
21 amended to read:

22 440.926 (2) (b) The records under ~~para.~~ sub. (1) (b) 1. shall be permanently
23 maintained by the preneed seller. The records under ~~para.~~ sub. (1) (b) 2. shall be
24 maintained for not less than 3 years after all of the obligations of the preneed sales

1 contract have been fulfilled. The department may promulgate rules to establish
2 longer time periods for maintaining records under this paragraph.

3 **SECTION 3605oL.** 440.92 (6) (i) of the statutes is renumbered 440.926 (3) (a) and
4 amended to read:

5 440.926 (3) (a) The department may promulgate rules requiring preneed
6 sellers registered under ~~sub. s. 440.92~~ (1) to maintain other records and establishing
7 minimum time periods for the maintenance of those records.

8 **SECTION 3605on.** 440.92 (6) (j) of the statutes is renumbered 440.926 (4) and
9 amended to read:

10 440.926 (4) AUDITS. The department may audit, at reasonable times and
11 frequency, the records, trust funds, and accounts of any preneed seller registered
12 under ~~sub. s. 440.92~~ (1), including records, trust funds, and accounts pertaining to
13 services provided by a preneed seller which are not otherwise subject to the
14 requirements under this ~~section~~ subchapter. The department may conduct audits
15 under this ~~paragraph~~ subsection on a random basis, and shall conduct all audits
16 under this ~~paragraph~~ subsection without providing prior notice to the preneed seller.

17 **SECTION 3605op.** 440.92 (6) (k) of the statutes is renumbered 440.926 (3) (b)
18 and amended to read:

19 440.926 (3) (b) The department may promulgate rules establishing a filing fee
20 to accompany the report required under ~~par. sub. (1)~~ (a). The filing fee shall be based
21 on the approximate cost of regulating preneed sellers.

22 **SECTION 3605or.** 440.92 (7) of the statutes is renumbered 440.927 and
23 amended to read:

24 **440.927 Approval of warehouses.** No person may own or operate a
25 warehouse unless the warehouse is approved by the department. Upon application,

1 the department shall approve a warehouse that is located in this state if the person
2 who operates the warehouse is licensed as a public warehouse keeper by the
3 department of agriculture, trade and consumer protection under ch. 99, but may not
4 approve a warehouse that is located in this state unless the person is so licensed. The
5 department shall promulgate rules establishing the requirements for approval of
6 warehouses that are located outside this state. The rules shall require warehouses
7 that are located outside this state to file with the department a bond furnished by
8 a surety company authorized to do business in this state in an amount that is
9 sufficient to guarantee the delivery of cemetery merchandise to purchasers under
10 preneed sales contracts. The department shall compile and keep a current list of the
11 names and addresses of all warehouses approved under this subsection ~~section~~ and
12 shall make the list available for public inspection during the times specified in s.
13 230.35 (4) (f).

14 **SECTION 3605ot.** 440.92 (9) (title) of the statutes is amended to read:

15 440.92 (9) (title) EXEMPTIONS; CERTIFICATION OF COMPLIANCE OF RELIGIOUS
16 CEMETERY AFFILIATED WITH RELIGIOUS SOCIETY AUTHORITIES.

17 *Delete blank line*

18 **SECTION 3605ov.** 440.92 (9) (a) of the statutes is amended to read:

19 440.92 (9) (a) If the ~~cemetery authority of a cemetery that is affiliated with a~~
20 ~~religious society organized under ch. 187 or that religious society~~ a religious
21 cemetery authority or the church, synagogue, mosque, incorporated college of a
22 religious order, or religious society organized under ch. 187 that is affiliated with a
23 religious cemetery authority files an annual certification with the department as
24 provided in this subsection, neither the religious cemetery authority nor any
25 employee of the cemetery is required to be registered as a cemetery preneed seller

1 under sub. (1) during the period for which the certification is effective, but the
2 religious cemetery authority and any employee are required to comply, if applicable,
3 with the requirements of s. 445.125.

4 **SECTION 3605ox.** 440.92 (9) (b) 3. of the statutes is amended to read:

5 440.92 (9) (b) 3. A notarized statement of a person who is legally authorized to
6 act on behalf of the religious ~~society~~ cemetery authority under this subsection that,
7 during the 12-month period immediately preceding the date on which the
8 certification is filed with the department, each employee specified under subd. 2. and
9 the religious cemetery authority have either fully complied or have substantially
10 complied with ~~subs. (2),~~ sub. (3) (a) and (b) and (5) ss. 440.922 and 440.924.

11 **SECTION 3605oz.** 440.92 (9) (c) of the statutes is amended to read:

12 440.92 (9) (c) If the statement under par. (b) 3. includes a statement of
13 substantial compliance, the statement of substantial compliance must also specify
14 those instances when the employee or religious cemetery authority did not fully
15 comply with sub. ~~(2),~~ (3) (a) or (b) or ~~(5) s.~~ 440.922 or 440.924.

16 **SECTION 3605qb.** 440.92 (9) (e) of the statutes is amended to read:

17 440.92 (9) (e) During the effective period specified under par. (d), the
18 department may not audit the preneed trust funds or any records or accounts
19 relating to the preneed trust funds of the religious cemetery authority or any
20 employee of the cemetery to which a certification under this subsection applies.

21 **SECTION 3605qd.** 440.92 (9) (f) of the statutes is amended to read:

22 440.92 (9) (f) The church, synagogue, mosque, incorporated college of a
23 religious order, or religious society that is affiliated with a cemetery to which a
24 certification under this subsection applies is liable for the damages of any person
25 that result from the failure of any employee specified under par. (b) 2. or the religious

1 cemetery authority to fully comply with sub. ~~(2)~~, (3) (a) or (b) or ~~(5)~~ s. 440.922 or
2 440.924 during the 12-month period for which such compliance has been certified
3 under this subsection.

4 **SECTION 3605qg.** 440.92 (10) of the statutes is amended to read:

5 440.92 (10) EXEMPTIONS: CERTAIN NONPROFIT CEMETERIES. This section does not
6 apply to a cemetery authority that is not required to be registered under s. 440.91
7 (1) and, that is not organized or conducted for pecuniary profit, and that does not
8 operate a cemetery in a county with a population greater than 600,000.

9 **SECTION 3605qh.** 440.922 (1) (title) of the statutes is created to read:

10 440.922 (1) (title) DELIVERY OF CEMETERY MERCHANDISE.

11 **SECTION 3605qhc.** 440.922 (4) (title) of the statutes is created to read:

12 440.922 (4) (title) PHYSICAL ALTERATION OF CEMETERY MERCHANDISE.

13 **SECTION 3605qhe.** 440.922 (5) (title) of the statutes is created to read:

14 440.922 (5) (title) UNDEVELOPED SPACE SALES.

15 **SECTION 3605qhg.** 440.922 (6) (title) of the statutes is created to read:

16 440.922 (6) (title) INTEREST ASSIGNMENTS.

17 **SECTION 3605qhj.** 440.922 (8) (title) of the statutes is created to read:

18 440.922 (8) (title) CONTRACT REQUIREMENTS.

19 **SECTION 3605qhk.** 440.922 (10) (title) of the statutes is created to read:

20 440.922 (10) (title) CONFLICTING PROVISIONS.

21 **SECTION 3605qj.** 440.926 (1) (title) of the statutes is created to read:

22 440.926 (1) (title) REPORTS.

23 **SECTION 3605qjd.** 440.926 (2) (title) of the statutes is created to read:

24 440.926 (2) (title) RECORDS.

25 **SECTION 3605qjf.** 440.926 (3) (title) of the statutes is created to read:

1 440.926 (3) (title) RULES.

2 *Delete blank line*

3 SECTION 3605qr. 440.93 (1) (b) of the statutes is amended to read:

4 440.93 (1) (b) Made a substantial misrepresentation or false promise to an
5 individual to influence the individual to purchase a ~~cemetery lot~~, cemetery
6 merchandise or ~~mausoleum~~ a burial space.

7 SECTION 3605qt. 440.93 (1) (c) of the statutes is amended to read:

8 440.93 (1) (c) Engaged in any practice relating to the operation or management
9 of a cemetery or the sale of a cemetery lot, cemetery merchandise or ~~mausoleum~~ a
10 burial space which clearly demonstrates a lack of knowledge or ability to apply
11 professional principles or skills.

12 SECTION 3605qx. 440.93 (1) (d) of the statutes is amended to read:

13 440.93 (1) (d) Subject to ss. ~~111.321, 111.322 and 111.335~~, been convicted of an
14 offense Violated any law the circumstances of which substantially relate to the
15 operation or management of a cemetery or the sale of a cemetery lot, cemetery
16 merchandise or ~~mausoleum~~ a burial space. A certified copy of a judgment of
17 conviction is prima facie evidence of a violation.

18 SECTION 3605qz. 440.93 (1) (f) of the statutes is amended to read:

19 440.93 (1) (f) Subject to ss. 111.321, 111.322, and 111.34, engaged in any
20 practice relating to the operation or management of a cemetery or the sale of a
21 cemetery lot, cemetery merchandise or ~~mausoleum~~ a burial space while the person's
22 ability to practice was impaired by mental disease or defect or alcohol or other drugs.

23 SECTION 3605sb. 440.93 (1) (g) of the statutes is amended to read:

1 440.93 (1) (g) Violated this subchapter or subch. II of ch. 157, any rule
2 promulgated under this subchapter or subch. II of ch. 157, or any order of the
3 department.

4 **SECTION 3605sd.** 440.93 (1m) of the statutes is created to read:

5 440.93 (1m) The department may, in addition to or in lieu of a reprimand or
6 revocation, limitation, suspension, or denial of a certificate of registration, assess
7 against a person registered under this subchapter who has done anything specified
8 in sub. (1) (a) to (g) a forfeiture of no more than \$5,000 for each separate offense. Each
9 day of continued violation constitutes a separate offense.

10 **SECTION 3605sh.** 440.945 (1) (a) of the statutes is amended to read:

11 440.945 (1) (a) "Installed" means permanently affixed to a ~~cemetery lot~~ burial
12 space.

13 **SECTION 3605sj.** 440.945 (2) (a) of the statutes is amended to read:

14 440.945 (2) (a) Adopt regulations, consistent with this section and with
15 standards that the cemetery authority uses for its own monument installations,
16 prescribing requirements and procedures for the sale, delivery, installation, or care
17 of monuments, including requirements that each vendor provide reasonable advance
18 notice to the cemetery authority of the date on which the vendor desires to install a
19 monument; that each vendor carry worker's compensation insurance and a
20 minimum amount of comprehensive general liability insurance, such minimum
21 amount not to exceed \$300,000; and that each owner of a ~~cemetery lot~~ burial space
22 pay all fees and other amounts due the cemetery authority to satisfy any
23 encumbrances pertaining to the ~~cemetery lot~~ burial space before a monument is
24 installed.

25 **SECTION 3605sL.** 440.945 (2) (c) of the statutes is amended to read:

1 440.945 (2) (c) Charge either the owner of a ~~cemetery lot~~ burial space or a
2 vendor a reasonable fee to cover the cemetery authority's labor costs. In this
3 paragraph, "labor costs" means the amount, calculated in accordance with generally
4 accepted accounting principles and practices, that is payable to employees of the
5 cemetery authority for wages and fringe benefits for the period that the employees
6 were engaged in marking the location for and inspecting the installation of the
7 monument to ensure that it was properly installed, and may include any general
8 administrative or overhead costs of the cemetery authority or any other costs that
9 are directly related to marking the location for and inspecting the installation of the
10 monument to ensure that it was properly installed.

11 **SECTION 3605sn.** 440.945 (3) (a) (intro.) of the statutes is amended to read:

12 440.945 (3) (a) (intro.) Every cemetery authority shall keep on file and make
13 available for inspection and copying to owners and prospective purchasers of
14 ~~cemetery lots~~ burial spaces and to other interested persons all of the following
15 information:

16 **SECTION 3605sp.** 440.945 (4) (a) 1. of the statutes is amended to read:

17 440.945 (4) (a) 1. Require the owner or purchaser of a ~~cemetery lot~~ burial space
18 to purchase a monument or services related to the installation of a monument from
19 the cemetery authority.

20 **SECTION 3605sr.** 440.945 (4) (a) 2. of the statutes is amended to read:

21 440.945 (4) (a) 2. Restrict the right of the owner or purchaser of a ~~cemetery lot~~
22 burial space to purchase a monument or services related to the installation of a
23 monument from the ~~vendor~~ of his or her choice.

24 **SECTION 3605st.** 440.945 (4) (a) 3. of the statutes is amended to read:

1 440.945 (4) (a) 3. Except as provided in sub. (2) (c), charge the owner or
2 purchaser of a ~~cemetery~~ burial space a fee for purchasing a monument or services
3 related to the installation of a monument from a vendor, or charge a vendor a fee for
4 delivering or installing the monument. Nothing in this subdivision shall be
5 construed to prohibit a cemetery authority from charging the owner or purchaser of
6 a ~~cemetery~~ burial space a reasonable fee for services relating to the care of a
7 monument.

8 **SECTION 3605sv.** 440.945 (4) (a) 4. of the statutes is amended to read:

9 440.945 (4) (a) 4. Discriminate against any owner or purchaser of a ~~cemetery~~
10 burial space who has purchased a monument or services related to the
11 installation of a monument from a vendor.

12 **SECTION 3605ud.** 440.947 (1) (c) of the statutes is renumbered 440.90 (6g).

13 **SECTION 3605uh.** 440.948 of the statutes is created to read:

14 **440.948 Burial agreements.** Any agreement for the purchase of a casket,
15 outer burial container not preplaced into the burial excavation of a grave, or
16 combination casket–outer burial container, that is not immediately required for the
17 burial or other disposition of human remains, is subject to the requirements of s.
18 445.125 (1).

19 **SECTION 3605uv.** 440.95 (4) (c) of the statutes is amended to read:

20 440.95 (4) (c) Fails to file a report or files an incomplete, false, or misleading
21 report under s. ~~440.92 (6)~~ 440.926.

22 **SECTION 3605ux.** 440.95 (5) of the statutes is amended to read:

23 440.95 (5) Except as provided in sub. (4), any person who violates s. ss. 440.92
24 to 440.927 or any rule promulgated under s. ss. 440.92 to 440.927 may be required

1 to forfeit not more than \$200 for each offense. Each day of continued violation
2 constitutes a separate offense.

3 **SECTION 3619k.** 560.031 (3) of the statutes, as created by 1997 Wisconsin Act
4 27, is renumbered 560.031 (3) (am).

5 **SECTION 3619m.** 560.031 (3) (bc) of the statutes is created to read:

6 560.031 (3) (bc) In awarding grants, loans, and manufacturing rebates under
7 this subsection, the board shall give priority to projects that involve recovered
8 materials that constitute a relatively high volume of solid waste generated in this
9 state or that are hazardous to human health or the environment.

10

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11 **SECTION 3619n.** 560.031 (3) (cm) of the statutes is created to read:

12 560.031 (3) (cm) Annually, the board shall allocate up to \$200,000 in financial
13 assistance under this subsection for forgivable loans for projects that have
14 exceptional potential to meet one of the qualifying considerations under par. (am) 1.,
15 2., 3., or 4., but do not comply with the standard criteria established by the board or
16 department for meeting its fiduciary responsibilities in managing state resources.

17 **SECTION 3619s.** 560.031 (6m) of the statutes is created to read:

18 560.031 (6m) Annually, in consultation with the council on recycling, the board
19 shall establish a list of materials recovered from solid waste for which the board may
20 award financial assistance.

21 **SECTION 3619sd.** 560.036 (2) (a) of the statutes is amended to read:

22 560.036 (2) (a) For the purposes of ss. 16.75 (3m), 16.854, 16.855 (10m), 16.87
23 (2), 18.16, 18.64, 18.77, 25.17 (59), 25.185, 34.05 (4), 38.18, 43.17 (9) (a), 59.52 (29)
24 (c), 59.57 (1) (b), 60.47 (7), 61.55 (3), 62.15 (1) (c), 66.0901 (6), 84.075, 84.076, 119.495
25 (2), 120.12 (27), 200.49, 200.57, 229.46, 229.70, 229.8273, 229.845, 231.27 and,

1 232.05 (2) (d), 234.01 (4n) (a) 3m. d., 234.35, 234.65 (1) (g), 252.12 (2) (c) 2., 560.038,
2 560.039, and 560.80 to 560.85, the department shall establish and periodically
3 update a list of certified minority businesses, minority financial advisers, and
4 minority investment firms. Any business, financial adviser, or investment firm may
5 apply to the department for certification. For purposes of this paragraph, unless the
6 context otherwise requires, a "business" includes a financial adviser or investment
7 firm.

8 **SECTION 3619sg.** 560.036 (3) (a) of the statutes is amended to read:

9 560.036 (3) (a) The department shall promulgate rules establishing procedures
10 to implement sub. (2). Those rules shall include a rule prescribing a uniform
11 application form for certification under sub. (2).

12 **SECTION 3619sj.** 560.036 (3) (c) of the statutes is amended to read:

13 560.036 (3) (c) The department may promulgate rules establishing conditions
14 with which a business, financial adviser, or investment firm must comply to qualify
15 for certification, in addition to the qualifications specified under sub. (1) (e), (ep), and
16 (fm), respectively. Those rules may not require that a business, financial adviser, or
17 investment firm submit any income or franchise tax return to the department as a
18 condition for qualification for certification.

19 **SECTION 3619sm.** 560.038 (1) (ar) of the statutes is amended to read:

20 560.038 (1) (ar) "Minority business" ~~has the meaning given in s. 560.036 (1) (e)~~
21 means a business that is certified by the department under s. 560.036 (2).

22 **SECTION 3619sp.** 560.039 (1) (b) of the statutes is amended to read:

23 560.039 (1) (b) "Minority business" ~~has the meaning given in s. 560.036 (1) (e)~~
24 means a business that is certified by the department under s. 560.036 (2).

25 **SECTION 3619w.** 560.06 (2) of the statutes is amended to read:

1 560.06 (2) In each fiscal year ~~1999–2000~~, the department ~~may~~ shall provide up
2 to \$100,000 from the appropriations under s. 20.143 (1) (c) and (ie) in assistance to
3 ~~a~~ the nonprofit organization specified in sub. (1) that provides assistance to
4 organizations and individuals in urban areas. Notwithstanding sub. (1), the
5 department shall use the moncys authorized under this subsection in accordance
6 with the memorandum of understanding under sub. (1) and shall ensure that the
7 nonprofit organization provides assistance to organizations and individuals in an
8 area that includes the city of Beloit.

9 **SECTION 3625.** 560.13 (1) (b) of the statutes is amended to read:

10 560.13 (1) (b) “Brownfields redevelopment” means any work or undertaking by
11 a person, ~~municipality or local development corporation~~ to acquire a brownfields
12 facility or site and to raze, demolish, remove, reconstruct, renovate, or rehabilitate
13 the facility or existing buildings, structures, or other improvements at the site for the
14 purpose of promoting the use of the facility or site for commercial, industrial, or other
15 purposes. “Brownfields redevelopment” does not include construction of new
16 facilities on the site for any purpose other than environmental remediation
17 activities.

18 **SECTION 3626.** 560.13 (1) (e) of the statutes is repealed.

19 **SECTION 3627.** 560.13 (1) (f) of the statutes is repealed.

20 **SECTION 3628.** 560.13 (1) (g) of the statutes is amended to read:

21 560.13 (1) (g) “Person” means an individual, partnership, limited liability
22 company, corporation or limited liability company, nonprofit organization, city,
23 village, town, county, or trustee, including a trustee in bankruptcy.

24 **SECTION 3629.** 560.13 (2) (a) (intro.) of the statutes is amended to read:

1 560.13 (2) (a) (intro.) Subject to subs. (4) and (5), from the appropriations under
2 s. 20.143 (1) (br) and (qm) the department may make a grant to a person,
3 ~~municipality or local development corporation~~ if all of the following apply:

4 **SECTION 3630.** 560.13 (2) (a) 1m. of the statutes is created to read:

5 560.13 (2) (a) 1m. The recipient does not use the grant proceeds to pay lien
6 claims of the department of natural resources or the federal environmental
7 protection agency based on investigation or remediation activities of the department
8 of natural resources or the federal environmental protection agency or to pay
9 delinquent real estate taxes or interest or penalties that relate to those taxes.

10 **SECTION 3631.** 560.13 (4) (a) of the statutes is repealed.

11 **SECTION 3631m.** 560.13 (4) (ac) of the statutes is created to read:

12 560.13 (4) (ac) The department shall consider grant applications and award
13 grants on a semiannual basis.

14 **SECTION 3632.** 560.13 (4) (am) of the statutes is repealed.

15 **SECTION 3634.** 560.137 (1) (c) of the statutes is amended to read:

16 560.137 (1) (c) "Qualified business" means an existing or start-up business,
17 including a Native American business, that is located in this state.

18 **SECTION 3634c.** 560.137 (2) of the statutes is renumbered 560.137 (2) (a), and
19 560.137 (2) (a) (intro.), as renumbered, is amended to read:

20 560.137 (2) (a) (intro.) Subject to ~~subs. (3), (4) and (5)~~ pars. (bm), (c), and (d),
21 from the appropriations under s. 20.143 (1) (ig) and (kj), the department may do all
22 of the following:

23 **SECTION 3634d.** 560.137 (3) of the statutes is renumbered 560.137 (2) (bm), and
24 560.137 (2) (bm) (intro.), as renumbered, is amended to read:

1 560.137 (2) (bm) (intro.) The department may not make a grant or loan to a
2 qualified business under this ~~section~~ subsection unless the department determines
3 all of the following:

4 **SECTION 3634dm.** 560.137 (3m) of the statutes is created to read:

5 560.137 (3m) From the appropriation under s. 20.143 (1) (kj), the department
6 shall make grants to Oneida Small Business, Inc., and Project 2000 for the purpose
7 of providing grants and loans to businesses. To be eligible for a grant or loan from
8 proceeds under this subsection, a business must be located in this state in a county
9 that contains or that is adjacent to any portion of an Oneida reservation and must
10 satisfy any of the following criteria:

11 (a) The business is a start-up business.

12 (b) The business, together with any affiliate, subsidiary, or parent entity, has
13 fewer than 50 employees.

14 (c) The business is at least 51% owned, controlled, and actively managed by a
15 member or members of the Oneida tribe.

16 **SECTION 3634e.** 560.137 (4) of the statutes is renumbered 560.137 (2) (c) and
17 amended to read:

18 560.137 (2) (c) As a condition of approval of a grant or loan under this ~~section~~
19 subsection, the department shall require that the qualified business provide
20 matching funds for at least 25% of the cost of the project. The department may waive
21 the requirement under this ~~subsection~~ paragraph if the department determines that
22 the qualified business is subject to extreme financial hardship.

23 **SECTION 3634f.** 560.137 (5) of the statutes is renumbered 560.137 (2) (d) and
24 amended to read:

1 560.137 (2) (d) The department may not award a grant or loan under this
2 ~~section subsection~~ to a qualified business for any purpose that is related to tourism
3 unless the department of tourism concurs in the award.

4 **SECTION 3634g.** 560.137 (6) of the statutes is renumbered 560.137 (2) (e), and
5 560.137 (2) (e) 1. and 2., as renumbered, are amended to read:

6 560.137 (2) (e) 1. The department shall deposit into the appropriation account
7 under s. 20.143 (1) (ig) all moneys received in repayment of loans made under this
8 ~~section subsection~~.

9 2. The department may forgive all or any part of a loan made under this ~~section~~
10 ~~subsection~~.

11 **SECTION 3635.** 560.138 (1) (a) of the statutes is renumbered 560.138 (1) (an).

12 **SECTION 3636.** 560.138 (1) (ac) of the statutes is created to read:

13 560.138 (1) (ac) “Brownfields” has the meaning given in s. 560.13 (1) (a).

14 **SECTION 3637.** 560.138 (1) (b) of the statutes is amended to read:

15 560.138 (1) (b) “Qualified business” means an existing or start-up business,
16 including a Native American business, that is located in or expanding into this state.

17 **SECTION 3638.** 560.138 (1) (c) of the statutes is created to read:

18 560.138 (1) (c) “Remediating brownfields” means abating, removing, or
19 containing environmental pollution at a brownfields facility or site, or restoring soil
20 or groundwater at a brownfields facility or site.

21 **SECTION 3639.** 560.138 (2) (a) of the statutes is renumbered 560.138 (2) (a)
22 (intro.) and amended to read:

23 560.138 (2) (a) (intro.) Subject to subs. (3) and (4), from the appropriations
24 under s. 20.143 (1) (~~id~~) (ig) and (~~km~~) (kj), the department may make a grant or loan

1 to a qualified business for a project for ~~the purpose of diversifying~~ any of the following
2 purposes:

3 1. Diversifying the economy of a community.

4 **SECTION 3640.** 560.138 (2) (a) 2. of the statutes is created to read:

5 560.138 (2) (a) 2. Remediating brownfields.

6 **SECTION 3641.** 560.138 (2) (b) 4. of the statutes is created to read:

7 560.138 (2) (b) 4. Whether a project will take place in a rural community, as
8 determined by the department.

9 **SECTION 3642.** 560.138 (5) of the statutes is amended to read:

10 560.138 (5) The department shall deposit into the appropriation account under
11 s. 20.143 (1) ~~(id)~~ (ig) all moneys received in repayment of loans made under this
12 section.

13 **SECTION 3643.** 560.139 (1) (a) of the statutes is renumbered 560.139 (1) (a) 1.
14 and amended to read:

15 560.139 (1) (a) 1. Subject to ~~par. (b)~~ subd. 2., from the appropriation under s.
16 20.143 (1) (kj) ~~or (km) or from both appropriations~~, the department shall make grants
17 to the city of Milwaukee to fund a program to be administered by the Milwaukee
18 Economic Development Corporation. Under the program, the Milwaukee Economic
19 Development Corporation shall provide grants to persons for remediation and
20 economic redevelopment projects in the Menomonee valley. A person may not receive
21 a grant unless the person provides matching funds for at least 50% of the cost of the
22 project.

23 **SECTION 3644.** 560.139 (1) (b) of the statutes is renumbered 560.139 (1) (a) 2.
24 and amended to read:

1 560.139 (1) (a) 2. The department may not expend more than \$900,000 in
2 grants to the city of Milwaukee under this subsection paragraph.

3 **SECTION 3645.** 560.139 (1) (c) of the statutes is created to read:

4 560.139 (1) (c) 1. From the appropriation under section 20.143 (1) (qm) of the
5 statutes, the department shall make a grant of \$375,000 in fiscal year 2001-02 and
6 a grant of \$375,000 in fiscal year 2002-03 to the Milwaukee Economic Development
7 Corporation and a grant of \$375,000 in fiscal year 2001-02 and a grant of \$375,000
8 in fiscal year 2002-03 to the Menomonee Valley Partners, Inc. The grants in fiscal
9 year 2001-02 shall be made no later than 120 days after the effective date of this
10 subdivision [revisor inserts date], and the grants in fiscal year 2002-03 shall be
11 made no later than October 1, 2002.

12 2. The proceeds of the grants under subd. 1. must be used to fund projects that
13 are selected for funding on the basis of the degree of blight and underused economic
14 potential in the area, the area's potential for redevelopment, and the project's
15 compatibility with the Menomonee Valley land use plan. The grant proceeds may be
16 used to fund the cost of acquisitions, demolition, environmental assessments,
17 removal of underground storage tanks and abandoned containers, site
18 investigations, cleanup, and monitoring, and other costs associated with such
19 activities.

20 3. A person may not receive for a project a grant from the Milwaukee Economic
21 Development Corporation or the Menomonee Valley Partners, Inc., that is funded
22 with the proceeds of a grant under subd. 1. unless the person provides matching
23 funds at least equal to the amount of the grant received by the person.

24 **SECTION 3646.** 560.139 (2) (a) of the statutes is amended to read:

1 560.139 (2) (a) From the appropriation under s. 20.143 (1) (kj) or (km) or from
2 both appropriations, the department shall make grants to the Northwest Regional
3 Planning Commission to match federal or private funds for the purpose of
4 establishing a community-based venture fund. Subject to par. (b), the department
5 shall provide grants in an amount that equals 50% of the total amount that the
6 Northwest Regional Planning Commission receives in the year from federal or
7 private sources for the community-based venture fund.

(L)
(M)

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9 SECTION 3649m. 560.16 (6) (a) 3. of the statutes is amended to read:

10 560.16 (6) (a) 3. A verified statement of the financial condition and business
11 operation of the existing business for the previous 3 years, certified by an
12 independent certified public accountant licensed or certified under ch. 442.

13 SECTION 3650. 560.165 (title) of the statutes is amended to read:

14 **560.165 (title) ~~Division of international and export development~~**
15 **International services; fees and assessments.**

16 SECTION 3651. 560.165 of the statutes is renumbered 560.165 (1) and amended
17 to read:

18 560.165 (1) The division of international and export development may charge
19 fees for services it provides to cover the costs incurred by the division in providing
20 the services. The division shall ~~deposit all fees~~ credit all moneys collected under this
21 ~~section in subsection to the appropriation account~~ under s. 20.143 (1) (g).

22 SECTION 3652. 560.165 (2) of the statutes is created to read:

23 560.165 (2) The department may assess a state agency on a premium basis for
24 the cost of services that are provided by the department's international liaison and
25 that are requested by the state agency. Any premium charged by the department