

1 ***b2049/3.9* SECTION 2852qn.** 157.19 (4m) of the statutes is created to read:

2 157.19 (4m) The department shall request proposals from financial
3 institutions located in this state for the purpose of selecting a financial institution
4 that cemetery authorities and preneed sellers may use as the trustee for care funds
5 under s. 157.11 (9g) and 157.12 (3) and preneed trust funds under s. 440.92. Except
6 as provided in sub. (5) (c), a cemetery authority or preneed seller is not required to
7 use the financial institution selected by the department. The financial institution
8 selected under this subsection shall submit an annual report to the department, in
9 a form and manner satisfactory to the department, that provides an accounting of
10 all care funds and preneed trust funds for which the financial institution is the
11 trustee.

12 ***b2049/3.9* SECTION 2852qp.** 157.19 (5) (a) of the statutes is amended to read:

13 157.19 (5) (a) This section does not apply to care funds under s. 157.11 (9g) that
14 are deposited with a city or county as provided under s. 157.11 (9g) (a), to care funds
15 of a cemetery for which a certification under s. 157.63 is effective, or to preneed trust
16 funds of a cemetery for which a certification under s. 440.92 (9) is effective, or to care
17 funds or preneed trust funds of a cemetery authority that is not required to be
18 registered under s. 440.91 (1) and, that is not organized or conducted for pecuniary
19 profit, and that is not located in a county with a population greater than 600,000.

20 ***b2049/3.9* SECTION 2852qr.** 157.19 (5) (c) of the statutes is created to read:

21 157.19 (5) (c) If the department determines that a cemetery authority of a
22 cemetery in a county with a population greater than 600,000, or a preneed seller for
23 such a cemetery authority, has violated any requirement under this subchapter or
24 subch. VIII of ch. 440 relating to care funds under s. 157.11 (9g) and 157.12 (3) or
25 preneed trust funds under s. 440.92, the department may require the cemetery

1 authority or preneed seller to use the financial institution selected under sub. (4m)
2 as the trustee for the care funds or preneed trust funds.

3 *b2049/3.9* SECTION 2852qt. 157.60 of the statutes is amended to read:

4 **157.60 Public easement in cemetery.** Any person who shall open or make
5 any highway, town way, or private way or shall construct any railroad, turnpike, or
6 canal or anything in the nature of a public easement over, through, in, or upon such
7 part of any enclosure, being the property of any town, city, village, or religious society
8 cemetery authority or of private proprietors, as may be used for the burial of the dead,
9 unless an authority for that purpose shall be specially granted by law or unless the
10 consent of such town, city, village, religious society cemetery authority, or private
11 proprietors, respectively, shall be first obtained, shall be punished by imprisonment
12 in the county jail not more than one year or by fine not exceeding \$300.

13 *b2049/3.9* SECTION 2852qv. 157.61 of the statutes is created to read:

14 **157.61 Identification of human remains.** A person may not provide an
15 outer burial container or, if an outer burial container is not used, a casket, to a
16 cemetery authority of a cemetery in a county with a population greater than 600,000,
17 other than a religious cemetery authority, for the burial of human remains, unless
18 the person identifies the decedent by name on the exterior of the outer burial
19 container or casket.

20 *b2049/3.9* SECTION 2852se. 157.62 (2) (b) 1m. of the statutes is created to
21 read:

22 157.62 (2) (b) 1m. If the cemetery authority operates a cemetery in a county
23 with a population greater than 600,000, the percentage of burial spaces at the
24 cemetery that are available for sale.

25 *b2049/3.9* SECTION 2852sh. 157.62 (3) (a) of the statutes is amended to read:

1 157.62 (3) (a) Every cemetery authority shall keep a copy of the report required
2 under sub. (2) (a) at its principal place of business and, except for those records
3 relating to accountings of trust funds described under sub. (2) (b) 3. to 7., shall make
4 the report available for inspection, upon reasonable notice, by any person with an
5 interest in a ~~cemetery lot or a mausoleum~~ burial space in a cemetery owned or
6 operated by the cemetery authority.

7 ***b2049/3.9* SECTION 2852si.** 157.62 (3) (b) 3. of the statutes is amended to
8 read:

9 157.62 (3) (b) 3. A copy of each contract for the sale of a ~~cemetery lot,~~
10 ~~mausoleum~~ burial space or cemetery merchandise.

11 ***b2049/3.9* SECTION 2852sj.** 157.62 (3) (c) of the statutes is created to read:

12 157.62 (3) (c) Every cemetery authority of a cemetery in a county with a
13 population greater than 600,000 that is registered under s. 440.91 (1) shall maintain
14 records identifying the section, lot, and site of each burial space and showing the
15 location of each burial space on a map.

16 ***b2049/3.9* SECTION 2852sk.** 157.62 (4) (title) of the statutes is amended to
17 read:

18 157.62 (4) (title) RECORDS MAINTENANCE; INSPECTION.

19 ***b2049/3.9* SECTION 2852sL.** 157.62 (4) of the statutes is renumbered 157.62
20 (4) (a).

21 ***b2049/3.9* SECTION 2852sm.** 157.62 (4) (b) of the statutes is created to read:

22 157.62 (4) (b) A cemetery authority that operates a ~~cemctery~~ in a county with
23 a population greater than 600,000 that is registered shall, upon reasonable notice,
24 make the records and contract copies under sub. (3) (b) available for inspection and
25 copying by the department.

1 ***b2049/3.9* SECTION 2852sn.** 157.62 (5) of the statutes is renumbered 157.62
2 (5) (b).

3 ***b2049/3.9* SECTION 2852snb.** 157.62 (5) (a) of the statutes is created to read:
4 157.62 (5) (a) The department may promulgate rules establishing minimum
5 standards for the format and maintenance of records required under this section,
6 except under sub. (1).

7 ***b2049/3.9* SECTION 2852so.** 157.62 (6) of the statutes is renumbered 157.62
8 (6) (a) and amended to read:

9 157.62 (6) (a) Except as provided in ss. 157.625, 157.63 (5) and 440.92 (9) (e),
10 the department may audit, at reasonable times and frequency, the records, trust
11 funds, and accounts of any cemetery authority and shall audit the records, trust
12 funds, and accounts of each registered cemetery authority of a cemetery in a county
13 with a population greater than 600,000, including records, trust funds, and accounts
14 pertaining to services provided by a cemetery authority which are not otherwise
15 subject to the requirements under this chapter. The department may conduct audits
16 under this subsection on a random basis, and ~~shall conduct all audits under this~~
17 ~~subsection~~ without providing prior notice to the cemetery authority.

18 ***b2049/3.9* SECTION 2852sp.** 157.62 (6) (b) of the statutes is created to read:
19 157.62 (6) (b) If the department has cause to believe that a registered cemetery
20 authority of a cemetery in a county with a population greater than 600,000 has not
21 complied with the requirements of this subchapter or subch. VIII of ch. 440
22 pertaining to trust funds and accounts, the department may require the cemetery
23 authority to submit an audit conducted at the cemetery authority's expense by an
24 independent certified public accountant in accordance with generally accepted
25 auditing standards.

1 ***b2049/3.9* SECTION 2852sq.** 157.625 of the statutes is amended to read:

2 **157.625 Reporting exemption for certain cemeteries.** (1) A cemetery
3 authority of a cemetery that is not located in a county with a population that is
4 greater than 600,000 and that is not required under this chapter or under s. 440.92
5 to maintain any care funds or preneed trust funds is not required to file an annual
6 report under s. 157.62 (2).

7 (2) A cemetery authority of a cemetery that is not located in a county with a
8 population that is greater than 600,000 and whose annual operating budget for the
9 cemetery is \$2,500 or less is not required to file an annual report under s. 157.62 (2).

10 (3) Section 157.62 does not apply to a cemetery authority that is not required
11 to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for
12 pecuniary profit, and that does not operate a cemetery in a county with a population
13 that is greater than 600,000.

14 ***b2049/3.9* SECTION 2852sr.** 157.63 (title) of the statutes is amended to read:

15 **157.63 (title) Reporting and auditing exemptions; certification of**
16 **compliance of religious cemetery affiliated with religious society**
17 **authority.**

18 ***b2049/3.9* SECTION 2852ss.** 157.63 (1) of the statutes is amended to read:

19 157.63 (1) In lieu of filing an annual report under s. 157.62 (2), a religious
20 cemetery authority of a cemetery that is affiliated with a religious society organized
21 under ch. 187 or that religious society or the church, synagogue, mosque,
22 incorporated college of a religious order, or religious society organized under ch. 187
23 that is affiliated with a religious cemetery authority may file an annual certification
24 with the department as provided in this section.

25 ***b2049/3.9* SECTION 2852st.** 157.63 (2) (b) of the statutes is amended to read:

1 157.63 (2) (b) A notarized statement of a person who is legally authorized to
2 act on behalf of the religious society cemetery authority under this section that,
3 during the reporting period under s. 157.62, each cemetery and the religious
4 cemetery authority of each cemetery specified under par. (a) have either fully
5 complied or have substantially complied with ss. 157.11 (9g) and 157.12 (3).

6 ***b2049/3.9* SECTION 2852sv.** 157.63 (3) of the statutes is amended to read:

7 157.63 (3) If the statement under sub. (2) (b) includes a statement of
8 substantial compliance, the statement under sub. (2) (b) must also specify those
9 instances when the cemetery or religious cemetery authority did not fully comply
10 with s. 157.11 (9g) or 157.12 (3).

11 ***b2049/3.9* SECTION 2852sx.** 157.63 (4) of the statutes is amended to read:

12 157.63 (4) A certification under this section is effective for the 12-month period
13 immediately following the reporting period under s. 157.62 (2) for which the religious
14 cemetery authority is certified under this section to have fully or substantially
15 complied with ss. 157.11 (9g) and 157.12 (3).

16 ***b2049/3.9* SECTION 2852sz.** 157.63 (6) of the statutes is amended to read:

17 157.63 (6) The church, synagogue, mosque, incorporated college of a religious
18 order, or religious society that is affiliated with a cemetery to which a certification
19 under this section applies is liable for the damages of any person that result from the
20 failure of the cemetery or religious cemetery authority to fully comply with s. 157.11
21 (9g) or 157.12 (3) during the reporting period under s. 157.62 (2) for which such
22 compliance has been certified under this section.”.

23 ***b0766/1.1* 1293.** Page 957, line 20: after that line insert:

24 ***b0766/1.1* “SECTION 2852n.** 157.114 of the statutes is created to read:

1 **157.114 Duty to provide for burials.** (1) In this section, “cemetery
2 authority” does not include a municipality that takes control of a cemetery under s.
3 157.115 (1) (b).

4 (2) A cemetery authority shall, insofar as practicable, provide for burials
5 during each season, including winter. Nothing in this subsection may be construed
6 to prohibit a cemetery authority from charging a reasonable fee to recover the costs
7 related to providing for a burial during difficult weather conditions.”.

8 ***b2049/3.10* 1294.** Page 957, line 21: delete the material beginning with
9 that line and ending with page 958, line 19, and substitute:

10 ***b2049/3.10*** “SECTION 2852w. 157.635 of the statutes is amended to read:

11 **157.635 Regulations of religious cemetery affiliated with religious**
12 **society authorities.** Nothing in this subchapter prohibits a religious cemetery
13 authority of a cemetery that is affiliated with a religious society organized under ch.
14 187 from prohibiting the burial of the human remains of an individual in the
15 cemetery if the individual was in a class of individuals who are prohibited from being
16 buried in the cemetery under regulations adopted by the religious cemetery
17 authority or church, synagogue, mosque, incorporated college of a religious order, or
18 religious society from being buried in the cemetery that is affiliated with the religious
19 cemetery authority.”.

20 ***b2049/3.11* 1295.** Page 958, line 19: after that line insert:

21 ***b2049/3.11*** “SECTION 2852yh. 157.64 (2) (e) of the statutes is amended to
22 read:

23 157.64 (2) (e) Fails to maintain records as required in s. 157.62 (3) and (4) (a).

24 ***b2049/3.11* SECTION 2852yL.** 157.64 (2) (h) of the statutes is created to read:

1 157.64 (2) (h) Violates s. 157.112, if the violation occurs in a county with a
2 population greater than 600,000.

3 ***b2049/3.11* SECTION 2852yu.** 157.65 (1) (b) of the statutes is amended to
4 read:

5 157.65 (1) (b) If the department of commerce has reason to believe that any
6 person is violating s. 157.12 or any rule promulgated under s. 157.12 and that the
7 continuation of that activity might cause injury to the public interest, the
8 department of commerce ~~may~~ shall investigate.”.

9 ***b1409/1.3* 1296.** Page 958, line 24: after that line insert:

10 ***b1409/1.3* “SECTION 2853r.** 165.017 (1) of the statutes is repealed.

11 ***b1409/1.3* SECTION 2853s.** 165.017 (2) of the statutes is amended to read:

12 165.017 (2) The attorney general or his or her designee shall review and
13 approve or disapprove all proposed petitions ~~or petitions~~ for commitment of
14 individuals as specified under s. 51.20 (1) (ad) 1.

15 ***b1409/1.3* SECTION 2853t.** 165.017 (3) of the statutes is repealed.

16 ***b1409/1.3* SECTION 2853u.** 165.017 (5) of the statutes is repealed.”.

17 ***b2221/3.128* 1297.** Page 959, line 7: after that line insert:

18 ***b2221/3.128* “SECTION 2854r.** 165.25 (4) (a) of the statutes is amended to
19 read:

20 165.25 (4) (a) The department of justice shall furnish all legal services required
21 by the investment board, the lottery division in the department of revenue, the public
22 service commission, the department of transportation, the department of natural
23 resources, the department of forestry, the department of tourism, and the

1 department of employee trust funds, together with any other services, including
2 stenographic and investigational, as are necessarily connected with the legal work.”.

3 *b1461/3.17* **1298.** Page 959, line 14: after that line insert:

4 *b1461/3.17* “**SECTION 2856b.** 165.25 (4) (ar) of the statutes, as affected by
5 2001 Wisconsin Act ... (this act), is amended to read:

6 165.25 (4) (ar) The department of justice shall furnish all legal services
7 required by the department of agriculture, trade and consumer protection relating
8 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,
9 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50
10 and 100.51 and chs. 126, 136, 344, 704, 707, and 779, together with any other services
11 as are necessarily connected to the legal services.”.

12 *b2097/1.2* **1299.** Page 959, line 24: after that line insert:

13 *b2097/1.2* “**SECTION 2857g.** 165.72 (title) of the statutes is amended to read:

14 **165.72 (title) Controlled Dangerous weapons in public schools and**
15 **controlled substances hotline and rewards for controlled substances tips.**

16 *b2097/1.2* **SECTION 2857h.** 165.72 (1) (a) of the statutes is renumbered
17 165.72 (1) (aj).

18 *b2097/1.2* **SECTION 2857i.** 165.72 (1) (ad) of the statutes is created to read:

19 165.72 (1) (ad) “Dangerous weapon” has the meaning given in s. 939.22 (10).

20 *b2097/1.2* **SECTION 2857j.** 165.72 (2) (intro.) of the statutes is amended to
21 read:

22 165.72 (2) **HOTLINE.** (intro.) The department of justice shall maintain a single
23 toll-free telephone number during normal retail business hours, as determined by
24 departmental rule, for ~~both~~ all of the following:

1 ***b2097/1.2* SECTION 2857k.** 165.72 (2) (c) of the statutes is created to read:
2 165.72 (2) (c) For persons to provide information anonymously regarding
3 dangerous weapons in public schools.

4 ***b2097/1.2* SECTION 2857L.** 165.72 (2g) of the statutes is created to read:
5 165.72 (2g) AFTER-HOURS MESSAGE FOR CALLS CONCERNING DANGEROUS WEAPONS
6 IN PUBLIC SCHOOLS. The department of justice shall provide for a person to answer
7 telephone calls that are made after normal retail business hours to the telephone
8 number under sub. (2). If a caller makes a telephone call after normal retail business
9 hours regarding dangerous weapons in a public school, the person answering the
10 telephone call shall request that the caller call the telephone number “911” or a local
11 law enforcement agency.

12 ***b2097/1.2* SECTION 2857m.** 165.72 (2m) of the statutes is created to read:
13 165.72 (2m) TRANSMISSION OF INFORMATION CONCERNING DANGEROUS WEAPONS IN
14 PUBLIC SCHOOLS. Immediately upon receiving any information under sub. (2) (c)
15 regarding dangerous weapons in a public school, or immediately at the beginning of
16 the next retail business day if the information is not received during normal retail
17 business hours, the department of justice shall provide the information to all of the
18 following:

- 19 (a) The administration of the public school.
20 (b) The appropriate law enforcement agency, as defined in s. 165.83 (1) (b), for
21 the municipality in which the public school is located.

22 ***b2097/1.2* SECTION 2857n.** 165.72 (7) of the statutes is amended to read:
23 165.72 (7) PUBLICITY. The From the appropriation under s. 20.455 (2) (a), the
24 department shall purchase public information and promotion services regarding the
25 toll-free telephone number under sub. (2). The department and any agency

1 providing publicity services under this subsection shall cooperate with the
2 department of public instruction in publicizing, in public schools, the use of the
3 toll-free telephone number under sub. (2).”.

4 ***b2034/1.4* 1300.** Page 960, line 10: after that line insert:

5 ***b2034/1.4* “SECTION 2858p.** 165.85 (4) (b) 1. of the statutes is amended to
6 read:

7 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
8 enforcement officer, except on a temporary or probationary basis, unless the person
9 has satisfactorily completed a preparatory program of law enforcement training
10 approved by the board and has been certified by the board as being qualified to be
11 a law enforcement or tribal law enforcement officer. The program shall include 400
12 hours of training, except the program for law enforcement officers who serve as
13 rangers for the department of natural resources includes 240 hours of training. The
14 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
15 400-hour conventional program and a 240-hour ranger program. The rule shall
16 ensure that there is an adequate amount of training for each program to enable the
17 person to deal effectively with domestic abuse incidents, including training that
18 addresses the emotional and psychological effect that domestic abuse has on victims.

19 The training under this subdivision shall include training on emergency detention
20 standards and procedures under s. 51.15, emergency protective placement
21 standards and procedures under s. 55.06 (11), and information on mental health and
22 developmental disabilities agencies and other resources that may be available to
23 assist the officer in interpreting the emergency detention and emergency protective
24 placement standards, making emergency detentions and emergency protective

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

20 *b2098/1.5* **1301.** Page 960, line 10: after that line insert:

21 *b2098/1.5* “SECTION 2858i. 165.85 (2) (a) of the statutes is renumbered
22 165.85 (2) (ah).

23 *b2098/1.5* SECTION 2858k. 165.85 (2) (ac) of the statutes is created to read:

24 165.85 (2) (ac) “Alzheimer’s disease” has the meaning given in s. 46.87 (1) (a).

1 ***b2098/1.5* SECTION 2858n.** 165.85 (4) (b) 1. of the statutes is amended to
2 read:

3 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
4 enforcement officer, except on a temporary or probationary basis, unless the person
5 has satisfactorily completed a preparatory program of law enforcement training
6 approved by the board and has been certified by the board as being qualified to be
7 a law enforcement or tribal law enforcement officer. The program shall include 400
8 hours of training, except the program for law enforcement officers who serve as
9 rangers for the department of natural resources includes 240 hours of training. The
10 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
11 400-hour conventional program and a 240-hour ranger program. The rule shall
12 ensure that there is an adequate amount of training for each program to enable the
13 person to deal effectively with domestic abuse incidents. The training under this
14 subdivision shall include training on emergency detention standards and procedures
15 under s. 51.15, emergency protective placement standards and procedures under s.
16 55.06 (11) and information on mental health and developmental disabilities agencies
17 and other resources that may be available to assist the officer in interpreting the
18 emergency detention and emergency protective placement standards, making
19 emergency detentions and emergency protective placements and locating
20 appropriate facilities for the emergency detentions and emergency protective
21 placements of persons. The training under this subdivision shall include at least one
22 hour of instruction on recognizing the symptoms of Alzheimer's disease or other
23 related dementias and interacting with and assisting persons who have Alzheimer's
24 disease or other related dementias. The training under this subdivision shall include
25 training on police pursuit standards, guidelines and driving techniques established

including training that addresses the emotional and psychological effect that domestic abuse has on victims

1 under par. (cm) 2. b. The period of temporary or probationary employment
2 established at the time of initial employment shall not be extended by more than one
3 year for an officer lacking the training qualifications required by the board. The total
4 period during which a person may serve as a law enforcement and tribal law
5 enforcement officer on a temporary or probationary basis without completing a
6 preparatory program of law enforcement training approved by the board shall not
7 exceed 2 years, except that the board shall permit part–time law enforcement and
8 tribal law enforcement officers to serve on a temporary or probationary basis without
9 completing a program of law enforcement training approved by the board to a period
10 not exceeding 3 years. For purposes of this section, a part–time law enforcement or
11 tribal law enforcement officer is a law enforcement or tribal law enforcement officer
12 who routinely works not more than one–half the normal annual work hours of a
13 full–time employee of the employing agency or unit of government. Law enforcement
14 training programs including municipal, county and state programs meeting
15 standards of the board are acceptable as meeting these training requirements.

16 *b2098/1.5* SECTION 2858p. 165.85 (4) (bn) 1m. of the statutes is amended to
17 read:

18 165.85 (4) (bn) 1m. Each officer who is subject to subd. 1. shall biennially
19 complete at least 4 hours of training from curricula based upon model standards
20 promulgated by the board under par. (cm) 2. b. and at least one hour of training on
21 recognizing the symptoms of Alzheimer’s disease or other related dementias and
22 interacting with and assisting persons who have Alzheimer’s disease or other related
23 dementias. Hours of training completed under this subdivision shall count toward
24 the hours of training required under subd. 1.”

1 ***b2217/2.3* 1302.** Page 960, line 10: after that line insert:

2 ***b2217/2.3* "SECTION 2858c.** 165.77 (2) (a) 2. of the statutes is amended to
3 read:

4 165.77 (2) (a) 2. The laboratories may compare the data obtained from the
5 specimen with data obtained from other specimens. The laboratories may make data
6 obtained from any analysis and comparison available to law enforcement agencies
7 in connection with criminal or delinquency investigations and, upon request, to any
8 prosecutor, defense attorney or subject of the data. The data may be used in criminal
9 and delinquency actions and proceedings. ~~In this state, the use is subject to s. 972.11~~
10 ~~(5).~~ The laboratories shall not include data obtained from deoxyribonucleic acid
11 analysis of those specimens received under this paragraph in the data bank under
12 sub. (3). The laboratories shall destroy specimens obtained under this paragraph
13 after analysis has been completed and the applicable court proceedings have
14 concluded.

15 ***b2217/2.3* SECTION 2858e.** 165.77 (2m) of the statutes is created to read:

16 165.77 (2m) (a) If the laboratories receive biological material under a court
17 order issued under s. 974.07 (8), the laboratories shall analyze the deoxyribonucleic
18 acid in the material and submit the results of the analysis to the court that ordered
19 the analysis.

20 (b) The laboratories may compare the data obtained from material received
21 under par. (a) with data obtained from other specimens. The laboratories may make
22 data obtained from any analysis and comparison available to law enforcement
23 agencies in connection with criminal or delinquency investigations and, upon
24 request, to any prosecutor, defense attorney, or subject of the data. The data may be

1 used in criminal and delinquency actions and proceedings. The laboratories shall not
2 include data obtained from deoxyribonucleic acid analysis of material received under
3 par. (a) in the data bank under sub. (3).

4 (c) Paragraph (b) does not apply to specimens received under s. 51.20 (13) (cr),
5 165.76, 938.34 (15), 971.17 (1m) (a), 973.047, or 980.063.

6 ***b2217/2.3* SECTION 2858g.** 165.77 (3) of the statutes is amended to read:

7 165.77 (3) If the laboratories receive a human biological specimen under s.
8 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063, the
9 laboratories shall analyze the deoxyribonucleic acid in the specimen. The
10 laboratories shall maintain a data bank based on data obtained from
11 deoxyribonucleic acid analysis of those specimens. The laboratories may compare
12 the data obtained from one specimen with the data obtained from other specimens.
13 The laboratories may make data obtained from any analysis and comparison
14 available to law enforcement agencies in connection with criminal or delinquency
15 investigations and, upon request, to any prosecutor, defense attorney or subject of
16 the data. The data may be used in criminal and delinquency actions and proceedings.
17 ~~In this state, the use is subject to s. 972.11 (5).~~ The laboratories shall destroy
18 specimens obtained under this subsection after analysis has been completed and the
19 applicable court proceedings have concluded.

20 ***b2217/2.3* SECTION 2858i.** 165.81 (1) of the statutes is amended to read:

21 165.81 (1) Whenever the department is informed by the submitting officer or
22 agency that physical evidence in the possession of the laboratories is no longer
23 needed the department may, except as provided in sub. (3) or unless otherwise
24 provided by law, either destroy the same evidence, retain it in the laboratories,
25 return it to the submitting officer or agency, or turn it over to the University of

1 Wisconsin upon the request of the head of any department.—Whenever of the
2 University of Wisconsin. If the department returns the evidence to the submitting
3 officer or agency, any action taken by the officer or agency with respect to the
4 evidence shall be in accordance with s. 968.20. Except as provided in sub. (3),
5 whenever the department receives information from which it appears probable that
6 the evidence is no longer needed, the department may give written notice to the
7 submitting agency and the appropriate district attorney, by registered mail, of the
8 intention to dispose of the evidence. If no objection is received within 20 days after
9 the notice was mailed, it may dispose of the evidence.

10 *b2217/2.3* SECTION 2858k. 165.81 (3) of the statutes is created to read:

11 165.81 (3) (a) In this subsection:

- 12 1. “Custody” has the meaning given in s. 968.205 (1) (a).
- 13 2. “Discharge date” has the meaning given in s. 968.205 (1) (b).

14 (b) Except as provided in par. (c), if physical evidence that is in the possession
15 of the laboratories includes any biological material that was collected in connection
16 with a criminal investigation that resulted in a criminal conviction, a delinquency
17 adjudication, or commitment under s. 971.17 or 980.06, the laboratories shall
18 preserve the physical evidence until every person in custody as a result of the
19 conviction, adjudication, or commitment has reached his or her discharge date.

20 (c) Subject to par. (e), the department may destroy biological material before
21 the expiration of the time period specified in par. (b) if all of the following apply:

- 22 1. The department sends a notice of its intent to destroy the biological material
23 to all persons who remain in custody as a result of the criminal conviction,
24 delinquency adjudication, or commitment, and to either the attorney of record for
25 each person in custody or the state public defender.

1 2. No person who is notified under subd. 1. does either of the following within
2 90 days after the date on which the person received the notice:

3 a. Files a motion for testing of the biological material under s. 974.07 (2).

4 b. Submits a written request to preserve the biological material to the
5 department.

6 3. No other provision of federal or state law requires the department to preserve
7 the biological material.

8 (d) A notice provided under par. (c) 1. shall clearly inform the recipient that the
9 biological material will be destroyed unless, within 90 days after the date on which
10 the person receives the notice, either a motion for testing of the material is filed
11 under s. 974.07 (2) or a written request to preserve the material is submitted to the
12 department.

13 (e) If, after providing notice under par. (c) 1. of its intent to destroy biological
14 material, the department receives a written request to preserve the material, the
15 department shall preserve the material until the discharge date of the person who
16 made the request or on whose behalf the request was made, subject to a court order
17 issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court orders destruction
18 or transfer of the biological material under s. 974.07 (9) (b) or (10) (a) 5.

19 (f) Unless otherwise provided in a court order issued under s. 974.07 (9) (a) or
20 (b) or (10) (a) 5., nothing in this subsection prohibits the laboratories from returning
21 evidence that must be preserved under par. (b) or (e) to the agency that submitted
22 the evidence to the laboratories. If the laboratories return evidence that must be
23 preserved under par. (b) or (e) to a submitting agency, any action taken by the agency
24 with respect to the evidence shall be in accordance with s. 968.205.”

*as affected by 2001 Wisconsin Act ...
(this act),*

1 *b2221/3.129* **1303.** Page 960, line 10: after that line insert:

2 *b2221/3.129* "SECTION 2859m. 165.85 (4) (b) 1. of the statutes is amended

3 to read:

4 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
5 enforcement officer, except on a temporary or probationary basis, unless the person
6 has satisfactorily completed a preparatory program of law enforcement training
7 approved by the board and has been certified by the board as being qualified to be
8 a law enforcement or tribal law enforcement officer. The program shall include 400
9 hours of training, except that the program for law enforcement officers who serve as
10 rangers for the department of natural resources or the department of forestry
11 includes 240 hours of training. The board shall promulgate a rule under ch. 227
12 providing a specific curriculum for a 400-hour conventional program and a 240-hour
13 ranger program. The rule shall ensure that there is an adequate amount of training
14 for each program to enable the person to deal effectively with domestic abuse

15 incidents. *Insert 766-15* The training under this subdivision shall include training on emergency
16 detention standards and procedures under s. 51.15, emergency protective placement
17 standards and procedures under s. 55.06 (11) and information on mental health and
18 developmental disabilities agencies and other resources that may be available to
19 assist the officer in interpreting the emergency detention and emergency protective
20 placement standards, making emergency detentions and emergency protective
21 placements and locating appropriate facilities for the emergency detentions and
22 emergency protective placements of persons. *Insert 766-22* The training under this subdivision

23 shall include training on police pursuit standards, guidelines and driving techniques
24 established under par. (cm) 2. b. The period of temporary or probationary

Insert 766-15

no 41
plain
text

, including training that addresses the
emotional and psychological effect
that domestic abuse has on victims

(end of ins 766-15)

Insert 766-22

plain
text

no 41

The training under this subdivision
shall include at least one hour of
instruction on recognizing the
symptoms of Alzheimer's disease or
other related dementias and interacting
with and assisting persons who have
Alzheimer's disease or ^{other} related dementias.

(end of ins 766-22)

1 employment established at the time of initial employment shall not be extended by
2 more than one year for an officer lacking the training qualifications required by the
3 board. The total period during which a person may serve as a law enforcement and
4 tribal law enforcement officer on a temporary or probationary basis without
5 completing a preparatory program of law enforcement training approved by the
6 board shall not exceed 2 years, except that the board shall permit part-time law
7 enforcement and tribal law enforcement officers to serve on a temporary or
8 probationary basis without completing a program of law enforcement training
9 approved by the board to a period not exceeding 3 years. For purposes of this section,
10 a part-time law enforcement or tribal law enforcement officer is a law enforcement
11 or tribal law enforcement officer who routinely works not more than one-half the
12 normal annual work hours of a full-time employee of the employing agency or unit
13 of government. Law enforcement training programs including municipal, county
14 and state programs meeting standards of the board are acceptable as meeting these
15 training requirements.”.

16 *b1025/1.2* **1304.** Page 965, line 4: after that line insert:

17 *b1025/1.2* “SECTION 2881ae. 167.10 (2) of the statutes is amended to read:

18 167.10 (2) SALE. No person may sell ~~or possess with intent to sell~~ fireworks,
19 ~~except to any of the following:~~

20 (a) ~~To a~~ A person holding a permit under sub. (3) (c)~~;~~

21 (b) ~~To a~~ A city, village, or town; ~~or,~~

22 (c) ~~For~~ A person for a purpose specified under sub. (3) (b) 2. to 6.

23 *b1025/1.2* SECTION 2881af. 167.10 (2) (d) of the statutes is created to read:

1 167.10 (2) (d) A nonresident person who, prior to the sale, gives the seller a
2 signed statement indicating that the fireworks are for use outside of this state.

3 ***b1025/1.2* SECTION 2881ag.** 167.10 (3) (title) of the statutes is repealed and
4 recreated to read:

5 167.10 (3) (title) POSSESSION AND USE.

6 ***b1025/1.2* SECTION 2881ah.** 167.10 (3) (a) of the statutes is amended to read:

7 167.10 (3) (a) No Except as otherwise provided in this paragraph, no person
8 may possess or use fireworks without a user's permit from the mayor of the city,
9 president of the village, or chairperson of the town in which the possession or use is
10 to occur or from an official or employee of that municipality designated by the mayor,
11 president, or chairperson. This paragraph does not prohibit the possession of
12 fireworks with intent to sell the fireworks in compliance with sub. (2). No person may
13 use fireworks or a device listed under sub. (1) (e) to (g) or (i) to (n) while attending
14 a fireworks display for which a permit has been issued to a person listed under par.
15 (c) 1. to 5. or under par. (c) 6. if the display is open to the general public.

16 ***b1025/1.2* SECTION 2881aj.** 167.10 (3) (b) (intro.) of the statutes is amended
17 to read:

18 167.10 (3) (b) (intro.) ~~Paragraph (a) does~~ The prohibitions under par. (a) do not
19 apply to:

20 ***b1025/1.2* SECTION 2881ak.** 167.10 (3) (b) 8. of the statutes is created to read:

21 167.10 (3) (b) 8. Except as provided in par. (bm), the possession of fireworks by
22 a nonresident person in any city, town, or village if the nonresident person intends
23 to use the fireworks outside of this state and is transporting the fireworks to a
24 location outside of this state.

1 ***b1025/1.2* SECTION 2881am.** 167.10 (3) (bm) of the statutes is amended to
2 read:

3 167.10 (3) (bm) Paragraph (a) applies to a person transporting fireworks under
4 par. (b) 7. or 8. if, in the course of transporting the fireworks through a city, town, or
5 village, the person remains in that city, town, or village for a period of at least 12
6 hours.

7 ***b1025/1.2* SECTION 2881an.** 167.10 (4) of the statutes is amended to read:

8 167.10 (4) ~~OUT OF STATE AND IN STATE SHIPPING.~~ SHIPPING AND TRANSPORTING.

9 This section does not prohibit a resident wholesaler or jobber from selling fireworks
10 to a nonresident person outside of this state or to a person or group granted a permit
11 under sub. (3) (c) 1. to 7. A resident wholesaler or resident jobber that ships the
12 fireworks sold under this subsection shall package and ship the fireworks in
13 accordance with applicable state and federal law by, as defined in s. 194.01 (1), (2),
14 and (11), common motor carrier, contract motor carrier, or private motor carrier.

15 ***b1025/1.2* SECTION 2881ap.** 167.10 (8) (b) of the statutes is amended to read:

16 167.10 (8) (b) Fireworks stored, handled, sold, possessed, or used by a person
17 who violates this section, ~~an ordinance adopted under sub. (5)~~ sub. (6m) (a), (b), or
18 (c); a rule promulgated under sub. (6m) (e); or a court order under par. (a) may be
19 seized and held as evidence of the violation. Except as provided in s. 968.20 (4), only
20 the fireworks that are the subject of a violation of this section, an ordinance adopted
21 under sub. (5), or a court order under par. (a) may be destroyed after conviction for
22 a violation. Except as provided in s. 968.20 (4), fireworks that are seized as evidence
23 of a violation for which no conviction results shall be returned to the owner in the
24 same condition as they were when seized to the extent practicable.”

1 ***b2055/1.1* 1305.** Page 983, line 3: after that line insert:

2 ***b2055/1.1* "SECTION 2917b.** 180.0122 (1) (a) of the statutes is amended to
3 read:

4 180.0122 (1) (a) Articles of incorporation, ~~1 cent for each authorized share,~~
5 ~~except the minimum fee is \$90 and the maximum fee is \$10,000 and except that the~~
6 ~~fee for investment companies is determined under sub. (1m) \$100.~~

7 ***b2055/1.1* SECTION 2917d.** 180.0122 (1) (m) of the statutes is amended to
8 read:

9 180.0122 (1) (m) Amendment of articles of incorporation, \$40; ~~plus 1 cent for~~
10 ~~each authorized share after the amendment, less a credit of 1 cent for each~~
11 ~~authorized share immediately before the amendment; except the maximum fee~~
12 ~~under this paragraph is \$10,000 and except that the fee for investment companies~~
13 ~~is determined under sub. (1m).~~

14 ***b2055/1.1* SECTION 2917f.** 180.0122 (1) (n) of the statutes is amended to read:

15 180.0122 (1) (n) Restatement of articles of incorporation with or without
16 amendment of articles, \$40; ~~plus 1 cent for each authorized share after the~~
17 ~~restatement and any amendment, less a credit of 1 cent for each authorized share~~
18 ~~immediately before the restatement and any amendment; except the maximum fee~~
19 ~~under this paragraph is \$10,000 and except that the fee for investment companies~~
20 ~~is determined under sub. (1m).~~

21 ***b2055/1.1* SECTION 2917h.** 180.0122 (1) (o) of the statutes is amended to
22 read:

23 180.0122 (1) (o) Articles of merger, \$50 for each domestic corporation and each
24 foreign corporation authorized to transact business in this state that is a party to the

1 merger; plus 1 cent for each authorized share of the surviving domestic corporation
2 after the merger, less a credit of 1 cent for each share that is authorized immediately
3 before the merger by each domestic corporation that is a party to the merger; except
4 the maximum fee under this paragraph is \$10,000 and except that the fee for
5 investment companies is determined under sub. (1m).

6 *b2055/1.1* SECTION 2917j. 180.0122 (1) (om) of the statutes is amended to
7 read:

8 180.0122 (1) (om) Articles of share exchange, \$50 for each domestic corporation
9 and each foreign corporation authorized to transact business in this state that is a
10 party to the share exchange; plus 1 cent for each authorized share of the acquiring
11 domestic corporation after the share exchange, less a credit of 1 cent for each share
12 that is authorized immediately before the share exchange by the acquiring domestic
13 corporation; except the maximum fee under this paragraph is \$10,000.

14 *b2055/1.1* SECTION 2917m. 180.0122 (1) (x) of the statutes is amended to
15 read:

16 180.0122 (1) (x) Annual report of a domestic corporation that is submitted to
17 the department by authorized electronic means, \$25; annual report of a domestic
18 corporation that is submitted to the department on paper, \$40.

19 *b2055/1.1* SECTION 2917p. 180.0122 (1) (y) of the statutes is amended to
20 read:

21 180.0122 (1) (y) Annual report of a foreign corporation, ~~\$50~~, that is submitted
22 to the department by authorized electronic means, \$65, and annual report submitted
23 to the department on paper, \$80, and in case the annual report shows that the foreign
24 corporation employs in this state capital in excess of the amount of capital on which
25 a fee has previously been paid, computed as provided in s. 180.1503, an additional

1 fee which, with previous payments made on account of capital employed in this state,
2 will amount to \$2 for each \$1,000 or fraction thereof of the excess.”.

3 ***b2055/1.2* 1306.** Page 983, line 6: after that line insert:

4 ***b2055/1.2*** “SECTION 2918m. 180.0122 (1m) of the statutes is repealed.”.

5 ***b1524/1.11* 1307.** Page 983, line 18: after that line insert:

6 ***b1524/1.11*** “SECTION 2920c. 180.0701 (4) (c) of the statutes is amended to
7 read:

8 180.0701 (4) (c) Ratification of the selection of independent certified public
9 accountants licensed or certified under ch. 442.

10 ***b1524/1.11* SECTION 2920g.** 180.0826 (2) of the statutes is amended to read:

11 180.0826 (2) Legal counsel, certified public accountants licensed or certified
12 under ch. 442, or other persons as to matters that the director or officer believes in
13 good faith are within the person’s professional or expert competence.

14 ***b1524/1.11* SECTION 2920n.** 180.1903 (1) of the statutes is amended to read:

15 180.1903 (1) ~~One~~ Except as provided in sub. (1m), one or more natural persons
16 licensed, certified, or registered pursuant to any provisions of the statutes, if all have
17 the same license, certificate, or registration or if all are health care professionals,
18 may organize and own shares in a service corporation. A service corporation may
19 own, operate, and maintain an establishment and otherwise serve the convenience
20 of its shareholders in carrying on the particular profession, calling, or trade for which
21 the licensure, certification, or registration of its organizers is required.

22 ***b1524/1.11* SECTION 2920r.** 180.1903 (1m) of the statutes is created to read:

1 180.1903 (1m) A service corporation for carrying on the profession of certified
2 public accounting may be organized under sub. (1) if more than 50% of the
3 shareholders are certified public accountants.

4 ***b1524/1.11* SECTION 2920w.** 180.1921 (2) of the statutes is amended to read:

5 180.1921 (2) The report shall show the address of this service corporation's
6 principal office and the name and post-office address of each shareholder, director,
7 and officer of the service corporation and shall certify that, with the exceptions
8 permitted in ~~s.~~ ss. 180.1903 (1m) and 180.1913, each shareholder, director, and
9 officer is licensed, certified, registered, or otherwise legally authorized to render the
10 same professional or other personal service in this state or is a health care
11 professional. The service corporation shall prepare the report on forms prescribed
12 and furnished by the department, and the report shall contain no fiscal or other
13 information except that expressly called for by this section. The department shall
14 forward report blanks by 1st class mail to every service corporation in good standing,
15 at least 60 days before the date on which the service corporation is required by this
16 section to file an annual report.”.

17 ***b1524/1.12* 1308.** Page 984, line 10: after that line insert:

18 ***b1524/1.12* “SECTION 2923g.** 181.0850 (2) of the statutes is amended to read:

19 181.0850 (2) PROFESSIONALS AND EXPERTS. Legal counsel, certified public
20 accountants licensed or certified under ch. 442, or other persons as to matters the
21 director or officer believes in good faith are within the person's professional or expert
22 competence.

23 ***b1524/1.12* SECTION 2923r.** 181.1620 (2) (intro.) of the statutes is amended
24 to read:

1 181.1620 (2) (intro.) ACCOUNTANTS CERTIFIED PUBLIC ACCOUNTANTS REPORT OR
2 OFFICER'S STATEMENT. If annual financial statements are reported upon by a certified
3 public accountant licensed or certified under ch. 442, the certified public
4 accountant's report must accompany them. If not, the statements must be
5 accompanied by a statement of the president or the person responsible for the
6 corporation's financial accounting records that includes all of the following:".

7 ***b1524/1.13* 1309.** Page 985, line 9: after that line insert:

8 ***b1524/1.13*** "SECTION 2932m. 185.363 (2) of the statutes is amended to read:
9 185.363 (2) Legal counsel, certified public accountants licensed or certified
10 under ch. 442, or other persons as to matters the director or officer believes in good
11 faith are within the person's professional or expert competence.".

12 ***b2054/1.1* 1310.** Page 985, line 9: after that line insert:

13 ***b2054/1.1*** "SECTION 2932h. 185.61 (1) of the statutes is amended to read:
14 185.61 (1) (a) If otherwise lawful, any 2 or more associations may merge or
15 consolidate under this chapter or under the law of the state where the surviving or
16 new association will exist.

17 (b) Before a cooperative may merge or consolidate with any other association,
18 a written plan of merger or consolidation shall be prepared by the board or by a
19 committee selected by the board or the members for that purpose. The plan shall set
20 forth all the terms of the merger or consolidation, including any provisions for
21 abandonment of the plan, and the proposed effect of the plan on all members and
22 stockholders of the cooperative, including the treatment of the equity interest of the
23 members upon merger or consolidation.

1 (c) In case of consolidation, the plan of consolidation shall also contain the
2 articles of the new association.

3 ***b2054/1.1* SECTION 2932r.** 185.62 (5) of the statutes is created to read:

4 185.62 (5) The surviving association, in the case of a merger, or the new
5 association, in the case of consolidation, shall prepare an annual report on the
6 implementation of any provision in the plan of merger or consolidation relating to the
7 equity interest of any member that was affected by the merger or consolidation. The
8 report shall be kept in the principal office of the surviving association, in the case of
9 a merger, or in the principal office of the new association, in the case of consolidation,
10 and shall be available for inspection by any member whose equity interest was
11 affected by the merger or consolidation. The surviving association, in the case of a
12 merger, or the new association, in the case of consolidation, shall prepare the report
13 until such time that the implementation of any provision in the plan of merger or
14 consolidation relating to the equity interest of any member that was affected by the
15 merger or consolidation is complete.”.

16 ***b2055/1.3* 1311.** Page 985, line 9: after that line insert:

17 ***b2055/1.3* “SECTION 2928r.** 183.0114 (1) (w) of the statutes is amended to
18 read:

19 183.0114 (1) (w) Annual report of a foreign limited liability company, ~~\$50~~ that
20 is submitted to the department by authorized electronic means, \$65; annual report
21 submitted to the department on paper, \$80.”.

22 ***b1281/1.2* 1312.** Page 985, line 20: after that line insert:

23 ***b1281/1.2* “SECTION 2972k.** 194.01 (7) of the statutes is amended to read:

1 194.01 (7) “Motor vehicle” means any automobile, truck, trailer, semitrailer,
2 tractor, motor bus or any self-propelled or motor driven vehicle, except a low-speed
3 vehicle, motorcycle, moped, motor bicycle or a vehicle operated on rails.”.

4 ***b1524/1.14* 1313.** Page 985, line 20: after that line insert:

5 ***b1524/1.14* “SECTION 2943m.** 186.094 (2) of the statutes is amended to read:
6 186.094 (2) Legal counsel, certified public accountants licensed or certified
7 under ch. 442, or other persons as to matters the director or officer believes in good
8 faith are within the person’s professional or expert competence.

9 ***b1524/1.14* SECTION 2952m.** 186.15 (1) of the statutes is amended to read:
10 186.15 (1) ANNUAL AUDIT. Except as provided in sub. (2), the board of directors
11 shall hire a ~~licensed~~ certified public accountant licensed or certified under ch. 442 or
12 other qualified person to conduct a comprehensive annual audit of the records,
13 accounts and affairs of the credit union.

14 ***b1524/1.14* SECTION 2972d.** 187.31 (2) of the statutes is amended to read:
15 187.31 (2) Legal counsel, certified public accountants licensed or certified
16 under ch. 442, or other professional persons or experts employed by the incorporated
17 Roman Catholic church, as to matters the director or officer believes in good faith are
18 within the person’s professional or expert competence.

19 ***b1524/1.14* SECTION 2972g.** 187.41 (2) of the statutes is amended to read:
20 187.41 (2) Legal counsel, certified public accountants licensed or certified
21 under ch. 442, or other professional persons or experts employed by the religious
22 organization, as to matters the director or officer believes in good faith are within the
23 person’s professional or expert competence.”.

24 ***b2131/1.1* 1314.** Page 985, line 20: after that line insert:

1 ***b2131/1.1*** “SECTION 2972b. 196.01 (5) (b) 6. of the statutes is created to read:
2 196.01 (5) (b) 6. A person that owns an electric generating facility or
3 improvement to an electric generating facility that is subject to a leased generation
4 contract, as defined in s. 196.52 (9) (a) 3., unless the person furnishes, directly to the
5 public, telecommunications or sewer service, heat, light, water or power or, by means
6 of pipes or mains, natural gas.”.

7 ***b2142/2.1* 1315.** Page 987, line 17: delete the material beginning with that
8 line and ending with page 989, line 3.

9 ***b0993/2.3* 1316.** Page 989, line 6: after that line insert:

10 ***b0993/2.3*** “SECTION 2981m. 196.208 (5p) of the statutes is created to read:
11 196.208 (5p) TOLL-FREE CALLS ANSWERED BY PRISONERS. (a) In this subsection:

- 12 1. “Charitable organization” has the meaning given in s. 440.41 (1).
13 2. “Prisoner” has the meaning given in s. 134.73 (1) (b).

14 (b) If a prisoner is employed directly or indirectly by a charitable organization
15 or toll-free service vendor to answer calls made to the charitable organization or
16 toll-free service vendor, the prisoner shall do all of the following immediately upon
17 answering a call:

- 18 1. Identify himself or herself by name.
19 2. State that he or she is a prisoner.
20 3. Inform the calling party of the name of the correctional or detention facility
21 in which he or she is a prisoner and the city and state in which the facility is located.

22 (c) A charitable organization or toll-free service vendor that directly or
23 indirectly employs a prisoner shall provide reasonable supervision of the prisoner to
24 assure the prisoner’s compliance with par. (b).

1 ***b0993/2.3* SECTION 2981p.** 196.208 (10) (a) of the statutes is amended to
2 read:

3 196.208 (10) (a) Subsections (2) to (5) apply to any pay-per-call service that
4 a caller may access by a call originating in this state and ~~sub. subs. (5p) and (5t)~~
5 ~~applies apply to any charitable organization, toll-free service vendor, or employee of~~
6 ~~a charitable organization or toll-free service vendor that a caller may access by a call~~
7 originating in this state.

8 ***b0993/2.3* SECTION 2981r.** 196.208 (11) (d) of the statutes is renumbered
9 196.208 (11) (d) 1. and amended to read:

10 196.208 (11) (d) 1. ~~Any~~ Except as provided in subd. 2., any person who violates
11 subs. (2) to (9) shall be required to forfeit not less than \$25 nor more than \$5,000 for
12 each offense.

13 3. Forfeitures under ~~this paragraph~~ subds. 1. and 2. shall be enforced by action
14 on behalf of the state by the department of justice or, upon informing the department
15 of justice, by the district attorney of the county where the violation occurs.

16 ***b0993/2.3* SECTION 2981s.** 196.208 (11) (d) 2. of the statutes is created to
17 read:

18 196.208 (11) (d) 2. a. A prisoner who violates sub. (5p) (b) may be required to
19 forfeit not more than \$500.

20 b. A person who employs a prisoner to answer calls made to a toll-free
21 telephone number may be required to forfeit not more than \$10,000 if the person
22 violates sub. (5p) (c), aids and abets a prisoner's violation of sub. (5p) (b), is a party
23 to a conspiracy with a prisoner to commit a violation of sub. (5p) (b), or advises, hires,
24 or counsels or otherwise procures a prisoner to commit a violation of sub. (5p) (b)."

1 ***b1819/1.1* 1317.** Page 989, line 6: after that line insert:

2 ***b1819/1.1* “SECTION 2981Lm.** 196.202 (2) of the statutes is amended to read:

3 196.202 (2) SCOPE OF REGULATION. A commercial mobile radio service provider
4 is not subject to ch. 201 or this chapter, except as provided in sub. (5), and except that
5 a commercial mobile radio service provider is subject to s. 196.218 (3) ~~to the extent~~
6 ~~not preempted by federal law. If the application of s. 196.218 (3) to a commercial~~
7 ~~mobile radio service provider is not preempted~~ if the commission promulgates rules
8 that designate commercial mobile radio service providers as eligible to receive
9 universal service funding under both the federal and state universal service fund
10 programs. If the commission promulgates such rules, a commercial mobile radio
11 service provider shall respond, subject to the protection of the commercial mobile
12 radio service provider’s competitive information, to all reasonable requests for
13 information about its operations in this state from the commission necessary to
14 administer the universal service fund.”.

15 ***b2177/1.1* 1318.** Page 989, line 6: after that line insert:

16 ***b2177/1.1* “SECTION 2981r.** 196.218 (3) (a) 3. of the statutes is renumbered
17 196.218 (3) (a) 3. (intro.) and amended to read:

18 196.218 (3) (a) 3. (intro.) The commission shall designate the method by which
19 the contributions under this paragraph shall be calculated and collected. The
20 method shall ensure that the contributions are sufficient to generate the following
21 amounts:

22 a. The amount appropriated under ss. s. 20.155 (1) (q), except that in fiscal year
23 2003–04 the total amount of contributions in that fiscal year under this subd. 3. a.
24 may not exceed \$5,000,000 and except that beginning in fiscal year 2004–05 the total

1 amount of contributions in a fiscal year under this subd. 3. a. may not exceed
2 \$6,000,000.

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

5 3m. Contributions under this paragraph may be based only on the gross
6 operating revenues from the provision of broadcast services identified by the
7 commission under subd. 2. and on intrastate telecommunications services in this
8 state of the telecommunications providers subject to the contribution.”.

9 ***b1994/8.49* 1319.** Page 989, line 8: delete “(7)” and substitute “(7)”.

****NOTE: Corrects cross-reference to reflect renumbering.

10 ***b2109/1.4* 1320.** Page 989, line 17: after that line insert:

11 ***b2109/1.4* “SECTION 2983m.** 196.218 (5) (a) 10. of the statutes is created to
12 read:

13 196.218 (5) (a) 10. To make the grant awarded by the technology for educational
14 achievement in Wisconsin board to the Racine Unified School District under s. 44.72
15 (3).”.

16 ***b2131/1.2* 1321.** Page 992, line 12: after that line insert:

17 ***b2131/1.2* “SECTION 3001b.** 196.491 (1) (w) of the statutes is renumbered
18 196.491 (1) (w) 1., and 196.491 (1) (w) 1. (intro.), as renumbered, is amended to read:

19 196.491 (1) (w) 1. (intro.) “Wholesale merchant plant” means, except as
20 provided in subd. 2., electric generating equipment and associated facilities located
21 in this state that do not provide service to any retail customer and that are owned
22 and operated by any of the following:

1 ***b2131/1.2* SECTION 3001d.** 196.491 (1) (w) 2. of the statutes is created to
2 read:

3 196.491 (1) (w) 2. “Wholesale merchant plant” does not include an electric
4 generating facility or an improvement to an electric generating facility that is subject
5 to a leased generation contract, as defined in s. 196.52 (9) (a) 3.”

6 ***b2142/2.2* 1322.** Page 993, line 12: after that line insert:

7 ***b2142/2.2* “SECTION 3001p.** 196.496 of the statutes is created to read:

8 **196.496 Distributed generation facilities. (1) DEFINITION.** In this section,
9 “distributed generation facility” means a facility for the generation of electricity with
10 a capacity of no more than 15 megawatts that is located near the point where the
11 electricity will be used or is in a location that will support the functioning of the
12 electric power distribution grid.

13 **(2) RULES.** The commission shall promulgate rules establishing standards for
14 the connection of distributed generation facilities to electric distribution facilities.
15 To the extent technically feasible and cost effective, the standards shall be uniform
16 and shall promote the development of distributed generation facilities. The
17 standards shall address engineering, electric reliability, and safety concerns and the
18 methods for determining charges for interconnection.”

19 ***b2150/2.11* 1323.** Page 995, line 10: after that line insert:

20 ***b2150/2.11* “SECTION 3007m.** 121.06 (4) of the statutes is amended to read:

21 121.06 (4) For purposes of computing state aid under s. 121.08, equalized
22 valuations calculated under sub. (1) and certified under sub. (2) shall include the full
23 value of ~~computers~~ property that ~~are~~ is exempt under s. 70.11 (39) and (39m) as
24 determined under s. 79.095 (3).”

1 ***b2131/1.3* 1324.** Page 995, line 11: delete the material beginning with that
2 line and ending with page 998, line 17, and substitute:

3 ***b2131/1.3*** “SECTION 3008mc. 196.52 (9) of the statutes is created to read:

4 196.52 (9) (a) In this subsection:

5 1. “Electric generating equipment” means any of the following:

6 a. An electric generator.

7 b. A machine that drives an electric generator, including an engine, turbine,
8 water wheel, or wind mill.

9 c. Equipment that converts a fuel or source of energy into energy that powers
10 a machine that drives an electric generator, including a boiler, but not including a
11 nuclear reactor.

12 d. A fuel or photovoltaic cell.

13 2. “Electric generating facility” means electric generating equipment and
14 associated facilities that, together, constitute a complete facility for the generation
15 of electricity.

16 3. “Leased generation contract” means a contract or arrangement or set of
17 contracts or arrangements under which an affiliated interest of a public utility
18 agrees with the public utility to construct or improve an electric generating facility
19 and to lease to the public utility land and the facility for operation by the public
20 utility.

21 (b) The commission may approve a leased generation contract under sub. (3)
22 only if all of the following apply:

1 1. The commission has not issued a certificate under s. 196.49 or a certificate
2 of public convenience and necessity under s. 196.491 (3) before January 1, 2002, for
3 any construction or improvement that is subject to the leased generation contract.

4 2. Construction or improvement of the electric generating facility that is
5 subject to the leased generation contract commences on or after January 1, 2002.

6 3. Except as provided in s. 196.795 (5) (k) 3., no electric generating facility,
7 electric generating equipment, or associated facilities, held or used by the public
8 utility for the provision of electric service, is transferred to the affiliated interest.

9 4. The estimated gross cost of the construction or improvement that is subject
10 to the leased generation contract is at least \$10,000,000.

11 5. The construction or improvement is not to a nuclear-powered facility.

12 6. Any real property that the public utility transfers to the affiliated interest
13 for the purpose of implementing the leased generation contract is transferred at book
14 value, which is determined on the basis of the regulated books of account at the time
15 of the transfer.

16 7. If the public utility transfers real property to the affiliated interest for the
17 purpose of implementing the leased generation contract, the leased generation
18 contract provides for transferring that real property back to the public utility, on the
19 same terms and conditions as the original transfer, if the commission determines
20 that the construction or improvement that is subject to the leased generation
21 contract has not been completed.

22 8. The leased generation contract provides that, upon termination of the
23 contract, all of the following apply:

24 a. The public utility shall have the option, subject to commission approval, to
25 extend the contract, or purchase the electric generating facility or the improvements

1 to an electric generating facility, at fair market value as determined by a valuation
2 process that is conducted by an independent third party and that is specified in the
3 contract.

4 b. If the public utility exercises the option specified in subd. 8. a., the affiliated
5 interest may require the public utility to extend the contract, rather than purchase
6 the facilities or improvements, if the affiliated interest demonstrates to the
7 commission that the extension avoids material adverse tax consequences and that
8 the extension provides terms and conditions that are economically equivalent to a
9 purchase.

10 9. For any gas-fired electric generating facility that is constructed under the
11 leased generation contract, the term of the lease is 20 years or more.

12 10. For any coal-fired electric generating facility that is constructed under the
13 leased generation contract, the term of the lease is 25 years or more.

14 11. The leased generation contract does not take effect until the date on which
15 the affiliated interest commences construction or improvement of the electric
16 generating facility, except that, if the leased generation contract relates to the
17 construction or improvement of more than one electric generating facility, the leased
18 generation contract does not take effect with respect to the construction or
19 improvement of an individual electric generating facility until the date on which the
20 affiliated interest commences construction or improvement on that electric
21 generating facility.

22 (c) Except as provided in par. (d), the commission may not increase or decrease
23 the retail revenue requirements of a public utility on the basis of any income,
24 expense, gain, or loss that is received or incurred by an affiliated interest of the public
25 utility and that arises from the ownership of an electric generating facility or an

1 improvement to an electric generating facility by an affiliated interest under a leased
2 generation contract.

3 (d) The commission shall allow a public utility that has entered into a leased
4 generation contract that has been approved by the commission under sub. (3) to
5 recover fully in its retail rates that portion of any payments under the leased
6 generation contract that the commission allocates to the public utility's retail electric
7 service, and that portion of all other costs that is prudently incurred in the public
8 utility's operation and maintenance of the electric generating facility or
9 improvement that is subject to the leased generation contract and that the
10 commission allocates to the public utility's retail electric service.

11 (e) Notwithstanding sub. (5) (a), the commission may not modify or terminate
12 a leased generation contract approved under sub. (3) except as specified in the leased
13 generation contract or the commission's order approving the leased generation
14 contract.

15 (f) The commission shall maintain jurisdiction to ensure that the construction
16 or improvement under a leased generation contract approved under sub. (3) is
17 completed as provided in the leased generation contract.

18 (g) Nothing in this subsection prohibits a cooperative association organized
19 under ch. 185, a municipal utility, as defined in s. 196.377 (2) (a) 3., or a municipal
20 electric company, as defined in s. 66.0825 (3) (d), from acquiring an interest in an
21 electric generating facility that is constructed pursuant to a leased generation
22 contract or from acquiring an interest in land on which such an electric generating
23 facility is located.”.

24 *b2131/1.4* **1325**. Page 999, line 6: delete lines 6 to 12 and substitute:

1 ***b2131/1.4*** “SECTION 3011jc. 196.795 (5) (k) 3. of the statutes is created to
2 read:

3 196.795 (5) (k) 3. For the purpose of implementing a leased generation
4 contract, as defined in s. 196.52 (9) (a) 3., that is approved under s. 196.52 (3), a public
5 utility affiliate may transfer to a nonutility affiliate, at book value determined on the
6 basis of the regulated books of account at the time of the transfer, any of the following:

7 a. Land that is held or used for the provision of utility service.

8 b. Electric generating equipment or associated facilities that are located on the
9 land on which an electric generating facility subject to a leased generation contract
10 is to be constructed, and that are part of an electric generating facility on that land
11 that is no longer used or useful for the provision of utility service and that has been
12 retired from the provision of utility service.”.

13 ***b0957/1.12* 1326.** Page 1003, line 6: after that line insert:

14 ***b0957/1.12*** “SECTION 3020h. 200.49 (1) (a) of the statutes is amended to
15 read:

16 200.49 (1) (a) “Minority business” means a sole proprietorship, partnership,
17 ~~limited liability company, joint venture or corporation that is at least 51% owned and~~
18 ~~controlled by one or more minority group members and that is engaged in~~
19 ~~construction or construction-related activities~~ business that is certified by the
20 department of commerce under s. 560.036 (2).

21 ***b0957/1.12*** SECTION 3020i. 200.49 (3) (intro.) of the statutes is amended to
22 read:

23 200.49 (3) REQUEST FOR PROPOSALS. (intro.) The executive director shall request
24 proposals for prime contracts from bondable general contractors or construction

1 contractors that are ~~bona fide independent~~ minority businesses. Each proposal
2 submitted shall include all of the following conditions:

3 ***b0957/1.12* SECTION 3020j.** 200.49 (3) (b) of the statutes is amended to read:

4 200.49 (3) (b) A subcontracting plan that provides sufficient detail to enable
5 the executive director to determine that the prime contractor has made or will make
6 a good faith effort to award at least 20% of the total contract amount to ~~bona fide~~
7 ~~independent~~ minority business subcontractors.

8 ***b0957/1.12* SECTION 3020k.** 200.49 (4) of the statutes is repealed.”.

9 ***b1281/1.3* 1327.** Page 1003, line 6: after that line insert:

10 ***b1281/1.3* SECTION 3020e.** 218.0101 (19m) of the statutes is created to read:

11 218.0101 (19m) “Low-speed vehicle” has the meaning given in s. 340.01 (27m).

12 ***b1281/1.3* SECTION 3020j.** 218.0101 (23) (a) 2. of the statutes is amended to
13 read:

14 218.0101 (23) (a) 2. Is engaged wholly or in part in the business of selling or
15 leasing motor vehicles, including motorcycles and low-speed vehicles, whether or
16 not the motor vehicles are owned by that person, firm or corporation.

17 ***b1281/1.3* SECTION 3020n.** 218.0114 (5) (a) of the statutes is amended to
18 read:

19 218.0114 (5) (a) A motor vehicle dealer or an applicant for a motor vehicle
20 dealer license shall provide and maintain in force a bond or irrevocable letter of credit
21 of not less than \$25,000 or, if the dealer or applicant sells or proposes to sell
22 motorcycles or low-speed vehicles, or both, and not other types of motor vehicles, a
23 bond or irrevocable letter of credit of not less than \$5,000. The bond or letter of credit
24 shall be executed in the name of the department of transportation for the benefit of

1 any person who sustains a loss because of an act of a motor vehicle dealer that
2 constitutes grounds for the suspension or revocation of a license under ss. 218.0101
3 to 218.0163.

4 ***b1281/1.3* SECTION 3020q.** 218.0122 (3) of the statutes is amended to read:

5 218.0122 (3) This section does not apply to motorcycles or low-speed vehicles
6 that are delivered in a crated, disassembled condition to the dealer or the dealer's
7 agent.

8 ***b1281/1.3* SECTION 3020t.** 218.0171 (2) (b) 2. b. of the statutes is amended
9 to read:

10 218.0171 (2) (b) 2. b. Accept return of the motor vehicle and refund to the
11 consumer and to any holder of a perfected security interest in the consumer's motor
12 vehicle, as their interest may appear, the full purchase price plus any sales tax,
13 finance charge, amount paid by the consumer at the point of sale and collateral costs,
14 less a reasonable allowance for use. Under this subdivision, a reasonable allowance
15 for use may not exceed the amount obtained by multiplying the full purchase price
16 of the motor vehicle by a fraction, the denominator of which is 100,000 or, for a
17 motorcycle or low-speed vehicle, 20,000, and the numerator of which is the number
18 of miles the motor vehicle was driven before the consumer first reported the
19 nonconformity to the motor vehicle dealer.”.

20 ***b1461/3.18* 1328.** Page 1003, line 6: after that line insert:

21 ***b1461/3.18* “SECTION 3023.** 221.0320 (2) (a) (intro.) of the statutes is
22 amended to read:

23 221.0320 (2) (a) (intro.) A liability secured by warehouse receipts issued by
24 warehouse keepers licensed and bonded in this state under ss. 99.02 and 99.03 or

1 under the federal bonded warehouse act or holding a ~~registration certificate~~ license
2 under ~~ch. 127 s. 126.26~~, if all of the following requirements are met:"

3 *b1524/1.15* **1329.** Page 1003, line 6: after that line insert:

4 *b1524/1.15* "SECTION 3020d. 198.167 of the statutes is amended to read:

5 **198.167 Certified public accountant; annual report.** The directors of the
6 district shall employ annually the commission or a certified public accountant
7 licensed or certified under ch. 442 approved by said commission who shall be
8 qualified to, and who shall with all due diligence, examine and report upon the
9 system of accounts kept by the district, all the contracts of whatsoever kind made and
10 entered into by the board of directors within the year immediately preceding, and the
11 properties and investments of the district. ~~Said~~ The certified public accountant shall
12 in the report make such recommendations and suggestions as to the certified public
13 accountant shall seem proper and required for the good of the district, and the
14 efficient and economical or advantageous management and operation of the public
15 utility or utilities of the district; and the certified public accountant shall in the
16 report make such recommendations and suggestions as to the system of accounts
17 kept, or in the certified public accountant's judgment to be kept, by the district, in
18 connection with each public utility, the classification of the public utilities of the
19 district and the establishment of a system of accounts for each class, the manner in
20 which such accounts shall be kept, the form of accounts, records, and memoranda
21 kept or to be kept, including accounts, records, and memoranda of receipts and
22 expenditures of money, and depreciation and sinking fund accounts, as in the
23 certified public accountant's judgment may be proper and necessary, and shall not
24 conflict with the requirements of the commission.

1 ***b1524/1.15* SECTION 3020h.** 214.76 (2) and (4) of the statutes are amended
2 to read:

3 214.76 (2) The certified public accountant shall deliver the audit report to a
4 committee composed of 3 or more members of the board of directors, none of whom
5 may be an officer, employee or agent of the savings bank. The committee shall
6 present the nature, extent and conclusions of the report at the next meeting of the
7 board of directors. A written summary of the committee's presentation, together
8 with a copy of the audit report and a list of all criticisms made by the certified public
9 accountant conducting the audit and any response of any member of the board of
10 directors or any officer of the savings bank, shall be personally served or sent by
11 certified mail to all members of the board of directors.

12 (4) The audit report filed with the division shall be certified by the certified
13 public accountant conducting the audit. If a savings bank fails to cause an audit to
14 be made, the division shall order an audit to be made by an independent certified
15 public accountant at the savings bank's expense. Instead of the audit required under
16 sub. (1), the division may accept an audit or portion of an audit made exclusively for
17 a deposit insurance corporation or for a financial regulator of another state if the
18 home office of the savings bank is located in that state.

19 ***b1524/1.15* SECTION 3020p.** 215.523 (2) of the statutes is amended to read:

20 215.523 (2) Legal counsel, certified public accountants licensed or certified
21 under ch. 442, or other persons as to matters the director or officer believes in good
22 faith are within the person's professional or expert competence.

23 ***b1524/1.15* SECTION 3020t.** 217.08 (2) of the statutes is amended to read:

24 217.08 (2) ANNUAL LICENSE FEE; ADDITIONS AND DELETIONS OF LOCATIONS. Each
25 licensee shall file with the division on or before December 1 of each year a statement

1 listing the locations of the offices of the licensee and the names and locations of the
2 agents authorized by the licensee. Every licensee shall also on or before December
3 1 of each year file a financial statement of its assets and liabilities as of a date not
4 earlier than the preceding August 31 or, if the licensee is audited annually by an
5 independent certified public accountant licensed or certified under ch. 442 at the end
6 of each fiscal year, the licensee may submit financial statements certified by said the
7 certified public accountant for the licensee's latest fiscal year. Such statement shall
8 be accompanied by the annual licensee fee for the calendar year beginning the
9 following January 1 in an amount determined under s. 217.05. The amount of the
10 surety bond or deposit of securities required by s. 217.06 shall be adjusted to reflect
11 the number of such locations. Licensees which do not pay the maximum license fee
12 under s. 217.05 and which do not maintain a bond or deposit of securities in the
13 maximum sum of \$300,000 as provided in s. 217.06 shall also file a supplemental
14 statement setting forth any changes in the list of offices and agents with the division
15 on or before April 1, July 1 and October 1 of each year, and the principal sum of the
16 corporate surety bond or deposit of securities required by s. 217.06 shall be adjusted
17 to reflect any increase or decrease in the number of such locations. Any additional
18 license fees which may become due under s. 217.05 shall be paid to the division.”.

19 ***b1528/1.1* 1330.** Page 1003, line 6: after that line insert:

20 ***b1528/1.1*** “SECTION 3020d. Chapter 218 (title) of the statutes is amended
21 to read:

22 **CHAPTER 218**

23 **FINANCE COMPANIES, AUTO**

24 **DEALERS, ADJUSTMENT COMPANIES**