

1 ***-1501/2.7* SECTION 2726.** 118.55 (7g) of the statutes is amended to read:

2 **118.55 (7g) TRANSPORTATION.** The parent or guardian of a pupil who is
3 attending an institution of higher education or technical college under this section
4 and is taking a course for high school credit may apply to the state superintendent
5 for reimbursement of the cost of transporting the pupil between the high school in
6 which the pupil is enrolled and the institution of higher education or technical college
7 that the pupil is attending if the pupil and the pupil's parent or guardian are unable
8 to pay the cost of such transportation. The state superintendent shall determine the
9 reimbursement amount and shall pay the amount from the appropriation under s.
10 20.255 (2) (~~ew~~) (vw). The state superintendent shall give preference under this
11 subsection to those pupils who are eligible for a free or reduced-price lunch under
12 42 USC 1758 (b).

13 ***-1480/2.3* SECTION 2727.** 119.04 (1) of the statutes is amended to read:

14 **119.04 (1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
15 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
16 115.345, 115.361, 115.38 (2), 115.445, 115.45, 115.455, 118.001 to 118.04, 118.045,
17 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153,
18 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6)
19 and (8), ~~118.245~~, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55,
20 120.12 (5) and (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26),
21 (34), (35), (37), (37m), and (38), 120.14, and 120.25 are applicable to a 1st class city
22 school district and board.

****NOTE: This is reconciled s. 119.04 (1). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0438, LRB-0453, and LRB-1480.

23 ***-1193/2.2* SECTION 2728.** 119.23 (2) (a) 8. of the statutes is created to read:

1 119.23 (2) (a) 8. Annually, the private school pays a nonrefundable fee to the
2 department. A private school that is not participating in the program under this
3 section in the current school year shall pay a fee, determined by the department by
4 rule, with its notice of intent to participate under subd. 3. A private school that is
5 required to comply with sub. (7) (am) shall pay a fee, determined by the department
6 by rule, with the information required by sub. (7) (am). The department shall use
7 all fees collected under this paragraph to evaluate the financial information
8 submitted under sub. (7) (am).

9 ***-1193/2.3* SECTION 2729.** 119.23 (10) (a) 2. of the statutes is amended to read:

10 119.23 (10) (a) 2. Failed to provide the notice required under sub. (2) (a) 3., or
11 the information required under sub. (7) (am) or (d), or the fee required under sub. (2)
12 (a) 8. by the date or within the period specified.

13 ***-1261/5.731* *-1261/P3.534* SECTION 2730.** 120.125 (4) (h) of the statutes
14 is amended to read:

15 120.125 (4) (h) That the day care provider shall meet the standards for licensed
16 day care centers established by the department of health and family services
17 children and families.

18 ***-1553/P2.5* SECTION 2731.** 120.13 (2) (g) of the statutes is amended to read:

19 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
20 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
21 632.85, 632.853, 632.855, 632.87 (4), (5), and (6), 632.895 (9) to (14) (15), 632.896, and
22 767.513 (4).

23 ***-1261/5.732* *-1261/P3.535* SECTION 2732.** 120.13 (14) of the statutes is
24 amended to read:

1 120.13 (14) DAY CARE PROGRAMS. Establish and provide or contract for the
2 provision of day care programs for children. The school board may receive federal
3 or state funds for this purpose. The school board may charge a fee for all or part of
4 the cost of the service for participation in a day care program established under this
5 subsection. Costs associated with a day care program under this subsection may not
6 be included in shared costs under s. 121.07 (6). Day care programs established under
7 this subsection shall meet the standards for licensed day care centers established by
8 the department of ~~health and family services~~ children and families. If a school board
9 proposes to contract for or renew a contract for the provision of a day care program
10 under this subsection or if on July 1, 1996, a school board is a party to a contract for
11 the provision of a day care program under this subsection, the school board shall refer
12 the contractor or proposed contractor to the department of ~~health and family services~~
13 children and families for the criminal history and child abuse record search required
14 under s. 48.685. Each school board shall provide the department of health and family
15 services with information about each person who is denied a contract for a reason
16 specified in s. 48.685 (4m) (a) 1. to 5.

17 ***-1618/2.1* SECTION 2733.** 120.13 (18m) of the statutes is created to read:

18 120.13 (18m) WIND ELECTRICITY GENERATORS. Construct or acquire, borrow
19 funds to construct or acquire, operate, and maintain a wind electricity generation
20 facility, and use or sell the energy generated by the facility, if the school board's share
21 of the installed capacity of the facility does not exceed 5 megawatts and the school
22 board incorporates information about the facility in its curriculum.

23 ***-1501/2.8* SECTION 2734.** 121.007 of the statutes is amended to read:

24 **121.007 Use of state aid; exemption from execution.** All moneys paid to
25 a school district under s. 20.255 (2) (ac), (bc), (cg), and ~~(er)~~ (vr), shall be used by the

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1 school district solely for the purposes for which paid. Such moneys are exempt from
2 execution, attachment, garnishment, or other process in favor of creditors, except as
3 to claims for salaries or wages of teachers and other school employees and as to
4 claims for school materials, supplies, fuel, and current repairs.

5 ***-1486/1.1* SECTION 2735.** 121.08 (4) (b) of the statutes is renumbered 121.08
6 (4) (b) (intro.) and amended to read:

7 121.08 (4) (b) (intro.) The amount of state aid that the school district operating
8 under ch. 119 is eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall
9 also be reduced by 45% of the amounts paid under s. 119.23 (4) and (4m) in the
10 current school year amount determined as follows:

11 ***-1486/1.2* SECTION 2736.** 121.08 (4) (b) 1. of the statutes is created to read:
12 121.08 (4) (b) 1. Add the amounts paid under s. 119.23 (4) and (4m) in the
13 current school year.

14 ***-1486/1.3* SECTION 2737.** 121.08 (4) (b) 2. of the statutes is created to read:
15 121.08 (4) (b) 2. If the number of pupils attending private schools under s.
16 119.23 in the current school year is no more than 15,000, multiply the sum under
17 subd. 1. by 45 percent.

18 ***-1486/1.4* SECTION 2738.** 121.08 (4) (b) 3. of the statutes is created to read:
19 121.08 (4) (b) 3. If the number of pupils attending private schools under s.
20 119.23 in the current school year is greater than 15,000, divide 15,000 by the number
21 of pupils attending private schools under s. 119.23 in the current school year,
22 multiply the quotient by the sum under subd. 1., and multiply the result by 45
23 percent.

24 ***-0472/3.2* SECTION 2739.** 121.41 of the statutes is renumbered 121.41 (1).

25 ***-0472/3.3* SECTION 2740.** 121.41 (2) of the statutes is created to read:

1 121.41 (2) (a) In this subsection, "eligible pupil" means a pupil who satisfied
2 all of the following criteria in the previous school year:

3 1. The pupil met the income eligibility standard for a free or reduced-price
4 lunch in the federal school lunch program under 42 USC 1758 (b).

5 2. The pupil enrolled in and successfully completed a driver education program
6 offered by the school district and approved by the department.

7 (b) Annually, beginning in the 2007-08 school year, the school board of the
8 school district operating under ch. 119 shall reduce the fee for driver education by
9 \$150 for each pupil who meets the income eligibility standard for a free or
10 reduced-price lunch in the federal school lunch program under 42 USC 1758 (b) and
11 who enrolls in a driver education program offered by the school district and approved
12 by the department.

13 (c) From the appropriation under s. 20.255 (2) (qm), beginning in the 2008-09
14 school year and annually thereafter, the department shall pay to the school district
15 operating under ch. 119 an amount determined as follows:

16 1. Divide the amount appropriated under s. 20.255 (2) (qm) by the number of
17 eligible pupils.

18 2. Multiply the number of eligible pupils by the quotient under subd. 1. or by
19 \$150, whichever is less.

20 *-1501/2.9* SECTION 2741. 121.575 (3) of the statutes is amended to read:

21 121.575 (3) If the federal government requires, as a condition of full federal
22 financial participation under sub. (2) (b), that this state provide assistance for the
23 purposes of sub. (2) (a) from state resources, the department shall provide the
24 assistance from the appropriation under s. 20.255 (2) (~~er~~) (vr) in the minimum
25 amount required to obtain full federal financial participation.

1 ***-0446/1.1*** SECTION 2742. 121.58 (2) (a) 4. of the statutes is amended to read:

2 121.58 (2) (a) 4. For each pupil so transported whose residence is more than
3 12 miles from the school attended, ~~\$150~~ \$180 per school year in the ~~2005-06~~ 2006-07
4 school year and ~~\$180~~ \$220 per school year thereafter.

5 ***-1501/2.10*** SECTION 2743. 121.58 (6) of the statutes is amended to read:

6 121.58 (6) APPROPRIATION PRORATED. If the appropriation under s. 20.255 (2) (~~ex~~)
7 (vr) in any one year is insufficient to pay the full amount of approved claims under
8 this section, state aid payments for school districts not participating in the program
9 under s.121.575 shall be prorated as though the minimum amount under s. 121.575
10 (3) had not been made and state aid payments for school districts participating in the
11 program under s. 121.575 shall be prorated after deducting the minimum amount
12 under s. 121.575 (3).

13 ***-0451/1.1*** SECTION 2744. 121.905 (1) of the statutes is amended to read:

14 121.905 (1) In this section, "revenue ceiling" means ~~\$8,100~~ \$8,700 in the
15 ~~2005-06~~ 2007-08 school year and ~~\$8,400~~ \$9,000 in any subsequent school year.

16 ***-0493/4.1*** SECTION 2745. 121.91 (2m) (e) (intro.) of the statutes is amended
17 to read:

18 121.91 (2m) (e) (intro.) Except as provided in subs. (3) and, (4), and (8), no
19 school district may increase its revenues for the 1999-2000 school year or for any
20 school year thereafter to an amount that exceeds the amount calculated as follows:

21 ***-0493/4.2*** SECTION 2746. 121.91 (4) (f) 1. of the statutes is amended to read:

22 121.91 (4) (f) 1. Except as provided in subd. 1m., for the ~~1999-2000~~ 2007-08
23 school year or any school year thereafter, if the average of the number of pupils
24 enrolled in the current and the 2 preceding school years is less than the average of
25 the number of pupils enrolled in the 3 previous school years, the limit otherwise

1 applicable under sub. (2m) (e) is increased by the additional amount that would have
2 been calculated had the there been no decline in average enrollment been ~~25% of~~
3 ~~what it was.~~

4 ***-0493/4.3* SECTION 2747.** 121.91 (4) (f) 1m. b. of the statutes is amended to
5 read:

6 121.91 (4) (f) 1m. b. For the school year beginning on the first July 1 following
7 the effective date of the school district reorganization, if the number of pupils
8 enrolled in that school year is less than the number of pupils enrolled in the previous
9 school year, the limit otherwise applicable under sub. (2m) (e) is increased by the
10 additional amount that would have been calculated had the there been no decline in
11 enrollment been ~~25 percent of what it was.~~

12 ***-0493/4.4* SECTION 2748.** 121.91 (4) (f) 1m. c. of the statutes is amended to
13 read:

14 121.91 (4) (f) 1m. c. For the school year beginning on the 2nd July 1 following
15 the effective date of the school district reorganization, if the average of the number
16 of pupils enrolled in that school year and the previous school year is less than the
17 average of the number of pupils enrolled in the 2 previous school years, the limit
18 otherwise applicable under sub. (2m) (e) is increased by the additional amount that
19 would have been calculated had the there been no decline in average enrollment been
20 ~~25 percent of what it was.~~

21 ***-1290/1.1* SECTION 2749.** 121.91 (4) (L) of the statutes is created to read:

22 121.91 (4) (L) 1. In this paragraph, "local law enforcement agency" means a
23 governmental unit of one or more persons employed full time by a city, town, village
24 or county in the state for the purpose of preventing and detecting crime and enforcing

1 state laws or local ordinances, employees of which unit are authorized to make
2 arrests for crimes while acting within the scope of their authority.

3 2. The limit otherwise applicable to a school district under sub. (2m) in any
4 school year is increased by \$25,000 for the first one to 500 pupils enrolled in the
5 district in grades 9 to 12 and by an additional \$25,000 for each additional 500 pupils
6 enrolled in the district in grades 9 to 12, if the school board and a local law
7 enforcement agency jointly develop a school safety plan that covers each school in the
8 school district that operates grades 9 to 12 and the school board submits the school
9 safety plan to the state superintendent no later than November 1 of the first school
10 year in which the revenue limit is increased under this paragraph.

11 3. A school district may use the excess revenue allowed under subd. 2. to do any
12 of the following:

13 a. Cover up to \$25,000 of the compensation costs associated with providing in
14 the school district one security officer for the first one to 500 pupils enrolled in the
15 district in grades 9 to 12, and up to \$25,000 of the compensation costs for providing
16 in the school district one additional security officer for each additional 500 pupils
17 enrolled in the district in grades 9 to 12. The school board shall enter into an
18 agreement with the local law enforcement agency described in subd. 2. that requires
19 the school district and the local law enforcement agency to equally share the costs
20 of compensating the security officers.

21 b. Purchase safety equipment specified by the state superintendent by rule as
22 eligible for the revenue limit adjustment under subd. 2.

23 *-1485/2.1* SECTION 2750. 121.91 (4) (m) of the statutes is created to read:

24 121.91 (4) (m) If a school district incurs expenses in a school year related to
25 teacher mentoring activities required by the department by rule for persons licensed

1 as initial educators under PI 34.17, Wis. Adm. Code, the limit otherwise applicable
2 to the school district under sub. (2m) in that school year is increased by the amount
3 of the mentoring activities expenses incurred per initial educator, but no more than
4 \$2,160 per initial educator, less any amount received by the school district for that
5 initial educator for that school year under s. 115.405 (2m).

6 ***-0493/4.5* SECTION 2751.** 121.91 (8) of the statutes is created to read:

7 121.91 (8) If a school district's initial revenue limit for the current school year,
8 as calculated under s. 121.905 or sub. (2m) (e), whichever is appropriate, before
9 making any adjustments under sub. (3) or (4), is less than the amount determined
10 by multiplying the amount under sub. (2m) (e) 1. by the average of the number of
11 pupils enrolled in the 3 preceding school years, the school district's initial revenue
12 limit for the current school year, before making any adjustments under sub. (3) or (4),
13 is the amount determined by multiplying the amount under sub. (2m) (e) 1. by the
14 average of the number of pupils enrolled in the 3 preceding school years.

15 ***-0011/3.4* SECTION 2752.** 125.07 (4) (cm) of the statutes is amended to read:

16 125.07 (4) (cm) When a court revokes or suspends a person's operating privilege
17 under par. (bs) or (c), the department of transportation may not disclose information
18 concerning or relating to the revocation or suspension to any person other than a
19 court, district attorney, county corporation counsel, city, village or town attorney, law
20 enforcement agency, driver licensing agency of another jurisdiction, or the person
21 whose operating privilege is revoked or suspended. A person entitled to receive
22 information under this paragraph may not disclose the information to any other
23 person or agency.

24 ***-0011/3.5* SECTION 2753.** 125.085 (3) (bp) of the statutes is amended to read:

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1 125.085 (3) (bp) When a court suspends a person's operating privilege under
2 par. (bd), the department of transportation may not disclose information concerning
3 or relating to the suspension to any person other than a court, district attorney,
4 county corporation counsel, city, village or town attorney, law enforcement agency,
5 driver licensing agency of another jurisdiction, or the person whose operating
6 privilege is suspended. A person entitled to receive information under this
7 paragraph may not disclose the information to any other person or agency.

8 ***-1261/5.733*** ***-1267/P1.240*** SECTION 2754. 134.43 (3m) of the statutes is
9 amended to read:

10 134.43 (3m) Subsections (2) (b), (2m) and (3) do not apply to information
11 regarding the name, address or employer of or financial information related to a
12 subscriber or member of a subscriber's household that is requested under s. 49.22
13 (2m) by the department of ~~workforce development~~ children and families or a county
14 child support agency under s. 59.53 (5).

15 ***-0719/2.6*** SECTION 2755. 134.65 (1) of the statutes is amended to read:

16 134.65 (1) No person shall in any manner, or upon any pretense, or by any
17 device, directly or indirectly sell, expose for sale, possess with intent to sell,
18 exchange, barter, dispose of or give away any cigarettes or tobacco products to any
19 person not holding a license as herein provided or a permit under ss. 139.30 to 139.41
20 or, 139.79, or 139.795 without first obtaining a license from the clerk of the city,
21 village, or town wherein such privilege is sought to be exercised. This subsection
22 does not apply to a person who holds a valid permit under s. 139.345 or 139.795 and
23 who sells cigarettes or tobacco products solely as a direct marketer.

24 ***-0719/2.7*** SECTION 2756. 134.65 (1n) of the statutes is created to read:

1 134.65 (1n) (a) The department of revenue shall prepare an application form
2 for licenses issued under this section. In addition to the information required under
3 sub. (1m), the form shall require all of the following information:

4 1. The applicant's history relevant to the applicant's fitness to hold a license
5 under this section.

6 2. The kind of license for which the applicant is applying.

7 3. The premises where cigarettes or tobacco products will be sold or stored.

8 4. If the applicant is a corporation, the identity of the corporate officers and
9 agent.

10 5. If the applicant is a limited liability company, the identity of the company
11 members or managers and agent.

12 6. The applicant's trade name, if any.

13 7. Any other information required by the department.

14 (b) The department of revenue shall provide one copy of the application form
15 prepared under this subsection to each city, village, and town.

16 (c) Each applicant for a license under this section shall use the application form
17 prepared under this subsection.

18 (d) 1. Each application for a license under this section shall be sworn to by the
19 applicant and the applicant shall submit the application with the clerk of the city,
20 village, or town where the intended place of sale is located.

21 2. Within 10 days of any change in any fact set forth in an application, the
22 applicant or license holder shall file a written description of the change with the clerk
23 of the city, village, or town where the application was submitted.

24 3. Any person may inspect applications submitted under this paragraph. The
25 clerk of each city, village, or town where such applications are submitted shall retain

1 all applications submitted under this paragraph, but may destroy all applications
2 that have been retained for 4 years or longer.

3 ***-0719/2.8* SECTION 2757.** 134.65 (1r) of the statutes is created to read:

4 134.65 (1r) (a) Subject to ss. 111.321, 111.322, and 111.335, no license under
5 sub. (1) may be issued to any person to whom any of the following applies:

- 6 1. The person has an arrest record or a conviction record.
- 7 2. The person has been convicted of a felony, or as a repeat or habitual offender,
8 unless pardoned.
- 9 3. The person has not submitted proof as provided under s. 77.61 (11).
- 10 4. The person is not 18 years of age or older.

11 (b) The requirements under par. (a) apply to all partners of a partnership, all
12 members of limited liability company, all agents of a limited liability company or
13 corporation, and all officers of a corporation. Subject to ss. 111.321, 111.322, and
14 111.335, if a business entity has been convicted of a crime, the entity may not be
15 issued a license under sub. (1) unless the entity has terminated its relationship with
16 the individuals whose actions directly contributed to the conviction.

17 ***-0719/2.9* SECTION 2758.** 134.65 (2) (a) of the statutes is amended to read:

18 134.65 (2) (a) ~~Except Subject to sub. (1r), and except~~ as provided in par. (b),
19 upon filing of a proper written application a license shall be issued on July 1 of each
20 year or when applied for and continue in force until the following June 30 unless
21 sooner revoked. The city, village or town may charge a fee for the license of not less
22 than \$5 nor more than \$100 per year which shall be paid to the city, village or town
23 treasurer before the license is issued.

24 ***-0719/2.10* SECTION 2759.** 134.65 (5) of the statutes is renumbered 134.65

25 (5) (a) and amended to read:

1 134.65 (5) (a) Any Except as provided in par. (b), any person violating this
2 section shall be fined not more than \$100 ~~\$1,000~~ nor less than \$25 ~~\$500~~ for the first
3 offense and shall be fined not more than \$200 ~~\$5,000~~ nor less than \$25 ~~\$1,000~~ or
4 imprisoned for not more than 180 days or both for the 2nd or subsequent offense. ~~If~~
5 ~~upon such 2nd or subsequent violation, the person so violating this section was~~
6 ~~personally guilty of a failure to exercise due care to prevent violation thereof, the~~
7 ~~person shall be fined not more than \$300 nor less than \$25 or imprisoned not~~
8 ~~exceeding 60 days or both.~~ Conviction Upon conviction of a 2nd or subsequent
9 offense, the court shall immediately terminate the license of the person convicted of
10 ~~being personally guilty of such failure to exercise due care and the person shall not~~
11 ~~be entitled to another license hereunder for a period of 5 years thereafter, nor shall~~
12 ~~the person in that period act as the servant or agent of a person licensed hereunder~~
13 ~~for the performance of the acts authorized by such license.~~

14 *~~-0719/2.11*~~ SECTION 2760. 134.65 (5) (b) of the statutes is created to read:

15 134.65 (5) (b) No penalty shall be imposed under par. (a) if any of the following
16 apply:

17 1. The secretary of revenue determines that imposing a penalty would be
18 inequitable because of inadvertent acts, mistakes, or unusual circumstances related
19 to the violation.

20 2. The person who is subject to a penalty under par. (a) had good cause to violate
21 this section, and such violation did not result from the person's neglect.

22 *~~-0719/2.12*~~ SECTION 2761. 134.66 (2) (d) of the statutes is created to read:

23 134.66 (2) (d) No retailer, direct marketer, manufacturer, distributor, jobber or
24 subjobber, no agent, employee or independent contractor of a retailer, direct
25 marketer, manufacturer, distributor, jobber or subjobber, and no agent or employee

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1 of an independent contractor may provide cigarettes or tobacco products for nominal
2 or no consideration to any person under the age of 18.

3 ***-0719/2.13* SECTION 2762.** 134.66 (3m) of the statutes is created to read:

4 134.66 (3m) DEFENSE OF DIRECT MARKETER. Proof of all of the following facts by
5 a direct marketer who sells cigarettes or tobacco products to a person under the age
6 of 18 is a defense to any prosecution for a violation under sub. (2) (a):

7 (a) That the direct marketer used a mechanism, approved by the department
8 of revenue, for verifying the age of the purchaser.

9 (b) That the purchaser falsely represented that he or she had attained the age
10 of 18 and presented a copy or facsimile of an identification card.

11 (c) That the name and birthdate of the purchaser, as indicated by the purchaser,
12 matched the name and birthdate on the identification presented under par. (b).

13 (d) That the sale was made in good faith, in reasonable reliance on the
14 mechanism described in par. (a) and the representation and identification under
15 pars. (b) and (c), and in the belief that the purchaser had attained the age of 18.

16 ***-1261/5.734* *-1267/P1.241* SECTION 2763.** 138.09 (1m) (b) 2. b. of the
17 statutes is amended to read:

18 138.09 (1m) (b) 2. b. The division may disclose information under subd. 1. a.
19 to the department of workforce development children and families in accordance
20 with a memorandum of understanding under s. 49.857.

21 ***-1261/5.735* *-1267/P1.242* SECTION 2764.** 138.09 (1m) (c) 1. of the statutes
22 is amended to read:

23 138.09 (1m) (c) 1. If an applicant who is an individual does not have a social
24 security number, the applicant, as a condition of applying for or applying to renew
25 a license, shall submit a statement made or subscribed under oath or affirmation to

1 the division that the applicant does not have a social security number. The form of
2 the statement shall be prescribed by the department of ~~workforce development~~
3 children and families.

4 ***-1261/5.736* *-1267/P1.243* SECTION 2765.** 138.09 (3) (am) 3. of the statutes
5 is amended to read:

6 138.09 (3) (am) 3. The applicant fails to comply, after appropriate notice, with
7 a subpoena or warrant issued by the department of ~~workforce development~~ children
8 and families or a county child support agency under s. 59.53 (5) and related to
9 paternity or child support proceedings.

10 ***-1261/5.737* *-1267/P1.244* SECTION 2766.** 138.09 (4) (b) of the statutes is
11 amended to read:

12 138.09 (4) (b) The division shall restrict or suspend a license under this section
13 if, in the case of a licensee who is an individual, the licensee fails to comply, after
14 appropriate notice, with a subpoena or warrant issued by the department of
15 ~~workforce development~~ children and families or a county child support agency under
16 s. 59.53 (5) and related to paternity or child support proceedings or is delinquent in
17 making court-ordered payments of child or family support, maintenance, birth
18 expenses, medical expenses or other expenses related to the support of a child or
19 former spouse, as provided in a memorandum of understanding entered into under
20 s. 49.857. A licensee whose license is restricted or suspended under this paragraph
21 is entitled to a notice and hearing only as provided in a memorandum of
22 understanding entered into under s. 49.857 and is not entitled to a hearing under
23 par. (a).

24 ***-1261/5.738* *-1267/P1.245* SECTION 2767.** 138.12 (3) (d) 2. b. of the
25 statutes is amended to read:

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1 138.12 (3) (d) 2. b. The division may disclose information under subd. 1. a. to
2 the department of workforce development children and families in accordance with
3 a memorandum of understanding under s. 49.857.

4 *-1261/5.739* *-1267/P1.246* SECTION 2768. 138.12 (3) (e) 1. of the statutes
5 is amended to read:

6 138.12 (3) (e) 1. If an applicant who is an individual does not have a social
7 security number, the applicant, as a condition of applying for or applying to renew
8 a license under this section, shall submit a statement made or subscribed under oath
9 or affirmation to the division that the applicant does not have a social security
10 number. The form of the statement shall be prescribed by the department of
11 workforce development children and families.

12 *-1261/5.740* *-1267/P1.247* SECTION 2769. 138.12 (4) (b) 6. of the statutes
13 is amended to read:

14 138.12 (4) (b) 6. If an individual, has not failed to comply, after appropriate
15 notice, with a subpoena or warrant issued by the department of workforce
16 development children and families or a county child support agency under s. 59.53
17 (5) and related to paternity or child support proceedings and is not delinquent in
18 making court-ordered payments of child or family support, maintenance, birth
19 expenses, medical expenses or other expenses related to the support of a child or
20 former spouse, as provided in a memorandum of understanding entered into under
21 s. 49.857.

22 *-1261/5.741* *-1267/P1.248* SECTION 2770. 138.12 (5) (am) 1. c. of the
23 statutes is amended to read:

24 138.12 (5) (am) 1. c. In the case of a licensee who is an individual, the applicant
25 fails to comply, after appropriate notice, with a subpoena or warrant that is issued

1 by the department of workforce development children and families or a county child
2 support agency under s. 59.53 (5) and that is related to paternity or child support
3 proceedings or the applicant is delinquent in making court-ordered payments of
4 child or family support, maintenance, birth expenses, medical expenses or other
5 expenses related to the support of a child or former spouse, as provided in a
6 memorandum of understanding entered into under s. 49.857. An applicant whose
7 renewal application is denied under this subd. 1. c. is entitled to a notice and hearing
8 under s. 49.857 but is not entitled to a hearing under par. (b).

9 ***-1261/5.742* *-1267/P1.249* SECTION 2771.** 138.12 (5) (am) 2. of the statutes
10 is amended to read:

11 138.12 (5) (am) 2. The division shall restrict or suspend the license of any
12 insurance premium finance company if the division finds that, in the case of a
13 licensee who is an individual, the licensee fails to comply, after appropriate notice,
14 with a subpoena or warrant that is issued by the department of workforce
15 development children and families or a county child support agency under s. 59.53
16 (5) and that is related to paternity or child support proceedings or the licensee is
17 delinquent in making court-ordered payments of child or family support,
18 maintenance, birth expenses, medical expenses or other expenses related to the
19 support of a child or former spouse, as provided in a memorandum of understanding
20 entered into under s. 49.857. A licensee whose license is restricted or suspended
21 under this subdivision is entitled to a notice and hearing under s. 49.857 but is not
22 entitled to a hearing under par. (b).

23 ***-0719/2.14* SECTION 2772.** 139.30 (4n) of the statutes is repealed and
24 recreated to read:

25 139.30 (4n) "Identification card" has the meaning given in s. 134.66 (1) (c).

1 ***-0719/2.15* SECTION 2773.** 139.30 (7) of the statutes is amended to read:

2 139.30 (7) "Manufacturer" means any person who directly manufactures
3 cigarettes for the purpose of sale, including the authorized agent of a person who
4 directly manufactures cigarettes for the purpose of sale.

5 ***-0719/2.16* SECTION 2774.** 139.30 (8s) of the statutes is created to read:

6 139.30 (8s) "Person" means any individual, sole proprietorship, partnership,
7 limited liability company, corporation, or association, or any owner of a single-owner
8 entity that is disregarded as a separate entity under ch. 71.

9 ***-0892/11.41* SECTION 2775.** 139.31 (1) (a) of the statutes is amended to read:

10 139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand,
11 38.5 101 mills on each cigarette.

12 ***-0892/11.42* SECTION 2776.** 139.31 (1) (b) of the statutes is amended to read:

13 139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, ~~77~~ 202
14 mills on each cigarette.

15 ***-0892/11.43* SECTION 2777.** 139.315 (1) of the statutes is amended to read:

16 139.315 (1) INVENTORY TAX IMPOSED. On the effective date of any increase in the
17 sum of the rates under s. 139.31 (1) (a) and (c) or in the sum of the rates under s.
18 139.31 (1) (b) and (d), an inventory tax is imposed upon cigarettes held in inventory
19 for sale or resale on which the cigarette tax has been paid at the prior rate and upon
20 unaffixed stamps in the possession of distributors. Any person who is in possession
21 of any such cigarettes or unaffixed stamps shall pay the tax imposed under this
22 section. Any person liable for this tax shall determine the number of cigarettes and
23 unaffixed stamps in the person's possession on the effective date of the increase, and
24 by the 15th 30th day after the effective date of the increase the person shall file a
25 return and shall by that date pay the tax due.

1 ***-0719/2.17* SECTION 2778.** 139.32 (4) of the statutes is amended to read:

2 139.32 (4) In lieu of stamps the secretary may authorize impressions applied
3 by the use of meter machines. The secretary shall prescribe by rule the type of
4 impression and the kind of machines which may be used.

5 ***-0892/11.44* SECTION 2779.** 139.32 (5) of the statutes is amended to read:

6 139.32 (5) Manufacturers, bonded direct marketers, and distributors who are
7 authorized by the department to purchase tax stamps shall receive a discount of ~~1.6%~~
8 0.7 percent of the tax paid on stamp purchases.

9 ***-0719/2.18* SECTION 2780.** 139.321 (1) (intro.) of the statutes is amended to
10 read:

11 139.321 (1) (intro.) It is unlawful for any person to purchase or possess
12 cigarettes unless the required stamps are properly affixed as provided in ss. 139.32
13 (1) and 139.33 (4).

14 ***-0719/2.19* SECTION 2781.** 139.321 (1) (a) 1. of the statutes is amended to
15 read:

16 139.321 (1) (a) 1. Manufacturers, bonded direct marketers, distributors or
17 warehouse operators possessing valid permits issued by the secretary.

18 ***-0719/2.20* SECTION 2782.** 139.34 (1) (a) of the statutes is amended to read:

19 139.34 (1) (a) No person may manufacture cigarettes in this state or sell
20 cigarettes in this state as a distributor, manufacturer, jobber, vending machine
21 operator, direct marketer, or multiple retailer and no person may operate a
22 warehouse in this state for the storage of cigarettes for another person without first
23 filing an application for and obtaining the proper permit to perform such operations
24 from the department.

25 ***-0719/2.21* SECTION 2783.** 139.34 (1) (b) of the statutes is repealed.

SECTION 2784

1 *-0719/2.22* SECTION 2784. 139.34 (1) (c) 1. of the statutes is repealed.

2 *-0719/2.23* SECTION 2785. 139.34 (1) (c) 1m. of the statutes is created to read:

3 139.34 (1) (c) 1m. The person has an arrest record or a conviction record.

4 *-0719/2.24* SECTION 2786. 139.34 (1) (c) 2. of the statutes is amended to read:

5 139.34 (1) (c) 2. The person has been convicted of a felony, or as a repeat or
6 habitual offender, unless pardoned.

7 *-0719/2.25* SECTION 2787. 139.34 (1) (c) 3. of the statutes is repealed.

8 *-0719/2.26* SECTION 2788. 139.34 (1) (c) 4. of the statutes is repealed.

9 *-0719/2.27* SECTION 2789. 139.34 (1) (c) 4m. of the statutes is created to read:

10 139.34 (1) (c) 4m. The person is not 18 years of age or older.

11 *-0719/2.28* SECTION 2790. 139.34 (1) (c) 5. of the statutes is repealed.

12 *-0719/2.29* SECTION 2791. 139.34 (1) (c) 6. of the statutes is repealed.

13 *-0719/2.30* SECTION 2792. 139.34 (1) (c) 7. of the statutes is renumbered
14 139.34 (1) (c) 5m.

15 *-0719/2.31* SECTION 2793. 139.34 (1) (cm) of the statutes is created to read:

16 139.34 (1) (cm) The requirements under par. (c) apply to all partners of a
17 partnership, all members of a limited liability company, all agents of a limited
18 liability company or corporation, and all officers of a corporation.

19 *-0719/2.32* SECTION 2794. 139.34 (4) of the statutes is amended to read:

20 139.34 (4) A separate permit shall be required of and issued to each class of
21 permittee and the holder of any permit shall perform only the operations thereby
22 authorized. Such permit shall not be transferable from one person to another or from
23 one premises to another. A separate permit shall be required for each place where
24 cigarettes are stamped or where cigarettes are stored for sale at wholesale or,
25 through vending machines or multiple retail outlets, or by direct marketing.

1 ***-0719/2.33*** SECTION 2795. 139.34 (6) of the statutes is amended to read:

2 139.34 (6) A vending machine operator or a multiple retailer may acquire
3 unstamped cigarettes from the manufacturers thereof and affix the stamps to
4 packages or other containers only if the vending machine operator or multiple
5 retailer also holds a permit as a distributor or bonded direct marketer.

6 ***-0719/2.34*** SECTION 2796. 139.34 (8) of the statutes is amended to read:

7 139.34 (8) The holder of a warehouse permit is entitled to store cigarettes on
8 the premises described in the permit. The warehouse permit shall not authorize the
9 holder to sell cigarettes. Unstamped cigarettes stored in a warehouse for a
10 manufacturer, bonded direct marketer, or distributor may be delivered only to a
11 person holding a permit as a manufacturer ~~or,~~ distributor, or bonded direct marketer
12 who is authorized by the department to purchase and affix tax stamps.

13 ***-0719/2.35*** SECTION 2797. 139.345 (1) (a) of the statutes is amended to read:

14 139.345 (1) (a) No person may sell cigarettes to consumers in this state as a
15 direct marketer or solicit sales of cigarettes to consumers in this state by direct
16 marketing unless the person submits to has obtained a permit from the department
17 the person's name, trade name, address of the person's principal place of business,
18 phone number, e-mail address, and Web site address to make such sales or
19 solicitations. The person shall file an application for a permit under this subsection
20 with the department, in the manner prescribed by the department.

21 ***-0719/2.36*** SECTION 2798. 139.345 (1) (b) of the statutes is amended to read:

22 139.345 (1) (b) ~~No person may sell cigarettes as described under this section~~
23 The department may not issue a permit to a person under par. (a) unless the person
24 certifies to the department, in the manner prescribed by the department, that the
25 person shall acquire stamped cigarettes from a licensed distributor or unstamped

1 cigarettes from the manufacturer thereof, pay the tax imposed under this subchapter
2 on all unstamped cigarettes and affix stamps to the cigarette packages or containers
3 as provided under s. 139.32 (1), store such packages or containers, and sell only such
4 packages or containers to consumers in this state by direct marketing; or acquire
5 cigarettes from a distributor, to the packages or containers of which stamps have
6 been affixed as provided under s. 139.32 (1), and sell only such packages or
7 containers to consumers in this state by direct marketing.

8 ***-0719/2.37* SECTION 2799.** 139.345 (1) (d) of the statutes is amended to read:

9 139.345 (1) (d) ~~No person may sell cigarettes as described in this section~~ The
10 department may not issue a permit to a person under par. (a) unless the person
11 certifies to the department, in the manner prescribed by the department, that the
12 person shall register with credit card and debit card companies; that the invoices and
13 all means of solicitation for all shipments of cigarette sales from the person shall bear
14 the person's name and address and the permit number of the permit ultimately
15 issued under this subsection; and that the person shall provide the department any
16 information the department considers necessary to administer this section.

17 ***-0719/2.38* SECTION 2800.** 139.345 (3) (intro.) of the statutes is amended to
18 read:

19 139.345 (3) (intro.) No person may sell cigarettes to consumers a consumer in
20 this state unless the person does all of the following:

21 ***-0719/2.39* SECTION 2801.** 139.345 (3) (a) (intro.) of the statutes is amended
22 to read:

23 139.345 (3) (a) (intro.) Verifies the consumer's name identity and address and
24 that the consumer is at least 18 years of age by any of the following methods:

1 ***-0719/2.40* SECTION 2802.** 139.345 (3) (a) 2. of the statutes is amended to
2 read:

3 139.345 (3) (a) 2. The person receives from the consumer, at the time of
4 purchase, a copy of ~~a government issued~~ an identification card and verifies that the
5 name specified on the identification card matches the name of the consumer and that
6 the birth date on the identification card indicates that the consumer is at least 18
7 years of age.

8 ***-0719/2.41* SECTION 2803.** 139.345 (7) (a) of the statutes is amended to read:

9 139.345 (7) (a) No person may deliver a package of cigarettes sold by direct
10 marketing to a consumer in this state unless the person making the delivery receives
11 ~~a government issued~~ an identification card from the person receiving the package
12 and verifies that the person receiving the package is at least 18 years of age. If the
13 person receiving the package is not the person to whom the package is addressed, the
14 person delivering the package shall have the person receiving the package sign a
15 statement that affirms that the person to whom the package is addressed is at least
16 18 years of age.

17 ***-0719/2.42* SECTION 2804.** 139.345 (8) of the statutes is created to read:

18 139.345 (8) (a) No person may sell cigarettes to consumers in this state by direct
19 marketing unless the tax imposed under s. 139.31 (1) is paid on the cigarettes and
20 stamps are affixed to the cigarette packages or containers as provided under s.
21 139.32.

22 (b) No person may sell cigarettes to consumers in this state by direct marketing
23 unless the cigarette brands are approved by the department and listed in the
24 directory of certified tobacco product manufacturers and brands as provided under
25 s. 995.12 (2) (b).

1 *-0719/2.43* SECTION 2805. 139.345 (9) of the statutes is created to read:

2 139.345 (9) Except as provided in sub. (12), any person who, without having
3 a valid permit under sub. (1), sells or solicits sales of cigarettes to consumers in this
4 state by direct marketing shall pay a penalty to the department of \$5,000 or an
5 amount that is equal to \$50 for every 200 cigarettes, or fraction of 200 cigarettes, sold
6 to consumers in this state by direct marketing, whichever is greater.

7 *-0719/2.44* SECTION 2806. 139.345 (10) of the statutes is created to read:

8 139.345 (10) (a) No sale of cigarettes to a consumer in this state by direct
9 marketing may exceed 10 cartons for each invoice or 20 cartons in a 30-day period
10 for each purchaser or address.

11 (b) Except as provided in sub. (12), any person who sells cigarettes in an amount
12 that exceeds the amounts allowed under par. (a) shall pay a penalty to the
13 department of \$5,000 or an amount that is equal to \$50 for every 200 cigarettes, or
14 fraction of 200 cigarettes, sold in excess of the amounts allowed under par. (a),
15 whichever is greater.

16 (c) Except as provided in sub. (12), any person who purchases cigarettes in an
17 amount that exceeds the amounts allowed under par. (a) shall apply for a permit
18 under s. 139.34 and shall pay a penalty to the department of \$25 for every 200
19 cigarettes, or fraction of 200 cigarettes, purchased in excess of the amounts allowed
20 under par. (a).

21 *-0719/2.45* SECTION 2807. 139.345 (11) of the statutes is created to read:

22 139.345 (11) (a) Any nonresident or foreign direct marketer that has not
23 registered to do business in this state as a foreign corporation or business entity
24 shall, as a condition precedent to obtaining a permit under s. 139.34 (1), appoint and
25 continually engage the services of an agent in this state to act as agent for the service

1 of process on whom all processes, and any action or proceeding against it concerning
2 or arising out of the enforcement of this chapter, may be served in any manner
3 authorized by law. That service shall constitute legal and valid service of process on
4 the direct marketer. The direct marketer shall provide the name, address, phone
5 number, and proof of the appointment and availability of the agent to the
6 department.

7 (b) A direct marketer described under par. (a) shall provide notice to the
8 department no later than 30 calendar days before termination of the authority of an
9 agent under par. (a) and shall provide proof to the satisfaction of the department of
10 the appointment of a new agent no later than 5 calendar days before the termination
11 of an existing appointment. In the event an agent terminates an appointment, the
12 direct marketer shall notify the department of that termination no later than 5
13 calendar days after the termination and shall include proof to the satisfaction of the
14 department of the appointment of a new agent.

15 (c) The secretary of state is the agent in this state for the service of process of
16 any direct marketer who has not appointed and engaged an agent as provided under
17 par. (a), except that the secretary of state acting as the direct marketer's agent for
18 the service of process does not satisfy the requirements imposed by par. (a).

19 ***-0719/2.46* SECTION 2808.** 139.345 (12) of the statutes is created to read:
20 139.345 (12) No penalty shall be imposed under subs. (9) and (10) if any of the
21 following apply:

22 (a) The secretary of revenue determines that imposing a penalty would be
23 inequitable because of inadvertent acts, mistakes, or unusual circumstances related
24 to the violation.

SECTION 2808

1 (b) The person who is subject to a penalty under sub. (9) or (10) had good cause
2 to violate sub. (9) or (10), and such violation did not result from the person's neglect.

3 ***-0719/2.47*** SECTION 2809. 139.37 (1) (a) of the statutes is amended to read:

4 139.37 (1) (a) No person shall sell cigarettes or ~~take orders for cigarettes for~~
5 resale solicit cigarette sales in this state ~~for any manufacturer or permittee without~~
6 first obtaining a unless the person has filed an application for and obtained a valid
7 certificate under s. 73.03 (50) and a salesperson's permit from the department of
8 revenue. No manufacturer or permittee shall authorize any person to sell cigarettes
9 or take orders for cigarettes solicit cigarette sales in this state without first having
10 such person secure unless the person has filed an application for and obtained a valid
11 certificate under s. 73.03 (50) and a salesperson's permit. No person shall authorize
12 the sale of cigarettes or the solicitation of cigarette sales in this state unless the
13 person has filed an application for and obtained a valid certificate under s. 73.03 (50)
14 and a valid permit under s. 139.34. The department shall issue the required number
15 of permits to ~~manufacturers and permittees~~ who hold a valid certificate issued under
16 s. 73.03 (50). Each application for a salesperson's permit shall disclose the name and
17 address of the employer or the person for whom the salesperson is selling or soliciting
18 and such permit shall remain effective only while the salesperson represents such
19 named employer or person. If such salesperson is thereafter employed by another
20 ~~manufacturer or permittee~~ person, the salesperson shall obtain a new salesperson's
21 permit. ~~Each manufacturer and permittee~~ The employer of any such salesperson
22 shall notify the department within 10 days after the resignation or dismissal of any
23 such the salesperson holding a permit.

24 ***-0719/2.48*** SECTION 2810. 139.40 (1) of the statutes is amended to read:

1 139.40 (1) All cigarettes acquired, owned, imported, possessed, kept, stored,
2 made, sold, distributed or transported in violation of this chapter or s. 134.65, and
3 all personal property used in connection therewith is unlawful property and subject
4 to seizure by the secretary or any peace officer. All cigarettes seized for violating s.
5 139.31 (4) or (5) shall be destroyed.

6 ***-0719/2.49*** SECTION 2811. 139.40 (2) of the statutes is amended to read:

7 139.40 (2) ~~If cigarettes which do not bear the proper tax stamps or on which~~
8 ~~the tax has not been paid~~ Cigarettes that are so seized they as provided under sub.
9 (1) may be given to law enforcement officers to use in criminal investigations or sold
10 to qualified buyers by the secretary, without notice. If the cigarettes are sold, after
11 deducting the costs of the sale and ~~the keeping of~~ storing the property, the proceeds
12 of the sale shall be paid into the state treasury. If the secretary finds that such
13 cigarettes may deteriorate or become unfit for use in criminal investigations or for
14 sale or that those uses would otherwise be impractical, the secretary may order them
15 destroyed or give them to a charitable or penal institution for free distribution to
16 patients or inmates.

17 ***-0719/2.50*** SECTION 2812. 139.44 (1m) of the statutes is amended to read:

18 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette
19 meter tax impression machine in order to evade the tax under s. 139.31 is guilty of
20 a Class G felony.

21 ***-0719/2.51*** SECTION 2813. 139.44 (2) of the statutes is amended to read:

22 139.44 (2) Any person who makes or signs any false or fraudulent report or who
23 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the
24 evasion or attempted evasion of that tax ~~may be fined not more than \$10,000 or~~
25 ~~imprisoned for not more than 9 months or both,~~ is guilty of a Class H felony.

1 ***-0719/2.52* SECTION 2814.** 139.44 (3) of the statutes is amended to read:

2 139.44 (3) Any permittee or licensee who fails to keep the records required by
3 ss. 139.30 to 139.42 or 139.77 to 139.82 shall be fined not less than \$100 \$500 nor
4 more than \$500 \$1,000 for the first offense and shall be fined not less than \$1,000
5 nor more than \$5,000 or imprisoned not more than 6 months 180 days or both for a
6 2nd or subsequent offense.

7 ***-0719/2.53* SECTION 2815.** 139.44 (4) of the statutes is amended to read:

8 139.44 (4) Any person who refuses to permit the examination or inspection
9 authorized in s. 139.39 (2) or 139.83 may be fined not more less than \$500 nor more
10 than \$1,000 or imprisoned not more than 90 180 days or both. Such refusal shall be
11 cause for immediate suspension or revocation of permit or license by the secretary.

12 ***-0719/2.54* SECTION 2816.** 139.44 (5) of the statutes is amended to read:

13 139.44 (5) Any person who violates any of the provisions of ss. 139.30 to 139.41
14 or 139.75 to 139.83 for which no other penalty is prescribed shall be fined not less
15 than \$100 nor more than \$1,000 \$10,000 or imprisoned not less than 10 days nor
16 more than 90 days 9 months or both.

17 ***-0719/2.55* SECTION 2817.** 139.44 (6) of the statutes is amended to read:

18 139.44 (6) Any person who violates any of the rules of the department shall be
19 fined not less than \$100 \$500 nor more than \$500 \$1,000 or be imprisoned not more
20 than 6 9 months or both.

21 ***-0719/2.56* SECTION 2818.** 139.44 (6m) of the statutes is created to read:

22 139.44 (6m) Any person who manufactures or sells cigarettes in this state
23 without holding the proper permit issued under this subchapter is guilty of a Class
24 I felony.

25 ***-0719/2.57* SECTION 2819.** 139.44 (7) of the statutes is amended to read:

1 139.44 (7) In addition to the penalties imposed for violation of ss. 139.30 to
2 139.41 or 139.75 to 139.83 or any of the rules of the department, the permit of any
3 person convicted of a 2nd or subsequent offense shall be automatically revoked and
4 ~~he or she~~ the person shall not be granted another permit for a period of 2 5 years
5 following such revocation.

6 ***-0719/2.58*** SECTION 2820. 139.44 (13) of the statutes is created to read:

7 139.44 (13) Notwithstanding subs. (1) to (8), no penalty shall be imposed under
8 subs. (1) to (8) if any of the following apply:

9 1. The secretary of revenue determines that imposing a penalty would be
10 inequitable because of inadvertent acts, mistakes, or unusual circumstances related
11 to the violation.

12 2. The person who is subject to a penalty under subs. (1) to (8) had good cause
13 to commit the violation to which the penalty applies, and such violation did not result
14 from the person's neglect.

15 ***-0892/11.45*** SECTION 2821. 139.455 of the statutes is created to read:

16 **139.455 Revenue distribution.** From the taxes collected under this
17 subchapter, in fiscal year 2007-08, the department shall deposit no more than
18 \$304,000,000 into the general fund and the remainder into the health care quality
19 fund. From the taxes collected under this subchapter, in fiscal year 2008-09, and in
20 each subsequent fiscal year thereafter, the department shall deposit no more than
21 \$305,000,000 into the general fund and the remainder into the health care quality
22 fund.

23 ***-0719/2.59*** SECTION 2822. 139.75 (2) of the statutes is amended to read:

24 139.75 (2) "Consumer" means any individual who receives tobacco products for
25 his or her personal use or consumption or any person individual who has title to or

1 possession of tobacco products ~~in storage for use or other consumption in this state~~
2 any purpose other than for sale or resale.

3 ***-0719/2.60* SECTION 2823.** 139.75 (3g) of the statutes is created to read:

4 139.75 (3g) "Direct marketer" means any person who solicits sales of or sells
5 tobacco products to consumers in this state by direct marketing.

6 ***-0719/2.61* SECTION 2824.** 139.75 (3r) of the statutes is created to read:

7 139.75 (3r) "Direct marketing" means publishing or making accessible an offer
8 for the sale of tobacco products to consumers in this state, or selling tobacco products
9 to consumers in this state, using any means by which the consumer is not physically
10 present on a premise that sells tobacco products.

11 ***-0719/2.62* SECTION 2825.** 139.75 (4) (a) of the statutes is amended to read:

12 139.75 (4) (a) Any person in this state engaged in the business of selling tobacco
13 products ~~in this state~~ who brings, or causes to be brought, into this state from outside
14 the state any tobacco products for sale;

15 ***-0719/2.63* SECTION 2826.** 139.75 (4) (c) of the statutes is amended to read:

16 139.75 (4) (c) Any person outside this state engaged in the business of selling
17 tobacco products ~~outside this state~~ who ships or transports tobacco products to
18 retailers in this state to be sold by those retailers.

19 ***-0719/2.64* SECTION 2827.** 139.75 (4) (cm) of the statutes is created to read:

20 139.75 (4) (cm) Any person outside this state engaged in the business of selling
21 tobacco products who ships or transports tobacco products to consumers in this state.

22 ***-0719/2.65* SECTION 2828.** 139.75 (4n) of the statutes is created to read:

23 139.75 (4n) "Identification card" has the meaning given in s. 134.66 (1) (c).

24 ***-0719/2.66* SECTION 2829.** 139.75 (5s) of the statutes is created to read:

1 139.75 (5s) "Person" means any individual, sole proprietorship, partnership,
2 limited liability company, corporation, or association, or any owner of a single-owner
3 entity that is disregarded as a separate entity under ch. 71.

4 ***-0719/2.67* SECTION 2830.** 139.75 (7) of the statutes is amended to read:

5 139.75 (7) "Retail outlet" means each place of business from which tobacco
6 products are sold to consumers by a retailer.

7 ***-0719/2.68* SECTION 2831.** 139.75 (8) of the statutes is amended to read:

8 139.75 (8) "~~Retailer~~" ~~means any person engaged in the business of selling~~
9 ~~tobacco products to ultimate consumers~~ has the meaning given in s. 134.66 (1) (g).

10 ***-0892/11.46* SECTION 2832.** 139.76 (1) of the statutes is amended to read:

11 139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,
12 possession with intent to sell or removal for consumption or sale or other disposition
13 for any purpose of tobacco products by any person engaged as a distributor of them
14 at the rate of 25% 65.6 percent of the manufacturer's established list price to
15 distributors without diminution by volume or other discounts on domestic products.
16 On products imported from another country the rate of tax is 25% 65.6 percent of the
17 amount obtained by adding the manufacturer's list price to the federal tax, duties
18 and transportation costs to the United States. The tax attaches at the time the
19 tobacco products are received by the distributor in this state. The tax shall be passed
20 on to the ultimate consumer of the tobacco products. All tobacco products received
21 in this state for sale or distribution within this state, except tobacco products actually
22 sold as provided in sub. (2), shall be subject to such tax.

23 ***-0719/2.69* SECTION 2833.** 139.76 (3) of the statutes is created to read:

1 139.76 (3) Except as provided in sub. (2), no person may possess tobacco
2 products in this state unless the tax imposed under sub. (1) is paid on such tobacco
3 products.

4 *-0892/11.47* SECTION 2834. 139.78 (1) of the statutes is amended to read:

5 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco
6 products in this state at the rate of ~~25%~~ 65.6 percent of the cost of the tobacco
7 products. The tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco
8 products has been paid or if the tobacco products are exempt from the tobacco
9 products tax under s. 139.76 (2).

10 *-0719/2.70* SECTION 2835. 139.78 (1m) of the statutes is created to read:

11 139.78 (1m) Except as provided in s. 139.76 (2), no person other than a
12 distributor with a valid permit under s. 139.79 may import into this state tobacco
13 products for which the tax imposed under s. 139.76 (1) has not been paid.

14 *-0719/2.71* SECTION 2836. 139.79 (title) of the statutes is amended to read:

15 139.79 (title) ~~Permits; distributor; subjobber.~~

16 *-0719/2.72* SECTION 2837. 139.79 (1) of the statutes is amended to read:

17 139.79 (1) No person may engage in the business of a distributor, direct
18 marketer, or subjobber of tobacco products at any place of business unless that
19 person has filed an application for and obtained a permit from the department to
20 engage in that business at such place.

21 *-0719/2.73* SECTION 2838. 139.79 (2) of the statutes is amended to read:

22 139.79 (2) Section 139.34 (1) (b) (c) to (f), (4) and (9) applies to the permits under
23 this section.

24 *-0719/2.74* SECTION 2839. 139.795 of the statutes is created to read:

1 **139.795 Direct marketing.** (1) (a) No person may sell tobacco products by
2 direct marketing to consumers in this state as a direct marketer or solicit sales of
3 tobacco products to consumers in this state by direct marketing unless the person has
4 obtained a permit from the department to make such sales or solicitations. The
5 person shall file an application for a permit under this subsection with the
6 department, in the manner prescribed by the department.

7 (b) No person may be issued a permit under this subsection unless the person
8 holds a valid distributor's permit under s. 139.79. Section 139.34 (1) (c) to (f), (4), and
9 (9), as it applies to permits issued under s. 139.34, applies to permits issued under
10 this subsection.

11 (c) No person may be issued a permit under this subsection unless the person
12 certifies to the department, in the manner prescribed by the department, that the
13 person shall register with credit card and debit card companies; that the invoices and
14 all means of solicitation for all shipments of tobacco product sales from the person
15 shall bear the person's name and address and the permit number of the permit
16 ultimately issued under this subsection; and that the person shall provide the
17 department any information the department considers necessary to administer this
18 section.

19 (2) No person may sell tobacco products to consumers in this state by direct
20 marketing unless the tax imposed under s. 139.76, and under s. 77.52 or 77.53, has
21 been paid with regard to such products.

22 (3) No person may sell tobacco products to a consumer in this state by direct
23 marketing unless the person does all of the following:

24 (a) Verifies the consumer's identity and address and that the consumer is at
25 least 18 years of age by any of the following methods:

1 1. The person uses a database that includes information based on public
2 records.

3 2. The person receives from the consumer, at the time of purchase, a copy of an
4 identification card and verifies that the name specified on the identification card
5 matches the name of the consumer and that the birth date on the identification card
6 indicates that the consumer is at least 18 years of age.

7 3. The person uses a mechanism, other than a mechanism specified under subd.
8 1. or 2., that is approved by the department.

9 (b) Obtains from the consumer, at the time of purchase, a statement signed by
10 the consumer that confirms all of the following:

11 1. The consumer's name, address, and birth date.

12 2. That the consumer understands that no person who is under 18 years of age
13 may purchase or possess tobacco products or falsely represent his or her age for the
14 purpose of receiving tobacco products, as provided under s. 254.92.

15 3. That the consumer understands that any person who, for the purpose of
16 obtaining credit, goods, or services, intentionally uses, attempts to use, or possesses
17 with intent to use, any personal identifying information or personal identification
18 document of an individual, including a deceased individual, without the
19 authorization or consent of the individual and by representing that he or she is the
20 individual, that he or she is acting with the authorization or consent of the
21 individual, or that the information or document belongs to him or her, is guilty of a
22 Class H felony, as provided under s. 943.201.

23 (4) Any person who, without having a valid permit under sub. (1), sells or
24 solicits sales of tobacco products to consumers in this state by direct marketing shall
25 pay a penalty to the department of \$5,000 or an amount that is equal to 50 percent

1 of the tax due on the tobacco products the person sold, without having a valid permit
2 under sub. (1), to consumers in this state by direct marketing, whichever is greater.

3 (5) (a) No person may deliver a package of tobacco products sold by direct
4 marketing to a consumer in this state unless the person making the delivery receives
5 an identification card from the person receiving the package and verifies that the
6 person receiving the package is at least 18 years of age. If the person receiving the
7 package is not the person to whom the package is addressed, the person delivering
8 the package shall have the person receiving the package sign a statement that
9 affirms that the person to whom the package is addressed is at least 18 years of age.

10 (b) No person may deliver a package of tobacco products to a consumer in this
11 state unless the seller of the tobacco products provides proof to the person making
12 the delivery that the seller has complied with all requirements under this
13 subchapter. A seller shall have no course of action against any person who refuses
14 to deliver tobacco products as provided under this paragraph.

15 (6) All packages of tobacco products shipped to consumers in this state shall
16 be clearly labelled "TOBACCO PRODUCTS" on the outside of such packages.

17 (7) (a) Any nonresident or foreign direct marketer that has not registered to
18 do business in this state as a foreign corporation or business entity shall, as a
19 condition precedent to obtaining a permit under s. 139.79 (1), appoint and
20 continually engage the services of an agent in this state to act as agent for the service
21 of process on whom all processes, and any action or proceeding against it concerning
22 or arising out of the enforcement of this chapter, may be served in any manner
23 authorized by law. That service shall constitute legal and valid service of process on
24 the direct marketer. The direct marketer shall provide the name, address, phone

1 number, and proof of the appointment and availability of the agent to the
2 department.

3 (b) A direct marketer described under par. (a) shall provide notice to the
4 department no later than 30 calendar days before termination of the authority of an
5 agent under par. (a) and shall provide proof to the satisfaction of the department of
6 the appointment of a new agent no later than 5 calendar days before the termination
7 of an existing appointment. In the event an agent terminates an appointment, the
8 direct marketer shall notify the department of that termination no later than 5
9 calendar days after the termination and shall include proof to the satisfaction of the
10 department of the appointment of a new agent.

11 (c) The secretary of state is the agent in this state for the service of process of
12 any direct marketer who has not appointed and engaged an agent as provided under
13 par. (a), except that the secretary of state acting as the direct marketer's agent for
14 the service of process does not satisfy the requirements imposed by par. (a).

15 *-0719/2.75* SECTION 2840. 139.81 (1) of the statutes is amended to read:

16 139.81 (1) No person may sell ~~or take orders for~~ tobacco products for resale ~~or~~
17 solicit sales of tobacco products in this state for ~~any manufacturer or permittee~~
18 unless the person has filed an application for and obtained a valid certificate under
19 s. 73.03 (50) and a salesperson's permit from the department. No ~~manufacturer or~~
20 ~~permittee~~ shall authorize any person to sell ~~or take orders for~~ tobacco products ~~or~~
21 solicit sales of tobacco products in this state unless the person has filed an application
22 for and obtained a valid certificate under s. 73.03 (50) and a salesperson's permit.
23 No person may authorize the sale of tobacco products or the solicitation of sales of
24 tobacco products in this state unless the person has filed an application for and
25 obtained a valid certificate under s. 73.03 (50) and a valid permit under s. 139.79.

1 Each application for a salesperson's permit shall disclose the name and address of
2 the employer or the person for whom the salesperson is selling or soliciting and shall
3 remain effective only while the salesperson represents the named employer or
4 person. If the salesperson is thereafter employed by another ~~manufacturer or~~
5 ~~permittee person~~ the salesperson shall obtain a new salesperson's permit. Each
6 ~~manufacturer and permittee~~ The employer of any such salesperson shall notify the
7 department within 10 days after the resignation or dismissal of any the salesperson
8 holding a permit.

9 ***-0719/2.76* SECTION 2841.** 139.81 (2) of the statutes is amended to read:

10 139.81 (2) Section 139.34 (1) ~~(b)~~ (c) to (e) applies to the permits under this
11 section.

12 ***-0719/2.77* SECTION 2842.** 139.86 of the statutes is amended to read:

13 **139.86 Prosecutions by attorney general.** Upon request by the secretary
14 of revenue, the attorney general may represent this state or assist a district attorney
15 in prosecuting any case arising under this subchapter. The attorney general may
16 take any action necessary to enforce s. 139.795.

17 ***-0892/11.48* SECTION 2843.** 139.865 of the statutes is created to read:

18 **139.865 Revenue distribution.** From the taxes collected under this
19 subchapter, in fiscal year 2007-08, the department shall deposit no more than
20 \$18,400,000 into the general fund and the remainder into the health care quality
21 fund. From the taxes collected under this subchapter, in fiscal year 2008-09, and in
22 each subsequent fiscal year thereafter, the department shall deposit no more than
23 \$19,300,000 into the general fund and the remainder into the health care quality
24 fund.

25 ***-0719/2.78* SECTION 2844.** 139.87 of the statutes is created to read:

1 **139.87 Lists.** The department shall compile and maintain a list of direct
2 marketers who have complied with the requirements of s. 139.795 and a list of direct
3 marketers who the department knows have not complied with such requirements.
4 The department shall provide copies of the lists described under this section to the
5 attorney general and to each person who delivers tobacco products to consumers in
6 this state that are sold by direct marketing under s. 139.795.

7 ***-0331/2.2* SECTION 2845.** 146.19 (title) of the statutes is amended to read:

8 **146.19 (title) Cooperative American Indian health projects.**

9 ***-0331/2.3* SECTION 2846.** 146.19 (1) (c) of the statutes is amended to read:

10 146.19 (1) (c) "Tribal agency" means an agency of the governing body of created
11 by a tribe.

12 ***-0331/2.4* SECTION 2847.** 146.19 (1) (d) of the statutes is amended to read:

13 146.19 (1) (d) "Tribe" means the governing body of a federally recognized
14 American Indian tribe or band located in this state.

15 ***-0331/2.5* SECTION 2848.** 146.19 (2) (intro.) of the statutes is amended to
16 read:

17 **146.19 (2) COOPERATIVE AMERICAN INDIAN HEALTH PROJECT GRANTS.** (intro.) From
18 the appropriation under s. 20.435 (5) (ke), the department shall award grants for
19 cooperative American Indian health projects in order to promote cooperation among
20 tribes, tribal agencies, inter-tribal organizations and other agencies and
21 organizations in addressing address specific problem areas in the field of American
22 Indian health. A tribe, tribal agency, or inter-tribal organization may apply, in the
23 manner specified by the department, for a grant of up to \$10,000 to conduct a
24 cooperative an American Indian health project, which meets all of the following
25 requirements that is designed to do any of the following:

1 ***-0331/2.6*** SECTION 2849. 146.19 (2) (a) of the statutes is repealed.

2 ***-0331/2.7*** SECTION 2850. 146.19 (2) (b) (intro.) of the statutes is repealed.

3 ***-0331/2.8*** SECTION 2851. 146.19 (2) (b) 1. of the statutes is renumbered
4 146.19 (2) (am).

5 ***-0331/2.9*** SECTION 2852. 146.19 (2) (b) 2. of the statutes is renumbered
6 146.19 (2) (bm) and amended to read:

7 146.19 (2) (bm) Fund start-up costs of cooperative programs to deliver health
8 care services to American Indians.

9 ***-0331/2.10*** SECTION 2853. 146.19 (2) (b) 3. of the statutes is renumbered
10 146.19 (2) (c).

11 ***-0331/2.11*** SECTION 2854. 146.19 (2) (d) of the statutes is created to read:
12 146.19 (2) (d) Provide innovative community-based health care services to
13 American Indians.

14 ***-0331/2.12*** SECTION 2855. 146.19 (4) of the statutes is repealed.

15 ***-1261/5.743*** ***-1267/P1.250*** SECTION 2856. 146.40 (4d) (am) of the statutes
16 is amended to read:

17 146.40 (4d) (am) If an individual who applies for a certification or approval
18 under par. (a) does not have a social security number, the individual, as a condition
19 of obtaining certification or approval, shall submit a statement made or subscribed
20 under oath or affirmation to the department that the applicant does not have a social
21 security number. The form of the statement shall be prescribed by the department
22 of ~~workforce development~~ children and families. A certification or approval issued
23 in reliance upon a false statement submitted under this paragraph is invalid.

24 ***-1261/5.744*** ***-1267/P1.251*** SECTION 2857. 146.51 (1m) of the statutes is
25 amended to read:

1 146.51 (1m) If an individual who applies for or to renew a license, training
2 permit or certification under sub. (1) does not have a social security number, the
3 individual, as a condition of obtaining the license, training permit or certification,
4 shall submit a statement made or subscribed under oath or affirmation to the
5 department that the applicant does not have a social security number. The form of
6 the statement shall be prescribed by the department of ~~workforce development~~
7 children and families. A license, training permit or certification issued or renewed
8 in reliance upon a false statement submitted under this subsection is invalid.

9 *-1261/5.745* *-1267/P1.252* SECTION 2858. 146.51 (2) of the statutes is
10 amended to read:

11 146.51 (2) The department of health and family services may not disclose any
12 information received under sub. (1) to any person except to the department of
13 ~~workforce development~~ children and families for the purpose of making
14 certifications required under s. 49.857.

15 *-1261/5.746* *-1267/P1.253* SECTION 2859. 146.51 (3) of the statutes is
16 amended to read:

17 146.51 (3) The department of health and family services shall deny an
18 application for the issuance or renewal of a license, training permit or certification
19 specified in sub. (1), shall suspend a license, training permit or certification specified
20 in sub. (1) or may, under a memorandum of understanding under s. 49.857 (2),
21 restrict a license, training permit or certification specified in sub. (1) if the
22 department of ~~workforce development~~ children and families certifies under s. 49.857
23 that the applicant for or holder of the license, training permit or certification is
24 delinquent in the payment of court-ordered payments of child or family support,
25 maintenance, birth expenses, medical expenses or other expenses related to the

1 support of a child or former spouse or fails to comply, after appropriate notice, with
2 a subpoena or warrant issued by the department of workforce development children
3 and families or a county child support agency under s. 59.53 (5) and related to
4 paternity or child support proceedings.

5 ***-1261/5.747* *-1267/P1.254* SECTION 2860.** 146.52 (1m) of the statutes is
6 amended to read:

7 146.52 (1m) If an individual who applies for or to renew a license, training
8 permit or certificate under sub. (1) does not have a social security number, the
9 individual, as a condition of obtaining the license, training permit or certificate, shall
10 submit a statement made or subscribed under oath or affirmation to the department
11 that the applicant does not have a social security number. The form of the statement
12 shall be prescribed by the department of workforce development children and
13 families. A license, training permit or certificate issued or renewed in reliance upon
14 a false statement submitted under this subsection is invalid.

15 ***-0242/1.15* SECTION 2861.** 146.53 (2) (c) of the statutes is repealed.

16 ***-1471/2.17* SECTION 2862.** 146.55 (4) (a) of the statutes is amended to read:

17 146.55 (4) (a) From the appropriation under s. 20.435 (5) ~~(ch)~~ (rb), the
18 department shall annually distribute funds for ambulance service vehicles or vehicle
19 equipment, emergency medical services supplies or equipment or emergency
20 medical training for personnel to an ambulance service provider that is a public
21 agency, a volunteer fire department or a nonprofit corporation, under a funding
22 formula consisting of an identical base amount for each ambulance service provider
23 plus a supplemental amount based on the population of the ambulance service
24 provider's primary service or contract area, as established under s. 146.50 (5).

25 ***-1471/2.18* SECTION 2863.** 146.55 (5) (a) of the statutes is amended to read:

1 146.55 (5) (a) From the appropriation under s. 20.435 (5) ~~(eh)~~ (rb), the
2 department shall annually distribute funds to ambulance service providers that are
3 public agencies, volunteer fire departments, or nonprofit corporations to purchase
4 the training required for licensure and renewal of licensure as an emergency medical
5 technician - basic under s. 146.50 (6), and to pay for administration of the
6 examination required for licensure or renewal of licensure as an emergency medical
7 technician - basic under s. 146.50 (6) (a) 3. and (b) 1.

8 ***-1471/2.19*** SECTION 2864. 146.58 (8) of the statutes is amended to read:

9 146.58 (8) Review the annual budget prepared by the department for the
10 expenditures under s. 20.435 (5) ~~(eh)~~ (rb).

11 ***-0904/2.3*** SECTION 2865. 146.75 of the statutes is created to read:

12 **146.75 Health care quality and patient safety council. (1)** In this section:

13 (a) "American Health Information Community" means a panel that is advisory
14 on information technology to the federal department of health and human services.

15 (b) "Council" means the health care quality and patient safety council.

16 **(2)** Acting in an advisory capacity, the council shall lead implementation efforts
17 for an action plan for health care quality and patient safety by doing all of the
18 following:

19 (a) Identifying strategies and actions necessary to do all of the following:

20 1. Attempt to achieve goals established by the Institute of Medicine of the
21 National Academy of Sciences for health care that is safe, effective,
22 patient-centered, timely, efficient, and equitable.

23 2. Extend health care information systems statewide so as to optimize the
24 improvement of health care quality, safety, and efficiency within a reasonable period
25 of time and with reasonable financial investment.

1 (b) Considering the most cost-effective means of implementing a statewide
2 integrated or interoperable health care information system, including all of the
3 following:

4 1. Assessing the benefits of an integrated or interoperable system for
5 supporting rapid deployment of health care providers.

6 2. Promoting accurate and appropriate shared information about individual
7 patients among health care providers.

8 3. Creating points of reference for performance indicators among health care
9 provider organizations for organizational performance improvement.

10 4. Reporting to the public on health care quality, safety, and efficiency data for
11 consumer and purchaser decision making.

12 (3) The council shall advise the secretary on all of the following:

13 (a) A communication and marketing plan.

14 (b) Annually, on recommendations to improve the committee organizational
15 structure of the council.

16 (c) The distribution of funding to entities to promote the health information
17 technology agenda of the governor.

18 (d) Whether a health facility, as defined in s. 231.01 (5), or a participating
19 health institution, as defined in s. 231.01 (6), that seeks financial assistance from the
20 Wisconsin Health and Educational Facilities Authority under s. 231.03
21 demonstrates progress in improving medical information systems technology.

22 (4) By January 1, 2008, and at least annually thereafter, the council shall
23 report to the legislature under s. 13.172 (3) and to the governor on the council's plans,
24 activities, accomplishments, and recommendations.

1 (5) Any subcommittee of the council shall align its work with recommendations
2 of the American Health Information Community.

3 *-0904/2.4* SECTION 2866. 146.76 of the statutes is created to read:

4 **146.76 Approval of certain financial assistance.** The secretary shall
5 determine whether a health facility, as defined in s. 231.01 (5), or a participating
6 health institution, as defined in s. 231.01 (6), that seeks financial assistance from the
7 Wisconsin Health and Educational Facilities Authority under s. 231.03
8 demonstrates progress in improving medical information systems technology and
9 shall inform the Wisconsin Health and Educational Facilities Authority of his or her
10 determination. In making a determination under this section, the secretary shall
11 consider as a factor the advice of the health care quality and patient safety council,
12 as provided under s. 146.75 (3) (d).

13 *-0930/2.3* SECTION 2867. 146.91 (2) (c) of the statutes is repealed.

14 *-0930/2.4* SECTION 2868. 146.91 (5) of the statutes is repealed.

15 *-0892/11.49* SECTION 2869. 146.99 of the statutes is repealed.

16 *-1006/3.5* SECTION 2870. 149.11 (2) (a) 1. of the statutes is amended to read:

17 149.11 (2) (a) 1. Insurer assessments under s. 149.13, ~~paid to the authority~~
18 ~~under s. 20.145 (5) (g).~~

19 *-1006/3.6* SECTION 2871. 149.11 (2) (a) 3. of the statutes is repealed and
20 recreated to read:

21 149.11 (2) (a) 3. Moneys received from the federal government in high risk pool
22 grants.

23 *-1006/3.7* SECTION 2872. 149.11 (2) (b) of the statutes is amended to read:

24 149.11 (2) (b) The authority controls the assets of the fund and shall select
25 regulated financial institutions in this state that receive deposits in which to

1 ~~establish and maintain accounts for assets needed on a current basis. If practicable,~~
2 ~~the accounts shall earn interest.~~

3 ***-1006/3.8* SECTION 2873.** 149.12 (2) (e) of the statutes is renumbered 149.12
4 (2) (e) 1. and amended to read:

5 149.12 (2) (e) 1. ~~No Subject to subd. 2.,~~ no person who is eligible for creditable
6 coverage, other than those benefits specified in s. 632.745 (11) (b) 1. to 12., that is
7 provided by an employer on a self-insured basis or through health insurance is
8 eligible for coverage under the plan.

9 ***-1006/3.9* SECTION 2874.** 149.12 (2) (e) 2. of the statutes is created to read:
10 149.12 (2) (e) 2. The board may specify other types of coverage provided by an
11 employer that do not render a person ineligible for coverage under the plan.

12 ***-1521/6.5* SECTION 2875.** 149.12 (2) (f) 2. g. of the statutes is created to read:
13 149.12 (2) (f) 2. g. Benefits under the demonstration project for childless adults
14 under s. 49.45 (23).

15 ***-0336/3.7* SECTION 2876.** 149.12 (2) (g) 3. of the statutes is amended to read:
16 149.12 (2) (g) 3. Services provided under ~~a waiver requested under 2001~~
17 ~~Wisconsin Act 16, section 9123 (16rs), or 2003 Wisconsin Act 33, section 9124 (8e) the~~
18 disabled children's long-term support program, as defined in s. 46.011 (1g).

19 ***-1609/2.3* SECTION 2877.** 149.12 (3) (a) of the statutes is amended to read:
20 149.12 (3) (a) Except as provided in pars. (b) ~~and (bm) to (c),~~ no person is eligible
21 for coverage under the plan for whom a premium, deductible, or coinsurance amount
22 is paid or reimbursed by a federal, state, county, or municipal government or agency
23 as of the first day of any term for which a premium amount is paid or reimbursed and
24 as of the day after the last day of any term during which a deductible or coinsurance
25 amount is paid or reimbursed.

1 *-1609/2.4* SECTION 2878. 149.12 (3) (c) of the statutes is created to read:

2 149.12 (3) (c) Persons for whom premium costs for health insurance coverage
3 and copayments for certain prescription drugs are paid under the pilot program
4 under s. 49.686 (6) are not ineligible for coverage under the plan by reason of such
5 payments.

6 *-1006/3.10* SECTION 2879. 149.13 (3) (a) of the statutes is amended to read:

7 149.13 (3) (a) Each insurer's proportion of participation under sub. (2) shall be
8 determined annually by the commissioner based on annual statements and other
9 reports filed by the insurer with the commissioner. The commissioner shall assess
10 an insurer for the insurer's proportion of participation based on the total
11 assessments estimated by the authority. An insurer shall pay the amount of the
12 assessment directly to the authority.

13 *-1006/3.11* SECTION 2880. 149.14 (2) (c) 1. of the statutes is renumbered

14 149.14 (2) (c).

15 *-1006/3.12* SECTION 2881. 149.14 (2) (c) 2. of the statutes is repealed.

16 *-1006/3.13* SECTION 2882. 149.14 (3) (intro.) of the statutes is amended to
17 read:

18 149.14 (3) COVERED EXPENSES. (intro.) Covered expenses for coverage under the
19 plan shall be the payment rates established by the authority for services provided
20 by persons licensed under ch. 446 and certified under s. 49.45 (2) (a) 11. Covered
21 expenses for coverage under the plan shall also be the payment rates established by
22 the authority for, at a minimum, the following services and articles if the service or
23 article is prescribed by a physician who is licensed under ch. 448 or in another state
24 and who is certified under s. 49.45 (2) (a) 11. and, except as provided in sub. (3m), if
25 the service or article is provided by a provider certified under s. 49.45 (2) (a) 11.:

1 ***-1006/3.14*** SECTION 2883. 149.14 (3m) of the statutes is created to read:

2 149.14 (3m) PHARMACY NETWORK. Covered expenses for prescription drugs
3 shall be the payment rates established by the authority for prescription drugs that
4 are provided to eligible persons by a network of pharmacists and pharmacies
5 approved by the board, regardless of whether the provider of the drug is certified
6 under s. 49.45 (2) (a) 11. The network of pharmacists and pharmacies approved by
7 the board shall include, at a minimum, all pharmacists licensed under s. 450.03 who
8 are certified under s. 49.45 (2) (a) 11. and all pharmacies licensed under s. 450.06 that
9 are certified under s. 49.45 (2) (a) 11.

10 ***-1006/3.15*** SECTION 2884. 149.14 (5) (a) of the statutes is amended to read:

11 149.14 (5) (a) The authority shall establish and provide subsidies for
12 deductibles paid by eligible persons with coverage under s. 149.14 (2) (a) and
13 household incomes specified in s. 149.165 (2) (a) 1. to 5.

14 ***-1006/3.16*** SECTION 2885. 149.142 (1) of the statutes is amended to read:

15 149.142 (1) ESTABLISHMENT OF RATES. The authority shall establish provider
16 payment rates for covered expenses that consist of the allowable charges paid under
17 s. 49.46 (2) usual and customary payment rates, as determined by the authority, for
18 the services and articles provided plus an enhancement adjustment determined by
19 the authority. The rates shall be based on the allowable charges paid under s. 49.46
20 (2), projected plan costs, and trend factors. Using the same methodology that applies
21 to medical assistance under subch. IV of ch. 49, the authority shall establish hospital
22 outpatient per visit reimbursement rates and hospital inpatient reimbursement
23 rates that are specific to diagnostically related groups of eligible persons. The
24 adjustments to the usual and customary rates shall be sufficient to cover the portion
25 of plan costs specified in s. 149.143 (1) (c) and (2) (b).

SECTION 2886

1 ***-1006/3.17* SECTION 2886.** 149.143 (1) (intro.) of the statutes is amended to
2 read:

3 149.143 (1) COSTS EXCLUDING SUBSIDIES. (intro.) The authority shall pay plan
4 costs, excluding any premium, deductible, and copayment subsidies, first from any
5 federal funds, ~~if any, that are transferred to the fund under s. 20.145 (5) (m) and~~
6 under s. 149.11 (2) (a) 3. that exceed premium, deductible, and copayment subsidy
7 costs in a policy year. The remainder of the plan costs, excluding premium,
8 deductible, and copayment subsidy costs, shall be paid as follows:

9 ***-1006/3.18* SECTION 2887.** 149.143 (2) (intro.) of the statutes is amended to
10 read:

11 149.143 (2) SUBSIDY COSTS. (intro.) The authority shall pay for premium,
12 deductible, and copayment subsidies in a policy year first from any federal funds, ~~if~~
13 ~~any, that are transferred to the fund under s. 20.145 (5) (m) under s. 149.11 (2) (a)~~
14 3. received in that year. The remainder of the subsidy costs shall be paid as follows:

15 ***-1006/3.19* SECTION 2888.** 149.165 (2) (bc) of the statutes is amended to read:

16 149.165 (2) (bc) Subject to sub. (3m), if the household income, as defined in s.
17 71.52 (5) and as determined under sub. (3), of an eligible person with coverage under
18 s. 149.14 (2) (b) or (c) is equal to or greater than the first amount and less than the
19 2nd amount listed in par. (a) 1., 2., 3., 4., or 5., the authority shall reduce the premium
20 established for the eligible person by the same percentage as the authority reduces,
21 under par. (a), the premium established for an eligible person with coverage under
22 s. 149.14 (2) (a) who has a household income specified in the same subdivision under
23 par. (a) as the household income of the eligible person with coverage under s. 149.14
24 (2) (b) or (c).

25 ***-1006/3.20* SECTION 2889.** 149.65 (1) of the statutes is amended to read:

1 149.65 (1) Subject to sub. (2), the authority shall design and administer a
2 program of health care coverage, called the Health Care Tax Credit Program, under
3 which a covered eligible individual may receive an income tax credit under 26 USC
4 35 for a portion of premiums paid for the coverage. The Health Care Tax Credit
5 Program shall be designed to satisfy the requirements of qualified health insurance
6 under 26 USC 35 (e) (1) (E), (2), and (3). Any person with which the authority
7 contracts under s. 149.43 (4) (a) shall also be the administrator for the program under
8 this subchapter.

9 ***-0647/3.3*** SECTION 2890. 150.31 (1) (intro.) of the statutes is amended to
10 read:

11 150.31 (1) (intro.) In order to enable the state to budget accurately for medical
12 assistance and to allocate fiscal resources most appropriately, the maximum number
13 of licensed nursing home beds statewide is 51,795 42,000 and the maximum number
14 of beds statewide in facilities primarily serving the developmentally disabled is
15 3,704. The department may adjust these limits on licensed beds as provided in subs.
16 (2) to (6). The department shall also biennially recommend changes to this limit
17 based on the following criteria:

18 ***-0332/4.7*** SECTION 2891. 150.31 (5t) of the statutes is repealed.

19 ***-0647/3.4*** SECTION 2892. 150.345 (1) (a) of the statutes is amended to read:

20 150.345 (1) (a) The receiving nursing home is within the same area for
21 allocation of nursing home beds, as determined by the department, as is the
22 transferring nursing home, or is in ~~a county~~ an adjoining that area.

23 ***-1575/1.2*** SECTION 2893. 165.07 of the statutes is created to read:

24 **165.07 Assistant attorney general — public intervenor.** (1) The attorney
25 general shall designate an assistant attorney general on the attorney general's staff

1 as public intervenor. The head of each agency responsible for proceedings under chs.
2 30, 31, 281 to 285, and 289 to 299, shall give notice of those proceedings to the public
3 intervenor, to the administrators of divisions primarily assigned the departmental
4 functions under chs. 29, 281, 285, and 289 to 299, and to the natural areas
5 preservation council.

6 (2) The public intervenor shall formally intervene in proceedings described in
7 sub. (1) when requested to do so by an administrator of a division primarily assigned
8 the departmental functions under chs. 29, 281, 285, or 289 to 299. The public
9 intervenor may, on the public intervenor's own initiative or upon request of any
10 committee of the legislature, formally intervene in proceedings described in sub. (1)
11 whenever that intervention is needed for the protection of public rights in water and
12 other natural resources, as provided in chs. 30 and 31 and defined by the supreme
13 court.

14 (3) Personnel of the department of natural resources shall, upon the request
15 of the public intervenor, make such investigations, studies, and reports as the public
16 intervenor may request in connection with proceedings described in sub. (1), either
17 before or after formal intervention. Personnel of state agencies shall, at the public
18 intervenor's request, provide information, serve as witnesses in proceedings
19 described in sub. (1), and otherwise cooperate in the carrying out of the public
20 intervenor's intervention functions. The public intervenor shall formally intervene
21 by filing a statement to that effect with the examiner or other person immediately
22 in charge of the proceeding. Upon that filing, the public intervenor shall be
23 considered a party in interest with full power to present evidence, subpoena and
24 cross-examine witnesses, submit proof, file briefs, or do any other acts appropriate
25 for a party to the proceedings.

1 (4) The public intervenor may appeal from administrative rulings to the courts.
2 In all administrative proceedings and judicial review proceedings, the public
3 intervenor shall be identified as "public intervenor." This section does not preclude
4 or prevent any division of the department of natural resources, or any other
5 department or independent agency, from appearing by its staff as a party in any
6 proceedings.

7 *-1575/1.3* SECTION 2894. 165.075 of the statutes is created to read:

8 **165.075 Assistant attorney general; public intervenor; authority.** In
9 carrying out his or her duty to protect public rights in water and other natural
10 resources, the public intervenor has the authority to initiate actions and proceedings
11 before any agency or court in order to raise issues, including issues concerning
12 constitutionality, present evidence and testimony, and make arguments.

13 *-1575/1.4* SECTION 2895. 165.076 of the statutes is created to read:

14 **165.076 Assistant attorney general; public intervenor; advisory**
15 **committee.** The attorney general shall appoint a public intervenor advisory
16 committee under s. 15.04 (1) (c). The public intervenor advisory committee shall
17 consist of not less than 7 nor more than 9 members. The attorney general may only
18 appoint members who have backgrounds in or demonstrated experience or records
19 relating to environmental protection or natural resource conservation. The attorney
20 general shall appoint at least one member who has working knowledge of business
21 and at least one member who has working knowledge of agriculture. The public
22 intervenor advisory committee shall advise the public intervenor consistent with his
23 or her duty to protect public rights in water and other natural resources. The public
24 intervenor advisory committee shall conduct meetings consistent with subch. V of

1 ch. 19 and shall permit public participation and public comment on public intervenor
2 activities.

3 ***-0444/P2.15* SECTION 2896.** 165.08 of the statutes is amended to read:

4 **165.08 Power to compromise.** Any civil action prosecuted by the
5 department by direction of any officer, department, board or commission, shall be
6 compromised or discontinued when so directed by such officer, department, board or
7 commission. Any Except as provided in s. 20.931 (7) (b), any civil action prosecuted
8 by the department on the initiative of the attorney general, or at the request of any
9 individual may be compromised or discontinued with the approval of the governor.
10 In any criminal action prosecuted by the attorney general, the department shall have
11 the same powers with reference to such action as are vested in district attorneys.

12 ***-0450/1.1* SECTION 2897.** 165.10 of the statutes is created to read:

13 **165.10 Civil rights enforcement.** If any person, whether or not acting under
14 color of law, interferes with the exercise or enjoyment by any individual of a right
15 secured by the constitution or laws of the United States, or of a right secured by the
16 constitution or laws of this state, the attorney general may bring an action for
17 injunction or other appropriate equitable relief to protect the peaceable exercise or
18 enjoyment of the right secured.

19 ***-0444/P2.16* SECTION 2898.** 165.25 (11) of the statutes is created to read:

20 **165.25 (11) FALSE CLAIMS.** Diligently investigate possible violations of s. 20.931,
21 and, if the department determines that a person has committed an act that is
22 punishable under s. 20.931, may bring a civil action against that person.

23 ***-0449/2.4* SECTION 2899.** 165.72 (3) of the statutes is amended to read:

24 **165.72 (3) REWARD PAYMENT PROGRAM.** The department shall administer a
25 reward payment program. Under the program, the department may offer and pay

1 rewards from the appropriation under s. 20.455 (2) (e) (m) for information under sub.
2 (2) (a) leading to the arrest and conviction of a person for a violation of ch. 961.

3 ***-1261/5.748* *-1267/P1.255* SECTION 2900.** 165.85 (3) (cm) of the statutes
4 is amended to read:

5 165.85 (3) (cm) Decertify law enforcement, tribal law enforcement, jail or
6 secure detention officers who terminate employment or are terminated, who violate
7 or fail to comply with a rule or order of the board relating to curriculum or training,
8 who fail to pay court-ordered payments of child or family support, maintenance,
9 birth expenses, medical expenses or other expenses related to the support of a child
10 or former spouse or who fail to comply, after appropriate notice, with a subpoena or
11 warrant issued by the department of ~~workforce development~~ children and families
12 or a county child support agency under s. 59.53 (5) and related to paternity or child
13 support proceedings. The board shall establish procedures for decertification in
14 compliance with ch. 227, except that decertification for failure to pay court-ordered
15 payments of child or family support, maintenance, birth expenses, medical expenses
16 or other expenses related to the support of a child or former spouse or for failure to
17 comply, after appropriate notice, with a subpoena or warrant issued by the
18 department of ~~workforce development~~ children and families or a county child
19 support agency under s. 59.53 (5) and related to paternity or child support
20 proceedings shall be done as provided under sub. (3m) (a).

21 ***-1261/5.749* *-1267/P1.256* SECTION 2901.** 165.85 (3m) (a) of the statutes
22 is amended to read:

23 165.85 (3m) (a) As provided in a memorandum of understanding entered into
24 with the department of ~~workforce development~~ children and families under s.
25 49.857, refuse certification to an individual who applies for certification under this

1 section, refuse recertification to an individual certified under this section or decertify
2 an individual certified under this section if the individual fails to pay court-ordered
3 payments of child or family support, maintenance, birth expenses, medical expenses
4 or other expenses related to the support of a child or former spouse or if the individual
5 fails to comply, after appropriate notice, with a subpoena or warrant issued by the
6 department of workforce development children and families or a county child
7 support agency under s. 59.53 (5) and related to paternity or child support
8 proceedings.

9 ***-1261/5.750*-1267/P1.257* SECTION 2902.** 165.85 (3m) (b) 1. of the statutes
10 is amended to read:

11 165.85 (3m) (b) 1. Request that an individual provide the board with his or her
12 social security number when he or she applies for certification or recertification
13 under this section. Except as provided in subd. 2., if an individual who is requested
14 by the board to provide his or her social security number under this paragraph does
15 not comply with the board's request, the board shall deny the individual's application
16 for certification or recertification. The board may disclose a social security number
17 provided by an individual under this paragraph only to the department of workforce
18 development children and families as provided in a memorandum of understanding
19 entered into with the department of workforce development children and families
20 under s. 49.857.

21 ***-1261/5.751*-1267/P1.258* SECTION 2903.** 165.85 (3m) (b) 2. of the statutes
22 is amended to read:

23 165.85 (3m) (b) 2. As a condition of applying for certification or recertification,
24 an individual who does not have a social security number shall submit a statement
25 made or subscribed under oath or affirmation to the board that he or she does not

1 have a social security number. The form of the statement shall be prescribed by the
2 department of ~~workforce development~~ children and families. A certification or
3 recertification issued in reliance on a false statement submitted under this
4 subdivision is invalid.

5 ***-1471/2.20* SECTION 2904.** 166.03 (2) (a) 5. of the statutes is amended to read:

6 166.03 (2) (a) 5. Provide assistance to the Wisconsin wing of the civil air patrol
7 from the appropriation under s. 20.465 (3) (f) (y) for the purpose of enabling the patrol
8 to perform its assigned missions and duties as prescribed by U.S. air force
9 regulations. Expenses eligible for assistance are aircraft acquisition and
10 maintenance, communications equipment acquisition and maintenance and office
11 staffing and operational expenses. The civil air patrol shall submit vouchers for
12 expenses eligible for assistance to the division.

13 ***-1471/2.21* SECTION 2905.** 166.215 (1) of the statutes is amended to read:

14 166.215 (1) Beginning July 1, 2001, the division shall contract with no more
15 than 9 regional emergency response teams, one of which shall be located in La Crosse
16 County. Each regional emergency response team shall assist in the emergency
17 response to level A releases in a region of this state designated by the division. The
18 division shall contract with at least one regional emergency response team in each
19 area designated under s. 166.03 (2) (b) 1. The division may only contract with a local
20 agency, as defined in s. 166.22 (1) (c), under this subsection. A member of a regional
21 emergency response team shall meet the highest standards for a hazardous
22 materials responder in 29 CFR 1910.120 (q) (6) (iv) and National Fire Protection
23 Association standards NFPA 471 and 472. Regional emergency response teams shall
24 have at least one member that is trained in each of the appropriate specialty areas
25 under National Fire Protection Association standard NFPA 472. Payments to

1 regional emergency response teams under this subsection shall be made from the
2 appropriation account under s. 20.465 (3) (~~dd~~) (u).

3 ***-1471/2.22* SECTION 2906.** 166.215 (2) of the statutes is amended to read:

4 166.215 (2) The division shall reimburse a regional emergency response team
5 for costs incurred by the team in responding to an emergency involving a level A
6 release, or a potential level A release, if the team followed the procedures in the rules
7 promulgated under s. 166.20 (2) (bs) 1. to determine if an emergency requiring a
8 response existed. Reimbursement under this subsection is limited to amounts
9 collected under sub. (3) and the amounts appropriated under s. 20.465 (3) (~~dr~~) (x).
10 Reimbursement is available under s. 20.465 (3) (~~dr~~) (x) only if the regional emergency
11 response team has made a good faith effort to identify the person responsible under
12 sub. (3) and that person cannot be identified, or, if that person is identified, the team
13 has received reimbursement from that person to the extent that the person is
14 financially able or has determined that the person does not have adequate money or
15 other resources to reimburse the regional emergency response team.

16 ***-1471/2.23* SECTION 2907.** 166.22 (3m) of the statutes is amended to read:

17 166.22 (3m) The division shall reimburse a local emergency response team for
18 costs incurred by the team in responding to an emergency involving a hazardous
19 substance release, or potential release, if the team followed the procedures in the
20 rules promulgated under s. 166.20 (2) (bs) 2. to determine if an emergency requiring
21 the team's response existed. Reimbursement under this subsection is limited to the
22 amount appropriated under s. 20.465 (3) (~~dr~~) (x). Reimbursement is available under
23 s. 20.465 (3) (~~dr~~) (x) only if the local emergency response team has made a good faith
24 effort to identify the person responsible under sub. (4) and that person cannot be
25 identified, or, if that person is identified, the team has received reimbursement from

1 that person to the extent that the person is financially able or has determined that
2 the person does not have adequate money or other resources to reimburse the local
3 emergency response team.

4 ***-1261/5.752* *-1267/P1.259* SECTION 2908.** 169.34 (2) of the statutes is
5 amended to read:

6 169.34 (2) DISCLOSURE OF SOCIAL SECURITY NUMBERS. The department of natural
7 resources may not disclose any social security numbers received under sub. (1) to any
8 person except to the department of workforce development children and families for
9 the sole purpose of administering s. 49.22.

10 ***-1261/5.753* *-1267/P1.260* SECTION 2909.** 169.34 (3) (a) of the statutes is
11 amended to read:

12 169.34 (3) (a) As provided in the memorandum of understanding required
13 under s. 49.857 (2), the department of natural resources shall deny an application
14 to issue or renew, to suspend if already issued, or to otherwise withhold or restrict
15 a license issued under this chapter if the applicant for or the holder of the license is
16 delinquent in making court-ordered payments of child or family support,
17 maintenance, birth expenses, medical expenses, or other expenses related to the
18 support of a child or former spouse or if the applicant or holder fails to comply with
19 a subpoena or warrant issued by the department of workforce development children
20 and families or a county child support agency under s. 59.53 (5) and relating to
21 paternity or child support proceedings.

22 ***-1261/5.754* *-1267/P1.261* SECTION 2910.** 170.12 (3m) (a) 1m. of the
23 statutes is amended to read:

24 170.12 (3m) (a) 1m. If the applicant is an individual and does not have a social
25 security number, a statement made or subscribed under oath or affirmation that the

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1 applicant does not have a social security number. The form of the statement shall
2 be prescribed by the department of ~~workforce development~~ children and families. A
3 permit issued in reliance upon a false statement submitted under this subdivision
4 is invalid.

5 ***-1261/5.755* *-1267/P1.262* SECTION 2911.** 170.12 (3m) (b) 2. of the statutes
6 is amended to read:

7 170.12 (3m) (b) 2. The board may disclose information under par. (a) 1. or 2.
8 to the department of ~~workforce development~~ children and families in accordance
9 with a memorandum of understanding under s. 49.857.

10 ***-1261/5.756* *-1267/P1.263* SECTION 2912.** 170.12 (8) (b) 1. c. of the statutes
11 is amended to read:

12 170.12 (8) (b) 1. c. In the case of a permit holder who is an individual, the
13 applicant fails to provide his or her social security number, fails to comply, after
14 appropriate notice, with a subpoena or warrant that is issued by the department of
15 ~~workforce development~~ children and families or a county child support agency under
16 s. 59.53 (5) and that is related to paternity or child support proceedings or the
17 applicant is delinquent in making court-ordered payments of child or family
18 support, maintenance, birth expenses, medical expenses or other expenses related
19 to the support of a child or former spouse, as provided in a memorandum of
20 understanding entered into under s. 49.857. An applicant whose renewal
21 application is denied under this subd. 1. c. is entitled to a notice and hearing under
22 s. 49.857 but is not entitled to any other hearing under this section.

23 ***-1261/5.757* *-1267/P1.264* SECTION 2913.** 170.12 (8) (b) 2. of the statutes
24 is amended to read:

1 170.12 (8) (b) 2. The board shall restrict or suspend a permit issued under this
2 section if the board finds that, in the case of a permit holder who is an individual, the
3 permit holder fails to comply, after appropriate notice, with a subpoena or warrant
4 that is issued by the department of ~~workforce development~~ children and families or
5 a county child support agency under s. 59.53 (5) and that is related to paternity or
6 child support proceedings or the permit holder is delinquent in making
7 court-ordered payments of child or family support, maintenance, birth expenses,
8 medical expenses or other expenses related to the support of a child or former spouse,
9 as provided in a memorandum of understanding entered into under s. 49.857. A
10 permit holder whose permit is restricted or suspended under this subdivision is
11 entitled to a notice and hearing under s. 49.857 but is not entitled to any other
12 hearing under this section.

13 ***-1315/2.1*** SECTION 2914. 175.35 (2i) of the statutes is amended to read:

14 175.35 (2i) The department shall charge a firearms dealer ~~an \$8 a~~ \$30 fee for
15 each firearms restrictions record search that the firearms dealer requests under sub.
16 (2) (c). The firearms dealer may collect the fee from the transferee. The department
17 may refuse to conduct firearms restrictions record searches for any firearms dealer
18 who fails to pay any fee under this subsection within 30 days after billing by the
19 department.

20 ***-0200/2.2*** SECTION 2915. 175.40 (6m) (c) 4. of the statutes is created to read:

21 175.40 (6m) (c) 4. By no later than 30 days after the end of each calendar
22 quarter, the department of administration shall submit a report to the joint
23 committee on finance detailing all moneys expended or encumbered from the
24 appropriation account under s. 20.505 (2) (am) during that calendar quarter for costs
25 and judgments under subd. 1. or 2.