

1 sharing funds or private donations to the county that meet the requirements
2 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
3 match. If the county match is less than the amount required to generate the full
4 amount of state and federal funds distributed for this period, the decrease in the
5 amount of state and federal funds equals the difference between the required and the
6 actual amount of county matching funds.

7 *~~4187/3.22~~* SECTION 85. 46.495 (1) (dc) of the statutes is amended to read:

8 46.495 (1) (dc) The department shall prorate the amount allocated to any
9 county department under s. 46.215 or 46.22 under par. (d) to reflect actual federal
10 funds available and the amount from the appropriation under s. 20.435 (7) (bb)
11 available.

12 *~~4436/1.3~~* SECTION 86. 46.766 of the statutes is created to read:

13 **46.766 Food pantry grants.** (1) In this section:

14 (a) 1. "Nonprofit organization" means an organization described in section 501
15 (c) of the Internal Revenue Code.

16 2. "Rural" means outside a metropolitan statistical area specified under 42
17 CFR 412.62 (ii) (A) or within a metropolitan statistical area but isolated from an
18 urban center.

19 (b) From the appropriation under s. 20.435 (3) (fp), the department shall
20 provide annual grants, not to exceed \$15,000 per year per grant, to food pantries that
21 apply and qualify for the grants. Grants awarded under this section may be used for
22 any of the following purposes:

23 1. The purchase, storage, transportation, coordination or distribution of food
24 to needy households.

25 2. The administration of emergency food distribution.

1 3. The purchase of capital equipment.

2 4. Programs designed to increase food availability to needy households or
3 enhance food security.

4 5. Nutrition education and outreach.

5 6. Technical assistance related to food pantry management.

6 (c) No grant received under this section may be used to foster or advance
7 religious or political views.

8 **(2)** A food pantry qualifies for a grant under this section if the food pantry meets
9 all of the following conditions:

10 (a) The food pantry applies on an application developed by the department. The
11 application may not exceed one page.

12 (b) The food pantry is a nonprofit organization or is affiliated with a nonprofit
13 organization.

14 (c) The food pantry distributes food packages directly, without charge, to needy
15 households.

16 (d) The food pantry is open to the general public in its service area.

17 (e) The food pantry does not base food distribution on any criteria other than
18 need of the recipient, except to the extent necessary for the orderly and fair
19 distribution of food.

20 (f) The food pantry has a permanent address, regular hours of operation and
21 is open at least one day per month.

22 (g) The food pantry adheres to the United States department of agriculture food
23 safety and food storage standards.

24 **(3)** (a) The department shall allocate 25% of the total funds available for grants
25 under this section to be distributed, except as provided in sub. (1) (b), among rural

1 food pantries that apply and are eligible in proportion to the number of persons
2 served by each of those food pantries. Except as provided in sub. (2) (b), the
3 department shall distribute the remainder of the grants to all food pantries that
4 apply and are qualified in proportion to the number of persons served by each food
5 pantry.

6 (b) If any funds remain unallocated, the department shall distribute the
7 remaining funds to food pantries that have not received the maximum amount, in
8 proportion to the number of persons served by each of those food pantries, but not
9 to exceed \$15,000.

10 (c) The department may not use more than 5% of the total amount available
11 under the appropriation under s. 20.435 (3) (fp) for administration of the grant
12 program under this section.

13 (4) A food pantry that receives a grant under this section shall, not later than
14 60 days after the end of the grant period, submit a report, not longer than 3 pages,
15 to the department in the manner prescribed by the department by rule, that
16 describes how the grant money was used by the food pantry. The department shall
17 compile the reports and submit the compiled reports to the legislature under s.
18 13.172 (2).

19 ***-4187/3.23* SECTION 87.** 46.87 (2) of the statutes is amended to read:

20 46.87 (2) From the appropriations under s. 20.435 (7) (b), (ba), (bb), (kw) and
21 (o), the department shall allocate funds to agencies designated under sub. (3) (c), to
22 be used for the administration and implementation of an Alzheimer's family and
23 caregiver support program for persons with Alzheimer's disease and their
24 caregivers.

25 ***-4187/3.24* SECTION 88.** 46.985 (7) (a) of the statutes is amended to read:

1 46.985 (7) (a) From the appropriations under s. 20.435 (7) (b), (ba), (bb), (kw)
2 and (o), the department shall allocate to county departments funds for the
3 administration and implementation of the program.

4 ***-4424/2.29* *-3266/P1.19* SECTION 89.** 47.03 (3) (d) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 47.03 (3) (d) Any person who violates this subsection shall be fined not more
7 than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

8 ***-4424/2.30* *-0590/P5.1* SECTION 90.** 48.355 (2d) (b) 3. of the statutes is
9 amended to read:

10 48.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),
11 1997 stats., a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or
12 (2), 948.025 or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or
13 federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225
14 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state,
15 and that the violation resulted in great bodily harm, as defined in s. 939.22 (14), or
16 in substantial bodily harm, as defined in s. 939.22 (38), to the child or another child
17 of the parent.

18 ***-4424/2.31* *-0590/P5.2* SECTION 91.** 48.415 (9m) (b) 2. of the statutes is
19 amended to read:

20 48.415 (9m) (b) 2. The commission of a violation of s. 940.19 (3), 1997 stats.,
21 a violation of s. 940.19 (2), ~~(3)~~, (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,
22 948.03 (2) (a) or (3) (a), 948.05, 948.06 or 948.08 or a violation of the law of any other
23 state or federal law, if that violation would be a violation of s. 940.19 (2), ~~(3)~~, (4) or
24 (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (3) (a), 948.05, 948.06
25 or 948.08 if committed in this state.

1 *~~4424/2.32~~* *~~0590/P5.3~~* SECTION 92. 48.417 (1) (d) of the statutes is
2 amended to read:

3 48.417 (1) (d) A court of competent jurisdiction has found that the parent has
4 committed a violation of s. 940.19 (3), 1997 stats., a violation of s. 940.19 (2), (~~3~~), (4)
5 or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a) or a
6 violation of the law of any other state or federal law, if that violation would be a
7 violation of s. 940.19 (2), (~~3~~), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or
8 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted in
9 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as
10 defined in s. 939.22 (38), to the child or another child of the parent.

11 *~~4424/2.33~~* *~~0590/P5.4~~* SECTION 93. 48.57 (3p) (g) 2. of the statutes is
12 amended to read:

13 48.57 (3p) (g) 2. The person has had imposed on him or her a penalty specified
14 in s. 939.64, 1997 stats., or s. ~~939.641~~, 1997 stats., or s. 939.62, 939.621, 939.63,
15 ~~939.64, 939.641~~ or 939.645 or has been convicted of a violation of the law of any other
16 state or federal law under circumstances under which the person would be subject
17 to a penalty specified in any of those sections if convicted in this state.

18 *~~4424/2.34~~* *~~0590/P5.5~~* SECTION 94. 48.685 (5) (bm) 2. of the statutes is
19 amended to read:

20 48.685 (5) (bm) 2. A violation of s. 940.19 (3), 1997 stats., or of s. 940.19 (2), (~~3~~),
21 (4), (5) or (6) or 940.20 (1) or (1m), if the victim is the spouse of the person.

22 *~~4424/2.35~~* *~~0590/P5.6~~* SECTION 95. 48.685 (5) (bm) 3. of the statutes is
23 amended to read:

1 48.685 (5) (bm) 3. A violation of s. 943.23 (1m) or (1r), 1997 stats., or of s. 940.01,
2 940.02, 940.03, 940.05, 940.06, 940.21, 940.225 (1), (2) or (3), 940.23, 940.305, 940.31,
3 941.20 (2) or (3), 941.21, 943.10 (2), 943.23 (1g), ~~(1m) or (1r)~~ or 943.32 (2).

4 *~~4424/2.36~~* *~~0590/P5.7~~* SECTION 96. 48.685 (5) (bm) 4. of the statutes is
5 amended to read:

6 48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1997 stats., or of s. 940.19 (2), (3),
7 (4), (5) or (6), 940.20, 940.203, 940.205 or 940.207 or an offense under ch. 961 that
8 is a felony, if committed not more than 5 years before the date of the investigation
9 under sub. (2) (am).

10 *~~4424/2.37~~* *~~3266/P1.20~~* SECTION 97. 49.127 (8) (a) 2. of the statutes, as
11 affected by 1997 Wisconsin Act 283, is amended to read:

12 49.127 (8) (a) 2. If the value of the food coupons exceeds \$100, but is less than
13 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~
14 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class I felony.

15 *~~4424/2.38~~* *~~3266/P1.21~~* SECTION 98. 49.127 (8) (b) 2. of the statutes, as
16 affected by 1997 Wisconsin Act 283, is amended to read:

17 49.127 (8) (b) 2. If the value of the food coupons exceeds \$100, but is less than
18 \$5,000, a person who violates this section ~~may be fined not more than \$10,000 or~~
19 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
20 felony.

21 *~~4424/2.39~~* *~~3266/P1.22~~* SECTION 99. 49.127 (8) (c) of the statutes, as
22 affected by 1997 Wisconsin Act 283, is amended to read:

23 49.127 (8) (c) For any offense under this section, if the value of the food coupons
24 is \$5,000 or more, a person who violates this section ~~may be fined not more than~~
25 ~~\$250,000 or imprisoned for not more than 30 years or both~~ is guilty of a Class G felony.

1 *~~4424/2.40~~* *~~3266/P1.23~~* SECTION 100. 49.141 (7) (a) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

3 49.141 (7) (a) A person who is convicted of violating sub. (6) in connection with
4 the furnishing by that person of items or services for which payment is or may be
5 made under Wisconsin works ~~may be fined not more than \$25,000 or imprisoned for~~
6 ~~not more than 7 years and 6 months or both~~ is guilty of a Class H felony.

7 *~~4424/2.41~~* *~~3266/P1.24~~* SECTION 101. 49.141 (7) (b) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

9 49.141 (7) (b) A person, other than a person under par. (a), who is convicted of
10 violating sub. (6) may be fined not more than \$10,000 or imprisoned for not more than
11 2 years 9 months or both.

12 *~~4424/2.42~~* *~~3266/P1.25~~* SECTION 102. 49.141 (9) (a) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 49.141 (9) (a) Whoever solicits or receives any remuneration in cash or in-kind,
15 in return for referring an individual to a person for the furnishing or arranging for
16 the furnishing of any item or service for which payment may be made in whole or in
17 part under Wisconsin works, or in return for purchasing, leasing, ordering, or
18 arranging for or recommending purchasing, leasing, or ordering any good, facility,
19 service, or item for which payment may be made in whole or in part under Wisconsin
20 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine
21 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 or
22 ~~imprisoned for not more than 7 years and 6 months or both.~~

23 *~~4424/2.43~~* *~~3266/P1.26~~* SECTION 103. 49.141 (9) (b) of the statutes, as
24 affected by 1997 Wisconsin Act 283, is amended to read:

1 49.141 (9) (b) Whoever offers or pays any remuneration in cash or in-kind to
2 any person to induce the person to refer an individual to a person for the furnishing
3 or arranging for the furnishing of any item or service for which payment may be made
4 in whole or in part under Wisconsin works, or to purchase, lease, order, or arrange
5 for or recommend purchasing, leasing, or ordering any good, facility, service or item
6 for which payment may be made in whole or in part under any provision of Wisconsin
7 works, is guilty of a Class H felony, except that, notwithstanding the maximum fine
8 specified in s. 939.50 (3) (h), the person may be fined not more than \$25,000 ~~or~~
9 ~~imprisoned for not more than 7 years and 6 months or both.~~

10 *~~4424/2.44~~* *~~3266/P1.27~~* SECTION 104. 49.141 (10) (b) of the statutes, as
11 affected by 1997 Wisconsin Act 283, is amended to read:

12 49.141 (10) (b) A person who violates this subsection is guilty of a Class H
13 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),
14 the person may be fined not more than \$25,000 ~~or imprisoned for not more than 7~~
15 ~~years and 6 months or both.~~

16 *~~4187/3.25~~* SECTION 105. 49.45 (6m) (br) 1. of the statutes, as affected by
17 1999 Wisconsin Act 9, is amended to read:

18 49.45 (6m) (br) 1. Notwithstanding s. 20.410 (3) (cd), (ce) or (cf), 20.435 (4) (bt)
19 or (7) (b), (ba) or (bb) or 20.445 (3) (dz), the department shall reduce allocations of
20 funds to counties in the amount of the disallowance from the appropriation account
21 under s. 20.435 (4) (bt) or (7) (b), (ba) or (bb), or the department shall direct the
22 department of workforce development to reduce allocations of funds to counties or
23 Wisconsin works agencies in the amount of the disallowance from the appropriation
24 account under s. 20.445 (3) (dz) or direct the department of corrections to reduce
25 allocations of funds to counties in the amount of the disallowance from the

1 appropriation account under s. 20.410 (3) (cd), (ce) or (cf), in accordance with s. 16.544
2 to the extent applicable.

3 *~~4424/2.45~~* *~~3266/P1.28~~* SECTION 106. 49.49 (1) (b) 1. of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 49.49 (1) (b) 1. In the case of such a statement, representation, concealment,
6 failure, or conversion by any person in connection with the furnishing by that person
7 of items or services for which medical assistance is or may be made, a person
8 ~~convicted of violating this subsection is guilty of a Class H felony, except that,~~
9 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be
10 fined not more than \$25,000 ~~or imprisoned for not more than 7 years and 6 months~~
11 ~~or both.~~

12 *~~4424/2.46~~* *~~3266/P1.29~~* SECTION 107. 49.49 (2) (a) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 49.49 (2) (a) *Solicitation or receipt of remuneration.* Any person who solicits
15 or receives any remuneration, including any kickback, bribe, or rebate, directly or
16 indirectly, overtly or covertly, in cash or in kind, in return for referring an individual
17 to a person for the furnishing or arranging for the furnishing of any item or service
18 for which payment may be made in whole or in part under a medical assistance
19 program, or in return for purchasing, leasing, ordering, or arranging for or
20 recommending purchasing, leasing, or ordering any good, facility, service, or item for
21 which payment may be made in whole or in part under a medical assistance program,
22 is guilty of a Class H felony, except that, notwithstanding the maximum fine specified
23 in s. 939.50 (3) (h), the person may be fined not more than \$25,000 ~~or imprisoned for~~
24 ~~not more than 7 years and 6 months or both.~~

1 *~~4424/2.47~~* *~~3266/P1.30~~* **SECTION 108.** 49.49 (2) (b) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

3 49.49 (2) (b) *Offer or payment of remuneration.* Whoever offers or pays any
4 remuneration including any kickback, bribe, or rebate directly or indirectly, overtly
5 or covertly, in cash or in kind to any person to induce such person to refer an
6 individual to a person for the furnishing or arranging for the furnishing of any item
7 or service for which payment may be made in whole or in part under a medical
8 assistance program, or to purchase, lease, order, or arrange for or recommend
9 purchasing, leasing, or ordering any good, facility, service or item for which payment
10 may be made in whole or in part under a medical assistance program, is guilty of a
11 Class H felony, except that, notwithstanding the maximum fine specified in s. 939.50
12 (3) (h), the person may be fined not more than \$25,000 or imprisoned for not more
13 than 7 years and 6 months or both.

14 *~~4424/2.48~~* *~~3266/P1.31~~* **SECTION 109.** 49.49 (3) of the statutes, as affected
15 by 1997 Wisconsin Act 283, is amended to read:

16 49.49 (3) **FRAUDULENT CERTIFICATION OF FACILITIES.** No person may knowingly
17 and wilfully make or cause to be made, or induce or seek to induce the making of, any
18 false statement or representation of a material fact with respect to the conditions or
19 operation of any institution or facility in order that such institution or facility may
20 qualify either upon initial certification or upon recertification as a hospital, skilled
21 nursing facility, intermediate care facility, or home health agency. ~~Violators of A~~
22 person who violates this subsection is guilty of a Class H felony, except that,
23 notwithstanding the maximum fine specified in s. 939.50 (3) (h), the person may be
24 fined not more than \$25,000 or imprisoned for not more than 7 years and 6 months
25 or both.

1 *~~4424/2.49~~* *~~3266/P1.32~~* SECTION 110. 49.49 (3m) (b) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

3 49.49 (3m) (b) A person who violates this subsection is guilty of a Class H
4 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),
5 the person may be fined not more than \$25,000 or imprisoned for not more than 7
6 years and 6 months or both.

7 *~~4424/2.50~~* *~~3266/P1.33~~* SECTION 111. 49.49 (4) (b) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

9 49.49 (4) (b) A person who violates this subsection is guilty of a Class H felony,
10 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the
11 person may be fined not more than \$25,000 or imprisoned for not more than 7 years
12 and 6 months or both.

13 *~~4422/2.3~~* SECTION 112. 49.688 of the statutes is created to read:

14 **49.688 Prescription drug assistance for elderly persons.** (1) In this
15 section:

16 (a) "Brand name" has the meaning given in s. 450.12 (1) (a).

17 (b) "Generic name" has the meaning given in s. 450.12 (1) (b).

18 (c) "Gross income" means all income, from whatever source derived and in
19 whatever form realized, whether in money, property or services.

20 (d) "Prescription drug" has the meaning given in s. 450.01 (20).

21 (2) From the appropriations under s. 20.435 (4) (bv) and (j), beginning April 1,
22 2001, the department shall reimburse pharmacists for the provision of up to \$10,000
23 per year of prescription drugs that correspond to those prescription drugs for which
24 reimbursement is made under s. 49.46 (2) (b) 6. h. and for which the manufacturer
25 has entered into a rebate agreement with the department under sub. (5), to a person

1 who meets criteria for eligibility under sub. (3). The department is the payer of last
2 resort for coverage for prescription drugs under this subsection. The payment rate
3 for provider reimbursement shall be the allowable charges paid under s. 49.46 (2) (b)
4 6. h. for prescription drugs. The department shall maintain, or contract for the
5 maintenance of, a toll-free telephone number at department headquarters to
6 provide information about participation in the program under this subsection.

7 (3) (a) An individual is eligible for participation in the program under sub. (2)
8 if the individual meets all of the following requirements:

9 1. The individual is at least 65 years of age, is a resident, as defined in s. 27.01
10 (10) (a), of this state and is ineligible for medical assistance under s. 49.46, 49.465,
11 49.468 or 49.47.

12 2. If single, the individual's gross income does not exceed \$50,000 or, if married,
13 the couple's gross income does not exceed \$75,000. These limitations shall be
14 annually adjusted as specified in sub. (4).

15 (b) Program participants shall pay all of the following:

16 1. Twenty-five percent of the allowable charge paid under s. 49.46 (2) (b) 6. h.
17 for each prescription drug provided under the program.

18 2. A copayment of \$5 for each prescription drug provided under the program
19 that bears only a generic name.

20 3. A copayment of \$10 for each prescription drug provided under the program
21 that bears a brand name.

22 (c) No program participant may be required to demonstrate that he or she has
23 no disability insurance policy, as defined in s. 632.895 (1) (a).

24 (4) Beginning by January 1, 2002, the department shall annually by January
25 1 increase the dollar amounts specified under sub. (3) (a) 2. by a percentage equal to

1 the percentage change between the U.S. consumer price index for all urban
2 consumers, U.S. city average, for the month of December of the previous year and the
3 U.S. consumer price index for all urban consumers, U.S. city average, for the month
4 of December of the year before the previous year, as determined by the federal
5 department of labor.

6 (5) A drug manufacturer that sells drugs for prescribed use in this state shall,
7 as a condition of inclusion of those drugs in the program under this section, enter
8 with the department into a rebate agreement that is modeled on the rebate
9 agreement specified under 42 USC 1396r-8. The rebate agreement shall include all
10 of the following as requirements:

11 (a) That the manufacturer shall make rebate payments to the department each
12 calendar quarter or according to a schedule established by the department.

13 (b) That the amount of the rebate payment shall be determined by the method
14 specified in 42 USC 1396r-8 (c).

15 *~~4424/2.51~~ *~~-3266/P1.34~~ **SECTION 113.** 49.95 (1) of the statutes, as affected
16 by 1997 Wisconsin Act 283, is renumbered 49.95 (1) (intro.) and amended to read:

17 49.95 (1) (intro.) Any person who, with intent to secure public assistance under
18 this chapter, whether for himself or herself or for some other person, wilfully makes
19 any false representations ~~may, if~~ is subject to the following penalties:

20 (a) If the value of the assistance so secured does not exceed \$300, the person
21 may be required to forfeit not more than \$1,000; ~~if.~~

22 (b) If the value of the assistance exceeds \$300 but does not exceed \$1,000, the
23 person may be fined not more than \$250 or imprisoned for not more than 6 months
24 or both; ~~if.~~

1 (c) ~~If the value of the assistance exceeds \$1,000 but does not exceed \$2,500,~~
2 ~~\$2,000, the person may be fined not more than \$500 \$10,000 or imprisoned for not~~
3 ~~more than 7 years and 6 9 months or both; and if,~~

4 (d) ~~If the value of the assistance exceeds \$2,500, be punished as prescribed~~
5 ~~under s. 943.20 (3) (e) \$2,000 but does not exceed \$5,000, the person is guilty of a~~
6 ~~Class I felony.~~

7 *~~4424/2.52~~* **SECTION 114.** 49.95 (1) (e) and (f) of the statutes are created to
8 read:

9 49.95 (1) (e) If the value of the assistance exceeds \$5,000 but does not exceed
10 \$10,000, the person is guilty of a Class H felony.

11 (f) If the value of the assistance exceeds \$10,000, the person is guilty of a Class
12 G felony.

13 *~~4424/2.53~~* *~~3266/P1.35~~* **SECTION 115.** 51.15 (12) of the statutes, as
14 affected by 1997 Wisconsin Act 283, is amended to read:

15 51.15 (12) PENALTY. Whoever signs a statement under sub. (4), (5) or (10)
16 knowing the information contained therein to be false ~~may be fined not more than~~
17 ~~\$5,000 or imprisoned for not more than 7 years and 6 months or both is guilty of a~~
18 ~~Class H felony.~~

19 *~~4187/3.26~~* **SECTION 116.** 51.423 (1) of the statutes is amended to read:

20 51.423 (1) The department shall fund, within the limits of the department's
21 allocation for mental health services under s. 20.435 (3) (o) and (7) (b), (ba), (bb), (kw)
22 and (o) and subject to this section, services for mental illness, developmental
23 disability, alcoholism and drug abuse to meet standards of service quality and
24 accessibility. The department's primary responsibility is to guarantee that county
25 departments established under either s. 51.42 or 51.437 receive a reasonably

1 uniform minimum level of funding and its secondary responsibility is to fund
2 programs which meet exceptional community needs or provide specialized or
3 innovative services. Moneys appropriated under s. 20.435 (7) (b), (ba) and (bb) and
4 earmarked by the department for mental health services under s. 20.435 (7) (o) shall
5 be allocated by the department to county departments under s. 51.42 or 51.437 in the
6 manner set forth in this section.

7 *~~4187/3.27~~* SECTION 117. 51.423 (2) of the statutes, as affected by 1999
8 Wisconsin Act 9, is amended to read:

9 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (ba), (bb),
10 (kw) and (o), the department shall distribute the funding for services provided or
11 purchased by county departments under s. 46.23, 51.42 or 51.437 to such county
12 departments as provided under s. 46.40. County matching funds are required for the
13 distributions under s. 46.40 (2) and (9) (b). Each county's required match for the
14 distributions under s. 46.40 (2) for a year equals 9.89% of the total of the county's
15 distributions under s. 46.40 (2) for that year for which matching funds are required
16 plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for
17 juvenile delinquency-related services from its distribution for 1987. Each county's
18 required match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of
19 that county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching
20 funds may be from county tax levies, federal and state revenue sharing funds or
21 private donations to the counties that meet the requirements specified in sub. (5).
22 Private donations may not exceed 25% of the total county match. If the county match
23 is less than the amount required to generate the full amount of state and federal
24 funds distributed for this period, the decrease in the amount of state and federal

1 funds equals the difference between the required and the actual amount of county
2 matching funds.

3 ***-4187/3.28* SECTION 118.** 51.423 (4) of the statutes is amended to read:

4 51.423 (4) The department shall prorate the amount allocated to any county
5 department under sub. (2) to reflect actual federal funds available and the amount
6 from the appropriation under s. 20.435 (7) (bb) available.

7 ***-4187/3.29* SECTION 119.** 51.423 (9) of the statutes is amended to read:

8 51.423 (9) If the funds appropriated under s. 20.435 (7) (b), (ba) and (bb) for any
9 fiscal year are insufficient to provide county departments with the sums calculated
10 under subs. (1) to (7), the appropriation shall be allocated among county departments
11 in proportion to the sums they would receive under subs. (1) to (7).

12 ***-4424/2.54* *-3266/P1.36* SECTION 120.** 55.06 (11) (am) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 55.06 (11) (am) Whoever signs a statement under par. (a) knowing the
15 information contained therein to be false ~~may be fined not more than \$5,000 or~~
16 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
17 felony.

18 ***-4421/1.3* SECTION 121.** 59.25 (3) (rm) of the statutes is created to read:

19 59.25 (3) (rm) If the treasurer's county receives national forest income,
20 distribute the income to the towns in the county in which national forest lands are
21 situated, with each town to receive such proportion of the income as the area of
22 national forest lands in the town bears to the area of the national forest lands in the
23 entire county. Fifty percent of the amount received by any town shall be expended
24 by the town exclusively for the benefit of roads therein.

25 ***-4441/1.3* SECTION 122.** 60.23 (24) of the statutes is amended to read:

1 60.23 (24) CABLE TELEVISION. Enact and enforce an ordinance, and provide
2 forfeitures for a violation of that ordinance, that is similar to s. ~~100.209~~ 134.42, or
3 that gives a cable service subscriber greater rights than the rights under s. ~~100.209~~
4 134.42 (2).

5 *~~4445/1.3~~* SECTION 123. 60.23 (25) of the statutes is amended to read:

6 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
7 officers and employes on a self-insured basis if the self-insured plan complies with
8 ss. 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85,
9 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) and (11) to ~~(13)~~ (14) and 632.896.

10 *~~4445/1.4~~* SECTION 124. 66.184 of the statutes, as affected by 1999 Wisconsin
11 Act 9, is amended to read:

12 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
13 village provides health care benefits under its home rule power, or if a town provides
14 health care benefits, to its officers and employes on a self-insured basis, the
15 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
16 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
17 632.895 (9) to ~~(13)~~ (14), 632.896 and 767.25 (4m) (d).

18 *~~4424/2.55~~* *~~3266/P1.37~~* SECTION 125. 66.4025 (1) (b) of the statutes, as
19 affected by 1997 Wisconsin Act 283, is amended to read:

20 66.4025 (1) (b) Any person who secures or assists in securing dwelling
21 accommodations under s. 66.402 by intentionally making false representations in
22 order to receive at least \$2,500 but not more than \$25,000 in financial assistance for
23 which the person would not otherwise be entitled ~~shall be fined not more than~~
24 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I felony.

1 *~~4424/2.56~~* *~~3266/P1.38~~* **SECTION 126.** 66.4025 (1) (c) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

3 66.4025 (1) (c) Any person who secures or assists in securing dwelling
4 accommodations under s. 66.402 by intentionally making false representations in
5 order to receive more than \$25,000 in financial assistance for which the person would
6 not otherwise be entitled ~~shall be fined not more than \$10,000 or imprisoned for not~~
7 ~~more than 7 years and 6 months or both~~ is guilty of a Class H felony.

8 *~~4424/2.57~~* *~~3266/P1.39~~* **SECTION 127.** 69.24 (1) (intro.) of the statutes, as
9 affected by 1997 Wisconsin Act 283, is amended to read:

10 69.24 (1) (intro.) Any person who does any of the following ~~shall be fined not~~
11 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class
12 I felony:

13 *~~4424/2.58~~* *~~3266/P1.40~~* **SECTION 128.** 70.47 (18) (a) of the statutes, as
14 affected by 1997 Wisconsin Act 283, is amended to read:

15 70.47 (18) (a) Whoever with intent to injure or defraud alters, damages,
16 removes or conceals any of the items specified under subs. (8) (f) and (17) ~~may be fined~~
17 ~~not more than \$1,000 or imprisoned for not more than 3 years or both~~ is guilty of a
18 Class I felony.

19 *~~4430/1.1~~* **SECTION 129.** 71.07 (9) (b) 4. of the statutes, as created by 1999
20 Wisconsin Act 10, is amended to read:

21 71.07 (9) (b) 4. For taxable years beginning after December 31, 1998 and before
22 January 1, 2000, subject to the limitations under this subsection a claimant may
23 claim as a credit against, but not to exceed the amount of, taxes under s. 71.02, 8.4%
24 of the first \$0 of property taxes or rent constituting property taxes, or 8.4% of the first

1 \$0 of property taxes or rent constituting property taxes of a married person filing
2 separately.

3 *~~4424/2.59~~* *~~3266/P1.41~~* SECTION 130. 71.83 (2) (b) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 71.83 (2) (b) *Felony*. 1. 'False income tax return; fraud.' Any person, other than
6 a corporation or limited liability company, who renders a false or fraudulent income
7 tax return with intent to defeat or evade any assessment required by this chapter
8 shall be is guilty of a Class H felony and may be ~~fin~~~~ed not more than \$10,000 or~~
9 ~~imprisoned for not more than 7 years and 6 months or both, together with assessed~~
10 the cost of prosecution. In this subdivision, "return" includes a separate return filed
11 by a spouse with respect to a taxable year for which a joint return is filed under s.
12 71.03 (2) (g) to (L) after the filing of that separate return, and a joint return filed by
13 the spouses with respect to a taxable year for which a separate return is filed under
14 s. 71.03 (2) (m) after the filing of that joint return.

15 2. 'Officer of a corporation; false franchise or income tax return.' Any officer
16 of a corporation or manager of a limited liability company required by law to make,
17 render, sign or verify any franchise or income tax return, who makes any false or
18 fraudulent franchise or income tax return, with intent to defeat or evade any
19 assessment required by this chapter shall be is guilty of a Class H felony and may
20 be ~~fin~~~~ed not more than \$10,000 or imprisoned for not more than 7 years and 6 months~~
21 ~~or both, together with assessed~~ the cost of prosecution.

22 3. 'Evasion.' Any person who removes, deposits or conceals or aids in removing,
23 depositing or concealing any property upon which a levy is authorized with intent
24 to evade or defeat the assessment or collection of any tax administered by the
25 department is guilty of a Class I felony and may be ~~fin~~~~ed not more than \$5,000 or~~

1 imprisoned for not more than 4 years and 6 months or both, together with ~~assessed~~
2 the ~~costs~~ cost of prosecution.

3 4. 'Fraudulent claim for credit.' ~~The A~~ A claimant who ~~filed~~ files a claim for credit
4 under s. 71.07, 71.28 or 71.47 or subch. VIII or IX that is false or excessive and was
5 filed with fraudulent intent and any person who ~~assisted, with fraudulent intent,~~
6 assists in the preparation or filing of the false or excessive claim or supplied
7 information upon which the false or excessive claim was prepared, ~~with fraudulent~~
8 intent, is guilty of a Class H felony and may be ~~fined not more than \$10,000 or~~
9 imprisoned for not more than 7 years and 6 months or both, together with assessed
10 the cost of prosecution.

11 ***-4187/3.30* SECTION 131.** 79.01 (1) of the statutes, as affected by 1999
12 Wisconsin Act 9, is amended to read:

13 79.01 (1) There is established an account in the general fund entitled the
14 "Expenditure Restraint Program Account". There shall be appropriated to that
15 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994, \$48,000,000
16 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in the year 2000
17 and in each year thereafter. Beginning in 2001, the amount appropriated under this
18 subsection is equal to the amount appropriated under this subsection in the previous
19 year, adjusted by a percentage that is equal to the percentage change between the
20 U.S. consumer price index for all urban consumers, U.S. city average, for the
21 12-month period ending on June 30 of the previous year and the U.S. consumer price
22 index for all urban consumers, U.S. city average, for the 12-month period ending on
23 June 30 of the year before the previous year, as determined by the federal
24 department of labor. Beginning in 2001, the amount appropriated under this
25 subsection shall be rounded to the nearest multiple of \$100.

1 *~~4187/3.31~~* SECTION 132. 79.03 (3c) (f) of the statutes, as affected by 1999
2 Wisconsin Act 9, is amended to read:

3 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
4 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
5 paid to each eligible municipality shall be paid on a prorated basis. The total amount
6 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
7 in 1996 and ending in 1999 and \$11,000,000 in the year 2000 and ~~in each year~~
8 thereafter. Beginning in 2001, the amount to be distributed under this subsection
9 from s. 20.835 (1) (b) is equal to the amount distributed under this subsection in the
10 previous year, adjusted by a percentage that is equal to the percentage change
11 between the U.S. consumer price index for all urban consumers, U.S. city average,
12 for the 12-month period ending on June 30 of the previous year and the U.S.
13 consumer price index for all urban consumers, U.S. city average, for the 12-month
14 period ending on June 30 of the year before the previous year, as determined by the
15 federal department of labor. Beginning in 2001, the amount to be distributed under
16 this subsection from s. 20.835 (1) (b) shall be rounded to the nearest multiple of \$100.

17 *~~4187/3.32~~* SECTION 133. 79.03 (4) of the statutes is amended to read:

18 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04 and
19 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
20 distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
21 In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.
22 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
23 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
24 municipalities and \$168,981,800 to counties. In 1995 and subsequent years, the
25 total amounts to be distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1)

1 (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. Beginning in
2 2001, the amounts to be distributed to municipalities and counties under ss. 79.03,
3 79.04 and 79.06 from s. 20.835 (1) (d) are equal to the amounts distributed to
4 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) in
5 the previous year, adjusted by a percentage that is equal to the percentage change
6 between the U.S. consumer price index for all urban consumers, U.S. city average,
7 for the 12-month period ending on June 30 of the previous year and the U.S.
8 consumer price index for all urban consumers, U.S. city average, for the 12-month
9 period ending on June 30 of the year before the previous year, as determined by the
10 federal department of labor. Beginning in 2001, the amounts to be distributed to
11 municipalities and counties under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d)
12 shall be rounded to the nearest multiple of \$100.

13 *~~4187/3.33~~* SECTION 134. 79.058 (3) (c) of the statutes, as created by 1999
14 Wisconsin Act 9, is amended to read:

15 79.058 (3) (c) In the year 2000 and subsequent years, \$20,763,800.

16 *~~4187/3.34~~* SECTION 135. 79.058 (3) (d) of the statutes is created to read:

17 79.058 (3) (d) In 2001 and subsequent years, an amount that is equal to the
18 amount distributed under sub. (1) from s. 20.835 (1) (f) in the previous year, adjusted
19 by a percentage that is equal to the percentage change between the U.S. consumer
20 price index for all urban consumers, U.S. city average, for the 12-month period
21 ending on June 30 of the previous year and the U.S. consumer price index for all
22 urban consumers, U.S. city average, for the 12-month period ending on June 30 of
23 the year before the previous year, as determined by the federal department of labor.
24 Beginning in 2001, the amount to be distributed under sub. (1) from s. 20.835 (1) (f)
25 shall be rounded to the nearest multiple of \$100.

1 *~~4424/2.60~~* *~~3266/P1.42~~* SECTION 136. 86.192 (4) of the statutes is
2 amended to read:

3 86.192 (4) Any person who violates this section ~~shall be fined not more than~~
4 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony
5 if the injury, defacement or removal causes the death of a person.

6 *~~4424/2.61~~* *~~3266/P1.43~~* SECTION 137. 97.43 (4) of the statutes, as affected
7 by 1997 Wisconsin Act 283, is amended to read:

8 97.43 (4) Whoever violates this section ~~may be fined not less than \$500 nor~~
9 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
10 guilty of a Class H felony.

11 *~~4424/2.62~~* *~~3266/P1.44~~* SECTION 138. 97.45 (2) of the statutes, as affected
12 by 1997 Wisconsin Act 283, is amended to read:

13 97.45 (2) Whoever violates this section ~~may be fined not less than \$500 nor~~
14 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is
15 guilty of a Class H felony.

as affected by 1999 Wisconsin Act ... (this act),

16 *~~4441/1.4~~* SECTION 139. 100.171 of the statutes ^{is}renumbered 134.74, and
17 134.74 (7) (b) and (8) (intro.), as renumbered, are amended to read:

18 134.74 (7) (b) Whoever intentionally violates this section ~~may be fined not more~~
19 ~~than \$10,000 or imprisoned for not more than 3 years or both.~~ is guilty of a Class E felony ← plain text
20 violates this section if the violation occurs after the department of justice or a district
21 attorney has notified the person by certified mail that the person is in violation of this
22 section.

23 (8) ENFORCEMENT. (intro.) The department of justice shall investigate
24 violations of this section. The department of justice or any district attorney may on
25 behalf of the state:

SECTION 140

1 *~~4424/2.63~~* *~~3266/P1.45~~* **SECTION 140.** 100.171 (7) (b) of the statutes is
2 amended to read:

3 100.171 (7) (b) Whoever intentionally violates this section ~~may be fined not~~
4 ~~more than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class
5 I felony. A person intentionally violates this section if the violation occurs after the
6 department or a district attorney has notified the person by certified mail that the
7 person is in violation of this section.

8 *~~4441/1.5~~* **SECTION 141.** 100.173 of the statutes is renumbered 134.22, and
9 134.22 (4) (intro.) and (a), as renumbered, are amended to read:

10 134.22 (4) (intro.) The department of justice shall investigate violations of this
11 section. The department of justice, or any district attorney upon informing the
12 department, may, on behalf of the state, do any of the following:

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

20 *~~4441/1.6~~* **SECTION 142.** 100.174 of the statutes is renumbered 134.83, and
21 134.83 (5) (intro.) and (6), as renumbered, are amended to read:

22 134.83 (5) (intro.) The department of justice or any district attorney may on
23 behalf of the state:

1 (6) The department of justice and the department of agriculture, trade and
2 consumer protection shall investigate cooperate in the investigation of violations of
3 and enforce in the enforcement of this section.

4 *~~4441/1.7~~* **SECTION 143.** 100.175 of the statutes is renumbered 134.68, and
5 134.68 (5) (a) (intro.) and (b) and (7) (a) (intro.) and (b), as amended, are amended to
6 read:

7 134.68 (5) (a) (intro.) No person may collect or by contract require a buyer to
8 pay more than \$100 for dating services before the buyer receives or has the
9 opportunity to receive those services unless the person selling dating services
10 establishes proof of financial responsibility by maintaining any of the following
11 commitments approved by the department of justice in an amount not less than
12 \$25,000:

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

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

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

1 *~~4441/1.8~~* **SECTION 144.** 100.177 of the statutes is renumbered 134.70, and
2 134.70 (13) (b) 1. (intro.), 2. and 3. and (15) (a) (intro.) and (am), as renumbered, are
3 amended to read:

4 134.70 (13) (b) 1. (intro.) Except as provided in subd. 3., a center may establish
5 proof of financial responsibility required under par. (a) by maintaining an
6 established escrow account approved by the department of justice for all amounts
7 received from buyers in advance of the receipt of services or by maintaining any of
8 the following commitments approved by the department of justice in an amount not
9 less than \$25,000, subject to subd. 2.:

10 2. The commitment described in subd. 1. shall be established in favor of or made
11 payable to the state, for the benefit of any buyer who does not receive a refund under
12 sub. (11) (a). The center shall file with the department of justice any agreement,
13 instrument or other document necessary to enforce the commitment against the
14 center or any relevant 3rd party, or both.

15 3. For 6 or more weight reduction centers owned or operated under the same
16 trade name, the amount of the financial commitment under pars. (a) and (b) for those
17 weight reduction centers is not required to exceed a total of \$150,000. For a weight
18 reduction center that submits to the department of justice evidence satisfactory to
19 the department that the weight reduction center collected a total of \$50,000 or more
20 but less than \$100,000 from buyers of its center services in the previous calendar
21 year, the amount of the financial commitment under pars. (a) and (b) is not required
22 to exceed \$10,000. For a weight reduction center that submits to the department of
23 justice evidence satisfactory to the department that the weight reduction center
24 collected less than a total of \$50,000 from buyers of its center services in the previous

1 calendar year, the amount of the financial commitment under pars. (a) and (b) is not
2 required to exceed \$5,000.

3 (15) (a) (intro.) The department of justice and the department of agriculture,
4 trade and consumer protection shall cooperatively investigate violations of this
5 section or s. 100.178 (2) or (4). The department of justice may on behalf of the state:

6 (am) The department of justice may bring an action in circuit court to recover
7 on a financial commitment maintained under sub. (13) against a center or relevant
8 3rd party, or both, on behalf of any buyer who does not receive a refund due under
9 sub. (11) (a).

10 *~~4441/1.9~~* SECTION 145. 100.178 (1) (c) of the statutes is amended to read:
11 100.178 (1) (c) "Fitness center" has the meaning given under s. ~~100.177~~ 134.70
12 (1) (c).

13 *~~4441/1.10~~* SECTION 146. 100.178 (4) of the statutes is amended to read:
14 100.178 (4) A fitness center shall post a notice or notices on its premises stating
15 the requirements of sub. (2) and the penalty for a violation of sub. (2) under s. ~~100.177~~
16 134.70 (15) (a). The notice shall comply with the rules promulgated by the
17 department under sub. (5) (d).

18 *~~4441/1.11~~* SECTION 147. 100.178 (7) of the statutes is amended to read:
19 100.178 (7) A violation of sub. (2) or (4) is subject to s. ~~100.177~~ 134.70 (15) (a).
20 This subsection or s. ~~100.177~~ 134.70 (15) (a) does not preclude a person injured as a
21 result of a violation of this section from pursuing any other available equitable or
22 legal relief.

23 *~~4441/1.12~~* SECTION 148. 100.18 (8) of the statutes is amended to read:
24 100.18 (8) Every wholesaler and every other person selling or distributing
25 motor fuel in this state shall keep posted in a conspicuous place, most accessible to

1 the public at his or her place of business, and on every pump from which delivery is
2 made directly into the fuel tank attached to a motor vehicle, a placard showing the
3 net selling price per gallon of all grades of motor fuel and the amount of all taxes per
4 gallon thereon. On pumps or other dispensing equipment from which motor fuel is
5 sold and delivered directly into fuel supply tanks attached to motor vehicles, such
6 posting shall be in figures not less than one inch high, except that no such placard
7 shall be required on a computer pump whereon the total net selling price per gallon
8 including all taxes is legibly shown on its face. Except for sales to drivers of motor
9 vehicles used by physically disabled persons under s. ~~100.51~~ 134.85 (5), all sales shall
10 be made at the posted price. Delivery slips shall also show the net selling price per
11 gallon of all grades of motor fuel and the amount of all taxes per gallon thereon. If
12 the wholesaler or person has more than one place of business in this state, the
13 wholesaler or person shall post that placard at all of his or her places of business.
14 All prices posted shall remain in effect for at least 24 hours after they are posted.
15 It shall be considered deceptive advertising to advertise or represent in any manner
16 the price of motor fuel offered for sale at retail to be less than the price so posted on
17 each pump.

18 *~~4441/1.13~~* SECTION 149. 100.18 (11) (b) 1. of the statutes is created to read:
19 100.18 (11) (b) 1. The department of agriculture, trade and consumer
20 protection may request that the department of justice commence an action to enjoin
21 a violation of this section. If the department of agriculture, trade and consumer
22 protection so requests, the department of justice shall proceed with the requested
23 action within a reasonable period of time or provide the department of agriculture,
24 trade and consumer protection with a brief statement of its reasons for not
25 proceeding. The department of justice shall further provide the department of

1 agriculture, trade and consumer protection with periodic summaries of all activity
2 under this section.

3 *~~4441/1.14~~* SECTION 150. 100.18 (11) (d) of the statutes is amended to read:

4 100.18 (11) (d) The department or the department of justice, ~~after consulting~~
5 ~~with the department~~, or any district attorney, upon informing the department of
6 justice, may commence an action in circuit court in the name of the state to restrain
7 by temporary or permanent injunction any violation of this section. The court may
8 in its discretion, prior to entry of final judgment, make such orders or judgments as
9 may be necessary to restore to any person any pecuniary loss suffered because of the
10 acts or practices involved in the action, provided proof thereof is submitted to the
11 satisfaction of the court. The department ~~and the department~~ of justice may
12 subpoena persons and require the production of books and other documents, and the
13 department of justice may request the department of agriculture, trade and
14 consumer protection to exercise its authority under par. (c) to aid in the investigation
15 of alleged violations of this section.

16 *~~4441/1.15~~* SECTION 151. 100.182 (5) (a) of the statutes is amended to read:

17 100.182 (5) (a) Any district attorney, after informing the department of justice,
18 or the department of agriculture, trade and consumer protection or the department
19 of justice may seek a temporary or permanent injunction in circuit court to restrain
20 any violation of this section. Prior to entering a final judgment the court may award
21 damages to any person suffering monetary loss because of a violation. The
22 department of justice may subpoena any person or require the production of any
23 document to aid in investigating alleged violations of this section.

24 *~~4441/1.16~~* SECTION 152. 100.182 (5) (b) of the statutes is amended to read:

1 100.182 (5) (b) In lieu of instituting or continuing an action under this
2 subsection, the department or the department of justice may accept a written
3 assurance from a violator of this section that the violation has ceased. If the terms
4 of the assurance so provide, its acceptance by ~~the~~ either department prevents the
5 other department and all district attorneys from prosecuting the violation. An
6 assurance is not evidence of a violation of this section but violation of an assurance
7 is subject to the penalties and remedies of violating this section.

8 *~~4441/1.17~~* **SECTION 153.** 100.205 of the statutes is renumbered 134.178, and
9 134.178 (7) and (8), as renumbered, are amended to read:

10 134.178 (7) The department of justice, or any district attorney on informing the
11 department of justice, may commence an action in circuit court in the name of the
12 state to restrain by temporary or permanent injunction any violation of this section.
13 The court may, before entry of final judgment and after satisfactory proof, make
14 orders or judgments necessary to restore to any person any pecuniary loss suffered
15 because of a violation of this section. The department of justice may conduct
16 hearings, administer oaths, issue subpoenas and take testimony to aid in its
17 investigation of violations of this section.

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

21 *~~4441/1.18~~* **SECTION 154.** 100.206 of the statutes is renumbered 134.24, and
22 134.24 (2) (a) (intro.), as renumbered, is amended to read:

23 134.24 (2) (a) (intro.) File annually for public inspection with the department
24 of justice all of the following:

1 *~~4441/1.19~~* SECTION 155. 100.207 (title) and (1) to (5) of the statutes are
2 renumbered 134.179 (title) and (1) to (5).

3 *~~4441/1.20~~* SECTION 156. 100.207 (6) (b), (c), (e) and (f) of the statutes are
4 renumbered 134.179 (6) (b), (c), (e) and (f), and 134.179 (6) (b) 1. and 2., (c) and (e),
5 as renumbered, are amended to read:

6 134.179 (6) (b) 1. The department of justice, ~~after consulting with~~ on its own
7 initiative or at the request of the department of agriculture, trade and consumer
8 protection, or any district attorney upon informing the department of ~~agriculture,~~
9 ~~trade and consumer protection~~ justice, may commence an action in circuit court in
10 the name of the state to restrain by temporary or permanent injunction any violation
11 of this section. Injunctive relief may include an order directing telecommunications
12 providers, as defined in s. 196.01 (8p), to discontinue telecommunications service
13 provided to a person violating this section or ch. 196. Before entry of final judgment,
14 the court may make such orders or judgments as may be necessary to restore to any
15 person any pecuniary loss suffered because of the acts or practices involved in the
16 action if proof of these acts or practices is submitted to the satisfaction of the court.

17 2. The department of agriculture, trade and consumer protection may exercise
18 its authority under ss. 93.14 to 93.16 and 100.18 (11) (c) to administer this section.
19 The department ~~and the department~~ of justice may subpoena persons and require
20 the production of books and other documents, and the department of justice may
21 request the department of agriculture, trade and consumer protection to exercise its
22 authority to aid in the investigation of alleged violations of this section.

23 (c) Any person who violates subs. (2) to (4) shall be required to forfeit not less
24 than \$25 nor more than \$5,000 for each offense. Forfeitures under this paragraph
25 shall be enforced by the department of justice, ~~after consulting with~~ on its own

1 initiative or at the request of the department of agriculture, trade and consumer
2 protection, or, upon informing the department of justice, by the district attorney of
3 the county where the violation occurs.

4 (e) ~~Subject to par. (em), the~~ The department of agriculture, trade and consumer
5 protection, in consultation with the department of justice, shall promulgate rules
6 under this section.

7 *~~4441/1.21~~* SECTION 157. 100.207 (6) (em) of the statutes is repealed.

8 *~~4441/1.22~~* SECTION 158. 100.209 of the statutes is renumbered 134.42, and
9 134.42 (3) and (4) (b), as renumbered, are amended to read:

10 134.42 (3) RULES AND LOCAL ORDINANCES ALLOWED. This section does not prohibit
11 the department of agriculture, trade and consumer protection from promulgating a
12 rule or from issuing an order consistent with its authority under ~~this chapter~~ ch. 100
13 that gives a subscriber greater rights than the rights under sub. (2) or prohibit a city,
14 village or town from enacting an ordinance that gives a subscriber greater rights
15 than the rights under sub. (2).

16 (4) (b) ~~The department attorney general~~ and the district attorneys of this state
17 have concurrent authority to institute civil proceedings under this section.

18 *~~4441/1.23~~* SECTION 159. 100.2095 (6) (b) of the statutes is amended to read:

19 100.2095 (6) (b) The department of justice may commence an action in the
20 name of the state to restrain by temporary or permanent injunction a violation of sub.
21 (3), (4) or (5). Before entry of final judgment, the court may make any necessary
22 orders to restore to any person any pecuniary loss suffered by the person because of
23 the violation.

24 *~~4441/1.24~~* SECTION 160. 100.2095 (6) (c) of the statutes is amended to read:

1 100.2095 (6) (c) The department of justice or any district attorney may
2 commence an action in the name of the state to recover a forfeiture to the state of not
3 less than \$100 nor more than \$10,000 for each violation of sub. (3), (4) or (5).

4 *~~4424/2.64~~* *~~3266/P1.46~~* SECTION 161. 100.2095 (6) (d) of the statutes is
5 amended to read:

6 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less
7 ~~than \$100 nor more than \$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~
8 9 months or both. Each day of violation constitutes a separate offense.

9 *~~4441/1.25~~* SECTION 162. 100.21 (3) (a) of the statutes is amended to read:

10 100.21 (3) (a) Any person making an energy savings or safety claim shall, upon
11 written request by the department, submit information upon which the person relied
12 to substantiate the claim. The department of justice may request the department of
13 agriculture, trade and consumer protection to issue a written request under this
14 paragraph for information to substantiate an energy savings or safety claim. Failure
15 to submit information requested under this subsection is a violation of sub. (2) (a).

16 *~~4441/1.26~~* SECTION 163. 100.26 (1) of the statutes is amended to read:

17 100.26 (1) Any person who violates any provision of this chapter, except s.
18 100.18, or 100.20, ~~100.206~~ or 100.51, for which no specific penalty is prescribed shall
19 be fined not to exceed \$200, or imprisoned in the county jail not more than 6 months
20 or both.

21 *~~4424/2.65~~* *~~3266/P1.47~~* SECTION 164. 100.26 (2) of the statutes, as
22 affected by 1997 Wisconsin Act 283, is amended to read:

23 100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~
24 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~
25 ~~6 months or both~~ is guilty of a Class I felony.

1 *~~4424/2.66~~* *~~3266/P1.48~~* SECTION 165. 100.26 (5) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

3 100.26 (5) Any person violating s. 100.06 or any order or regulation of the
4 department thereunder, or s. 100.18 (9), shall may be fined not less than \$100 nor
5 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.
6 Each day of violation constitutes a separate offense.

7 *~~4441/1.27~~* SECTION 166. 100.26 (6) of the statutes is amended to read:

8 100.26 (6) The department, ~~the department of justice, after consulting with the~~
9 ~~department,~~ or any district attorney may commence an action in the name of the
10 state to recover a civil forfeiture to the state of not less than \$100 nor more than
11 \$10,000 for each violation of an injunction issued under s. 100.18, 100.182 or 100.20
12 (6). ~~The department of agriculture, trade and consumer protection or any district~~
13 ~~attorney may commence an action in the name of the state to recover a civil forfeiture~~
14 ~~to the state of not less than \$100 nor more than \$10,000 for each violation of or an~~
15 order issued under s. 100.20.

16 *~~4424/2.67~~* *~~3266/P1.49~~* SECTION 167. 100.26 (7) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

18 100.26 (7) Any person violating s. 100.182 shall may be fined not less than \$500
19 nor more than ~~\$5,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or
20 both for each offense. Each unlawful advertisement published, printed or mailed on
21 separate days or in separate publications, hand bills or direct mailings is a separate
22 violation of this section.

23 *~~4441/1.28~~* SECTION 168. 100.264 (2) (intro.) of the statutes is amended to
24 read:

1 100.264 (2) SUPPLEMENTAL FORFEITURE. (intro.) If a fine or a forfeiture is
2 imposed on a person for a violation under s. 100.16, 100.17, 100.18, 100.182, 100.183,
3 100.20, ~~100.205, 100.207~~, 100.21, 100.30 (3), 100.35, 100.44 or 100.46 or a rule
4 promulgated under one of those sections, the person shall be subject to a
5 supplemental forfeiture not to exceed \$10,000 for that violation if the conduct by the
6 defendant, for which the violation was imposed, was perpetrated against an elderly
7 person or disabled person and if the court finds that any of the following factors is
8 present:

9 *~~4441/1.29~~* SECTION 169. 100.264 (3) of the statutes is amended to read:

10 100.264 (3) PRIORITY FOR RESTITUTION. If the court orders restitution under s.
11 100.18 (11) (d), 100.182 (5) (a), 100.20 (6), ~~100.205 (7), 100.207 (6) 1.~~ or 100.44 (5)
12 for a pecuniary or monetary loss suffered by a person, the court shall require that the
13 restitution be paid by the defendant before the defendant pays any forfeiture
14 imposed under this section.

15 *~~4441/1.30~~* SECTION 170. 100.28 of the statutes is renumbered 134.78, and
16 134.78 (4) (b) and (c), as renumbered, are amended to read:

17 134.78 (4) (b) In lieu of or in addition to forfeitures under par. (a), the
18 department of justice may seek an injunction restraining any person from violating
19 this section.

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

22 *~~4441/1.31~~* SECTION 171. 100.50 of the statutes is renumbered 134.79, and
23 134.79 (6) (b) and (c), as renumbered, are amended to read:

1 134.79 (6) (b) In lieu of or in addition to the remedy under par. (a), the
2 department of justice may seek an injunction restraining any person from violating
3 this section.

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

6 *~~4441/1.32~~* SECTION 172. 100.51 of the statutes is renumbered 134.85, and
7 134.85 (3) (a), as renumbered, is amended to read:

8 134.85 (3) (a) The department of justice on behalf of the state or any person who
9 claims injury as a result of a violation of sub. (2) may bring an action for temporary
10 or permanent injunctive relief in any circuit court. It is no defense to an action under
11 this paragraph that an adequate remedy exists at law.

12 *~~4424/2.68~~* *~~3266/P1.50~~* SECTION 173. 101.143 (10) (b) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 101.143 (10) (b) Any owner or operator, person owning a home oil tank system
15 or service provider who intentionally destroys a document that is relevant to a claim
16 for reimbursement under this section ~~may be fined not more than \$10,000 or~~
17 ~~imprisoned for not more than 15 years or both~~ is guilty of a Class G felony.

18 *~~4424/2.69~~* *~~3266/P1.51~~* SECTION 174. 101.94 (8) (b) of the statutes, as
19 affected by 1997 Wisconsin Act 283, is amended to read:

20 101.94 (8) (b) Any individual or a director, officer or agent of a corporation who
21 knowingly and wilfully violates this subchapter in a manner which threatens the
22 health or safety of a purchaser ~~shall~~ may be fined not more than ~~\$1,000~~ \$10,000 or
23 imprisoned for not more than ~~2 years~~ 9 months or both.

24 *~~4424/2.70~~* *~~3266/P1.52~~* SECTION 175. 102.835 (11) of the statutes, as
25 affected by 1997 Wisconsin Act 283, is amended to read:

1 102.835 (11) EVASION. Any person who removes, deposits or conceals or aids in
2 removing, depositing or concealing any property upon which a levy is authorized
3 under this section with intent to evade or defeat the assessment or collection of any
4 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~
5 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the
6 costs of prosecution.

7 *~~4424/2.71~~* *~~3266/P1.53~~* SECTION 176. 102.835 (18) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

9 102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
10 employer may discharge or otherwise discriminate with respect to the terms and
11 conditions of employment against any employe by reason of the fact that his or her
12 earnings have been subject to levy for any one levy or because of compliance with any
13 provision of this section. Whoever wilfully violates this subsection may be fined not
14 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than 2 years 9 months or both.

15 *~~4424/2.72~~* *~~3266/P1.54~~* SECTION 177. 102.85 (3) of the statutes, as
16 affected by 1997 Wisconsin Act 283, is amended to read:

17 102.85 (3) An employer who violates an order to cease operations under s.
18 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~
19 ~~years or both~~ is guilty of a Class I felony.

20 *~~4424/2.73~~* *~~3266/P1.55~~* SECTION 178. 108.225 (11) of the statutes, as
21 affected by 1997 Wisconsin Act 283, is amended to read:

22 108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in
23 removing, depositing or concealing any property upon which a levy is authorized
24 under this section with intent to evade or defeat the assessment or collection of any
25 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~

1 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the
2 costs of prosecution.

3 *~~4424/2.74~~* *~~3266/P1.56~~* SECTION 179. 108.225 (18) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

5 108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No
6 employer may discharge or otherwise discriminate with respect to the terms and
7 conditions of employment against any employe by reason of the fact that his or her
8 earnings have been subject to levy for any one levy or because of compliance with any
9 provision of this section. Whoever wilfully violates this subsection may be fined not
10 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

11 *~~4424/2.75~~* *~~0590/P5.9~~* SECTION 180. 110.07 (5) (a) of the statutes is
12 amended to read:

13 110.07 (5) (a) In this subsection, "bulletproof garment" ~~has the meaning given~~
14 ~~in s. 939.64 (1) means a vest or other garment designed, redesigned or adapted to~~
15 prevent bullets from penetrating through the garment.

16 *~~4445/1.5~~* SECTION 181. 111.91 (2) (n) of the statutes is amended to read:

17 111.91 (2) (n) The provision to employes of the health insurance coverage
18 required under s. 632.895 (11) to ~~(13)~~ (14).

19 *~~4424/2.76~~* *~~3266/P1.57~~* SECTION 182. 114.20 (18) (c) of the statutes, as
20 affected by 1997 Wisconsin Act 283, is amended to read:

21 114.20 (18) (c) Any person who knowingly makes a false statement in any
22 application or in any other document required to be filed with the department, or who
23 knowingly foregoes the submission of any application, document, or any registration
24 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~
25 ~~than 7 years and 6 months or both~~ is guilty of a Class H felony.

1 *~~4424/2.77~~* *~~0590/P5.10~~* SECTION 183. 115.31 (2g) of the statutes is
2 amended to read:

3 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall
4 revoke a license granted by the state superintendent, without a hearing, if the
5 licensee is convicted of any Class A, B, C ~~or~~ D, E, F, G or H felony under ch. 940 or
6 948, except ss. 940.08 and 940.205, for a violation that occurs on or after September
7 12, 1991.

8 *~~4424/2.78~~* *~~0590/P5.11~~* SECTION 184. 118.19 (4) (a) of the statutes is
9 amended to read:

10 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent
11 may not grant a license to any person who has been convicted of any Class A, B, C
12 ~~or~~ D, E, F, G or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, or of
13 an equivalent crime in another state or country, for a violation that occurs on or after
14 September 12, 1991, for 6 years following the date of the conviction, and may grant
15 the license only if the person establishes by clear and convincing evidence that he or
16 she is entitled to the license.

17 *~~4429/1.2~~* SECTION 185. 118.43 (2) (a) of the statutes, as affected by 1999
18 Wisconsin Act 9, is amended to read:

19 118.43 (2) (a) The school board of any school district in which a school in the
20 previous school year had an enrollment that was at least 50% low-income is eligible
21 to participate in the program under this section, except that a school board is eligible
22 to participate in the program under this section in the 2000-01 school year, and in
23 each school year thereafter, if in the 1998-99 school year a school in the school district
24 had an enrollment that was at least 0% low-income.

1 *~~4429/1.3~~* **SECTION 186.** 118.43 (2) (br) 3. of the statutes, as created by 1999
2 Wisconsin Act 9, is repealed.

3 *~~4429/1.4~~* **SECTION 187.** 118.43 (2) (bt) of the statutes is created to read:
4 118.43 (2) (bt) In the 2001–02 school year and in each school year thereafter,
5 the school board of an eligible school district may enter into a 5–year achievement
6 guarantee contract with the department on behalf of one or more schools in the school
7 district if the school board is not receiving a grant under the preschool to grade 5
8 program on behalf of any of the schools under s. 115.45.

9 *~~4429/1.5~~* **SECTION 188.** 118.43 (2) (f) of the statutes, as affected by 1999
10 Wisconsin Act 9, is repealed.

11 *~~4429/1.6~~* **SECTION 189.** 118.43 (2) (g) of the statutes is created to read:
12 118.43 (2) (g) The department may renew an achievement guarantee contract
13 for one or more terms of 5 school years if the department determines that the contract
14 requirements under sub. (3) and the performance objectives under sub. (4) have been
15 met and if funding is available. As a condition of receiving payments under a renewal
16 of an achievement guarantee contract, a school board shall maintain the class size
17 reduction achieved under the original achievement guarantee contract and continue
18 to meet all contract requirements and performance objectives contained in the
19 renewal of the contract.

20 *~~4429/1.7~~* **SECTION 190.** 118.43 (3) (intro.) of the statutes, as affected by 1999
21 Wisconsin Act 9, is amended to read:

22 118.43 (3) **CONTRACT REQUIREMENTS.** (intro.) Except as provided in pars. (am)
23 and (ar), an achievement guarantee contract shall require the school board to do all
24 of the following in each participating school if the school contains at least one of the
25 designated grades:

1 *~~4429/1.8~~* SECTION 191. 118.43 (3) (at) of the statutes is created to read:

2 118.43 (3) (at) *Class size; additional contracts; 2001-02 and thereafter.* For
3 contracts that begin in the 2001-02 school year or in any school year thereafter,
4 reduce each class size to 15 in the following manner:

- 5 1. In the first year of the contract, in at least grades kindergarten and one.
- 6 2. In the 2nd year of the contract, in at least grades kindergarten to 2.
- 7 3. In the last 3 years of the contract, in at least grades kindergarten to 3.

8 *~~4429/1.9~~* SECTION 192. 118.43 (5) (b) of the statutes, as affected by 1999

9 Wisconsin Act 9, is amended to read:

10 118.43 (5) (b) Annually by June 30 ~~through the 2003-04 school year~~, a
11 committee consisting of the state superintendent, the chairpersons of the education
12 committees in the senate and assembly and the individual chiefly responsible for the
13 evaluation under sub. (7) shall review the progress made by each school for which
14 an achievement guarantee contract has been entered into. The committee may
15 recommend to the department that the department terminate a contract if the
16 committee determines that the school board has violated the contract or if the school
17 has made insufficient progress toward achieving its performance objectives under
18 sub. (4) (c). The department may terminate the contract if it agrees with the
19 committee's recommendation.

20 *~~4429/1.10~~* SECTION 193. 118.43 (6) (b) 7. of the statutes, as created by 1999

21 Wisconsin Act 9, is amended to read:

22 118.43 (6) (b) 7. In the 2001-02 ~~and 2002-03 school years~~ year, \$2,000
23 multiplied by the number of low-income pupils enrolled in grades eligible for funding
24 in each school in the school district covered by contracts under sub. (3) (am) and (ar).
25 After making these payments, the department shall, if funding is available, pay

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1 school districts on behalf of schools that are covered by ~~contracts under sub. (3) (ar),~~
2 renewals of contracts under sub. (2) (g) an amount equal to \$2,000 multiplied by the
3 number of low-income pupils enrolled in grades eligible for funding in each school
4 in the school district covered by renewals of contracts under sub. (3) (ar) (2) (g). After
5 making these payments, the department shall, if funding is available, pay school
6 districts on behalf of schools that are covered by contracts under sub. (3) (at) an
7 amount equal to \$2,000 multiplied by the number of low-income pupils enrolled in
8 grades eligible for funding in each school in the school district covered by these
9 contracts. In making payments for contracts under subs. (2) (g) and (3) (at), the
10 department shall give priority to schools that have the highest percentage of
11 low-income pupil enrollment.

12 *~~4429/1.11~~* **SECTION 194.** 118.43 (6) (b) 7m. of the statutes is created to read:
13 118.43 (6) (b) 7m. In the 2002–03 school year, \$2,000 multiplied by the number
14 of low-income pupils enrolled in grades eligible for funding in each school in the
15 school district covered by contracts under sub. (3) (am) and (ar) and covered by
16 previous renewals of contracts under sub. (2) (g) and previous contracts under sub.
17 (3) (at). After making these payments, the department shall, if funding is available,
18 pay school districts on behalf of schools that are covered by renewals of contracts
19 under sub. (2) (g) that begin in the 2002–03 school year an amount equal to \$2,000
20 multiplied by the number of low-income pupils enrolled in grades eligible for funding
21 in each school in the school district covered by these renewals of contracts. After
22 making these payments, the department shall, if funding is available, pay school
23 districts on behalf of schools that are covered by contracts under sub. (3) (at) that
24 begin in the 2002–03 school year an amount equal to \$2,000 multiplied by the
25 number of low-income pupils enrolled in grades eligible for funding in each school

1 in the school district covered by these contracts. In making payments for contracts
2 under subs. (2)(g) and (3)(at) that begin in the 2002-03 school year, the department
3 shall give priority to schools that have the highest percentage of low-income pupil
4 enrollment.

5 ~~*-4429/1.12*~~ **SECTION 195.** 118.43 (6) (b) 8. of the statutes, as created by 1999
6 Wisconsin Act 9, is amended to read:

7 118.43 (6) (b) 8. In the 2003-04 and ~~2004-05~~ school years year, \$2,000
8 multiplied by the number of low-income pupils enrolled in grades eligible for funding
9 in each school in the school district covered by contracts under sub. (3) (ar) and
10 previous renewals of contracts under sub. (2) (g) and previous contracts under sub.
11 (3) (at). After making these payments, the department shall, if funding is available,
12 pay school districts on behalf of schools that are covered by renewals of contracts
13 under sub. (2) (g) that begin in the 2003-04 school year an amount equal to \$2,000
14 multiplied by the number of low-income pupils enrolled in grades eligible for funding
15 in each school in the school district covered by renewals of these contracts. After
16 making these payments, the department shall, if funding is available, pay school
17 districts on behalf of schools that are covered by contracts under sub. (3) (at) that
18 begin in the 2003-04 school year an amount equal to \$2,000 multiplied by the
19 number of low-income pupils enrolled in grades eligible for funding in each school
20 in the school district covered by these contracts. In making payments for contracts
21 under subs. (2)(g) and (3)(at) that begin in the 2003-04 school year, the department
22 shall give priority to schools that have the highest percentage of low-income pupil
23 enrollment.

24 ~~*-4429/1.13*~~ **SECTION 196.** 118.43 (6) (b) 8m. of the statutes is created to read:

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1 118.43 (6) (b) 8m. In the 2004-05 school year, \$2,000 multiplied by the number
2 of low-income pupils enrolled in grades eligible for funding in each school in the
3 school district covered by contracts under sub. (3) (ar) and covered by previous
4 renewals of contracts under sub. (2) (g) and previous contracts under sub. (3) (at).
5 After making these payments, the department shall, if funding is available, pay
6 school districts on behalf of schools that are covered by renewals of contracts under
7 sub. (2) (g) that begin in the 2004-05 school year an amount equal to \$2,000
8 multiplied by the number of low-income pupils enrolled in grades eligible for funding
9 in each school in the school district covered by renewals of these contracts. After
10 making these payments, the department shall, if funding is available, pay school
11 districts on behalf of schools that are covered by contracts under sub. (3) (at) that
12 begin in the 2004-05 school year an amount equal to \$2,000 multiplied by the
13 number of low-income pupils enrolled in grades eligible for funding in each school
14 in the school district covered by these contracts. In making payments for contracts
15 under subs. (2) (g) and (3) (at) that begin in the 2004-05 school year, the department
16 shall give priority to schools that have the highest percentage of low-income pupil
17 enrollment.

18 *~~4429/1.14~~* **SECTION 197.** 118.43 (6) (b) 9. of the statutes is created to read:

19 118.43 (6) (b) 9. In the 2005-06 school year and in each school year thereafter,
20 \$2,000 multiplied by the number of low-income pupils enrolled in grades eligible for
21 funding in each school in the school district covered by previous renewals of contracts
22 under sub. (2) (g) and previous contracts under sub. (3) (at). After making these
23 payments, the department shall, if funding is available, pay school districts on behalf
24 of schools that are covered by renewals of contracts under sub. (2) (g) that begin in
25 that school year and by contracts under sub. (3) (at) that begin in that school year

1 an amount equal to \$2,000 multiplied by the number of low-income pupils enrolled
2 in grades eligible for funding in each school in the school district covered by these
3 renewals of contracts. In making payments for contracts under subs. (2) (g) and (3)
4 (at) that begin in the 2005-06 school year or thereafter, the department shall give
5 priority to schools that have the highest percentage of low-income pupil enrollment.

6 ***-4445/1.6* SECTION 198.** 120.13 (2) (g) of the statutes, as affected by 1999
7 Wisconsin Act 9, is amended to read:

8 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
9 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
10 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to ~~(13)~~ (14), 632.896 and
11 767.25 (4m) (d).

12 ***-4424/2.79* *-3266/P1.58* SECTION 199.** 125.075 (2) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is renumbered 125.075 (2) (a) and amended to
14 read:

15 125.075 (2) (a) Whoever violates sub. (1) ~~may be fined not more than \$10,000~~
16 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
17 felony if the underage person suffers great bodily harm, as defined in s. 939.22 (14).

18 ***-4424/2.80* *-3266/P1.59* SECTION 200.** 125.075 (2) (b) of the statutes is
19 created to read:

20 125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the
21 underage person dies.

22 ***-4424/2.81* *-3266/P1.60* SECTION 201.** 125.085 (3) (a) 2. of the statutes, as
23 affected by 1997 Wisconsin Act 283, is amended to read:

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

4 *~~4424/2.82~~* *~~3266/P1.61~~* **SECTION 202.** 125.105 (2) (b) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

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

9 *~~4424/2.83~~* *~~3266/P1.62~~* **SECTION 203.** 125.66 (3) of the statutes, as
10 affected by 1997 Wisconsin Act 283, is amended to read:

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

16 *~~4424/2.84~~* *~~3266/P1.63~~* **SECTION 204.** 125.68 (12) (b) of the statutes, as
17 affected by 1997 Wisconsin Act 283, is amended to read:

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

21 *~~4424/2.85~~* *~~3266/P1.64~~* **SECTION 205.** 125.68 (12) (c) of the statutes, as
22 affected by 1997 Wisconsin Act 283, is amended to read:

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

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

3 *~~4424/2.86~~* *~~3266/P1.65~~* SECTION 206. 132.20 (2) of the statutes, as
4 affected by 1997 Wisconsin Act 283, is amended to read:

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

12 *~~4424/2.87~~* *~~3266/P1.66~~* SECTION 207. 133.03 (1) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

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

21 *~~4424/2.88~~* *~~3266/P1.67~~* SECTION 208. 133.03 (2) of the statutes, as
22 affected by 1997 Wisconsin Act 283, is amended to read:

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

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

4 *~~4424/2.89~~* *~~3266/P1.68~~* **SECTION 209.** 134.05 (4) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 134.05 (4) Whoever violates sub. (1), (2) or (3) ~~shall be punished by a fine of not~~
7 ~~less than \$10 nor more than \$500 or by such fine and by imprisonment for not more~~
8 ~~than 2 years~~ may be fined not more than \$10,000 or imprisoned for not more than
9 9 months or both.

10 *~~4424/2.90~~* *~~3266/P1.69~~* **SECTION 210.** 134.16 of the statutes, as affected
11 by 1997 Wisconsin Act 283, is amended to read:

12 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,
13 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,
14 brokerage or deposit company, corporation or institution, or of any person, company
15 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit
16 business in any way, or any person engaged in such business in whole or in part, who
17 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any
18 money, or any bills, notes or other paper circulating as money, or any notes, drafts,
19 bills of exchange, bank checks or other commercial paper for safekeeping or for
20 collection, when he or she knows or has good reason to know that such bank, company
21 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~
22 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~
23 ~~not more than \$10,000~~ is guilty of a Class F felony.

24 *~~4424/2.91~~* *~~3266/P1.70~~* **SECTION 211.** 134.20 (1) (intro.) of the statutes,
25 as affected by 1997 Wisconsin Act 283, is amended to read:

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

4 *~~4424/2.92~~* *~~3266/P1.71~~* **SECTION 212.** 134.205 (4) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

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

10 *~~4424/2.93~~* *~~3266/P1.72~~* **SECTION 213.** 134.58 of the statutes, as affected
11 by 1997 Wisconsin Act 283, is amended to read:

12 **134.58 Use of unauthorized persons as officers.** Any person who,
13 individually, in concert with another or as agent or officer of any firm, joint-stock
14 company or corporation, uses, employs, aids or assists in employing any body of
15 armed persons to act as militia, police or peace officers for the protection of persons
16 or property or for the suppression of strikes, not being authorized by the laws of this
17 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~
18 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

19 *~~4441/1.33~~* **SECTION 214.** 134.71 (12) of the statutes is amended to read:

20 134.71 (12) APPLICATIONS AND FORMS. The department of agriculture, trade and
21 ~~consumer protection~~ justice shall develop applications and other forms required
22 under subs. (5) (intro.) and (8) (c). The department shall print a sufficient number
23 of applications and forms to provide to counties and municipalities for distribution
24 to pawnbrokers, secondhand article dealers and secondhand jewelry dealers at no
25 cost.

1 *~~4441/1.34~~* **SECTION 215.** 134.95 (2) of the statutes is amended to read:

2 134.95 (2) **SUPPLEMENTAL FORFEITURE.** If a fine or a forfeiture is imposed on a
3 person for a violation under s. ~~100.171, 100.173, 100.174, 100.175, 100.177~~ 134.22,
4 134.68, 134.70, 134.71, 134.72, 134.74, 134.83 or 134.87 or ch. 136 or a rule
5 promulgated under these sections or that chapter, the person shall be subject to a
6 supplemental forfeiture not to exceed \$10,000 for that violation if the conduct by the
7 defendant, for which the fine or forfeiture was imposed, was perpetrated against an
8 elderly person or disabled person and if any of the factors under s. 100.264 (2) (a), (b)
9 or (c) is present.

10 *~~4441/1.35~~* **SECTION 216.** 134.95 (3) of the statutes is amended to read:

11 134.95 (3) **PRIORITY FOR RESTITUTION.** If the court orders restitution under s.
12 ~~100.171 (8), 100.173 (4) (a), 100.174 (7), 100.175 (7), 100.177 (15)~~ 134.22 (4) (a),
13 134.68 (7), 134.70 (15), 134.74 (8), 134.83 (7) or 134.87 (6) for a pecuniary or monetary
14 loss suffered by a person, the court shall require that the restitution be paid by the
15 defendant before the defendant pays any forfeiture imposed under this section.

16 *~~4441/1.36~~* **SECTION 217.** 134.99 (1) of the statutes is amended to read:

17 134.99 (1) Whoever is concerned in the commission of a violation of this
18 chapter, except s. 134.83, for which a forfeiture is imposed is a principal and may be
19 charged with and convicted of the violation although he or she did not directly
20 commit it and although the person who directly committed it has not been convicted
21 of the violation.

22 *~~4441/1.37~~* **SECTION 218.** 136.03 (title) of the statutes is amended to read:

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

1 *~~4441/1.38~~* SECTION 219. 136.03 (1) (intro.) of the statutes is amended to
2 read:

3 136.03 (1) (intro.) The department of ~~agriculture, trade and consumer~~
4 ~~protection~~ justice shall investigate violations of this chapter and of rules and orders
5 issued under s. 136.04. The department of justice may subpoena persons and records
6 to facilitate its investigations, and may enforce compliance with such subpoenas as
7 provided in s. 885.12. The department of justice may in behalf of the state:

8 *~~4424/2.94~~* *~~3266/P1.73~~* SECTION 220. 139.44 (1) of the statutes, as
9 affected by 1997 Wisconsin Act 283, is amended to read:

10 139.44 (1) Any person who falsely or fraudulently makes, alters or counterfeits
11 any stamp or procures or causes the same to be done, or who knowingly utters,
12 publishes, passes or tenders as true any false, altered or counterfeit stamp, or who
13 affixes the same to any package or container of cigarettes, or who possesses with the
14 intent to sell any cigarettes in containers to which false, altered or counterfeit stamps
15 have been affixed ~~shall be imprisoned for not less than one year nor more than 15~~
16 years is guilty of a Class G felony.

17 *~~4424/2.95~~* *~~3266/P1.74~~* SECTION 221. 139.44 (1m) of the statutes, as
18 affected by 1997 Wisconsin Act 283, is amended to read:

19 139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette
20 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~
21 one year nor more than 15 years is guilty of a Class G felony.

22 *~~4424/2.96~~* *~~3266/P1.75~~* SECTION 222. 139.44 (2) of the statutes, as
23 affected by 1997 Wisconsin Act 283, is amended to read:

24 139.44 (2) Any person who makes or signs any false or fraudulent report or who
25 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the

1 evasion or attempted evasion of that tax ~~shall~~ may be fined not less than \$1,000 nor
2 more than ~~\$5,000~~ \$10,000 or imprisoned for not less than ~~90 days~~ nor more than 2
3 ~~years~~ 9 months or both.

4 *~~4424/2.97~~* *~~3266/P1.76~~* SECTION 223. 139.44 (8) (c) of the statutes, as
5 affected by 1997 Wisconsin Act 283, is amended to read:

6 139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~
7 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a
8 Class I felony.

9 *~~4424/2.98~~* *~~3266/P1.77~~* SECTION 224. 139.95 (2) of the statutes, as
10 affected by 1997 Wisconsin Act 283, is amended to read:

11 139.95 (2) A dealer who possesses a schedule I controlled substance or schedule
12 II controlled substance that does not bear evidence that the tax under s. 139.88 has
13 been paid ~~may be fined not more than \$10,000 or imprisoned for not more than 7~~
14 ~~years and 6 months or both~~ is guilty of a Class H felony.

15 *~~4424/2.99~~* *~~3266/P1.78~~* SECTION 225. 139.95 (3) of the statutes, as
16 affected by 1997 Wisconsin Act 283, is amended to read:

17 139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits
18 any stamp or procures or causes the same to be done or who knowingly utters,
19 publishes, passes or tenders as true any false, altered or counterfeit stamp or who
20 affixes a counterfeit stamp to a schedule I controlled substance or schedule II
21 controlled substance or who possesses a schedule I controlled substance or schedule
22 II controlled substance to which a false, altered or counterfeit stamp is affixed ~~may~~
23 ~~be fined not more than \$10,000 or imprisoned for not less than one year nor more~~
24 ~~than 15 years or both~~ is guilty of a Class F felony.

1 *~~4424/2.100~~* *~~3266/P1.79~~* SECTION 226. 146.345 (3) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

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

7 *~~4424/2.101~~* *~~3266/P1.80~~* SECTION 227. 146.35 (5) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:

9 146.35 (5) Whoever violates sub. (2) ~~may be fined not more than \$10,000 or~~
10 ~~imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
11 felony.

12 *~~4424/2.102~~* *~~3266/P1.81~~* SECTION 228. 146.60 (9) (am) of the statutes, as
13 affected by 1997 Wisconsin Act 283, is amended to read:

14 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person ~~shall~~
15 ~~may be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more~~
16 ~~than 2 years 9 months or both.~~

17 *~~4424/2.103~~* *~~3266/P1.82~~* SECTION 229. 146.70 (10) (a) of the statutes, as
18 affected by 1997 Wisconsin Act 283, is amended to read:

19 146.70 (10) (a) Any person who intentionally dials the telephone number "911"
20 to report an emergency, knowing that the fact situation which he or she reports does
21 not exist, shall be fined not less than \$50 nor more than \$300 or imprisoned not more
22 than 90 days or both for the first offense and ~~shall be fined not more than \$10,000~~
23 ~~or imprisoned for not more than 7 years and 6 months or both~~ is guilty of a Class H
24 felony for any other offense committed within 4 years after the first offense.

1 *~~4424/2.104~~* *~~3266/P1.83~~* **SECTION 230.** 154.15 (2) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

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

10 *~~4424/2.105~~* *~~3266/P1.84~~* **SECTION 231.** 154.29 (2) of the statutes, as
11 affected by 1997 Wisconsin Act 283, is amended to read:

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

19 *~~4437/1.2~~* **SECTION 232.** 165.07 of the statutes is created to read:

20 **165.07 Assistant attorney general — public intervenor.** (1) The attorney
21 general shall designate an assistant attorney general on the attorney general's staff
22 as public intervenor. Written notices of all proceedings under chs. 30, 31, 281 to 285
23 and 289 to 299, except s. 281.48, shall be given to the public intervenor and to the
24 administrators of divisions primarily assigned the departmental functions under
25 chs. 29, 281, 285 and 289 to 299, except s. 281.48, by the agency head responsible for

1 such proceedings. A copy of such notice shall also be given to the natural areas
2 preservation council.

3 (2) The public intervenor shall formally intervene in proceedings described in
4 sub. (1) when requested to do so by an administrator of a division primarily assigned
5 the departmental functions under chs. 29, 281, 285 or 289 to 299, except s. 281.48.
6 The public intervenor may, on the public intervenor's own initiative or upon request
7 of any committee of the legislature, formally intervene in all proceedings described
8 in sub. (1) whenever such intervention is needed for the protection of "public rights"
9 in water and other natural resources, as provided in chs. 30 and 31 and defined by
10 the supreme court.

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

23 (4) The public intervenor may appeal from administrative rulings to the courts.
24 In all administrative proceedings and judicial review proceedings the public
25 intervenor shall be identified as "public intervenor". This section does not preclude

1 or prevent any division of the department of natural resources, or any other
2 department or independent agency, from appearing by its staff as a party in such
3 proceedings.

4 ***-4437/1.3* SECTION 233.** 165.075 of the statutes is created to read:

5 **165.075 Assistant attorney general; public intervenor; authority.** In
6 carrying out his or her duty to protect public rights in water and other natural
7 resources, the public intervenor has the authority to initiate actions and proceedings
8 before any agency or court in order to raise issues, including issues concerning
9 constitutionality, present evidence and testimony and make arguments.

10 ***-4437/1.4* SECTION 234.** 165.076 of the statutes is created to read:

11 **165.076 Assistant attorney general; public intervenor; advisory**
12 **committee.** The attorney general shall appoint a public intervenor advisory
13 committee under s. 15.04 (1) (c). The public intervenor advisory committee shall
14 consist of not less than 7 nor more than 9 members. The members shall have
15 backgrounds in or demonstrated experience or records relating to environmental
16 protection or natural resource conservation. At least one of the members shall have
17 working knowledge in business. At least one of the members shall have working
18 knowledge in agriculture. The public intervenor advisory committee shall advise the
19 public intervenor consistent with his or her duty to protect public rights in water and
20 other natural resources. The public intervenor advisory committee shall conduct
21 meetings consistent with subch. V of ch. 19 and shall permit public participation and
22 public comment on public intervenor activities.

23 ***-4441/1.39* SECTION 235.** 165.25 (4) (ar) of the statutes is repealed.

24 ***-4424/2.106* *-3266/P1.85* SECTION 236.** 166.20 (11) (b) of the statutes, as
25 affected by 1997 Wisconsin Act 283, is amended to read:

1 166.20 (11) (b) Any person who knowingly and wilfully fails to report the
2 release of a hazardous substance covered under 42 USC 11004 as required under sub.
3 (5) (a) 2. or any rule promulgated under sub. (5) (a) 2. shall is subject to the following
4 penalties:

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

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

13 *~~4424/2.107~~* *~~3266/P1.86~~* SECTION 237. 167.10 (9) (g) of the statutes, as
14 affected by 1997 Wisconsin Act 283, is amended to read:

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

18 *~~4424/2.108~~* *~~3266/P1.87~~* SECTION 238. 175.20 (3) of the statutes, as
19 affected by 1997 Wisconsin Act 283, is amended to read:

20 175.20 (3) Any person who violates any of the provisions of this section shall
21 may be fined not less than \$25 nor more than \$1,000 and \$10,000 or may be
22 imprisoned for not less than 30 days nor more than 2 years 9 months or both. In
23 addition, the court may revoke the license or licenses of the person or persons
24 convicted.

SECTION 239

1 *~~4424/2.109~~* *~~3266/P1.88~~* **SECTION 239.** 180.0129 (2) of the statutes, as
2 affected by 1997 Wisconsin Act 283, is amended to read:

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

5 *~~4424/2.110~~* *~~3266/P1.89~~* **SECTION 240.** 181.0129 (2) of the statutes, as
6 affected by 1997 Wisconsin Act 283, is amended to read:

7 181.0129 (2) PENALTY. Whoever violates this section ~~may be fined not more~~
8 ~~than \$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class I
9 felony.

10 *~~4424/2.111~~* *~~3266/P1.90~~* **SECTION 241.** 185.825 of the statutes, as affected
11 by 1997 Wisconsin Act 283, is amended to read:

12 **185.825 Penalty for false document.** Whoever causes a document to be
13 filed, knowing it to be false in any material respect, ~~may be fined not more than~~
14 ~~\$1,000 or imprisoned for not more than 4 years and 6 months or both~~ is guilty of a
15 Class I felony.

16 *~~4445/1.7~~* **SECTION 242.** 185.981 (4t) of the statutes is amended to read:

17 185.981 (4t) A sickness care plan operated by a cooperative association is
18 subject to ss. 252.14, 631.89, 632.72 (2), 632.745 to 632.749, 632.85, 632.853, 632.855,
19 632.87 (2m), (3), (4) and (5), 632.895 (10) to ~~(13)~~ (14) and 632.897 (10) and chs. 149
20 and 155.

21 *~~4445/1.8~~* **SECTION 243.** 185.983 (1) (intro.) of the statutes is amended to
22 read:

23 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
24 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
25 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72

1 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853, 632.855, 632.87
2 (2m), (3), (4) and (5), 632.895 (5) and (9) to ~~(13)~~ (14), 632.896 and 632.897 (10) and
3 chs. 609, 630, 635, 645 and 646, but the sponsoring association shall:

4 *~~4441/1.40~~* **SECTION 244.** 196.219 (3) (n) of the statutes is amended to read:
5 196.219 (3) (n) Provide telecommunications service in violation of s. ~~100.207~~
6 134.179.

7 *~~4424/2.112~~* *~~3266/P1.91~~* **SECTION 245.** 200.09 (2) of the statutes, as
8 affected by 1997 Wisconsin Act 283, is amended to read:
9 200.09 (2) Every director, president, secretary or other official or agent of any
10 public service corporation, who shall practice fraud or knowingly make any false
11 statement to secure a certificate of authority to issue any security, or issue under a
12 certificate so obtained and with knowledge of such fraud, or false statement, or
13 negotiate, or cause to be negotiated, any security, in violation of this chapter, ~~shall~~
14 ~~be fined not less than \$500 or imprisoned for not less than one year nor more than~~
15 ~~15 years or both~~ is guilty of a Class I felony.

16 *~~4424/2.113~~* *~~3266/P1.92~~* **SECTION 246.** 214.93 of the statutes, as affected
17 by 1997 Wisconsin Act 283, is amended to read:

18 **214.93 False statements.** A person may not knowingly make, cause, or allow
19 another person to make or cause to be made, a false statement, under oath if required
20 by this chapter or on any report or statement required by the division or by this
21 chapter. In addition to any forfeiture under s. 214.935, a person who violates this
22 section ~~may be imprisoned for not more than 30 years~~ is guilty of a Class F felony.

23 *~~4424/2.114~~* *~~3266/P1.93~~* **SECTION 247.** 215.02 (6) (b) of the statutes, as
24 affected by 1997 Wisconsin Act 283, is amended to read:

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

11 *~~4424/2.115~~* *~~3266/P1.94~~* **SECTION 248.** 215.12 of the statutes, as affected
12 by 1997 Wisconsin Act 283, is amended to read:

13 **215.12 Penalty for dishonest acts; falsification of records.** Every officer,
14 director, employe or agent of any association who steals, abstracts, or wilfully
15 misapplies any property of the association, whether owned by it or held in trust, or
16 who, without authority, issues or puts forth any certificate of savings accounts,
17 assigns any note, bond, mortgage, judgment or decree, or, who makes any false entry
18 in any book, record, report or statement of the association with intent to injure or
19 defraud the association or any person or corporation, or to deceive any officer or
20 director of the association, or any other person, or any agent appointed to examine
21 the affairs of such association, or any person who, with like intent, aids or abets any
22 officer, director, employe or agent in the violation of this section, ~~shall be imprisoned~~
23 ~~in the Wisconsin state prisons for not more than 30 years~~ is guilty of a Class F felony.

24 *~~4424/2.116~~* *~~3266/P1.95~~* **SECTION 249.** 215.21 (21) of the statutes, as
25 affected by 1997 Wisconsin Act 283, is amended to read: