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KJK

1           79.058 (1) ~~Each Ending with the distributions in 2003, each~~ county is entitled  
2 to a mandate relief payment equal to the per person distribution under sub. (2) times  
3 the county's population for the year in which the statement under s. 79.015 is  
4 provided as determined under s. 18.96 (2).

5           \*~~4550/8.16~~\* SECTION 253. 79.058 (3) (d) of the statutes, as created by 2001  
6 Wisconsin Act 16, is amended to read:

7           79.058 (3) (d) In 2002, \$20,971,400, less amounts paid from the appropriation  
8 account under s. 20.855 (4) (rb).

9           \*~~b3084/5.26~~\* SECTION 254bm. 79.058 (3) (e) of the statutes, as created by 2001  
10 Wisconsin Act 16, is amended to read:

11           79.058 (3) (e) In 2003 ~~and subsequent years~~, \$21,181,100.

12           \*~~4462/4.21~~\* SECTION 255. 79.058 (4) of the statutes is created to read:

13           79.058 (4) Beginning in 2004, no county may receive a payment under this  
14 section.

15           \*~~b3084/5.28~~\* SECTION 256b. 79.06 (1) (b) of the statutes is amended to read:

16           79.06 (1) (b) ~~If~~ Ending with the distributions in 2003, if the payments to any  
17 municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in  
18 1986 or any year thereafter are less than 95% of the combined payments to the  
19 municipality or county under this section and s. 79.03, excluding payments under s.  
20 79.03 (3c), for the previous year, the municipality or county has an aids deficiency.  
21 The amount of the aids deficiency is the amount by which 95% of the combined  
22 payments to the municipality or county under this section and s. 79.03, excluding  
23 payments under s. 79.03 (3c), in the previous year exceeds the payments to the  
24 municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in the  
25 current year.

(E)  
(F)

1           **\*b3084/5.28\* SECTION 256d.** 79.06 (1) (c) of the statutes is amended to read:

2           79.06 (1) (c) ~~A~~ Ending with the distributions in 2003, a municipality or county  
3 that has an aids deficiency shall receive a payment from the amounts withheld under  
4 sub. (2) equal to its proportion of all the aids deficiencies of municipalities or counties  
5 respectively for that year.

6           **\*b3084/5.28\* SECTION 256e.** 79.06 (2) (b) of the statutes, as affected by 2001  
7 Wisconsin Act 16, is amended to read:

8           79.06 (2) (b) ~~If~~ Ending with the distributions in 2003, if the payments to a  
9 municipality or county, except any county in which there are no cities or villages, or  
10 any county created in the year 1846 or 1847, with a population in the year 1990  
11 greater than 16,000 but less than 17,000, as determined by the 1990 federal  
12 decennial census, in any year exceed its combined payments under this section and  
13 s. 79.03, excluding payments under s. 79.03 (3c), in the previous year by more than  
14 the maximum allowable increase, the excess shall be withheld to fund minimum  
15 payments in that year under sub. (1) (c).

16           ~~\*4462/4.22\*~~ **SECTION 257.** 79.06 (3) of the statutes is created to read:

17           79.06 (3) SUNSET. Beginning in 2004, no municipality or county may receive  
18 a payment under this section.

19           **\*b2428/1.1\* SECTION 257p.** 84.30 (10m) of the statutes is amended to read:

20           84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may  
21 promulgate a rule requiring persons specified in the rule to pay annual permit fees  
22 for signs. The rule shall specify that no permit fee may be charged for an  
23 off-premises advertising sign that is owned by a nonprofit organization. If the  
24 department establishes an annual permit fee under this subsection, failure to pay

1 the fee within 2 months after the date on which payment is due is evidence that the  
2 sign has been abandoned for the purposes of s. TRANS 201.10 (2) (f), Wis. Adm. Code.

3 **\*b2825/1.1\* SECTION 257m.** 84.185 (3m) of the statutes is created to read:

4 84.185 (3m) REVIEW OF APPLICATIONS. The department shall accept, review, and  
5 make determinations on applications for assistance under this section on a  
6 continuing, year-round basis. The department shall make a determination on each  
7 application for assistance under this section within a reasonable time after its  
8 receipt by the department.

9 **\*b2900/2.20\* SECTION 258m.** 85.12 (3) of the statutes, as affected by 2001  
10 Wisconsin Act 16, is amended to read:

11 85.12 (3) The department may contract with any local governmental unit, as  
12 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services  
13 under this section.

14 **\*b2976/2.1\* SECTION 258r.** 84.02 (15) of the statutes is created to read:

15 84.02 (15) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this  
16 subsection:

17 1. “Additional cost” means the difference in cost between installation of a traffic  
18 control signal that is equipped with an emergency preemption device and  
19 confirmation signal and installation of a traffic control signal that is not so equipped,  
20 and includes the difference in incidental costs such as electrical wiring.

21 2. “Authorized emergency vehicle” has the meaning given in s. 340.01 (3) (a),  
22 (c), (g), or (i).

23 3. “Confirmation signal” means a white signal, located on or near a traffic  
24 control signal equipped with an emergency preemption device, that is designed to be  
25 visible to the operator of an approaching authorized emergency vehicle and that

1 confirms to the operator that the emergency preemption device has received a  
2 transmission from the operator.

3 4. “Emergency preemption device” means an electrical device, located on or  
4 within a traffic control signal, that is designed to receive an electronic, radio, or sonic  
5 transmission from an approaching authorized emergency vehicle that alters the  
6 normal sequence of the traffic control signal to provide or maintain a green signal for  
7 the authorized emergency vehicle to proceed through the intersection.

8 5. “Political subdivision” means a county, city, village, or town.

9 6. “Traffic control signal” means any electrical device by which traffic is  
10 alternately directed to stop and permitted to proceed by means of exhibiting different  
11 colored lights successively.

12 (b) Before the department installs a new traffic control signal on a state trunk  
13 highway within the corporate limits of any political subdivision, the department  
14 shall do all of the following:

15 1. Notify the political subdivision of the planned traffic control signal  
16 installation.

17 2. Notify the political subdivision of the additional cost of equipping the traffic  
18 control signal with an emergency preemption device and confirmation signal.

19 3. Provide the political subdivision with the opportunity to request that the  
20 traffic control signal be equipped with an emergency preemption device and  
21 confirmation signal.

22 (c) If any political subdivision requests under par. (b) 3. that the department  
23 equip the traffic control signal with an emergency preemption device and  
24 confirmation signal, and one or more political subdivisions contributes a total of 50%  
25 of the additional cost specified under par. (b) 2., the department shall equip the traffic

1 control signal with an emergency preemption device and confirmation signal when  
2 the department installs the traffic control signal.

3 (d) Notwithstanding pars. (b) and (c), this subsection does not prohibit the  
4 department from installing on any state trunk highway, at the department's  
5 expense, any traffic control signal equipped with an emergency preemption device  
6 and confirmation signal. The department may install a new traffic control signal  
7 equipped with an emergency preemption device and confirmation signal under this  
8 paragraph without providing notice and an opportunity to respond under par. (b) to  
9 any political subdivision. The department shall install a confirmation signal with  
10 every new emergency preemption device installed by the department under this  
11 paragraph.

12 (e) Any new traffic control signal installed by the department after the effective  
13 date of this paragraph .... [revisor inserts date], that is not equipped with an  
14 emergency preemption device shall include all electrical wiring necessary to equip  
15 the traffic control signal with an emergency preemption device and confirmation  
16 signal.

17 (f) The department shall promulgate rules to implement and administer this  
18 subsection. The rules shall include procedures and deadlines for the department's  
19 notification of political subdivisions, and for political subdivisions' requests and  
20 contributions to the department, under this subsection.

21 **\*b2976/2.1\* SECTION 258x.** 85.07 (7) (c) of the statutes is created to read:

22 85.07 (7) (c) Notwithstanding par. (b), the department shall, in each fiscal year,  
23 expend federal funds available under 23 USC 152 for hazard elimination projects  
24 that reduce the response time of emergency vehicles regardless of reduction in motor  
25 vehicle accidents.

1           **\*b3042/2.2\* SECTION 258m.** 84.09 (9) of the statutes is created to read:

2           84.09 (9) Subsections (5), (5m), and (6) do not apply to state surplus property  
3 that is directed to be sold under 2001 Wisconsin Act .... (this act), section 9107 (1b).

4           **\*b3066/1.5\* SECTION 258ps.** 84.013 (2) of the statutes, as affected by 2001  
5 Wisconsin Act 16, is amended to read:

6           84.013 (2) (a) Subject to ~~s. ss. 84.555 and~~ 86.255, major highway projects shall  
7 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and  
8 20.866 (2) (ur) to ~~(uu)~~ (uum).

9           (b) Except as provided in ss. 84.014 ~~and~~, 84.03 (3), ~~and 84.555~~, and subject to  
10 s. 86.255, reconditioning, reconstruction and resurfacing of highways shall be  
11 funded from the appropriations under s. 20.395 (3) (cq) to (cx).

12           **\*b3066/1.5\* SECTION 258pt.** 84.014 (2) of the statutes, as created by 2001  
13 Wisconsin Act 16, is amended to read:

14           84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and  
15 86.255, any southeast Wisconsin freeway rehabilitation projects, including the  
16 Marquette interchange reconstruction project and projects that involve adding one  
17 or more lanes 5 miles or more in length to the existing freeway, may be funded only  
18 from the appropriations under ~~s. ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2)~~  
19 (uum).

20           **\*b3066/1.5\* SECTION 258pv.** 84.03 (2) (c) of the statutes is amended to read:

21           84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the  
22 joint committee on finance jointly shall determine whether the plan is complete. If  
23 the joint committee on finance meets and either approves or modifies and approves  
24 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine  
25 that the plan is complete, the secretary shall implement the plan as approved by the

1 committee. If the joint committee on finance does not meet and either approve or  
2 modify and approve a plan submitted under par. (b) 1. within 14 days after the  
3 cochairpersons determine that the plan is complete, the secretary shall implement  
4 the proposed plan. If the joint committee on finance approves a plan under s. 84.555  
5 for a state fiscal year, the joint committee on finance may modify a plan implemented  
6 under this paragraph for that fiscal year.

7 \*b3066/1.5\* SECTION 258pw. 84.555 of the statutes is created to read:

8 **84.555 Additional funding of major highway and rehabilitation**  
9 **projects.** (1) Notwithstanding ss. 84.51 and 84.59, major highway projects, as  
10 defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast  
11 Wisconsin freeway rehabilitation projects under s. 84.014, and state highway  
12 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded  
13 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) if all  
14 of the following conditions are satisfied:

15 (a) The department's most recent estimate of the amount of federal funds, as  
16 defined in s. 84.03 (2) (a) 1., that the department will be appropriated under s. 20.395  
17 in the current state fiscal year is less than 95% of the amount of federal funds shown  
18 in the schedule, as defined in s. 84.03 (2) (a) 2., for the appropriations under s. 20.395  
19 in that fiscal year.

20 (b) The secretary has submitted a plan to the joint committee on finance for the  
21 use of proceeds of general obligation bonds issued under s. 20.866 (2) (uum) and the  
22 joint committee on finance has approved the plan, except that the secretary may not  
23 submit, and the joint committee on finance may not approve, a plan for the use of an  
24 amount of proceeds of general obligation bonds that exceeds the difference between  
25 the amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the

1 department to be appropriated under s. 20.395 in the current state fiscal year and  
2 the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2.,  
3 for the appropriations under s. 20.395 in that fiscal year.

4 (2) The joint committee on finance may approve, or modify and approve, a plan  
5 received under sub. (1) (b) using the procedure specified in s. 84.03 (2) (c). No plan  
6 submitted under sub. (1) (b) may be implemented unless the joint committee on  
7 finance has approved, or modified and approved, the plan.

8 (3) The secretary may submit a plan under sub. (1) (b) at any time during a  
9 state fiscal year after the condition specified in sub. (1) (a) is satisfied for that fiscal  
10 year.

11 **\*b3067/1.1\* SECTION 258pr.** 84.013 (1) (a) (intro.) of the statutes is amended  
12 to read:

13 84.013 (1) (a) (intro.) “Major highway project” means a project, except a project  
14 providing an approach to a bridge over a river that forms a boundary of the state or  
15 a southeast Wisconsin freeway rehabilitation project under s. 84.014, which has a  
16 total cost of more than \$5,000,000 and which involves any of the following:

17 **\*b3067/1.1\* SECTION 258pu.** 84.014 (5m) of the statutes is created to read:

18 84.014 (5m) (a) Notwithstanding any other provision of this section, the  
19 department may not expend any moneys from the appropriations under s. 20.395 (3)  
20 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that  
21 involves adding one or more lanes 5 miles or more in length to the existing freeway  
22 unless the project is specifically enumerated in a list under par. (b).

23 (b) The department may proceed with the following southeast Wisconsin  
24 freeway rehabilitation projects:



1           1. No projects are enumerated under this paragraph as of the effective date of  
2 this subdivision .... [revisor inserts date].

3           **\*b3104/1.1\* SECTION 257g.** 84.014 (5) of the statutes is created to read:

4           84.014 (5) The department shall design the reconstruction of I 94 in Milwaukee  
5 and Waukesha counties, other than the Marquette interchange, to allow for  
6 expansion of capacity for vehicular traffic on I 94 in these counties to meet the  
7 projected vehicular traffic capacity needs, as determined by the department, for 25  
8 years following the completion of such reconstruction.

9           **\*-4548/2.67\* \*-3266/P1.42\* SECTION 259.** 86.192 (4) of the statutes is  
10 amended to read:

11           86.192 (4) Any person who violates this section ~~shall be fined not more than~~  
12 ~~\$10,000 or imprisoned for not more than 3 years or both~~ is guilty of a Class H felony  
13 if the injury, defacement or removal causes the death of a person.

14           **\*b2431/2.1\* SECTION 259g.** 86.312 (2) (a) of the statutes is amended to read:

15           86.312 (2) (a) The department shall administer a local roads for job  
16 preservation program to award grants to political subdivisions for any project that  
17 the department determines is necessary to support business and retain jobs in the  
18 vicinity of the local road. The department may award grants under this section for  
19 any costs related to a project, including costs of acquiring rights-of-way, planning,  
20 designing, engineering, and constructing a local road. The department may specify  
21 the pavement to be used in any project funded under this section for the purpose of  
22 enhancing the pavement life and cost-effectiveness of the project.

23           **\*b3008/1.2\* SECTION 259g.** 87.30 (1) (d) of the statutes is amended to read:

24           87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects  
25 an activity that meets all of the requirements under s. 281.165 (2) ~~or (3) (a)~~, the

1 department may not proceed under this subsection, or otherwise review the  
2 amendment, to determine whether the ordinance, as amended, is insufficient.

3 **\*b3052/1.5\* SECTION 259d.** 93.07 (1) of the statutes is amended to read:

4 93.07 (1) REGULATIONS. To make and enforce such regulations, not inconsistent  
5 with law, as it may deem necessary for the exercise and discharge of all the powers  
6 and duties of the department, and to adopt such measures and make such  
7 regulations as are necessary and proper for the ~~enforcement by the state of~~  
8 department to carry out its duties and powers under chs. 93 to 100, which regulations  
9 shall have the force of law.

10 **\*b2291/2.2\* SECTION 259r.** 93.07 (10) (a) of the statutes is repealed.

11 **\*b2291/2.2\* SECTION 259s.** 93.07 (10) (b) of the statutes is renumbered 93.07  
12 (10) and amended to read:

13 93.07 (10) ANIMAL HEALTH; QUARANTINE. To protect the health of domestic  
14 animals ~~of the~~ located in this state; and of humans residing in this state and to  
15 determine and employ the most efficient and practical means for the prevention,  
16 suppression, control, and eradication of communicable diseases among ~~domestic~~  
17 animals, ~~and for.~~ For these purposes it, the department may establish, maintain,  
18 enforce, and regulate such quarantine and such other measures relating to the  
19 importation, movement, and care of animals and their products, the disinfection of  
20 suspected localities and articles, and the disposition of animals, as the department  
21 ~~may deem~~ determines are necessary. The definition of “communicable disease” in s.  
22 990.01 (5g) does not apply to this ~~paragraph~~ subsection.

23 **\*b3052/1.6\* SECTION 259sd.** 93.07 (23) of the statutes is created to read:

24 93.07 (23) CONSUMER PROTECTION ADMINISTRATION. To administer ss. 100.01 to  
25 100.03, 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201, 100.206, 100.208,

1 100.21, 100.22, 100.235, 100.265, 100.27, 100.285 to 100.297, 100.30, 100.33 to  
2 100.36, 100.45, 100.47, 100.48, and 100.51 and to enforce ss. 100.206, 100.21, 100.30,  
3 and 100.51.

4 **\*b3052/1.6\* SECTION 259se.** 93.07 (24) of the statutes is amended to read:

5 93.07 (24) ENFORCEMENT OF LAWS. To enforce or assist in the enforcement of chs.  
6 88 and 93 to 100 and all other laws entrusted to its administration, and especially:

7 (a) To enforce the laws administered by the department regarding the  
8 production, manufacture and sale, offering or exposing for sale or having in  
9 possession with intent to sell, of any dairy, food or drug product.

10 (b) To enforce the laws administered by the department regarding the  
11 adulteration or misbranding of any articles of food, drink, condiment or drug.

12 (c) To inspect any milk, butter, cheese, lard, syrup, coffee, tea or other article  
13 of food, drink, condiment or drug made or offered for sale within this state which it  
14 may suspect or have reason to believe, under the laws administered by the  
15 department, to be impure, unhealthful, misbranded, adulterated or counterfeit, or  
16 in any way unlawful.

17 (d) To prosecute or cause to be prosecuted, under the laws administered by the  
18 department, any person engaged in the manufacture or sale, offering or exposing for  
19 sale or having in possession with intent to sell, of any adulterated dairy product or  
20 of any adulterated, misbranded, counterfeit, or otherwise unlawful article or articles  
21 of food, drink, condiment or drug.

22

No space

23 **\*b3052/1.6\* SECTION 259sf.** 93.18 (3) of the statutes is amended to read:

24 93.18 (3) The department of justice, after acting pursuant to s. 100.37 or 100.41  
25 to 100.43 to order the sale or distribution of any substance, article, furnishing, fabric,

1 product or related material ceased, shall give written notice of its finding to the  
2 manufacturer, seller or other person responsible for placing the item in the channels  
3 of trade in this state. After such notice no person may sell, remove or otherwise  
4 dispose of such item except as directed by the department. Any person affected by  
5 such notice may demand a prompt hearing to determine the validity of the  
6 department's findings. The hearing, if requested, shall be held as expeditiously as  
7 possible but not later than 30 days after notice. A request for hearing does not  
8 operate to stay enforcement of the order during the pendency of the hearing. The  
9 person petitioning for a hearing shall be entitled to the same rights specified under  
10 sub. (2).

11 **\*b3052/1.6\* SECTION 259sh.** 93.18 (7) of the statutes is created to read:

12 93.18 (7) The department of justice shall follow the procedures under subs. (1),  
13 (2), (4), (5), and (6) in enforcing the provisions of ch. 100 that are administered by the  
14 department of justice.

15 **\*b3052/1.6\* SECTION 259sj.** 93.20 (1) of the statutes is amended to read:

16 93.20 (1) DEFINITION. In this section, "action" means an action that is  
17 commenced in court by, or on behalf of, the department of agriculture, trade and  
18 consumer protection to enforce chs. 88, 91 to 100 or 127 or an action that is  
19 commenced in court by the department of justice to enforce ch. 100.

20

No Space

21 **\*b3052/1.6\* SECTION 259sm.** 93.22 (1) of the statutes is amended to read:

22 93.22 (1) In cases arising under chs. 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21,  
23 100.30, and 100.51, the department may be represented by its attorney.

24 **\*b3052/1.6\* SECTION 259sp.** 93.22 (2) of the statutes is amended to read:

1           93.22 (2) The department may, with the approval of the governor, appoint  
2 special counsel to prosecute or assist in the prosecution of any case arising under chs.  
3 88 and 93 to ~~100 99 and ss. 100.206, 100.21, 100.30, and 100.51~~. The cost of such  
4 special counsel shall be charged to the appropriation for the department.

5           **\*b2391/1.7\* SECTION 260g.** 95.22 of the statutes is renumbered 95.22 (1).

6           **\*b2391/1.7\* SECTION 260h.** 95.22 (2) of the statutes is created to read:

7           95.22 (2) The department shall provide the reports of any communicable  
8 diseases under sub. (1) to the department of health and family services.

9           **\*b2291/2.3\* SECTION 260p.** 95.65 of the statutes is created to read:

10           **95.65 Intrastate transportation of white-tailed deer. (1)** In this section,  
11 “cervid” means a member of the family of animals that includes deer and moose.

12           (2) The department shall impose the same requirements on the intrastate  
13 transportation of white-tailed deer that it imposes on the intrastate transportation  
14 of other cervids.

15           ~~\*-4548/2.68\* \*-3266/P1.43\*~~ **SECTION 261.** 97.43 (4) of the statutes is amended  
16 to read:

17           97.43 (4) Whoever violates this section ~~may be fined not less than \$500 nor~~  
18 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~  
19 guilty of a Class H felony.

20           ~~\*-4548/2.69\* \*-3266/P1.44\*~~ **SECTION 262.** 97.45 (2) of the statutes is amended  
21 to read:

22           97.45 (2) Whoever violates this section ~~may be fined not less than \$500 nor~~  
23 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both is~~  
24 guilty of a Class H felony.

25           **\*b3052/1.7\* SECTION 262m.** 100.07 (6) of the statutes is amended to read:

1           100.07 (6) ~~Action~~ Upon request of the department, an action to enjoin violation  
2 of this section may be commenced and prosecuted by the department of justice in the  
3 name of the state in any court having equity jurisdiction.

4           \*~~4548/2.70~~\* \*~~3266/P1.45~~\* **SECTION 263.** 100.171 (7) (b) of the statutes is  
5 amended to read:

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

11           \***b3052/1.8**\* **SECTION 263bb.** 100.171 (7) (b) of the statutes, as affected by 2001  
12 Wisconsin Act .... (this act), is amended to read:

13           100.171 (7) (b) Whoever intentionally violates this section is guilty of a Class  
14 I felony. A person intentionally violates this section if the violation occurs after the  
15 department of justice or a district attorney has notified the person by certified mail  
16 that the person is in violation of this section.

17           \***b3052/1.8**\* **SECTION 263bd.** 100.171 (8) (intro.) of the statutes is amended to  
18 read:

19           100.171 (8) ENFORCEMENT. (intro.) The department of justice shall investigate  
20 violations of this section. The department of justice or any district attorney may on  
21 behalf of the state:

22           \***b3052/1.8**\* **SECTION 263bg.** 100.173 (4) (intro.) of the statutes is amended to  
23 read:

1           100.173 (4) (intro.) The department of justice shall investigate violations of this  
2 section. The department of justice, or any district attorney upon informing the  
3 department of justice, may, on behalf of the state, do any of the following:

4           **\*b3052/1.8\* SECTION 263bj.** 100.173 (4) (a) of the statutes is amended to read:

5           100.173 (4) (a) Bring an action for temporary or permanent injunctive relief in  
6 any court of competent jurisdiction for any violation of this section. The relief sought  
7 by the department of justice or district attorney may include the payment by a  
8 promoter into an escrow account of an amount estimated to be sufficient to pay for  
9 ticket refunds. The court may, upon entry of final judgment, award restitution when  
10 appropriate to any person suffering loss because of violations of this section if proof  
11 of such loss is submitted to the satisfaction of the court.

12           **\*b3052/1.8\* SECTION 263bn.** 100.174 (5) (intro.) of the statutes is amended to  
13 read:

14           100.174 (5) (intro.) The department of justice or any district attorney may on  
15 behalf of the state:

16           **\*b3052/1.8\* SECTION 263bq.** 100.174 (6) of the statutes is amended to read:

17           100.174 (6) The department of justice shall investigate violations of and  
18 enforce this section.

19           **\*b3052/1.8\* SECTION 263bt.** 100.175 (5) (a) (intro.) of the statutes is amended  
20 to read:

21           100.175 (5) (a) (intro.) No person may collect or by contract require a buyer to  
22 pay more than \$100 for dating services before the buyer receives or has the  
23 opportunity to receive those services unless the person selling dating services  
24 establishes proof of financial responsibility by maintaining any of the following

1 commitments approved by the department of justice in an amount not less than  
2 \$25,000:

3 **\*b3052/1.8\* SECTION 263bw.** 100.175 (5) (b) of the statutes is amended to read:

4 100.175 (5) (b) The commitment described in par. (a) shall be established in  
5 favor of or made payable to the state, for the benefit of any buyer who does not receive  
6 a refund under the contractual provision described in sub. (3). The person selling  
7 dating services shall file with the department of justice any agreement, instrument  
8 or other document necessary to enforce the commitment against the person selling  
9 dating services or any relevant 3rd party, or both.

10 **\*b3052/1.8\* SECTION 263bz.** 100.175 (7) (a) (intro.) of the statutes is amended  
11 to read:

12 100.175 (7) (a) (intro.) The department of justice or any district attorney may  
13 on behalf of the state:

14 **\*b3052/1.8\* SECTION 263gb.** 100.175 (7) (b) of the statutes is amended to read:

15 100.175 (7) (b) The department of justice may bring an action in circuit court  
16 to recover on a financial commitment maintained under sub. (5) against a person  
17 selling dating services or relevant 3rd party, or both, on behalf of any buyer who does  
18 not receive a refund due under the contractual provision described in sub. (3).

19 **\*b3052/1.8\* SECTION 263gd.** 100.177 (1) (bm) of the statutes is created to read:

20 100.177 (1) (bm) Notwithstanding s. 93.01 (3), “department” means the  
21 department of justice.

22 **\*b3052/1.8\* SECTION 263gg.** 100.178 (1) (b) of the statutes is amended to read:

23 100.178 (1) (b) Notwithstanding s. 93.01 (3), “department” means the  
24 department of ~~health and family services~~ justice.

25 **\*b3052/1.8\* SECTION 263gj.** 100.18 (11) (a) of the statutes is amended to read:



1           100.18 (11) (a) The department of ~~agriculture, trade and consumer protection~~  
2 justice shall enforce this section. Actions to enjoin violation of this section or any  
3 regulations thereunder may be commenced and prosecuted by the department of of  
4 justice in the name of the state in any court having equity jurisdiction. This remedy  
5 is not exclusive.

6           **\*b3052/1.8\* SECTION 263gm.** 100.18 (11) (b) 3. of the statutes is amended to  
7 read:

8           100.18 (11) (b) 3. No action may be commenced under this section more than  
9 3 years after the occurrence of the unlawful act or practice which is the subject of the  
10 action. No injunction may be issued under this section which would conflict with  
11 general or special orders of the department of justice or any statute, rule or  
12 regulation of the United States or of this state.

13           **\*b3052/1.8\* SECTION 263gp.** 100.18 (11) (c) 1. of the statutes is amended to  
14 read:

15           100.18 (11) (c) 1. Whenever the department of justice has reason to believe that  
16 a person is in possession, custody or control of any information or documentary  
17 material relevant to the enforcement of this section it may require that person to  
18 submit a statement or report, under oath or otherwise, as to the facts and  
19 circumstances concerning any activity in the course of trade or commerce; examine  
20 under oath that person with respect to any activity in the course of trade or  
21 commerce; and execute in writing and cause to be served upon such person a civil  
22 investigative demand requiring the person to produce any relevant documentary  
23 material for inspection and copying.

24           **\*b3052/1.8\* SECTION 263gs.** 100.18 (11) (c) 2. of the statutes is amended to  
25 read:

1           100.18 (11) (c) 2. The department of justice, in exercising powers under this  
2 subsection, may issue subpoenas, administer oaths and conduct hearings to aid in  
3 any investigation.

4           **\*b3052/1.8\* SECTION 263gu.** 100.18 (11) (c) 3. of the statutes is amended to  
5 read:

6           100.18 (11) (c) 3. Service of any notice by the department of justice requiring  
7 a person to file a statement or report, or service of a subpoena upon a person, or  
8 service of a civil investigative demand shall be made in compliance with the rules of  
9 civil procedure of this state.

10          **\*b3052/1.8\* SECTION 263gx.** 100.18 (11) (c) 4. of the statutes is amended to  
11 read:

12          100.18 (11) (c) 4. If a person fails to file any statement or report, or fails to  
13 comply with any civil investigative demand, or fails to obey any subpoena issued by  
14 the department of justice, such person may be coerced as provided in s. 885.12, except  
15 that no person shall be required to furnish any testimony or evidence under this  
16 subsection which might tend to incriminate the person.

17          **\*b3052/1.8\* SECTION 263mb.** 100.18 (11) (d) of the statutes is amended to read:

18          100.18 (11) (d) ~~The department or the department of justice, after consulting~~  
19 ~~with the department,~~ or any district attorney, upon informing the department of  
20 justice, may commence an action in circuit court in the name of the state to restrain  
21 by temporary or permanent injunction any violation of this section. The court may  
22 in its discretion, prior to entry of final judgment, make such orders or judgments as  
23 may be necessary to restore to any person any pecuniary loss suffered because of the  
24 acts or practices involved in the action, provided proof thereof is submitted to the  
25 satisfaction of the court. ~~The department and the department of justice~~ may

1 subpoena persons and require the production of books and other documents, ~~and the~~  
2 ~~department of justice may request the department to exercise its authority under~~  
3 ~~par. (e) to aid in the investigation of alleged violations of this section.~~

4 **\*b3052/1.8\* SECTION 263mf.** 100.18 (11) (e) of the statutes is amended to read:

5 100.18 (11) (e) In lieu of instituting or continuing an action pursuant to this  
6 section, ~~the department or the department of justice may accept a written assurance~~  
7 of discontinuance of any act or practice alleged to be a violation of this section from  
8 the person who has engaged in such act or practice. The acceptance of such assurance  
9 by ~~either the department or the department of justice shall be deemed acceptance by~~  
10 ~~the other state officials enumerated in par. (d)~~ any district attorney if the terms of  
11 the assurance so provide. An assurance entered into pursuant to this section shall  
12 not be considered evidence of a violation of this section, provided that violation of  
13 such an assurance shall be treated as a violation of this section, and shall be  
14 subjected to all the penalties and remedies provided therefor.

15 **\*b3052/1.8\* SECTION 263mj.** 100.182 (5) (a) of the statutes is amended to read:

16 100.182 (5) (a) Any district attorney, after informing the department of justice,  
17 or the department of justice may seek a temporary or permanent injunction in circuit  
18 court to restrain any violation of this section. Prior to entering a final judgment the  
19 court may award damages to any person suffering monetary loss because of a  
20 violation. The department of justice may subpoena any person or require the  
21 production of any document to aid in investigating alleged violations of this section.

22 **\*b3052/1.8\* SECTION 263mm.** 100.182 (5) (b) of the statutes is amended to  
23 read:

24 100.182 (5) (b) In lieu of instituting or continuing an action under this  
25 subsection, the department of justice may accept a written assurance from a violator

1 of this section that the violation has ceased. If the terms of the assurance so provide,  
2 its acceptance by the department of justice prevents all district attorneys from  
3 prosecuting the violation. An assurance is not evidence of a violation of this section  
4 but violation of an assurance is subject to the penalties and remedies of violating this  
5 section.

6 **\*b3052/1.8\* SECTION 263mp.** 100.20 (2) (a) of the statutes is amended to read:

7 100.20 (2) (a) The department of justice, after public hearing, may issue  
8 general orders forbidding methods of competition in business or trade practices in  
9 business which are determined by the department of justice to be unfair. The  
10 department of justice, after public hearing, may issue general orders prescribing  
11 methods of competition in business or trade practices in business which are  
12 determined by the department of justice to be fair.

13 **\*b3052/1.8\* SECTION 263mr.** 100.20 (2) (b) of the statutes, as affected by 2001  
14 Wisconsin Act 16, is amended to read:

15 100.20 (2) (b) Notwithstanding par. (a), the department of justice may not issue  
16 any order or promulgate any rule that regulates the provision of water or sewer  
17 service by a manufactured home park operator, as defined in s. 101.91 (8), or  
18 manufactured home park contractor, as defined in s. 101.91 (6m), or enforce any rule  
19 to the extent that the rule regulates the provision of such water or sewer service.

20 **\*b3052/1.8\* SECTION 263mt.** 100.20 (3) of the statutes is amended to read:

21 100.20 (3) The department of justice, after public hearing, may issue a special  
22 order against any person, enjoining such person from employing any method of  
23 competition in business or trade practice in business which is determined by the  
24 department of justice to be unfair or from providing service in violation of sub. (1t).  
25 The department of justice, after public hearing, may issue a special order against any

1 person, requiring such person to employ the method of competition in business or  
2 trade practice in business which is determined by the department of justice to be fair.

3 **\*b3052/1.8\* SECTION 263mv.** 100.20 (4) of the statutes is amended to read:

4 100.20 (4) ~~The If the department of justice may file a written complaint with~~  
5 ~~the department alleging that the has reason to believe that a person named is~~  
6 ~~employing unfair methods of competition in business or unfair trade practices in~~  
7 ~~business or both. Whenever such a complaint is filed, it shall be the duty of the~~  
8 ~~department of justice to proceed, after proper notice and in accordance with its rules,~~  
9 ~~to the hearing and adjudication of the matters alleged, and a representative of the~~  
10 ~~department of justice designated by the attorney general may appear before the~~  
11 ~~department in such proceedings. The department of justice shall be entitled to~~  
12 ~~judicial review of the decisions and orders of the department under ch. 227 matter.~~

13 **\*b3052/1.8\* SECTION 263mx.** 100.20 (6) of the statutes is amended to read:

14 100.20 (6) The department of justice may commence an action in circuit court  
15 in the name of the state to restrain by temporary or permanent injunction the  
16 violation of any order issued under this section. The court may in its discretion, prior  
17 to entry of final judgment make such orders or judgments as may be necessary to  
18 restore to any person any pecuniary loss suffered because of the acts or practices  
19 involved in the action, provided proof thereof is submitted to the satisfaction of the  
20 court. The department of justice may use its authority in ss. 93.14 and 93.15 to  
21 investigate violations of any order issued under this section.

22 **\*b3052/1.8\* SECTION 263mz.** 100.201 (6) (d) of the statutes is amended to read:

23 100.201 (6) (d) The failure to pay fees under this subsection within the time  
24 provided under par. (c) is a violation of this section. The department of justice may

1 also commence an action to recover the amount of any overdue fees plus interest at  
2 the rate of 2% per month for each month that the fees are delinquent.

3

*No space*

4 \*b3052/1.8\* SECTION 263nb. 100.201 (8m) (intro.) of the statutes is amended  
5 to read:

6 100.201 (8m) JURISDICTION. (intro.) This section shall apply to transactions,  
7 acts or omissions which take place in whole or in part outside this state. In any action  
8 or administrative proceeding the department of justice has jurisdiction of the person  
9 served under s. 801.11 when any act or omission outside this state by the defendant  
10 or respondent results in local injury or may have the effect of injuring competition  
11 or a competitor in this state or unfairly diverts trade or business from a competitor,  
12 if at the time:

13 \*b3052/1.8\* SECTION 263nd. 100.201 (9) (b) of the statutes is amended to read:

14 100.201 (9) (b) The department, after public hearing held under s. 93.18, may  
15 issue a special order against any person requiring such person to cease and desist  
16 from acts, practices or omissions determined by the department to violate this  
17 section. Such orders shall be subject to judicial review under ch. 227. Any violation  
18 of a special order issued hereunder shall be punishable as a contempt under ch. 785  
19 in the manner provided for disobedience of a lawful order of a court, upon the filing  
20 of an affidavit by the department of justice of the commission of such violation in any  
21 court of record in the county where the violation occurred.

22 \*b3052/1.8\* SECTION 263nf. 100.201 (9) (c) of the statutes is amended to read:

23 100.201 (9) (c) The department of justice, in addition to or in lieu of any other  
24 remedies herein provided, may apply to a circuit court for a temporary or permanent  
25 injunction to prevent, restrain or enjoin any person from violating this section or any

1 special order of the department of agriculture, trade and consumer protection issued  
2 ~~hereunder~~ under this section, without being compelled to allege or prove that an  
3 adequate remedy at law does not exist.

4 **\*b3052/1.8\* SECTION 263nj.** 100.205 (7) of the statutes is amended to read:

5 100.205 (7) The department of justice, or any district attorney on informing the  
6 department of justice, may commence an action in circuit court in the name of the  
7 state to restrain by temporary or permanent injunction any violation of this section.  
8 The court may, before entry of final judgment and after satisfactory proof, make  
9 orders or judgments necessary to restore to any person any pecuniary loss suffered  
10 because of a violation of this section. The department of justice may conduct  
11 hearings, administer oaths, issue subpoenas and take testimony to aid in its  
12 investigation of violations of this section.

13 **\*b3052/1.8\* SECTION 263nm.** 100.205 (8) of the statutes is amended to read:

14 100.205 (8) The department of justice or any district attorney may commence  
15 an action in the name of the state to recover a forfeiture to the state of not more than  
16 \$10,000 for each violation of this section.

17 **\*b3052/1.8\* SECTION 263nn.** 100.207 (1) of the statutes is renumbered 100.207  
18 (1) (intro.) and amended to read:

19 100.207 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,  
20 “telecommunications;

21 (b) “Telecommunications service” has the meaning given in s. 196.01 (9m).

22 **\*b3052/1.8\* SECTION 263no.** 100.207 (1) (a) of the statutes is created to read:

23 100.207 (1) (a) Notwithstanding s. 93.01 (3), “department” means the  
24 department of justice.

1           **\*b3052/1.8\* SECTION 263nq.** 100.207 (6) (b) 1. of the statutes is amended to  
2 read:

3           100.207 (6) (b) 1. The department of justice, ~~after consulting with the~~  
4 ~~department of agriculture, trade and consumer protection,~~ or any district attorney  
5 upon informing the department of ~~agriculture, trade and consumer protection,~~ may  
6 commence an action in circuit court in the name of the state to restrain by temporary  
7 or permanent injunction any violation of this section. Injunctive relief may include  
8 an order directing telecommunications providers, as defined in s. 196.01 (8p), to  
9 discontinue telecommunications service provided to a person violating this section  
10 or ch. 196. Before entry of final judgment, the court may make such orders or  
11 judgments as may be necessary to restore to any person any pecuniary loss suffered  
12 because of the acts or practices involved in the action if proof of these acts or practices  
13 is submitted to the satisfaction of the court.

14           **\*b3052/1.8\* SECTION 263nt.** 100.207 (6) (b) 2. of the statutes is amended to  
15 read:

16           100.207 (6) (b) 2. The department ~~may exercise its authority under ss. 93.14~~  
17 ~~to 93.16 and 100.18 (11) (c) to~~ shall administer this section. The department and the  
18 ~~department of justice~~ may subpoena persons and, require the production of books  
19 and other documents, and ~~the department of justice may request the department of~~  
20 ~~agriculture, trade and consumer protection to exercise its authority to aid in the~~  
21 ~~investigation of~~ investigate alleged violations of this section.

22           **\*b3052/1.8\* SECTION 263nv.** 100.207 (6) (c) of the statutes is amended to read:

23           100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to  
24 forfeit not less than \$25 nor more than \$5,000 for each offense. Forfeitures under this  
25 paragraph shall be enforced by the department of justice, ~~after consulting with the~~



1 ~~department of agriculture, trade and consumer protection,~~ or, upon informing the  
2 department, by the district attorney of the county where the violation occurs.

3 **\*b3052/1.8\* SECTION 263nz.** 100.207 (6) (em) 1. of the statutes is amended to  
4 read:

5 100.207 (6) (em) 1. Before preparing any proposed rule under this section, the  
6 department shall form an advisory group to suggest recommendations regarding the  
7 content and scope of the proposed rule. The advisory group shall consist of one or  
8 more persons who may be affected by the proposed rule, ~~a representative from the~~  
9 ~~department of justice~~ and a representative from the public service commission.

10 **\*b3052/1.8\* SECTION 263pb.** 100.207 (6) (em) 2. of the statutes is amended to  
11 read:

12 100.207 (6) (em) 2. The department shall submit the recommendations under  
13 subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2)  
14 ~~and to the board of agriculture, trade and consumer protection.~~

15 **\*b3052/1.8\* SECTION 263pf.** 100.208 (2) (intro.) of the statutes is amended to  
16 read:

17 100.208 (2) (intro.) The department of justice shall notify the public service  
18 commission if any of the following conditions exists:

19 **\*b3052/1.8\* SECTION 263pj.** 100.208 (2) (b) of the statutes is amended to read:

20 100.208 (2) (b) The department of justice has issued an order under s. 100.20  
21 (3) prohibiting a telecommunications provider from engaging in an unfair trade  
22 practice or method of competition.

23 **\*b3052/1.8\* SECTION 263pm.** 100.209 (3) of the statutes is amended to read:

24 100.209 (3) RULES AND LOCAL ORDINANCES ALLOWED. This section does not  
25 prohibit the department of justice from promulgating a rule or from issuing an order

1 consistent with its authority under this chapter that gives a subscriber greater rights  
2 than the rights under sub. (2) or prohibit a city, village or town from enacting an  
3 ordinance that gives a subscriber greater rights than the rights under sub. (2).

4 **\*b3052/1.8\* SECTION 263pp.** 100.209 (4) (b) of the statutes is amended to read:

5 100.209 (4) (b) The department of justice and the district attorneys of this state  
6 have concurrent authority to institute civil proceedings under this section.

7 **\*b3052/1.8\* SECTION 263ps.** 100.2095 (6) (b) of the statutes is amended to  
8 read:

9 100.2095 (6) (b) The department of justice may commence an action in the  
10 name of the state to restrain by temporary or permanent injunction a violation of sub.  
11 (3), (4) or (5). Before entry of final judgment, the court may make any necessary  
12 orders to restore to any person any pecuniary loss suffered by the person because of  
13 the violation.

14 **\*b3052/1.8\* SECTION 263pv.** 100.2095 (6) (c) of the statutes is amended to read:

15 100.2095 (6) (c) The department of justice or any district attorney may  
16 commence an action in the name of the state to recover a forfeiture to the state of not  
17 less than \$100 nor more than \$10,000 for each violation of sub. (3), (4) or (5).

18 **\*-4548/2.71\* \*-3266/P1.46\* SECTION 264.** 100.2095 (6) (d) of the statutes is  
19 amended to read:

20 100.2095 (6) (d) A person who violates sub. (3), (4) or (5) may be fined not less  
21 ~~than \$100 nor more than \$1,000~~ \$10,000 or imprisoned for not more than ~~one year~~  
22 9 months or both. Each day of violation constitutes a separate offense.

23 **\*b3052/1.9\* SECTION 264d.** 100.21 (2) (a) of the statutes is amended to read:

24 100.21 (2) (a) No person may make an energy savings or safety claim without  
25 a reasonable and currently accepted scientific basis for the claim when the claim is

1 made. Making an energy savings or safety claim without a reasonable and currently  
2 accepted scientific basis is also an unfair method of competition and trade practice  
3 prohibited under s. 100.20.

4 **\*b3052/1.9\* SECTION 264h.** 100.21 (4) (a) (intro.) of the statutes is amended  
5 to read:

6 100.21 (4) (a) (intro.) The department may, after public hearing, issue general  
7 or special orders ~~under s. 100.20:~~

8 **\*b3052/1.9\* SECTION 264p.** 100.22 (4) (b) of the statutes is amended to read:

9 100.22 (4) (b) The department of justice may, without alleging or proving that  
10 no other adequate remedy at law exists, bring an action to enjoin violations of this  
11 section or a special order issued under this section in the circuit court for the county  
12 where the alleged violation occurred.

13 **\*b3052/1.9\* SECTION 264t.** 100.235 (11) (a) of the statutes is amended to read:

14 100.235 (11) (a) *Forfeiture.* Any person who violates this section or any rule  
15 promulgated or order issued under this section may be required to forfeit not less  
16 than \$100 nor more than \$10,000. ~~Notwithstanding s. 165.25 (1), the department~~  
17 ~~may commence an action to recover a forfeiture under this paragraph.~~

18 **\*-4548/2.72\* \*-3266/P1.47\* SECTION 265.** 100.26 (2) of the statutes is  
19 amended to read:

20 100.26 (2) Any person violating s. 100.02 ~~shall be fined not less than \$50 nor~~  
21 ~~more than \$3,000 or imprisoned for not less than 30 days nor more than 4 years and~~  
22 ~~6 months or both~~ is guilty of a Class I felony.

23 **\*-4548/2.73\* \*-3266/P1.48\* SECTION 266.** 100.26 (5) of the statutes, as  
24 affected by 2001 Wisconsin Act 16, is amended to read:

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

4           **\*b3052/1.10\* SECTION 266m.** 100.26 (6) of the statutes is amended to read:

5           100.26 (6) ~~The department, the department of justice, after consulting with the~~  
6           ~~department, or any district attorney may commence an action in the name of the~~  
7           ~~state to recover a civil forfeiture to the state of not less than \$100 nor more than~~  
8           ~~\$10,000 for each violation of~~ Any person violating an injunction issued under s.  
9           ~~100.18, 100.182 or 100.20 (6). The department of agriculture, trade and consumer~~  
10          ~~protection or any district attorney may commence an action in the name of the state~~  
11          ~~to recover a civil~~ is subject to a forfeiture of not less than \$100 nor more than \$10,000  
12          for each violation. Any person violating an order issued under s. 100.20 is subject  
13          to a forfeiture to the state of not less than \$100 nor more than \$10,000 for each  
14          violation of an order issued under s. 100.20.

15          **\*-4548/2.74\* \*-3266/P1.49\* SECTION 267.** 100.26 (7) of the statutes is  
16          amended to read:

17          100.26 (7) Any person violating s. 100.182 ~~shall~~ may be fined not less than ~~\$500~~  
18          ~~nor more than \$5,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or  
19          both for each offense. Each unlawful advertisement published, printed or mailed on  
20          separate days or in separate publications, hand bills or direct mailings is a separate  
21          violation of this section.

22          **\*b2366/1.1\* SECTION 267m.** 101.01 (11) of the statutes, as affected by 2001  
23          Wisconsin Act 16, section 2446rb, is amended to read:

24          101.01 (11) “Place of employment” includes every place, whether indoors or out  
25          or underground and the premises appurtenant thereto where either temporarily or

1 permanently any industry, trade, or business is carried on, or where any process or  
2 operation, directly or indirectly related to any industry, trade, or business, is carried  
3 on, and where any person is, directly or indirectly, employed by another for direct or  
4 indirect gain or profit, but does not include any place where persons are employed  
5 in private domestic service which does not involve the use of mechanical power or in  
6 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~  
7 ~~includes;~~ the transportation of farm products, supplies, or equipment directly to the  
8 farm by the operator of the farm or employees for use thereon, if such activities are  
9 directly or indirectly for the purpose of producing commodities for market, or as an  
10 accessory to such production; and the operation of a horse boarding facility or horse  
11 training facility that does not contain an area for the public to view a horse show.  
12 When used with relation to building codes, “place of employment” does not include  
13 an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11,  
14 a previously constructed building used as a community-based residential facility, as  
15 defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the  
16 operator or administrator.

17 \*b2366/1.1\* **SECTION 267q.** 101.01 (12) of the statutes, as affected by 2001  
18 Wisconsin Act 16, section 2447db, is amended to read:

19 101.01 (12) “Public building” means any structure, including exterior parts of  
20 such building, such as a porch, exterior platform, or steps providing means of ingress  
21 or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,  
22 traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation  
23 to building codes, “public building” does not include a horse boarding facility or horse  
24 training facility that does not contain an area for the public to view a horse show or  
25 a previously constructed building used as a community-based residential facility as

1 defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the  
2 operator or administrator or an adult family home, as defined in s. 50.01 (1).

3 \*b3052/1.11\* SECTION 267kb. 100.261 (3) (b) of the statutes, as affected by  
4 2001 Wisconsin Act 16, is amended to read:

5 100.261 (3) (b) The state treasurer shall deposit the consumer protection  
6 assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch.  
7 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them  
8 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.  
9 (c).

10 \*b3052/1.11\* SECTION 267kd. 100.261 (3) (d) of the statutes is created to read:

11 100.261 (3) (d) The state treasurer shall deposit the consumer protection  
12 assessment amounts imposed for a violation of this chapter, a rule promulgated  
13 under this chapter, or an ordinance enacted under this chapter in the general fund  
14 and shall credit them to the appropriation account under s. 20.455 (1) (g), subject to  
15 the limit under par. (e).

16 \*b3052/1.11\* SECTION 267ke. 100.261 (3) (e) of the statutes is created to read:

17 100.261 (3) (e) The amount credited to the appropriation account under s.  
18 20.455 (1) (g) may not exceed \$185,000 in each fiscal year.

19 \*b3052/1.11\* SECTION 267kf. 100.263 of the statutes is amended to read:

20 *check spacing* **100.263 Recovery.** In addition to other remedies available under this chapter,  
21 the court may award ~~the department~~ the reasonable and necessary costs of  
22 investigation and an amount reasonably necessary to remedy the harmful effects of  
23 the violation and the court may award ~~the department of justice~~ the reasonable and  
24 necessary expenses of prosecution, including attorney fees, from any person who  
25 violates this chapter. The ~~department and the department of justice~~ amounts

1 ~~awarded under this subsection shall deposit be deposited~~ in the state treasury for  
2 ~~deposit in the general fund all moneys that the court awards to the department, the~~  
3 ~~department of justice or the state under this section. Ten percent of the money~~  
4 ~~deposited in the general fund that was awarded under this section for the costs of~~  
5 ~~investigation and the expenses of prosecution, including attorney fees, shall be~~  
6 ~~credited to the appropriation account under s. 20.455 (1) (gh).~~

7 **\*b3052/1.11\* SECTION 267kh.** 100.28 (4) (b) of the statutes is amended to read:

8 100.28 (4) (b) In lieu of or in addition to forfeitures under par. (a), the  
9 department of justice may seek an injunction restraining any person from violating  
10 this section.

11 **\*b3052/1.11\* SECTION 267kj.** 100.28 (4) (c) of the statutes is amended to read:

12 100.28 (4) (c) The department of justice, or any district attorney upon the  
13 request of the department of justice, may commence an action in the name of the  
14 state under par. (a) or (b).

15 **\*b3052/1.11\* SECTION 267kL.** 100.31 (4) of the statutes is amended to read:

16 100.31 (4) PENALTIES. For any violation of this section, the department of  
17 justice or a district attorney may commence an action on behalf of the state to recover  
18 a forfeiture of not less than \$100 nor more than \$10,000 for each offense. Each  
19 delivery of a drug sold to a purchaser at a price in violation of this section and each  
20 separate day in violation of an injunction issued under this section is a separate  
21 offense.

22 **\*b3052/1.11\* SECTION 267kn.** 100.31 (5) of the statutes is amended to read:

23 100.31 (5) SPECIAL REMEDIES. The department of justice or a district attorney  
24 may bring an action to enjoin a violation of this section without being compelled to  
25 allege or prove that an adequate remedy at law does not exist. An action under this

1 subsection may be commenced and prosecuted by the department of justice or a  
2 district attorney, in the name of the state, in a circuit court in the county where the  
3 offense occurred or in Dane County, notwithstanding s. 801.50.

4 **\*b3052/1.11\* SECTION 267ko.** 100.37 (1) (am) of the statutes is created to read:

5 100.37 (1) (am) Notwithstanding s. 93.01 (3), “department” means the  
6 department of justice.

7 **\*b3052/1.11\* SECTION 267kp.** 100.38 (5) of the statutes is amended to read:

8 100.38 (5) INSPECTION. The department of justice shall enforce this section by  
9 inspection, chemical analyses or any other appropriate method and the department  
10 of justice may promulgate such rules as are necessary to effectively enforce this  
11 section.

12 **\*b3052/1.11\* SECTION 267kq.** 100.38 (6) of the statutes is amended to read:

13 100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze which is  
14 adulterated or misbranded. In addition to the penalties provided under sub. (7), the  
15 department of justice may bring an action to enjoin violations of this section.

16 **\*b3052/1.11\* SECTION 267kr.** 100.41 (1) (bn) of the statutes is created to read:

17 100.41 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the  
18 department of justice.

19 **\*b3052/1.11\* SECTION 267ks.** 100.42 (1) (cm) of the statutes is created to read:

20 100.42 (1) (cm) Notwithstanding s. 93.01 (3), “department” means the  
21 department of justice.

22 **\*b3052/1.11\* SECTION 267kt.** 100.43 (1) (am) of the statutes is created to read:

23 100.43 (1) (am) Notwithstanding s. 93.01 (3), “department” means the  
24 department of justice.

25 **\*b3052/1.11\* SECTION 267ku.** 100.44 (5) of the statutes is amended to read:



1           100.44 (5) ENFORCEMENT. For any violation of sub. (3), the department of justice  
2 may, on behalf of the state, bring an action in any court of competent jurisdiction for  
3 the recovery of forfeitures authorized under sub. (4), for temporary or permanent  
4 injunctive relief and for any other appropriate relief. The court may make any order  
5 or judgment that is necessary to restore to any person any pecuniary loss suffered  
6 because of a violation of sub. (3) if proof of the loss is shown to the satisfaction of the  
7 court.

8           **\*b3052/1.11\* SECTION 267kv.** 100.46 (1) of the statutes is amended to read:

9           100.46 (1) ENERGY CONSERVATION STANDARDS. The department of justice may by  
10 rule adopt energy conservation standards for products that have been established in  
11 or promulgated under 42 USC 6291 to 6309.

12           **\*b3052/1.11\* SECTION 267kw.** 100.46 (2) of the statutes is amended to read:

13           100.46 (2) PROHIBITED ACTS; ENFORCEMENT. No person may sell at retail, install  
14 or cause to be installed any product that is not in compliance with rules promulgated  
15 under sub. (1). In addition to other penalties and enforcement procedures, the  
16 department of justice may apply to a court for a temporary or permanent injunction  
17 restraining any person from violating a rule adopted under sub. (1).

18           **\*b3052/1.11\* SECTION 267kx.** 100.50 (6) (b) of the statutes is amended to read:

19           100.50 (6) (b) In lieu of or in addition to the remedy under par. (a), the  
20 department of justice may seek an injunction restraining any person from violating  
21 this section.

22           **\*b3052/1.11\* SECTION 267ky.** 100.50 (6) (c) of the statutes is amended to read:

23           100.50 (6) (c) The department of justice, or any district attorney upon the  
24 request of the department of justice, may commence an action in the name of the  
25 state under par. (a) or (b).

1           **\*b3052/1.11\* SECTION 267kz.** 100.52 (1) (bn) of the statutes is created to read:  
2           100.52 (1) (bn). Notwithstanding s. 93.01 (3), “department” means the  
3           department of justice.

4           ~~**\*-4548/2.75\* SECTION 268.**~~ 101.10 (4) (b) of the statutes, as created by 2001  
5           Wisconsin Act 3, is amended to read:

6           101.10 (4) (b) Except as provided in par. (c), any person who violates sub. (3)  
7           ~~may be fined not more than \$10,000 or imprisoned for not more than 3 years and 6~~  
8           ~~months, or both, for each violation is guilty of a Class I felony.~~ Notwithstanding s.  
9           101.02 (12), each act in violation of sub. (3) constitutes a separate offense.

10           ~~**\*-4548/2.76\* \*-3266/P1.50\* SECTION 269.**~~ 101.143 (10) (b) of the statutes is  
11           amended to read:

12           101.143 (10) (b) Any owner or operator, person owning a home oil tank system  
13           or service provider who intentionally destroys a document that is relevant to a claim  
14           for reimbursement under this section ~~may be fined not more than \$10,000 or~~  
15           ~~imprisoned for not more than 15 years or both is guilty of a Class G felony.~~

16           **\*b2367/2.2\* SECTION 269r.** 101.563 of the statutes is created to read:

17           **101.563 Payments without regard to eligibility; calendar years 2000 to**  
18           **2004. (1) ENTITLEMENT TO DUES. (a) *Payments from calendar year 2000 dues.***  
19           Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to (5), the department  
20           shall pay the amount determined under sub. (2) (a) to every city, village, and town  
21           that was ineligible to receive a proportionate share of fire department dues collected  
22           for calendar year 2000 as a result of that city, village, or town failing to satisfy all  
23           eligibility requirements under s. 101.575 (1) and (3) to (5) or to demonstrate to the  
24           department that the city, village, or town was eligible under s. 101.575 (1) and (3) to  
25           (5) to receive a proportionate share of the fire department dues.

1           (b) *Payments from dues for calendar years 2001 to 2004.* Notwithstanding ss.  
2 101.573 (3) (a) and 101.575 (1) and (3) to (5) and except as otherwise provided in this  
3 paragraph, the department may not withhold payment of a proportionate share of  
4 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based  
5 upon the failure of that city, village, or town to satisfy all eligibility requirements  
6 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,  
7 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive a proportionate  
8 share of fire department dues. This paragraph applies only to the payment of a  
9 proportionate share of fire department dues collected for calendar years 2001 to  
10 2004.

11           (2) DISTRIBUTION OF DUES. (a) *Payments from calendar year 2000 dues.*  
12 Notwithstanding s. 101.573 (3) (a), the department shall pay every city, village, and  
13 town that is entitled to payment under sub. (1) (a) the amount to which that city,  
14 village, or town would have been entitled to receive on or before August 1, 2001, had  
15 the city, village, or town been eligible to receive a payment on that date. The  
16 department shall calculate the amount due under this paragraph as if every city,  
17 village, and town maintaining a fire department was eligible to receive a payment  
18 on that date. By the date on which the department provides a certification or  
19 recertification to the state treasurer under par. (b) 1., the department shall certify  
20 to the state treasurer the amount to be paid to each city, village, and town under this  
21 paragraph. On or before August 1, 2002, the state treasurer shall pay the amount  
22 certified by the department under this paragraph to each such city, village, and town.  
23 The state treasurer may combine any payment due under this paragraph with any  
24 amount due to be paid on or before August 1, 2002, to the same city, village, or town  
25 under par. (b) 1.

1           (b) *Payments from dues for calendar years 2001 to 2004.* 1. 'Payments from  
2 calendar year 2001 dues.' Notwithstanding s. 101.575 (3) (a), by the 30th day  
3 following the effective date of this subdivision .... [revisor inserts date], the  
4 department shall compile the fire department dues paid by all insurers under s.  
5 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds  
6 remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under  
7 par. (a), withhold 0.5%, and certify to the state treasurer the proper amount to be paid  
8 from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled  
9 to a proportionate share of fire department dues as provided under sub. (1) (b) and  
10 s. 101.575. If the department has previously certified an amount to the state  
11 treasurer under s. 101.57 (3) (a) during calendar year 2002, the department shall  
12 recertify the amount in the manner provided under this subdivision. On or before  
13 August 1, 2002, the state treasurer shall pay the amounts certified or recertified by  
14 the department under this subdivision to each city, village, and town entitled to a  
15 proportionate share of fire department dues as provided under sub. (1) and s.  
16 101.575. The state treasurer may combine any payment due under this subdivision  
17 with any amount due to be paid on or before August 1, 2002, to the same city, village,  
18 or town under par. (a).

19           2. 'Payments from dues for calendar years 2002 to 2004.' Notwithstanding s.  
20 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May  
21 1 in each year, the department shall compile the fire department dues paid by all  
22 insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1)  
23 and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the state  
24 treasurer the proper amount to be paid from the appropriation under s. 20.143 (3)  
25 (L) to each city, village, and town entitled to a proportionate share of fire department

1 dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1,  
2 the state treasurer shall pay the amounts certified by the department to each such  
3 city, village, and town. This paragraph applies only to payment of a proportionate  
4 share of fire department dues collected for calendar years 2002 to 2004.

5 3. The amounts withheld under subs. 1. and 2. shall be disbursed to correct  
6 errors of the department or the commissioner of insurance. The department shall  
7 certify to the state treasurer the amount that must be disbursed to correct an error  
8 and the state treasurer shall pay the amount to the specified city, village, or town.  
9 The balance of the amount withheld in a calendar year under subs. 1. or 2., as  
10 applicable, which is not disbursed under this subdivision shall be included in the  
11 total compiled by the department under subd. 2. for the next calendar year, except  
12 that amounts withheld under subd. 2. from fire department dues collected for  
13 calendar year 2004 that are not disbursed under this subdivision shall be included  
14 in the total compiled by the department under s. 101.573 (3) (a) for the next calendar  
15 year. If errors in payments exceed the amount withheld, adjustments shall be made  
16 in the distribution for the next year.

17 **(3) NOTICES OF INELIGIBILITY AND DEPARTMENTAL AUDITS; EXCEPTIONS.** Except as  
18 otherwise provided in this subsection and notwithstanding s. 101.575 (1) (am) and  
19 (4) (a) 2., the department may not issue a notice of noncompliance with regard to a  
20 city, village, or town that fails to satisfy all eligibility requirements under s. 101.575  
21 (1) and (3) to (5) and may not audit any city, village, town, or fire department for  
22 purposes of determining whether the city, village, town, or fire department complies  
23 with s. 101.575 (6) and s. 101.14 (2). This subsection does not apply after August 1,  
24 2005.

25 **\*b2367/2.2\* SECTION 269t.** 101.573 (4) of the statutes is amended to read:

1           101.573 (4) The department shall transmit to the treasurer of each city, village,  
2 and town entitled to fire department dues, a statement of the amount of dues payable  
3 to it ~~under this section~~, and the commissioner of insurance shall furnish to the state  
4 treasurer, upon request, a list of the insurers paying dues under s. 601.93 and the  
5 amount paid by each.

6           **\*b3052/1.12\* SECTION 269m.** 101.175 (3) (intro.) of the statutes is amended to  
7 read:

8           101.175 (3) (intro.) The department, in consultation with the department of  
9 ~~agriculture, trade and consumer protection~~ justice, shall establish by rule quality  
10 standards for local energy resource systems which do not impede development of  
11 innovative systems but which do:

12           **\*-4548/2.77\* SECTION 270.** 101.9204 (2) of the statutes is amended to read:

13           101.9204 (2) Any person who knowingly makes a false statement in an  
14 application for a certificate of title ~~may be fined not more than \$5,000 or imprisoned~~  
15 ~~for not more than 5 years or both~~ is guilty of a Class H felony.

16           **\*-4548/2.78\* \*-3266/P1.51\* SECTION 271.** 101.94 (8) (b) of the statutes is  
17 amended to read:

18           101.94 (8) (b) Any individual or a director, officer or agent of a corporation who  
19 knowingly and wilfully violates this subchapter in a manner which threatens the  
20 health or safety of a purchaser ~~shall~~ may be fined not more than \$1,000 \$10,000 or  
21 imprisoned for not more than 2 years 9 months or both.

22           **\*-4548/2.79\* \*-3266/P1.52\* SECTION 272.** 102.835 (11) of the statutes is  
23 amended to read:

24           102.835 (11) **EVASION.** Any person who removes, deposits or conceals or aids in  
25 removing, depositing or concealing any property upon which a levy is authorized

1 under this section with intent to evade or defeat the assessment or collection of any  
2 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~  
3 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the  
4 costs of prosecution.

5 \*~~4548/2.80~~\* \*~~3266/P1.53~~\* SECTION 273. 102.835 (18) of the statutes is  
6 amended to read:

7 102.835 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
8 employer may discharge or otherwise discriminate with respect to the terms and  
9 conditions of employment against any employee by reason of the fact that his or her  
10 earnings have been subject to levy for any one levy or because of compliance with any  
11 provision of this section. Whoever wilfully violates this subsection may be fined not  
12 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

13 \*~~4548/2.81~~\* \*~~3266/P1.54~~\* SECTION 274. 102.85 (3) of the statutes is  
14 amended to read:

15 102.85 (3) An employer who violates an order to cease operations under s.  
16 102.28 (4) ~~may be fined not more than \$10,000 or imprisoned for not more than 3~~  
17 ~~years or both is guilty of a Class I felony.~~

18 \*~~b2892/3.1~~\* SECTION 274m. 106.50 (5m) (d) of the statutes is amended to read:

19 106.50 (5m) (d) Nothing in this section requires that housing be made available  
20 to an individual whose tenancy would constitute a direct threat to the safety of other  
21 tenants or persons employed on the property or whose tenancy would result in  
22 substantial physical damage to the property of others, if the risk of direct threat or  
23 damage cannot be eliminated or sufficiently reduced through reasonable  
24 accommodations. A claim that an individual's tenancy poses a direct threat or a  
25 substantial risk of harm or damage must be evidenced by behavior by the individual

1 ~~which that caused harm or damage, which that directly threatened harm or damage,~~  
2 ~~or which that caused a reasonable fear of harm or damage to other tenants, persons~~  
3 ~~employed on the property, or the property. No claim that an individual's tenancy~~  
4 ~~would constitute a direct threat to the safety of other persons or would result in~~  
5 ~~substantial damage to property may be based on the fact that a tenant has been or~~  
6 ~~may be the victim of domestic abuse, as defined in s. 813.12 (1) (a) (am).~~

7 **\*b3087/1.2\* SECTION 274c.** 103.49 (5) (a) of the statutes is amended to read:

8 103.49 (5) (a) Each contractor, subcontractor, or contractor's or subcontractor's  
9 agent performing work on a project that is subject to this section shall keep full and  
10 accurate records clearly indicating the name and trade or occupation of every person  
11 performing the work described in sub. (2m) and an accurate record of the number of  
12 hours worked by each of those persons and the actual wages paid for the hours  
13 worked. If requested by any person, a contractor, subcontractor, or contractor's or  
14 subcontractor's agent performing work on a project that is subject to this section  
15 shall permit that person to inspect and copy any of those records to the same extent  
16 as if the record were maintained by the department, except that s. 19.36 (3) does not  
17 limit the duty of a subcontractor or a contractor's or subcontractor's agent to permit  
18 inspection and copying of a record under this paragraph. Before permitting the  
19 inspection and copying of a record under this paragraph, a contractor, subcontractor,  
20 or contractor's or subcontractor's agent shall delete from the record any personally  
21 identifiable information, as defined in s. 19.62 (5), contained in the record about any  
22 person performing the work described in sub. (2m) other than the trade or occupation  
23 of the person, the number of hours worked by the person, and the actual wages paid  
24 for those hours worked.

25 **\*b3087/1.2\* SECTION 274cj.** 103.50 (6m) of the statutes is created to read:



1           103.50 (6m) RECORDS; INSPECTION. Each contractor, subcontractor, or  
2 contractor's or subcontractor's agent performing work on a project that is subject to  
3 this section shall keep full and accurate records clearly indicating the name and  
4 trade or occupation of every person performing the work described in sub. (2m) and  
5 an accurate record of the number of hours worked by each of those persons and the  
6 actual wages paid for the hours worked. If requested by any person, a contractor,  
7 subcontractor, or contractor's or subcontractor's agent performing work on a project  
8 that is subject to this section shall permit that person to inspect and copy any of those  
9 records to the same extent as if the record were maintained by the department,  
10 except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or  
11 subcontractor's agent to permit inspection and copying of a record under this  
12 subsection. Before permitting the inspection and copying of a record under this  
13 subsection, a contractor, subcontractor, or contractor's or subcontractor's agent shall  
14 delete from the record any personally identifiable information, as defined in s. 19.62  
15 (5), contained in the record about any person performing the work described in sub.  
16 (2m) other than the trade or occupation of the person, the number of hours worked  
17 by the person, and the actual wages paid for those hours worked.

18           **\*b3112/1.3\* SECTION 274h.** 103.67 (1) of the statutes is amended to read:

19           103.67 (1) A minor 14 to 18 years of age ~~shall~~ may not be employed or permitted  
20 to work in any gainful occupation during the hours that the minor is required to  
21 attend school under s. 118.15 unless the minor has completed high school, except that  
22 any minor may be employed in a public ~~exhibitions~~ exhibition as provided in s. 103.78  
23 and a minor 16 years of age or over may be employed as an election inspector as  
24 provided in s. 7.30 (2) (am).

25           **\*b3112/1.3\* SECTION 274j.** 103.68 (1) of the statutes is amended to read:

1           103.68 (1) No minor shall be employed or permitted to work at any gainful  
2 occupation other than domestic service ~~or~~, farm labor, or service as an election  
3 inspector under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than  
4 40 hours nor more than 6 days in any one week, nor during such hours as the minor  
5 is required under s. 118.15 (2) to attend school.

6           **\*b3112/1.3\* SECTION 274L.** 103.70 (2) of the statutes is amended to read:

7           103.70 (2) Minors may be employed without permits in any employment  
8 limited to work in or around a home in work usual to the home of the employer, if the  
9 employment is not in connection with or a part of the business, trade, or profession  
10 of the employer, is in accordance with the minimum age stated in s. 103.67 (2) ~~(d)~~ (f),  
11 and is not specifically prohibited by ss. 103.64 to 103.82 or by any order of the  
12 department. Minors may also be employed without permits as election inspectors  
13 as provided in s. 7.30 (2) (am).

14           ~~\*-4548/2.82\*~~ ~~\*-3266/P1.55\*~~ **SECTION 275.** 108.225 (11) of the statutes is  
15 amended to read:

16           108.225 (11) EVASION. Any person who removes, deposits or conceals or aids in  
17 removing, depositing or concealing any property upon which a levy is authorized  
18 under this section with intent to evade or defeat the assessment or collection of any  
19 debt ~~may be fined not more than \$5,000 or imprisoned for not more than 4 years and~~  
20 ~~6 months or both, is guilty of a Class I felony~~ and shall be liable to the state for the  
21 costs of prosecution.

22           ~~\*-4548/2.83\*~~ ~~\*-3266/P1.56\*~~ **SECTION 276.** 108.225 (18) of the statutes is  
23 amended to read:

24           108.225 (18) RESTRICTION ON EMPLOYMENT PENALTIES BY REASON OF LEVY. No  
25 employer may discharge or otherwise discriminate with respect to the terms and

1 conditions of employment against any employee by reason of the fact that his or her  
2 earnings have been subject to levy for any one levy or because of compliance with any  
3 provision of this section. Whoever wilfully violates this subsection may be fined not  
4 more than ~~\$1,000~~ \$10,000 or imprisoned for not more than ~~2 years~~ 9 months or both.

5 \*~~4548/2.84~~\* \*~~0590/P5.9~~\* SECTION 277. 110.07 (5) (a) of the statutes is  
6 amended to read:

7 110.07 (5) (a) In this subsection, "bulletproof garment" ~~has the meaning given~~  
8 ~~in s. 939.64 (1)~~ means a vest or other garment designed, redesigned, or adapted to  
9 prevent bullets from penetrating through the garment.

10 \*~~4548/2.85~~\* \*~~3266/P1.57~~\* SECTION 278. 114.20 (18) (c) of the statutes is  
11 amended to read:

12 114.20 (18) (c) Any person who knowingly makes a false statement in any  
13 application or in any other document required to be filed with the department, or who  
14 knowingly foregoes the submission of any application, document, or any registration  
15 certificate or transfer ~~shall be fined not more than \$5,000 or imprisoned for not more~~  
16 ~~than 7 years and 6 months or both~~ is guilty of a Class H felony.

17 \*~~b3033/2.11~~\* SECTION 279m. 115.28 (25) of the statutes is repealed.

18 \*~~4548/2.86~~\* \*~~0590/P5.10~~\* SECTION 280. 115.31 (2g) of the statutes is  
19 amended to read:

20 115.31 (2g) Notwithstanding subch. II of ch. 111, the state superintendent shall  
21 revoke a license granted by the state superintendent, without a hearing, if the  
22 licensee is convicted of any Class A, B, C, or D felony under ch. 940 or 948, except ss.  
23 940.08 and 940.205, for a violation that occurs on or after September 12, 1991, or any  
24 Class E, F, G, or H felony under ch. 940 or 948, except ss. 940.08 and 940.205, for a

1 violation that occurs on or after the effective date of this subsection ... [revisor inserts  
2 date].

3 **\*b2748/1.1\* SECTION 280m.** 118.12 (4) of the statutes is created to read:

4 118.12 (4) If a school board enters into a contract that grants to one vendor the  
5 exclusive right to sell soft drinks in one or more schools of the school district, the  
6 contract may not prohibit the sale of milk in any school and, to the maximum extent  
7 possible, the school board shall ensure that milk is available to pupils in each school  
8 covered by the contract whenever and wherever the soft drinks are available to  
9 pupils.

10 **\*b3033/2.12\* SECTION 280m.** Subchapter VIII (title) of chapter 115 [precedes  
11 115.997] of the statutes is created to read:

12 **CHAPTER 115**

13 **SUBCHAPTER VIII**

14 **TECHNOLOGY FOR EDUCATIONAL**

15 **ACHIEVEMENT**

16 **\*b3112/1.4\* SECTION 280p.** 118.15 (3) (d) of the statutes is created to read:

17 118.15 (3) (d) Any child excused in writing by his or her parent or guardian and  
18 by the principal of the school that the child attends for the purpose of serving as an  
19 election official under s. 7.30 (2) (am). A principal may not excuse a child under this  
20 paragraph unless the child has at least a 3.0 grade point average or the equivalent.  
21 The principal shall allow the child to take examinations and complete course work  
22 missed during the child's absences under this paragraph. The principal shall  
23 promptly notify the municipal clerk or the board of election commissioners of the  
24 municipality that appointed the child as an election official if the child ceases to be

1 enrolled in school or if the child no longer has at least a 3.0 grade point average or  
2 the equivalent.

3 ~~\*-4548/2.87\*~~ ~~\*-0590/P5.11\*~~ **SECTION 281.** 118.19 (4) (a) of the statutes is  
4 amended to read:

5 118.19 (4) (a) Notwithstanding subch. II of ch. 111, the state superintendent  
6 may not grant a license, for 6 years following the date of the conviction, to any person  
7 who has been convicted of any Class A, B, C, or D felony under ch. 940 or 948, except  
8 ss. 940.08 and 940.205, or of an equivalent crime in another state or country, for a  
9 violation that occurs on or after September 12, 1991, ~~for 6 years following the date~~  
10 ~~of the conviction, and or any Class E, F, G, or H felony under ch. 940 or 948, except~~  
11 ss. 940.08 and 940.205, for a violation that occurs on or after the effective date of this  
12 paragraph ... [revisor inserts date]. The state superintendent may grant the license  
13 only if the person establishes by clear and convincing evidence that he or she is  
14 entitled to the license.

15 ~~\*-4559/1.1\*~~ **SECTION 282.** 118.30 (1m) (d) of the statutes is amended to read:

16 118.30 (1m) (d) If the school board operates high school grades, beginning in  
17 the ~~2002–03~~ 2004–05 school year administer the high school graduation  
18 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in  
19 the school district, including pupils enrolled in charter schools located in the school  
20 district, in the 11th and 12th grades. The school board shall administer the  
21 examination at least twice each school year and may administer the examination  
22 only to pupils enrolled in the 11th and 12th grades.

23 ~~\*-4559/1.2\*~~ **SECTION 283.** 118.30 (1r) (d) of the statutes is amended to read:

24 118.30 (1r) (d) If the charter school operates high school grades, beginning in  
25 the ~~2002–03~~ 2004–05 school year, administer the high school graduation

1 examination adopted by the operator of the charter school under sub. (1g) (b) to all  
2 pupils enrolled in the 11th and 12th grades in the charter school. The operator of the  
3 charter school shall administer the examination at least twice each school year and  
4 may administer the examination only to pupils enrolled in the 11th and 12th grades.

5 **\*-4559/1.3\* SECTION 284.** 118.33 (1) (f) of the statutes is amended to read:

6 118.33 (1) (f) 1. By September 1, ~~2002~~ 2004, each school board operating high  
7 school grades shall develop a written policy specifying criteria for granting a high  
8 school diploma that are in addition to the requirements under par. (a). The criteria  
9 shall include the pupil's score on the examination administered under s. 118.30 (1m)  
10 (d), the pupil's academic performance, and the recommendations of teachers. Except  
11 as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located  
12 in the school district.

13 2. By September 1, ~~2002~~ 2004, each operator of a charter school under s. 118.40  
14 (2r) that operates high school grades shall develop a policy specifying criteria for  
15 granting a high school diploma. The criteria shall include the pupil's score on the  
16 examination administered under s. 118.30 (1r) (d), the pupil's academic  
17 performance, and the recommendations of teachers.

18 3. Beginning on September 1, ~~2003~~ 2005, neither a school board nor an  
19 operator of a charter school under s. 118.40 (2r) may grant a high school diploma to  
20 any pupil unless the pupil has satisfied the criteria specified in the school board's or  
21 charter school's policy under subd. 1. or 2.

22 **\*b3033/2.13\* SECTION 284d.** 120.18 (1) (i) of the statutes is amended to read:

23 120.18 (1) (i) A description of the educational technology used by the school  
24 district, including the uses made of the technology, the cost of the technology and the

1 number of persons using or served by the technology. In this paragraph, “educational  
2 technology” has the meaning given in s. ~~44.70(3)~~ 115.997(3).

3 **\*b2296/2.5\* SECTION 284m.** 121.05 (1) (a) 13. of the statutes is created to read:

4 121.05 (1) (a) 13. Pupils attending the Youth Challenge program under s. 21.26.

5 **\*-4490/6.2\* SECTION 285.** 121.07 (7) (a) of the statutes is amended to read:

6 121.07 (7) (a) The “primary guaranteed valuation per member” is \$2,000,000  
7 \$1,930,000.

8 **\*b2296/2.6\* SECTION 285m.** 121.095 of the statutes is created to read:

9 **121.095 State aid adjustment; Youth Challenge program.** (1) Annually  
10 the department shall reduce each school district’s state aid payment under s. 121.08,  
11 or other state aid payments, if necessary, by an amount calculated as follows:

12 (a) Determine the number of pupils counted in the school district’s membership  
13 who are attending the Youth Challenge program under s. 21.26.

14 (b) Multiply the result under par. (a) by the lesser of the following:

15 1. The amount determined by the department of military affairs under s. 21.26

16 (2) (a).

17 2. The amount determined for the school district under s. 121.91 (2m) (e) 3. for  
18 the current school year.

19 (2) From the appropriation under s. 20.255 (2) (ac), annually the department  
20 of public instruction shall pay to the department of military affairs an amount equal  
21 to the sum of the reductions under sub. (1). The department of public instruction  
22 shall ensure that the aid adjustment under sub. (1) does not affect the amount  
23 determined to be received by a school district as state aid under s. 121.08 or for any  
24 other purpose.

1           \*~~4490/6.3~~\* **SECTION 286.** 121.15 (3m) (a) 1. of the statutes, as affected by 2001  
2 Wisconsin Act 16, is renumbered 121.15 (3m) (a) 1. (intro.) and amended to read:

3           121.15 (3m) (a) 1. (intro.) “Partial school revenues” means the sum of state  
4 school aids, other than the amounts appropriated under s. 20.255 (2) ~~and~~ (cv),  
5 property taxes levied for school districts and aid paid to school districts under s.  
6 79.095 (4), less ~~the~~ all of the following:

7           a. ~~The~~ amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a  
8 school board’s increasing the services that it provides by adding responsibility for  
9 providing a service transferred to it from another school board, ~~less the~~.

10           b. ~~The~~ amount of any revenue limit increase under s. 121.91 (4) (a) 3., ~~less the~~

11           c. ~~The~~ amount of any revenue limit increase under s. 121.91 (4) (j), ~~less the~~.

12           d. ~~The~~ amount of any revenue limit increase under s. 121.91 (4) (h), ~~less the~~.

13           e. ~~The~~ amount of any property taxes levied for the purpose of s. 120.13 (19), ~~and~~  
14 ~~less an~~.

15           f. ~~An~~ amount equal to 45% of the amount estimated to be paid under s. 119.23  
16 (4) and (4m).

17           \*~~4490/6.4~~\* **SECTION 287.** 121.15 (3m) (a) 1. g. of the statutes is created to read:  
18           121.15 (3m) (a) 1. g. The amount by which the property tax levy for debt service  
19 on debt that has been approved by a referendum exceeds \$490,000,000.

20           \*~~b3033/2.14~~\* **SECTION 287d.** 121.15 (3m) (a) 2. of the statutes, as affected by  
21 2001 Wisconsin Act 16, is amended to read:

22           121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.  
23 20.255 (1) (b) and (2), other than s. 20.255 (2) (fm), (fu), (k), and (m), and under ss.  
24 ~~20.275 (1) (d), 20.255 (4) (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc)~~ and those aids



1 appropriated under s. ~~20.275 (1)~~ 20.255 (4) (s) that are used to provide grants or  
2 educational telecommunications access to school districts under s. ~~44.73~~ 115.9995.

3 **\*b2320/1.3\* SECTION 287m.** 121.15 (3m) (b) of the statutes is amended to read:

4 121.15 (3m) (b) By May 15, ~~1999~~ 2003, and annually by May 15 thereafter, the  
5 department, the department of administration and the legislative fiscal bureau shall  
6 jointly certify to the joint committee on finance an estimate of the amount necessary  
7 to appropriate under s. 20.255 (2) (ac) in the following school year to ensure that the  
8 sum of state school aids and the school levy tax credit under s. 79.10 (4) equals  
9 two-thirds of partial school revenues.

10 **\*-4490/6.5\* SECTION 288.** 121.15 (3m) (c) of the statutes is amended to read:

11 121.15 (3m) (c) By June 30, ~~1999~~ 2004, and ~~annually~~ biennially by June 30  
12 thereafter, the joint committee on finance shall determine the amount appropriated  
13 under s. 20.255 (2) (ac) in the following school year.

14 **\*b2296/2.7\* SECTION 288m.** 121.90 (1) (intro.) of the statutes is amended to  
15 read:

16 121.90 (1) (intro.) “Number of pupils enrolled” means the number of pupils  
17 enrolled on the 3rd Friday of September, including pupils identified in s. 121.05 (1)  
18 (a) 1. to 11., and the number of pupils enrolled in the previous school year who were  
19 attending the Youth Challenge program in the previous school year, except that  
20 “number of pupils enrolled” excludes the number of pupils attending public school  
21 under s. 118.145 (4) and except as follows:

22 **\*-4548/2.88\* \*-3266/P1.58\* SECTION 289.** 125.075 (2) of the statutes is  
23 renumbered 125.075 (2) (a) and amended to read:

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

4           \*~~4548/2.89~~\* \*~~3266/P1.59~~\* **SECTION 290.** 125.075 (2) (b) of the statutes is  
5 created to read:

6           125.075 (2) (b) Whoever violates sub. (1) is guilty of a Class G felony if the  
7 underage person dies.

8           \*~~4548/2.90~~\* \*~~3266/P1.60~~\* **SECTION 291.** 125.085 (3) (a) 2. of the statutes is  
9 amended to read:

10           125.085 (3) (a) 2. Any person who violates subd. 1. for money or other  
11 consideration ~~may be fined not more than \$10,000 or imprisoned for not more than~~  
12 ~~3 years or both~~ is guilty of a Class I felony.

13           \*~~4548/2.91~~\* \*~~3266/P1.61~~\* **SECTION 292.** 125.105 (2) (b) of the statutes is  
14 amended to read:

15           125.105 (2) (b) Whoever violates sub. (1) to commit, or abet the commission of,  
16 a crime ~~may be fined not more than \$10,000 or imprisoned for not more than 7 years~~  
17 ~~and 6 months or both~~ is guilty of a Class H felony.

18           \*~~4548/2.92~~\* \*~~3266/P1.62~~\* **SECTION 293.** 125.66 (3) of the statutes is  
19 amended to read:

20           125.66 (3) Any person manufacturing or rectifying intoxicating liquor without  
21 holding appropriate permits under this chapter, or any person who sells such liquor,  
22 ~~shall be fined not more than \$10,000 or imprisoned for not more than 15 years or~~  
23 ~~both. Second or subsequent convictions shall be punished by both the fine and~~  
24 ~~imprisonment~~ is guilty of a Class F felony.

1           \*~~4548/2.93~~\* \*~~3266/P1.63~~\* **SECTION 294.** 125.68 (12) (b) of the statutes is  
2 amended to read:

3           125.68 (12) (b) Whoever violates par. (a) ~~shall be fined not less than \$1,000 nor~~  
4 ~~more than \$5,000 or imprisoned for not less than one year nor more than 15 years~~  
5 ~~or both is guilty of a Class F felony.~~

6           \*~~4548/2.94~~\* \*~~3266/P1.64~~\* **SECTION 295.** 125.68 (12) (c) of the statutes is  
7 amended to read:

8           125.68 (12) (c) Any person causing the death of another human being through  
9 the selling or otherwise disposing of, for beverage purposes, either denatured alcohol  
10 or alcohol or alcoholic liquid redistilled from denatured alcohol, ~~shall be imprisoned~~  
11 ~~for not more than 15 years is guilty of a Class E felony.~~

12           \*~~4548/2.95~~\* \*~~3266/P1.65~~\* **SECTION 296.** 132.20 (2) of the statutes is  
13 amended to read:

14           132.20 (2) Any person who, with intent to deceive, traffics or attempts to traffic  
15 in this state in a counterfeit mark or in any goods or service bearing or provided  
16 under a counterfeit mark ~~shall~~ is guilty of a Class H felony, except that,  
17 notwithstanding the maximum fine specified in s. 939.50 (3) (h), if the person is an  
18 individual, he or she may be fined not more than \$250,000 or imprisoned for not more  
19 than 7 years and 6 months or both, or, and if the person is not an individual, the  
20 person may be fined not more than \$1,000,000.

21           \*~~4548/2.96~~\* \*~~3266/P1.66~~\* **SECTION 297.** 133.03 (1) of the statutes is  
22 amended to read:

23           133.03 (1) Every contract, combination in the form of trust or otherwise, or  
24 conspiracy, in restraint of trade or commerce is illegal. Every person who makes any  
25 contract or engages in any combination or conspiracy in restraint of trade or

1 commerce is guilty of a Class H felony, except that, notwithstanding the maximum  
2 fine specified in s. 939.50 (3) (h), the person may be fined not more than \$100,000 if  
3 a corporation, or, if any other person, may be fined not more than \$50,000 or  
4 imprisoned for not more than 7 years and 6 months or both.

5 \*~~4548/2.97~~\* \*~~3266/P1.67~~\* **SECTION 298.** 133.03 (2) of the statutes is  
6 amended to read:

7 133.03 (2) Every person who monopolizes, or attempts to monopolize, or  
8 combines or conspires with any other person or persons to monopolize any part of  
9 trade or commerce is guilty of a Class H felony, except that, notwithstanding the  
10 maximum fine specified in s. 939.50 (3) (h), the person may be fined not more than  
11 \$100,000 if a corporation, or, if any other person, may be fined not more than \$50,000  
12 or imprisoned for not more than 7 years and 6 months or both.

13 \*~~b2372/2.4~~\* **SECTION 298n.** 133.16 of the statutes is amended to read:

14 **133.16 Injunction; pleading; practice.** Any circuit court may prevent or  
15 restrain, by injunction or otherwise, any violation of this chapter. The department  
16 of justice, any district attorney or any person by complaint may institute actions or  
17 proceedings to prevent or restrain a violation of this chapter, setting forth the cause  
18 and grounds for the intervention of the court and praying that such violation,  
19 whether intended or continuing be enjoined or prohibited. When the parties  
20 informed against or complained of have been served with a copy of the information  
21 or complaint and cited to answer it, the court shall proceed, as soon as may be in  
22 accordance with its rules, to the hearing and determination of the case; and pending  
23 the filing of the answer to such information or complaint may, at any time, upon  
24 proper notice, make such temporary restraining order or prohibition as is just.  
25 Whenever it appears to the court that the ends of justice require that other persons

1 be made parties to the action or proceeding the court may cause them to be made  
2 parties in such manner as it directs. The party commencing or maintaining the  
3 action or proceeding may demand and recover the cost of suit including reasonable  
4 attorney fees. In an action commenced by the department of justice, the court may  
5 award the department of justice the reasonable and necessary costs of investigation  
6 and an amount reasonably necessary to remedy the harmful effects of the violation.  
7 The department of justice shall deposit in the state treasury for deposit in the general  
8 fund all moneys that the court awards to the department or the state under this  
9 section. ~~Ten percent of the money deposited in the general fund that was awarded~~  
10 ~~under this section for the costs of investigation and the costs of suit, including~~  
11 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).~~  
12 Copies of all pleadings filed under this section shall be served on the department of  
13 justice.

14 \*~~4548/2.98~~\* \*~~3266/P1.68~~\* **SECTION 299.** 134.05 (4) of the statutes is  
15 amended to read:

16 134.05 (4) Whoever violates sub. (1), (2) or (3) shall be punished by a fine of not  
17 less than \$10 nor more than \$500 or by such fine and by imprisonment for not more  
18 than 2 years may be fined not more than \$10,000 or imprisoned for not more than  
19 9 months or both.

20 \*~~4548/2.99~~\* \*~~3266/P1.69~~\* **SECTION 300.** 134.16 of the statutes is amended  
21 to read:

22 **134.16 Fraudulently receiving deposits.** Any officer, director, stockholder,  
23 cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange,  
24 brokerage or deposit company, corporation or institution, or of any person, company  
25 or corporation engaged in whole or in part in banking, brokerage, exchange or deposit

1 business in any way, or any person engaged in such business in whole or in part, who  
2 shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any  
3 money, or any bills, notes or other paper circulating as money, or any notes, drafts,  
4 bills of exchange, bank checks or other commercial paper for safekeeping or for  
5 collection, when he or she knows or has good reason to know that such bank, company  
6 or corporation or that such person is unsafe or insolvent ~~shall be imprisoned in the~~  
7 ~~Wisconsin state prisons for not less than one year nor more than 15 years or fined~~  
8 ~~not more than \$10,000~~ is guilty of a Class F felony.

9 \*~~4548/2.100~~\* \*~~3266/P1.70~~\* **SECTION 301.** 134.20 (1) (intro.) of the statutes  
10 is amended to read:

11 134.20 (1) (intro.) Whoever, with intent to defraud, does any of the following  
12 ~~shall be fined not more than \$5,000 or imprisoned for not more than 7 years and 6~~  
13 ~~months or both~~ is guilty of a Class H felony:

14 \*~~4548/2.101~~\* \*~~3266/P1.71~~\* **SECTION 302.** 134.205 (4) of the statutes is  
15 amended to read:

16 134.205 (4) Whoever, with intent to defraud, issues a warehouse receipt  
17 without entering the same in a register as required by this section ~~shall be fined not~~  
18 ~~more than \$5,000 or imprisoned for not more than 7 years and 6 months or both~~ is  
19 guilty of a Class H felony.

20 \*~~4548/2.102~~\* \*~~3266/P1.72~~\* **SECTION 303.** 134.58 of the statutes is amended  
21 to read:

22 **134.58 Use of unauthorized persons as officers.** Any person who,  
23 individually, in concert with another or as agent or officer of any firm, joint-stock  
24 company or corporation, uses, employs, aids or assists in employing any body of  
25 armed persons to act as militia, police or peace officers for the protection of persons

1 or property or for the suppression of strikes, not being authorized by the laws of this  
2 state to so act, ~~shall be fined not more than \$1,000 or imprisoned for not less than~~  
3 ~~one year nor more than 4 years and 6 months or both~~ is guilty of a Class I felony.

4 \*b3052/1.13\* **SECTION 312m.** 134.71 (12) of the statutes is amended to read:

5 134.71 (12) APPLICATIONS AND FORMS. The department of agriculture, trade and  
6 consumer protection, in consultation with the department of justice, shall develop  
7 applications and other forms required under subs. (5) (intro.) and (8) (c). The  
8 department of agriculture, trade and consumer protection shall print a sufficient  
9 number of applications and forms to provide to counties and municipalities for  
10 distribution to pawnbrokers, secondhand article dealers and secondhand jewelry  
11 dealers at no cost.

12 \*b3052/1.13\* **SECTION 314m.** 136.03 (title) of the statutes is amended to read:

13 **136.03** (title) **Duties of the department of agriculture, trade and**  
14 **consumer protection justice.**

15 \*b3052/1.13\* **SECTION 314p.** 136.03 (1) (intro.) of the statutes is amended to  
16 read:

17 136.03 (1) (intro.) The department of ~~agriculture, trade and consumer~~  
18 ~~protection~~ of justice shall investigate violations of this chapter and of rules and  
19 orders issued under s. 136.04. The department of justice may subpoena persons and  
20 records to facilitate its investigations, and may enforce compliance with such  
21 subpoenas as provided in s. 885.12. The department of justice may ~~in~~ on behalf of  
22 the state:

23 \*b3052/1.13\* **SECTION 314r.** 136.04 of the statutes is amended to read:

24 **136.04 Powers of the department of agriculture, trade and consumer**  
25 **protection justice.** (1) The department of ~~agriculture, trade and consumer~~

1 ~~protection~~ justice may adopt such rules as may be required to carry out the purposes  
2 of this chapter.

3 (2) The department of ~~agriculture, trade and consumer protection~~ justice after  
4 public hearing may issue general or special orders to carry out the purposes of this  
5 chapter and to determine and prohibit unfair trade practices in business or unfair  
6 methods of competition in business pursuant to s. 100.20 (2) to (4).

7 **\*b3090/1.1\* SECTION 303g.** 134.74 of the statutes is created to read:

8 **134.74 Nondisclosure of information on receipts.** (1) In this section:

9 (a) “Credit card” has the meaning given in s. 421.301 (15).

10 (b) “Debit card” means a plastic card or similar device that may be used to  
11 purchase goods or services by providing the purchaser with direct access to the  
12 purchaser’s account at a depository institution.

13 (c) “Depository institution” means a bank, savings bank, savings and loan  
14 association, or credit union.

15 (2) Beginning on the first day of the 37th month beginning after the effective  
16 date of this subsection .... [revisor inserts date], no person who is in the business of  
17 selling goods at retail or selling services and who accepts a credit card or a debit card  
18 for the purchase of goods or services may issue a credit card or debit card receipt, for  
19 that purchase, on which is printed more than 5 digits of the credit card or debit card  
20 number.

21 (3) This section does not apply to any person who issues a credit card or debit  
22 card receipt that is handwritten or that is manually prepared by making an imprint  
23 of the credit card or debit card.

24 **\*-4548/2.103\* \*-3266/P1.73\* SECTION 316.** 139.44 (1) of the statutes is  
25 amended to read:



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

8           \*~~4548/2.104~~\* \*~~3266/P1.74~~\* **SECTION 317.** 139.44 (1m) of the statutes is  
9 amended to read:

10           139.44 (1m) Any person who falsely or fraudulently tampers with a cigarette  
11 meter in order to evade the tax under s. 139.31 ~~shall be imprisoned for not less than~~  
12 ~~one year nor more than 15 years~~ is guilty of a Class G felony.

13           \*~~4548/2.105~~\* \*~~3266/P1.75~~\* **SECTION 318.** 139.44 (2) of the statutes is  
14 amended to read:

15           139.44 (2) Any person who makes or signs any false or fraudulent report or who  
16 attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the  
17 evasion or attempted evasion of that tax ~~shall~~ may be fined not less than ~~\$1,000 nor~~  
18 ~~more than \$5,000~~ \$10,000 or imprisoned for not less than 90 days ~~nor more than 2~~  
19 ~~years~~ 9 months or both.

20           \*~~4548/2.106~~\* \*~~3266/P1.76~~\* **SECTION 319.** 139.44 (8) (c) of the statutes is  
21 amended to read:

22           139.44 (8) (c) If the number of cigarettes exceeds 36,000, ~~a fine of not more than~~  
23 ~~\$10,000 or imprisonment for not more than 3 years or both~~ the person is guilty of a  
24 Class I felony.

25           \*~~4548/2.107~~\* **SECTION 320.** 139.85 (1) of the statutes is amended to read:

1           139.85 (1) The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)  
2 apply to this subchapter. In addition, a person who violates s. 139.82 (8) ~~shall~~ may  
3 be fined not less than ~~\$1,000~~ nor more than ~~\$5,000~~ \$10,000 or imprisoned for not less  
4 ~~than 90 days~~ nor more than ~~one year~~ 9 months or both.

5           \*~~4548/2.108~~\* SECTION 321. 139.95 (2) of the statutes is amended to read:

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

11           \*~~4548/2.109~~\* SECTION 322. 139.95 (3) of the statutes is amended to read:

12           139.95 (3) Any person who falsely or fraudulently makes, alters or counterfeits  
13 any stamp or procures or causes the same to be done or who knowingly utters,  
14 publishes, passes or tenders as true any false, altered or counterfeit stamp or who  
15 affixes a counterfeit stamp to a schedule I controlled substance, a schedule II  
16 controlled substance or ketamine or flunitrazepam or who possesses a schedule I  
17 controlled substance, a schedule II controlled substance or ketamine or  
18 flunitrazepam to which a false, altered or counterfeit stamp is affixed ~~may be fined~~  
19 ~~not more than \$10,000 or imprisoned for not less than one year nor more than 15~~  
20 ~~years or both~~ is guilty of a Class F felony.

21           \*~~4548/2.110~~\* \*~~3266/P1.79~~\* SECTION 324. 146.345 (3) of the statutes is  
22 amended to read:

23           146.345 (3) Any person who violates this section is guilty of a Class H felony,  
24 except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h), the

1 ~~person~~ may be fined not more than \$50,000 ~~or imprisoned for not more than 7 years~~  
2 ~~and 6 months or both.~~

3 \*~~4548/2.111~~\* \*~~3266/P1.80~~\* **SECTION 325.** 146.35 (5) of the statutes is  
4 amended to read:

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

8 \*~~4572/4.7~~\* **SECTION 326.** 146.50 (1) (a) of the statutes is renumbered 146.50  
9 (1) (am).

10 \*~~4572/4.8~~\* **SECTION 327.** 146.50 (1) (ag) of the statutes is created to read:

11 146.50 (1) (ag) “Act of terrorism” means a felony under ch. 939 to 951 that is  
12 committed with intent to terrorize and is committed under any of the following  
13 circumstances:

14 1. The person committing the felony causes bodily harm, great bodily harm, or  
15 death to another.

16 2. The person committing the felony causes damage to the property of another  
17 and the total property damaged is reduced in value by \$25,000 or more. For purposes  
18 of this subdivision, property is reduced in value by the amount that it would cost  
19 either to repair or replace it, whichever is less.

20 3. The person committing the felony uses force or violence or the threat of force  
21 or violence.

22 **SECTION 328.** 146.50 (1) (hr) of the statutes is created to read:

23 146.50 (1) (hr) “Governmental unit” means the United States; the state; any  
24 county, city, village, or town; or any political subdivision, department, division,  
25 board, or agency of the United States, the state, or any county, city, village, or town.

1           \*~~4572/4.9~~\* **SECTION 329.** 146.50 (1) (ig) of the statutes is created to read:

2           146.50 (1) (ig) “Intent to terrorize” means intent to influence the policy of a  
3 governmental unit by intimidation or coercion, to punish a governmental unit for a  
4 prior policy decision, to affect the conduct of a governmental unit by homicide or  
5 kidnapping, or to intimidate or coerce a civilian population.

6           \***b3074/1.1**\* **SECTION 329r.** 146.50 (4) (title) of the statutes is amended to read:

7           146.50 (4) (title) AMBULANCE STAFFING ~~AND OPERATIONAL PLANS~~; LIMITATIONS;  
8 RULES.

9           \***b3074/1.1**\* **SECTION 329s.** 146.50 (4) (c) of the statutes is renumbered 146.50  
10 (4) (c) (intro.) and amended to read:

11           146.50 (4) (c) (intro.) Notwithstanding par. (a), the department may  
12 promulgate rules that establish standards for approval by the department of  
13 operational plans for the staffing of ambulances in which the primary services  
14 provided are those which an emergency medical technician – intermediate is  
15 authorized to provide or those which an emergency medical technician – paramedic  
16 is authorized to provide. Rules promulgated by the department under this  
17 paragraph may permit the department to approve an operational plan, for services  
18 that an emergency medical technician–paramedic is authorized to provide, that is  
19 submitted by an ambulance service provider that provided these services before  
20 January 1, 2000, only if the operational plan specifies all of the following for the  
21 transport of a patient in a prehospital setting:

22           \***b3074/1.1**\* **SECTION 329t.** 146.50 (4) (c) 1. of the statutes is created to read:

23           146.50 (4) (c) 1. That the ambulance service provider ensures, in writing, that  
24 the ambulance is staffed with at least 2 emergency medical technicians–paramedic,  
25 licensed registered nurses, licensed physician assistants, or physicians or a

1 combination of any 2 of these, who are trained in the use of all skills authorized by  
2 rule for an emergency medical technician–paramedic and are designated by the  
3 medical director of the ambulance service. This subdivision does not apply during  
4 an emergency when there is an agreement for the sharing of emergency services in  
5 place between a town, village, or city and another town, village, or city.

6 **\*b3074/1.1\* SECTION 329u.** 146.50 (4) (c) 2. of the statutes is created to read:

7 146.50 (4) (c) 2. That the ambulance staff, as specified in subd. 1., is dispatched  
8 from the same site, together, to the scene of an emergency. This subdivision does not  
9 apply if the ambulance service provider, as of October 1, 2001, dispatched ambulance  
10 staff from multiple sites to the scene of an emergency.

11 **\*b3074/1.1\* SECTION 329v.** 146.50 (4) (c) 3. of the statutes is created to read:

12 146.50 (4) (c) 3. That if an emergency medical technician–paramedic arrives  
13 at the scene of an emergency prior to the arrival of the ambulance staff, as specified  
14 in subd. 1., the emergency medical technician–paramedic may provide services using  
15 all skills authorized by rule for an emergency medical technician–paramedic.

16 **\*-4572/4.10\* SECTION 330.** 146.50 (6) (a) 2. of the statutes is amended to read:

17 146.50 (6) (a) 2. Have satisfactorily completed a course of instruction and  
18 training, including training for response to acts of terrorism, prescribed by the  
19 department or have presented evidence satisfactory to the department of sufficient  
20 education and training in the field of emergency care.

21 **\*-4572/4.11\* SECTION 331.** 146.50 (6) (b) 2. of the statutes is amended to read:

22 146.50 (6) (b) 2. The department, in conjunction with the technical college  
23 system board, shall promulgate rules specifying training, education, or examination  
24 requirements, including requirements for training for response to acts of terrorism,  
25 for license renewals for emergency medical technicians.

1           \*~~4572/4.12~~\* **SECTION 332.** 146.50 (8) (b) 3. of the statutes is amended to read:

2           146.50 (8) (b) 3. The individual satisfactorily completes a first responder course  
3 that meets or exceeds the guidelines issued by the National Highway Traffic Safety  
4 Administration under 23 CFR 1205.3 (a) (5), that includes training for response to  
5 acts of terrorism, and that is approved by the department.

6           \*~~4572/4.13~~\* **SECTION 333.** 146.50 (8) (c) of the statutes is amended to read:

7           146.50 (8) (c) To be eligible for a renewal of a certificate as a first responder,  
8 except as provided in ss. 146.51 and 146.52, the holder of the certificate shall  
9 satisfactorily complete a first responder refresher course that meets or exceeds the  
10 guidelines issued by the National Highway Traffic Safety Administration under 23  
11 CFR 1205.3 (a) (5), that includes training for response to acts of terrorism, and that  
12 is approved by the department.

13           \***b3074/1.2**\* **SECTION 333h.** 146.50 (13) (a) of the statutes is amended to read:

14           146.50 (13) (a) The department may promulgate rules necessary for  
15 administration of this section, as limited under sub. (4) (c).

16           \*~~4572/4.14~~\* **SECTION 334.** 146.55 (1) (a) of the statutes is amended to read:

17           146.55 (1) (a) “Ambulance service” means the business of transporting sick,  
18 disabled, or injured individuals by ambulance, as defined in s. 146.50 (1) ~~(a)~~ (am), to  
19 or from facilities or institutions providing health services.

20           \***b2309/1.2**\* **SECTION 334g.** 146.56 (1) of the statutes, as affected by 2001  
21 Wisconsin Act 16, is amended to read:

22           146.56 (1) ~~Not later than July 1, 2002, the~~ The department shall develop and  
23 implement a statewide trauma care system. The department shall seek the advice  
24 of the statewide trauma advisory council under s. 15.197 (25) in developing and

1 implementing the system, and, as part of the system, shall develop regional trauma  
2 advisory councils.

3 \*~~4548/2.112~~\* \*~~3266/P1.81~~\* **SECTION 335.** 146.60 (9) (am) of the statutes is  
4 amended to read:

5 146.60 (9) (am) For a 2nd or subsequent violation under par. (ag), a person ~~shall~~  
6 may be fined not less than \$1,000 nor more than \$50,000 or imprisoned for not more  
7 than ~~2 years~~ 9 months or both.

8 \*~~4548/2.113~~\* \*~~3266/P1.82~~\* **SECTION 336.** 146.70 (10) (a) of the statutes is  
9 amended to read:

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

16 \***b3041/1.1**\* **SECTION 336d.** 146.96 of the statutes is created to read:

17 **146.96 Uniform claim processing form.** Beginning no later than July 1,  
18 2004, every health care provider, as defined in s. 146.81 (1), shall use the uniform  
19 claim processing form developed by the commissioner of insurance under s. 601.41  
20 (9) (b) when submitting a claim to an insurer.

21 \***b3077/1.1**\* **SECTION 336f.** 146.83 (1) (b) of the statutes is amended to read:

22 146.83 (1) (b) Receive a copy of the patient’s health care records upon payment  
23 of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

24 \***b3077/1.1**\* **SECTION 336g.** 146.83 (1) (c) of the statutes is amended to read:

1           146.83 (1) (c) Receive a copy of the health care provider's X-ray reports or have  
2 the X-rays referred to another health care provider of the patient's choice upon  
3 payment of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

4           **\*b3077/1.1\* SECTION 336h.** 146.83 (3m) of the statutes is created to read:

5           146.83 (3m) (a) The department shall, by rule, prescribe fees that are based on  
6 an approximation of actual costs. The fees, plus applicable tax, are the maximum  
7 amount that a health care provider may charge under sub. (1) (b) for duplicate  
8 patient health care records and under sub. (1) (c) for duplicate X-ray reports or the  
9 referral of X-rays to another health care provider of the patient's choice. The rule  
10 shall also permit the health care provider to charge for actual postage or other actual  
11 delivery costs. In determining the approximation of actual costs for the purposes of  
12 this subsection, the department may consider all of the following factors:

13           1. Operating expenses, such as wages, rent, utilities, and duplication  
14 equipment and supplies.

15           2. The varying cost of retrieval of records, based on the different media on which  
16 the records are maintained.

17           3. The cost of separating requested patient health care records from those that  
18 are not requested.

19           4. The cost of duplicating requested patient health care records.

20           5. The impact on costs of advances in technology.

21           (b) By January 1, 2006, and every 3 years thereafter, the department shall  
22 revise the rules under par. (a) to account for increases or decreases in actual costs.

23           **\*b3092/1.1\* SECTION 336jc.** 149.143 (1) (b) 1. a. of the statutes is amended to  
24 read:



1           149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage  
2 under s. 149.14 (2) (a) set at a rate that is 140% to 150% of the rate that a standard  
3 risk would be charged under an individual policy providing substantially the same  
4 coverage and deductibles as are provided under the plan and from eligible persons  
5 with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including  
6 amounts received for premium and deductible subsidies under s. 149.144 and under  
7 the transfer to the fund from the appropriation account under s. 20.435 (4) (ah), and  
8 from premiums collected from eligible persons with coverage under s. 149.146 set in  
9 accordance with s. 149.146 (2) (b).

10           **\*b3092/1.1\* SECTION 336jf.** 149.143 (1) (b) 1. c. of the statutes is amended to  
11 read:

12           149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with  
13 coverage under s. 149.14 (2) (a) to more than ~~150%~~ the rate at which premiums were  
14 set under subd. 1. a. but not more than 200% of the rate that a standard risk would  
15 be charged under an individual policy providing substantially the same coverage and  
16 deductibles as are provided under the plan and from eligible persons with coverage  
17 under s. 149.14 (2) (b) by a comparable amount in accordance with s. 149.14 (5m),  
18 including amounts received for premium and deductible subsidies under s. 149.144  
19 and under the transfer to the fund from the appropriation account under s. 20.435  
20 (4) (ah), and by increasing premiums from eligible persons with coverage under s.  
21 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under  
22 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

23           **\*b3092/1.1\* SECTION 336jh.** 149.143 (2) (a) 2. of the statutes is amended to  
24 read:

1           149.143 (2) (a) 2. After making the determinations under subd. 1., by rule set  
2 premium rates for the new plan year, including the rates under s. 149.146 (2) (b), in  
3 the manner specified in sub. (1) (b) 1. a. and c. and such that a rate for coverage under  
4 s. 149.14 (2) (a) is approved by the board and is not less than 150% 140% nor more  
5 than 200% of the rate that a standard risk would be charged under an individual  
6 policy providing substantially the same coverage and deductibles as are provided  
7 under the plan.

8           **\*b3092/1.1\* SECTION 336jm.** 149.143 (2m) (b) 1. of the statutes is amended to  
9 read:

10           149.143 (2m) (b) 1. To reduce premiums in succeeding plan years as provided  
11 in sub. (1) (b) 1. b. For eligible persons with coverage under s. 149.14 (2) (a),  
12 premiums may not be reduced below 150% 140% of the rate that a standard risk  
13 would be charged under an individual policy providing substantially the same  
14 coverage and deductibles as are provided under the plan.

15           **\*b2308/1.1\* SECTION 336L.** 150.401 of the statutes is created to read:

16           **150.401 Redistribution of nursing home beds to replace transferred**  
17 **beds.** (1) Notwithstanding ss. 150.33, 150.35, and 150.39, from the nursing home  
18 beds that are available under s. 150.31, the department shall redistribute a number  
19 of beds that corresponds to the number of approved beds of a nursing home whose  
20 owner has transferred to another location, resulting in the loss of a nursing home  
21 within 15 miles of a city with a population of 4,474 in 1990 in a county with a  
22 population of 30,226 in 1990.

23           (2) All of the following apply to the redistributed nursing home beds under sub.  
24 (1):

1 (a) The beds may be redistributed only to a location in a city that is specified  
2 in sub. (1).

3 (b) A person may not receive approval for the beds unless the person submits  
4 to the department, on a form provided by the department, an application that meets  
5 the requirements under s. 150.33 (2).

6 \*~~4548/2.114~~\* \*~~3266/P1.83~~\* **SECTION 337.** 154.15 (2) of the statutes is  
7 amended to read:

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

15 \*~~4548/2.115~~\* \*~~3266/P1.84~~\* **SECTION 338.** 154.29 (2) of the statutes is  
16 amended to read:

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

24 \*~~b2391/L8~~\* **SECTION 338g.** 157.055 of the statutes is created to read:

(F)  
(G)