

1 ***b2383/1.1* 164.** Page 139, line 16: after that line insert:

2 ***b2383/1.1* "SECTION 233e.** 77.52 (13) of the statutes is amended to read:

3 77.52 (13) For the purpose of the proper administration of this section and to
4 prevent evasion of the sales tax it shall be presumed that all receipts are subject to
5 the tax until the contrary is established. The burden of proving that a sale of tangible
6 personal property or services is not a taxable sale at retail is upon the person who
7 makes the sale unless that person takes from the purchaser a certificate to the effect
8 that the property or service is purchased for resale or is otherwise exempt; except
9 that no certificate is required for sales of cattle, sheep, goats, and pigs that are sold
10 at a livestock market, as defined in s. 95.68 (1) (e), and no certificate is required for
11 sales of commodities, as defined in 7 USC 2, that are consigned for sale in a
12 warehouse in or from which the commodity is deliverable on a contract for future
13 delivery subject to the rules of a commodity market regulated by the U.S. commodity
14 futures trading commission if upon the sale the commodity is not removed from the
15 warehouse.

16 ***b2383/1.1* SECTION 233g.** 77.53 (10) of the statutes is amended to read:

17 77.53 (10) For the purpose of the proper administration of this section and to
18 prevent evasion of the use tax and the duty to collect the use tax, it is presumed that
19 tangible personal property or taxable services sold by any person for delivery in this
20 state is sold for storage, use, or other consumption in this state until the contrary is
21 established. The burden of proving the contrary is upon the person who makes the
22 sale unless that person takes from the purchaser a certificate to the effect that the
23 property or taxable service is purchased for resale, or otherwise exempt from the tax;
24 except that no certificate is required for sales of cattle, sheep, goats, and pigs that are

1 sold at a livestock market, as defined in s. 95.68 (1) (e), and no certificate is required
2 for sales of commodities, as defined in 7 USC 2, that are consigned for sale in a
3 warehouse in or from which the commodity is deliverable on a contract for future
4 delivery subject to the rules of a commodity market regulated by the U.S. commodity
5 futures trading commission if upon the sale the commodity is not removed from the
6 warehouse.”.

7 ***b2384/1.2* 165.** Page 139, line 16: after that line insert:

8 ***b2384/1.2* “SECTION 232p.** 73.03 (52) of the statutes is amended to read:

9 73.03 (52) To enter into agreements with the ~~internal revenue service~~ Internal
10 Revenue Service that provide for offsetting state tax refunds against federal tax
11 obligations; and to charge a fee up to \$25 per transaction for such offsets; and
12 offsetting federal tax refunds against state tax obligations, if the agreements provide
13 that setoffs under ss. 71.93 and 71.935 occur before the setoffs under those
14 agreements.”.

15 ***b2385/1.2* 166.** Page 139, line 16: after that line insert:

16 ***b2385/1.2* “SECTION 232m.** 73.03 (28d) of the statutes is created to read:

17 73.03 (28d) To enter into a contract to participate in the multistate tax
18 commission audit program. The department shall allocate a portion of the amount
19 collected under chs. 71 and 77 through the contract to the appropriation under s.
20 20.566 (1) (hn) to pay the fees necessary to participate in the multistate tax
21 commission audit program. The department shall allocate the remainder of such
22 collections to the general fund.”.

23 ***b2441/3.3* 167.** Page 139, line 16: after that line insert:

1 ***b2441/3.3*** **SECTION 233b.** 77.52 (2) (a) 5. of the statutes is renumbered 77.52
2 (2) (a) 5. a. and amended to read:

3 77.52 (2) (a) 5. a. The sale of telecommunications services, except services
4 subject to 4 USC 116 to 126, as amended by P.L. 106–252, that either originate or
5 terminate in this state; except services that are obtained by means of a toll-free
6 number, that originate outside this state and that terminate in this state; and are
7 charged to a service address in this state, regardless of the location where that charge
8 is billed or paid; and the sale of the rights to purchase telecommunications services,
9 including purchasing reauthorization numbers, by paying in advance and by using
10 an access number and authorization code, except sales that are subject to subd. 5. b.

11 ***b2441/3.3*** **SECTION 233c.** 77.52 (2) (a) 5. b. of the statutes is created to read:

12 77.52 (2) (a) 5. b. The sale of services subject to 4 USC 116 to 126, as amended
13 by P.L. 106–252, if the customer’s place of primary use of the services is in this state,
14 as determined under 4 USC 116 to 126, as amended by P.L. 106–252. For purposes
15 of this subd. 5. b., all of the provisions of 4 USC 116 to 126, as amended by P.L.
16 106–252, are adopted, except that if 4 USC 116 to 126, as amended by P.L. 106–252,
17 or the application of 4 USC 116 to 126, as amended by P.L. 106–252, is found
18 unconstitutional the sale of telecommunications services is subject to the tax
19 imposed under this section as provided in subd. 5. a.

20 ***b2441/3.3*** **SECTION 233e.** 77.52 (3m) (intro.) of the statutes is amended to
21 read:

22 77.52 (3m) (intro.) In regard to the sale of the rights to purchase
23 telecommunications services under sub. (2) (a) 5. a.:

24 ***b2441/3.3*** **SECTION 233f.** 77.52 (3n) of the statutes is created to read:

1 **77.52 (3n)** In regard to the sale of the rights to purchase telecommunications
2 services under sub. (2) (a) 5. b., the situs of the sale is as determined under 4 USC
3 116 to 126, as amended by P.L. 106–252.

4 ***b2441/3.3* SECTION 233g.** 77.523 of the statutes is created to read:

5 **77.523 Customer remedy.** If a customer purchases a service that is subject
6 to 4 USC 116 to 126, as amended by P.L. 106–252, and if the customer believes that
7 the amount of the tax assessed for the service under this subchapter or the place of
8 primary use or taxing jurisdiction assigned to the service is erroneous, the customer
9 may request that the service provider correct the alleged error by sending a written
10 notice to the service provider. The notice shall include a description of the alleged
11 error, the street address for the customer’s place of primary use of the service, the
12 account name and number of the service for which the customer seeks a correction,
13 and any other information that the service provider reasonably requires to process
14 the request. Within 60 days from the date that a service provider receives a request
15 under this section, the service provider shall review its records to determine the
16 customer’s taxing jurisdiction. If the review indicates that there is no error as
17 alleged, the service provider shall explain the findings of the review in writing to the
18 customer. If the review indicates that there is an error as alleged, the service
19 provider shall correct the error and shall refund or credit the amount of any tax
20 collected erroneously, along with the related interest, as a result of the error from the
21 customer in the previous 48 months, consistent with s. 77.59 (4). A customer may
22 take no other action, or commence any action, to correct an alleged error in the
23 amount of the tax assessed under this subchapter on a service that is subject to 4 USC
24 116 to 126, as amended by P.L. 106–252, or to correct an alleged error in the assigned

1 place of primary use or taxing jurisdiction, unless the customer has exhausted his
2 or her remedies under this section.

3 *b2441/3.3* SECTION 233h. 77.525 of the statutes is amended to read:

4 **77.525 Reduction to prevent double taxation.** Any person who is subject
5 to the tax under s. 77.52 (2) (a) 5. a. on telecommunications services that terminate
6 in this state and who has paid a similar tax on the same services to another state may
7 reduce the amount of the tax remitted to this state by an amount equal to the similar
8 tax properly paid to another state on those services or by the amount due this state
9 on those services, whichever is less. That person shall refund proportionally to the
10 persons to whom the tax under s. 77.52 (2) (a) 5. a. was passed on an amount equal
11 to the amounts not remitted.

12 *b2441/3.3* SECTION 233j. 77.54 (46m) of the statutes is created to read:

13 **77.54 (46m)** The gross receipts from the sale of and the storage, use, or other
14 consumption of telecommunications services, if the telecommunications services are
15 obtained by using the rights to purchase telecommunications services, including
16 purchasing reauthorization numbers, by paying in advance and by using an access
17 number and authorization code; and if the tax imposed under s. 77.52 or 77.53 was
18 previously paid on the sale or purchase of such rights.

19 *b2441/3.3* SECTION 233k. 77.72 (3) (b) of the statutes is amended to read:

20 **77.72 (3) (b) Exceptions.** ~~Communication~~ A communication service has a situs
21 where the customer is billed for the service if the customer calls collect or pays by
22 credit card. Services subject to s. 77.52 (2) (a) 5. b. have a situs at the customer's place
23 of primary use of the services, as determined under 4 USC 116 to 126, as amended
24 by P.L. 106-252. Towing services have a situs at the location to which the vehicle is

1 delivered. Services performed on tangible personal property have a situs at the
2 location where the property is delivered to the buyer.”.

3 ***b2482/3.2* 168.** Page 139, line 16: after that line insert:

4 ***b2482/3.2* “SECTION 233L.** 77.82 (2) (intro.) of the statutes is amended to
5 read:

6 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to
7 designate any eligible parcel of land as managed forest land. A petition may include
8 any number of eligible parcels under the same ownership in a single municipality.
9 ~~Each petition shall be submitted on a form provided by the department and shall be~~
10 ~~accompanied by a nonrefundable \$10 application fee unless a different amount of the~~
11 ~~fee is established by the department by rule at an amount equal to the average~~
12 ~~expense to the department of recording an order issued under this subchapter. The~~
13 ~~fee shall be deposited in the conservation fund and credited to the appropriation~~
14 ~~under s. 20.370 (1) (cr).~~ Each petition shall include all of the following:

15 ***b2482/3.2* SECTION 233m.** 77.82 (2m) of the statutes is created to read:

16 77.82 (2m) FEES FOR PETITIONS. (a) Except as provided in par. (b), a petition
17 under sub. (2) or (4m) shall be accompanied by a nonrefundable application fee of
18 \$100.

19 (b) If the petition is accompanied by a proposed management plan as provided
20 in par. (c), the nonrefundable application fee shall be \$10 unless a different amount
21 for the fee is established by the department by rule at an amount equal to the average
22 expense to the department of recording an order issued under this subchapter.

23 (c) A proposed management plan that qualifies for the reduced fee under par.

24 (b) shall be one of the following:

1 1. A management plan prepared by a qualified forester, as defined by rule by
2 the department.

3 2. Any other management plan approved by the department.

4 3. For petitions under sub. (4m), a recent management plan that was approved
5 by the department for the forest cropland that is subject to the conversion petition
6 under sub. (4m).

7 (d) All the fees collected under this subsection shall be deposited in the
8 conservation fund. The fees collected under par. (b) and \$10 of each \$100 fee collected
9 under par. (a) shall be credited to the appropriation under s. 20.370 (1) (cr).

10 (e) If the proposed management plan is not approved by the department under
11 its initial review under sub. (3) (a), the department shall collect from the petitioner
12 a fee in an amount equal to \$100 less the amount the petitioner paid under par. (c).

13 ***b2482/3.2* SECTION 233n.** 77.82 (3) (a) of the statutes is amended to read:

14 77.82 (3) (a) The petitioner may submit a proposed management plan for the
15 entire acreage of each parcel with the petition. The department, after considering
16 the owner's forest management objectives as stated under sub. (2) (e), shall review
17 and either approve or disapprove the proposed plan. If the department disapproves
18 a plan, it shall inform the petitioner of the changes necessary to qualify the plan for
19 approval upon subsequent review.

20 ***b2482/3.2* SECTION 233nm.** 77.82 (4) of the statutes is amended to read:

21 77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the
22 department to designate as managed forest land an additional parcel of land in the
23 same municipality if the additional parcel is at least 3 acres in size and is contiguous
24 to any of the owner's designated land. The petition shall be accompanied by a
25 nonrefundable \$10 application fee unless a different amount of the fee is established

1 in the same manner as the fee under sub. ~~(2)~~ (2m) (b). The fee shall be deposited in
2 the conservation fund and credited to the appropriation under s. 20.370 (1) (cr). The
3 petition shall be submitted on a department form and shall contain any additional
4 information required by the department.

5 *b2482/3.2* **SECTION 233o.** 77.82 (4m) (bn) of the statutes is repealed.

6 *b2482/3.2* **SECTION 233p.** 77.82 (4m) (c) of the statutes is repealed.”.

7 *b2496/2.3* **169.** Page 139, line 16: after that line insert:

8 *b2496/2.3* “**SECTION 232b.** 73.028 of the statutes is amended to read:

9 **73.028 Levy rate limits and debt Debt conditions; rules.** The department
10 may promulgate rules to implement and administer the ~~levy rate limits and debt~~
11 ~~issuance conditions under ss. 59.605 and s. 67.045.”.~~

12 *b2477/1.2* **170.** Page 140, line 12: after “(4),” insert “(4m),”.

13 *b2496/2.4* **171.** Page 140, line 19: on lines 19 and 23 delete “Subject to s.
14 59.605 (4), payments” and substitute “~~Subject to s.59.605 (4), payments~~ Payments”.

15 *b2496/2.5* **172.** Page 142, line 16: after that line insert:

16 *b2496/2.5* “**SECTION 242m.** 79.03 (4b) of the statutes is repealed.”.

17 *b2477/1.3* **173.** Page 146, line 24: after that line insert:

18 *b2477/1.3* “**SECTION 248d.** 79.04 (4m) (a) of the statutes is created to read:

19 79.04 (4m) (a) Beginning with the distributions in 2004, if property that was
20 exempt from the property tax under s. 70.112 (4) and that was used to generate power
21 by a light, heat, or power company, ~~except~~ property under s. 66.0813, or by an electric
22 cooperative, is decommissioned, the municipality shall be paid, from the public
23 utility account, an amount calculated by subtracting an amount equal to the
24 property taxes paid for that property during the current year to the municipality for

1 its general operations from the following percentages of the payment that the
2 municipality received under this section during the last year that the property was
3 exempt from the property tax:

- 4 a. In the first year that the property is taxable, 100%.
- 5 b. In the 2nd year that the property is taxable, 80%.
- 6 c. In the 3rd year that the property is taxable, 60%.
- 7 d. In the 4th year that the property is taxable, 40%.
- 8 e. In the 5th year that the property is taxable, 20%.

9 ***b2477/1.3* SECTION 248e.** 79.04 (4m) (b) of the statutes is created to read:

10 79.04 (4m) (b) Beginning with the distributions in 2004, if property that was
11 exempt from the property tax under s. 70.112 (4) and that was used to generate power
12 by a light, heat, or power company, except property under s. 66.0813, or by an electric
13 cooperative, is decommissioned, the county shall be paid, from the public utility
14 account, an amount calculated by subtracting an amount equal to the property taxes
15 paid for that property during the current year to the county for its general operations
16 from the following percentages of the payment the county received under this section
17 during the last year that the property was exempt from the property tax:

- 18 1. In the first year that the property is taxable, 100%.
- 19 2. In the 2nd year that the property is taxable, 80%.
- 20 3. In the 3rd year that the property is taxable, 60%.
- 21 4. In the 4th year that the property is taxable, 40%.
- 22 5. In the 5th year that the property is taxable, 20%.”.

23 ***b2423/1.1* 174.** Page 153, line 25: after that line insert:

24 ***b2423/1.1* “SECTION 258g.** 85.061 (3) (b) of the statutes is amended to read:

1 85.061 (3) (b) The department may not use any proceeds from the bond issue
2 authorized under s. 20.866 (2) (up) unless the ~~joint committee on finance approves~~
3 ~~the use of the proceeds and, with respect to a route under par. (a) 1. or 2., the~~
4 ~~department submits evidence to the joint committee on finance that Amtrak or the~~
5 ~~applicable railroad has agreed to provide rail passenger service on that route~~ use of
6 the proceeds is specifically enumerated in a list under par. (c). The department may
7 contract with Amtrak, railroads or other persons to perform the activities under the
8 program.

9 ***b2423/1.1* SECTION 258h.** 85.061 (3) (c) of the statutes is created to read:

10 85.061 (3) (c) The department may use proceeds from the bond issue authorized
11 under s. 20.866 (2) (up) for the following purposes:

12 1. No purposes enumerated under this subdivision as of the effective date of
13 this subdivision [revisor inserts date].

14 ***b2423/1.1* SECTION 258j.** 85.061 (3) (d) of the statutes is created to read:

15 85.061 (3) (d) Beginning on January 1, 2003, the department may not expend
16 any state funds for a project under this section if the anticipated expenditure of state
17 funds for the project exceed 20% of the total cost of the project. This paragraph does
18 not apply to the expenditure of state funds for any activities the department may be
19 required to conduct for purposes of eligibility for federal financial participation in a
20 project.”.

21 ***b2425/2.2* 175.** Page 153, line 25: after that line insert:

22 ***b2425/2.2* “SECTION 257m.** 84.02 (5) (a) of the statutes is amended to read:

23 84.02 (5) (a) As often as it deems necessary, the department shall publish
24 highway service maps showing the state trunk highway system and such other main

1 highways and other features as may seem desirable. Such highway service maps
2 shall be sold by the department at a price to be fixed by it, which shall be not less than
3 cost. The department may permit the use of the base plates for other maps and
4 publications in consideration of a fair fee for such use. The department shall make
5 and publish or duplicate such highway service maps as are required for its use, and
6 shall publish folded highway maps of Wisconsin for free distribution to the public.
7 The department shall ensure that the folded highway maps bear information
8 regarding the requirements of s. 347.48 (4) and do not bear information regarding
9 toll-free telephone service under s. 13.205.”

10 *b2426/1.1* **176.** Page 153, line 25: after that line insert:

11 *b2426/1.1* “SECTION 257g. 84.014 (5) of the statutes is created to read:

12 84.014 (5) The department shall design the reconstruction of the Marquette
13 interchange and I 94 in Milwaukee and Waukesha counties to allow for expansion
14 of capacity for vehicular traffic on the Marquette interchange and I 94 in these
15 counties to meet the projected vehicular traffic capacity needs, as determined by the
16 department, for 30 years following the completion of such reconstruction.”.

17 *b2427/1.1* **177.** Page 153, line 25: after that line insert:

18 *b2427/1.1* “SECTION 257m. 84.185 (3m) of the statutes is created to read:

19 84.185 (3m) REVIEW OF APPLICATIONS. The department shall accept, review, and
20 make determinations on applications for assistance under this section on a
21 continuing, year-round basis. The department shall make a determination on each
22 application for assistance under this section within a reasonable time after its
23 receipt by the department.”.

24 *b2428/1.1* **178.** Page 153, line 25: after that line insert:

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

2 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may
3 promulgate a rule requiring persons specified in the rule to pay annual permit fees
4 for signs. The rule shall specify that no permit fee may be charged for an
5 off-premises advertising sign that is owned by a nonprofit organization. If the
6 department establishes an annual permit fee under this subsection, failure to pay
7 the fee within 2 months after the date on which payment is due is evidence that the
8 sign has been abandoned for the purposes of s. TRANS 201.10 (2) (f), Wis. Adm.
9 Code.”.

10 ***b2430/1.1* 179.** Page 153, line 25: after that line insert:

11 ***b2430/1.1* “SECTION 257r.** 84.04 (4) of the statutes is created to read:

12 84.04 (4) Notwithstanding sub. (2), after the effective date of this subsection
13 [revisor inserts date], the department may not construct any rest area along or
14 in close proximity with a state trunk highway at a location that is within a radius
15 of 5 miles from an exit from the highway that provides access to motorist services
16 described under s. 86.195 (3). This subsection does not apply to any rest area that
17 is located no more than 5 miles from the border of this state or to any rest area that
18 may be located near the village of Belmont in Lafayette County.”.

19 ***b2439/1.1* 180.** Page 153, line 25: after that line insert:

20 ***b2439/1.1* “SECTION 257dg.** 81.15 of the statutes is amended to read:

21 **81.15 Damages caused by highway defects accumulation of snow or**
22 **ice; liability of city, village, town, and county.** ~~If damages happen to any person~~
23 ~~or his or her property by reason of the insufficiency or want of repairs of any highway~~
24 ~~which any town, city or village is bound to keep in repair, the person sustaining the~~

1 ~~damages has a right to recover the damages from the town, city or village. If the~~
2 ~~damages happen by reason of the insufficiency or want of repairs of a highway which~~
3 ~~any county by law or by agreement with any town, city or village is bound to keep in~~
4 ~~repair, or which occupies any land owned and controlled by the county, the county is~~
5 ~~liable for the damages and the claim for damages shall be against the county. If the~~
6 ~~damages happen by reason of the insufficiency or want of repairs of a bridge erected~~
7 ~~or maintained at the expense of 2 or more towns the action shall be brought against~~
8 ~~all the towns liable for the repairs of the bridge and upon recovery of judgment the~~
9 ~~damages and costs shall be paid by the towns in the proportion in which they are~~
10 ~~liable for the repairs; and the court may direct the judgment to be collected from each~~
11 ~~town for its proportion only. The amount recoverable by any person for any damages~~
12 ~~so sustained shall not exceed \$50,000. The procedures under s. 893.80 shall apply~~
13 ~~to the commencement of actions brought under this section. No action may be~~
14 ~~maintained against a city, village, town, or county to recover damages for injuries~~
15 ~~sustained by reason of an accumulation of snow or ice upon any bridge or highway,~~
16 ~~unless the accumulation existed for 3 weeks. Any action to recover damages for~~
17 ~~injuries sustained by reason of an accumulation of snow or ice that has existed for~~
18 ~~3 weeks or more upon any bridge or highway is subject to s. 893.80.~~

19 *b2439/1.1* **SECTION 257dm.** 81.17 of the statutes is repealed.”.

20 *b2449/2.2* **181.** Page 153, line 25: after that line insert:

21 *b2449/2.2* **SECTION 258m.** 84.09 (9) of the statutes is created to read:

22 84.09 (9) Subsections (5), (5m), and (6) do not apply to state property that is
23 directed to be sold under 2001 Wisconsin Act (this act), section 9107 (1b).”.

24 *b2474/2.11* **182.** Page 153, line 25: after that line insert:

1 ***b2474/2.11*** “SECTION 257c. 81.01 (3) (b) (intro.) of the statutes, as affected
2 by 2001 Wisconsin Act 16, is amended to read:

3 81.01 (3) (b) (intro.) The town board, by resolution, submits to the electors of
4 the town as a referendum at ~~a general or special town~~ an election authorized under
5 s. 8.065 the question of exceeding the limit set under this subsection. A copy of the
6 resolution shall be filed as provided in s. 8.37. The board shall abide by the majority
7 vote of the electors of the town on the question. The question shall read as follows.”.

8 ***b2365/1.1* 183.** Page 154, line 4: after that line insert:

9 ***b2365/1.1*** “SECTION 259m. 93.01 (1m) of the statutes is amended to read:

10 93.01 (1m) “Business” includes any business, except that of banks, savings
11 banks, credit unions, savings and loan associations, and insurance companies.
12 “Business” includes public utilities and telecommunications carriers to the extent
13 that their activities, beyond registration, notice, and reporting activities, are not
14 regulated by the public service commission and includes public utility and
15 telecommunications carrier methods of competition or trade and advertising
16 practices that are exempt from regulation by the public service commission under s.
17 196.195, 196.196, 196.202, 196.203, 196.219, or 196.499 or by other action of the
18 commission.”.

19 ***b2420/1.6* 184.** Page 154, line 4: after that line insert:

20 ***b2420/1.6*** “SECTION 259n. 93.02 of the statutes is amended to read:

21 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out
22 of the duties of the department, all of whom shall be under the classified service
23 except the deputy secretary, ~~the executive assistant~~ and, subject to s. 230.08 (4) (a),

1 the administrators of divisions. Each such deputy secretary, ~~executive assistant~~ or
2 administrator shall be appointed by the secretary with the approval of the board.”.

3 *b2431/2.1* **185.** Page 154, line 4: after that line insert:

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

5 86.312 (2) (a) The department shall administer a local roads for job
6 preservation program to award grants to political subdivisions for any project that
7 the department determines is necessary to support business and retain jobs in the
8 vicinity of the local road. The department may award grants under this section for
9 any costs related to a project, including costs of acquiring rights-of-way, planning,
10 designing, engineering, and constructing a local road. The department may specify
11 the pavement to be used in any project funded under this section for the purpose of
12 enhancing the pavement life and cost-effectiveness of the project.”.

13 *b2441/3.4* **186.** Page 154, line 4: after that line insert:

14 *b2441/3.4* “SECTION 259m. 93.01 (1r) of the statutes is created to read:

15 93.01 (1r) “Civil investigative demand” means a written document prepared
16 by the department that is related to the enforcement of chs. 93 to 100 and that orders
17 a person to do any of the following:

18 (a) Provide originals or copies of documents, records, or reports in the person’s
19 custody.

20 (b) Answer specific questions submitted by the department in the form of
21 written depositions, interrogatories, or requests for admissions.

22 (c) Allow employees of the department to review and copy documents, records,
23 or reports in the person’s custody.”.

24 *b2474/2.12* **187.** Page 154, line 4: after that line insert:

1 ***b2474/2.12*** **SECTION 259d.** 86.21 (2) (a) of the statutes is amended to read:

2 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
3 section, a resolution authorizing the construction or acquisition thereof, and
4 specifying the method of payment therefor, shall be adopted by a majority of the
5 members of the governing body of such county, town, village or city at a regular
6 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
7 resolution shall include a general description of the property it is proposed to acquire
8 or construct. Any county, town, village or city constructing or acquiring a toll bridge
9 under this section may provide for the payment of the same or any part thereof from
10 the general fund, from taxation, or from the proceeds of either municipal bonds,
11 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
12 until 15 days after its passage and publication. If within said 15 days a petition
13 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality,
14 and filed as provided in s. 8.37, signed by at least 20% of the electors thereof
15 requesting that the question of acquiring such toll bridge be submitted to the said
16 electors, such question shall be submitted at ~~any general or regular municipal~~ the
17 next election authorized under s. 8.065 (2) or an election authorized under s. 8.065
18 (3) that is held not sooner than 42 days from the date of filing such petition. ~~In case~~
19 ~~no such general or regular municipal election is to be held within such stated period,~~
20 ~~then the governing body of such municipality shall order a special election to be held~~
21 ~~within 30 days from the filing of such petition upon the question of whether such toll~~
22 ~~bridge shall be acquired by said municipality.~~ The question submitted to the electors
23 shall specify the method of payment for such toll bridge as provided in the resolution
24 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast
25 at such referendum election are in favor of the acquisition of such toll bridge, then

1 the resolution of the governing body for the acquisition of such toll bridge shall be in
2 effect.”.

3 *b2495/1.1* **188.** Page 154, line 4: after that line insert:

4 *b2495/1.1* “SECTION 259s. 86.303 (5) (b) of the statutes is amended to read:

5 86.303 (5) (b) Cost data shall be reported on a calendar year basis, and financial
6 report forms or, with respect to municipalities a written request for extension, shall
7 be submitted to the department of revenue as provided under pars. (c) and (d). All
8 extensions under this paragraph shall be until May 15 and no extension beyond that
9 date may be granted.

10 *b2495/1.1* SECTION 259t. 86.303 (5) (d) of the statutes is amended to read:

11 86.303 (5) (d) The department and the department of revenue shall prescribe
12 a statewide uniform financial reporting procedure under s. 73.10 for counties having
13 a population of more than 2,500 and municipalities having a population of more than
14 2,500. The financial report forms or, with respect to municipalities a written request
15 for extension, shall be submitted to the department of revenue by May 1 by ~~counties~~
16 ~~having a population of more than 2,500 and municipalities having a population of~~
17 ~~more than 2,500 and by June 30 by counties having a population of more than 2,500~~
18 for the purposes under this section. All extensions under this paragraph shall be
19 until May 15 and no extension beyond that date may be granted. The department
20 of revenue shall forward the highway-related cost data to the department. Counties
21 having a population of 25,000 or more and municipalities having a population of
22 25,000 or more are required to submit a financial report form to the department of
23 revenue under this paragraph and financial reports under par. (g).

24 *b2495/1.1* SECTION 259u. 86.303 (7) (c) of the statutes is amended to read:

1 86.303 (7) (c) Any municipality having a population of 2,500 or less ~~which that~~
2 has submitted its financial report form may amend it prior to March 31 or prior to
3 May 15 if a written request for extension has been received by the department of
4 revenue. Any ~~county or any~~ municipality having a population over 2,500 ~~which that~~
5 has submitted its financial report form may amend it prior to May 1 or prior to May
6 15 if a written request for extension has been received by the department of revenue.
7 Any county having a population of more than 2,500 that has submitted its financial
8 report form may amend it prior to June 30. Any amendments shall be submitted to
9 the department of revenue. Any ~~county or~~ municipality ~~which that~~ desires to amend
10 its financial report form after May 15, or any county that desires to amend its
11 financial report form after June 30, shall submit an independent, certified audit to
12 the department of revenue no later than August 15.”.

13 ***b2496/2.6* 189.** Page 154, line 4: after that line insert:

14 ***b2496/2.6* “SECTION 259e.** 86.30 (2) (a) 1. of the statutes is amended to read:

15 86.30 (2) (a) 1. Except as provided in pars. (b), and (d) ~~and (dm)~~, sub. (10), and
16 s. 86.303, the amount of transportation aids payable by the department to each
17 county shall be the aids amount calculated under subd. 2. and to each municipality
18 shall be the aids amount calculated under subd. 2. or 3., whichever is greater. If the
19 amounts calculated for a municipality under subd. 2. or 3. are the same,
20 transportation aids to that municipality shall be paid under subd. 2.

21 ***b2496/2.6* SECTION 259ec.** 86.30 (2) (b) 1r. of the statutes is amended to read:

22 86.30 (2) (b) 1r. Except as provided under s. 86.303, no county may receive an
23 increase in its annual transportation aid payment in excess of 15% of its last previous
24 calendar year aid payment. Except as provided under ~~par. (dm) and~~ s. 86.303, no

1 county may receive a decrease in its annual transportation aid payment in excess of
2 2% of its last previous calendar year transportation aid payment.

3 *b2496/2.6* SECTION 259ee. 86.30 (2) (dm) of the statutes is repealed.”.

4 *b2441/3.5* 190. Page 154, line 17: after that line insert:

5 *b2441/3.5* “SECTION 259u. 93.14 (1m) of the statutes is created to read:

6 93.14 (1m) (a) Any person who has been served with a department complaint,
7 notice, order, or other process as authorized in s. 93.18 (5) shall be subject to the
8 department’s authority and jurisdiction, as limited by par. (b).

9 (b) The department’s jurisdiction may not exceed the jurisdiction granted to
10 courts under s. 815.05.

11 *b2441/3.5* SECTION 259w. 93.14 (3) of the statutes is amended to read:

12 93.14 (3) Any person who shall unlawfully fail to attend as a witness, fail to
13 comply with a subpoena, order, or civil investigative demand, or refuse to testify may
14 be coerced as provided in s. 885.12.

15 *b2441/3.5* SECTION 259x. 93.15 (1) of the statutes is amended to read:

16 93.15 (1) The department may, by general or special order, require persons
17 engaged in business to file with the department, at such time and in such manner
18 as the department may direct, sworn or unsworn reports or sworn or unsworn
19 answers in writing to specific questions, as to any matter which the department may
20 investigate.

21 *b2441/3.5* SECTION 259y. 93.15 (2) of the statutes is amended to read:

22 93.15 (2) The department or any of its authorized agents may have access to
23 and may copy any document, or any part thereof, which of a document, that is in the
24 possession or under the control of any person engaged in business, if such the

1 document, or ~~such part thereof~~ of the document, is relevant to any matter ~~which that~~
2 the department may investigate.”.

3 *b2391/1.7* **191.** Page 154, line 18: after that line insert:

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

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

6 95.22 (2) The department shall provide the reports of any communicable
7 diseases under sub. (1) to the department of health and family services.”.

8 *b2393/2.2* **192.** Page 154, line 18: after that line insert:

9 *b2393/2.2* “**SECTION 260d.** 94.64 (3m) (b) (intro.) of the statutes is amended
10 to read:

11 94.64 (3m) (b) (intro.) An application for a permit under par. (a) 2. shall be on
12 a form prescribed by the department and shall be accompanied by a proposed product
13 label and a nonrefundable fee of ~~\$25~~ \$100 until June 30, 2004, and \$25 beginning on
14 July 1, 2004. The department may require that the applicant substantiate, by
15 scientific evidence:

16 *b2393/2.2* **SECTION 260de.** 94.64 (4) (a) 1. of the statutes is amended to read:

17 94.64 (4) (a) 1. A basic fee of ~~23~~ 30 cents per ton for fertilizer sold or distributed
18 beginning on ~~October 29, 1999~~ July 1, 2001, and ending on June 30, ~~2001~~ 2006, and
19 ~~30~~ 45 cents per ton for fertilizer sold or distributed after June 30, ~~2001~~ 2006, with
20 a minimum fee of \$25.

21 *b2393/2.2* **SECTION 260dg.** 94.64 (4) (a) 5. of the statutes is amended to read:

22 94.64 (4) (a) 5. An agricultural chemical cleanup surcharge of ~~38~~ 88 cents per
23 ton on all fertilizer that the person sells or distributes in this state ~~after June 30,~~
24 ~~1999~~, unless the department establishes a lower surcharge under s. 94.73 (15).

1 ***b2393/2.2* SECTION 260f.** 94.681 (1) (cm) of the statutes is created to read:
2 94.681 (1) (cm) “Payment period” means the 12 months ending on September
3 30 of the calendar year for which a license is sought under s. 94.68.

4 ***b2393/2.2* SECTION 260fc.** 94.681 (2) of the statutes is repealed and recreated
5 to read:

6 94.681 (2) ANNUAL LICENSE FEE. An applicant for a license under s. 94.68 shall
7 pay an annual license fee for each pesticide product that the applicant sells or
8 distributes for use in this state. The amount of the fee is based on sales of pesticide
9 products during the payment period. An applicant shall pay an estimated fee before
10 the start of each license year as provided in sub. (3s) (a) and shall make a fee
11 adjustment payment before the end of the license year if required under sub. (3s) (b).
12 Except as provided in sub. (5) or (6), the fee for each pesticide product is as follows:

13 (a) For each household pesticide product:

14 1. If the applicant sells less than \$25,000 of the product during the payment
15 period for use in this state, \$265.

16 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
17 during the payment period for use in this state, \$750.

18 3. If the applicant sells at least \$75,000 of the product during the payment
19 period for use in this state, \$1,500.

20 (b) For each industrial pesticide product:

21 1. If the applicant sells less than \$25,000 of the product during the payment
22 period for use in this state, \$315.

23 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
24 during the payment period for use in this state, \$860.

1 3. If the applicant sells at least \$75,000 of that product during the payment
2 period for use in this state, \$3,060.

3 (c) For each nonhousehold pesticide product:

4 1. If the applicant sells less than \$25,000 of that product during the payment
5 period for use in this state, \$320.

6 2. If the applicant sells at least \$25,000 but less than \$75,000 of the product
7 during the payment period for use in this state, \$890.

8 3. If the applicant sells at least \$75,000 of the product during the payment
9 period for use in this state, \$3,060 plus 0.2% of the gross revenues from sales of the
10 product during the payment period for use in this state.

11 ***b2393/2.2* SECTION 260fg.** 94.681 (3) of the statutes is amended to read:

12 94.681 (3) NONHOUSEHOLD PESTICIDES; CLEANUP SURCHARGE. ~~Except for the~~
13 ~~license years that begin on January 1, 1999, and January 1, 2000, an~~ An applicant
14 for a license under s. 94.68 shall pay an agricultural chemical cleanup surcharge for
15 each nonhousehold pesticide product that the applicant sells or distributes for use
16 in this state. The amount of the surcharge is based on sales of nonhousehold
17 pesticide products during the payment period. An applicant shall pay an estimated
18 surcharge before the start of each license year as provided in sub. (3s) (a) and shall
19 make a surcharge adjustment payment before the end of the license year if required
20 by sub. (3s) (b). Except as provided in sub. (6) or under s. 94.73 (15), the amount of
21 the surcharge is as follows:

22 (a) If the applicant ~~sold~~ sells less than \$25,000 of the product during the
23 preceding year payment period for use in this state, \$5.

24 (b) If the applicant ~~sold~~ sells at least \$25,000 but less than \$75,000 of that
25 product during the preceding year payment period for use in this state, \$170.

1 (c) If the applicant ~~sold~~ sells at least \$75,000 of that product during the
2 preceding year payment period for use in this state, an amount equal to 1.1% of gross
3 revenues from sales of the product during the ~~preceding year~~ payment period for use
4 in this state.

5 *b2393/2.2* SECTION 260fn. 94.681 (3m) of the statutes is amended to read:

6 94.681 (3m) WOOD PRESERVATIVES; CLEANUP SURCHARGE. An applicant for a
7 license under s. 94.68 shall pay an environmental cleanup surcharge for each
8 pesticide product that is not a household pesticide and is solely labeled for use on
9 wood and contains pentachlorophenol or coal tar creosote that the applicant sells or
10 distributes in this state. The amount of the surcharge is based on sales of pesticide
11 products that are not household pesticides and are solely labeled for use on wood and
12 contain pentachlorophenol or coal tar creosote during the payment period. An
13 applicant shall pay an estimated surcharge before the start of each license year as
14 provided in sub. (3s) (a) and shall make a surcharge adjustment payment before the
15 end of the license year if required by sub. (3s) (b). Except as provided in sub. (6), the
16 amount of the surcharge is as follows:

17 (a) If the applicant ~~sold~~ sells less than \$25,000 of the product during the
18 preceding year payment period for use in this state, \$5.

19 (b) If the applicant ~~sold~~ sells at least \$25,000 but less than \$75,000 of that
20 product during the ~~preceding year~~ payment period for use in this state, \$170.

21 (c) If the applicant ~~sold~~ sells at least \$75,000 of that product during the
22 preceding year payment period for use in this state, an amount equal to 1.1% of gross
23 revenues from sales of the product during the ~~preceding year~~ payment period for use
24 in this state.

25 *b2393/2.2* SECTION 260fp. 94.681 (3s) of the statutes is created to read:

1 94.681 (3s) PAYMENT OF FEES AND SURCHARGES. (a) Before the start of a license
2 year, an applicant shall estimate the gross revenues that the applicant will receive
3 from sales of each pesticide product during the payment period that ends during the
4 year for which a license is sought under s. 94.81 and shall pay the amounts under
5 subs. (2), (3), and (3m) based on that estimate. At least 15 days before beginning to
6 sell a new pesticide product in this state, a licensee shall estimate the gross revenues
7 that the applicant will receive from sales of that pesticide product during the
8 payment period in which the licensee begins to sell the pesticide product and shall
9 pay the amounts under subs. (2), (3), and (3m) based on that estimate.

10 (b) Before the end of a license year, a licensee shall report to the department
11 the gross revenues that the licensee received from sales of each pesticide product
12 during the payment period that ended during the license year, as required under s.
13 94.68 (2) (a) 2., and shall reconcile the estimated payment made under par. (a) with
14 the amounts actually due under subs. (2), (3), and (3m) as follows:

15 1. If the amount due based on actual sales is greater than the amount paid
16 based on estimated sales, the licensee shall pay the additional amount due.

17 2. If the amount due based on actual sales is less than the amount paid based
18 on estimated sales, the licensee may request the department to reimburse the
19 licensee for the amount of the overpayment.

20 3. If the amount due based on actual sales equals the amount paid based on
21 estimated sales, no action is required.

22 (c) 1. Except as provided in subd. 2., if a licensee's total payment due under par.
23 (b) is more than 20% of the total amount paid under par. (a), the licensee shall pay
24 a penalty equal to 20% of the total amount due under par. (b). The penalty under this
25 subdivision is in addition to any late filing fee under s. 93.21 (5).

1 2. Subdivision 1. does not apply to a licensee if the licensee's payments under
2 par. (a) are based on estimates of gross revenues from sales for each pesticide product
3 that equal at least 90% of the licensee's gross revenues from sales of the pesticide
4 product during the preceding year.

5 ***b2393/2.2* SECTION 260fr.** 94.681 (7) (a) (intro.) and 1. of the statutes are
6 consolidated, renumbered 94.681 (7) (a) and amended to read:

7 94.681 (7) (a) *License fees.* The department shall deposit all license fees
8 collected under subs. (2), (5), and (6) (a) 3. in the agrichemical management fund
9 except as follows: 1. ~~The that the~~ department shall deposit an amount equal to \$94
10 \$60 for each household pesticide and industrial pesticide product for which an
11 applicant pays a license fee in the environmental fund for environmental
12 management.

13 ***b2393/2.2* SECTION 260fw.** 94.681 (7) (a) 2. of the statutes is repealed.

14 ***b2393/2.2* SECTION 260h.** 94.72 (6) (a) 1. of the statutes is repealed.

15 ***b2393/2.2* SECTION 260he.** 94.72 (6) (a) 2. of the statutes is amended to read:

16 94.72 (6) (a) 2. For commercial feeds distributed in this state beginning on or
17 after January 1, 2002, and ending on December 31, 2002, a feed inspection fee of 23
18 cents per ton.

19 ***b2393/2.2* SECTION 260hm.** 94.72 (6) (a) 2m. of the statutes is created to read:

20 94.72 (6) (a) 2m. For commercial feeds distributed in this state beginning on
21 January 1, 2003, and ending on December 31, 2003, a feed inspection fee of 28 cents
22 per ton or \$30, whichever is greater.

23 ***b2393/2.2* SECTION 260hs.** 94.72 (6) (a) 2r. of the statutes is created to read:

24 94.72 (6) (a) 2r. For commercial feeds distributed in this state on or after
25 January 1, 2004, a feed inspection fee of 23 cents per ton.

1 ***b2393/2.2* SECTION 260k.** 94.73 (6) (b) of the statutes is amended to read:

2 94.73 (6) (b) Except as provided in pars. (c) and (e), the department shall
3 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action
4 costs incurred for each discharge site that are greater than \$3,000 and less than
5 \$400,000.

6 ***b2393/2.2* SECTION 260kg.** 94.73 (6) (c) (intro.) of the statutes is amended to
7 read:

8 94.73 (6) (c) (intro.) Except as provided in par. (e), the department shall
9 reimburse a responsible person an amount equal to ~~80%~~ 75% of the corrective action
10 costs incurred for each discharge site that are greater than \$7,500 and less than
11 \$400,000 if any of the following applies:

12 ***b2393/2.2* SECTION 260kr.** 94.73 (15) (a) of the statutes is amended to read:

13 94.73 (15) (a) The department may, by rule, reduce any of the surcharges in ss.
14 94.64 (3r) (b) and (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703 (3) (a) 2., and 94.704
15 (3) (a) 2. below the amounts specified in those provisions. The department shall
16 adjust surcharge amounts as necessary to maintain a balance in the agricultural
17 chemical cleanup fund at the end of each fiscal year of ~~at least \$2,000,000 but not~~
18 ~~more than \$5,000,000~~ \$3,000,000, but may not increase a surcharge amount over the
19 amount specified in s. 94.64 (3r) (b) or (4) (a) 5., 94.681 (3), 94.685 (3) (a) 2., 94.703
20 (3) (a) 2., or 94.704 (3) (a) 2.”.

21 ***b2441/3.6* 193.** Page 155, line 13: after that line insert:

22 ***b2441/3.6* “SECTION 263b.** 100.207 (1) of the statutes is renumbered 100.207
23 (1) (intro.) and amended to read:

1 100.207 (1) DEFINITION DEFINITIONS. (intro.) In this section,
2 “telecommunications;

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

4 ***b2441/3.6* SECTION 263f.** 100.207 (1) (a) of the statutes is created to read:

5 100.207 (1) (a) “Telecommunications provider” has the meaning given in s.
6 196.01 (8p).

7 ***b2441/3.6* SECTION 263k.** 100.207 (1) (c) of the statutes is created to read:

8 100.207 (1) (c) “Telecommunications subscription” means a contract between
9 a telecommunications provider and a customer for a telecommunications service that
10 is always provided to the customer during each billing period.

11 ***b2441/3.6* SECTION 263o.** 100.207 (3g) of the statutes is created to read:

12 100.207 (3g) BILLING FOR OTHER SERVICES. (a) A telecommunications provider
13 may not bill a customer for any goods or services, other than telecommunications
14 services, unless all of the following apply:

15 1. The telecommunications provider reasonably believes that the customer
16 knowingly consented to the billing.

17 2. The telecommunications provider confirms with the customer, before
18 providing the telecommunications service, that the customer knowingly consented
19 to the billing.

20 (b) If a customer consents to being billed under par. (a), all of the following shall
21 apply:

22 1. The telecommunications provider shall distinguish the billing for the other
23 goods or services from the billing for the telecommunications service in a conspicuous
24 manner. The department shall promulgate rules establishing requirements for
25 complying with this subdivision.

1 2. The telecommunications provider shall provide a detailed itemized listing
2 of the charges for the goods or services if requested to do so by the customer.

3 ***b2441/3.6* SECTION 263s.** 100.207 (3m) of the statutes is created to read:

4 100.207 (3m) TELECOMMUNICATIONS SERVICE CONFIRMATION. (a) A
5 telecommunications provider may not provide a telecommunications service to a
6 customer unless all of the following apply:

7 1. The telecommunications provider reasonably believes that the customer
8 knowingly consented to receive the service.

9 2. The telecommunications provider confirms with the customer, before
10 providing the telecommunications service, that the customer knowingly consented
11 to receive the service.

12 3. At the time that the telecommunications provider provides confirmation
13 under subd. 2., the telecommunications provider informs the customer that he or she
14 may, before the service is activated, withdraw his or her consent to receive the service
15 and informs the customer of the manner by which that consent may be withdrawn.

16 (b) Paragraph (a) does not apply to basic local exchange service or long distance
17 toll service or a telecommunications service that is provided as part of a
18 telecommunications subscription.

19 ***b2441/3.6* SECTION 263w.** 100.207 (5g) of the statutes is created to read:

20 100.207 (5g) RESTRICTIONS ON CONTRACTS. No telecommunications provider
21 may place in a contract entered into with a customer located in this state a clause that
22 provides that a law of a state other than this state applies to the parties or terms of
23 the contract or the rights and remedies under the contract, unless the law of the other
24 state is in conformity with the law of this state.

25 ***b2441/3.6* SECTION 263y.** 100.207 (5m) of the statutes is created to read:

1 100.207 (5m) RECORD REQUIREMENTS. Any person who provides
2 telecommunications service to any customer in this state shall maintain each billing
3 and collection record that is made in providing the telecommunications service for
4 a period of 5 years beginning on the date that the record is made.”.

5 ***b2366/1.1* 194.** Page 156, line 9: after that line insert:

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

8 101.01 (11) “Place of employment” includes every place, whether indoors or out
9 or underground and the premises appurtenant thereto where either temporarily or
10 permanently any industry, trade, or business is carried on, or where any process or
11 operation, directly or indirectly related to any industry, trade, or business, is carried
12 on, and where any person is, directly or indirectly, employed by another for direct or
13 indirect gain or profit, but does not include any place where persons are employed
14 in private domestic service which does not involve the use of mechanical power or in
15 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~
16 ~~includes;~~ the transportation of farm products, supplies, or equipment directly to the
17 farm by the operator of the farm or employees for use thereon, if such activities are
18 directly or indirectly for the purpose of producing commodities for market, or as an
19 accessory to such production; and the operation of a horse boarding facility or horse
20 training facility that does not contain an area for the public to view a horse show.

21 When used with relation to building codes, “place of employment” does not include
22 an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11,
23 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.

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

5 101.01 (12) “Public building” means any structure, including exterior parts of
6 such building, such as a porch, exterior platform, or steps providing means of ingress
7 or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,
8 traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation
9 to building codes, “public building” does not include a horse boarding facility or horse
10 training facility that does not contain an area for the public to view a horse show or
11 a previously constructed building used as a community-based residential facility as
12 defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the
13 operator or administrator or an adult family home, as defined in s. 50.01 (1).”.

14 ***b2372/2.3* 195.** Page 156, line 9: after that line insert:

15 ***b2372/2.3* “SECTION 267n.** 100.263 of the statutes is amended to read:

16 **100.263 Recovery.** In addition to other remedies available under this chapter,
17 the court may award the department the reasonable and necessary costs of
18 investigation and an amount reasonably necessary to remedy the harmful effects of
19 the violation and the court may award the department of justice the reasonable and
20 necessary expenses of prosecution, including attorney fees, from any person who
21 violates this chapter. The department and the department of justice shall deposit in
22 the state treasury for deposit in the general fund all moneys that the court awards
23 to the department, the department of justice or the state under this section. ~~Ten~~
24 ~~percent of the money deposited in the general fund that was awarded under this~~

1 ~~section for the costs of investigation and the expenses of prosecution, including~~
2 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh)."~~

3 *b2367/2.2* **196.** Page 156, line 20: after that line insert:

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

5 **101.563 Payments without regard to eligibility; calendar years 2000 to**
6 **2004.** (1) ENTITLEMENT TO DUES. (a) *Payments from calendar year 2000 dues.*
7 Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to (5), the department
8 shall pay the amount determined under sub. (2) (a) to every city, village, and town
9 that was ineligible to receive a proportionate share of fire department dues collected
10 for calendar year 2000 as a result of that city, village, or town failing to satisfy all
11 eligibility requirements under s. 101.575 (1) and (3) to (5) or to demonstrate to the
12 department that the city, village, or town was eligible under s. 101.575 (1) and (3) to
13 (5) to receive a proportionate share of the fire department dues.

14 (b) *Payments from dues for calendar years 2001 to 2004.* Notwithstanding ss.
15 101.573 (3) (a) and 101.575 (1) and (3) to (5) and except as otherwise provided in this
16 paragraph, the department may not withhold payment of a proportionate share of
17 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based
18 upon the failure of that city, village, or town to satisfy all eligibility requirements
19 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,
20 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive a proportionate
21 share of fire department dues. This paragraph applies only to the payment of a
22 proportionate share of fire department dues collected for calendar years 2001 to
23 2004.

1 (2) DISTRIBUTION OF DUES. (a) *Payments from calendar year 2000 dues.*

2 Notwithstanding s. 101.573 (3) (a), the department shall pay every city, village, and
3 town that is entitled to payment under sub. (1) (a) the amount to which that city,
4 village, or town would have been entitled to receive on or before August 1, 2001, had
5 the city, village, or town been eligible to receive a payment on that date. The
6 department shall calculate the amount due under this paragraph as if every city,
7 village, and town maintaining a fire department was eligible to receive a payment
8 on that date. By the date on which the department provides a certification or
9 recertification to the state treasurer under par. (b) 1., the department shall certify
10 to the state treasurer the amount to be paid to each city, village, and town under this
11 paragraph. On or before August 1, 2002, the state treasurer shall pay the amount
12 certified by the department under this paragraph to each such city, village, and town.
13 The state treasurer may combine any payment due under this paragraph with any
14 amount due to be paid on or before August 1, 2002, to the same city, village, or town
15 under par. (b) 1.

16 (b) *Payments from dues for calendar years 2001 to 2004.* 1. 'Payments from

17 calendar year 2001 dues.' Notwithstanding s. 101.575 (3) (a), by the 30th day
18 following the effective date of this subdivision [revisor inserts date], the
19 department shall compile the fire department dues paid by all insurers under s.
20 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds
21 remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under
22 par. (a), withhold 0.5%, and certify to the state treasurer the proper amount to be paid
23 from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled
24 to a proportionate share of fire department dues as provided under sub. (1) (b) and
25 s. 101.575. If the department has previously certified an amount to the state

1 treasurer under s. 101.57 (3) (a) during calendar year 2002, the department shall
2 recertify the amount in the manner provided under this subdivision. On or before
3 August 1, 2002, the state treasurer shall pay the amounts certified or recertified by
4 the department under this subdivision to each city, village, and town entitled to a
5 proportionate share of fire department dues as provided under sub. (1) and s.
6 101.575. The state treasurer may combine any payment due under this subdivision
7 with any amount due to be paid on or before August 1, 2002, to the same city, village,
8 or town under par. (a).

9 2. 'Payments from dues for calendar years 2002 to 2004.' Notwithstanding s.
10 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May
11 1 in each year, the department shall compile the fire department dues paid by all
12 insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1)
13 and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the state
14 treasurer the proper amount to be paid from the appropriation under s. 20.143 (3)
15 (L) to each city, village, and town entitled to a proportionate share of fire department
16 dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1,
17 the state treasurer shall pay the amounts certified by the department to each such
18 city, village, and town. This paragraph applies only to payment of a proportionate
19 share of fire department dues collected for calendar years 2002 to 2004.

20 3. The amounts withheld under subds. 1. and 2. shall be disbursed to correct
21 errors of the department or the commissioner of insurance. The department shall
22 certify to the state treasurer the amount that must be disbursed to correct an error
23 and the state treasurer shall pay the amount to the specified city, village, or town.
24 The balance of the amount withheld in a calendar year under subds. 1. or 2., as
25 applicable, which is not disbursed under this subdivision shall be included in the

1 total compiled by the department under subd. 2. for the next calendar year, except
2 that amounts withheld under subd. 2. from fire department dues collected for
3 calendar year 2004 that are not disbursed under this subdivision shall be included
4 in the total compiled by the department under s. 101.573 (3) (a) for the next calendar
5 year. If errors in payments exceed the amount withheld, adjustments shall be made
6 in the distribution for the next year.

7 (3) NOTICES OF INELIGIBILITY AND DEPARTMENTAL AUDITS; EXCEPTIONS. Except as
8 otherwise provided in this subsection and notwithstanding s. 101.575 (1) (am) and
9 (4) (a) 2., the department may not issue a notice of noncompliance with regard to a
10 city, village, or town that fails to satisfy all eligibility requirements under s. 101.575
11 (1) and (3) to (5) and may not audit any city, village, town, or fire department for
12 purposes of determining whether the city, village, town, or fire department complies
13 with s. 101.575 (6) and s. 101.14 (2). This subsection does not apply after August 1,
14 2005.

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

16 101.573 (4) The department shall transmit to the treasurer of each city, village,
17 and town entitled to fire department dues, a statement of the amount of dues payable
18 to it under this section, and the commissioner of insurance shall furnish to the state
19 treasurer, upon request, a list of the insurers paying dues under s. 601.93 and the
20 amount paid by each.”.

21 *b2488/2.6* 197. Page 157, line 22: after that line insert:

22 *b2488/2.6* “SECTION 274g. 106.12 (title) of the statutes is amended to read:

23 106.12 (title) ~~Governor’s work-based learning board~~ **Employment and**
24 **education programs.**

1 ***b2488/2.6* SECTION 274h.** 106.12 (1) of the statutes is repealed.

2 ***b2488/2.6* SECTION 274i.** 106.12 (2) of the statutes is amended to read:

3 106.12 (2) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. The ~~board~~
4 department shall plan, coordinate, administer, and implement the youth
5 apprenticeship, school-to-work, and work-based learning programs under s. 106.13
6 (1) and such other employment and education programs as the governor may by
7 executive order assign to the ~~board~~ department. Notwithstanding any limitations
8 placed on the use of state employment and education funds under this section or s.
9 106.13 or under an executive order assigning an employment and education program
10 to the ~~board~~ department, the ~~board~~ department may issue a general or special order
11 waiving any of those limitations on finding that the waiver will promote the
12 coordination of employment and education services.

13 ***b2488/2.6* SECTION 274j.** 106.12 (3) of the statutes is repealed.

14 ***b2488/2.6* SECTION 274k.** 106.12 (4) of the statutes, as created by 2001
15 Wisconsin Act 16, is amended to read:

16 106.12 (4) PUBLICATIONS AND SEMINARS. The ~~board~~ department may provide
17 publications and seminars relating to the employment and education programs
18 administered by the ~~board~~ department and may establish a schedule of fees for those
19 publications and seminars. Fees established under this subsection for publications
20 and seminars provided by the ~~board~~ department may not exceed the actual cost
21 incurred in providing those publications and seminars. The fees collected under this
22 subsection shall be credited to the appropriation account under s. 20.445 ~~(7) (ga)~~ (1)
23 (gi).

24 ***b2488/2.6* SECTION 274m.** 106.13 (1) (intro.) of the statutes is amended to
25 read:

1 106.13 (1) (intro.) The ~~board~~ department shall provide all of the following:

2 ***b2488/2.6* SECTION 274n.** 106.13 (2m) of the statutes is amended to read:

3 106.13 (2m) The ~~board~~ department shall approve occupations and maintain a
4 list of approved occupations for the youth apprenticeship program and shall approve
5 statewide skill standards for the school-to-work program. From the appropriation
6 under s. 20.445 (~~7~~) (1) (a), the ~~board~~ department shall develop curricula for youth
7 apprenticeship programs for occupations approved under this subsection.

8 ***b2488/2.6* SECTION 274p.** 106.13 (3m) (b) (intro.) of the statutes, as affected
9 by 2001 Wisconsin Act 16, is amended to read:

10 106.13 (3m) (b) (intro.) From the appropriation under s. 20.445 (~~7~~) (1) (b), the
11 ~~board~~ department shall award grants to applying local partnerships for the
12 implementation and coordination of local youth apprenticeship programs. A local
13 partnership shall include in its grant application the identity of each public agency,
14 nonprofit organization, individual, and other person who is a participant in the local
15 partnership, a plan to accomplish the implementation and coordination activities
16 specified in subs. 1. to 6., and the identity of a fiscal agent who shall be responsible
17 for receiving, managing, and accounting for the grant moneys received under this
18 paragraph. Subject to par. (c), a local partnership that is awarded a grant under this
19 paragraph may use the grant moneys awarded for any of the following
20 implementation and coordination activities:

21 ***b2488/2.6* SECTION 274q.** 106.13 (4) (b) of the statutes, as affected by 2001
22 Wisconsin Act 16, is amended to read:

23 106.13 (4) (b) From the appropriation under s. 20.445 (~~7~~) (1) (em), the ~~board~~
24 department may award a grant to a public agency or a nonprofit organization, or to
25 an eligible employer that is responsible for the on-the-job training and supervision

1 of a youth apprentice. A public agency or nonprofit organization that receives a grant
2 under this subsection shall use the funds awarded under the grant to award training
3 grants to eligible employers that provide on-the-job training and supervision for
4 youth apprentices. Subject to par. (c), a training grant provided under this
5 subsection may be awarded to an eligible employer for each youth apprentice who
6 receives at least 180 hours of paid on-the-job training from the eligible employer
7 during a school year, as defined in s. 115.001 (13). The amount of a training grant
8 may not exceed \$500 per youth apprentice per school year. A training grant may not
9 be awarded for any specific youth apprentice for more than 2 school years.

10 ***b2488/2.6* SECTION 274r.** 106.13 (4) (c) of the statutes, as affected by 2001
11 Wisconsin Act 16, is amended to read:

12 106.13 (4) (c) Notwithstanding par. (b), the ~~board~~ department may award a
13 training grant under this subsection to an eligible employer that provides less than
14 180 hours of paid on-the-job training for a youth apprentice during a school year,
15 as defined in s. 115.001 (13), if the ~~board~~ department determines that it would be
16 beneficial for the youth apprentice to receive on-the-job training from more than one
17 eligible employer.

18 ***b2488/2.6* SECTION 274s.** 106.13 (4) (d) of the statutes is amended to read:

19 106.13 (4) (d) The ~~board~~ department shall establish eligibility criteria for a
20 grant under this subsection. ~~That~~ Those criteria shall specify that eligibility for a
21 grant shall be limited to small employers, as determined by the ~~board~~ department,
22 and to employers providing on-the-job training in employment areas determined by
23 the ~~board~~ department. Notwithstanding sub. (5), those criteria need not be
24 promulgated as rules.

25 ***b2488/2.6* SECTION 274t.** 106.13 (4m) (a) of the statutes is amended to read:

1 106.13 (4m) (a) The board department may approve an innovative
2 school-to-work program provided by a nonprofit organization for children at risk,
3 as defined in s. 118.153 (1) (a), in a county having a population of 500,000 or more
4 to assist those children at risk in acquiring employability skills and
5 occupational-specific competencies before leaving high school. If the board
6 department approves a program under this paragraph, the board department may
7 award a grant, from the appropriation under s. 20.445 (~~7~~) (1) (ef), to the nonprofit
8 organization providing the program and the nonprofit organization shall use the
9 funds received under the grant to provide the program.

10 ***b2488/2.6* SECTION 274u.** 106.13 (4m) (b) of the statutes is amended to read:

11 106.13 (4m) (b) The board department shall establish requirements for the
12 operation of the grant program under this subsection. Notwithstanding sub. (5),
13 those requirements need not be promulgated as rules.

14 ***b2488/2.6* SECTION 274v.** 106.13 (5) of the statutes is amended to read:

15 106.13 (5) The board department shall promulgate rules to administer this
16 section.”.

17 ***b2486/1.1* 198.** Page 158, line 12: delete lines 12 to 22.

18 ***b2408/1.2* 199.** Page 159, line 3: after that line insert:

19 ***b2408/1.2* “SECTION 277p.** 111.91 (2) (im) of the statutes is created to read:

20 111.91 (2) (im) The employer contribution rate and the number of hours of work
21 per year covered under s. 40.05 (4) (ag) 1.”.

22 ***b2466/1.2* 200.** Page 159, line 3: after that line insert:

23 ***b2466/1.2* “SECTION 277pt.** 111.91 (2) (ig) of the statutes is created to read:

24 111.91 (2) (ig) Employee contributions required under s. 40.05 (4) (a) 1.”.

1 ***b2503/3.1* 201.** Page 159, line 3: after that line insert:

2 ***b2503/3.1* "SECTION 277d.** 110.20 (6) (a) 1. of the statutes, as affected by 2001
3 Wisconsin Act 16, is amended to read:

4 110.20 (6) (a) 1. For a nonexempt vehicle required to be registered on an annual
5 or other periodic basis in this state, within the period of time specified by the
6 department under sub. (9) (d) prior to renewal of registration in the ~~2nd~~ 4th year
7 after the nonexempt vehicle's model year and every 2 years thereafter, except as
8 provided in par. (c) and sub. (9) (j).

9 ***b2503/3.1* SECTION 277e.** 110.20 (6) (a) 3. of the statutes is amended to read:

10 110.20 (6) (a) 3. For a nonexempt vehicle that is registered under s. 341.26 (2m),
11 owned by the United States or subject to one-time registration, at any time during
12 the ~~2nd~~ 4th year following the nonexempt vehicle's model year and every 2 years
13 thereafter, except as provided in par. (c).

14 ***b2503/3.1* SECTION 277f.** 110.20 (6) (c) of the statutes is created to read:

15 110.20 (6) (c) If the secretary determines that such frequency of inspection is
16 required during any period of time to avoid the loss or reduction of any federal aid,
17 the program shall require an emissions inspection of any nonexempt vehicle under
18 par. (a) 1. prior to renewal of registration in the 2nd year after the nonexempt
19 vehicle's model year or of any nonexempt vehicle under par. (a) 3. at any time during
20 the 2nd year following the nonexempt vehicle's model year.".

21 ***b2474/2.13* 202.** Page 159, line 17: after that line insert:

22 ***b2474/2.13* "SECTION 280p.** 117.20 of the statutes is amended to read:

23 **117.20 Referendum procedures.** (1) If a referendum is required under ss.
24 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November

1 occurring not sooner than 45 days following receipt of the petition or adoption of the
2 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a
3 referendum is required under s. 117.105, it shall be held on the Tuesday after the first
4 Monday in the 2nd November occurring not sooner than 45 days following receipt of
5 the petition or adoption of the resolution under s. 117.105 (1).

6 (2) The clerk of each affected school district shall publish notice, as required
7 under s. ~~8.55~~ 10.06 (4), in the territory of that school district. The procedures for
8 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a
9 referendum held under this section. The school board and school district clerk of each
10 affected school district shall each perform, for that school district, the functions
11 assigned to the school board and the school district clerk, respectively, under those
12 subsections. The form of the ballot shall correspond to the form prescribed by the
13 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school
14 district shall file with the secretary of the board a certified statement prepared by
15 the school district board of canvassers of the results of the referendum in that school
16 district.”.

17 *b2407/1.1* **203.** Page 161, line 11: after that line insert:

18 *b2407/1.1* “**SECTION 284d.** 118.43 (6) (b) 7. and 8. of the statutes, as affected
19 by 2001 Wisconsin Act 16, are amended to read:

20 118.43 (6) (b) 7. In the 2001–02 and 2002–03 school years, \$2,000 multiplied
21 by the number of low-income pupils enrolled in grades eligible for funding in each
22 school in the school district covered by contracts or alterations of contracts under sub.
23 (3) (am) and by renewals of contracts or alterations of renewals under sub. (2) (g).
24 After making these payments, the department shall pay school districts, on behalf

1 of schools that are covered by contracts or alterations of contracts under sub. (3) (ar),
2 an amount equal to \$2,000 multiplied by the number of low-income pupils enrolled
3 in grades eligible for funding in each school in the school district covered by contracts
4 under sub. (3) (ar).

5 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied by the number
6 of low-income pupils enrolled in grades eligible for funding in each school in the
7 school district covered by contracts or alterations of contracts under sub. (3) (ar) and
8 by renewals of contracts or alterations of renewals under sub. (2) (g).

9 ***b2407/1.1* SECTION 284e.** 118.43 (6c) of the statutes is created to read:

10 118.43 (6c) ALTERATION OF CONTRACTS. Notwithstanding sub. (3), a school
11 district that notifies the department by July 1, 2002, and annually by July 1
12 thereafter, may alter a contract or a renewal of a contract under this section by
13 specifying those grades from kindergarten to grade 3 in which the school district
14 agrees to reduce class size under sub. (3). A school district that alters a contract is
15 eligible to receive funding under sub. (6) only for those grades that it specifies under
16 this subsection.”.

17 ***b2474/2.14* 204.** Page 161, line 11: after that line insert:

18 ***b2474/2.14* “SECTION 284fd.** 119.48 (4) (b) and (c) of the statutes are
19 amended to read:

20 119.48 (4) (b) The communication shall state the purposes for which the funds
21 from the increase in the levy rate will be used and shall request the common council
22 to submit to the voters of the city the question of exceeding the levy rate specified in
23 s. 65.07 (1) (f) at ~~the September election or a special~~ an election authorized under s.
24 8.065.

1 (c) Upon receipt of the communication, the common council shall file the
2 communication as provided in s. 8.37 and shall cause the question of exceeding the
3 levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city at the
4 ~~September election or at a special~~ next election authorized under s. 8.065 (2) or an
5 election authorized under s. 8.065 (3) to be held not sooner than 45 days after receipt
6 of the communication. The question of exceeding the levy rate specified under s.
7 65.07 (1) (f) shall be submitted so that the vote upon exceeding the levy rate specified
8 in s. 65.07 (1) (f) is taken separately from any other question submitted to the voters.
9 If a majority of the electors voting on the question favors exceeding the levy rate
10 specified under s. 65.07 (1) (f), the common council shall approve the increase in the
11 levy rate and shall levy and collect a tax equal to the amount of money approved by
12 the electors.

13 *b2474/2.14* SECTION 284ff. 119.49 (1) (b) and (2) of the statutes are amended
14 to read:

15 119.49 (1) (b) The communication shall state the amount of funds needed under
16 par. (a) and the purposes for which the funds will be used and shall request the
17 common council to submit to the voters of the city at the next election authorized
18 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held in the city
19 not sooner than 45 days after receipt of the communication the question of issuing
20 school bonds in the amount and for the purposes stated in the communication.

21 (2) Upon receipt of the communication, the common council shall file the
22 communication as provided in s. 8.37 and shall cause the question of issuing such
23 school bonds in the stated amount and for the stated school purposes to be submitted
24 to the voters of the city at the next election ~~held in the city~~ authorized under s. 8.065
25 (2) or an election authorized under s. 8.065 (3) that occurs not sooner than 45 days

1 after the date of receipt of the communication. The question of issuing such school
2 bonds shall be submitted so that the vote upon issuing such school bonds is taken
3 separately from any other question submitted to the voters. If a majority of the
4 electors voting on the school bond question favors issuing such school bonds, the
5 common council shall cause the school bonds to be issued immediately or within the
6 period permitted by law, in the amount requested by the board and in the manner
7 other bonds are issued.”.

8 *b2488/2.7* **205.** Page 161, line 11: after that line insert:

9 *b2488/2.7* “SECTION 284b. 118.34 (4) of the statutes is repealed.”.

10 *b2599/1.3* **206.** Page 162, line 9: delete lines 9 to 12.

11 *b2445/1.2* **207.** Page 163, line 7: after that line insert:

12 *b2445/1.2* “SECTION 287d. 121.15 (3m) (a) 2. of the statutes is amended to
13 read:

14 121.15 (3m) (a) 2. “State school aids” means those the sum of the aids
15 appropriated under s. 20.255 (1) (b) and (2), other than s. 20.255 (2) (fm), (fu), (k), and
16 (m), ~~and; the aids appropriated~~ under ss. 20.275 (1) (d), (es), (et), and (f) and 20.285
17 (1) (ee), (r), and (rc) ~~and;~~ those aids appropriated under s. 20.275 (1) (s) that are used
18 to provide grants or educational telecommunications access to school districts under
19 s. 44.73; and \$7,700,000.”.

20 *b2474/2.15* **208.** Page 163, line 25: after that line insert:

21 *b2474/2.15* “SECTION 288p. 121.91 (3) (a) of the statutes is amended to read:

22 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)
23 otherwise applicable to the school district in any school year, it shall promptly adopt
24 a resolution supporting inclusion in the final school district budget of an amount

1 equal to the proposed excess revenue. The resolution shall specify whether the
2 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
3 proposed excess revenue is for both recurring and nonrecurring purposes, the
4 amount of the proposed excess revenue for each purpose. The resolution shall be filed
5 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
6 shall notify the department of the scheduled date of the referendum and submit a
7 copy of the resolution to the department. The school board shall call a ~~special~~
8 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
9 to the electors of the school district for approval or rejection. ~~In lieu of a special~~
10 ~~referendum, the school board may specify that the referendum be held at the next~~
11 ~~succeeding spring primary or election or September primary or general election, if~~
12 ~~such election is,~~ to be held not sooner than 42 days after the filing of the resolution
13 of the school board. The school district clerk shall certify the results of the
14 referendum to the department within 10 days after the referendum is held.”.

15 *b2372/2.4* **209.** Page 166, line 6: after that line insert:

16 *b2372/2.4* “SECTION 298n. 133.16 of the statutes is amended to read:

17 **133.16 Injunction; pleading; practice.** Any circuit court may prevent or
18 restrain, by injunction or otherwise, any violation of this chapter. The department
19 of justice, any district attorney or any person by complaint may institute actions or
20 proceedings to prevent or restrain a violation of this chapter, setting forth the cause
21 and grounds for the intervention of the court and praying that such violation,
22 whether intended or continuing be enjoined or prohibited. When the parties
23 informed against or complained of have been served with a copy of the information
24 or complaint and cited to answer it, the court shall proceed, as soon as may be in

1 accordance with its rules, to the hearing and determination of the case; and pending
2 the filing of the answer to such information or complaint may, at any time, upon
3 proper notice, make such temporary restraining order or prohibition as is just.
4 Whenever it appears to the court that the ends of justice require that other persons
5 be made parties to the action or proceeding the court may cause them to be made
6 parties in such manner as it directs. The party commencing or maintaining the
7 action or proceeding may demand and recover the cost of suit including reasonable
8 attorney fees. In an action commenced by the department of justice, the court may
9 award the department of justice the reasonable and necessary costs of investigation
10 and an amount reasonably necessary to remedy the harmful effects of the violation.
11 The department of justice shall deposit in the state treasury for deposit in the general
12 fund all moneys that the court awards to the department or the state under this
13 section. ~~Ten percent of the money deposited in the general fund that was awarded~~
14 ~~under this section for the costs of investigation and the costs of suit, including~~
15 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).~~
16 Copies of all pleadings filed under this section shall be served on the department of
17 justice.”.

18 *b2441/3.7* **210.** Page 172, line 3: after that line insert:

19 *b2441/3.7* **SECTION 335m.** 146.70 (3m) of the statutes is created to read:

20 146.70 (3m) WIRELESS PROVIDERS. (a) *Definitions.* In this subsection:

21 1. “Board” means the wireless 911 board.

22 2. “Federal wireless orders” means the orders of the federal communications
23 commission regarding 911 emergency services for wireless telephone users in FCC
24 docket no. 94–102.

1 3. “Wireless provider” means a commercial mobile radio service provider, as
2 defined in s. 196.01 (2g), that is subject to the federal wireless orders.

3 4. “Wireless public safety answering point” means a facility to which a call on
4 a wireless provider’s system is initially routed for response, and on which a public
5 agency directly dispatches the appropriate emergency service provider, relays a
6 message to the appropriate emergency service provider, or transfers the call to the
7 appropriate emergency services provider.

8 (b) *Grants.* 1. From the appropriations under s. 20.143 (3) (js) and (kv), the
9 board shall make grants to public agencies that operate public safety answering
10 points for eligible expenses under par. (c). A public agency is eligible for a grant
11 under this subdivision only if the board determines that the public agency has
12 complied with the federal wireless orders and either is providing 911 emergency
13 services for wireless telephone users or has begun to implement 911 emergency
14 services for wireless telephone users that will be provided within 2 years after
15 implementation has begun. The total amount in grants that a public agency may
16 receive under this subdivision may not exceed 50% of the public agency’s total eligible
17 expenses under par. (c).

18 2. From the appropriation under s. 20.143 (3) (jm), the board shall make grants
19 to wireless providers for actual costs and expenses incurred by wireless providers in
20 complying with the federal wireless orders, including costs and expenses for
21 designing, upgrading, purchasing, leasing, programming, installing, testing,
22 operating, and maintaining data, hardware, and software necessary to provide 911
23 emergency services for wireless telephone users.

24 3. If the board determines that there are insufficient funds in the appropriation
25 account under s. 20.143 (3) (jm) to make a grant under subd. 2., and the board has

1 not paid a grant under subd. 1. or an installment under subd. 4. in the preceding 3
2 months, the board may make the grant to the wireless provider from the
3 appropriation account under s. 20.143 (3) (js). If the board makes a grant under this
4 subdivision, the board shall, as soon as practicable, transfer moneys from the
5 appropriation account under s. 20.143 (3) (jm) to the appropriation account under s.
6 20.143 (3) (kv) in an amount equal to the amount of the grant.

7 4. If the board determines that there are insufficient funds in an appropriation
8 to make a grant under this paragraph, the board may make the grant in
9 installments.

10 5. The board shall contract for independent audits of applications for grants
11 under this paragraph. An applicant shall provide an auditor with any relevant
12 confidential business information.

13 (c) *Public agency eligible expenses.* 1. A public agency may receive a grant
14 under par. (b) 1. for actual expenses that the public agency directly and primarily
15 incurred for leasing, purchasing, operating, or maintaining a wireless public safety
16 answering point, including expenses for all of the following:

17 a. Necessary network equipment, computer hardware and software, database
18 equipment, and radio and telephone equipment, that are located within the public
19 safety answering point.

20 b. Training operators of a public safety answering point.

21 c. Network costs for delivery of calls from a wireless provider to a public safety
22 answering point.

23 2. Except for expenses under subd. 1., a public agency may not receive a grant
24 under par. (b) 1. for any of the following:

1 a. Emergency service dispatch, including personnel, training, equipment,
2 software, records management, radio communications, and mobile data network
3 systems.

4 b. Vehicles and equipment in vehicles.

5 c. Communications equipment and software used to communicate with
6 vehicles.

7 d. Real estate and improvements to real estate, other than improvements
8 necessary to maintain the security of a public safety answering point.

9 e. Salaries and benefits of operators of a public safety answering point.

10 (d) *Wireless surcharge.* 1. Each wireless provider shall impose a surcharge of
11 50 cents per month for each telephone number that has a billable address in this state
12 and shall identify the surcharge on a customer's bill on a separate line that is
13 identified as "Wireless 911 Surcharge." The board may promulgate rules that
14 increase or decrease the surcharge, except that the board may not increase the
15 surcharge more than once per year, any increase must be uniform statewide and may
16 not exceed 10 cents, and the surcharge may not exceed \$1.

17 2. A wireless provider may not prorate the surcharge and shall collect the entire
18 amount of the surcharge for a month of partial service.

19 3. The board shall promulgate rules establishing requirements for wireless
20 providers to collect the surcharge from their customers beginning with the first bills
21 issued after July 1, 2002. Except as provided in subd. 4., a wireless provider shall
22 pay the surcharges to the board no more than 60 days after the end of the calendar
23 month in which the surcharges are collected. The board shall bring an action to
24 collect a surcharge that is not paid by a customer and the customer's wireless
25 provider is not liable for the unpaid surcharge.

1 4. Wireless providers may retain 2% of the surcharges collected in fiscal year
2 2002–03 for reimbursing costs related to collecting the surcharge, including
3 reprogramming billing systems.

4 (e) *Confidentiality of information.* The board may withhold from public
5 inspection any information that would aid a competitor of a wireless provider in
6 competition with the wireless provider. The board shall establish procedures for
7 internal management that prohibit members of the board from having access to
8 confidential business information submitted by wireless providers.

9 (f) *Public information.* The board shall promulgate rules establishing
10 requirements and procedures for informing the public about the purpose and uses
11 of the surcharge required under this subsection. The rules shall require the board
12 to maintain a toll-free telephone number to provide such information to the public
13 and require wireless providers to identify the toll-free number on bills and direct
14 customers to contact the board regarding questions about the surcharge.

15 (g) *Other charges prohibited.* No city, village, town, county, or state agency, as
16 defined in s. 16.375 (1), except the board, may require a wireless provider to collect
17 or pay a surcharge or fee related to wireless emergency telephone service.

18 (h) *Liability exemption.* A wireless provider shall not be liable to any person
19 who uses a wireless emergency telephone number system for which a grant is made
20 under par. (b).

21 (i) *Report to governor and legislature.* Annually, the board shall submit a report
22 to the governor, and to the chief clerk of each house of the legislature for distribution
23 to the legislature under s. 13.172 (2), that describes the costs incurred by wireless
24 providers and public agencies in providing wireless emergency telephone service and
25 the grants made by the board.

1 (j) *Board powers.* The board shall possess all powers necessary or convenient
2 for administering the requirements of this subsection.

3 (k) *Sunset.* This subsection does not apply after the first day of the 120th month
4 beginning after the effective date of this paragraph [revisor inserts date].”.

5 *b2413/2.36* **211.** Page 172, line 10: after that line insert:

6 *b2413/2.36* “SECTION 336d. 146.96 of the statutes is created to read:

7 **146.96 Uniform claim processing form.** Beginning no later than July 1,
8 2004, every health care provider, as defined in s. 146.81 (1), shall use the uniform
9 claim processing form developed by the commissioner of insurance under s. 601.41
10 (9) (b) when submitting a claim to an insurer.”.

11 *b2417/1.1* **212.** Page 172, line 10: after that line insert:

12 *b2417/1.1* “SECTION 336im. 149.10 (8b) of the statutes is repealed.

13 *b2417/1.1* SECTION 336ip. 149.15 (3) (g) of the statutes is amended to read:

14 149.15 (3) (g) Establish oversight committees to address various
15 administrative issues, such as financial management of the plan and, selection of the
16 plan administrator, and plan administrator performance standards. A
17 representative of the department may not be the chairperson of any committee
18 established under this paragraph.

19 *b2417/1.1* SECTION 336ir. 149.16 (1) of the statutes is repealed.

20 *b2417/1.1* SECTION 336is. 149.16 (1m) of the statutes is created to read:

21 149.16 (1m) (a) The plan administrator shall be selected by the department
22 and the board together in a competitive, request-for-proposals process. The
23 department shall work with the board and the plan administrator selection
24 committee established under s. 149.15 (3) (g) to do all of the following:

1 1. Develop and issue a request for proposals to be used to solicit contract
2 proposals.

3 2. Evaluate technical proposals and accompanying cost proposals submitted in
4 response to the request for proposals.

5 3. Request and evaluate best and final offers.

6 4. Select a plan administrator and, subject to sub. (5), award a contract for plan
7 administration.

8 (b) 1. Any contract awarded under this subsection shall have a term of 3 years,
9 beginning on July 1 and ending on June 30 of the 3rd year beginning after the year
10 in which the contract commences. The start work date of the initial contract awarded
11 under this subsection may not be later than July 1, 2003.

12 2. Notwithstanding subd. 1, the department, with the concurrence of the board,
13 may negotiate not more than 2 one-year extensions of a contract described under
14 subd. 1.

15 3. Notwithstanding subs. 1. and 2., a contract awarded under this subsection
16 may be extended beyond its 3-year term or a one-year extension in order to facilitate
17 the transition to administration of the plan by a succeeding plan administrator.

18 (c) The plan administrator selected under this subsection must have in place
19 at the time the plan administrator is selected information systems that are in
20 compliance with the standards adopted under the administrative simplification
21 provisions of the federal Health Insurance Portability and Accountability Act of
22 1996.

23 (d) The plan shall be administered in the state but the administration may not
24 be limited to any particular geographic location within the state.

25 ***b2417/1.1* SECTION 336itc.** 149.16 (3m) of the statutes is created to read:

1 149.16 (3m) The plan administrator shall submit regular reports to the
2 department, the board, and the plan administrator selection committee established
3 under s. 149.15 (3) (g) regarding the operation of the plan. The frequency, content,
4 and form of the reports shall be determined by the department, the board, and the
5 plan administrator selection committee.

6 ***b2417/1.1* SECTION 336itm.** 149.16 (4) of the statutes is amended to read:

7 149.16 (4) The If the plan administrator selected under sub. (1m) is the fiscal
8 agent under s. 49.45 (2) (b) 2., the plan administrator shall account for costs related
9 to the plan separately from costs related to medical assistance under subch. IV of ch.
10 49.

11 ***b2417/1.1* SECTION 336itr.** 149.16 (5) of the statutes is amended to read:

12 149.16 (5) The department shall obtain the approval of the board before
13 implementing any contract with the plan administrator, including any extension of
14 a contract under sub. (1m) (b) 2.”.

15 ***b2391/1.8* 213.** Page 173, line 16: after that line insert:

16 ***b2391/1.8* “SECTION 338g.** 157.055 of the statutes is created to read:

17 **157.055 Disposal of human remains during state of emergency relating**
18 **to public health. (1)** In this section:

19 (a) “Funeral establishment” has the meaning given in s. 445.01 (6).

20 (b) “Public health authority” has the meaning given in s. 250.01 (6g).

21 **(2)** Notwithstanding ss. 69.18 (4), 445.04 (2), 445.14, 979.01 (3), (3m), and (4),
22 979.02, and 979.10, during a period of a state of emergency related to public health
23 declared by the governor under s. 166.03 (1) (b) 1., a public health authority may do
24 all of the following:

1 (a) Issue and enforce orders that are reasonable and necessary to provide for
2 the safe disposal of human remains, including by embalming, burial, cremation,
3 interment, disinterment, transportation, and other disposal.

4 (b) Take possession and control of any human remains.

5 (c) Order the disposal, through burial or cremation, of any human remains of
6 an individual who has died of a communicable disease, within 24 hours after the
7 individual's death and consider, to the extent feasible, the religious, cultural, or
8 individual beliefs of the deceased individual or his or her family in disposing of the
9 remains.

10 (d) If reasonable and necessary for emergency response, require a funeral
11 establishment, as a condition of its permit under s. 445.105 (1), to accept human
12 remains or provide the use of its business or facility, including by transferring the
13 management and supervision of the funeral establishment to the public health
14 authority, for a period of time not to exceed the period of the state of emergency.
15 Reasonable and necessary expenses of a funeral establishment in complying with the
16 requirements under this paragraph may be paid by the department from the
17 appropriation under s. 20.435 (1) (e).

18 (e) Require the labeling of all human remains before disposal with all available
19 identifying information and information concerning the circumstances of death and,
20 in addition, require that the human remains of an individual with a communicable
21 disease be clearly tagged to indicate that remains contain a communicable disease
22 and, if known, the specific communicable disease.

23 (f) Maintain or require the maintenance of a written or electronic record of all
24 human remains that are disposed of, including all available identifying information
25 and information concerning the circumstances of death and disposal. If it is

1 impossible to identify human remains prior to disposal, the public health authority
2 may require that a qualified person obtain any fingerprints, photographs, or
3 identifying dental information, and collect a specimen of deoxyribonucleic acid from
4 the human remains and transmit this information to the public health authority.

5 (g) Notwithstanding s. 59.34 (1) or 59.35 (1), authorize a county medical
6 examiner or a county coroner to appoint emergency assistant medical examiners or
7 emergency deputy coroners, whichever is applicable, if necessary to perform the
8 duties of the office of medical examiner or coroner, and to prescribe the duties of the
9 emergency assistant medical examiners or emergency deputy coroners. The term of
10 any emergency appointment authorized under this paragraph may not exceed the
11 period of the state emergency. A county medical examiner or county coroner may
12 terminate an emergency appointment before the end of the period of the state
13 emergency, if termination of the appointment will not impede the performance of the
14 duties of his or her office. From the appropriation under s. 20.435 (1) (e), the
15 department shall reimburse counties for the cost of any emergency medical
16 examiners or emergency deputy coroners appointed under this paragraph.”

17 *b2404/1.1* **214.** Page 173, line 16: after that line insert:

18 *b2404/1.1* “SECTION 338n. 160.257 of the statutes is created to read:

19 **160.257 Exceptions for certain aquifer storage and recovery systems.**

20 (1) In this section:

21 (a) “Aquifer storage and recovery system” means all of the aquifer storage and
22 recovery wells and related appurtenances that are part of a municipal water system.

1 (b) “Aquifer storage and recovery well” means a well through which treated
2 drinking water is placed underground for the purpose of storing and later recovering
3 the water through the same well for use as drinking water.

4 (c) “Municipal water system” means a community water system, as defined in
5 s. 281.62 (1) (a), that is owned by a city, village, town, county, town sanitary district,
6 utility district, public inland lake protection and rehabilitation district, or municipal
7 water district, or by a privately owned water utility serving any of the foregoing.

8 (d) “Specified substance” means one of the following:

- 9 1. Chloroform.
- 10 2. Bromodichloromethane.
- 11 3. Dibromochloromethane.
- 12 4. Bromoform.

13 (e) “Treated drinking water” means potable water that has been treated so that
14 it complies with the primary drinking water standards promulgated under ss. 280.11
15 and 281.17 (8).

16 (2) Notwithstanding s. 160.19 (1) and (2), the department is not required to
17 promulgate or amend rules that define design or management criteria for aquifer
18 storage and recovery systems in Oak Creek or Brown County to minimize the amount
19 of a specified substance in groundwater or to maintain compliance with the
20 preventive action limit for a specified substance, however, the department shall
21 promulgate rules that define design or management criteria for aquifer storage and
22 recovery systems to maintain compliance with drinking water standards
23 promulgated under ss. 280.11 and 281.17 (8).

1 **(3)** Notwithstanding s. 160.21 (2), the point of standards application for an
2 aquifer storage and recovery well in Oak Creek or Brown County with respect to a
3 specified substance is 1,200 feet from the aquifer storage and recovery well.”.

4 ***b2391/1.9* 215.** Page 176, line 3: after that line insert:

5 ***b2391/1.9* SECTION 340g.** 166.02 (1p) of the statutes is created to read:

6 166.02 (1p) “Biological agent” means any of the following:

7 (a) A select agent that is a virus, bacterium, rickettsia, fungus, or toxin that is
8 specified under 42 CFR 72, Appendix A.

9 (b) A genetically modified microorganism or genetic element from an organism
10 under par. (a) that is shown to produce or encode for a factor associated with a
11 disease.

12 (c) A genetically modified microorganism or genetic element that contains
13 nucleic acid sequences coding for a toxin under par. (a) or its toxic subunit.

14 (d) An agent specified by the department of health and family services by rule.

15 ***b2391/1.9* SECTION 340h.** 166.02 (1r) of the statutes is created to read:

16 166.02 (1r) “Bioterrorism” means the intentional use of any biological,
17 chemical, or radiological agent to cause death, disease or biological malfunction in
18 a human, animal, plant, or other living organism in order to influence the policy of
19 a governmental unit or to intimidate or coerce the civilian population.

20 ***b2391/1.9* SECTION 340i.** 166.02 (1t) of the statutes is created to read:

21 166.02 (1t) “Chemical agent” means a substance that has chemical properties
22 that produce lethal or serious effects in plants or animals.

23 ***b2391/1.9* SECTION 340j.** 166.02 (7) of the statutes is created to read:

1 166.02 (7) “Public health emergency” means the occurrence or imminent threat
2 of an illness or health condition that meets all of the following criteria:

3 (a) Is believed to be caused by bioterrorism or a novel or previously controlled
4 or eradicated biological agent.

5 (b) Poses a high probability of any of the following:

6 1. A large number of deaths or serious or long-term disabilities among humans.

7 2. A high probability of widespread exposure to a biological, chemical, or
8 radiological agent that creates a significant risk of substantial future harm to a large
9 number of people.

10 ***b2391/1.9* SECTION 340k.** 166.02 (8) of the statutes is created to read:

11 166.02 (8) “Radiological agent” means radiation or radioactive material at a
12 level that is dangerous to human health.

13 ***b2391/1.9* SECTION 340L.** 166.03 (1) (b) 1. of the statutes is amended to read:

14 166.03 (1) (b) 1. Proclaim a state of emergency for the state or any portion
15 thereof of the state if he or she determines that an emergency resulting from enemy
16 action or natural or man-made disaster exists. If the governor determines that a
17 public health emergency exists, he or she may declare a state of emergency related
18 to public health and may designate the department of health and family services as
19 the lead state agency to respond to that emergency. The duration of such state of
20 emergency shall not exceed 60 days as to emergencies resulting from enemy action
21 or 30 days as to emergencies resulting from natural or man-made disaster, unless
22 either is extended by joint resolution of the legislature. A copy of the proclamation
23 shall be filed with the secretary of state. The proclamation may be revoked at the
24 discretion of either the governor by written order or the legislature by joint
25 resolution.

1 ***b2391/1.9* SECTION 340m.** 166.03 (1) (b) 8. of the statutes is created to read:

2 166.03 (1) (b) 8. During a state of emergency related to public health, suspend
3 the provisions of any administrative rule if the strict compliance with that rule would
4 prevent, hinder, or delay necessary actions to respond to the emergency and increase
5 the health threat to the population.

6 ***b2391/1.9* SECTION 340n.** 166.03 (2) (a) 6. of the statutes is created to read:

7 166.03 (2) (a) 6. No later than 90 days after a state of emergency relating to
8 public health is declared and the department of health and family services is not
9 designated under s. 166.03 (1) (b) 1. as the lead state agency to respond to that
10 emergency and no later than 90 days after the termination of this state of emergency
11 relating to public health, submit to the legislature under s. 13.172 (2) and to the
12 governor a report on all of the following:

13 a. The emergency powers used by the department of military affairs or its
14 agents.

15 b. The expenses incurred by the department of military affairs and its agents
16 in acting under the state of emergency related to public health.”.

17 ***b2389/1.1* 216.** Page 177, line 2: after that line insert:

18 ***b2389/1.1* “SECTION 343m.** 177.01 (10) (a) 2. of the statutes is amended to
19 read:

20 177.01 (10) (a) 2. Credit balances, customer overpayments, ~~gift certificates,~~
21 security deposits, refunds, credit memos, unpaid wages, unused airline tickets and
22 unidentified remittances.

23 ***b2389/1.1* SECTION 343q.** 177.14 of the statutes is amended to read:

1 **177.14 Gift certificates and credit Credit memos.** (1) A gift certificate or
2 a credit memo issued in the ordinary course of the issuer's business that remains
3 unclaimed by the owner for more than 5 years after becoming payable or
4 distributable is presumed abandoned.

5 (2) ~~In the case of a gift certificate, the amount presumed abandoned is the price~~
6 ~~paid by the purchaser of the gift certificate. In the case of a credit memo, the~~ The
7 amount presumed abandoned under sub. (1) is the amount credited to the recipient
8 of the credit memo.”.

9 ***b2365/1.2* 217.** Page 177, line 14: after that line insert:

10 ***b2365/1.2* “SECTION 346pc.** 186.01 (2) of the statutes is amended to read:
11 186.01 (2) “Credit union” means, except as specifically provided under ss.
12 186.41 (1) and 186.45 (1), a cooperative, nonprofit corporation, incorporated under
13 this chapter to encourage thrift among its members, create a source of credit at a fair
14 and reasonable cost, and provide an opportunity for its members to improve their
15 economic and social conditions.

16 ***b2365/1.2* SECTION 346pd.** 186.02 (2) (a) 1. of the statutes is amended to
17 read:

18 186.02 (2) (a) 1. ~~The conditions of residence or occupation which qualify persons~~
19 that determine eligibility for membership.

20 ***b2365/1.2* SECTION 346pe.** 186.02 (2) (b) 2. of the statutes is amended to
21 read:

22 186.02 (2) (b) 2. Residents Except as otherwise provided in this subdivision,
23 individuals who reside or are employed within a well-defined neighborhood,
24 community or rural district and contiguous neighborhoods and communities. If the

1 office of credit unions, subsequent to a credit union merger, determines that it would
2 be inappropriate under the circumstances to require members of the credit union
3 that results from the merger to reside or be employed in contiguous neighborhoods
4 and communities, the requirement that these neighborhoods and communities be
5 contiguous does not apply.

6 *b2365/1.2* SECTION 346pf. 186.02 (2) (b) 2m. of the statutes is created to read:

7 186.02 (2) (b) 2m. Individuals who reside or are employed within well-defined
8 and contiguous rural districts or multicounty regions.

9 *b2365/1.2* SECTION 346pg. 186.02 (2) (c) of the statutes is amended to read:

10 186.02 (2) (c) Members of the immediate family of all qualified persons are
11 eligible for membership. ~~In this paragraph, “members of the immediate family”~~
12 ~~include the wife, husband, parents, stepchildren and children of a member whether~~
13 ~~living together in the same household or not and any other relatives of the member~~
14 ~~or spouse of a member living together in the same household as the member.~~

15 *b2365/1.2* SECTION 346ph. 186.02 (2) (d) of the statutes is renumbered

16 186.02 (2) (d) 1. and amended to read:

17 186.02 (2) (d) 1. ~~Organizations and associations~~ An organization or association
18 of individuals, the majority of whom the directors, owners, or members of which are
19 eligible for membership, may be admitted to membership in the same manner and
20 under the same conditions as individuals.

21 *b2365/1.2* SECTION 346pj. 186.02 (2) (d) 2. of the statutes is created to read:

22 186.02 (2) (d) 2. An organization or association that has its principal business
23 location within any geographic limits of the credit union’s field of membership may
24 be admitted to membership.