

1 ***b2890/2.52* 205.** Page 84, line 1: delete the material beginning with “and”
2 and ending with “2001,” on line 2.

3 ***b2890/2.53* 206.** Page 84, line 7: delete that line and substitute “104–188,
4 and as amended by”.

5 ***b2890/2.54* 207.** Page 84, line 8: delete “P.L. 106–573, and”.

6 ***b2890/2.55* 208.** Page 84, line 16: delete “P.L. 106–200, P.L. 106–230,”.

7 ***b2890/2.56* 209.** Page 84, line 17: delete “P.L. 106–519, P.L. 106–554, P.L.
8 106–573,”.

9 ***b2890/2.57* 210.** Page 84, line 21: delete “and before January 1, 2001,”.

10 ***b2890/2.58* 211.** Page 84, line 22: delete “P.L. 106–200, P.L. 106–230, P.L.
11 106–519, P.L.”.

12 ***b2890/2.59* 212.** Page 84, line 23: delete “106–554, P.L. 106–573, and”.

13 ***b2890/2.60* 213.** Page 84, line 25: delete that line and substitute “P.L.”.

14 ***b2890/2.61* 214.** Page 85, line 3: delete the material beginning with that
15 line and ending with page 86, line 24.

16 ***b2888/1.2* 215.** Page 87, line 1: delete the material beginning with that line
17 and ending with page 89, line 8.

18 ***b2890/2.62* 216.** Page 89, line 11: delete the material beginning with that
19 line and ending with page 97, line 2.

20 ***b2890/2.63* 217.** Page 97, line 12: on lines 12 and 20, delete “P.L. 106–554,”.

21 ***b2890/2.64* 218.** Page 98, line 4: on lines 4, 13 and 25, delete “P.L.
22 106–554,”.

1 ***b2890/2.65* 219.** Page 99, line 8: on lines 8, 14 and 17, delete “P.L.
2 106-554”.

3 ***b2890/2.66* 220.** Page 100, line 3: on lines 3, 12 and 21, delete “P.L.
4 106-554, P.L. 106-573”.

5 ***b2890/2.67* 221.** Page 101, line 5: on lines 5 and 18, delete “P.L. 106-554,
6 P.L. 106-573”.

7 ***b2890/2.68* 222.** Page 102, line 2: on lines 2, 8 and 11, delete “P.L. 106-554,
8 P.L. 106-573”.

9 ***b2890/2.69* 223.** Page 102, line 21: delete “106-170, P.L.” and substitute
10 “106-170”.

11 ***b2890/2.70* 224.** Page 102, line 22: delete that line and substitute “and P.L.
12 107-16, excluding”.

13 ***b2890/2.71* 225.** Page 103, line 6: on lines 6 and 15, delete “P.L. 106-230,
14 P.L. 106-519, P.L. 106-554, P.L. 106-573”.

15 ***b2890/2.72* 226.** Page 103, line 24: delete “P.L. 106-230, P.L. 106-519, P.L.
16 106-554”.

17 ***b2890/2.73* 227.** Page 103, line 25: delete “P.L. 106-573”.

18 ***b2890/2.74* 228.** Page 104, line 11: delete “P.L. 106-230, P.L. 106-519,
19 P.L.”.

20 ***b2890/2.75* 229.** Page 104, line 12: delete “106-554, P.L. 106-573”.

21 ***b2890/2.76* 230.** Page 104, line 20: delete the material beginning with “P.L.
22 106-230” and ending with “106-573” on line 21.

23 ***b2890/2.77* 231.** Page 105, line 1: delete “P.L. 106-230, P.L. 106-519”.

- 1 ***b2890/2.78* 232.** Page 105, line 2: delete “P.L. 106–554, P.L. 106–573.”.
- 2 ***b2890/2.79* 233.** Page 105, line 4: delete “P.L. 106–230, P.L. 106–519, P.L.
3 106–554, P.L.”.
- 4 ***b2890/2.80* 234.** Page 105, line 5: delete “106–573.”.
- 5 ***b2890/2.81* 235.** Page 105, line 8: delete the material beginning with “and”
6 and ending with “2001.” on line 9.
- 7 ***b2890/2.82* 236.** Page 105, line 15: delete “P.L. 106–200, P.L. 106–230,
8 P.L.”.
- 9 ***b2890/2.83* 237.** Page 105, line 16: delete “106–519, P.L. 106–554, P.L.
10 106–573, and”.
- 11 ***b2890/2.84* 238.** Page 105, line 25: delete that line and substitute “and
12 P.L.”.
- 13 ***b2890/2.85* 239.** Page 106, line 8: delete “P.L. 106–200, P.L. 106–230.”.
- 14 ***b2890/2.86* 240.** Page 106, line 9: delete “P.L. 106 519, P.L. 106 554, P.L.
15 106–573, and”.
- 16 ***b2890/2.87* 241.** Page 106, line 18: delete that line and substitute “and
17 P.L.”.
- 18 ***b2890/2.88* 242.** Page 107, line 5: delete that line and substitute “amended
19 by”.
- 20 ***b2890/2.89* 243.** Page 107, line 6: delete “and P.L. 107–16” and substitute
21 “P.L. 107–16”.
- 22 ***b2890/2.90* 244.** Page 107, line 14: delete “P.L. 106–200, P.L. 106–230.”.

1 ***b2890/2.91* 245.** Page 107, line 15: delete "PL. 106-519, P.L. 106-554, P.L.
2 106-573.".

3 ***b2890/2.92* 246.** Page 107, line 19: delete "and before January 1, 2001.".

4 ***b2890/2.93* 247.** Page 107, line 20: delete that line and substitute "Revenue
5 Code made by".

6 ***b2890/2.94* 248.** Page 107, line 21: delete "106-573, and".

7 ***b2890/2.95* 249.** Page 107, line 22: delete "P.L. 106-200.".

8 ***b2890/2.96* 250.** Page 107, line 23: delete that line and substitute "P.L.
9 107-16, excluding".

10 ***b2890/2.97* 251.** Page 108, line 1: delete the material beginning with that
11 line and ending with page 112, line 25.

12 ***b2890/2.98* 252.** Page 113, line 16: delete the material beginning with that
13 line and ending with page 117, line 10.

14 ***b2890/2.99* 253.** Page 117, line 18: delete "P.L. 106-554.".

15 ***b2890/2.100* 254.** Page 118, line 3: on lines 3, 11 and 14, delete "P.L.
16 106-554.".

17 ***b2890/2.101* 255.** Page 118, line 24: delete "P.L. 106-554, P.L. 106-573.".

18 ***b2890/2.102* 256.** Page 119, line 9: delete "P.L. 106-554.".

19 ***b2890/2.103* 257.** Page 119, line 10: delete "P.L. 106-573.".

20 ***b2890/2.104* 258.** Page 119, line 18: on lines 18 and 21, delete "P.L.
21 106-554, P.L. 106-573.".

22 ***b2890/2.105* 259.** Page 120, line 6: delete "P.L. 106-230, P.L.".

1 ***b2890/2.106* 260.** Page 120, line 7: delete “106-519, P.L. 106-554, P.L.
2 106-573.”.

3 ***b2890/2.107* 261.** Page 120, line 17: delete “P.L. 106-230, P.L. 106-519.”.

4 ***b2890/2.108* 262.** Page 120, line 18: delete “P.L. 106-554, P.L. 106-573.”.

5 ***b2890/2.109* 263.** Page 120, line 25: delete “106-170, P.L.” and substitute
6 “106-170.”.

7 ***b2890/2.110* 264.** Page 121, line 1: delete that line and substitute “and P.L.
8 107-16, excluding.”.

9 ***b2890/2.111* 265.** Page 121, line 3: delete “P.L. 106-230.”.

10 ***b2890/2.112* 266.** Page 121, line 4: delete “P.L. 106-519, P.L. 106-554, P.L.
11 106-573.”.

12 ***b2890/2.113* 267.** Page 121, line 8: delete “and before January 1, 2001.”.

13 ***b2890/2.114* 268.** Page 121, line 12: delete “P.L. 106-200, P.L. 106-230,
14 P.L. 106-519, P.L.”.

15 ***b2890/2.115* 269.** Page 121, line 13: delete “106-554, P.L. 106-573.”.

16 ***b2890/2.116* 270.** Page 121, line 23: delete “P.L. 106-200, P.L. 106-230,
17 P.L. 106-519.”.

18 ***b2890/2.117* 271.** Page 121, line 24: delete “P.L. 106-554, P.L. 106-573.”.

19 ***b2890/2.118* 272.** Page 122, line 5: delete “and before January 1, 2001.”.

20 ***b2890/2.119* 273.** Page 122, line 6: delete “P.L. 106-200, P.L. 106-230, P.L.
21 106-519, P.L.”.

22 ***b2890/2.120* 274.** Page 122, line 7: delete “106-554, P.L. 106-573, and.”.

1 ***b2890/2.121* 275.** Page 122, line 9: delete that line and substitute “and
2 P.L.”.

3 ***b2890/2.122* 276.** Page 122, line 12: delete the material beginning with
4 that line and ending with page 124, line 14.

5 ***b2890/2.123* 277.** Page 125, line 19: delete the material beginning with
6 that line and ending with page 129, line 2.

7 ***b2890/2.124* 278.** Page 129, line 10: on lines 10, 17 and 25, delete “P.L.
8 106-554.”.

9 ***b2890/2.125* 279.** Page 130, line 3: delete “P.L. 106-554.”.

10 ***b2890/2.126* 280.** Page 130, line 12: on lines 12 and 20, delete “P.L.
11 106-554, P.L. 106-573.”.

12 ***b2890/2.127* 281.** Page 131, line 3: on lines 3 and 6, delete “P.L. 106-554,
13 P.L. 106-573.”.

14 ***b2890/2.128* 282.** Page 131, line 14: delete “P.L. 106-230, P.L. 106-519,
15 P.L. 106-554.”.

16 ***b2890/2.129* 283.** Page 131, line 15: delete “P.L. 106-573.”.

17 ***b2890/2.130* 284.** Page 131, line 23: delete “P.L. 106-230, P.L. 106-519,
18 P.L. 106-554, P.L. 106-573.”.

19 ***b2890/2.131* 285.** Page 132, line 5: delete “P.L. 106-230, P.L. 106-519.”.

20 ***b2890/2.132* 286.** Page 132, line 6: delete “P.L. 106-554, P.L. 106-573.”.

21 ***b2890/2.133* 287.** Page 132, line 8: delete “P.L. 106-230, P.L. 106-519, P.L.
22 106-554, P.L.”.

1 ***b2890/2.134* 288.** Page 132, line 9: delete “106-573”.

2 ***b2890/2.135* 289.** Page 132, line 12: delete the material beginning with
3 “and” and ending with “2001,” on line 13.

4 ***b2890/2.136* 290.** Page 132, line 17: delete that line and substitute
5 “amended by”.

6 ***b2890/2.137* 291.** Page 132, line 18: delete “and P.L. 107-16” and
7 substitute “P.L. 107-16”.

8 ***b2890/2.138* 292.** Page 133, line 1: delete that line and substitute “and
9 P.L.”.

10 ***b2890/2.139* 293.** Page 133, line 7: delete “and before January 1, 2001”.

11 ***b2890/2.140* 294.** Page 133, line 8: delete “P.L. 106-200, P.L. 106-230, P.L.
12 106-519, P.L.”.

13 ***b2890/2.141* 295.** Page 133, line 9: delete “106-554, P.L. 106-573, and”.

14 ***b2890/2.142* 296.** Page 133, line 11: delete that line and substitute “P.L.”.

15 ***b2890/2.143* 297.** Page 133, line 14: delete the material beginning with
16 that line and ending with page 135, line 9.

17 ***b2888/1.3* 298.** Page 135, line 24: delete the material beginning with that
18 line and ending with page 138, line 9.

19 ***b2383/1.1* 299.** Page 139, line 16: after that line insert:

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

21 77.52 (13) For the purpose of the proper administration of this section and to
22 prevent evasion of the sales tax it shall be presumed that all receipts are subject to
23 the tax until the contrary is established. The burden of proving that a sale of tangible

1 personal property or services is not a taxable sale at retail is upon the person who
2 makes the sale unless that person takes from the purchaser a certificate to the effect
3 that the property or service is purchased for resale or is otherwise exempt; except
4 that no certificate is required for sales of cattle, sheep, goats, and pigs that are sold
5 at a livestock market, as defined in s. 95.68 (1) (e), and no certificate is required for
6 sales of commodities, as defined in 7 USC 2, that are consigned for sale in a
7 warehouse in or from which the commodity is deliverable on a contract for future
8 delivery subject to the rules of a commodity market regulated by the U.S. commodity
9 futures trading commission if upon the sale the commodity is not removed from the
10 warehouse.

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

12 77.53 (10) For the purpose of the proper administration of this section and to
13 prevent evasion of the use tax and the duty to collect the use tax, it is presumed that
14 tangible personal property or taxable services sold by any person for delivery in this
15 state is sold for storage, use, or other consumption in this state until the contrary is
16 established. The burden of proving the contrary is upon the person who makes the
17 sale unless that person takes from the purchaser a certificate to the effect that the
18 property or taxable service is purchased for resale, or otherwise exempt from the tax;
19 except that no certificate is required for sales of cattle, sheep, goats, and pigs that are
20 sold at a livestock market, as defined in s. 95.68 (1) (e), and no certificate is required
21 for sales of commodities, as defined in 7 USC 2, that are consigned for sale in a
22 warehouse in or from which the commodity is deliverable on a contract for future
23 delivery subject to the rules of a commodity market regulated by the U.S. commodity
24 futures trading commission if upon the sale the commodity is not removed from the
25 warehouse.”.

1 ***b2384/1.2* 300.** Page 139, line 16: after that line insert:

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

3 73.03 (52) To enter into agreements with the ~~internal revenue service~~ Internal
4 Revenue Service that provide for offsetting state tax refunds against federal tax
5 obligations; and to charge a fee up to \$25 per transaction for such offsets; and
6 offsetting federal tax refunds against state tax obligations, if the agreements provide
7 that setoffs under ss. 71.93 and 71.935 occur before the setoffs under those
8 agreements.”.

9 ***b2385/1.2* 301.** Page 139, line 16: after that line insert:

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

11 73.03 (28d) To enter into a contract to participate in the multistate tax
12 commission audit program. The department shall allocate a portion of the amount
13 collected under chs. 71 and 77 through the contract to the appropriation under s.
14 20.566 (1) (hn) to pay the fees necessary to participate in the multistate tax
15 commission audit program. The department shall allocate the remainder of such
16 collections to the general fund.”.

17 ***b2482/3.2* 302.** Page 139, line 16: after that line insert:

18 ***b2482/3.2* "SECTION 233L.** 77.82 (2) (intro.) of the statutes is amended to
19 read:

20 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to
21 designate any eligible parcel of land as managed forest land. A petition may include
22 any number of eligible parcels under the same ownership in a single municipality.
23 ~~Each petition shall be submitted on a form provided by the department and shall be~~
24 ~~accompanied by a nonrefundable \$10 application fee unless a different amount of the~~

1 ~~fee is established by the department by rule at an amount equal to the average~~
2 ~~expense to the department of recording an order issued under this subchapter. The~~
3 ~~fee shall be deposited in the conservation fund and credited to the appropriation~~
4 ~~under s. 20.370 (1) (cr). Each petition shall include all of the following:~~

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

6 77.82 (2m) FEES FOR PETITIONS. (a) Except as provided in par. (b), a petition
7 under sub. (2) or (4m) shall be accompanied by a nonrefundable application fee of
8 \$100.

9 (b) If the petition is accompanied by a proposed management plan as provided
10 in par. (c), the nonrefundable application fee shall be \$10 unless a different amount
11 for the 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.

13 (c) A proposed management plan that qualifies for the reduced fee under par.
14 (b) shall be one of the following:

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

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

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

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

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

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

5 77.82 (3) (a) The petitioner may submit a proposed management plan for the
6 entire acreage of each parcel with the petition. The department, after considering
7 the owner's forest management objectives as stated under sub. (2) (e), shall review
8 and either approve or disapprove the proposed plan. If the department disapproves
9 a plan, it shall inform the petitioner of the changes necessary to qualify the plan for
10 approval upon subsequent review.

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

12 77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the
13 department to designate as managed forest land an additional parcel of land in the
14 same municipality if the additional parcel is at least 3 acres in size and is contiguous
15 to any of the owner's designated land. The petition shall be accompanied by a
16 nonrefundable \$10 application fee unless a different amount of the fee is established
17 in the same manner as the fee under sub. ~~(2)~~ (2m) (b). The fee shall be deposited in
18 the conservation fund and credited to the appropriation under s. 20.370 (1) (cr). The
19 petition shall be submitted on a department form and shall contain any additional
20 information required by the department.

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

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

23 ***b2863/1.4* 303.** Page 139, line 16: after that line insert:

1 ***b2863/1.4*** **SECTION 232f.** 71.93 (1) (a) 3. of the statutes, as affected by 2001
2 Wisconsin Act 16, is amended to read:

3 71.93 (1) (a) 3. An amount that the department of health and family services
4 may recover under s. ~~49.45 (2) (a) 10.~~ or 49.497, if the department of health and
5 family services has certified the amount under s. 49.85.”

6 ***b3069/3.2* 304.** Page 139, line 16: after that line insert:

7 ***b3069/3.2*** **SECTION 233b.** 74.48 of the statutes is repealed.

8 ***b3069/3.2*** **SECTION 233d.** 74.485 of the statutes is created to read:

9 **74.485 Penalty for converting agricultural land. (1) DEFINITION.** In this
10 section, “agricultural land” has the meaning given in s. 70.32 (2) (c) 1.

11 **(2) PENALTY.** Except as provided in sub. (4), a person who owns land that has
12 been assessed as agricultural land under s. 70.32 (2r) and who converts the land’s
13 use so that the land is not eligible to be assessed as agricultural land under s. 70.32
14 (2r), as determined by the assessor of the taxation district in which the land is
15 located, shall pay a penalty to the county in which the land is located in an amount,
16 calculated by the county treasurer, that is equal to the number of acres converted
17 multiplied by the amount of the difference between the average fair market value of
18 an acre of agricultural land sold in the county in the year before the year that the
19 person converts the land, as determined under sub. (3), and the average equalized
20 value of an acre of agricultural land in the county in the year before the year that the
21 person converts the land, as determined under sub. (3), multiplied by the following:

22 (a) Five percent, if the converted land is more than 30 acres.

23 (b) Seven and one-half percent, if the converted land is 30 acres or less but at
24 least 10 acres.

1 (c) Ten percent, if the converted land is less than 10 acres.

2 (3) VALUE DETERMINATION. Annually, the department of revenue shall
3 determine the average equalized value of an acre of agricultural land in each county
4 in the previous year, as provided under s. 70.57, and the average fair market value
5 of an acre of agricultural land sold in each county in the previous year based on the
6 sales in each county in the previous year of parcels of agricultural land that are 38
7 acres or more to buyers who intend to use the land as agricultural land.

8 (4) EXCEPTIONS AND DEFERRAL. (a) A person who owns land that has been
9 assessed as agricultural land under s. 70.32 (2r) and who converts the land's use so
10 that the land is not eligible to be assessed as agricultural land under s. 70.32 (2r) is
11 not subject to a penalty under sub. (2) if the converted land may be assessed as
12 swamp or waste under s. 70.32 (2) (a) 5., as productive forest land under s. 70.32 (2)
13 (a) 6., or as other under s. 70.32 (2) (a) 7. or if the amount of the penalty determined
14 under sub. (2) represents less than \$25 for each acre of converted land.

15 (b) If a person owes a penalty under sub. (2), the treasurer of the county in
16 which the person's land is located may defer payment of the penalty to the succeeding
17 taxable year if the person demonstrates to the assessor of the taxation district in
18 which the land is located that the person's land will be used as agricultural land in
19 the succeeding taxable year. A person who receives a deferral under this paragraph
20 is not subject to the penalty under sub. (2) related to the deferral, if the person's land
21 is used as agricultural land in the succeeding taxable year. If the land of a person
22 who receives a deferral under this paragraph is not used as agricultural land in the
23 succeeding taxable year, the person shall pay the penalty with interest at the rate
24 of 1% a month, or fraction of a month, from the date that the treasurer granted a
25 deferral to the date that the penalty is paid.

1 **(5) PAYMENT.** Except as provided in sub. (4), a person who owes a penalty under
2 sub. (2) shall pay the penalty to the county in which the person's land related to the
3 penalty is located no later than 30 days after the date that the penalty is assessed.
4 A penalty that is not paid on the date it is due is considered delinquent and shall be
5 paid with interest at the rate of 1% a month, or fraction of a month, from the date that
6 the penalty is assessed to the date that the penalty is paid. The county shall collect
7 an unpaid penalty as a special charge against the land related to the penalty.

8 **(6) DISTRIBUTION.** A county that collects a penalty under this section shall
9 distribute 50% of the amount of the penalty to the taxation district in which the land
10 related to the penalty is located. If the land related to the penalty is located in 2 or
11 more taxation districts, the county shall distribute 50% of the amount of the penalty
12 to the taxation districts in proportion to the equalized value of the land related to the
13 penalty that is located in each taxation district. A taxation district shall distribute
14 50% of any amount it receives under this subsection to an adjoining taxation district,
15 if the taxation district in which the land related to the penalty is located annexed the
16 land related to the penalty from the adjoining taxation district in either of the 2 years
17 preceding a distribution under this subsection.

18 **(7) NOTICE.** A person who owns land that has been assessed as agricultural land
19 under s. 70.32 (2r) and who sells the land shall notify the buyer of the land of all of
20 the following:

21 (a) That the land has been assessed as agricultural land under s. 70.32 (2r).

22 (b) Whether the person who owns the land and who is selling the land has been
23 assessed a penalty under sub. (2) related to the land.

24 (c) Whether the person who owns the land and who is selling the land has been
25 granted a deferral under sub. (4) related to the land.

1 (8) TAXATION DISTRICT ASSESSOR. The assessors of the taxation districts located
2 in the county shall inform the county treasurer and the real property lister of all sales
3 of agricultural land located in the county.

4 (9) ADMINISTRATION. The county in which the land as described in sub. (1) is
5 located shall administer the penalty under this section.”.

6 ***b3096/1.1* 305.** Page 139, line 16: after that line insert:

7 ***b3096/1.1* “SECTION 233b.** 77.52 (2) (a) 5. of the statutes is renumbered 77.52
8 (2) (a) 5. a. and amended to read:

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

17 ***b3096/1.1* SECTION 233c.** 77.52 (2) (a) 5. b. of the statutes is created to read:

18 77.52 (2) (a) 5. b. The sale of services subject to 4 USC 116 to 126, as amended
19 by P.L. 106–252, if the customer’s place of primary use of the services is in this state,
20 as determined under 4 USC 116 to 126, as amended by P.L. 106–252. For purposes
21 of this subd. 5. b., all of the provisions of 4 USC 116 to 126, as amended by P.L.
22 106–252, are adopted, except that if 4 USC 116 to 126, as amended by P.L. 106–252,
23 or the application of 4 USC 116 to 126, as amended by P.L. 106–252, is found

1 unconstitutional the sale of telecommunications services is subject to the tax
2 imposed under this section as provided in subd. 5. a.

3 *b3096/1.1* SECTION 233e. 77.52 (3m) (intro.) of the statutes is amended to
4 read:

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

7 *b3096/1.1* SECTION 233f. 77.52 (3n) of the statutes is created to read:

8 77.52 (3n) In regard to the sale of the rights to purchase telecommunications
9 services under sub. (2) (a) 5. b., the situs of the sale is as determined under 4 USC
10 116 to 126, as amended by P.L. 106–252.

11 *b3096/1.1* SECTION 233g. 77.523 of the statutes is created to read:

12 77.523 Customer remedy. If a customer purchases a service that is subject
13 to 4 USC 116 to 126, as amended by P.L. 106–252, and if the customer believes that
14 the amount of the tax assessed for the service under this subchapter or the place of
15 primary use or taxing jurisdiction assigned to the service is erroneous, the customer
16 may request that the service provider correct the alleged error by sending a written
17 notice to the service provider. The notice shall include a description of the alleged
18 error, the street address for the customer's place of primary use of the service, the
19 account name and number of the service for which the customer seeks a correction,
20 and any other information that the service provider reasonably requires to process
21 the request. Within 60 days from the date that a service provider receives a request
22 under this section, the service provider shall review its records to determine the
23 customer's taxing jurisdiction. If the review indicates that there is no error as
24 alleged, the service provider shall explain the findings of the review in writing to the
25 customer. If the review indicates that there is an error as alleged, the service

1 provider shall correct the error and shall refund or credit the amount of any tax
2 collected erroneously, along with the related interest, as a result of the error from the
3 customer in the previous 48 months, consistent with s. 77.59 (4). A customer may
4 take no other action, or commence any action, to correct an alleged error in the
5 amount of the tax assessed under this subchapter on a service that is subject to 4 USC
6 116 to 126, as amended by P.L. 106–252, or to correct an alleged error in the assigned
7 place of primary use or taxing jurisdiction, unless the customer has exhausted his
8 or her remedies under this section.

9 ***b3096/1.1* SECTION 233h.** 77.525 of the statutes is amended to read:

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

18 ***b3096/1.1* SECTION 233j.** 77.54 (46m) of the statutes is created to read:

19 **77.54 (46m)** The gross receipts from the sale of and the storage, use, or other
20 consumption of telecommunications services, if the telecommunications services are
21 obtained by using the rights to purchase telecommunications services, including
22 purchasing reauthorization numbers, by paying in advance and by using an access
23 number and authorization code; and if the tax imposed under s. 77.52 or 77.53 was
24 previously paid on the sale or purchase of such rights.

25 ***b3096/1.1* SECTION 233k.** 77.72 (3) (b) of the statutes is amended to read:

1 77.72 (3) (b) *Exceptions.* ~~Communication~~ A communication service has a situs
2 where the customer is billed for the service if the customer calls collect or pays by
3 credit card. Services subject to s. 77.52 (2) (a) 5. b. have a situs at the customer's place
4 of primary use of the services, as determined under 4 USC 116 to 126, as amended
5 by P.L. 106–252. Towing services have a situs at the location to which the vehicle is
6 delivered. Services performed on tangible personal property have a situs at the
7 location where the property is delivered to the buyer.”.

8 ***b3084/5.6* 306.** Page 139, line 17: delete lines 17 to 19.

9 ***b3084/5.7* 307.** Page 140, line 1: delete “; and \$58,145,700 in 2003” and
10 substitute “; and \$58,145,700 in 2003”.

11 ***b3084/5.8* 308.** Page 140, line 6: delete lines 6 and 7 and substitute
12 “\$999,709,900 in 2004 and in each year thereafter.”.

13 ***b3084/5.9* 309.** Page 140, line 8: delete lines 8 to 12.

14 ***b3084/5.10* 310.** Page 140, line 17: on lines 17, 20 and 25, after “79.035.”
15 insert “79.036.”.

16 ***b3084/5.11* 311.** Page 141, line 9: on lines 9 and 13, delete “2002” and
17 substitute “2003”.

18 ***b3084/5.12* 312.** Page 141, line 24: delete lines 24 and 25 and substitute
19 “20.855 (4) (rb) in 2002 is \$11,110,000 in 2002; and \$11,221,100 in 2003 and in each
20 year thereafter and the total amount to be distributed under this subsection from s.
21 20.835 (1) (b) in 2003 is \$11,221,100.”.

22 ***b3084/5.13* 313.** Page 142, line 14: delete lines 14 to 21 and substitute
23 “counties. In 2003 ~~and subsequent years,~~ the total amounts to be distributed under

1 ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) are \$776,783,700 to municipalities
2 and \$172,378,300 to counties.”.

3 *b3084/5.14* **314.** Page 142, line 23: delete “2003” and substitute “2004”.

4 *b3084/5.15* **315.** Page 143, line 1: delete the material beginning with that
5 line and ending with page 144, line 12, and substitute:

6 **“79.035 County and municipal aid. (1)** Subject to reductions under s.
7 79.036 (3), in 2004 and subsequent years, each county and municipality shall receive
8 a payment from the county and municipal aid account in an amount determined
9 under sub. (2).

10 **(2) (a) 1.** For the distribution in 2004, each county and municipality will receive
11 a payment that is equal to the amount of the payments the county or municipality
12 received in 2003 under ss. 79.03, 79.04, 79.05, 79.058, and 79.06, less the amount of
13 the reduction under subd. 2.

14 **2.** The department of revenue shall reduce the amount of the payments to be
15 distributed to each county and municipality, as determined under subd. 1., by
16 subtracting from such payments an amount based on the county’s or municipality’s
17 population, as determined by the department, so that the total amount of the
18 reduction to all such payments in 2004 is \$40,000,000, except that the reduction
19 applied to any county’s or municipality’s payment shall not exceed the amount of the
20 payments specified under subd. 1. distributed to the county or municipality in 2003.

21 **(b)** For the distribution in 2005 and subsequent years, each county and
22 municipality shall receive a payment under this section that is equal to the amount
23 of the payment determined for the county or municipality under par. (a) in 2004 prior
24 to the reductions under s. 79.036.

1 ***b3084/5.15* SECTION 244f.** 79.036 of the statutes is created to read:

2 **79.036 Consolidation incentive payment. (1)** (a) In 2004 and subsequent
3 years, counties and municipalities that agree to consolidate county or municipal
4 services may receive payments under sub. (2), if such counties and municipalities
5 submit a copy of the consolidation agreement to the department of revenue no later
6 than September 1 of the year preceding the effective date of the consolidation and the
7 department approves the payment.

8 (b) A consolidation agreement submitted under par. (a) shall include an
9 estimate of the savings to each county or municipality that is subject to the
10 agreement that will result from the consolidation of services.

11 (c) No later than September 15 of each year, the department of revenue shall
12 review any agreement submitted under par. (a) and determine whether each county
13 or municipality that is subject to the agreement will receive a payment under sub.
14 (2).

15 (d) The department of revenue shall consider a consolidation ordinance under
16 s. 66.0229 to be an agreement to consolidate municipal services for purposes of this
17 subsection.

18 **(2)** (a) Subject to review and approval under sub. (1) (c) and the limitations
19 provided under this subsection, each county and municipality that is eligible for a
20 payment under this section shall receive one payment in the first year of the
21 consolidation specified in the agreement submitted under sub. (1) (a) that is equal
22 to 75% the estimated savings to each such county or municipality that result from
23 the consolidation. No county or municipality may receive more than one payment
24 under this section related to the same consolidation agreement.

1 (b) The total amount of all payments under par. (a) distributed in each year may
2 not exceed \$45,000,000. If in any year the department of revenue calculates that the
3 total amount of all payments under par. (a) exceeds \$45,000,000, each county and
4 municipality that is eligible to receive a payment under par. (a) shall receive a
5 payment that is reduced in proportion to the county's or municipality's share of the
6 total payments under par. (a) so that the total amount of all such payments is no more
7 than \$45,000,000.

8 (3) Beginning with distributions in 2004, the payments under s. 79.035 to be
9 distributed to each county and municipality shall be reduced in proportion to the
10 county's or municipality's share of all payments under s. 79.035 in each year so that
11 the total amount of all payments under s. 79.035 is reduced by the total amount to
12 be distributed under sub. (2) in that year.”.

13 *b3084/5.16* **316.** Page 144, line 15: delete “2002” and substitute “2003”.

14 *b3084/5.17* **317.** Page 145, line 1: delete “2002” and substitute “2003”.

15 *b3084/5.18* **318.** Page 146, line 8: on lines 8 and 16, delete “except for the
16 distribution” and substitute “ending with the distributions”.

17 *b3084/5.19* **319.** Page 146, line 9: delete “sub. (1) subs. (1), (6), and (7)” and
18 substitute “sub. (1)”.

19 *b3084/5.20* **320.** Page 146, line 10: on lines 10 and 18, delete “from the
20 public utility account”.

21 *b3084/5.21* **321.** Page 146, line 17: delete “sub. (2) subs. (2), (6), and (7)” and
22 substitute “sub. (2)”.

23 *b3084/5.22* **322.** Page 147, line 1: delete “2003” and substitute “2004”.

1 ***b3084/5.23* 323.** Page 147, line 3: delete the material beginning with that
2 line and ending with page 153, line 2.

3 ***b3084/5.24* 324.** Page 153, line 4: on lines 4 and 10, delete “2002” and
4 substitute “2003”.

5 ***b3084/5.25* 325.** Page 153, line 7: delete “2003” and substitute “2004”.

6 ***b3084/5.26* 326.** Page 153, line 18: delete lines 18 and 19 and substitute:

7 ***b3084/5.26* “SECTION 254bm.** 79.058 (3) (e) of the statutes, as created by
8 2001 Wisconsin Act 16, is amended to read:

9 79.058 (3) (e) In 2003 ~~and subsequent years~~, \$21,181,100.”.

10 ***b3084/5.27* 327.** Page 153, line 21: delete “2003” and substitute “2004”.

11 ***b3084/5.28* 328.** Page 153, line 22: after that line insert:

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

13 79.06 (1) (b) If Ending with the distributions in 2003, if the payments to any
14 municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in
15 1986 or any year thereafter are less than 95% of the combined payments to the
16 municipality or county under this section and s. 79.03, excluding payments under s.
17 79.03 (3c), for the previous year, the municipality or county has an aids deficiency.
18 The amount of the aids deficiency is the amount by which 95% of the combined
19 payments to the municipality or county under this section and s. 79.03, excluding
20 payments under s. 79.03 (3c), in the previous year exceeds the payments to the
21 municipality or county under s. 79.03, excluding payments under s. 79.03 (3c), in the
22 current year.

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

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

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

7 79.06 (2) (b) If Ending with the distributions in 2003, if the payments to a
8 municipality or county, except any county in which there are no cities or villages, or
9 any county created in the year 1846 or 1847, with a population in the year 1990
10 greater than 16,000 but less than 17,000, as determined by the 1990 federal
11 decennial census, in any year exceed its combined payments under this section and
12 s. 79.03, excluding payments under s. 79.03 (3c), in the previous year by more than
13 the maximum allowable increase, the excess shall be withheld to fund minimum
14 payments in that year under sub. (1) (c).”.

15 ***b3084/5.29* 329.** Page 153, line 24: delete “2003” and substitute “2004”.

16 ***b2428/1.1* 330.** Page 153, line 25: after that line insert:

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

18 84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may
19 promulgate a rule requiring persons specified in the rule to pay annual permit fees
20 for signs. The rule shall specify that no permit fee may be charged for an
21 off-premises advertising sign that is owned by a nonprofit organization. If the
22 department establishes an annual permit fee under this subsection, failure to pay
23 the fee within 2 months after the date on which payment is due is evidence that the

1 sign has been abandoned for the purposes of s. TRANS 201.10 (2) (f), Wis. Adm.
2 Code.”.

3 *b2825/1.1* **331.** Page 153, line 25: after that line insert:

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

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

10 *b2900/2.20* **332.** Page 153, line 25: after that line insert:

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

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

16 *b2976/2.1* **333.** Page 153, line 25: after that line insert:

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

18 84.02 (15) TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this
19 subsection:

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

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

3 3. “Confirmation signal” means a white signal, located on or near a traffic
4 control signal equipped with an emergency preemption device, that is designed to be
5 visible to the operator of an approaching authorized emergency vehicle and that
6 confirms to the operator that the emergency preemption device has received a
7 transmission from the operator.

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

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

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

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

20 1. Notify the political subdivision of the planned traffic control signal
21 installation.

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

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

4 (c) If any political subdivision requests under par. (b) 3. that the department
5 equip the traffic control signal with an emergency preemption device and
6 confirmation signal, and one or more political subdivisions contributes a total of 50%
7 of the additional cost specified under par. (b) 2., the department shall equip the traffic
8 control signal with an emergency preemption device and confirmation signal when
9 the department installs the traffic control signal.

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

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

24 (f) The department shall promulgate rules to implement and administer this
25 subsection. The rules shall include procedures and deadlines for the department's

1 notification of political subdivisions, and for political subdivisions' requests and
2 contributions to the department, under this subsection.

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

4 85.07 (7) (c) Notwithstanding par. (b), the department shall, in each fiscal year,
5 expend federal funds available under 23 USC 152 for hazard elimination projects
6 that reduce the response time of emergency vehicles regardless of reduction in motor
7 vehicle accidents.”

8 *b3042/2.2* **334.** Page 153, line 25: after that line insert:

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

10 84.09 (9) Subsections (5), (5m), and (6) do not apply to state surplus property
11 that is directed to be sold under 2001 Wisconsin Act (this act), section 9107 (1b).”.

12 *b3066/1.5* **335.** Page 153, line 25: after that line insert:

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

15 84.013 (2) (a) Subject to ~~s. ss. 84.555 and~~ 86.255, major highway projects shall
16 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
17 20.866 (2) (ur) to ~~(uu)~~ (uum).

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

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

23 84.014 (2) ~~Notwithstanding s. 84.013 and subject~~ Subject to s. ss. 84.555 and
24 86.255, any southeast Wisconsin freeway rehabilitation projects, including the

1 Marquette interchange reconstruction project and projects that involve adding one
2 or more lanes 5 miles or more in length to the existing freeway, may be funded only
3 from the appropriations under ~~s.~~ ss. 20.395 (3) (cr), (cw), and (cy) and 20.866 (2)
4 (uum).

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

6 84.03 (2) (c) After receiving a plan under par. (b) 1., the cochairpersons of the
7 joint committee on finance jointly shall determine whether the plan is complete. If
8 the joint committee on finance meets and either approves or modifies and approves
9 a plan submitted under par. (b) 1. within 14 days after the cochairpersons determine
10 that the plan is complete, the secretary shall implement the plan as approved by the
11 committee. If the joint committee on finance does not meet and either approve or
12 modify and approve a plan submitted under par. (b) 1. within 14 days after the
13 cochairpersons determine that the plan is complete, the secretary shall implement
14 the proposed plan. If the joint committee on finance approves a plan under s. 84.555
15 for a state fiscal year, the joint committee on finance may modify a plan implemented
16 under this paragraph for that fiscal year.

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

18 **84.555 Additional funding of major highway and rehabilitation**
19 **projects.** (1) Notwithstanding ss. 84.51 and 84.59, major highway projects, as
20 defined under s. 84.013 (1) (a), for the purposes of ss. 84.06 and 84.09, southeast
21 Wisconsin freeway rehabilitation projects under s. 84.014, and state highway
22 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
23 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uum) if all
24 of the following conditions are satisfied:

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

6 (b) The secretary has submitted a plan to the joint committee on finance for the
7 use of proceeds of general obligation bonds issued under s. 20.866 (2) (uum) and the
8 joint committee on finance has approved the plan, except that the secretary may not
9 submit, and the joint committee on finance may not approve, a plan for the use of an
10 amount of proceeds of general obligation bonds that exceeds the difference between
11 the amount of federal funds, as defined in s. 84.03 (2) (a) 1., actually available to the
12 department to be appropriated under s. 20.395 in the current state fiscal year and
13 the amount of federal funds shown in the schedule, as defined in s. 84.03 (2) (a) 2.,
14 for the appropriations under s. 20.395 in that fiscal year.

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

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

22 *b3067/1.1* **336.** Page 153, line 25: after that line insert:

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

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

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

6 84.014 (5m) (a) Notwithstanding any other provision of this section, the
7 department may not expend any moneys from the appropriations under s. 20.395 (3)
8 (cr), (cw), and (cy) for a southeast Wisconsin freeway rehabilitation project that
9 involves adding one or more lanes 5 miles or more in length to the existing freeway
10 unless the project is specifically enumerated in a list under par. (b).

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

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

15 *b3104/1.1* 337. Page 153, line 25: after that line insert:

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

17 84.014 (5) The department shall design the reconstruction of I 94 in Milwaukee
18 and Waukesha counties to allow for expansion of capacity for vehicular traffic on I
19 94 in these counties to meet the projected vehicular traffic capacity needs, as
20 determined by the department, for 25 years following the completion of such
21 reconstruction.”

22 *b2431/2.1* 338. Page 154, line 4: after that line insert:

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

1 86.312 (2) (a) The department shall administer a local roads for job
2 preservation program to award grants to political subdivisions for any project that
3 the department determines is necessary to support business and retain jobs in the
4 vicinity of the local road. The department may award grants under this section for
5 any costs related to a project, including costs of acquiring rights-of-way, planning,
6 designing, engineering, and constructing a local road. The department may specify
7 the pavement to be used in any project funded under this section for the purpose of
8 enhancing the pavement life and cost-effectiveness of the project.”.

9 ***b3008/1.2* 339.** Page 154, line 4: after that line insert:

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

11 87.30 (1) (d) For an amendment to a floodplain zoning ordinance that affects
12 an activity that meets all of the requirements under s. 281.165 (2) ~~or (3) (a)~~, the
13 department may not proceed under this subsection, or otherwise review the
14 amendment, to determine whether the ordinance, as amended, is insufficient.”.

15 ***b3052/1.5* 340.** Page 154, line 4: after that line insert:

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

17 93.07 (1) REGULATIONS. To make and enforce such regulations, not inconsistent
18 with law, as it may deem necessary for the exercise and discharge of all the powers
19 and duties of the department, and to adopt such measures and make such
20 regulations as are necessary and proper for the ~~enforcement by the state of~~
21 department to carry out its duties and powers under chs. 93 to 100, which regulations
22 shall have the force of law.”.

23 ***b3052/1.6* 341.** Page 154, line 17: after that line insert:

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

1 93.07 (23) CONSUMER PROTECTION ADMINISTRATION. To administer ss. 100.01 to
2 100.03, 100.05 to 100.07, 100.14, 100.183 to 100.19, 100.201, 100.206, 100.208,
3 100.21, 100.22, 100.235, 100.265, 100.27, 100.285 to 100.297, 100.30, 100.33 to
4 100.36, 100.45, 100.47, 100.48, and 100.51 and to enforce ss. 100.206, 100.21, 100.30,
5 and 100.51.

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

7 93.07 (24) ENFORCEMENT OF LAWS. To enforce or assist in the enforcement of chs.
8 88 and 93 to 100 and all other laws entrusted to its administration, and especially:

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

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

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

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

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

1 93.18 (3) The department of justice, after acting pursuant to s. 100.37 or 100.41
2 to 100.43 to order the sale or distribution of any substance, article, furnishing, fabric,
3 product or related material ceased, shall give written notice of its finding to the
4 manufacturer, seller or other person responsible for placing the item in the channels
5 of trade in this state. After such notice no person may sell, remove or otherwise
6 dispose of such item except as directed by the department. Any person affected by
7 such notice may demand a prompt hearing to determine the validity of the
8 department's findings. The hearing, if requested, shall be held as expeditiously as
9 possible but not later than 30 days after notice. A request for hearing does not
10 operate to stay enforcement of the order during the pendency of the hearing. The
11 person petitioning for a hearing shall be entitled to the same rights specified under
12 sub. (2).

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

14 93.18 (7) The department of justice shall follow the procedures under subs. (1),
15 (2), (4), (5), and (6) in enforcing the provisions of ch. 100 that are administered by the
16 department of justice.

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

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

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

23 93.22 (1) In cases arising under chs. 88 and 93 to ~~100~~ 99 and ss. 100.206, 100.21,
24 100.30, and 100.51, the department may be represented by its attorney.

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

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

5 *b2391/1.7* **342**. Page 154, line 18: after that line insert:

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

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

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

10 *b2745/1.2* **343**. Page 154, line 18: delete that line.

11 *b3052/1.7* **344**. Page 155, line 7: after that line insert:

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

13 100.07 (6) ~~Action~~ Upon request of the department, an action to enjoin violation
14 of this section may be commenced and prosecuted by the department of justice in the
15 name of the state in any court having equity jurisdiction.”.

16 *b3052/1.8* **345**. Page 155, line 13: after that line insert:

17 *b3052/1.8* “SECTION 263bb. 100.171 (7) (b) of the statutes, as affected by
18 2001 Wisconsin Act (this act), is amended to read:

19 100.171 (7) (b) Whoever intentionally violates this section is guilty of a Class
20 I felony. A person intentionally violates this section if the violation occurs after the
21 department of justice or a district attorney has notified the person by certified mail
22 that the person is in violation of this section.

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

1 100.171 (8) ENFORCEMENT. (intro.) The department of justice shall investigate
2 violations of this section. The department of justice or any district attorney may on
3 behalf of the state:

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

6 100.173 (4) (intro.) The department of justice shall investigate violations of this
7 section. The department of justice, or any district attorney upon informing the
8 department of justice, may, on behalf of the state, do any of the following:

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

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

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

19 100.174 (5) (intro). The department of justice or any district attorney may on
20 behalf of the state:

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

22 100.174 (6) The department of justice shall investigate violations of and
23 enforce this section.

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

1 100.175 (5) (a) (intro.) No person may collect or by contract require a buyer to
2 pay more than \$100 for dating services before the buyer receives or has the
3 opportunity to receive those services unless the person selling dating services
4 establishes proof of financial responsibility by maintaining any of the following
5 commitments approved by the department of justice in an amount not less than
6 \$25,000:

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

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

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

16 100.175 (7) (a) (intro.) The department of justice or any district attorney may
17 on behalf of the state:

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

19 100.175 (7) (b) The department of justice may bring an action in circuit court
20 to recover on a financial commitment maintained under sub. (5) against a person
21 selling dating services or relevant 3rd party, or both, on behalf of any buyer who does
22 not receive a refund due under the contractual provision described in sub. (3).

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

24 100.177 (1) (bm) Notwithstanding s. 93.01 (3), “department” means the
25 department of justice.

1 ***b3052/1.8* SECTION 263gg.** 100.178 (1) (b) of the statutes is amended to read:
2 100.178 (1) (b) Notwithstanding s. 93.01 (3), “department” means the
3 department of ~~health and family services~~ justice.

4 ***b3052/1.8* SECTION 263gj.** 100.18 (11) (a) of the statutes is amended to read:
5 100.18 (11) (a) The department of ~~agriculture, trade and consumer protection~~
6 justice shall enforce this section. Actions to enjoin violation of this section or any
7 regulations thereunder may be commenced and prosecuted by the department of of
8 justice in the name of the state in any court having equity jurisdiction. This remedy
9 is not exclusive.

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

12 100.18 (11) (b) 3. No action may be commenced under this section more than
13 3 years after the occurrence of the unlawful act or practice which is the subject of the
14 action. No injunction may be issued under this section which would conflict with
15 general or special orders of the department of of justice or any statute, rule or
16 regulation of the United States or of this state.

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

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

1 investigative demand requiring the person to produce any relevant documentary
2 material for inspection and copying.

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

5 100.18 (11) (c) 2. The department of justice, in exercising powers under this
6 subsection, may issue subpoenas, administer oaths and conduct hearings to aid in
7 any investigation.

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

10 100.18 (11) (c) 3. Service of any notice by the department of justice requiring
11 a person to file a statement or report, or service of a subpoena upon a person, or
12 service of a civil investigative demand shall be made in compliance with the rules of
13 civil procedure of this state.

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

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

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

22 100.18 (11) (d) The ~~department or the~~ department of justice, ~~after consulting~~
23 ~~with the department~~, or any district attorney, upon informing the department of
24 justice, may commence an action in circuit court in the name of the state to restrain
25 by temporary or permanent injunction any violation of this section. The court may

1 in its discretion, prior to entry of final judgment, make such orders or judgments as
2 may be necessary to restore to any person any pecuniary loss suffered because of the
3 acts or practices involved in the action, provided proof thereof is submitted to the
4 satisfaction of the court. ~~The department and the department of justice may~~
5 ~~subpoena persons and require the production of books and other documents, and the~~
6 ~~department of justice may request the department to exercise its authority under~~
7 ~~par. (c) to aid in the investigation of alleged violations of this section.~~

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

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

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

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

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

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

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

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

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

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

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

1 100.20 (3) The department of justice, after public hearing, may issue a special
2 order against any person, enjoining such person from employing any method of
3 competition in business or trade practice in business which is determined by the
4 department of justice to be unfair or from providing service in violation of sub. (1t).
5 The department of justice, after public hearing, may issue a special order against any
6 person, requiring such person to employ the method of competition in business or
7 trade practice in business which is determined by the department of justice to be fair.

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

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

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

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

1 court. The department of justice may use its authority in ~~ss. 93.14 and 93.15~~ to
2 investigate violations of any order issued under this section.

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

4 100.201 (6) (d) The failure to pay fees under this subsection within the time
5 provided under par. (c) is a violation of this section. The department of justice may
6 also commence an action to recover the amount of any overdue fees plus interest at
7 the rate of 2% per month for each month that the fees are delinquent.

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

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

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

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

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

2 100.201 (9) (c) The department of justice, in addition to or in lieu of any other
3 remedies herein provided, may apply to a circuit court for a temporary or permanent
4 injunction to prevent, restrain or enjoin any person from violating this section or any
5 special order of the department of agriculture, trade and consumer protection issued
6 hereunder under this section, without being compelled to allege or prove that an
7 adequate remedy at law does not exist.

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

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

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

18 100.205 (8) The department of justice or any district attorney may commence
19 an action in the name of the state to recover a forfeiture to the state of not more than
20 \$10,000 for each violation of this section.

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

23 100.207 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,
24 “telecommunications;

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

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

2 100.207 (1) (a) Notwithstanding s. 93.01 (3), “department” means the
3 department of justice.

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

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

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

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

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

1 100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to
2 forfeit not less than \$25 nor more than \$5,000 for each offense. Forfeitures under this
3 paragraph shall be enforced by the department of justice, ~~after consulting with the~~
4 ~~department of agriculture, trade and consumer protection,~~ or, upon informing the
5 department, by the district attorney of the county where the violation occurs.

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

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

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

15 100.207 (6) (em) 2. The department shall submit the recommendations under
16 subd. 1., if any, to the legislature as part of the report required under s. 227.19 (2)
17 ~~and to the board of agriculture, trade and consumer protection.~~

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

20 100.208 (2) (intro.) The department of justice shall notify the public service
21 commission if any of the following conditions exists:

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

23 100.208 (2) (b) The department of justice has issued an order under s. 100.20
24 (3) prohibiting a telecommunications provider from engaging in an unfair trade
25 practice or method of competition.

1 ***b3052/1.8* SECTION 263pm.** 100.209 (3) of the statutes is amended to read:
2 100.209 (3) RULES AND LOCAL ORDINANCES ALLOWED. This section does not
3 prohibit the department of justice from promulgating a rule or from issuing an order
4 consistent with its authority under this chapter that gives a subscriber greater rights
5 than the rights under sub. (2) or prohibit a city, village or town from enacting an
6 ordinance that gives a subscriber greater rights than the rights under sub. (2).

7 ***b3052/1.8* SECTION 263pp.** 100.209 (4) (b) of the statutes is amended to read:
8 100.209 (4) (b) The department of justice and the district attorneys of this state
9 have concurrent authority to institute civil proceedings under this section.

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

12 100.2095 (6) (b) The department of justice may commence an action in the
13 name of the state to restrain by temporary or permanent injunction a violation of sub.
14 (3), (4) or (5). Before entry of final judgment, the court may make any necessary
15 orders to restore to any person any pecuniary loss suffered by the person because of
16 the violation.

17 ***b3052/1.8* SECTION 263pv.** 100.2095 (6) (c) of the statutes is amended to read:
18 100.2095 (6) (c) The department of justice or any district attorney may
19 commence an action in the name of the state to recover a forfeiture to the state of not
20 less than \$100 nor more than \$10,000 for each violation of sub. (3), (4) or (5).”.

21 ***b3052/1.9* 346.** Page 155, line 17: after that line insert:

22 ***b3052/1.9* SECTION 264d.** 100.21 (2) (a) of the statutes is amended to read:
23 100.21 (2) (a) No person may make an energy savings or safety claim without
24 a reasonable and currently accepted scientific basis for the claim when the claim is

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

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

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

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

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

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

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

18 ***b3052/1.10* 347.** Page 156, line 3: after that line insert:

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

20 100.26 (6) ~~The department, the department of justice, after consulting with the~~
21 ~~department, or any district attorney may commence an action in the name of the~~
22 ~~state to recover a civil forfeiture to the state of not less than \$100 nor more than~~
23 ~~\$10,000 for each violation of~~ Any person violating an injunction issued under s.
24 100.18, 100.182 or 100.20 (6). ~~The department of agriculture, trade and consumer~~

1 ~~protection or any district attorney may commence an action in the name of the state~~
2 ~~to recover a civil is subject to a forfeiture of not less than \$100 nor more than \$10,000~~
3 ~~for each violation. Any person violating an order issued under s. 100.20 is subject~~
4 ~~to a forfeiture to the state of not less than \$100 nor more than \$10,000 for each~~
5 ~~violation of an order issued under s. 100.20.”~~

6 *b2366/1.1* **348.** Page 156, line 9: after that line insert:

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

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

22 When used with relation to building codes, “place of employment” does not include
23 an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11,
24 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 *b3052/1.11* 349. Page 156, line 9: after that line insert:

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

17 100.261 (3) (b) The state treasurer shall deposit the consumer protection
18 assessment amounts imposed for a violation of ch. 98, a rule promulgated under ch.
19 98, or an ordinance enacted under ch. 98 in the general fund and shall credit them
20 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.
21 (c).

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

23 100.261 (3) (d) The state treasurer shall deposit the consumer protection
24 assessment amounts imposed for a violation of this chapter, a rule promulgated

1 under this chapter, or an ordinance enacted under this chapter in the general fund
2 and shall credit them to the appropriation account under s. 20.455 (1) (g), subject to
3 the limit under par. (e).

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

5 100.261 (3) (e) The amount credited to the appropriation account under s.
6 20.455 (1) (g) may not exceed \$185,000 in each fiscal year.

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

8 **100.263 Recovery.** In addition to other remedies available under this chapter,
9 the court may award ~~the department~~ the reasonable and necessary costs of
10 investigation and an amount reasonably necessary to remedy the harmful effects of
11 the violation and the court may award ~~the department of justice~~ the reasonable and
12 necessary expenses of prosecution, including attorney fees, from any person who
13 violates this chapter. ~~The department and the department of justice~~ amounts
14 awarded under this subsection shall deposit be deposited in the state treasury for
15 deposit in the general fund ~~all moneys that the court awards to the department, the~~
16 ~~department of justice or the state under this section. Ten percent of the money~~
17 ~~deposited in the general fund that was awarded under this section for the costs of~~
18 ~~investigation and the expenses of prosecution, including attorney fees, shall be~~
19 ~~credited to the appropriation account under s. 20.455 (1) (gh).~~

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

21 100.28 (4) (b) In lieu of or in addition to forfeitures under par. (a), the
22 department of justice may seek an injunction restraining any person from violating
23 this section.

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

1 100.28 (4) (c) The department of justice, or any district attorney upon the
2 request of the department of justice, may commence an action in the name of the
3 state under par. (a) or (b).

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

5 100.31 (4) PENALTIES. For any violation of this section, the department of
6 justice or a district attorney may commence an action on behalf of the state to recover
7 a forfeiture of not less than \$100 nor more than \$10,000 for each offense. Each
8 delivery of a drug sold to a purchaser at a price in violation of this section and each
9 separate day in violation of an injunction issued under this section is a separate
10 offense.

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

12 100.31 (5) SPECIAL REMEDIES. The department of justice or a district attorney
13 may bring an action to enjoin a violation of this section without being compelled to
14 allege or prove that an adequate remedy at law does not exist. An action under this
15 subsection may be commenced and prosecuted by the department of justice or a
16 district attorney, in the name of the state, in a circuit court in the county where the
17 offense occurred or in Dane County, notwithstanding s. 801.50.

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

19 100.37 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
20 department of justice.

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

22 100.38 (5) INSPECTION. The department of justice shall enforce this section by
23 inspection, chemical analyses or any other appropriate method and the department
24 of justice may promulgate such rules as are necessary to effectively enforce this
25 section.

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

2 100.38 (6) ENFORCEMENT. It is unlawful to sell any antifreeze which is
3 adulterated or misbranded. In addition to the penalties provided under sub. (7), the
4 department of justice may bring an action to enjoin violations of this section.

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

6 100.41 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
7 department of justice.

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

9 100.42 (1) (cm) Notwithstanding s. 93.01 (3), “department” means the
10 department of justice.

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

12 100.43 (1) (am) Notwithstanding s. 93.01 (3), “department” means the
13 department of justice.

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

15 100.44 (5) ENFORCEMENT. For any violation of sub. (3), the department of justice
16 may, on behalf of the state, bring an action in any court of competent jurisdiction for
17 the recovery of forfeitures authorized under sub. (4), for temporary or permanent
18 injunctive relief and for any other appropriate relief. The court may make any order
19 or judgment that is necessary to restore to any person any pecuniary loss suffered
20 because of a violation of sub. (3) if proof of the loss is shown to the satisfaction of the
21 court.

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

23 100.46 (1) ENERGY CONSERVATION STANDARDS. The department of justice may by
24 rule adopt energy conservation standards for products that have been established in
25 or promulgated under 42 USC 6291 to 6309.

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

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

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

8 100.50 (6) (b) In lieu of or in addition to the remedy under par. (a), the
9 department of justice may seek an injunction restraining any person from violating
10 this section.

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

12 100.50 (6) (c) The department of justice, or any district attorney upon the
13 request of the department of justice, may commence an action in the name of the
14 state under par. (a) or (b).

15 ***b3052/1.11* SECTION 267kz.** 100.52 (1) (bn) of the statutes is created to read:

16 100.52 (1) (bn) Notwithstanding s. 93.01 (3), “department” means the
17 department of justice.”.

18 ***b2367/2.2* 350.** Page 156, line 20: after that line insert:

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

20 **101.563 Payments without regard to eligibility; calendar years 2000 to**

21 **2004. (1) ENTITLEMENT TO DUES. (a) *Payments from calendar year 2000 dues.***

22 Notwithstanding ss. 101.573 (3) (a) and 101.575 (1) and (3) to (5), the department

23 shall pay the amount determined under sub. (2) (a) to every city, village, and town

24 that was ineligible to receive a proportionate share of fire department dues collected

1 for calendar year 2000 as a result of that city, village, or town failing to satisfy all
2 eligibility requirements under s. 101.575 (1) and (3) to (5) or to demonstrate to the
3 department that the city, village, or town was eligible under s. 101.575 (1) and (3) to
4 (5) to receive a proportionate share of the fire department dues.

5 (b) *Payments from dues for calendar years 2001 to 2004.* Notwithstanding ss.
6 101.573 (3) (a) and 101.575 (1) and (3) to (5) and except as otherwise provided in this
7 paragraph, the department may not withhold payment of a proportionate share of
8 fire department dues under ss. 101.573 and 101.575 to a city, village, or town based
9 upon the failure of that city, village, or town to satisfy all eligibility requirements
10 under s. 101.575 (1) and (3) to (5) or to demonstrate to the department that the city,
11 village, or town is eligible under s. 101.575 (1) and (3) to (5) to receive a proportionate
12 share of fire department dues. This paragraph applies only to the payment of a
13 proportionate share of fire department dues collected for calendar years 2001 to
14 2004.

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

1 certified by the department under this paragraph to each such city, village, and town.
2 The state treasurer may combine any payment due under this paragraph with any
3 amount due to be paid on or before August 1, 2002, to the same city, village, or town
4 under par. (b) 1.

5 (b) *Payments from dues for calendar years 2001 to 2004.* 1. 'Payments from
6 calendar year 2001 dues.' Notwithstanding s. 101.575 (3) (a), by the 30th day
7 following the effective date of this subdivision [revisor inserts date], the
8 department shall compile the fire department dues paid by all insurers under s.
9 601.93 and the dues paid by the state fire fund under s. 101.573 (1) and funds
10 remaining under s. 101.573 (3) (b), subtract the total amount due to be paid under
11 par. (a), withhold 0.5%, and certify to the state treasurer the proper amount to be paid
12 from the appropriation under s. 20.143 (3) (L) to each city, village, and town entitled
13 to a proportionate share of fire department dues as provided under sub. (1) (b) and
14 s. 101.575. If the department has previously certified an amount to the state
15 treasurer under s. 101.57 (3) (a) during calendar year 2002, the department shall
16 recertify the amount in the manner provided under this subdivision. On or before
17 August 1, 2002, the state treasurer shall pay the amounts certified or recertified by
18 the department under this subdivision to each city, village, and town entitled to a
19 proportionate share of fire department dues as provided under sub. (1) and s.
20 101.575. The state treasurer may combine any payment due under this subdivision
21 with any amount due to be paid on or before August 1, 2002, to the same city, village,
22 or town under par. (a).

23 2. 'Payments from dues for calendar years 2002 to 2004.' Notwithstanding s.
24 101.573 (3) (a) and except as otherwise provided in this subdivision, on or before May
25 1 in each year, the department shall compile the fire department dues paid by all

1 insurers under s. 601.93 and the dues paid by the state fire fund under s. 101.573 (1)
2 and funds remaining under s. 101.573 (3) (b), withhold 0.5% and certify to the state
3 treasurer the proper amount to be paid from the appropriation under s. 20.143 (3)
4 (L) to each city, village, and town entitled to a proportionate share of fire department
5 dues as provided under sub. (1) (b) and s. 101.575. Annually, on or before August 1,
6 the state treasurer shall pay the amounts certified by the department to each such
7 city, village, and town. This paragraph applies only to payment of a proportionate
8 share of fire department dues collected for calendar years 2002 to 2004.

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

21 **(3) NOTICES OF INELIGIBILITY AND DEPARTMENTAL AUDITS; EXCEPTIONS.** Except as
22 otherwise provided in this subsection and notwithstanding s. 101.575 (1) (am) and
23 (4) (a) 2., the department may not issue a notice of noncompliance with regard to a
24 city, village, or town that fails to satisfy all eligibility requirements under s. 101.575
25 (1) and (3) to (5) and may not audit any city, village, town, or fire department for

1 purposes of determining whether the city, village, town, or fire department complies
2 with s. 101.575 (6) and s. 101.14 (2). This subsection does not apply after August 1,
3 2005.

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

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

10 ***b3052/1.12* 351.** Page 156, line 20: after that line insert:

11 ***b3052/1.12* “SECTION 269m.** 101.175 (3) (intro.) of the statutes is amended
12 to read:

13 101.175 (3) (intro.) The department, in consultation with the department of
14 ~~agriculture, trade and consumer protection~~ justice, shall establish by rule quality
15 standards for local energy resource systems which do not impede development of
16 innovative systems but which do:”.

17 ***b2892/3.1* 352.** Page 157, line 22: after that line insert:

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

20 106.50 (5m) (d) Nothing in this section requires that housing be made available
21 to an individual whose tenancy would constitute a direct threat to the safety of other
22 tenants or persons employed on the property or whose tenancy would result in
23 substantial physical damage to the property of others, if the risk of direct threat or
24 damage cannot be eliminated or sufficiently reduced through reasonable

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

9 *b3087/1.2* **353.** Page 157, line 22: after that line insert:

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

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

1 person performing the work described in sub. (2m) other than the trade or occupation
2 of the person, the number of hours worked by the person, and the actual wages paid
3 for those hours worked.

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

5 103.50 (6m) RECORDS; INSPECTION. Each contractor, subcontractor, or
6 contractor's or subcontractor's agent performing work on a project that is subject to
7 this section shall keep full and accurate records clearly indicating the name and
8 trade or occupation of every person performing the work described in sub. (2m) and
9 an accurate record of the number of hours worked by each of those persons and the
10 actual wages paid for the hours worked. If requested by any person, a contractor,
11 subcontractor, or contractor's or subcontractor's agent performing work on a project
12 that is subject to this section shall permit that person to inspect and copy any of those
13 records to the same extent as if the record were maintained by the department,
14 except that s. 19.36 (3) does not limit the duty of a subcontractor or a contractor's or
15 subcontractor's agent to permit inspection and copying of a record under this
16 subsection. Before permitting the inspection and copying of a record under this
17 subsection, a contractor, subcontractor, or contractor's or subcontractor's agent shall
18 delete from the record any personally identifiable information, as defined in s. 19.62
19 (5), contained in the record about any person performing the work described in sub.
20 (2m) other than the trade or occupation of the person, the number of hours worked
21 by the person, and the actual wages paid for those hours worked.”.

22 *b3112/1.3* **354.** Page 157, line 22: after that line insert:

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

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

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

8 103.68 (1) No minor shall be employed or permitted to work at any gainful
9 occupation other than domestic service ~~or~~, farm labor, or service as an election
10 inspector under s. 7.30 (2) (am) for more than 8 hours in any one day nor more than
11 40 hours nor more than 6 days in any one week, nor during such hours as the minor
12 is required under s. 118.15 ~~(2)~~ to attend school.

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

14 103.70 (2) Minors may be employed without permits in any employment
15 limited to work in or around a home in work usual to the home of the employer, if the
16 employment is not in connection with or a part of the business, trade, or profession
17 of the employer, is in accordance with the minimum age stated in s. 103.67 (2) ~~(d)~~ (f),
18 and is not specifically prohibited by ss. 103.64 to 103.82 or by any order of the
19 department. Minors may also be employed without permits as election inspectors
20 as provided in s. 7.30 (2) (am).”

21 ***b2486/1.1* 355.** Page 158, line 12: delete lines 12 to 22.

22 ***b3033/2.11* 356.** Page 159, line 9: after that line insert:

23 ***b3033/2.11* “SECTION 279m.** 115.28 (25) of the statutes is repealed.”.

24 ***b2748/1.1* 357.** Page 159, line 17: after that line insert:

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

3 *b3033/2.13* **360.** Page 161, line 11: after that line insert:

4 *b3033/2.13* “SECTION 284d. 120.18 (1) (i) of the statutes is amended to read:
5 120.18 (1) (i) A description of the educational technology used by the school
6 district, including the uses made of the technology, the cost of the technology and the
7 number of persons using or served by the technology. In this paragraph, “educational
8 technology” has the meaning given in s. ~~44.70 (3)~~ 115.997 (3).”.

9 *b2599/1.3* **361.** Page 162, line 9: delete lines 9 to 12.

10 *b3033/2.14* **362.** Page 163, line 7: after that line insert:

11 *b3033/2.14* “SECTION 287d. 121.15 (3m) (a) 2. of the statutes, as affected by
12 2001 Wisconsin Act 16, is amended to read:

13 121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.
14 20.255 (1) (b) and (2), other than s. 20.255 (2) (fm), (fu), (k), and (m), and under ss.
15 ~~20.275 (1) (d)~~, 20.255 (4) (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids
16 appropriated under s. ~~20.275 (1)~~ 20.255 (4) (s) that are used to provide grants or
17 educational telecommunications access to school districts under s. ~~44.73~~ 115.9995.”.

18 *b2372/2.4* **363.** Page 166, line 6: after that line insert:

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

20 **133.16 Injunction; pleading; practice.** Any circuit court may prevent or
21 restrain, by injunction or otherwise, any violation of this chapter. The department
22 of justice, any district attorney or any person by complaint may institute actions or
23 proceedings to prevent or restrain a violation of this chapter, setting forth the cause
24 and grounds for the intervention of the court and praying that such violation,

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

21 *b3052/1.13* **364.** Page 167, line 16: after that line insert:

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

23 134.71 (12) APPLICATIONS AND FORMS. The department of agriculture, trade and
24 consumer protection, in consultation with the department of justice, shall develop

1 applications and other forms required under subs. (5) (intro.) and (8) (c). The
2 department of agriculture, trade and consumer protection shall print a sufficient
3 number of applications and forms to provide to counties and municipalities for
4 distribution to pawnbrokers, secondhand article dealers and secondhand jewelry
5 dealers at no cost.

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

7 **136.03 (title) Duties of the department of agriculture, trade and**
8 **consumer protection justice.**

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

11 136.03 (1) (intro.) The department of ~~agriculture, trade and consumer~~
12 ~~protection of justice~~ shall investigate violations of this chapter and of rules and
13 orders issued under s. 136.04. The department of justice may subpoena persons and
14 records to facilitate its investigations, and may enforce compliance with such
15 subpoenas as provided in s. 885.12. The department of justice may ~~in~~ on behalf of
16 the state:

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

18 **136.04 Powers of the department of agriculture, trade and consumer**
19 **protection justice.** (1) The department of ~~agriculture, trade and consumer~~
20 ~~protection justice~~ may adopt such rules as may be required to carry out the purposes
21 of this chapter.

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

1 ***b3090/1.1* 365.** Page 167, line 16: after that line insert:

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

3 **134.74 Nondisclosure of information on receipts. (1)** In this section:

4 (a) "Credit card" has the meaning given in s. 421.301 (15).

5 (b) "Debit card" means a plastic card or similar device that may be used to
6 purchase goods or services by providing the purchaser with direct access to the
7 purchaser's account at a depository institution.

8 (c) "Depository institution" means a bank, savings bank, savings and loan
9 association, or credit union.

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

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

19 ***b3074/1.1* 366.** Page 170, line 15: after that line insert:

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

21 146.50 (4) (title) AMBULANCE STAFFING AND OPERATIONAL PLANS; LIMITATIONS;
22 RULES.

23 ***b3074/1.1* SECTION 329s.** 146.50 (4) (c) of the statutes is renumbered 146.50

24 (4) (c) (intro.) and amended to read:

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

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

13 146.50 (4) (c) 1. That the ambulance service provider ensures, in writing, that
14 the ambulance is staffed with at least 2 emergency medical technicians–paramedic,
15 licensed registered nurses, licensed physician assistants, or physicians or a
16 combination of any 2 of these, who are trained in the use of all skills authorized by
17 rule for an emergency medical technician–paramedic and are designated by the
18 medical director of the ambulance service. This subdivision does not apply during
19 an emergency when there is an agreement for the sharing of emergency services in
20 place between a town, village, or city and another town, village, or city.

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

22 146.50 (4) (c) 2. That the ambulance staff, as specified in subd. 1., is dispatched
23 from the same site, together, to the scene of an emergency. This subdivision does not
24 apply if the ambulance service provider, as of October 1, 2001, dispatched ambulance
25 staff from multiple sites to the scene of an emergency.

1 ***b3074/1.1* SECTION 329v.** 146.50 (4) (c) 3. of the statutes is created to read:
2 146.50 (4) (c) 3. That if an emergency medical technician–paramedic arrives
3 at the scene of an emergency prior to the arrival of the ambulance staff, as specified
4 in subd. 1., the emergency medical technician–paramedic may provide services using
5 all skills authorized by rule for an emergency medical technician–paramedic.”.

6 ***b3074/1.2* 367.** Page 171, line 12: after that line insert:

7 ***b3074/1.2* “SECTION 333h.** 146.50 (13) (a) of the statutes is amended to read:
8 146.50 (13) (a) The department may promulgate rules necessary for
9 administration of this section, as limited under sub. (4) (c).”.

10 ***b3041/1.1* 368.** Page 172, line 10: after that line insert:

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

12 **146.96 Uniform claim processing form.** Beginning no later than July 1,
13 2004, every health care provider, as defined in s. 146.81 (1), shall use the uniform
14 claim processing form developed by the commissioner of insurance under s. 601.41
15 (9) (b) when submitting a claim to an insurer.”.

16 ***b3077/1.1* 369.** Page 172, line 10: after that line insert:

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

18 146.83 (1) (b) Receive a copy of the patient’s health care records upon payment
19 of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

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

21 146.83 (1) (c) Receive a copy of the health care provider’s X–ray reports or have
22 the X–rays referred to another health care provider of the patient’s choice upon
23 payment of ~~reasonable costs~~ fees, as established by rule under sub. (3m).

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

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

9 1. Operating expenses, such as wages, rent, utilities, and duplication
10 equipment and supplies.

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

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

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

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

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

19 ***b3092/1.1* 370.** Page 172, line 10: after that line insert:

20 ***b3092/1.1*** “SECTION 336jc. 149.143 (1) (b) 1. a. of the statutes is amended to
21 read:

22 149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage
23 under s. 149.14 (2) (a) set at a rate that is 140% to 150% of the rate that a standard
24 risk would be charged under an individual policy providing substantially the same

1 coverage and deductibles as are provided under the plan and from eligible persons
2 with coverage under s. 149.14 (2) (b) set in accordance with s. 149.14 (5m), including
3 amounts received for premium and deductible subsidies under s. 149.144 and under
4 the transfer to the fund from the appropriation account under s. 20.435 (4) (ah), and
5 from premiums collected from eligible persons with coverage under s. 149.146 set in
6 accordance with s. 149.146 (2) (b).

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

9 149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with
10 coverage under s. 149.14 (2) (a) to more than ~~150%~~ the rate at which premiums were
11 set under subd. 1. a. but not more than 200% of the rate that a standard risk would
12 be charged under an individual policy providing substantially the same coverage and
13 deductibles as are provided under the plan and from eligible persons with coverage
14 under s. 149.14 (2) (b) by a comparable amount in accordance with s. 149.14 (5m),
15 including amounts received for premium and deductible subsidies under s. 149.144
16 and under the transfer to the fund from the appropriation account under s. 20.435
17 (4) (ah), and by increasing premiums from eligible persons with coverage under s.
18 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under
19 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

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

22 149.143 (2) (a) 2. After making the determinations under subd. 1., by rule set
23 premium rates for the new plan year, including the rates under s. 149.146 (2) (b), in
24 the manner specified in sub. (1) (b) 1. a. and c. and such that a rate for coverage under
25 s. 149.14 (2) (a) is approved by the board and is not less than ~~150%~~ 140% nor more

1 than 200% of the rate that a standard risk would be charged under an individual
2 policy providing substantially the same coverage and deductibles as are provided
3 under the plan.

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

6 149.143 (2m) (b) 1. To reduce premiums in succeeding plan years as provided
7 in sub. (1) (b) 1. b. For eligible persons with coverage under s. 149.14 (2) (a),
8 premiums may not be reduced below ~~150%~~ 140% of the rate that a standard risk
9 would be charged under an individual policy providing substantially the same
10 coverage and deductibles as are provided under the plan.”.

11 *b2391/1.8* **371.** Page 173, line 16: after that line insert:

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

13 **157.055 Disposal of human remains during state of emergency relating**
14 **to public health.** (1) In this section:

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

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

17 (2) Notwithstanding ss. 69.18 (4), 445.04 (2), 445.14, 979.01 (3), (3m), and (4),
18 979.02, and 979.10, during a period of a state of emergency related to public health
19 declared by the governor under s. 166.03 (1) (b) 1., a public health authority may do
20 all of the following:

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

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