

1 ***-2058/2.2*** SECTION 2349. 86.31 (3) (b) (intro.) of the statutes is amended to
2 read:

3 86.31 (3) (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first
4 deducting the funds allocated under subs. (3g), ~~(3m)~~ and ~~(3r)~~ to (3t), the department
5 shall allocate funds for entitlement as follows:

6 ***-2058/2.3*** SECTION 2350. 86.31 (3t) of the statutes is created to read:

7 86.31 (3t) TOWN ROAD AND MUNICIPAL STREET IMPROVEMENTS. From the
8 appropriation under s. 20.395 (2) (fr), the department shall allocate \$529,000 in fiscal
9 year 2001–02 and \$1,954,200 in fiscal year 2002–03 to fund town road improvements
10 with eligible costs totaling \$100,000 or more and to fund municipal street
11 improvement projects having total estimated costs of \$250,000 or more. The funding
12 of improvements under this subsection is in addition to the allocation of funds for
13 entitlements under sub. (3) and the allocation of funds under subs. (3m) and (3r).

14 ***-2058/2.4*** SECTION 2351. 86.31 (6) (d) of the statutes is amended to read:

15 86.31 (6) (d) Procedures for reimbursements for county trunk highway
16 improvements under sub. (3g), for town road improvements under sub. subs. (3m)
17 and (3t), and for municipal street improvements under sub. subs. (3r) and (3t).

18 ***-0605/5.15*** SECTION 2352. 88.01 (8m) of the statutes is repealed.

19 ***-0605/5.16*** SECTION 2353. 88.11 (1) (f) of the statutes is amended to read:

20 88.11 (1) (f) Assist districts in applying for permits under s. ~~88.31~~ chs. 30 and
21 31.

22 ***-0605/5.17*** SECTION 2354. 88.31 (title) of the statutes is amended to read:

23 88.31 (title) ~~Special procedure in cases affecting~~ Drainage work in
24 navigable waters.

25 ***-0605/5.18*** SECTION 2355. 88.31 (1) to (7m) of the statutes are repealed.

1 ***-0605/5.19*** SECTION 2356. 88.31 (8) (intro.) of the statutes is amended to
2 read:

3 88.31 (8) (intro.) Subject to other restrictions imposed by this chapter, a
4 drainage board which has obtained all of the permits as required under ~~this chapter~~
5 and ch. 30 may:

6 ***-0605/5.20*** SECTION 2357. 88.35 (5m) of the statutes is repealed.

7 ***-0605/5.21*** SECTION 2358. 88.35 (6) (intro.) of the statutes is amended to
8 read:

9 88.35 (6) (intro.) Upon the completion of its duties under subs. (1) to ~~(5m)~~ (5),
10 the board shall prepare a written report, including a copy of any maps, plans or
11 profiles that it has prepared. The assessment of benefits and awards of damages
12 shall be set forth in substantially the following form:

13 ***-0605/5.22*** SECTION 2359. 88.62 (3) (a) of the statutes is renumbered 88.62
14 (3) and amended to read:

15 88.62 (3) If drainage work is undertaken in navigable waters, the drainage
16 board shall obtain ~~a permit under s. 30.20 or 88.31 or ch. 31, as directed by the~~
17 ~~department of natural resources, except as provided in par. (b) any permit that is~~
18 required under ch. 30 or 31.

19 ***-0605/5.23*** SECTION 2360. 88.62 (3) (b) of the statutes is repealed.

20 ***-0605/5.24*** SECTION 2361. 88.72 (3) of the statutes is amended to read:

21 88.72 (3) At the hearing on the petition, any interested person may appear and
22 contest its sufficiency and the necessity for the work. If the drainage board finds that
23 the petition has the proper number of signers and that to afford an adequate outlet
24 it is necessary to remove dams or other obstructions from waters and streams which
25 may be navigable, or to straighten, clean out, deepen, or widen any waters or streams

1 either within or beyond the limits of the district, the board shall obtain any permit
2 that is required under ~~this chapter or ch. 30 or 31.~~

3 ***-0605/5.25* SECTION 2362.** 88.72 (4) of the statutes is amended to read:

4 88.72 (4) Within 30 days after the department of natural resources has issued
5 all of the permits as required under ~~this chapter and chs. 30 and 31,~~ the board shall
6 proceed to estimate the cost of the work, including the expenses of the proceeding
7 together with the damages that will result from the work, and shall, within a
8 reasonable time, award damages to all lands damaged by the work and assess the
9 cost of the work against the lands in the district in proportion to the assessment of
10 benefits then in force.

11 ***-1753/2.5* SECTION 2363.** 91.13 (8) (fm) of the statutes is amended to read:

12 91.13 (8) (fm) A statement in boldface uppercase type that contains the
13 following language: ~~“UPON RELINQUISHMENT (WITHDRAWAL OR~~
14 ~~EXPIRATION) OF FROM THIS AGREEMENT, A PAYBACK OF CREDITS WITH~~
15 ~~INTEREST PAYMENT TO THE STATE MAY BE REQUIRED.”~~

16 ***-1753/2.6* SECTION 2364.** 91.17 (1) of the statutes is amended to read:

17 91.17 (1) Land subject to a farmland preservation agreement may be sold
18 without ~~a lien being filed~~ payment being made under s. 91.19 (7m), subject to the
19 reservation of rights contained in the agreement. The seller shall notify the
20 department of any such transfer. ~~The purchaser shall be liable under any~~
21 ~~subsequent lien under s. 91.19 only for the amount of tax credits paid on that portion~~
22 ~~of the land purchased.~~

23 ***-1753/2.7* SECTION 2365.** 91.17 (2) of the statutes is amended to read:

24 91.17 (2) When the owner of land subject to a farmland preservation agreement
25 dies or is certified by a physician to be totally and permanently disabled, the land

1 may be released from the program under this chapter and shall not be subject to -a
2 lien payment under s. 91.19 (8) (7m).

3 ***-1753/2.8* SECTION 2366.** 91.17 (3) of the statutes is repealed.

4 ***-1753/2.9* SECTION 2367.** 91.19 (2) (intro.) of the statutes is amended to read:

5 91.19 (2) (intro.) The Subject to sub. (7m), the department may relinquish the
6 farmland preservation agreement or may release part of the land from a farmland
7 preservation agreement prior to the termination date contained in the instrument
8 as follows:

9 ***-1753/2.10* SECTION 2368.** 91.19 (3) of the statutes is amended to read:

10 91.19 (3) If the request for relinquishment of the farmland preservation
11 agreement or release of part of the land from the agreement is approved by the local
12 governing body having jurisdiction, a copy of the application, along with the
13 comments and recommendations of the reviewing agencies, shall be forwarded to the
14 board. The board shall, within 60 days, upon consideration of the factors in sub. (2)
15 (b) and (c) 2., approve or reject the application for relinquishment or release. If the
16 board approves the application it shall notify the local governing body having
17 jurisdiction, the department of agriculture, trade and consumer protection, and the
18 department of revenue, prepare an instrument under sub. (7) and record it with the
19 register of deeds of the county in which the land is located.

20 ***-1753/2.11* SECTION 2369.** 91.19 (5) of the statutes is amended to read:

21 91.19 (5) If the application for relinquishment of the agreement or release of
22 part of the land from the agreement is rejected by the local governing body having
23 jurisdiction, the application shall be returned to the applicant with a written
24 statement regarding the reasons for rejection. Within 30 days after receipt of the
25 rejected application, the applicant may appeal the rejection to the board. The board

1 shall, within 60 days after the appeal has been received, upon consideration of the
2 factors listed in sub. (2) (b) and (c) 2., approve or reject the request for relinquishment
3 or release. If the board approves the application it shall notify the local governing
4 body having jurisdiction, the department of agriculture, trade and consumer
5 protection, and the department of revenue, ~~prepare an instrument under sub. (7) and~~
6 ~~record it with the register of deeds of the county in which the land is located.~~

7 ***-1753/2.12* SECTION 2370.** 91.19 (6p) of the statutes is repealed.

8 ***-1753/2.13* SECTION 2371.** 91.19 (6t) of the statutes is amended to read:

9 91.19 (6t) The Subject to sub. (7m), the department shall relinquish from a
10 farmland preservation agreement land that has been subject to a farmland
11 preservation agreement for at least 10 years if the owner of the land so requests.

12 ***-1753/2.14* SECTION 2372.** 91.19 (7) of the statutes is repealed.

13 ***-1753/2.15* SECTION 2373.** 91.19 (7m) of the statutes is created to read:

14 91.19 (7m) (a) Except as provided in par. (b), the department may not
15 relinquish a farmland preservation agreement under sub. (2) or (6t) or release land
16 from a farmland preservation agreement under sub. (2) until the owner pays to the
17 department \$50 per acre of land that is no longer covered by the farmland
18 preservation agreement.

19 (b) The payment under par. (a) does not apply to land that is zoned for
20 exclusively agricultural use under an ordinance certified under subch. V.

21 ***-1753/2.16* SECTION 2374.** 91.19 (8) to (13) of the statutes are repealed.

22 ***-1753/2.17* SECTION 2375.** 91.21 (1) of the statutes is amended to read:

23 91.21 (1) If the owner or a successor in title of the land upon which a farmland
24 preservation agreement has been recorded under this chapter changes the use of the
25 land to a prohibited use without first acting under ss. 91.17 and 91.19 and the land

1 is not relinquished under s. 91.19 ~~(6p) or (6t)~~, the owner or successor in title may be
2 enjoined by the state, acting through the attorney general, or by the local governing
3 body having jurisdiction, acting through its attorney, and is subject to a civil penalty
4 for actual damages, but in no case to exceed double the value of the land as
5 established at the time the application for the agreement was approved.

6 ***-1753/2.18* SECTION 2376.** 91.23 of the statutes is amended to read:

7 **91.23 Conversion.** An owner under a farmland preservation agreement may
8 at any time apply for a transition area agreement, and an owner under a transition
9 area agreement may at any time apply for a farmland preservation agreement. If
10 such an application is approved, the prior agreement shall be relinquished without
11 ~~a lien being filed~~ payment being made under s. 91.19 (7m).

12 ***-1753/2.19* SECTION 2377.** Subchapter III of chapter 91 [precedes 91.31] of
13 the statutes is repealed.

14 ***-1753/2.20* SECTION 2378.** 91.75 (6) of the statutes is amended to read:

15 91.75 (6) For purposes of farm consolidation and if permitted by local
16 regulation, farm residences or structures ~~which~~ that existed prior to the adoption of
17 the ordinance may be separated from a larger farm parcel. Farm residences or
18 structures with up to 5 acres of land ~~which~~ that are separated from a larger farm
19 parcel under this section are not subject to ~~the lien under s. 91.19 (8) to (10), as the~~
20 payment required in s. 91.77 (2) or 91.79.

21 ***-1753/2.21* SECTION 2379.** 91.77 (2) of the statutes is amended to read:

22 91.77 (2) ~~Land which is rezoned~~ Rezoning under this section shall be subject
23 ~~to the lien provided under s. 91.19 (8) to (10) for the amount of tax credits paid on the~~
24 land rezoned conditioned on the payment, to the county, city, village, or town that
25 approves the petition, of \$60 per acre of land that is rezoned. A county, city, village,

1 or town that receives payment under this subsection shall pay to the state the
2 amount received. If the rezoning occurs solely as a result of action initiated by a
3 governmental unit, any lien required under s. 91.19 (8) to (10) the payment shall be
4 paid made to the state by the governmental unit initiating the action.

5 ***-1753/2.22*** SECTION 2380. 91.79 of the statutes is amended to read:

6 **91.79 Conditional uses; lien payment.** Any land ~~zoned under this~~
7 ~~subchapter which is granted a special exception or conditional use permit for a use~~
8 ~~which that is not an agricultural use that is granted for land zoned under this~~
9 ~~subchapter shall be subject to the lien provided under s. 91.19 (8) to (10) for the~~
10 ~~amount of tax credits paid on the land granted such a permit conditioned on the~~
11 ~~payment, to the county, city, village, or town that grants the special exception or~~
12 ~~conditional use permit, of \$60 per acre of land for which the special exception or~~
13 ~~conditional use permit is granted. A county, city, village, or town that receives~~
14 ~~payment under this section shall pay to the state the amount received.~~

15 ***-1634/P6.42*** SECTION 2381. 92.10 (4) (a) of the statutes, as affected by 1997
16 Wisconsin Act 27, is repealed and recreated to read:

17 92.10 (4) (a) *Data.* The department shall develop a systematic method of
18 collecting and organizing data related to soil erosion. The department shall
19 cooperate with the department of administration under s. 16.967 and consider any
20 recommendations of the Wisconsin land council in developing this methodology or
21 any related activities related to land information collection.

22 ***-1813/4.13*** SECTION 2382. 92.14 (3) (intro.) of the statutes is amended to
23 read:

24 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties fund their
25 land and water conservation activities, the department shall award an annual grant

1 from the appropriation under s. 20.115 (7) (c) ~~or (gd)~~ or under s. 20.866 (2) (we) to any
2 county land conservation committee that has a land and water resource
3 management plan approved by the department under s. 92.10 (4) (d), and that, by
4 county board action, has resolved to provide any matching funds required under sub.
5 (5g). The county may use the grant for land and water resource management
6 planning and for any of the following purposes, consistent with the approved land
7 and water resource management plan:

8 ***-0601/1.1*** SECTION 2383. 93.01 (1m) of the statutes is amended to read:

9 93.01 (1m) “Business” includes any business, except that of banks, savings
10 banks, credit unions, savings and loan associations, and insurance companies.
11 “Business” includes public utilities and telecommunications carriers to the extent
12 that their activities, beyond registration, notice, and reporting activities, are not
13 regulated by the public service commission and includes public utility and
14 telecommunications carrier methods of competition or trade and advertising
15 practices that are exempt from regulation by the public service commission under s.
16 196.195, 196.196, 196.202, 196.203, 196.219, or 196.499 or by other action of the
17 commission.

18 ***-0392/3.12*** SECTION 2384. 93.06 (8) of the statutes is amended to read:

19 93.06 (8) PRESCRIBE CONDITIONS OF LICENSES. Except as provided in s. 93.135,
20 issue any permit, certificate, registration or license on a temporary or conditional
21 basis, contingent upon pertinent circumstances or acts. If the temporary or
22 conditional permit, certificate, registration or license is conditioned upon compliance
23 with chs. 93 to 100, ch. ~~127~~ 126, a rule promulgated by the department or a regulation
24 adopted under s. 97.41 (7) within a specified period of time and the condition is not

1 met within the specified period, the permit, certificate, registration or license shall
2 be void.

3 ***-0397/2.2* SECTION 2385.** 93.06 (12) of the statutes is created to read:

4 93.06 (12) FEDERAL AGRICULTURAL POLICY REFORM. Provide assistance to
5 organizations to seek the reform of federal agricultural policy for the benefit of
6 agricultural producers in this state. This subsection does not apply after June 30,
7 2005.

8 ***-1462/3.4* SECTION 2386.** 93.07 (25) of the statutes is repealed.

9 ***-0392/3.13* SECTION 2387.** 93.135 (1) (rm) of the statutes is amended to read:

10 93.135 (1) (rm) A registration certificate license under s. ~~100.03 (2)~~ 126.56.

11 ***-0392/3.14* SECTION 2388.** 93.135 (1) (s) of the statutes is amended to read:

12 93.135 (1) (s) A license under s. ~~127.02 (1)~~ 126.26.

13 ***-0392/3.15* SECTION 2389.** 93.135 (1) (sm) of the statutes is amended to read:

14 93.135 (1) (sm) A license under s. ~~127.03 (1)~~ 126.11.

15 ***-0392/3.16* SECTION 2390.** 93.20 (1) of the statutes is amended to read:

16 93.20 (1) DEFINITION. In this section, "action" means an action that is
17 commenced in court by, or on behalf of, the department of agriculture, trade and
18 consumer protection to enforce chs. 88, 91 to 100 or ~~127~~ 126.

19 ***-0392/3.17* SECTION 2391.** 93.21 (5) (a) of the statutes is amended to read:

20 93.21 (5) (a) In this subsection, "license" means a permit, certificate,
21 registration or license issued by the department under chs. 91 to 100 or ch. ~~127~~ 126.

22 ***-0404/3.1* SECTION 2392.** 93.23 (1) (h) of the statutes is repealed.

23 ***-1615/3.4* SECTION 2393.** 93.46 (3) of the statutes is created to read:

24 93.46 (3) (a) The department may make grants and provide technical
25 assistance to agricultural producers and agricultural organizations to support

1 preliminary research and investigations on potential business enterprises that may
2 increase the value of raw agricultural commodities.

3 (b) The department may not provide funding under this subsection for more
4 than 2 years for research and investigations related to a single business enterprise.
5 The department may not award more than \$25,000 under this subsection for
6 research and investigations related to a single business enterprise.

7 (c) The department shall promulgate rules for the administration of this
8 subsection.

9 ***-0394/3.18* SECTION 2394.** 93.47 (2) of the statutes is amended to read:

10 93.47 (2) The department may award grants from the appropriation accounts
11 under s. 20.115 (4) (c) and (i) (8) (g) to individuals or organizations to fund
12 demonstration projects designed to encourage the use of sustainable agriculture.
13 The department shall promulgate rules to govern the sustainable agriculture grant
14 program under this section.

15 ***-0403/1.3* SECTION 2395.** 93.48 of the statutes is repealed.

16 ***-0392/3.18* SECTION 2396.** 93.50 (1) (g) of the statutes is amended to read:

17 93.50 (1) (g) “Procurement contract” has the meaning given for “vegetable
18 procurement contract” in s. ~~100.03 (1) (vm)~~ 126.55 (15).

19 ***-0405/1.1* SECTION 2397.** 94.02 (4) of the statutes is amended to read:

20 94.02 (4) ~~This section pertains to the abatement of pests on agricultural lands~~
21 ~~and on agricultural business premises.~~ This section does not affect the authority of
22 the department of natural resources under ch. 26.

23 ***-0406/3.1* SECTION 2398.** 94.72 (14) (am) of the statutes is created to read:

24 94.72 (14) (am) The department or any district attorney may commence an
25 action in the name of the state to recover a civil forfeiture to the state of not less than

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✓ SECTION ~~94~~ 94.72 (14) (a) of the statutes is amended to read:

94.72 (14) (a) A person who violates this section or an order issued or a rule promulgated under this section ~~shall~~ may be fined not more than \$200 or imprisoned not more than 6 months or both.

History: 1975 c. 39, 198, 199; 1977 c. 29 s. 1650m (4); 1979 c. 34; 1983 a. 189; 1985 a. 138; 1991 a. 39, 112; 1995 a. 4; 1997 a. 27, 253; 1999 a. 9.

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1 \$100 nor more than \$5,000 for each violation of this section, or ~~rule~~^{an} order issued
2 under this section. ✓_{is}

3 ***-0401/1.8* SECTION 2399.** 95.15 of the statutes is repealed.

4 ***-0399/1.2* SECTION 2400.** 95.60 (8) of the statutes is created to read:

5 95.60 (8) The department may provide training to veterinarians and other
6 persons who issue fish health certificates for the purposes of this section. The
7 department may charge fees to recover the cost of providing the training.

8 ***-0392/3.19* SECTION 2401.** 97.20 (2) (d) 2. of the statutes is amended to read:

9 97.20 (2) (d) 2. The license applicant has filed all financial information required
10 under s. 126.44 and any security required under s. ~~100.06~~ 126.47. If an applicant has
11 not filed all financial information under s. 126.44 and any security required under
12 s. ~~100.06~~ 126.47, the department may issue a conditional dairy plant license under
13 s. 93.06 (8) which prohibits the licensed operator from purchasing milk or fluid milk
14 products from milk producers or their agents, but allows the operator to purchase
15 milk or fluid milk products from other sources.

16 ***-0392/3.20* SECTION 2402.** 97.20 (3m) of the statutes is amended to read:

17 97.20 (3m) CONFIDENTIALITY. Any information kept by the department under
18 this section or s. 97.24 that identifies individual milk producers who deliver milk to
19 a dairy plant licensed under this section and that is a composite list for that dairy
20 plant is not subject to inspection under s. 19.35 unless inspection is required under
21 s. ~~100.06~~ (4) 126.70 or unless the department determines that inspection is necessary
22 to protect the public health, safety or welfare.

23 ***-0392/3.21* SECTION 2403.** 97.22 (10) of the statutes is amended to read:

24 97.22 (10) CONFIDENTIALITY. Any information obtained and kept by the
25 department under this section, under s. 97.24 or 97.52, or under rules promulgated

1 under those sections, that pertains to individual milk producer production, milk fat
2 and other component tests and quality records is not subject to inspection under s.
3 19.35 except as required under s. ~~100.06 (4)~~ 126.70 or except as the department
4 determines is necessary to protect the public health, safety or welfare.

5 ***-0392/3.22* SECTION 2404.** 97.29 (4) of the statutes is amended to read:

6 97.29 (4) FOOD PROCESSING PLANTS BUYING VEGETABLES FROM PRODUCERS. The
7 department may not issue or renew a license to operate a food processing plant to any
8 applicant who is a vegetable contractor, as defined in s. ~~100.03 (1) (f)~~ 126.55 (14),
9 unless the applicant has filed all financial information required under s. 126.58 and
10 any security that is required under s. ~~100.03~~ 126.61. If an applicant has not filed all
11 financial information required under s. 126.58 and any security that is required
12 under s. ~~100.03~~ 126.61, the department may issue a conditional license under s. 93.06
13 (8) that prohibits the licensed operator from procuring vegetables from a producer
14 or a producer's agent, but allows the operator to procure vegetables from other
15 sources.

16 ***-0392/3.23* SECTION 2405.** 100.03 of the statutes is repealed.

17 ***-0392/3.24* SECTION 2406.** 100.06 of the statutes is repealed.

18 ***-2156/4.2* SECTION 2407.** 100.18 (11) (d) of the statutes is amended to read:

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

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

5 ***-2156/4.3* SECTION 2408.** 100.18 (11) (e) of the statutes is amended to read:

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

16 ***-2007/2.3* SECTION 2409.** 100.20 (2) (b) of the statutes is amended to read:

17 100.20 (2) (b) Notwithstanding par. (a), the department may not issue any
18 order or promulgate any rule that regulates the provision of water or sewer service
19 by a ~~mobile manufactured home park operator~~, as defined in s. ~~196.01 (3t)~~ 101.91 (8),
20 or ~~mobile~~ manufactured home park contractor, as defined in s. ~~196.01 (3q)~~ 101.91
21 (6m), or enforce any rule to the extent that the rule regulates the provision of such
22 water or sewer service.

23 ***-2156/4.4* SECTION 2410.** 100.20 (4) of the statutes is amended to read:

24 100.20 (4) The ~~department of justice~~ district attorney may file a written
25 complaint with the department alleging that the person named is employing unfair

1 methods of competition in business or unfair trade practices in business or both.
2 Whenever such a complaint is filed it shall be the duty of the department to proceed,
3 after proper notice and in accordance with its rules, to the hearing and adjudication
4 of the matters alleged, and a representative of the department of justice designated
5 by the attorney general district attorney may appear before the department in such
6 proceedings. The department of justice district attorney shall be entitled to judicial
7 review of the decisions and orders of the department under ch. 227.

8 *~~2156/4.5~~* SECTION 2411. 100.207 (6) (b) 1. of the statutes is amended to read:

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

20 *~~2156/4.6~~* SECTION 2412. 100.207 (6) (b) 2. of the statutes is amended to read:

21 100.207 (6) (b) 2. The department may exercise its authority under ss. 93.14
22 to 93.16 and 100.18 (11) (c) to administer this section. The department ~~and the~~
23 ~~department of justice~~ may subpoena persons and require the production of books and
24 other documents, ~~and the department of justice may request the department of~~

1 ~~agriculture, trade and consumer protection to exercise its authority to aid in the~~
2 ~~investigation of alleged violations of this section.~~

3 *~~2156/4.7~~* SECTION 2413. 100.207 (6) (c) of the statutes is amended to read:

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

9 *~~2156/4.8~~* SECTION 2414. 100.207 (6) (em) 1. of the statutes is amended to

10 read:

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

16 *~~0392/3.25~~* SECTION 2415. 100.235 (1) (b) of the statutes is amended to read:

17 100.235 (1) (b) "Contractor" has the meaning given for "vegetable contractor"
18 under s. ~~100.03 (1) (f)~~ 126.55 (14).

19 *~~0392/3.26~~* SECTION 2416. 100.235 (1) (em) of the statutes is renumbered

20 100.235 (1) (dm) and amended to read:

21 100.235 (1) (dm) "Registration License year" has the meaning given under s.
22 ~~100.03 (1) (y)~~ 126.55 (10m).

23 *~~0392/3.27~~* SECTION 2417. 100.235 (2) of the statutes is amended to read:

24 100.235 (2) CONTRACTOR MAY NOT PAY PRODUCER LESS THAN CONTRACTOR'S COST TO
25 GROW. If a contractor and the contractor's affiliates and subsidiaries collectively grow

1 more than 10% of the acreage of any vegetable species grown and procured by the
2 contractor in any ~~registration~~ license year, the contractor shall pay a producer, for
3 vegetables of that species tendered or delivered under a vegetable procurement
4 contract, a price not less than the contractor's cost to grow that vegetable species in
5 the same growing region. For vegetables contracted on a tonnage basis and for
6 open-market tonnage purchased, acreage under this subsection shall be determined
7 using the state average yield per acre during the preceding ~~registration~~ license year.

8 ***-0392/3.28*** SECTION 2418. 100.235 (3) of the statutes is repealed.

9 ***-0392/3.29*** SECTION 2419. 100.235 (4) of the statutes is amended to read:

10 100.235 (4) COST TO GROW; REPORT TO DEPARTMENT UPON REQUEST. If the
11 department determines that a contractor and the contractor's affiliates and
12 subsidiaries will collectively grow more than 10% of the acreage of any vegetable
13 species grown and procured by the contractor during a ~~registration~~ license year, the
14 department may require the contractor to file a statement of the contractor's cost to
15 grow that vegetable species. The contractor shall file the report with the department
16 within 30 days after the department makes its request, unless the department
17 grants an extension of time. The department may permit the contractor to report
18 different costs to grow for different growing regions if the contractor can define the
19 growing regions to the department's satisfaction, and can show to the department's
20 satisfaction that the contractor's costs to grow are substantially different between
21 the growing regions.

22 ***-2156/4.9*** SECTION 2420. 100.24 of the statutes is amended to read:

23 **100.24 Revocation of corporate authority.** Any corporation, or limited
24 liability company, foreign or domestic, ~~which~~ that violates any order issued under s.
25 100.20 may be enjoined from doing business in this state and its certificate of

1 authority, incorporation, or organization may be canceled or revoked. The attorney
2 ~~general~~ department may bring an action for this purpose in the name of the state.
3 In any such action judgment for injunction, cancellation, or revocation may be
4 rendered by the court, upon such terms as it deems just and in the public interest,
5 but only upon proof of a substantial and ~~wilful~~ willful violation.

6 *~~0392/3.30~~* SECTION 2421. 100.26 (5) of the statutes is amended to read:

7 100.26 (5) Any person violating s. ~~100.06 or any order or regulation of the~~
8 ~~department thereunder, or~~ s. 100.18 (9), shall be fined not less than \$100 nor more
9 than \$1,000 or imprisoned for not more than 2 years or both. Each day of violation
10 constitutes a separate offense.

11 *~~2156/4.10~~* SECTION 2422. 100.26 (6) of the statutes is amended to read:

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

20 *~~0454/3.2~~* SECTION 2423. 100.261 (title) of the statutes is amended to read:

21 **100.261 (title) Consumer ~~information protection~~ assessment.**

22 *~~0454/3.3~~* SECTION 2424. 100.261 (1) of the statutes is amended to read:

23 100.261 (1) If a court imposes a fine or forfeiture for a violation of this chapter,
24 ch. 98, a rule promulgated under this chapter or ch. 98 or an ordinance enacted under
25 this chapter or ch. 98, the court shall also impose a consumer ~~information protection~~ protection

1 assessment in an amount equal to ~~15%~~ 25% of the fine or forfeiture imposed. If
2 multiple violations are involved, the court shall base the consumer information
3 protection assessment upon the the total of the fine or forfeiture amounts for all
4 violations. If a fine or forfeiture is suspended in whole or in part, the court shall
5 reduce the asscssment in proportion to the suspension.

6 ***-0454/3.4* SECTION 2425.** 100.261 (2) of the statutes is amended to read:

7 100.261 (2) If any deposit is made for a violation to which this section applies,
8 the person making the deposit shall also deposit a sufficient amount to include the
9 consumer ~~information~~ protection assessment required under this section. If the
10 deposit is forfeited, the amount of the consumer ~~information~~ protection assessment
11 shall be transmitted to the state treasurer under sub. (3). If the deposit is returned,
12 the consumer ~~information~~ protection assessment shall also be returned.

13 ***-0454/3.5* SECTION 2426.** 100.261 (3) (a) of the statutes is amended to read:

14 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
15 ~~information~~ protection assessment amounts to the county treasurer under s. 59.40
16 (2) (m). The county treasurer shall then make payment to the state treasurer under
17 s. 59.25 (3) (f) 2.

18 ***-0454/3.6* SECTION 2427.** 100.261 (3) (b) 1. of the statutes is renumbered
19 100.261 (3) (b) and amended to read:

20 100.261 (3) (b) The state treasurer shall deposit the consumer protection
21 assessment amounts in the general fund and shall credit them to the appropriation
22 account under s. 20.115 (1) (jb), subject to the limit under ~~subd. 2~~ par. (c).

23 ***-0454/3.7* SECTION 2428.** 100.261 (3) (b) 2. of the statutes is renumbered
24 100.261 (3) (c) and amended to read:

1 100.261 (3) (c) The amount credited to the appropriation account under s.
2 20.115 (1) (jb) may not exceed ~~\$85,000~~ \$185,000 in each fiscal year.

3 *~~2156/4.11~~* SECTION 2429. 100.263 of the statutes is amended to read:

4 **100.263 Recovery.** In addition to other remedies available under this chapter,
5 the court may award the department the reasonable and necessary costs of
6 investigation and an amount reasonably necessary to remedy the harmful effects of
7 the violation, and the court may award the department ~~of justice~~ the reasonable and
8 necessary expenses of prosecution, including attorney fees, from any person who
9 violates this chapter. The department ~~and the department of justice~~ shall deposit in
10 the state treasury for deposit in the general fund all moneys that the court awards
11 to the department, ~~the department of justice~~ or the state under this section. ~~Ten~~
12 ~~percent of the money deposited in the general fund that was awarded under this~~
13 ~~section for the costs of investigation and the expenses of prosecution, including~~
14 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).~~

15 *~~1997/3.1~~* SECTION 2430. 100.264 (2) (intro.) of the statutes is amended to
16 read:

17 100.264 (2) SUPPLEMENTAL FORFEITURE. (intro.) If a fine or a forfeiture is
18 imposed on a person for a violation under s. 100.16, 100.17, 100.18, 100.182, 100.183,
19 100.20, 100.205, 100.207, 100.21, 100.30 (3), 100.35, 100.44 ~~or~~, 100.46, or 100.52 or
20 a rule promulgated under one of those sections, the person shall be subject to a
21 supplemental forfeiture not to exceed \$10,000 for that violation if the conduct by the
22 defendant, for which the violation was imposed, was perpetrated against an elderly
23 person or disabled person and if the court finds that any of the following factors is
24 present:

25 *~~0404/3.2~~* SECTION 2431. 100.285 (6) of the statutes is repealed.

1 *-0406/3.2* SECTION 2432. 100.37 (8) of the statutes is renumbered 100.37 (8)
2 (a) and amended to read:

3 100.37 (8) (a) Whoever violates this section or an order issued or a rule
4 promulgated under this section may be fined not more than \$5,000 or imprisoned not
5 more than one year in the county jail or both.

6 *-0406/3.3* SECTION 2433. 100.37 (8) (b) of the statutes is created to read:

7 100.37 (8) (b) The department or any district attorney may commence an action
8 in the name of the state to recover a civil forfeiture to the state of not less than \$100
9 nor more than \$5,000 for each violation of this section, or ~~rule or~~^{an} order issued under
10 this section. or a rule promulgated

11 *-0406/3.4* SECTION 2434. 100.42 (6) of the statutes is created to read:

12 100.42 (6) PENALTIES. (a) Any person who violates this section ~~shall~~^{may} be fined
13 an amount not to exceed \$200 or imprisoned in the county jail for not more than 6
14 months or both.

15 (b) The department or any district attorney may commence an action in the
16 name of the state to recover a civil forfeiture to the state of not less than \$100 nor
17 more than \$5,000 for each violation of this section, or ~~rule or~~^{an} order issued under this
18 section. or a rule promulgated

19 *-1335/7.56* SECTION 2435. 100.45 (1) (dm) of the statutes is amended to read:

20 100.45 (1) (dm) "State agency" means any office, department, agency,
21 institution of higher education, association, society or other body in state
22 government created or authorized to be created by the constitution or any law which
23 is entitled to expend moneys appropriated by law, including the legislature and the
24 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
25 Center Sports and Entertainment Corporation, the University of Wisconsin

1 Hospitals and Clinics Authority ~~and~~, the Wisconsin Health and Educational
2 Facilities Authority, and the Fox River Navigational System Authority.

3 ***-1997/3.2* SECTION 2436.** 100.52 (title) of the statutes is created to read:

4 **100.52 (title) Telephone solicitations.**

5 ***-1997/3.3* SECTION 2437.** 100.52 (1) (title) of the statutes is created to read:

6 **100.52 (1) (title) DEFINITIONS.**

7 ***-1997/3.4* SECTION 2438.** 100.52 (1) (a) of the statutes is created to read:

8 100.52 (1) (a) “Blocking service” means a service that allows a person who
9 makes a telephone call to withhold the telephone number or name associated with
10 the telephone line used to make the call from a person who receives the call and who
11 uses a caller identification service.

12 ***-1997/3.5* SECTION 2439.** 100.52 (1) (b) of the statutes is created to read:

13 100.52 (1) (b) “Business entity” means any organization or enterprise that is
14 operated for profit or that is nonprofit and nongovernmental, including a sole
15 proprietorship, association, business trust, corporation, joint venture, limited
16 liability company, limited liability partnership, partnership, or syndicate.

17 ***-1997/3.6* SECTION 2440.** 100.52 (1) (c) of the statutes is created to read:

18 100.52 (1) (c) “Caller identification service” means a service that allows a
19 person who receives a telephone call to identify the telephone number or name
20 associated with the telephone line used to make the call.

21 ***-1997/3.7* SECTION 2441.** 100.52 (1) (d) of the statutes is created to read:

22 100.52 (1) (d) “Professional telemarketer” means a business entity with
23 employees whose primary duty is to make telephone solicitations.

24 ***-1997/3.8* SECTION 2442.** 100.52 (3) of the statutes is created to read:

1 100.52 (3) TELEPHONE SOLICITATION DISCLOSURES. An employee of a professional
2 telemarketer may not make a telephone solicitation unless, when initiating the
3 telephone conversation, the employee discloses to the recipient of the telephone call
4 each of the following:

5 (a) The employee's name.

6 (b) The identity of the person selling the property, goods, or services for whom
7 the telephone solicitation is being made.

8 (c) The purpose of the call.

9 ***-1997/3.9*** SECTION 2443. 100.52 (4) of the statutes is created to read:

10 100.52 (4) TELEPHONE SOLICITATION NOTICES. An employee of a professional
11 telemarketer may not make a telephone solicitation to a person who has provided
12 notice to the professional telemarketer that the person does not want to receive
13 telephone solicitations.

14 ***-1997/3.10*** SECTION 2444. 100.52 (5) of the statutes is created to read:

15 100.52 (5) BLOCKING SERVICES. An employee of a professional telemarketer may
16 not use a blocking service when making a telephone solicitation.

17 ***-1997/3.11*** SECTION 2445. 100.52 (6) of the statutes is created to read:

18 100.52 (6) TERRITORIAL APPLICATION. This section applies to any interstate
19 telephone solicitation received by a person in this state and to any intrastate
20 telephone solicitation.

21 ***-1997/3.12*** SECTION 2446. 100.52 (7) of the statutes is created to read:

22 100.52 (7) ENFORCEMENT. The department, or any district attorney upon
23 informing the department, may investigate violations of this section and bring an
24 action for temporary or permanent injunctive or other relief for any violation of this
25 section.

1 ***-1997/3.13*** SECTION 2447. 100.52 (8) of the statutes is created to read:

2 100.52 (8) PENALTIES. If an employee of a professional telemarketer violates
3 this section, the professional telemarketer may be required to forfeit not more than
4 \$500 for each violation.

5 ***-0676/2.3*** SECTION 2448. 101.01 (5m) of the statutes is created to read:

6 101.01 (5m) "Fire department" means any of the following:

7 (a) A fire company under ch. 213 that provides fire protection services to a city,
8 village, or town.

9 (b) A department established by a city, village, or town that provides fire
10 protection services to a city, village, or town.

11 (c) A joint fire department that provides fire protection services to a city, village,
12 or town.

13 (d) A person that contracts to provide fire protection services to a town under
14 s. 60.55 (1) (a) 3.

15 ***-0676/2.4*** SECTION 2449. 101.02 (15) (am) of the statutes is created to read:

16 101.02 (15) (am) The department has jurisdiction over and supervision of all
17 buildings, structures, premises, and public thoroughfares in this state for the
18 purpose of administering all laws of this state relating to fire inspections, fire
19 prevention, fire detection, and fire suppression.

20 ***-0664/2.2*** SECTION 2450. 101.09 (3) (d) of the statutes is created to read:

21 101.09 (3) (d) The department shall promulgate a rule specifying fees for plan
22 review and inspection of tanks for the storage, handling, or use of flammable or
23 combustible liquids and for any certification or registration required under par. (c).

24 ***-0676/2.5*** SECTION 2451. 101.139 of the statutes is created to read:

1 **101.139 Fire safety and injury prevention education program.** The
2 department may develop and administer a fire safety and injury prevention
3 education program, designed to educate the public regarding fire prevention, fire
4 detection, fire suppression, injury prevention, and any other related subject matter.
5 The department may make grants to support the purposes of the program.

6 *~~0676/2.6~~* **SECTION 2452.** 101.14 (1) (title) of the statutes is created to read:
7 101.14 (1) (title) AUTHORITY AND DUTIES OF DEPARTMENT; GENERALLY.

8 *~~0676/2.7~~* **SECTION 2453.** 101.14 (1) (b) and (bm) of the statutes are amended
9 to read:

10 101.14 (1) (b) The ~~Except as otherwise provided in this paragraph, the~~
11 secretary and or any deputy may, at all any reasonable hours time, enter into and
12 upon all buildings, premises and public thoroughfares excepting only the interior of
13 private dwellings, any building, premises, or public thoroughfare for the purpose of
14 ascertaining and causing to be corrected any condition liable to cause fire, or any
15 violation of any law or order relating to the a fire hazard or relating to the prevention
16 of fire. This paragraph does not provide the secretary or any deputy with authority
17 to enter the interior of a private dwelling.

18 (bm) The secretary and or any deputy may, at all any reasonable hours time,
19 enter the interior of a private dwellings dwelling at the request of the owner or renter
20 for the purpose of ~~s. 101.145 (6) or 101.645 (4)~~ verifying the proper installation and
21 maintenance of fire suppression devices and fire detection devices.

22 *~~0676/2.8~~* **SECTION 2454.** 101.14 (1) (c) of the statutes is renumbered 101.14
23 (3) (b) and amended to read:

24 101.14 (3) (b) The department is ~~hereby empowered and directed to shall~~
25 provide the form of a course of study in fire prevention for use in the public schools,

1 dealing. The course of study shall deal with the protection of lives and property
2 against loss or damage as a result of preventable fires, and. The department shall
3 transmit the same by the first day of August in each year form of the course of study
4 to the state superintendent of public instruction no later than August 1 of each year.

5 ***-0676/2.9*** SECTION 2455. 101.14 (2) (title) of the statutes is created to read:

6 101.14 (2) (title) AUTHORITY AND DUTIES OF LOCAL GOVERNMENTS AND THEIR
7 AGENTS AND CONTRACTORS.

8 ***-0676/2.10*** SECTION 2456. 101.14 (2) (a) of the statutes is amended to read:

9 101.14 (2) (a) Each city, village, and town shall ensure that all duties
10 established under this subsection are carried out in the city, village, or town. The
11 chief of the fire department in ~~every each~~ city, village, or town, ~~except cities of the 1st~~
12 ~~class other than a 1st class city,~~ is constituted a deputy of the department, subject
13 to the right of the department to relieve any such the chief from his or her duties as
14 such a deputy for cause, and, upon such the suspension, to appoint some other person
15 to perform the duty imposed upon ~~such the~~ deputy. The In a 1st class city, the
16 department may appoint ~~either~~ the chief of the fire department or the building
17 inspector as its the department's deputy in cities of the 1st class.

18 ***-0676/2.11*** SECTION 2457. 101.14 (2) (e) of the statutes is amended to read:

19 101.14 (2) (e) Written reports of inspection shall be made and kept on file by
20 the local authority ~~having with~~ jurisdiction to conduct inspections, or its designee,
21 in the manner and form required by the department.

22 ***-0676/2.12*** SECTION 2458. 101.14 (2) (f) of the statutes is renumbered 101.14

23 (1) (cm) and amended to read:

24 101.14 (1) (cm) Every inspection required under ~~pars. sub. (2) (b) and (c)~~ is
25 subject to the supervision and direction of the department, ~~which shall, after audit,~~

1 ~~certify to the commissioner of insurance after the expiration of each calendar year~~
2 ~~each city, village or town where the inspections for the year have been made, and~~
3 ~~where records have been made and kept on file as required under par. (e).~~

4 *~~0676/2.13~~* SECTION 2459. 101.14 (3) (title) of the statutes is created to read:

5 101.14 (3) (title) EDUCATION AND TRAINING.

6 *~~0676/2.14~~* SECTION 2460. 101.14 (3) of the statutes is renumbered 101.14
7 (3) (a).

8 *~~0676/2.15~~* SECTION 2461. 101.14 (4) (title) of the statutes is created to read:

9 101.14 (4) (title) FIRE DETECTION, PREVENTION, AND SUPPRESSION DEVICES IN
10 PLACES OF EMPLOYMENT AND PUBLIC BUILDINGS.

11 *~~0676/2.16~~* SECTION 2462. 101.14 (4m) (title) of the statutes is created to
12 read:

13 101.14 (4m) (title) FIRE SUPPRESSION IN MULTIFAMILY DWELLINGS.

14 *~~0676/2.17~~* SECTION 2463. 101.14 (5) (title) of the statutes is created to read:

15 101.14 (5) (title) GROUNDWATER FEE.

16 *~~0676/2.18~~* SECTION 2464. 101.141 of the statutes is amended to read:

17 **101.141 Record keeping and reporting of fires.** ~~The department~~ Each fire
18 department shall maintain records a record of all fires occurring in this state. Such
19 records shall be within the territory served by the fire department. The record shall
20 be open to public inspection during normal business hours under s. 19.35 and, for the
21 purposes of a record maintained under this section, the fire department maintaining
22 the record shall be considered an authority under s. 19.32 (1). This section does not
23 limit the number of persons that qualify as an authority under s. 19.32 (1). The
24 department of commerce, by rule, may require a fire department to provide the
25 department of commerce with any information maintained under this section.

1 ***-1815/7.1*** SECTION 2465. 101.143 (1) (ce) of the statutes is created to read:
2 101.143 (1) (ce) “High-cost site” means the site of a discharge of a petroleum
3 product from a petroleum storage tank at which more than \$200,000 in eligible costs
4 under this section have been incurred.

5 ***-1815/7.2*** SECTION 2466. 101.143 (2e) (c) of the statutes is amended to read:
6 101.143 (2e) (c) The department of natural resources or, if the discharge is
7 covered under s. 101.144 (2) (b) or (c), the department of commerce shall apply the
8 method in the rules promulgated under par. (b) to determine the risk posed by a
9 discharge for which the department of commerce receives notification under sub. (3)
10 (a) 3.

11 ***-1815/7.3*** SECTION 2467. 101.143 (3) (c) 4. of the statutes is amended to read:
12 101.143 (3) (c) 4. Receive written approval from the department of natural
13 resources or, if the discharge is covered under s. 101.144 (2) (b) or (c), from the
14 department of commerce that the remedial action activities performed under subd.
15 3. meet the requirements of s. 292.11.

16 ***-1815/7.4*** SECTION 2468. 101.143 (3) (cm) of the statutes is amended to read:
17 101.143 (3) (cm) *Monitoring as remedial action.* An owner or operator or person
18 owning a home oil tank system may, with the approval of the department of natural
19 resources or, if the discharge is covered under s. 101.144 (2) (b) or (c), the department
20 of commerce, satisfy the requirements of par. (c) 2. and 3. by proposing and
21 implementing monitoring to ensure the effectiveness of natural attenuation of
22 petroleum product contamination.

23 ***-1815/7.5*** SECTION 2469. 101.143 (3) (d) of the statutes is amended to read:
24 101.143 (3) (d) *Final review of remedial action activities.* The department of
25 natural resources or, if the discharge is covered under s. 101.144 (2) (b) or (c), the

1 department of commerce shall complete a final review of the remedial action
2 activities within 60 days after the claimant notifies the appropriate department that
3 the remedial action activities are completed.

4 ***-0662/3.1* SECTION 2470.** 101.143 (4) (a) 6. of the statutes is amended to read:

5 101.143 (4) (a) 6. In any fiscal year, the department may not award more than
6 5% of the amount appropriated under s. 20.143 (3) (v) as awards for petroleum
7 product storage systems described in par. (ei) 1.

8 ***-1815/7.6* SECTION 2471.** 101.143 (4) (b) (intro.) of the statutes is amended
9 to read:

10 101.143 (4) (b) *Eligible costs.* (intro.) Except as provided in par. (c) or (cc),
11 eligible costs for an award under par. (a) include actual costs or, if the department
12 establishes a usual and customary cost under par. (cm) for an item, usual and
13 customary costs for the following items:

14 ***-1815/7.7* SECTION 2472.** 101.143 (4) (cc) of the statutes is created to read:

15 101.143 (4) (cc) *Ineligibility for interest reimbursement.* 1. a. Except as
16 provided in subd. 2., if an applicant's final claim is submitted more than 60 days after
17 receiving written notification that no further remedial action is necessary with
18 respect to the discharge, interest costs incurred by the applicant after the 60th day
19 after receiving that notification are not eligible costs.

20 b. Except as provided in subd. 2. or 3., if the remedial action activities for an
21 applicant's site are not completed by the first day of the 121st month after the
22 investigation under sub. (3) (c) 1. is completed, interest costs incurred by the
23 applicant after that day are not eligible costs.

24 c. Except as provided in subd. 2., if an applicant does not complete the
25 investigation of the petroleum product discharge by the first day of the 61st month

1 after the month in which the applicant notified the department under sub. (3) (a) 3.
2 or the first day of the 25th month beginning after the effective date of subd. 1. a.,
3 whichever is later, interest costs incurred by the applicant after the later of those
4 days are not eligible costs.

5 2. Subdivision 1. or 3. does not apply to any of the following:

6 a. An applicant that is a local unit of government, if federal or state financial
7 assistance other than under this section, has been provided for that expansion or
8 redevelopment.

9 b. An applicant that is engaged in the expansion or redevelopment of
10 brownfields, as defined in s. 560.13 (1) (a), if federal or state financial assistance
11 other than under this section, has been provided for that expansion or
12 redevelopment.

13 3. Except as provided in subd. 2., for a category one high-cost site, as defined
14 in sub. (12) (a) 1., if the first day of the 121st month after the investigation under sub.
15 (3) (c) 1. is completed is before December 1, 2006, subd. 1. b. does not apply, and
16 interest costs incurred by the applicant after December 1, 2006, are ineligible costs.

17 ***-0662/3.2* SECTION 2473.** 101.143 (4) (d) 2. c. of the statutes is amended to
18 read:

19 101.143 (4) (d) 2. c. For an owner or operator of a petroleum product storage
20 system described in par. (ei) ~~1.~~, \$100,000.

21 ***-0662/3.3* SECTION 2474.** 101.143 (4) (dm) 2. c. of the statutes is amended to
22 read:

23 101.143 (4) (dm) 2. c. For the owner or operator of a petroleum product storage
24 system that is described in par. (ei) ~~1.~~, \$2,500 plus 5% of eligible costs per occurrence.

1 ***-0662/3.4*** SECTION 2475. 101.143 (4) (dm) 3. c. of the statutes is amended to
2 read:

3 101.143 (4) (dm) 3. c. For an owner or operator of a petroleum product storage
4 system described in par. (ei) ~~1.~~, \$100,000.

5 ***-0662/3.5*** SECTION 2476. 101.143 (4) (e) 2. of the statutes is amended to read:

6 101.143 (4) (e) 2. The department shall issue the award under this paragraph
7 without regard to fault in an amount equal to the amount of the eligible costs that
8 exceeds a deductible amount of \$10,000, except that the deductible amount for a
9 petroleum product storage system that is owned by a school district or a technical
10 college district and that is used for storing heating oil for consumptive use on the
11 premises where stored is 25% of eligible costs and except that the deductible for a
12 petroleum product storage system that is described in par. (ei) ~~1.~~ is \$2,500 plus 5%
13 of the eligible costs, but not more than \$7,500 per occurrence without regard to when
14 the eligible costs are incurred.

15 ***-0662/3.6*** SECTION 2477. 101.143 (4) (e) 2m. of the statutes is amended to
16 read:

17 101.143 (4) (e) 2m. An award issued under this paragraph may not exceed
18 \$190,000 for each occurrence, except that an award under this paragraph to the
19 owner or operator of a petroleum product storage system described in par. (ei) ~~1.~~ may
20 not exceed \$100,000 per occurrence.

21 ***-0662/3.7*** SECTION 2478. 101.143 (4) (ei) 1. (intro.) of the statutes is
22 renumbered 101.143 (4) (ei) (intro.).

23 ***-0662/3.8*** SECTION 2479. 101.143 (4) (ei) 1. a. of the statutes is renumbered
24 101.143 (4) (ci) 1m. a. and amended to read:

1 101.143 (4) (ei) 1m. a. The owner or operator of the farm tank owns a parcel
2 of 35 or more acres of contiguous land, on which the farm tank is located, which is
3 devoted primarily to agricultural use, as defined in s. 91.01 (1), including land
4 designated by the department of natural resources as part of the ice age trail under
5 s. 23.17, which during the year preceding submission of a first claim under sub. (3)
6 produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or
7 which, during the 3 years preceding that submission produced gross farm profits, as
8 defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres, on
9 which the farm tank is located, of which at least 35 acres, during part or all of the
10 year preceding that submission, were enrolled in the conservation reserve program
11 under 16 USC 3831 to 3836.

12 ***-0662/3.9*** SECTION 2480. 101.143 (4) (ei) 1. b. of the statutes is renumbered
13 101.143 (4) (ei) 2m.

14 ***-0662/3.10*** SECTION 2481. 101.143 (4) (ei) 1m. (intro.) of the statutes is
15 created to read:

16 101.143 (4) (ei) 1m. (intro.) One of the following conditions is satisfied:

17 ***-0662/3.11*** SECTION 2482. 101.143 (4) (ei) 1m. b. of the statutes is created to
18 read:

19 101.143 (4) (ei) 1m. b. Within 12 months before the owner or operator of the
20 farm tank submits a first claim under sub. (3), the owner or operator of the farm tank
21 owned a parcel of 35 or more acres of contiguous land, on which the farm tank is
22 located, which was devoted primarily to agricultural use, as defined in s. 91.01 (1),
23 including land designated by the department of natural resources as part of the ice
24 age trail under s. 23.17, which during the year preceding the transfer of the parcel
25 to another person produced gross farm profits, as defined in s. 71.58 (4), of not less

1 than \$6,000 or which, during the 3 years preceding that transfer produced gross farm
2 profits, as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more
3 acres, on which the farm tank is located, of which at least 35 acres, during part or
4 all of the year preceding the transfer of the parcel to another person, were enrolled
5 in the conservation reserve program under 16 USC 3831 to 3836.

6 ***-0662/3.12* SECTION 2483.** 101.143 (4) (ei) 2. of the statutes is renumbered
7 101.143 (4) (a) 5m. and amended to read:

8 101.143 (4) (a) 5m. The department shall review claims related to discharges
9 from farm tanks described in ~~subd. 1. par. (ei)~~ as soon as the claims are received. The
10 department shall issue an award for an eligible discharge from a farm tank described
11 in ~~subd. 1. par. (ei)~~ as soon as it completes the review of the claim.

12 ***-0665/1.2* SECTION 2484.** 101.143 (6) (b) of the statutes is amended to read:

13 101.143 (6) (b) The department, ~~after consultation with the petroleum storage~~
14 ~~environmental cleanup council,~~ shall determine whether proof of financial
15 responsibility submitted under par. (a) satisfies par. (a).

16 ***-0665/1.3* SECTION 2485.** 101.143 (8) of the statutes is repealed.

17 ***-1815/7.8* SECTION 2486.** 101.143 (9m) (g) 2. of the statutes is amended to
18 read:

19 101.143 (9m) (g) 2. Revenue obligations issued under this subsection may not
20 exceed ~~\$270,000,000~~ \$370,000,000 in principal amount. In addition to this limit on
21 principal amount, the building commission may contract revenue obligations under
22 this subsection as the building commission determines is desirable to fund or refund
23 outstanding revenue obligations, to pay issuance or administrative expenses, to
24 make deposits to reserve funds, or to pay accrued or capitalized interest.

25 ***-1815/7.9* SECTION 2487.** 101.143 (12) of the statutes is created to read:

1 101.143 (12) HIGH-COST SITES. (a) In this subsection:

2 1. “Category one high-cost site” means a site of a discharge that is a high-cost
3 site on November 30, 2001, for which written approval under sub. (3) (c) 4. has not
4 been issued on or before that date.

5 2. “Category 2 high-cost site” means a site of a discharge that becomes a
6 high-cost site after November 30, 2001, for which written approval under sub. (3) (c)
7 4. has not been issued, if either more than \$400,000 in eligible costs under this
8 section have been incurred for the site or remedial action activities for the site have
9 not been completed within 7 years after the investigation under sub. (3) (c) 1. is
10 completed.

11 (b) Except as provided in par. (d), the department of natural resources shall
12 oversee remedial action activities for category one high-cost sites, other than
13 category one high-cost sites over which the department of commerce has jurisdiction
14 under s. 101.144 (2), so that remedial action activities are completed for at least 15%
15 of those sites in each 12-month period and that remedial action activities are
16 completed for each of those sites no later than December 1, 2006, or the last day of
17 the 120th month after the site investigation is completed, whichever is later.

18 (c) Except as provided in par. (d), the department of commerce shall do all of
19 the following:

20 1. Oversee remedial action activities for category one high-cost sites over
21 which the department has jurisdiction under s. 101.144 (2) so that remedial action
22 activities are completed for at least 15% of those sites in each 12-month period and
23 that remedial action activities are completed for each of those sites no later than
24 December 1, 2006, or the last day of the 120th month after the site investigation is
25 completed, whichever is later.

1 2. Oversee remedial action activities for each category 2 high-cost site so that
2 remedial action activities are completed within 36 months after the site first becomes
3 a category 2 high-cost site.

4 (d) Paragraphs (b) and (c) do not apply to any of the following:

5 1. A site for which the person conducting the remedial action activities is a local
6 unit of government, if federal or state financial assistance, other than under this
7 section, has been provided for that expansion or redevelopment.

8 2. A site for which the person conducting the remedial action activities is
9 engaged in the expansion or redevelopment of brownfields, as defined in s. 560.13 (1)
10 (a), if federal or state financial assistance, other than under this section, has been
11 provided for that expansion or redevelopment.

12 ***-1815/7.10*** SECTION 2488. 101.144 (2) (a) of the statutes is amended to read:

13 101.144 (2) (a) The department shall administer a program under which
14 responsible persons investigate, and take remedial action in response to, those
15 discharges of petroleum products from petroleum storage tanks that are covered
16 under par. (b) or (c). The department may issue an order requiring a responsible
17 person to take remedial action in response to a discharge of a petroleum product from
18 a petroleum storage tank if the discharge is covered under par. (b) or (c). In
19 administering this section, the department shall follow rules promulgated by the
20 department of natural resources for the cleanup of discharges of hazardous
21 substances.

22 ***-1815/7.11*** SECTION 2489. 101.144 (2) (c) of the statutes is created to read:

23 101.144 (2) (c) The program under this section covers a discharge of a
24 petroleum product from a petroleum storage tank if the site of the discharge is a
25 category 2 high-cost site, as defined in s. 101.143 (12) (a) 2.

1 ***-1815/7.12*** SECTION 2490. 101.144 (3) (intro.) of the statutes is amended to
2 read:

3 101.144 (3) (intro.) The department of natural resources may take action under
4 s. 292.11 (7) (a) or may issue an order under s. 292.11 (7) (c) in response to a discharge
5 that is covered under sub. (2) (b) or (c) only if one or more of the following apply:

6 ***-0664/2.3*** SECTION 2491. 101.19 (1) (b) of the statutes is amended to read:

7 101.19 (1) (b) The required inspection of boilers, pressure vessels, refrigeration
8 plants, ~~petroleum and~~ liquefied petroleum gas vessels, anhydrous ammonia tanks
9 and containers, elevators, ski towing and lift devices, escalators, dumbwaiters, and
10 amusement or thrill rides but not of amusement attractions.

11 ***-0676/2.19*** SECTION 2492. 101.573 (title) of the statutes is repealed and
12 recreated to read:

13 **101.573 (title) Distribution of fire department dues.**

14 ***-0676/2.20*** SECTION 2493. 101.573 (1) of the statutes is repealed.

15 ***-0676/2.21*** SECTION 2494. 101.573 (3) of the statutes is amended to read:

16 101.573 (3) DETERMINATION AND DISTRIBUTION OF FIRE DEPARTMENT DUES. (a) On
17 or before No later than May 1 in 15 of each year, the department shall compile the
18 total of all fire department dues paid by all insurers under s. 601.93 and the dues paid
19 by the state fire fund under sub. (1) and funds together with any balance remaining
20 under par. (b), and the amount charged to the property insurance fund under s.
21 604.04 (3) (b). The department shall withhold .5% and certify to the state treasurer
22 the proper from this total for use under par. (b) and shall determine the amount to
23 be paid from the appropriation under s. 20.143 (3) (L) balance to each city, village,
24 or town entitled to fire department dues under s. 101.575. Annually, on or before No
25 later than August 1 of each year, the state treasurer department shall pay the

1 amounts certified by the department to the cities, villages and towns eligible under
2 ~~s. 101.575~~ proper amount under s. 101.575 to each city, village, and town that is
3 entitled to fire department dues.

4 (b) The amount withheld under par. (a) shall be disbursed to correct errors any
5 error of the department or of the commissioner of insurance or for payments to cities,
6 villages or towns which are to make a payment to any city, village, or town that is first
7 determined to be eligible for payments under par. (a) entitled to fire department dues
8 under s. 101.575 after May 1 15. The department shall certify to the state treasurer
9 pay to each applicable city, village, or town, as near as is practical, the amount which
10 that would have been payable to the municipality city, village, or town if payment
11 had been properly disbursed under par. (a) on or prior to before May 1 15, except that
12 the amount payable to any municipality city, village, or town that is first eligible
13 determined to be entitled to fire department dues after May 1 15 shall be reduced by
14 1.5% for each month or portion of a month which that expires after May 1 15 and prior
15 to before the eligibility determination. The state treasurer shall pay the amount
16 certified to the city, village or town. The department shall include any remaining
17 balance of the amount withheld in a calendar year under par. (a) which that is not
18 disbursed under this paragraph shall be included in the total compiled by the
19 department under par. (a) for the next calendar year. If errors in payments exceed
20 the amount of disbursements under this paragraph exceeds the available balance of
21 the amount set aside for error payments, withheld under par. (a), the department
22 shall make reasonable adjustments shall be made in the distribution applicable
23 distributions for the next year.

24 *~~0676/2.22~~* SECTION 2495. 101.573 (4) (title) of the statutes is created to read:

1 101.573 (4) (title) REPORTING REQUIREMENTS; DEPARTMENT AND COMMISSIONER OF
2 INSURANCE.

3 ***-0676/2.23* SECTION 2496.** 101.573 (4) of the statutes is renumbered 101.573
4 (4) (a) and amended to read:

5 101.573 (4) (a) The department shall transmit to the treasurer clerk of each
6 city, village, and town that is entitled to fire department dues, under s. 101.575 a
7 statement of the amount of dues payable to ~~it~~ the city, village, or town under this
8 section ~~and the~~.

9 **(b)** The commissioner of insurance shall ~~furnish to the state treasurer~~ transmit
10 to the department, upon request, a list of ~~the~~ containing the names of all insurers
11 paying fire department dues under s. 601.93 and the amount paid by each listed
12 insurer.

13 ***-0676/2.24* SECTION 2497.** 101.575 (title) of the statutes is amended to read:

14 **101.575 (title) Entitlement to and use of fire department dues.**

15 ***-0676/2.25* SECTION 2498.** 101.575 (1) (a) of the statutes is renumbered
16 101.575 (1) and amended to read:

17 101.575 (1) ENTITLEMENT GENERALLY. ~~Except as provided in par. (am), every~~
18 Every city, village, or town ~~maintaining a fire department that complies with this~~
19 ~~subsection and the requirements of subs. (3) to (6) that is eligible to receive fire~~
20 department dues under sub. (4) is entitled to a proportionate share of all fire
21 department dues collected under ss. ~~101.573 and~~ 601.93 and 604.04 (3) (b), after
22 deducting the administrative expenses of the department under s. 101.573, based on
23 the equalized valuation of real property improvements upon land within the city,
24 village, or town, but not less than the amount the municipality received under s.
25 601.93 (3), 1977 stats., and chapter 26, laws of 1979, in calendar year 1979.

1 ***-0676/2.26*** SECTION 2499. 101.575 (1) (am) of the statutes is renumbered
2 101.575 (7) and amended to read:

3 101.575 (7) NONCOMPLIANCE PROCEDURE. If Except as otherwise provided in this
4 subsection, if the department determines that a city, village, or town fire department
5 has failed to satisfy the requirements of this subsection or subs. (3) to (6) is not
6 eligible to receive fire department dues under sub. (4), the department shall
7 nonetheless pay fire department dues for that calendar year to that to the city,
8 village, or town. The department and shall issue a notice of noncompliance to the
9 chief of the fire department, the applicable governing body and, to the highest elected
10 official of the city, village or town. If the fire department cannot demonstrate mayor,
11 village president, or town chairperson, as applicable, and to each fire department
12 providing fire protection or fire prevention services to the city, village, or town. After
13 the department issues a notice of noncompliance to a city, village, or town, the city,
14 village, or town is not entitled to fire department dues until the city, village, or town
15 demonstrates to the department that the fire department has met all requirements
16 within one year after receipt of the notice or prior to the next audit by the
17 department, whichever is later, the city, village or town shall not be entitled to dues
18 under par. (a) for that year in which the city, village or town becomes not entitled to
19 dues and for all subsequent calendar years until the requirements are met city,
20 village, or town is eligible to receive fire department dues under sub. (4).

21 ***-0676/2.27*** SECTION 2500. 101.575 (1) (b) of the statutes is renumbered
22 101.575 (4) (a) 3. and amended to read:

23 101.575 (4) (a) 3. ~~Every~~ The department determines that, if the city, village, or
24 town that contracts for to receive fire protection and fire prevention services that
25 comply with s. 101.14 (2) from another city, village or town is entitled to the dues

1 ~~specified in par. (a) if the department determines that the, each contract other than~~
2 ~~a mutual aid agreement is sufficient to allow each fire department ~~furnishing the~~~~
3 ~~protection can provide the agreed that provides fire protection and fire prevention~~
4 ~~services to do so without endangering property within its own limits and the fire~~
5 ~~prevention services comply with s. 101.14 (2) the fire department's own territory.~~

6 *~~0676/2.28~~* SECTION 2501. 101.575 (1) (c) of the statutes is repealed.

7 *~~0676/2.29~~* SECTION 2502. 101.575 (2) of the statutes is renumbered 101.577.

8 *~~0676/2.30~~* SECTION 2503. 101.575 (3) (intro.) of the statutes is repealed.

9 *~~0676/2.31~~* SECTION 2504. 101.575 (3) (a) (intro.) of the statutes is repealed.

10 *~~0676/2.32~~* SECTION 2505. 101.575 (3) (a) 1. of the statutes is renumbered

11 101.575 (4) (a) 5. and amended to read:

12 101.575 (4) (a) 5. Is The city, village, or town receives services from a fire
13 department that is organized to provide continuous fire protection in that city,
14 village, or town and has a designated chief.

15 *~~0676/2.33~~* SECTION 2506. 101.575 (3) (a) 2. of the statutes is renumbered
16 101.575 (4) (a) 6. and amended to read:

17 101.575 (4) (a) 6. Singly The city, village, or town receives services from a fire
18 department that singly, or in combination with another fire department under a
19 contract or mutual aid agreement, can ensure the response of at least 4 fire fighters,
20 none of whom is the chief, to a first alarm for a building.

21 *~~0676/2.34~~* SECTION 2507. 101.575 (3) (a) 3. of the statutes is renumbered
22 101.575 (4) (a) 7. and amended to read:

23 101.575 (4) (a) 7. Provides The city, village, or town receives services from a fire
24 department that provides a training program, as prescribed by rule of the

1 department by rule, to fire fighters and inspectors who provide fire suppression
2 services, fire prevention inspections, or public education with regard to fire safety.

3 ***-0676/2.35*** SECTION 2508. 101.575 (3) (a) 4. of the statutes is renumbered
4 101.575 (4) (a) 8. and amended to read:

5 101.575 (4) (a) 8. Provides The city, village, or town receives services from a fire
6 department that provides facilities capable, without delay, of receiving an alarm and
7 dispatching fire fighters and apparatus.

8 ***-0676/2.36*** SECTION 2509. 101.575 (3) (b) of the statutes is renumbered
9 101.575 (4) (a) 9. and amended to read:

10 101.575 (4) (a) 9. Each The city, village, or town eligible for dues under this
11 section shall maintain either a voluntary maintains or contracts with a volunteer fire
12 department that has sufficient personnel ready for service at all times and that holds
13 a meeting at least once each month, or with a paid or partly paid fire department with
14 sufficient personnel ready for service at all times.

15 ***-0676/2.37*** SECTION 2510. 101.575 (4) (title) of the statutes is created to read:

16 101.575 (4) (title) ELIGIBILITY; WITHHELD PAYMENTS.

17 ***-0676/2.38*** SECTION 2511. 101.575 (4) (a) of the statutes is amended to read:

18 101.575 (4) (a) The department may not pay any fire department dues for any
19 year to Except as provided in sub. (7), a city, village, or town or fire department unless
20 is eligible to receive fire department dues only if all of the following conditions are
21 satisfied:

22 1. The department determines that the city, village, or town or fire department
23 has complied with sub. (6) this section and s. 101.14 (2), except that, for the purposes
24 of making this determination, only 95% of the inspections required under s. 101.14
25 (2) need be provided for in the city, village, or town.

1 2. The city, village, or town has ~~submitted a~~ submits an audit form which is,
2 provided by the department and signed by the clerk of the city, village, or town and
3 by the chief of the each fire department providing fire protection and fire prevention
4 services to that the city, village, or town, which is provided by the department by rule
5 and which certifies certifying that the fire department has complied with city, village,
6 or town satisfies the requirements of this section or the department has audited the
7 city, village, town or fire department and determined that it complies with sub. (6)
8 and s. 101.14 (2), except that, for the purposes of this subdivision, the audit form shall
9 certify that at least 95% of the inspections required under s. 101.14 (2) were provided
10 for in the city, village, or town.

11 *~~0676/2.39~~* SECTION 2512. 101.575 (4) (am) of the statutes is created to read:

12 101.575 (4) (am) If a city, village, or town receives fire protection and fire
13 prevention services under a contract other than or in addition to a mutual aid
14 agreement, both municipalities may receive fire department dues if otherwise
15 eligible.

16 *~~0676/2.40~~* SECTION 2513. 101.575 (5) of the statutes is renumbered 101.575

17 (4) (a) 4. and amended to read:

18 101.575 (4) (a) 4. ~~No~~ The department determines that, if the city, village, or
19 town which has contracted with another city, village or town or any part thereof for
20 contracts to receive fire protection may be paid any fire department dues unless the
21 contract or and fire prevention services, all contracts, exclusive of any mutual aid
22 agreements, together are sufficient to provide fire protection to the entire city,
23 village, or town for which the fire protection service is and fire prevention services
24 are being provided.

25 *~~0676/2.41~~* SECTION 2514. 101.575 (6) (title) of the statutes is created to read:

1 101.575 (6) (title) USE OF FIRE DEPARTMENT DUES.

2 *-0676/2.42* SECTION 2515. 101.575 (6) (a) (intro.) of the statutes is amended
3 to read:

4 101.575 (6) (a) (intro.) No city, village, or town ~~maintaining a fire department~~
5 ~~under this section~~ may use any fire department dues received under s. 101.573 and
6 ~~this section~~ for any purpose except the direct provision of the following:

7 *-0676/2.43* SECTION 2516. 101.575 (6) (b) of the statutes is amended to read:

8 101.575 (6) (b) Any city, village, or town that ~~contracts for~~ receives fire
9 protection service and fire prevention services under a contract other than or in
10 addition to a mutual aid agreement shall give all fire department dues received
11 under s. 101.573 and this section to the fire department providing the fire protection
12 service and fire prevention services under the contract. That fire department shall
13 use those fire department dues for any of the purposes specified in par. (a) 1. to 4.

14 *-0676/2.44* SECTION 2517. 101.577 (title) of the statutes is created to read:

15 101.577 (title) **Liability of city or village for fire department services**
16 **outside of boundaries.**

17 *-0678/1.1* SECTION 2518. 101.63 (3) of the statutes is repealed.

18 *-0678/1.2* SECTION 2519. 101.64 (9) of the statutes is created to read:

19 101.64 (9) Contract with any person to provide inspection services, or may
20 provide inspection services directly, in any city, village, town, or county that requires
21 the services pursuant to s. 101.65 (2) or in which the department is required or
22 authorized to provide the services under s. 101.651 (3) or (3m) (a).

23 *-0677/2.1* SECTION 2520. 101.73 (3) of the statutes is amended to read:

24 101.73 (3) Provide for examination of plans and specifications and in-plant
25 inspections when contracted for by the manufacturer under s. 101.75 (1) ~~and shall~~

1 ~~contract to provide on-site inspection services for the installation of manufactured~~
2 ~~buildings for dwellings, at municipal expense, for any municipality which requires~~
3 ~~such service under s. 101.76 or 101.761.~~

4 ***-0677/2.2* SECTION 2521.** 101.74 (8) of the statutes is created to read:

5 101.74 (8) Contract with any person to provide inspection services, or may
6 provide inspection services directly, in any city, village, town, or county which
7 requires the services pursuant to s. 101.76 (2) or in which the department is required
8 or authorized to provide the services under s. 101.761 (3).

9 ***-0677/2.3* SECTION 2522.** 101.76 (1) (a) of the statutes is amended to read:

10 101.76 (1) (a) ~~With the approval of the department, exercise~~ Exercise
11 jurisdiction over the installation of manufactured buildings for dwellings by passage
12 of ordinances, provided such ordinances are in strict conformance with this
13 subchapter and the on-site inspection is performed by persons certified by the
14 department. Except as provided by s. 101.761, a county ordinance shall apply in any
15 city, village or town which has not enacted such ordinance.

16 ***-0677/2.4* SECTION 2523.** 101.761 (title) of the statutes is amended to read:

17 **101.761 (title) Certain municipalities ~~excepted~~ exempted.**

18 ***-0677/2.5* SECTION 2524.** 101.761 (1) (title) of the statutes is created to read:

19 101.761 (1) (title) DEFINITION.

20 ***-0677/2.6* SECTION 2525.** 101.761 (2) of the statutes is repealed.

21 ***-0677/2.7* SECTION 2526.** 101.761 (2m) of the statutes is created to read:

22 101.761 (2m) EXEMPTION BY RESOLUTION. A municipality shall exercise
23 jurisdiction over the installation of manufactured buildings for dwellings by
24 enacting ordinances under s. 101.76 (1) (a) or shall exercise the jurisdiction granted

1 under s. 101.76 (1) (a) jointly under s. 101.76 (1) (b), unless any of the following
2 conditions are met:

3 (a) The municipality adopts a resolution requesting under sub. (3) (a) that a
4 county enforce this subchapter or an ordinance enacted under s. 101.76 (1) (a)
5 throughout the municipality and that a county provide inspection services in the
6 municipality to administer and enforce this subchapter or an ordinance enacted
7 under s. 101.76 (1) (a).

8 (b) The municipality adopts a resolution determining not to exercise
9 jurisdiction over the installation of manufactured buildings for dwellings under s.
10 101.76 (1) (a), not to exercise jurisdiction jointly under s. 101.76 (1) (b), not to request
11 under sub. (3) (a) that a county enforce this subchapter or an ordinance enacted
12 under s. 101.76 (1) (a) throughout the municipality and not to request under sub. (3)
13 (a) that a county provide inspection services in the municipality to administer and
14 enforce this subchapter or an ordinance enacted under s. 101.76 (1) (a).

15 (c) Under sub. (3) (b), the department enforces this subchapter or an ordinance
16 enacted under s. 101.76 (1) (a) throughout the municipality and provides inspection
17 services in the municipality to administer and enforce this subchapter or an
18 ordinance enacted under s. 101.76 (1) (a).

19 ~~*-0677/2.8*~~ SECTION 2527. 101.761 (3) (title) of the statutes is created to read:
20 101.761 (3) (title) DEPARTMENTAL AND COUNTY AUTHORITY IN MUNICIPALITIES;
21 GENERALLY.

22 ~~*-0677/2.9*~~ SECTION 2528. 101.761 (3) of the statutes is renumbered 101.761
23 (3) (a) and amended to read:

24 101.761 (3) (a) The Except as provided in par. (b), the department or a county
25 may not enforce this subchapter or an ordinance adopted under s. 101.76 (1) (a) or

1 provide inspection services in a municipality unless requested to do so by a person
2 with respect to a particular manufactured building or by the municipality. A request
3 by a person or a municipality with respect to a particular manufactured building
4 does not give the department or a county authority with respect to any other
5 manufactured building. Costs shall be collected under s. 101.76 (1) (c) or ss. 101.73
6 (12) and 101.76 (2) from the person or municipality making the request.

7 ***-0677/2.10* SECTION 2529.** 101.761 (3) (b) of the statutes is created to read:

8 101.761 (3) (b) The department shall provide inspection services and shall
9 enforce this subchapter or an ordinance enacted under s. 101.76 (1) (a) throughout
10 any municipality that does not exercise jurisdiction under sub. (2m) and that has not
11 adopted a resolution under sub. (2m) (a) or (b).

12 ***-0677/2.11* SECTION 2530.** 101.761 (4) (title) of the statutes is created to read:

13 101.761 (4) (title) DATA RELATING TO HOUSING STARTS IN MUNICIPALITIES.

14 ***-0677/2.12* SECTION 2531.** 101.761 (5) (title) of the statutes is created to read:

15 101.761 (5) (title) EFFECT OF SECTION ON CERTAIN LAWS.

16 ***-0677/2.13* SECTION 2532.** 101.761 (6) (title) of the statutes is created to read:

17 101.761 (6) (title) ENERGY CONSERVATION RULES; CONTINUING EFFECT.

18 ***-2007/2.4* SECTION 2533.** Subchapter V (title) of chapter 101 [precedes
19 101.91] of the statutes is amended to read:

20 **CHAPTER 101**

21 **SUBCHAPTER V**

22 **MANUFACTURED HOMES AND MOBILE HOMES;**

23 **REGULATION OF MANUFACTURERS**

24 ***-2007/2.5* SECTION 2534.** 101.91 (2b) of the statutes is renumbered 101.91

25 (3).

1 ***-2007/2.6*** SECTION 2535. 101.91 (2d) of the statutes is renumbered 101.91
2 (4).

3 ***-2007/2.7*** SECTION 2536. 101.91 (2f) of the statutes is renumbered 101.91
4 (5m).

5 ***-2007/2.8*** SECTION 2537. 101.91 (2h) of the statutes is renumbered 101.91
6 (9).

7 ***-2007/2.9*** SECTION 2538. 101.91 (2k) of the statutes is renumbered 101.91
8 (10).

9 ***-2007/2.10*** SECTION 2539. 101.91 (5) of the statutes is renumbered 101.91
10 (11).

11 ***-2007/2.11*** SECTION 2540. 101.91 (6) of the statutes is renumbered 101.91
12 (12).

13 ***-2007/2.12*** SECTION 2541. 101.93 (title) of the statutes is repealed and
14 recreated to read:

15 **101.93 (title) Plumbing in manufactured homes.**

16 ***-2007/2.13*** SECTION 2542. 101.937 (title) of the statutes is created to read:

17 **101.937 (title) Water and sewer service to manufactured home parks.**

18 ***-2007/2.14*** SECTION 2543. 101.937 (6) (title) of the statutes is created to read:

19 101.937 (6) (title) PAYMENT OF DEPARTMENT'S EXPENDITURES.

20 ***-2007/2.15*** SECTION 2544. 101.937 (6) (b) to (g) of the statutes are created
21 to read:

22 101.937 (6) (b) If any manufactured home park operator is billed under par. (a)
23 and fails to pay the bill within 30 days or fails to file objections to the bill with the
24 department, as provided in this paragraph, the department shall transmit to the
25 state treasurer a certified copy of the bill, together with notice of failure to pay the

1 bill, and on the same day the department shall mail by registered mail to the
2 manufactured home park operator a copy of the notice that the department has
3 transmitted to the state treasurer. Within 10 days after receipt of the notice and
4 certified copy of the bill, the state treasurer shall levy the amount stated on the bill
5 to be due, with interest, by distress and sale of any property, including stocks,
6 securities, bank accounts, evidences of debt, and accounts receivable belonging to the
7 delinquent manufactured home park operator. The levy by distress and sale shall
8 be governed by s. 74.10, 1985 stats., except that it shall be made by the state
9 treasurer and that goods and chattels anywhere within the state may be levied upon.

10 (c) 1. Within 30 days after the date of the mailing of any bill under par. (a), the
11 manufactured home park operator that has been billed may file with the department
12 objections setting out in detail the grounds upon which the objector regards the bill
13 to be excessive, erroneous, unlawful, or invalid. The department, after notice to the
14 objector, shall hold a hearing upon the objections, from 5 to 10 days after providing
15 the notice. If after the hearing the department finds any part of the bill to be
16 excessive, erroneous, unlawful, or invalid, the department shall record its findings
17 upon its minutes and transmit to the objector by registered mail an amended bill, in
18 accordance with the findings. The amended bill shall have the same force and effect
19 as an original bill rendered under par. (a).

20 2. If after a hearing under subd. 1. the department finds the entire bill unlawful
21 or invalid, the department shall notify the objector by registered mail of the
22 determination, in which case the original bill shall be deemed null and void.

23 3. If after a hearing under subd. 1. the department finds that the bill as
24 rendered is not excessive, erroneous, unlawful, or invalid, either in whole or in part,

1 the department shall record the findings upon its minutes, and transmit to the
2 objector by registered mail notice of the findings.

3 4. If any bill against which objections have been filed is not paid within 10 days
4 after notice of a finding that the objections have been overruled and disallowed by
5 the department has been mailed to the objector as provided in this paragraph, the
6 department shall give notice of the delinquency to the state treasurer and to the
7 objector, in the manner provided in par. (b). The state treasurer shall then proceed
8 to collect the amount of the delinquent bill as provided in par. (b). If an amended bill
9 is not paid within 10 days after a copy of the amended bill is mailed to the objector
10 by registered mail, the department shall notify the state treasurer and the objector
11 as in the case of delinquency in the payment of an original bill. The state treasurer
12 shall then proceed to collect the amount of the amended bill as provided in the case
13 of an original bill.

14 (d) No suit or proceeding may be maintained in any court to restrain or delay
15 the collection or payment of any bill rendered under par. (a). Every manufactured
16 home park operator that is billed shall pay the amount of the bill and after payment
17 may in the manner provided under this subsection, at any time within 2 years from
18 the date the payment was made, sue the state to recover the amount paid plus
19 interest from the date of payment, upon the ground that the assessment was
20 excessive, erroneous, unlawful, or invalid in whole or in part. If the court finds that
21 any part of the bill for which payment was made was excessive, erroneous, unlawful,
22 or invalid, the state treasurer shall make a refund to the claimant as directed by the
23 court. The refund shall be charged to the appropriations to the department.

24 (e) No action for recovery of any amount paid pursuant to this subsection shall
25 be maintained in any court unless objections have been filed with the department as

1 provided under this subsection. In any action for recovery of any payments made
2 under this subsection the claimant shall be entitled to raise every relevant issue of
3 law, but the department's findings of fact made pursuant to this subsection shall be
4 prima facie evidence of the facts therein stated.

5 (f) Each of the following shall be deemed to be findings of fact of the department,
6 within the meaning of this subsection:

7 1. Determinations of fact expressed in bills rendered pursuant to this
8 subsection.

9 2. Determinations of fact set out in those minutes of the department that record
10 the action of the department in passing upon the bills and in passing upon objections
11 thereto.

12 (g) The procedure under this subsection providing for determining the
13 lawfulness of bills and the recovery back of payments made pursuant to the bills shall
14 be exclusive of all other remedies and procedures.

15 ***-2411/3.31* SECTION 2545.** 102.07 (9) of the statutes is amended to read:

16 102.07 (9) Members of the national guard, the naval militia, and state defense
17 force, when on state active duty under direction of appropriate authority, but only in
18 case federal laws, rules or regulations provide no benefits substantially equivalent
19 to those provided in this chapter.

20 ***-2411/3.32* SECTION 2546.** 102.475 (1) of the statutes is amended to read:

21 102.475 (1) SPECIAL BENEFIT. If the deceased employee is a law enforcement
22 officer, correctional officer, fire fighter, rescue squad member, diving team member,
23 national guard member, naval militia member, or state defense force member on
24 state active duty as described in s. 102.07 (9) or if a deceased person is an employee
25 or volunteer performing emergency management activities under ch. 166 during a

1 state of emergency or a circumstance described in s. 166.04, who sustained an
2 accidental injury while performing services growing out of and incidental to that
3 employment or volunteer activity so that benefits are payable under s. 102.46 or
4 102.47 (1), the department shall voucher and pay from the appropriation under s.
5 20.445 (1) (aa) a sum equal to 75% of the primary death benefit as of the date of death,
6 but not less than \$50,000 to the persons wholly dependent upon the deceased. For
7 purposes of this subsection, dependency shall be determined under ss. 102.49 and
8 102.51.

9 ***-1394/2.40* SECTION 2547.** 102.85 (5) (a) of the statutes is amended to read:

10 102.85 (5) (a) The payment of any judgment under this section may be
11 suspended or deferred for not more than 90 days in the discretion of the court. The
12 court shall suspend a judgment under this section upon the motion of the
13 department, if the department is satisfied that the employer's violation of s. 102.16
14 (3) or 102.28 (2) was beyond the employer's control and that the employer no longer
15 violates s. 102.16 (3) or 102.28 (2). In cases where a deposit has been made, any
16 forfeitures, penalty assessments, law enforcement training fund assessments, jail
17 assessments, uninsured employer assessments, and costs shall be taken out of the
18 deposit and the balance, if any, returned to the employer.

19 ***-1394/2.41* SECTION 2548.** 102.87 (2) (e) of the statutes is amended to read:

20 102.87 (2) (e) The maximum forfeiture, penalty assessment, law enforcement
21 training fund assessment, jail assessment, crime laboratories and drug law
22 enforcement assessment, and any applicable uninsured employer assessment for
23 which the defendant is liable.

24 ***-1394/2.42* SECTION 2549.** 102.87 (2) (g) of the statutes is amended to read:

1 102.87 (2) (g) Notice that if the defendant makes a deposit and fails to appear
2 in court at the time specified in the citation, the failure to appear will be considered
3 tender of a plea of no contest and submission to a forfeiture, penalty assessment, law
4 enforcement training fund assessment, jail assessment, crime laboratories and drug
5 law enforcement assessment, and any applicable uninsured employer assessment
6 plus costs not to exceed the amount of the deposit. The notice shall also state that
7 the court, instead of accepting the deposit and plea, may decide to summon the
8 defendant or may issue an arrest warrant for the defendant upon failure to respond
9 to a summons.

10 *~~1394/2.43~~* SECTION 2550. 102.87 (2) (h) of the statutes is amended to read:

11 102.87 (2) (h) Notice that if the defendant makes a deposit and signs the
12 stipulation, the stipulation will be treated as a plea of no contest and submission to
13 a forfeiture, penalty assessment, law enforcement training fund assessment, jail
14 assessment, crime laboratories and drug law enforcement assessment, and any
15 applicable uninsured employer assessment plus costs not to exceed the amount of the
16 deposit. The notice shall also state that the court, instead of accepting the deposit
17 and stipulation, may decide to summon the defendant or issue an arrest warrant for
18 the defendant upon failure to respond to a summons, and that the defendant may,
19 at any time before or at the time of the court appearance date, move the court for
20 relief from the effect of the stipulation.

21 *~~1394/2.44~~* SECTION 2551. 102.87 (3) of the statutes is amended to read:

22 102.87 (3) A defendant issued a citation under this section may deposit the
23 amount of money that the issuing department deputy or officer directs by mailing or
24 delivering the deposit and a copy of the citation before the court appearance date to
25 the clerk of the circuit court in the county where the violation occurred, to the

1 department, or to the sheriff's office or police headquarters of the officer who issued
2 the citation. The basic amount of the deposit shall be determined under a deposit
3 schedule established by the judicial conference. The judicial conference shall
4 annually review and revise the schedule. In addition to the basic amount determined
5 by the schedule the deposit shall include the penalty assessment, law enforcement
6 training fund assessment, jail assessment, crime laboratories and drug law
7 enforcement assessment, any applicable uninsured employer assessment, and costs.

8 ***-1394/2.45* SECTION 2552.** 102.87 (4) of the statutes is amended to read:

9 102.87 (4) A defendant may make a stipulation of no contest by submitting a
10 deposit and a stipulation in the manner provided by sub. (3) before the court
11 appearance date. The signed stipulation is a plea of no contest and submission to a
12 forfeiture plus the penalty assessment, law enforcement training fund assessment,
13 jail assessment, crime laboratories and drug law enforcement assessment, any
14 applicable uninsured employers assessment, and costs not to exceed the amount of
15 the deposit.

16 ***-1394/2.46* SECTION 2553.** 102.87 (5) of the statutes is amended to read:

17 102.87 (5) Except as provided by sub. (6), a person receiving a deposit shall
18 prepare a receipt in triplicate showing the purpose for which the deposit is made,
19 stating that the defendant may inquire at the office of the clerk of the circuit court
20 regarding the disposition of the deposit, and notifying the defendant that if he or she
21 fails to appear in court at the time specified in the citation he or she shall be
22 considered to have tendered a plea of no contest and submitted to a forfeiture,
23 penalty assessment, law enforcement training fund assessment, jail assessment,
24 crime laboratories and drug law enforcement assessment, and any applicable
25 uninsured employer assessment plus costs not to exceed the amount of the deposit

1 and that the court may accept the plea. The original of the receipt shall be delivered
2 to the defendant in person or by mail. If the defendant pays by check, the canceled
3 check is the receipt.

4 ***-1394/2.47* SECTION 2554.** 102.87 (6) of the statutes is amended to read:

5 102.87 (6) The person receiving a deposit and stipulation of no contest shall
6 prepare a receipt in triplicate showing the purpose for which the deposit is made,
7 stating that the defendant may inquire at the office of the clerk of the circuit court
8 regarding the disposition of the deposit, and notifying the defendant that if the
9 stipulation of no contest is accepted by the court the defendant will be considered to
10 have submitted to a forfeiture, penalty assessment, law enforcement training fund
11 assessment, jail assessment, crime laboratories and drug law enforcement
12 assessment, and applicable uninsured employer assessment plus costs not to exceed
13 the amount of the deposit. Delivery of the receipt shall be made in the same manner
14 as provided in sub. (5).

15 ***-1394/2.48* SECTION 2555.** 102.87 (7) (b) of the statutes is amended to read:

16 102.87 (7) (b) If the defendant has made a deposit, the citation may serve as
17 the initial pleading and the defendant shall be considered to have tendered a plea
18 of no contest and submitted to a forfeiture, penalty assessment, law enforcement
19 training fund assessment, jail assessment, crime laboratories and drug law
20 enforcement assessment, and any applicable uninsured employer assessment plus
21 costs not to exceed the amount of the deposit. The court may either accept the plea
22 of no contest and enter judgment accordingly, or reject the plea and issue a summons.
23 If the defendant fails to appear in response to the summons, the court shall issue an
24 arrest warrant. If the court accepts the plea of no contest, the defendant may, within
25 90 days after the date set for appearance, move to withdraw the plea of no contest,

1 open the judgment, and enter a plea of not guilty if the defendant shows to the
2 satisfaction of the court that failure to appear was due to mistake, inadvertence,
3 surprise, or excusable neglect. If a defendant is relieved from the plea of no contest,
4 the court may order a written complaint or petition to be filed. If on reopening the
5 defendant is found not guilty, the court shall delete the record of conviction and shall
6 order the defendant's deposit returned.

7 ***-1394/2.49* SECTION 2556.** 102.87 (7) (c) of the statutes is amended to read:

8 102.87 (7) (c) If the defendant has made a deposit and stipulation of no contest,
9 the citation serves as the initial pleading and the defendant shall be considered to
10 have tendered a plea of no contest and submitted to a forfeiture, penalty assessment,
11 law enforcement training fund assessment, jail assessment, crime laboratories and
12 drug law enforcement assessment, and any applicable uninsured employer
13 assessment plus costs not to exceed the amount of the deposit. The court may either
14 accept the plea of no contest and enter judgment accordingly, or reject the plea and
15 issue a summons or an arrest warrant. After signing a stipulation of no contest, the
16 defendant may, at any time before or at the time of the court appearance date, move
17 the court for relief from the effect of the stipulation. The court may act on the motion,
18 with or without notice, for cause shown by affidavit and upon just terms, and relieve
19 the defendant from the stipulation and the effects of the stipulation.

20 ***-1394/2.50* SECTION 2557.** 102.87 (9) of the statutes is amended to read:

21 102.87 (9) A department deputy or an officer who collects a forfeiture, penalty
22 assessment, law enforcement training fund assessment, jail assessment, crime
23 laboratories and drug law enforcement assessment, applicable uninsured employer
24 assessment, and costs under this section shall pay the money to the county treasurer
25 within 20 days after its receipt. If the department deputy or officer fails to make

1 timely payment, the county treasurer may collect the payment from the department
2 deputy or officer by an action in the treasurer's name of office and upon the official
3 bond of the department deputy or officer, with interest at the rate of 12% per year
4 from the time when it should have been paid.

5 ***-1335/7.57* SECTION 2558.** 103.49 (1) (f) of the statutes is amended to read:

6 103.49 (1) (f) "State agency" means any office, department, independent
7 agency, institution of higher education, association, society or other body in state
8 government created or authorized to be created by the constitution or any law,
9 including the legislature and the courts. "State agency" also includes the University
10 of Wisconsin Hospitals and Clinics Authority and the Fox River Navigational System
11 Authority.

12 ***-1335/7.58* SECTION 2559.** 103.49 (2) of the statutes is amended to read:

13 103.49 (2) PREVAILING WAGE RATES AND HOURS OF LABOR. Any contract hereafter
14 made for the erection, construction, remodeling, repairing, or demolition of any
15 project of public works, except contracts for the construction or maintenance of public
16 highways, streets, and bridges, to which the state, or any state agency or the
17 University of Wisconsin Hospitals and Clinics Authority is a party shall contain a
18 stipulation that no person performing the work described in sub. (2m) may be
19 permitted to work a greater number of hours per day or per week than the prevailing
20 hours of labor, except that any such person may be permitted or required to work
21 more than such prevailing hours of labor per day and per week if he or she is paid
22 for all hours worked in excess of the prevailing hours of labor at a rate of at least 1.5
23 times his or her hourly basic rate of pay; nor may he or she be paid less than the
24 prevailing wage rate determined under sub. (3) in the same or most similar trade or
25 occupation in the area wherein such project of public works is situated. A reference

1 to the prevailing wage rates determined under sub. (3) and the prevailing hours of
2 labor shall be published in the notice issued for the purpose of securing bids for the
3 project. If any contract or subcontract for a project that is subject to this section is
4 entered into, the prevailing wage rates determined under sub. (3) and the prevailing
5 hours of labor shall be physically incorporated into and made a part of the contract
6 or subcontract, except that for a minor subcontract, as determined by the
7 department, the department shall prescribe by rule the method of notifying the
8 minor subcontractor of the prevailing wage rates and prevailing hours of labor
9 applicable to the minor subcontract. The prevailing wage rates and prevailing hours
10 of labor applicable to a contract or subcontract may not be changed during the time
11 that the contract or subcontract is in force.

12 *~~1335/7.59~~* SECTION 2560. 103.49 (7) (a) of the statutes is amended to read:

13 103.49 (7) (a) Except as provided under pars. (b) and (c), the department shall
14 distribute to all state agencies ~~and to the University of Wisconsin Hospitals and~~
15 ~~Clinics Authority~~ a list of all persons whom the department has found to have failed
16 to pay the prevailing wage rate determined under sub. (3) or has found to have paid
17 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
18 prevailing hours of labor at any time in the preceding 3 years. The department shall
19 include with any name the address of the person and shall specify when the person
20 failed to pay the prevailing wage rate and when the person paid less than 1.5 times
21 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
22 labor. A state agency ~~or the University of Wisconsin Hospitals and Clinics Authority~~
23 may not award any contract to the person unless otherwise recommended by the
24 department or unless 3 years have elapsed from the date the department issued its

1 findings or date of final determination by a court of competent jurisdiction,
2 whichever is later.

3 ***-1835/1.2* SECTION 2561.** 103.805 (1) of the statutes is amended to read:

4 103.805 (1) The department or a permit officer shall fix and collect a reasonable
5 fee based on the cost of issuance of collect a fee in the amount of \$7.50 for issuing
6 permits under ss. 103.25 and 103.71 and certificates of age under s. 103.75. The
7 department may authorize the retention of the fees by the A person designated to
8 issue permits and certificates of age as compensation for the person's services if the
9 person who is not on the payroll of the division administering this chapter may retain
10 \$2.50 of that fee as compensation for the person's services and shall forward \$5 of that
11 fee to the department, which shall deposit that amount forwarded in the general
12 fund and credit \$2.50 of that amount forwarded to the appropriation account under
13 s. 20.445 (1) (j). A person designatcd to issue permits and certificates of age who is
14 on the payroll of the division administering this chapter shall forward that fee to the
15 department, which shall deposit that fee in the general fund and credit \$2.50 of that
16 fee to the appropriation account under s. 20.445 (1) (j). The permit officer shall
17 account for all fees collected as the department prescribes.

18 ***-2009/1.1* SECTION 2562.** 106.12 (2) of the statutes is amended to read:

19 106.12 (2) EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. The board
20 shall plan, coordinate, administer, and implement the youth apprenticeship,
21 school-to-work and, work-based learning, and career counseling center programs
22 under s. 106.13 (1) and such other employment and education programs as the
23 governor may by executive order assign to the board. Notwithstanding any
24 limitations placed on the use of state employment and education funds under this
25 section or s. 106.13 or under an executive order assigning an employment and

1 education program to the board, the board may issue a general or special order
2 waiving any of those limitations on finding that the waiver will promote the
3 coordination of employment and education services.

4 ***-1836/1.3* SECTION 2563.** 106.12 (4) of the statutes is created to read:

5 106.12 (4) PUBLICATIONS AND SEMINARS. The board may provide publications
6 and seminars relating to the employment and education programs administered by
7 the board and may establish a schedule of fees for those publications and seminars.
8 Fees established under this subsection for publications and seminars provided by the
9 board may not exceed the actual cost incurred in providing those publications and
10 seminars. The fees collected under this subsection shall be credited to the
11 appropriation account under s. 20.445 (7) (ga).

12 ***-2009/1.2* SECTION 2564.** 106.13 (1) (d) of the statutes is created to read:

13 106.13 (1) (d) Career counseling centers at which youths may receive the
14 services specified in sub. (4r).

15 ***-2009/1.3* SECTION 2565.** 106.13 (3m) (a) of the statutes is amended to read:

16 106.13 (3m) (a) In this subsection, "local partnership" means one or more
17 school districts, or any combination of one or more school districts, other public
18 agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4)
19 (a) ~~4.~~ 1r., individuals or other persons, who have agreed to be responsible for
20 implementing and coordinating a local youth apprenticeship program.

21 ***-2009/1.4* SECTION 2566.** 106.13 (4) (a) 1. of the statutes is renumbered

22 106.13 (4) (a) 1r.

23 ***-2009/1.5* SECTION 2567.** 106.13 (4) (a) 1d. of the statutes is created to read:

1 106.13 (4) (a) 1d. “Eligible employer” means an employer that is eligible to
2 receive a grant under this subsection according to the criteria established by the
3 board under par. (d).

4 ***-2009/1.6*** SECTION 2568. 106.13 (4) (b) of the statutes is amended to read:

5 106.13 (4) (b) From the appropriation under s. 20.445 (7) (em), the board may
6 award a grant to a public agency or a nonprofit organization, or to an eligible
7 employer that is responsible for the on-the-job training and supervision of a youth
8 apprentice. A public agency or ~~non-profit~~ nonprofit organization that receives a
9 grant under this subsection shall use the funds awarded under the grant to award
10 training grants to eligible employers that provide on-the-job training and
11 supervision for youth apprentices. Subject to par. (c), a training grant provided
12 under this subsection may be awarded to an eligible employer for each youth
13 apprentice who receives at least 180 hours of paid on-the-job training from the
14 eligible employer during a school year, as defined in s. 115.001 (13). The amount of
15 a training grant may not exceed \$500 per youth apprentice per school year. A
16 training grant may not be awarded for any specific youth apprentice for more than
17 2 school years.

18 ***-2009/1.7*** SECTION 2569. 106.13 (4) (c) of the statutes is amended to read:

19 106.13 (4) (c) Notwithstanding par. (b), the board may award a training grant
20 under this subsection to an eligible employer that provides less than 180 hours of
21 paid on-the-job training for a youth apprentice during a school year, as defined in
22 s. 115.001 (13), if the board determines that it would be beneficial for the youth
23 apprentice to receive on-the-job training from more than one eligible employer.

24 ***-2009/1.8*** SECTION 2570. 106.13 (4) (d) of the statutes is created to read:

1 106.13 (4) (d) The board shall establish eligibility criteria for a grant under this
2 subsection. That criteria shall specify that eligibility for a grant shall be limited to
3 small employers, as determined by the board, and to employers providing on-the-job
4 training in employment areas determined by the board. Notwithstanding sub. (5),
5 those criteria need not be promulgated as rules.

6 ***-2009/1.9*** SECTION 2571. 106.14 (1) of the statutes is renumbered 106.14 and
7 amended to read:

8 **106.14 Job centers and career counseling centers.** The department shall
9 provide a job center network throughout the state through which job seekers may
10 receive comprehensive career planning, job placement, and job training information.
11 ~~As part of the job center network, the department shall provide career counseling~~
12 ~~centers at which youths may receive the services specified in sub. (2).~~

13 ***-2009/1.10*** SECTION 2572. 106.14 (2) of the statutes is renumbered 106.13
14 (4r) and amended to read:

15 106.13 (4r) (a) A career counseling center under ~~this section~~ sub. (1) (d) shall
16 provide youths with access to comprehensive career education and job training
17 information, including information regarding postsecondary educational options in
18 vocational and technical educational programs. A career counseling center under
19 ~~this section~~ sub. (1) (d) may also assist youths in locating apprenticeship and other
20 work experience opportunities that are related to the youth's education.

21 (b) A career counseling center under this ~~this section~~ sub. (1) (d) shall
22 coordinate its services with the counseling and guidance activities and the education
23 for employment program under s. 121.02 (1) (m) provided by the school board of the
24 school district in which the career counseling center is located.

25 ***-1891/4.54*** SECTION 2573. 106.21 (1) (g) of the statutes is amended to read:

1 106.21 (1) (g) "Public assistance" means relief provided by counties under s.
2 59.53 (21), Wisconsin works under ss. 49.141 to 49.161, aid to families with
3 dependent children under s. 49.19, medical assistance under subch. IV of ch. 49,
4 low-income energy assistance under s. 16.385, weatherization assistance under s.
5 16.39, and the food stamp program under 7 USC 2011 to 2029.

6 *~~1891/4.55~~* SECTION 2574. 106.21 (5) (a) of the statutes is amended to read:

7 106.21 (5) (a) *Community services activities; appropriations.* Moneys
8 appropriated under s. 20.445 (1) ~~(cm), (jr) and (km)~~ (6) (bm, (j), and (k) may be used
9 for community services activities as authorized under those appropriations.

10 *~~1891/4.56~~* SECTION 2575. 106.215 (1) (a) of the statutes is renumbered
11 106.215 (1) (cd) and amended to read:

12 106.215 (1) (cd) ~~"Beard"~~ "Council" means the Wisconsin conservation corps
13 ~~beard council.~~

14 *~~1335/7.60~~* SECTION 2576. 106.215 (1) (e) of the statutes is amended to read:

15 106.215 (1) (e) "Local unit of government" means the governing body of any city,
16 town, village, county, county utility district, town sanitary district, public inland lake
17 protection and rehabilitation district, metropolitan sewerage district or school
18 district, ~~the Fox-Winnebago regional management commission~~ or the elected tribal
19 governing body of a federally recognized American Indian tribe or band.

20 *~~1891/4.57~~* SECTION 2577. 106.215 (2) (intro.) of the statutes is amended to
21 read:

22 106.215 (2) OBJECTIVES. (intro.) The ~~beard~~ department shall develop
23 guidelines for the Wisconsin conservation corps program. The council shall advise
24 the department in developing those guidelines. Those guidelines shall be designed
25 to promote the objectives of:

1 ***-1891/4.58*** SECTION 2578. 106.215 (3) of the statutes is amended to read:

2 106.215 (3) PROGRAM RESPONSIBILITY AND COORDINATION. The board is the
3 ~~policy-making body~~ department is responsible for the administration of the
4 Wisconsin conservation corps program and ~~shall establish guidelines for this~~
5 program. ~~The board may delegate. That responsibility shall include~~ responsibility
6 for ~~administration,~~ implementation of projects, corps enrollee employment and
7 supervision, project coordination, and other details of the program ~~to the executive~~
8 ~~secretary or other staff of the board. The department shall assist the board in payroll,~~
9 ~~accounting and related management functions.~~

10 ***-1891/4.59*** SECTION 2579. 106.215 (3m) of the statutes is amended to read:

11 106.215 (3m) REPORTING REQUIREMENT FOR DONATIONS. The ~~board~~ department
12 shall submit an annual report to the chief clerk of each house of the legislature for
13 distribution to the legislature under s. 13.172 (2) that identifies, for each gift, grant,
14 or bequest credited under s. 20.445 (6) (jb), the name of the individual or organization
15 making it and the amount of and the manner in which it is utilized.

16 ***-1891/4.60*** SECTION 2580. 106.215 (4) (title) of the statutes is repealed.

17 ***-1891/4.61*** SECTION 2581. 106.215 (4) (a) of the statutes is repealed.

18 ***-1891/4.62*** SECTION 2582. 106.215 (4) (b) of the statutes is renumbered
19 106.215 (4m) and amended to read:

20 106.215 (4m) STAFF. The ~~board~~ department shall employ staff within the
21 classified service ~~which is as~~ necessary to administer the Wisconsin conservation
22 corps program, including staff to coordinate, supervise, and implement projects, to
23 recruit and train corps enrollees, and to provide administrative, typing, and clerical
24 services. The department shall provide also employ staff within the classified service

1 which is as necessary to provide for payroll, accounting, and related management
2 functions associated with the Wisconsin conservation corps program.

3 ***-1891/4.63* SECTION 2583.** 106.215 (5) (a) of the statutes is amended to read:

4 106.215 (5) (a) *Eligible sponsors.* The federal government, a state agency, local
5 unit of government, or nonprofit organization may apply to the ~~board~~ department for
6 approval of a project.

7 ***-1891/4.64* SECTION 2584.** 106.215 (5) (d) of the statutes is amended to read:

8 106.215 (5) (d) *Local government sponsors.* The ~~board and~~ department shall
9 encourage local units of government to apply for the approval of projects and shall
10 provide assistance and information to facilitate these applications.

11 ***-1891/4.65* SECTION 2585.** 106.215 (5) (e) of the statutes is amended to read:

12 106.215 (5) (e) *Not to involve labor dispute or displace other employees.* No
13 project may be approved by the ~~board~~ department if corps enrollees will be used in
14 any manner in connection with a work or labor dispute or if approval of the project
15 would impair existing contracts or collective bargaining agreements with existing
16 employees of the sponsor. No project may be approved by the ~~board~~ department if
17 corps enrollees will be used to displace existing permanent employees of the sponsor,
18 including any employees who have been temporarily ~~laid-off~~ laid off by the sponsor.

19 ***-1891/4.66* SECTION 2586.** 106.215 (6) (intro.) of the statutes is amended to
20 read:

21 106.215 (6) GUIDELINES FOR PROJECT APPROVAL. (intro.) The ~~board~~ department
22 shall establish guidelines to be used in selecting projects for approval. ~~These~~ The
23 council shall advise the department in establishing those guidelines. Those
24 guidelines shall include:

25 ***-1891/4.67* SECTION 2587.** 106.215 (7) (c) of the statutes is amended to read:

1 106.215 (7) (c) *Conservation fund appropriation.* Notwithstanding par. (a),
2 moneys appropriated under s. 20.445 (6) (u) that are not derived from the forcestation
3 state tax under s. 70.58 may be utilized for any project approved by the ~~board~~
4 department regardless of whether the project consists in whole or in part of
5 conservation activities.

6 ***-1891/4.68*** SECTION 2588. 106.215 (8) of the statutes is amended to read:

7 106.215 (8) ADMINISTRATION; PROJECT APPROVAL; WORK PLANS; IMPLEMENTATION;
8 ENROLLEE SUPERVISION. (a) *Guidelines for administration.* The ~~board~~ department
9 shall provide guidelines for administration of the Wisconsin conservation corps
10 program. The council shall advise the department in providing those guidelines.

11 (b) *Administration.* The Wisconsin conservation corps program shall be
12 administered according to guidelines provided by the ~~board~~ department.

13 (c) *Administrative expenses; appropriations; reallocation.* Moneys
14 appropriated under s. 20.445 (6) (ja), (n), or (y) may be utilized for the payment of
15 administrative expenses related to the Wisconsin conservation corps program as
16 authorized under those appropriations. If the ~~board~~ department determines that
17 these appropriations are not sufficient, ~~it~~ the department may request the joint
18 committee on finance to take action under s. 13.101 (4) to transfer moneys from the
19 appropriation account under s. 20.445 (6) (j), (m), or (u) to the appropriation account
20 under s. 20.445 (6) (ja), (n), or (y).

21 (d) *Approval.* Except as provided in sub. (8g), projects shall be selected and
22 approved by the ~~board~~ department based on guidelines established under sub. (6).

23 (e) *Complete project cost estimate.* Prior to approval of a project, the ~~executive~~
24 secretary department shall prepare and ~~submit to the board~~ a complete project cost

1 estimate. This estimate shall include a summary of all anticipated costs resulting
2 from the implementation of the project.

3 (f) *Detailed work plan.* Prior to approval of a project, the ~~executive secretary~~
4 department shall prepare and ~~submit to the board~~ a detailed work plan specifying
5 the nature, scope, and duration of the project; the number of corps enrollees;
6 training, supervisory, administrative, and other service requirements; supply, fuel,
7 tool, equipment, safety equipment, and other material requirements; time
8 schedules; and other details relating to the implementation of the project.

9 (g) *Responsibility agreement.* Prior to approval of a project, the ~~executive~~
10 ~~secretary~~ department shall prepare and ~~submit to the board~~ a responsibility
11 agreement which ~~that~~ incorporates the complete project cost estimate and detailed
12 work plan and specifies in detail the responsibilities of the sponsor and the ~~board~~
13 department with respect to the project.

14 (i) *Signing of responsibility agreement.* A project is not authorized and may not
15 be implemented until the sponsor and the ~~board~~ department sign the responsibility
16 agreement.

17 (j) *Implementation.* Except as provided in a responsibility agreement, the
18 ~~board~~ department is responsible for the implementation of an authorized project.
19 The ~~board~~ department may delegate to a sponsor responsibility for implementing
20 various aspects of a project in the responsibility agreement.

21 (k) *Enrollee supervision.* 1. The ~~board~~ department is responsible for the overall
22 supervision and control of corps enrollees.

23 2. The ~~board~~ department may delegate to a sponsor responsibility for enrollee
24 recruitment, training, and supervision and for administrative services to be provided
25 for a project in the responsibility agreement.

1 (L) *Project coordination.* The ~~board~~ department is responsible for the
2 coordination of work activities related to various projects in the same area.

3 *-1891/4.69* SECTION 2589. 106.215 (8g) (a) of the statutes is amended to read:

4 106.215 (8g) (a) If a sponsor pays for the total cost of a project, the ~~board~~
5 department may select and approve a project without using the guidelines
6 established under sub. (6).

7 *-1891/4.70* SECTION 2590. 106.215 (8m) of the statutes is amended to read:

8 106.215 (8m) ADMINISTRATIVE PROJECT. In addition to the projects authorized
9 under this section, the ~~board~~ department may approve one project that provides
10 employment for corps enrollees in an administrative work or training project
11 sponsored by the Wisconsin conservation corps. Subsections (5) (a) to (d), (6), and (8)
12 (d), (g) to (j), and (k) 1. do not apply to a project approved under this subsection.

13 *-1891/4.71* SECTION 2591. 106.215 (9) of the statutes is amended to read:

14 106.215 (9) WORK CAMPS; TRAINING. (a) *Work camps.* If necessary for the
15 implementation of a conservation project, the ~~board~~ department may establish or
16 utilize residential facilities, but the ~~board~~ department may not use moneys
17 appropriated under s. 20.445 (6) (u) or (y) for the establishment of new residential
18 facilities.

19 (b) *Education and training.* The ~~board~~ department shall facilitate
20 arrangements with local schools and institutions of higher education for academic
21 study by corps enrollees to upgrade literacy skills, obtain equivalency diplomas or
22 college degrees, or enhance employment skills. The ~~board~~ department shall
23 encourage the development of training programs for corps enrollees for use during
24 time periods when circumstances do not permit work on a project.

25 *-1891/4.72* SECTION 2592. 106.215 (10) (a) of the statutes is amended to read:

1 106.215 (10) (a) *Authorization; classification.* The ~~board~~ department may
2 employ corps enrollees. The ~~board~~ department shall classify these enrollees as corps
3 members, assistant crew leaders, crew leaders, or regional crew leaders.

4 *~~1891/4.73~~* SECTION 2593. 106.215 (10) (fm) (intro.) of the statutes is
5 amended to read:

6 106.215 (10) (fm) *Group health care coverage.* (intro.) The ~~board~~ department
7 may provide group health care coverage, including group health care coverage
8 offered by the state under s. 40.51, to any of the following:

9 *~~0671/4.1~~* SECTION 2594. 106.215 (10) (fm) 1. of the statutes is amended to
10 read:

11 106.215 (10) (fm) 1. Corps enrollees who have been crew leaders, regional crew
12 leaders or a combination thereof for at least ~~2 years~~ 6 months.

13 *~~1891/4.74~~* SECTION 2595. 106.215 (10) (fm) 2. of the statutes is amended to
14 read:

15 106.215 (10) (fm) 2. Crew leaders or regional crew leaders who are discharging
16 special responsibilities, as determined by the ~~board~~ department.

17 *~~1891/4.75~~* SECTION 2596. 106.215 (10) (g) 1. of the statutes is amended to
18 read:

19 106.215 (10) (g) 1. A person who is employed as a corps enrollee for a ~~6-month~~
20 to one-year period of continuous employment, as determined by standards adopted
21 by the ~~board~~ department, and who receives a satisfactory employment evaluation
22 upon termination of employment is entitled to an incentive payment of \$500 prorated
23 in the same proportion as the number of hours of employment completed by that
24 person bears to 2,080 hours.

1 ***-1891/4.76*** SECTION 2597. 106.215 (10) (g) 1m. of the statutes is amended to
2 read:

3 106.215 (10) (g) 1m. In lieu of the incentive payment under subd. 1., a person
4 who is employed as a corps enrollee for at least a 6-month period of continuous
5 employment, as determined by standards adopted by the ~~board~~ department, and who
6 receives a satisfactory employment evaluation is entitled to an education voucher
7 that is worth at least double the monetary value of the prorated incentive payment
8 under subd. 1., but not more than \$2,800 prorated in the same proportion as the
9 number of hours of employment completed by that person bears to 2,080 hours.

10 ***-1891/4.77*** SECTION 2598. 106.215 (10) (g) 2. of the statutes is amended to
11 read:

12 106.215 (10) (g) 2. The ~~board~~ department may authorize a partial incentive
13 payment to a person who is employed as a corps enrollee and who receives a
14 satisfactory employment evaluation upon termination of employment if the person
15 is employed, as a corps enrollee for less than a one-year period of continuous
16 employment and the ~~board~~ department determines that employment was
17 terminated because of special circumstances beyond the control of the corps enrollee
18 or if the person is employed as a corps enrollee for at least 10 months but less than
19 a one-year period of continuous employment, and the ~~board~~ department determines
20 that employment was terminated ~~in order~~ to enable the person to attend an
21 institution of higher education, technical college, or other training program or to
22 enable the person to obtain other employment.

23 ***-1891/4.78*** SECTION 2599. 106.215 (10) (g) 2m. of the statutes is amended to
24 read: