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**SENATE BILL 55**

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1           121.15 (1m) (b) The percentages under subs. (1) (a) and (1g) (a) shall be reduced  
2 proportionally to reflect the payments made under par. (a) 3. The percentage for  
3 June under subs. (1) (a) and (1g) (a) shall also be reduced to reflect the payment made  
4 under par. (a) 4. School districts shall treat the payments made in July under par.  
5 (a) as if they had been received in the previous school year.

6           \***-0886/3.16\*** SECTION 2779. 121.15 (3m) (a) 1. of the statutes is amended to  
7 read:

8           121.15 (3m) (a) 1. "Partial school revenues" means the sum of state school aids,  
9 other than the amounts appropriated under s. 20.255 (2) (bi) (am) and (cv);; property  
10 taxes levied for school districts; and aid paid to school districts under s. 79.095 (4),  
11 less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school  
12 board's increasing the services that it provides by adding responsibility for providing  
13 a service transferred to it from another school board, less the amount of any revenue  
14 limit increase under s. 121.91 (4) (a) 3. and, less the amount of any revenue limit  
15 increase under s. 121.91 (4) (h), and less the amount of any property taxes levied for  
16 the purpose of s. 120.13 (19).

17           \***b0682/2.5\*** SECTION 2779m. 121.15 (3m) (a) 2. of the statutes is amended to  
18 read:

19           121.15 (3m) (a) 2. "State school aids" means those aids appropriated under s.  
20 20.255 (2), other than s. 20.255 (2) (am), (fm), (fu), (k) and (m), and under ss. 20.275  
21 (1) (d), (es), (et) and (f) and 20.285 (1) (ee), (r) and (rc) and those aids appropriated  
22 under s. 20.275 (1) (s) that are used to provide grants or educational  
23 telecommunications access to school districts under s. 44.73.

24           \***-0940/4.1\*** SECTION 2780. 121.79 (1) (d) (intro.) of the statutes is amended to  
25 read:

**SENATE BILL 55****SECTION 2780**

1           121.79 (1) (d) (intro.) For pupils in foster homes, treatment foster homes, or  
2 group homes, if the foster home, treatment foster home, or group home is located  
3 outside the school district in which the pupil's parent or guardian resides and either  
4 of the following applies:

5           \***-0940/4.2\*** SECTION 2781. 121.79 (1) (d) 1. of the statutes is repealed.

6           \***-0940/4.3\*** SECTION 2782. 121.79 (1) (d) 3. of the statutes is created to read:

7           121.79 (1) (d) 3. The pupil is a child with a disability, as defined in s. 115.76 (5),  
8 and at least 4% of the pupils enrolled in the school district reside in foster homes,  
9 treatment foster homes, or group homes that are not exempt under s. 70.11.  
10 Notwithstanding s. 121.83 (1) (d), the annual tuition rate for pupils under this  
11 subdivision is the special annual tuition rate only, as described in s. 121.83 (1) (c).

12           \***-0886/3.17\*** SECTION 2783. 121.85 (6) (e) of the statutes is amended to read:

13           121.85 (6) (e) *Sources of aid payments.* State aid under this section shall be  
14 paid from the appropriations appropriation under s. 20.255 (2) (ac) ~~and (q)~~.

15           \***-0886/3.18\*** SECTION 2784. 121.85 (8) of the statutes is amended to read:

16           121.85 (8) TRANSFERRED PUPILS. Pupils transferring schools under this section  
17 shall be subject to the same rules and regulations as resident pupils and shall have  
18 the responsibilities, privileges, and rights of resident pupils in the school district or  
19 attendance area. Subject to this subsection, a pupil transferring schools under either  
20 sub. (3) (a) or (b) has the right to complete his or her education at the elementary,  
21 middle, or high school to which he or she transfers so long as full funding therefor  
22 is available under s. 20.255 (2) (ac) and (q).

23           \***-0886/3.19\*** SECTION 2785. 121.85 (9) (c) of the statutes is amended to read:

24           121.85 (9) (c) The obligation under par. (a) to organize planning councils shall  
25 apply only with regard to school terms for which full pupil transfer aids are

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1 appropriated under s. 20.255 (2) (ac) ~~and (q)~~ and planning council assistance funds  
2 are appropriated under s. 20.255 (1) (a). ✓

3 **\*-0935/4.1\* SECTION 2789.** 121.905 (1) of the statutes is amended to read:

4 121.905 (1) In this section, “revenue ceiling” means ~~\$6,300~~ \$6,700 in the  
5 ~~1999–2000~~ 2001–02 school year and in any subsequent school year means ~~\$6,500~~  
6 \$6,900. ✓

7 **\*b0688/3.3\* SECTION 2789m.** 121.905 (3) (a) 1. of the statutes is amended to  
8 read:

9 121.905 (3) (a) 1. Except as provided under subd. 2., calculate the sum of the  
10 amount of state aid received in the previous school year and property taxes levied for  
11 the previous school year, excluding property taxes levied for the purpose of s. 120.13  
12 (19) and excluding funds described under s. 121.91 (4) (c), and the costs of the county  
13 children with disabilities education board program, as defined in s. 121.135 (2) (a)  
14 2., for pupils who were school district residents and solely enrolled in a special  
15 education program provided by a county children with disabilities education board  
16 in the previous school year.

17 **\*b0688/3.4\* SECTION 2791m.** 121.91 (2m) (e) 1. of the statutes is amended to  
18 read:

19 121.91 (2m) (e) 1. Divide the sum of the amount of state aid received in the  
20 previous school year and property taxes levied for the previous school year, excluding  
21 property taxes levied for the purpose of s. 120.13 (19) and excluding funds described  
22 under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous  
23 school years.

24 **\*-1598/1.10\* SECTION 2796.** 121.91 (3) (a) of the statutes is amended to read:

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1           121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
2 otherwise applicable to the school district in any school year, it shall promptly adopt  
3 a resolution supporting inclusion in the final school district budget of an amount  
4 equal to the proposed excess revenue. The resolution shall specify whether the  
5 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
6 proposed excess revenue is for both recurring and nonrecurring purposes, the  
7 amount of the proposed excess revenue for each purpose. The resolution shall be filed  
8 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board  
9 shall notify the department of the scheduled date of the referendum and submit a  
10 copy of the resolution to the department. The school board shall call a special  
11 referendum for the purpose of submitting the resolution to the electors of the school  
12 district for approval or rejection. ~~In lieu of a special referendum, the school board~~  
13 ~~may specify that the referendum be held at the next succeeding spring primary or~~  
14 ~~election or September primary or general election, if such election is to be held not~~  
15 ~~sooner than 42 days after the filing of the resolution of the school board, or at a special~~  
16 ~~election held on the Tuesday after the first Monday in November in an~~  
17 ~~odd-numbered year if that date occurs not earlier than 42 days after the filing of the~~  
18 ~~resolution of the school board.~~ The school district clerk shall certify the results of the  
19 referendum to the department within 10 days after the referendum is held.

20           \*~~1513/2.1~~\* SECTION 2797. 121.91 (4) (dg) of the statutes is created to read:

21           121.91 (4) (dg) Notwithstanding par. (d), if a school district's revenue in the  
22 preceding school year was less than the limit under sub. (2m) in the preceding school  
23 year, the school district received an increase in aid under s. 121.15 (4) (b) in the  
24 current school year, and the increase in aid was less than the amount determined

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1 under subd. 2., the limit otherwise applicable to the school district's revenue in the  
2 current school year under sub. (2m) is increased by an amount determined as follows:

- 3 1. Determine the increase in aid under s. 121.15 (4) (b).
- 4 2. Subtract the school district's revenue in the preceding school year from the  
5 school district's limit under sub. (2m) in the preceding school year.
- 6 3. Subtract from subd. 2. the amount determined under subd. 1. and multiply  
7 the remainder by 0.75.
- 8 4. Add the results under subds. 1. and 3.

9 **\*-1513/2.2\* SECTION 2798.** 121.91 (4) (dr) of the statutes is created to read:

10 121.91 (4) (dr) Notwithstanding par. (d), if a school district's revenue in the  
11 preceding school year was less than the limit under sub. (2m) in the preceding school  
12 year, the school district received an increase in aid under s. 121.15 (4) (b) in the  
13 current school year, and the increase in aid was equal to or greater than the amount  
14 determined under par. (dg) 2., the limit otherwise applicable to the school district's  
15 revenue in the current school year under sub. (2m) is increased by the difference  
16 between the amount of its revenue in the preceding school year and the amount of  
17 the limit in the preceding school year under sub. (2m).

18 **\*b0688/3.5\* SECTION 2798f.** 121.91 (4) (i) of the statutes is created to read:

19 121.91 (4) (i) The limit otherwise applicable to a school district under sub. (2m)  
20 in any school year is increased by an amount equal to the amount of property taxes  
21 levied for the purpose of s. 120.13 (19) for that school year. ✓

22 **\*-0890/1.1\* SECTION 2799.** 121.92 (2) (c) of the statutes is amended to read:

23 121.92 (2) (c) If the amount of the deductions under pars. (a) and (b) is  
24 insufficient to cover the excess revenue, order the school board to reduce the property  
25 tax obligations of its taxpayers by an amount that represents the remainder of the

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1 excess revenue. The school district's refunds to taxpayers who have already paid  
2 their taxes shall be increased by interest at the rate of 0.5% per month. If the school  
3 board violates the order, any resident of the school district may seek injunctive relief.  
4 This paragraph does not apply to property taxes levied for the purpose of paying the  
5 principal and interest on valid bonds or notes issued by the school board.

6 \***-2318/3.1\*** SECTION 2800. 125.04 (12) (c) of the statutes is created to read:

7 125.04 (12) (c) *Retail license or permit for the same premises.* No municipality  
8 may issue a Class "A," "Class A," Class "B," "Class B," or "Class C" licensc, and the  
9 department may not issue a Class "B" or "Class B" permit, to an applicant if the  
10 premises described in the application for a license or permit is already covered by a  
11 current license or permit of the same kind unless all of the following apply:

12 1. The applicant provides proof to the municipality or department that, not less  
13 than 15 days nor more than 30 days before submitting the application, the current  
14 licensee or permittee for the premises has provided to the applicant the name and  
15 address of each fermented malt beverages wholesaler to whom the current licensee  
16 or permittee is indebted.

17 2. The applicant provides proof to the municipality or department that, not less  
18 than 15 days nor more than 30 days before submitting the application, the applicant  
19 has notified each wholesaler identified under subd. 1. of the address and current  
20 name of the premises for which the license or permit application is made, of the name  
21 and address of the current licensee or permittee, and that the applicant is applying  
22 for a license or permit for the premises.

23 3. The current licensee or permittee is not in violation of s. 125.33 (7) or 125.69  
24 (4) unless the violation consists of an indebtedness discharged in bankruptcy.

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1           4. The current licensee or permittee is not the subject of any proceeding under  
2 s. 125.12.

3           \***-2318/3.2\*** SECTION 2802. 125.06 (8) of the statutes is amended to read:

4           125.06 (8) SALE BY SECURED PARTY. The sale of alcohol beverages by a secured  
5 party in good faith under the terms of a security agreement, if the sale is not for the  
6 purpose of avoiding this chapter or ch. 139. The sale must be in the ordinary course  
7 of the business of lending money secured by a security interest in alcohol beverages  
8 or warehouse receipts or other evidence of ownership. A sale of fermented malt  
9 beverages must be made within 15 days after the secured party takes possession of  
10 the fermented malt beverages unless the secured party demonstrates good cause  
11 why a sale in compliance with s. 409.504 or the security agreement cannot be made  
12 within this time period.

13           \***-2318/3.3\*** SECTION 2803. 125.145 of the statutes is amended to read:

14           **125.145 Prosecutions by attorney general.** Upon request by the secretary  
15 of revenue, the attorney general may represent this state or assist a district attorney  
16 in prosecuting any case arising under this chapter. Notwithstanding s. 971.19 (6),  
17 upon request by the secretary of revenue, the attorney general may commence any  
18 action to enforce s. 125.30 (1) in the circuit court for Dane County.

19           \***-2318/3.4\*** SECTION 2804. 125.17 (6) (a) (intro.) of the statutes is amended to  
20 read:

21           125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing  
22 body may issue an operator's license unless the applicant has successfully completed  
23 a responsible beverage server training course at any location that is offered by a  
24 technical college district and that conforms to curriculum guidelines specified by the  
25 technical college system board or a comparable training course, which may include

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SECTION 2804

1 computer-based training and testing, that is approved by the department or the  
2 educational approval board, or unless the applicant fulfills one of the following  
3 requirements:

4 **\*-2318/3.5\* SECTION 2805.** 125.30 (6) of the statutes is created to read:

5 125.30 (6) Notwithstanding s. 125.11, the department shall issue a written  
6 warning to any person located outside this state who sells or ships fermented malt  
7 beverages into this state in violation of sub. (1) if the person has not previously  
8 received a warning under this section. Any person located outside this state who  
9 sells or ships fermented malt beverages into this state in violation of sub. (1) and who  
10 has been previously issued a written warning under this subsection shall be fined not  
11 more than \$10,000 or imprisoned for not more than 2 years or both.

12 **\*-2318/3.6\* SECTION 2806.** 125.33 (2) (a) of the statutes is amended to read:

13 125.33 (2) (a) Give to any campus or Class "B" licensee or permittee, at any  
14 given time, for placement inside the premises, signs, clocks, or menu boards with an  
15 aggregate value of not more than ~~\$150~~ \$2,500. If a gift of any item would cause the  
16 ~~\$150~~ \$2,500 limit to be exceeded, the recipient shall pay the brewer or wholesaler the  
17 amount of the item's value in excess of ~~\$150~~ \$2,500. Each recipient shall keep an  
18 invoice or credit memo containing the name of the donor and the number and value  
19 of items received under this paragraph. The value of an item is its cost to the donor.  
20 Each recipient shall make the records kept under this paragraph available to the  
21 department for inspection upon request.

22 **\*-2318/3.7\* SECTION 2807.** 125.33 (2) (b) 2. of the statutes is amended to read:

23 125.33 (2) (b) 2. Signs made from paper or, cardboard, plastic, vinyl, or other  
24 like material <sup>\*</sup> for placement inside the premises, not withstanding the aggregate  
25 value limitation of par. (a).

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1           \***-2318/3.8\*** SECTION 2808. 125.33 (2) (L) of the statutes is renumbered 125.33  
2 (2) (L) 1.

3           \***-2318/3.9\*** SECTION 2809. 125.33 (2) (L) 2. of the statutes is created to read:  
4           125.33 (2) (L) 2. Purchase advertising from a person who does not hold a license  
5 under this chapter and who conducts national or regional sweepstakes, contests, or  
6 promotions on the premises of Class “B” licensees or permittees that sell the brewer’s  
7 or wholesaler’s products. The person may promote an event or activity in connection  
8 with a sweepstakes, contest, or promotion, including promoting the location of the  
9 event or activity, if the Class “B” licensee or permittee on whose premises the event  
10 or activity will occur does not receive money for hosting the event or activity and,  
11 except as provided in subd. 4., if the advertising for the event or activity identifies  
12 at least 4 unaffiliated Class “B” licensees or permittees.

13           \***-2318/3.10\*** SECTION 2810. 125.33 (2) (L) 3. of the statutes is created to read:  
14           125.33 (2) (L) 3. Conduct national or regional sweepstakes, contests, or  
15 promotions on the premises of Class “B” licensees or permittees that sell the brewer’s  
16 or wholesaler’s products. The brewer or wholesaler may promote an event or activity  
17 in connection with a sweepstakes, contest, or promotion, including promoting the  
18 location of the event or activity, if the Class “B” licensee or permittee on whose  
19 premises the event or activity will occur does not receive money for hosting the event  
20 or activity and, except as provided in subd. 4., if the advertising for the event or  
21 activity identifies at least 4 unaffiliated Class “B” licensees or permittees.

22           \***b0687/1.7\*** SECTION 2810m. 125.33 (2) (L) 4. of the statutes is created to read:  
23           125.33 (2) (L) 4. A brewer that manufactures less than 30,000 barrels of  
24 fermented malt beverages annually may purchase advertising under subd. 2, and

**SENATE BILL 55****SECTION 2810m**

1 may promote sweepstakes, contests, or promotions through advertising under subd.  
2 3., if the advertising identifies at least one Class “B” licensee or permittee.

3 **\*-2318/3.11\* SECTION 2811.** 125.33 (2) (n) 2. of the statutes is amended to read:

4 125.33 (2) (n) 2. Notwithstanding subd. 1., no brewer or wholesaler may  
5 provide business entertainment to a Class “B” licensee or permittee under subd. 1.  
6 in one day that has a value exceeding ~~\$75~~ \$500, and ~~no brewer or wholesaler may~~  
7 provide business entertainment to a Class “B” licensee or permittee under subd. 1.  
8 on more than 8 days in any calendar year.

9 **\*-2318/3.12\* SECTION 2812.** 125.33 (2s) of the statutes is amended to read:

10 125.33 (2s) EXCEPTION FOR RETAIL TRADE ASSOCIATION CONTRIBUTIONS.  
11 Notwithstanding the prohibitions in sub. (1), a brewer ~~that produces 350,000 or more~~  
12 ~~barrels of fermented malt beverages annually~~ or wholesaler may contribute money  
13 or other things of value to a bona fide national-~~er~~, statewide, or local trade association  
14 which derives its principle income from membership dues of Class “B” licensees.

15 **\*b0687/1.9\* SECTION 2812m.** 125.33 (7m) of the statutes is created to read:

16 125.33 (7m) CONDITIONAL PURCHASES. No Class “A” or Class “B” licensee may  
17 condition the purchase of fermented malt beverages from a brewer or wholesaler  
18 upon the furnishing by the brewer or wholesaler of any thing of value, other than the  
19 products purchased, to the licensee or to any person for the use, benefit, or relief of  
20 the licensee.

21 **\*b0687/1.9\* SECTION 2812s.** 125.35 of the statutes is created to read:

22 **125.35 Fermented malt beverage dealerships.** (1) DEFINITIONS. In this  
23 section, unless otherwise qualified:

24 (a) “Dealer” has the meaning given in s. 135.02 (2).

25 (b) “Dealership” has the meaning given in s. 135.02 (3).

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1 (c) “Grantor” has the meaning given in s. 135.02 (5).

2 (d) “Person” has the meaning given in s. 135.02 (6).

3 **(2) COMPENSATION OF PRIOR DEALER.** Notwithstanding s. 135.03, and except as  
4 provided in sub. (3), any person who assumes, in whole or in part, a dealership  
5 described in s. 135.02 (3) (c) following the grantor’s termination, cancellation, or  
6 nonrenewal in whole or in part of a prior dealership agreement shall compensate the  
7 prior dealer for the fair market value of that portion of the dealership assumed unless  
8 the grantor terminated, canceled, or failed to renew for any of the following reasons:

9 (a) The prior dealer engaged in material fraudulent conduct or made material  
10 and substantial misrepresentations in its dealings with the grantor or with others  
11 related to the dealership.

12 (b) The prior dealer was convicted of, or pleaded no contest to, a felony crime  
13 substantially related to the dealer’s ability to operate the dealership.

14 (c) The prior dealer knowingly distributed dealership products outside the  
15 territory authorized by the grantor.

16 **(3) TERMINATION BY PRIOR DEALER.** A prior dealer is not entitled to compensation  
17 under sub. (2) if, before any termination, cancellation, or nonrenewal by the grantor  
18 or assumption by another dealer of any dealership specified in sub. (2), the prior  
19 dealer terminated business relations with the grantor by means of any of the  
20 following:

21 (a) Death, retirement, or dissolution of the prior dealer.

22 (b) Failure of the prior dealer to engage in the operation of the dealership  
23 business, including sale of the dealership business.

24 (c) Failure of the prior dealer to order goods from the grantor within the  
25 previous 30 days.

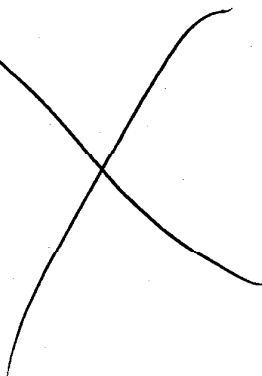
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**SECTION 2812s**

1           (4) BINDING ARBITRATION. The grantor shall advise the person assuming the  
2 dealership of the person's obligations under sub. (2) prior to the person's assumption  
3 of the dealership. If the person assuming a dealership under sub. (2) and the prior  
4 dealer agree in writing to the fair market value of that portion of the dealership  
5 assumed, the person assuming the dealership shall pay the agreed upon sum to the  
6 prior dealer within 30 days of the date on which the parties reached the agreement.  
7 If no written agreement for compensation of the prior dealer is reached within 30  
8 days after the grantor's termination, cancellation, or nonrenewal of the prior  
9 dealership agreement, the prior dealer may submit the dispute for binding  
10 arbitration, subject to ch. 788, through a nationally recognized arbitration  
11 association. Unless the parties agree otherwise, the arbitration shall be conducted  
12 on an expedited basis to the extent an expedited proceeding is reasonably available  
13 through the arbitration association, and each party shall pay an equal share of the  
14 cost of the arbitration.

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17           **\*b0427/2.1\* SECTION 2814g.** 134.66 (3) (title) of the statutes is repealed and  
18 recreated to read:

19           134.66 (3) (title) DEFENSES.

20           **\*b0427/2.1\* SECTION 2814i.** 134.66 (3) (intro.) of the statutes is renumbered  
21 134.66 (3) (a) (intro.).

22           **\*b0427/2.1\* SECTION 2814L.** 134.66 (3) (br) of the statutes is created to read:

23           134.66 (3) (br) Proof by a retailer that the act for which the retailer is being  
24 prosecuted under sub. (2) (a) was committed by his or her agent or employee and that  
25 the retailer provided training on the prohibitions under sub. (2) (a) to that agent or

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1 employee is a defense to any prosecution for a violation of sub. (2) (a). The defense  
2 is not available to a retailer who knowingly permits his or her agent or employee to  
3 sell or provide for nominal or no consideration cigarettes or tobacco products to  
4 individuals under the age of 18.

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\*-2318/3.13\* SECTION 2827. 135.02 (3) (c) of the statutes is created to read:

7 135.02 (3) (c) A contract or agreement, either expressed or implied, whether  
8 oral or written, between 2 or more persons by which a wholesaler, as defined in s.  
9 125.02 (21), is granted the right to sell or distribute fermented malt beverages or use  
10 a trade name, trademark, service mark, logotype, brand, advertising, or other  
11 commercial symbol related to fermented malt beverages.

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\*b0667/1.1\* SECTION 2830g. 137.01 (1) (a) of the statutes is amended to read:

18 137.01 (1) (a) The governor shall appoint notaries public who shall be  
19 ~~Wisconsin~~ United States residents and at least 18 years of age. Applicants who are  
20 not attorneys shall file an application with the secretary of state and pay a \$20 fee.

21 \*b0667/1.1\* SECTION 2830j. 137.01 (1) (d) of the statutes is amended to read:

22 137.01 (1) (d) Qualified applicants shall be notified by the secretary of state to  
23 take and file the official oath and execute and file an official bond in the sum of \$500,  
24 with a surety to be approved by the clerk of the circuit court for his or her county, or,  
25 if executed by a surety company, and approved by the secretary of state.

**SENATE BILL 55****SECTION 2830m**

1           **\*b0667/1.1\* SECTION 2830m.** 137.01 (2) (a) of the statutes is amended to read:

2           137.01 (2) (a) ~~Any Wisconsin~~ Except as provided in par. (am), any United States  
3 resident who is licensed to practice law in this state is entitled to a permanent  
4 commission as a notary public upon application to the secretary of state and payment  
5 of a \$50 fee. The application shall include a certificate of good standing from the  
6 supreme court, the signature and post-office address of the applicant and an  
7 impression of the applicant's official seal, or imprint of the applicant's official rubber  
8 stamp.

9           **\*b0667/1.1\* SECTION 2830p.** 137.01 (2) (am) of the statutes is created to read:

10          137.01 (2) (am) If a United States resident has his or her license to practice law  
11 in this state suspended or revoked, upon reinstatement of his or her license to  
12 practice law in this state, the person may be entitled to receive a certificate of  
13 appointment as a notary public for a term of 4 years. An eligible notary appointed  
14 under this paragraph is entitled to reappointment for 4-year increments. At least  
15 30 days before the expiration of a commission under this paragraph the secretary of  
16 state shall mail notice of the expiration date to the holder of the commission.

17          **\*b0667/1.1\* SECTION 2830r.** 137.01 (2) (b) of the statutes is amended to read:

18          137.01 (2) (b) The secretary of state shall issue a certificate of appointment as  
19 a notary public to persons who qualify under the requirements of this subsection.  
20 ~~Such~~ The certificate shall state that the notary commission is permanent or is for 4  
21 years.

22          **\*b0667/1.2\* SECTION 2833g.** 137.01 (6) (b) of the statutes is repealed.

23          **\*b0667/1.2\* SECTION 2833j.** 137.01 (6m) of the statutes is amended to read:

24          137.01 (6m) CHANGE OF RESIDENCE. A notary public ~~shall~~ does not vacate his  
25 or her office by reason of his or her change of residence within the state United States.



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1 Written notice of any change of address shall be given to the secretary of state within  
2 5 10 days of such the change.

3 \*b0667/1.2\* SECTION 2833m. 137.01 (7) of the statutes is amended to read:

4 137.01 (7) OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold  
5 office the notary public, or in case of the notary public's death the notary public's  
6 executor or administrator, shall deposit the notary public's official records and  
7 papers in the office of the ~~clerk of the circuit court of the county of the notary public's~~  
8 ~~residence~~ secretary of state. If any such notary or any executor or administrator,  
9 after such records and papers come to his or her hands, neglects for 3 months to  
10 deposit them, he or she shall forfeit not less than \$50 nor more than \$500. If any  
11 person knowingly destroys, defaces or conceals any records or papers of any notary  
12 public, the person shall forfeit not less than \$50 nor more than \$500, and shall be  
13 liable to the party injured for all damages thereby sustained. The ~~clerks of the circuit~~  
14 ~~courts~~ secretary of state shall receive and safely keep all such papers and records in  
15 their office.

16 \*-1841/1.1\* SECTION 2842. 139.30 (7) of the statutes is amended to read:

17 139.30 (7) "Manufacturer" means any person who manufactures cigarettes for  
18 the purpose of sale, including the authorized agent of a person who manufactures  
19 cigarettes for the purpose of sale.

20 \*b0693/1.1\* SECTION 2842m. 139.31 (1) (a) of the statutes is amended to read:

21 139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand,  
22 ~~29.5~~ 34 mills on each cigarette.

23 \*b0693/1.1\* SECTION 2842n. 139.31 (1) (b) of the statutes is amended to read:

24 139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, ~~59~~ 68  
25 mills on each cigarette.

**SENATE BILL 55****SECTION 2843**

1           **\*-1841/1.2\* SECTION 2843.** 139.31 (4) of the statutes is created to read:

2           139.31 (4) No person may sell or distribute in this state, acquire, store, possess,  
3 or transport for sale or distribution in this state, import or cause to be imported into  
4 this state for sale or distribution in this state, or affix stamps as described under s.  
5 139.32 to, any of the following:

6           (a) A cigarette package on which a statement, label, stamp, sticker, or notice  
7 indicates that the manufacturer did not intend the cigarettes in the package to be  
8 sold, distributed, or used in the United States, including labels stating “for export  
9 only,” “U.S. tax exempt,” “for use outside U.S.,” or similar wording.

10

11           (b) A cigarette package that does not comply with 15 USC 1333 and 15 USC  
12 1335 or other federal law.

13           (c) A cigarette package that has been altered as described in sub. (5).

14           (d) Any cigarettes that are imported into the United States in violation of  
15 federal law.

16           **\*-1841/1.3\* SECTION 2844.** 139.31 (5) of the statutes is created to read:

17           139.31 (5) (a) No person may alter a cigarette package before the sale or  
18 distribution to the ultimate consumer so as to remove, conceal, or obscure any of the  
19 following:

20           1. Any statement, label, stamp, sticker, or notice described in sub. (4) (a).

21           2. Any health warning that is not specified in or that does not conform with the  
22 requirements under 15 USC 1333.

23           (b) No person may affix stamps, as described in s. 139.32, to any cigarette  
24 package that is altered as described in par. (a).

25           **\*b0692/2.4\* SECTION 2845m.** 139.31 (6) of the statutes is created to read:

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1           139.31 (6) Subsections (4) and (5) do not apply to cigarettes that may be brought  
2 into the United States for personal use and cigarettes that are sold or intended for  
3 sale by a duty-free enterprise, as provided under 19 USC 1555, not including  
4 cigarettes that are brought into a customs territory, as defined under 19 USC 1555  
5 (2) (b) (C), for resale within the customs territory.

6           \***-1841/1.5\*** SECTION 2846. 139.34 (3) of the statutes is created to read:

7           139.34 (3) No distributor may affix stamps to cigarette packages, as provided  
8 in s. 139.32, unless the distributor certifies to the department, in a manner  
9 prescribed by the department, that the distributor purchases cigarettes directly from  
10 a manufacturer.

11           \***b0692/2.5\*** SECTION 2847m. 139.39 (4m) of the statutes is created to read:

12           139.39 (4m) Any person who sells, distributes, or manufactures cigarettes and  
13 who sustains direct economic or commercial injury as the result of a violation of this  
14 chapter may bring an action for injunctive relief.

15           \***b0692/2.5\*** SECTION 2847n. 139.40 (1) of the statutes is amended to read:

16           139.40 (1) All cigarettes acquired, owned, imported, possessed, kept, stored,  
17 made, sold, distributed or transported in violation of this chapter, and all personal  
18 property used in connection therewith is unlawful property and subject to seizure by  
19 the secretary or any peace officer. All cigarettes seized for violating s. 139.31 (4) or  
20 (5) shall be destroyed.

21           \***b0404/1.3\*** SECTION 2848r. 146.185 (3) of the statutes is amended to read:

22           146.185 (3) From the appropriation under s. 20.435 (5) ~~(fh)~~ (kb), the  
23 department shall in each fiscal year award up to \$200,000 in grants for activities to  
24 improve the health status of economically disadvantaged minority group members.  
25 A person may apply, in the manner specified by the department, for a grant of up to

**SENATE BILL 55****SECTION 2848r**

1 \$50,000 in each fiscal year to conduct these activities. ~~A grant awarded~~ An awardee  
2 of a grant under this subsection ~~may not exceed 50% of the cost of the activities.~~ ~~An~~  
3 ~~applicant's required contribution for a grant shall provide, for at least 50% of the~~  
4 ~~grant amount, matching funds that~~ may consist of funding or an in-kind  
5 contribution. An applicant that is not a federally qualified health center, as defined  
6 under 42 CFR 405.2401 (b) shall receive priority for grants awarded under this  
7 subsection.

8 \*b0404/1.3\* **SECTION 2848s.** 146.185 (4) of the statutes is amended to read:

9 146.185 (4) From the appropriation under s. 20.435 (5) ~~(fh)~~ (kb), the  
10 department shall award a grant of up to ~~\$100,000~~ \$50,000 in each fiscal year to a  
11 private nonprofit corporation that applies, in the manner specified by the  
12 department, to conduct a public information campaign on minority health.

13 \*b0694/1.1\* **SECTION 2848m.** 139.76 (1) of the statutes is amended to read:

14 139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,  
15 possession with intent to sell or removal for consumption or sale or other disposition  
16 for any purpose of tobacco products by any person engaged as a distributor of them  
17 at the rate of ~~20%~~ 30% of the manufacturer's established list price to distributors  
18 without diminution by volume or other discounts on domestic products. On products  
19 imported from another country the rate of tax is ~~20%~~ 30% of the amount obtained by  
20 adding the manufacturer's list price to the federal tax, duties and transportation  
21 costs to the United States. The tax attaches at the time the tobacco products are  
22 received by the distributor in this state. The tax shall be passed on to the ultimate  
23 consumer of the tobacco products. All tobacco products received in this state for sale  
24 or distribution within this state, except tobacco products actually sold as provided  
25 in sub. (2), shall be subject to such tax.

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1           **\*b0694/1.1\* SECTION 2848n.** 139.78 (1) of the statutes is amended to read:

2           139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco  
3 products in this state at the rate of ~~20%~~ 30% of the cost of the tobacco products. The  
4 tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco products has been  
5 paid or if the tobacco products are exempt from the tobacco products tax under s.  
6 139.76 (2).

7

8           **\*-0299/2.1\* SECTION 2850.** 146.55 (2m) (a) of the statutes is repealed and  
9 recreated to read:

10           146.55 (2m) (a) The department shall contract with a physician to direct the  
11 state emergency medical services program. The department may expend from the  
12 funding under the federal preventive health services project grant program under  
13 42 USC 2476 under the appropriation under s. 20.435 (1) (mc), \$25,000 in each fiscal  
14 year for this purpose.

15           **\*b0393/1.1\* SECTION 2850x.** 149.25 of the statutes is created to read:

16           **149.25 Case management pilot program. (1) DEFINITIONS.** In this section:

17           (a) “Chronic disease” means any disease, illness, impairment, or other physical  
18 condition that requires health care and treatment over a prolonged period and,  
19 although amenable to treatment, is irreversible and frequently progresses to  
20 increasing disability or death.

21           (b) “Health professional shortage area” means an area that is designated by the  
22 federal department of health and human services under 42 CFR part 5, appendix A,  
23 as having a shortage of medical care professionals.

**SENATE BILL 55****SECTION 2850x**

1           (2) PROGRAM AND ELIGIBILITY REQUIREMENTS. (a) The department shall conduct  
2 a 3-year pilot program, beginning on July 1, 2002, under which eligible persons who  
3 qualify under par. (b) are provided community-based case management services.

4           (b) To be eligible to participate in the pilot program, an eligible person must  
5 satisfy any of the following criteria:

6           1. Be diagnosed as having a chronic disease.

7           2. Be taking 2 or more prescribed medications on a regular basis.

8           3. Within 6 months of applying for the pilot program, have been treated 2 or  
9 more times at a hospital emergency room or have been admitted 2 or more times to  
10 a hospital as an inpatient.

11           (c) 1. Participation in the pilot program shall be voluntary and limited to no  
12 more than 300 eligible persons. The department shall ensure that all eligible  
13 persons are advised in a timely manner of the opportunity to participate in the pilot  
14 program and of how to apply for participation.

15           2. If more than 300 eligible persons apply to participate, the department shall  
16 select pilot program participants from among those who qualify under par. (b)  
17 according to standards determined by the department, except that the department  
18 shall give preference to eligible persons who reside in medically underserved areas  
19 or health professional shortage areas.

20           (3) PROVIDER ORGANIZATION AND SERVICES REQUIREMENTS. (a) The department  
21 shall select and contract with an organization to provide the community-based case  
22 management services under the pilot program. To be eligible to provide the services,  
23 an organization must satisfy all of the following criteria:

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1           1. Be a private, nonprofit, integrated health care system that provides access  
2 to health care in a medically underserved area of the state or in a health professional  
3 shortage area.

4           2. Operate an existing community-based case management program with  
5 demonstrated successful client and program outcomes.

6           3. Demonstrate an ability to assemble and coordinate an interdisciplinary  
7 team of health care professionals, including physicians, nurses, and pharmacists, for  
8 assessment of a program participant's treatment plan.

9           (b) The community-based case management services under the pilot program  
10 shall be provided by a team, consisting of a nurse case manager, a pharmacist, and  
11 a social worker, working in collaboration with the eligible person's primary care  
12 physician or other provider. Services to be provided include all of the following:

13           1. An initial intake assessment.

14           2. Development of a treatment plan based on best practices.

15           3. Coordination of health care services.

16           4. Patient education.

17           5. Family support.

18           6. Monitoring and reporting of patient outcomes and costs.

19           (c) The department shall pay contract costs from the appropriation under s.  
20 20.435 (4) (u).

21           (4) EVALUATION STUDY. The department shall conduct a study that evaluates the  
22 pilot program in terms of health care outcomes and cost avoidance. In the study, the  
23 department shall measure and compare, for pilot program participants and similarly  
24 situated eligible persons not participating in the pilot program, plan costs and  
25 utilization of services, including inpatient hospital days, rates of hospital

**SENATE BILL 55****SECTION 2850x**

1 readmission within 30 days for the same diagnosis, and prescription drug utilization.  
2 The department shall submit a report on the results of the study, including the  
3 department's conclusions and recommendations, to the legislature under s. 13.172  
4 (2) and to the governor.

5 **\*b0394/1.1\* SECTION 2850c.** 149.115 of the statutes is amended to read:

6 **149.115 Rules relating to creditable coverage.** The commissioner, in  
7 consultation with the department, shall promulgate rules that specify how  
8 creditable coverage is to be aggregated for purposes of ~~ss. s. 149.10 (2t) (a) and 149.14~~  
9 ~~(6) (b) 1. a.~~ and that determine the creditable coverage to which ~~ss. s. 149.10 (2t) (b)~~  
10 ~~and (d) and 149.14 (6) (b) 1. b. and d. apply~~ applies. The rules shall comply with  
11 section 2701 (c) of P.L. 104–191.

12 **\*b0394/1.1\* SECTION 2850d.** 149.13 (4) of the statutes is created to read:

13 **149.13 (4)** Notwithstanding subs. (1) to (3), the department, with the  
14 agreement of the commissioner, may perform various administrative functions  
15 related to the assessment of insurers participating in the cost of administering the  
16 plan.

17 **\*b0394/1.1\* SECTION 2850e.** 149.14 (3) (nm) of the statutes is created to read:

18 **149.14 (3) (nm)** Hospice care provided by a hospice licensed under subch. IV  
19 of ch. 50.

20 **\*b0394/1.1\* SECTION 2850j.** 149.14 (6) (b) 1. of the statutes is repealed.

21 **\*b0394/1.1\* SECTION 2850k.** 149.14 (6) (b) 2. of the statutes is renumbered  
22 149.14 (6) (b) and amended to read:

23 **149.14 (6) (b)** An eligible individual who obtains coverage under the plan ~~on~~  
24 ~~or after June 17, 1998,~~ may not be subject to any preexisting condition exclusion  
25 under the plan. ~~An eligible individual who is covered under the plan on June 17,~~



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1 1998, may not be subject to any preexisting condition exclusion on or after June 17,  
2 1998.

3 \*b0394/1.1\* SECTION 2850Lj. 149.143 (2m) (b) 3. of the statutes is created to  
4 read:

5 149.143 (2m) (b) 3. For distribution to eligible persons, notwithstanding any  
6 requirements in this chapter related to setting premium amounts. The department,  
7 with the approval of the board and the concurrence of the plan actuary, shall  
8 determine the policies, eligibility criteria, methodology, and other factors to be used  
9 in making any distribution under this subdivision.

10 \*b0394/1.1\* SECTION 2850m. 149.146 (1) (b) 1. of the statutes is repealed.

11 \*b0394/1.1\* SECTION 2850p. 149.146 (1) (b) 2. of the statutes is renumbered  
12 149.146 (1) (b).

13 \*b0394/1.1\* SECTION 2850w. 149.15 (1) of the statutes is amended to read:

14 149.15 (1) The plan shall have a board of governors consisting of  
15 representatives of 2 participating insurers ~~which~~ that are nonprofit corporations,  
16 representatives of 2 other participating insurers, 3 health care provider  
17 representatives, including one representative of the State Medical Society of  
18 Wisconsin, one representative of the Wisconsin Health and Hospital Association and  
19 one representative of an integrated multidisciplinary health system, and 3 4 public  
20 members, including one representative of small businesses in the state, appointed  
21 by the secretary for staggered 3-year terms. In addition, the commissioner, or a  
22 designated representative from the office of the commissioner, and the secretary, or  
23 a designated representative from the department, shall be members of the board.  
24 The public members shall not be professionally affiliated with the practice of  
25 medicine, a hospital, or an insurer. At least 2 one of the public members shall be

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1 ~~individuals reasonably expected to qualify for an individual who has~~ coverage under  
2 ~~the plan or the parent or spouse of such an individual.~~ The secretary or the  
3 secretary's representative shall be the chairperson of the board. Board members,  
4 except the commissioner or the commissioner's representative and the secretary or  
5 the secretary's representative, shall be compensated at the rate of \$50 per diem plus  
6 actual and necessary expenses.

7 **\*b0395/2.1\* SECTION 2850f.** 149.14 (5) (title) of the statutes is amended to  
8 read:

9 149.14 (5) (title) DEDUCTIBLES, COPAYMENTS ~~AND~~ COINSURANCE, AND  
10 OUT-OF-POCKET LIMITS.

11 **\*b0395/2.1\* SECTION 2850g.** 149.14 (5) (b) of the statutes is amended to read:  
12 149.14 (5) (b) Except as provided in ~~par.~~ pars. (c) and (e), if the covered costs  
13 incurred by the eligible person exceed the deductible for major medical expense  
14 coverage in a calendar year, the plan shall pay at least 80% of any additional covered  
15 costs incurred by the person during the calendar year.

16 **\*b0395/2.1\* SECTION 2850h.** 149.14 (5) (c) of the statutes is amended to read:  
17 149.14 (5) (c) If Except as provided in par. (e), if the aggregate of the covered  
18 costs not paid by the plan under par. (b) and the deductible exceeds \$500 for an  
19 eligible person receiving medicare, \$2,000 for any other eligible person during a  
20 calendar year or \$4,000 for all eligible persons in a family, the plan shall pay 100%  
21 of all covered costs incurred by the eligible person during the calendar year after the  
22 payment ceilings under this paragraph are exceeded.

23 **\*b0395/2.1\* SECTION 2850i.** 149.14 (5) (e) of the statutes is amended to read:  
24 149.14 (5) (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17  
25 (4), establish copayments for prescription drug coverage under sub. (3) (d) copayment

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1 amounts, coinsurance rates, and copayment and coinsurance out-of-pocket limits  
2 over which the plan will pay 100% of covered costs under sub. (3) (d). Any copayment  
3 amounts or rates amount, coinsurance rate, or out-of-pocket limit established are  
4 under this paragraph is subject to the approval of the board. Copayments and  
5 coinsurance paid by an eligible person under this paragraph shall are separate from  
6 and do not count toward the deductible and covered costs not paid by the plan under  
7 pars. (a) to (c).

8 \*b0395/2.1\* SECTION 2850Lc. 149.142 (1) (b) of the statutes is amended to  
9 read:

10 149.142 (1) (b) The payment rate for a prescription drug shall be the allowable  
11 charge paid under s. 49.46 (2) (b) 6. h. for the prescription drug. Notwithstanding  
12 s. 149.17 (4), the department may not reduce the payment rate for prescription drugs  
13 below the rate specified in this paragraph, and the rate may not be adjusted under  
14 s. 149.143 or 149.144.

15 \*b0395/2.1\* SECTION 2850Ld. 149.142 (2) of the statutes is amended to read:

16 149.142 (2) The Except as provided in sub. (1) (b), the rates established under  
17 this section are subject to adjustment under ss. 149.143 and 149.144.

18 \*b0395/2.1\* SECTION 2850Le. 149.143 (1) (b) 1. d. of the statutes is amended  
19 to read:

20 149.143 (1) (b) 1. d. Fourth, notwithstanding subd. 2., by increasing insurer  
21 assessments, excluding assessments under s. 149.144, and adjusting provider  
22 payment rates, subject to s. 149.142 (1) (b) and excluding adjustments to those rates  
23 under s. 149.144, in equal proportions and to the extent that the amounts under  
24 subd. 1. a. to c. are insufficient to pay 60% of plan costs.

25

**SENATE BILL 55****SECTION 2850Lf**

1           **\*b0395/2.1\* SECTION 2850Lf.** 149.143 (1) (b) 2. b. of the statutes is amended  
2 to read:

3           149.143 (1) (b) 2. b. Fifty percent from adjustments to provider payment rates,  
4 subject to s. 149.142 (1) (b) and excluding adjustments to those rates under s.  
5 149.144.

6           **\*b0395/2.1\* SECTION 2850Lg.** 149.143 (2) (a) 4. of the statutes is amended to  
7 read:

8           149.143 (2) (a) 4. By the same rule as under subd. 3. adjust the provider  
9 payment rate for the new plan year, subject to s. 149.142 (1) (b), by estimating and  
10 setting the rate at the level necessary to equal the amounts specified in sub. (1) (b)  
11 1. d. and 2. b. and as provided in s. 149.145.

12           **\*b0395/2.1\* SECTION 2850Lh.** 149.143 (3) (a) of the statutes is amended to  
13 read:

14           149.143 (3) (a) If, during a plan year, the department determines that the  
15 amounts estimated to be received as a result of the rates and amount set under sub.  
16 (2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment  
17 rate under s. 149.144 will not be sufficient to cover plan costs, the department may  
18 by rule increase the premium rates set under sub. (2) (a) 2. for the remainder of the  
19 plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2.,  
20 by rule increase the assessments set under sub. (2) (a) 3. for the remainder of the plan  
21 year, subject to sub. (1) (b) 2. a., and by the same rule under which assessments are  
22 increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder  
23 of the plan year, subject to sub. (1) (b) 2. b. and s. 149.142 (1) (b).

24           **\*b0395/2.1\* SECTION 2850Li.** 149.143 (3) (b) of the statutes is amended to  
25 read:

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1           149.143 (3) (b) If the department increases premium rates and insurer  
2 assessments and adjusts the provider payment rate under par. (a) and determines  
3 that there will still be a deficit and that premium rates have been increased to the  
4 maximum extent allowable under par. (a), the department may further adjust, in  
5 equal proportions, assessments set under sub. (2) (a) 3. and the provider payment  
6 rate set under sub. (2) (a) 4., without regard to sub. (1) (b) 2. but subject to s. 149.142  
7 (1) (b).

8           **\*b0395/2.1\* SECTION 2850Lj.** 149.143 (5) (a) of the statutes is amended to  
9 read:

10           149.143 (5) (a) Annually, no later than April 30, the department shall perform  
11 a reconciliation with respect to plan costs, premiums, insurer assessments, and  
12 provider payment rate adjustments based on data from the previous calendar year.  
13 On the basis of the reconciliation, the department shall make any necessary  
14 adjustments in premiums, insurer assessments, or provider payment rates, subject  
15 to s. 149.142 (1) (b), for the fiscal year beginning on the first July 1 after the  
16 reconciliation, as provided in sub. (2) (b).

17           **\*b0395/2.1\* SECTION 2850Lk.** 149.143 (5) (b) of the statutes is amended to  
18 read:

19           149.143 (5) (b) Except as provided in sub. (3) and s. 149.144, the department  
20 shall adjust the provider payment rates to meet the providers' specified portion of the  
21 plan costs no more than once annually, subject to s. 149.142 (1) (b). The department  
22 may not determine the adjustment on an individual provider basis or on the basis  
23 of provider type, but shall determine the adjustment for all providers in the  
24 aggregate, subject to s. 149.142 (1) (b).

25           **\*b0395/2.1\* SECTION 2850Lm.** 149.144 of the statutes is amended to read:

**SENATE BILL 55****SECTION 2850Lm**

1           **149.144 Adjustments to insurer assessments and provider payment**  
2 **rates for premium and deductible reductions.** If the moneys transferred to the  
3 fund under the appropriation under s. 20.435 (4) (ah) are insufficient to reimburse  
4 the plan for premium reductions under s. 149.165 and deductible reductions under  
5 s. 149.14 (5) (a), or the department determines that the moneys transferred or to be  
6 transferred to the fund under the appropriation under s. 20.435 (4) (ah) will be  
7 insufficient to reimburse the plan for premium reductions under s. 149.165 and  
8 deductible reductions under s. 149.14 (5) (a), the department may, by rule, adjust in  
9 equal proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and  
10 the provider payment rate set under s. 149.143 (2) (a) 4., subject to s. ss. 149.142 (1)  
11 (b) and 149.143 (1) (b) 1., sufficient to reimburse the plan for premium reductions  
12 under s. 149.165 and deductible reductions under s. 149.14 (5) (a). If the department  
13 makes the adjustment under this section, the department shall notify the  
14 commissioner so that the commissioner may levy any increase in insurer  
15 assessments.

16           **\*b0395/2.1\* SECTION 2850Ln.** 149.145 of the statutes is amended to read:

17           **149.145 Program budget.** The department, in consultation with the board,  
18 shall establish a program budget for each plan year. The program budget shall be  
19 based on the provider payment rates specified in s. 149.142 and in the most recent  
20 provider contracts that are in effect and on the funding sources specified in s. 149.143  
21 (1), including the methodologies specified in ss. 149.143, 149.144, and 149.146 for  
22 determining premium rates, insurer assessments, and provider payment rates.  
23 Except as otherwise provided in s. 149.143 (3) (a) and (b) and subject to s. 149.142  
24 (1) (b), from the program budget the department shall derive the actual provider  
25 payment rate for a plan year that reflects the providers' proportional share of the

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1 plan costs, consistent with ss. 149.143 and 149.144. The department may not  
2 implement a program budget established under this section unless it is approved by  
3 the board.

4 **\*b0395/2.1\* SECTION 2850q.** 149.146 (2) (am) 2. of the statutes is amended to  
5 read:

6 149.146 (2) (am) 2. Except as provided in ~~subd. subds. 3. and 5.~~, if the covered  
7 costs incurred by the eligible person exceed the deductible for major medical expense  
8 coverage in a calendar year, the plan shall pay at least 80% of any additional covered  
9 costs incurred by the person during the calendar year.

10 **\*b0395/2.1\* SECTION 2850r.** 149.146 (2) (am) 3. of the statutes is amended to  
11 read:

12 149.146 (2) (am) 3. If Except as provided in subd. 5., if the aggregate of the  
13 covered costs not paid by the plan under subd. 2. and the deductible exceeds \$3,500  
14 for any eligible person during a calendar year or \$7,000 for all eligible persons in a  
15 family, the plan shall pay 100% of all covered costs incurred by the eligible person  
16 during the calendar year after the payment ceilings under this subdivision are  
17 exceeded.

18 **\*b0395/2.1\* SECTION 2850s.** 149.146 (2) (am) 5. of the statutes is created to  
19 read:

20 149.146 (2) (am) 5. Subject to s. 149.14 (8) (b), the department may, by rule  
21 under s. 149.17 (4), establish for prescription drug coverage under this section  
22 copayment amounts, coinsurance rates, and copayment and coinsurance  
23 out-of-pocket limits over which the plan will pay 100% of covered costs for  
24 prescription drugs. Any copayment amount, coinsurance rate, or out-of-pocket  
25 limit established under this subdivision is subject to the approval of the board.

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1 Copayments and coinsurance paid by an eligible person under this subdivision are  
2 separate from and do not count toward the deductible and covered costs not paid by  
3 the plan under subds. 1. to 3.

4 **\*b0605/2.1\* SECTION 2850t.** 150.345 of the statutes is created to read:

5 **150.345 Nursing home bed transfers. (1)** Notwithstanding ss. 150.33 and  
6 150.34, a nursing home may transfer a licensed bed to another nursing home, if all  
7 of the following apply:

8 (a) The receiving nursing home is within the same area for allocation of nursing  
9 home beds, as determined by the department, as is the transferring nursing home,  
10 or is in a county adjoining that area.

11 (b) The transferring nursing home and the receiving nursing home are owned  
12 by corporations that are owned by the same person.

13 (c) The transferring and receiving nursing homes notify the department of the  
14 proposed transfer within 30 days before the transfer occurs.

15 (d) The department reviews and approves the transfer.

16 **(2)** Upon receiving the notification specified in sub. (1) (c), the department shall  
17 adjust the allocation of licensed beds under s. 150.31 for each nursing home in  
18 accordance with the transfer that was made.

19 **\*b0608/1.2\* SECTION 2850d.** 146.65 of the statutes is created to read:

20 **146.65 Rural health dental clinic.** From the appropriation under s. 20.435

21 (5) (dm), the department shall distribute funds to the rural health dental clinic  
22 located in Ladysmith that provides dental services to persons in the counties of Rusk,  
23 Price, Taylor, Sawyer, and Chippewa who are developmentally disabled or elderly or  
24 who have low income. The department shall also seek federal funding to support the  
25 operations of the rural health dental clinic.

V



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1           **\*b0266/1.1\* SECTION 2852g.** 157.10 of the statutes is renumbered 157.10 (1)

2 (a) and amended to read:

3           157.10 (1) (a) ~~While~~ Except as provided in par. (b), while any person is buried  
4 in a cemetery lot, the cemetery lot shall be inalienable, ~~without the consent of~~ unless  
5 the cemetery authority, ~~and on the consents to a conveyance of an interest in the~~  
6 cemetery lot.

7           (2) Upon the death of the owner of a cemetery lot, ownership of the cemetery  
8 lot shall descend to the owner's heirs; ~~but~~ and any one or more of such heirs may  
9 convey to any other heir his or her interest in the cemetery lot.

10           (3) No human remains may be buried in a cemetery lot except the human  
11 remains of one having an interest in the cemetery lot, or a relative, or the husband  
12 or wife of such person, or his or her relative, except by the consent of all persons  
13 having an interest in the cemetery lot.

14           **\*b0266/1.1\* SECTION 2852h.** 157.10 (1) (b) of the statutes is created to read:

15           157.10 (1) (b) A person having an interest in a cemetery lot may, after providing  
16 written notice to the cemetery authority, convey the interest to his or her spouse,  
17 child, sibling, or parent without the consent of the cemetery authority.

18           **\*b0266/1.1\* SECTION 2852t.** 157.635 (title) of the statutes is amended to read:

19           157.635 (title) **Regulations of religious cemetery ~~affiliated with~~**  
20 **religious-society authorities.**

21           **\*b0266/1.1\* SECTION 2852u.** 157.635 of the statutes is renumbered 157.635

22 (2) and amended to read:

23           157.635 (2) ~~Nothing~~ Except as provided in sub. (3), nothing in this subchapter  
24 prohibits a religious cemetery authority of ~~a cemetery that is affiliated with a~~  
25 religious society organized under ch. 187 from prohibiting the burial of the human

**SENATE BILL 55****SECTION 2852u**

1 remains of an individual in the cemetery if the individual was in a class of individuals  
2 who are prohibited under regulations adopted by the religious cemetery authority  
3 or affiliated religious society from being buried in the cemetery.

4 **\*b0266/1.1\* SECTION 2852v.** 157.635 (1) of the statutes is created to read:

5 157.635 (1) In this section:

6 (a) “Affiliated religious society” means a religious society organized under ch.  
7 187 that is affiliated with a religious cemetery authority.

8 (b) “Religious cemetery authority” means a cemetery authority of a cemetery  
9 that is affiliated with a religious society organized under ch. 187.

10 **\*b0266/1.1\* SECTION 2852x.** 157.635 (3) of the statutes is created to read:

11 157.635 (3) If an individual who is not prohibited under regulations adopted  
12 by a religious cemetery authority or affiliated religious society from being buried in  
13 a cemetery conveys his or her interest in a cemetery lot in the cemetery to his or her  
14 spouse, child, sibling, or parent, the religious cemetery authority may not prohibit  
15 the burial of the human remains of the spouse, child, sibling, or parent in the  
16 cemetery.

17 **\*-1464/2.66\* SECTION 2853.** 157.70 (2) (i) of the statutes is amended to read:

18 157.70 (2) (i) Cause a cataloged burial site to be recorded by the register of  
19 deeds of the county in which the burial site is located. The historical society shall  
20 reimburse the county for the cost of recording under this paragraph from the  
21 appropriation under s. 20.245 (3) (1) (a).

22 **\*-1772/1.2\* SECTION 2854.** 165.055 (3) of the statutes is repealed.

23 **\*b0457/2.2\* SECTION <sup>2854m</sup>~~2854~~m.** 165.10 of the statutes is created to read:

24 **165.10 Civil rights enforcement.** If any person, whether or not acting under  
25 color of law, interferes with the exercise or enjoyment by any individual of a right

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LPS: Do not delete  
4 star notes

1 secured by the constitution or laws of the United States, or of a right secured by the  
2 constitution or laws of this state, the attorney general may bring an action for  
3 injunction or other appropriate equitable relief to protect the peaceable exercise or  
4 enjoyment of the right secured.

5 **\*-2156/4.12\* SECTION 2855.** 165.25 (4) (ar) of the statutes is amended to read:

6 165.25 (4) (ar) The department of justice shall furnish all legal services  
7 required by the department of agriculture, trade and consumer protection relating  
8 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,  
9 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50,  
10 and 100.51 and chs. 136, 344, 704, 707, and 779, together with any other services as  
11 are necessarily connected to the legal services.

*[Handwritten signature]*

\*\*\*\*NOTE: This is reconciled s. 165.25 (4) (ar). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-0392, LRB-0406, and LRB-2156.

*[Handwritten signature]*

12 **\*b0456/1.2\* SECTION 2856d.** 165.25 (10) of the statutes is created to read:

13 165.25 (10) REPORT ON RESTITUTION. Semiannually submit a report to the  
14 department of administration and the joint committee on finance regarding money  
15 received by the department of justice under a court order or a settlement agreement  
16 for providing restitution to victims. The report shall specify the amount of  
17 restitution received by the department of justice during the reporting period; the  
18 persons to whom the department of justice paid restitution and the amount that the  
19 department of justice paid to each recipient during the reporting period; and the  
20 department of justice's methodology for selecting recipients and determining the  
21 amount paid to each recipient.

*[Handwritten signature]*

\*\*\*\*NOTE: This is reconciled s. 165.25 (4) (ar). This SECTION has been affected by  
drafts with the following LRB numbers: -0392, -0406, and -2156.

*[Handwritten signature]*

22 **\*b0338/1.3\* SECTION 2857t.** 165.755 (1) (b) of the statutes is amended to read:

**SENATE BILL 55****SECTION 2857t**

1           165.755 (1) (b) A court may not impose the crime laboratories and drug law  
2 enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)  
3 ~~er~~, (bm), or (br) or (5) (b) or for a violation of a state law or municipal or county  
4 ordinance involving a nonmoving traffic violation or a safety belt use violation under  
5 s. 347.48 (2m).

6           \***-1394/2.51**\* **SECTION 2858.** 165.755 (4) of the statutes is amended to read:

7           165.755 (4) If a municipal court imposes a forfeiture, after determining the  
8 amount due under sub. (1) (a) the court shall collect and transmit such amount to the  
9 treasurer of the county, city, town or village, and that treasurer shall make payment  
10 to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~ (bm).

11           \***-0549/1.1**\* **SECTION 2863.** 166.20 (1) (gk) of the statutes is created to read:

12           166.20 (1) (gk) “Local emergency response team” means a team that the  
13 committee identifies under s. 166.21 (2m) (e).

14           \***-0549/1.2**\* **SECTION 2864.** 166.20 (1) (im) of the statutes is created to read:

15           166.20 (1) (im) “Regional emergency response team” means a team that the  
16 division contracts with under s. 166.215 (1).

17           \***-0549/1.3**\* **SECTION 2865.** 166.20 (2) (bm) 1. of the statutes is amended to  
18 read:

19           166.20 (2) (bm) 1. If a regional or local emergency response team has made a  
20 good faith effort to identify a person responsible for the emergency involving a  
21 release or potential release of a hazardous substance under s. 166.215 (3) or 166.22  
22 (4).

23           \***-0549/1.4**\* **SECTION 2866.** 166.20 (2) (bm) 2. of the statutes is amended to  
24 read:

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1           166.20 (2) (bm) 2. If a person responsible for the emergency involving a release  
2           or potential release of a hazardous substance under s. 166.215 (3) or 166.22 (4) is  
3           financially able or has the money or resources necessary to reimburse a regional or  
4           local emergency response team for the expenses incurred by the regional or local  
5           emergency response team in responding to the release emergency.

6           \***-0549/1.5\*** SECTION 2867. 166.20 (2) (bs) of the statutes is created to read:

7           166.20 (2) (bs) 1. Promulgate rules that establish the procedures that a  
8           regional emergency response team shall follow to determine if an emergency that  
9           requires the team's response exists as the result of a level A release or a potential  
10          level A release.

11          2. Promulgate rules that establish the procedures that a local emergency  
12          response team shall follow to determine if an emergency that requires the team's  
13          response exists as the result of a release or potential release of a hazardous  
14          substance, as defined in s. 299.01 (6).

15          \***-0549/1.6\*** SECTION 2868. 166.21 (2m) (e) of the statutes is amended to read:

16          166.21 (2m) (e) Identification of a ~~county~~ local emergency response team that  
17          is capable of responding to a level B release that occurs at any place in the county and  
18          whose members meet the standards for hazardous materials technicians in 29 CFR  
19          1910.120 (q) (6) (iii) and national fire protection association standards NFPA 471 and  
20          472.

21          \***-0549/1.7\*** SECTION 2869. 166.21 (2m) (f) of the statutes is amended to read:

22          166.21 (2m) (f) Procedures for ~~county~~ local emergency response team actions  
23          that are consistent with local emergency response plans developed under s. 166.20  
24          (3) and the state contingency plan established under s. 292.11 (5).

25          \***-0549/1.8\*** SECTION 2871. 166.215 (2) of the statutes is amended to read:

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1           166.215 (2) The division shall reimburse a regional emergency response team  
2 for costs incurred by the team in responding to an emergency involving a level A  
3 release under sub. (1), or a potential level A release, if the team followed the  
4 procedures in the rules promulgated under s. 166.20 (2) (bs) 1. to determine if an  
5 emergency requiring a response existed. Reimbursement under this subsection is  
6 limited to amounts collected under sub. (3) and the amounts appropriated under s.  
7 20.465 (3) (dr). Reimbursement is available under s. 20.465 (3) (dr) only if the  
8 regional emergency response team has made a good faith effort to identify the person  
9 responsible under sub. (3) and that person cannot be identified, or, if that person is  
10 identified, the team has received reimbursement from that person to the extent that  
11 the person is financially able or has determined that the person does not have  
12 adequate money or other resources to reimburse the regional emergency response  
13 team.

14           \***-0549/1.9\*** **SECTION 2872.** 166.215 (3) of the statutes is repealed and  
15 recreated to read:

16           166.215 (3) A person shall reimburse the division for costs incurred by a  
17 regional emergency response team in responding to an emergency if the team  
18 followed the procedures established under s. 166.20 (2) (bs) 1. to determine if an  
19 emergency requiring the team's response existed and if any of the following  
20 conditions applies:

21           (a) The person possessed or controlled a hazardous substance that was involved  
22 in the emergency.

23           (b) The person caused the emergency.

24           \***-0549/1.10\*** **SECTION 2873.** 166.22 (1) (a) of the statutes is repealed.

25           \***-0549/1.11\*** **SECTION 2874.** 166.22 (1) (c) of the statutes is amended to read:

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1           166.22 (1) (c) “Local agency” means an agency of a county, city, village, or town,  
2 including a municipal police or fire department, a municipal health organization, a  
3 county office of emergency management, a county sheriff, an emergency medical  
4 service, a local emergency response team, or a public works department.

5           \***-0549/1.12\*** SECTION 2875. 166.22 (1) (d) of the statutes is created to read:

6           166.22 (1) (d) “Local emergency response team” means a team that the  
7 committee identifies under s. 166.21 (2m) (e).

8           \***-0549/1.13\*** SECTION 2876. 166.22 (2) of the statutes is amended to read:

9           166.22 (2) A person who possesses or controls a hazardous substance that is  
10 discharged released or who causes the discharge release of a hazardous substance  
11 shall take the actions necessary to protect public health and safety and prevent  
12 damage to property.

13           \***-0549/1.14\*** SECTION 2877. 166.22 (3) of the statutes is amended to read:

14           166.22 (3) If action required under sub. (2) is not being adequately taken or the  
15 identity of the person responsible for a discharge an emergency involving a release  
16 or potential release of a hazardous substance is unknown and the discharge  
17 emergency involving a release or potential release threatens public health or safety  
18 or damage to property, a local agency may take any emergency action that is  
19 consistent with the contingency plan for the undertaking of emergency actions in  
20 response to the discharge release or potential release of hazardous substances  
21 established by the department of natural resources under s. 292.11 (5) and that it  
22 considers appropriate under the circumstances.

23           \***-0549/1.15\*** SECTION 2878. 166.22 (3m) of the statutes is amended to read:

24           166.22 (3m) The division shall reimburse a local emergency response team for  
25 costs incurred by the team in responding to an emergency involving a hazardous

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1 ~~substance discharge under sub. (3) release, or potential release, if the team followed~~  
2 ~~the procedures in the rules promulgated under s. 166.20 (2) (bs) 2. to determine if an~~  
3 ~~emergency requiring the team's response existed.~~ Reimbursement under this  
4 subsection is limited to the amount appropriated under s. 20.465 (3) (dr).  
5 Reimbursement is available under s. 20.465 (3) (dr) only if the local emergency  
6 response team has made a good faith effort to identify the person responsible under  
7 sub. (4) and that person cannot be identified, or, if that person is identified, the team  
8 has received reimbursement from that person to the extent that the person is  
9 financially able or has determined that the person does not have adequate money or  
10 other resources to reimburse the local emergency response team.

11 **\*-0549/1.16\* SECTION 2879.** 166.22 (4) of the statutes is repealed and  
12 recreated to read:

13 166.22 (4) (a) Except as provided in par. (b), a person shall reimburse a local  
14 agency as provided in sub. (5) for actual, reasonable, and necessary expenses  
15 incurred in responding to an emergency involving the release or potential release of  
16 a hazardous substance if any of the following conditions applies:

17 1. The person possessed or controlled a hazardous substance involved in the  
18 emergency.

19 2. The person caused the emergency.

20 (b) A local emergency response team may receive reimbursement under par. (a)  
21 only if the team followed the procedures established under s. 166.20 (2) (bs) 2. to  
22 determine if an emergency requiring the team's response existed.

23 **\*-0549/1.17\* SECTION 2880.** 166.22 (5) (am) of the statutes is amended to read:



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1           166.22 (5) (am) A local agency seeking reimbursement under sub. (4) shall  
2 submit a claim stating its expenses to the reviewing entity for the county in which  
3 the discharge emergency occurred.

4           \***-0549/1.18\*** SECTION 2881. 166.22 (5) (b) of the statutes is amended to read:

5           166.22 (5) (b) The reviewing entity shall review claims submitted under par.  
6 (am) and determine the amount of reasonable and necessary expenses incurred. The  
7 reviewing entity shall provide a person who is liable for reimbursement under sub.  
8 (4) with a notice of the amount of expenses it has determined to be reasonable and  
9 necessary that ~~arise from one discharge and are~~ arose from the emergency involving  
10 the release or potential release of a hazardous substance and that were incurred by  
11 all local agencies from which the reviewing entity receives a claim.

12           \***b0551/3.2\*** SECTION 2881b. 173.40 of the statutes is created to read:

13           **173.40 Pet dealers, pet breeders, kennels, and animal shelters. (1)**

14           DEFINITIONS. In this section:

15           (a) “Adequate food” means wholesome food that is accessible to an animal, is  
16 appropriate for the type of animal, and is sufficient in amount to maintain the animal  
17 in good health.

18           (b) “Adequate water” means potable water that is accessible to an animal and  
19 is sufficient in amount to maintain the animal in good health.

20           (c) “Animal shelter” means any of the following:

21           1. A facility that is used to impound or harbor at least 25 seized, stray,  
22 abandoned, or unwanted dogs, cats, or other animals in a year and that is operated  
23 by this state, a political subdivision, or a veterinarian licensed under ch. 453.

24           2. A facility that is operated for the purpose of providing for and promoting the  
25 welfare, protection, and humane treatment of animals, that is used to shelter at least

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1 25 animals in a year, and that is operated by a humane society, an animal welfare  
2 society, or a nonprofit association.

3 (d) “Humane care” includes the provision of adequate heating, cooling,  
4 ventilation, sanitation, shelter, and medical care consistent with the normal  
5 requirements of an animal’s size, species, and breed, adequate food, and adequate  
6 water.

7 (e) “Kennel” means a facility where dogs or cats are kept for 24 hours or more  
8 for boarding, training, or similar purposes for compensation, except that “kennel”  
9 does not include any of the following:

- 10 1. An animal shelter.
- 11 2. A facility owned or operated by a veterinarian licensed under ch. 453 where  
12 animals are boarded only in conjunction with the provision of veterinary care.

13 (em) “Livestock” means cattle, horses, swine, sheep, goats, deer, llamas, and  
14 related species, including game species.

15 (f) “Nonprofit association” means an incorporated or unincorporated  
16 organization consisting of 3 or more members joined by mutual consent for a  
17 common, nonprofit purpose.

18 (fm) “Pet breeder” means a person who sells or offers to sell at least 25 dogs or  
19 cats for resale as pets in a year, except that “pet breeder” does not include a pet dealer.

20 (g) “Pet dealer” means a person who sells, or offers to sell at retail, exchanges,  
21 or offers for adoption at least 25 mammals, other than livestock, as pets in a year.

22 **(2) LICENSE REQUIRED.** (a) Except as provided in par. (c), no person may operate  
23 an animal shelter or kennel without a license from the department. A person shall  
24 obtain a license under this paragraph for each separate location at which the person  
25 operates an animal shelter or kennel.

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1           (b) Except as provided in par. (c), no person may act as a pet dealer or pet  
2 breeder without a license from the department. A person shall obtain a license under  
3 this paragraph for each separate location at which the person conducts business as  
4 a pet dealer or pet breeder.

5           (c) The department may issue an interim permit that authorizes a person to  
6 operate an animal shelter or kennel or to act as a pet dealer or pet breeder until the  
7 department makes the initial inspection required under sub. (4) (a).

8           (d) Licenses issued under pars. (a) and (b) expire on October 31 of each  
9 even-numbered year.

10          (e) A license issued under par. (a) or (b) is not transferable.

11          **(3) LICENSE FEES.** The department shall promulgate rules specifying fees that  
12 must be paid by applicants for licenses under sub. (2). A fee paid under this  
13 subsection is not refundable if the department denies the license.

14          **(4) INSPECTIONS.** (a) The department shall inspect each location for which a  
15 person is required to obtain a license under sub. (2) before issuing the initial license  
16 and at least once during each biennial licensing period after the initial license period.

17          (b) In addition to the inspections required under par. (a), the department may  
18 enter and inspect a facility for which a person is required to obtain a license under  
19 sub. (2) at any reasonable time.

20          **(5) RULES.** The department may promulgate rules that specify any of the  
21 following:

22           (a) Minimum standards for animal shelter and kennel facilities and facilities  
23 at which pet dealers and pet breeders operate.

24           (b) Minimum requirements for humane care to be provided by persons required  
25 to obtain licenses under sub. (2).

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1 (c) Requirements relating to the transportation of animals by persons required  
2 to obtain licenses under sub. (2).

3 (d) Grounds for revocation of licenses issued under sub. (2).

4 (e) Grounds for the department to issue orders prohibiting a person required  
5 to be licensed under this section from selling or moving an animal.

6 (f) Minimum ages for the sale of animals by persons required to be licensed  
7 under sub. (2).

8 (g) Reinspection fees to be charged when an inspection by the department  
9 under this section reveals conditions that require correction and reinspection.

10 (h) Requirements for record keeping by persons required to be licensed under  
11 sub. (2).

12 (i) Requirements relating to space and opportunity for exercise to be provided  
13 to animals by persons required to be licensed under sub. (2).

14 **(6) PENALTIES.** (a) A person who operates without a license required under sub.  
15 (2) may be fined not more than \$10,000 or imprisoned for not more than 9 months,  
16 or both.

17 (b) 1. Except as provided under par. (a), a person who violates this section or  
18 a rule promulgated under this section may be required to forfeit not more than \$1,000  
19 for the first offense and may be required to forfeit not less than \$200 nor more than  
20 \$2000 for the 2nd or any subsequent offense within 5 years.

21 2. If a violation under subd. 1. involves the keeping of animals, each animal  
22 with respect to which the statute or rule is violated constitutes a separate violation.

23 **\*b0551/3.2\* SECTION 2881c.** 174.001 (2m) of the statutes is repealed.

24 **\*b0551/3.2\* SECTION 2881d.** 174.05 (2) of the statutes is amended to read:

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1           174.05 (2) TAX. The minimum dog license tax is ~~\$3~~ \$4.50 for a neutered male  
2 dog or spayed female dog, upon presentation of evidence that the dog is neutered or  
3 spayed, and ~~\$8~~ \$10.00 for an unneutered male dog or unspayed female dog, or  
4 one-half of these amounts if the dog became 5 months of age after July 1 of the license  
5 year.

6           **\*b0551/3.2\* SECTION 2881e.** 174.053 of the statutes is amended to read:

7           **174.053 Kennel Multiple dog licenses.** (1) ~~KENNEL MULTIPLE DOG LICENSE~~  
8 ~~OPTION.~~ Any person who keeps or operates a kennel more than one dog may, instead  
9 of the license tax for each dog required by this chapter, apply to the collecting official  
10 for a kennel multiple dog license for the keeping or operating of the kennel of the  
11 dogs. Such person shall pay for the license year a license tax of ~~\$35~~ \$45.50 for a  
12 kennel of 12 or fewer dogs and an additional ~~\$3~~ \$4.50 for each dog in excess of 12.  
13 Upon payment of the required kennel multiple dog license tax and upon presentation  
14 of evidence that all dogs over 5 months of age are currently immunized against  
15 rabies, the collecting official shall issue the kennel multiple dog license and a number  
16 of tags equal to the number of dogs authorized to be kept ~~in the kennel by the person.~~

17           (2) ~~KENNEL MULTIPLE DOG LICENSE TAGS.~~ Kennel Multiple dog license tags shall  
18 be made in a form so that they may be readily distinguishable from the individual  
19 license tags for the same year. The owner or keeper of ~~a kennel dogs for which a~~  
20 multiple dog license has been issued shall keep at all times a kennel multiple dog  
21 license tag attached to the collar of each dog over 5 months old kept by the owner or  
22 keeper under a kennel multiple dog license, but this requirement does not apply to  
23 a dog during competition or training, to a dog securely confined indoors, to a dog  
24 while hunting, or to a dog securely confined in a fenced area. ~~These tags may be~~  
25 ~~transferred from one dog to another within the kennel whenever any dog is removed~~

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1 ~~from the kennel.~~ An owner or keeper may transfer a multiple dog license tag from  
2 a dog that the owner or keeper no longer owns or keeps to another dog if the other  
3 dog is currently immunized against rabies. The rabies vaccination tag or substitute  
4 tag shall remain attached to the dog for which it is issued at all times, but this  
5 requirement does not apply to a dog during competition or training, to a dog securely  
6 confined indoors, to a dog while hunting, or to a dog securely confined in a fenced  
7 area. No dog bearing a ~~kennel~~ multiple dog license tag shall be permitted to stray  
8 or to be taken anywhere outside the limits of the ~~kennel~~ owner's or keeper's premises  
9 unless the dog is in leash or temporarily out for the purposes of hunting, breeding,  
10 trial, training, or competition.

11 **(3) APPLICABILITY OF OTHER REQUIREMENTS.** Unless clearly inapplicable, all the  
12 provisions of this chapter relating to the individual dog license tax, licenses, and tags  
13 shall apply to the ~~kennel~~ multiple dog license and tags.

14 **\*b0551/3.2\* SECTION 2881f.** 174.06 (6) of the statutes is amended to read:

15 174.06 (6) ~~KENNEL~~ MULTIPLE DOG LICENSE RECORDS. The listing official shall  
16 make in triplicate a list of the names of persons ~~owning and operating kennels~~  
17 holding multiple dog licenses and the number of dogs kept ~~in each~~ by each of those  
18 persons.

19 **\*b0551/3.2\* SECTION 2881g.** 174.06 (7) of the statutes is amended to read:

20 174.06 (7) LIST DELIVERY. The listing official shall, by September 15, deliver one  
21 copy of the list under sub. (5) or (6) to the county clerk, and one copy to the ~~collecting~~  
22 official to whom license taxes are paid under s. 174.08, and retain one copy for his  
23 or her files.

24 **\*b0551/3.2\* SECTION 2881h.** 174.065 (1) of the statutes is amended to read:

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1           174.065 (1) COLLECTING OFFICIAL. The collecting official is ~~the~~ any city, village,  
2 or town treasurer or other tax collecting officer or ~~a~~ any person deputized by the  
3 treasurer or tax collecting official, unless the common council or village or town board  
4 provides by ordinance or resolution for the appointment of a different person.  
5 Veterinarians and humane societies may voluntarily become collecting officials for  
6 a city, village, or town if the governing body of the city, village, or town by resolution  
7 or ordinance provides that veterinarians and humane societies may be collecting  
8 officials for the city, village, or town.

9           **\*b0551/3.2\* SECTION 2881i.** 174.07 (1) (c) of the statutes is amended to read:  
10           174.07 (1) (c) *Copies.* The collecting official shall keep a duplicate copy of the  
11 license on file. In counties having a population of 500,000 or more, the collecting  
12 official shall immediately send to the county clerk or whatever agency the county  
13 board may direct, a triplicate copy of the license. A collecting official who is not the  
14 official to whom license taxes are paid under s. 174.08 shall provide a copy of each  
15 license issued to the official to whom license taxes are paid under s. 174.08.

16           **\*b0551/3.2\* SECTION 2881j.** 174.07 (2) (d) of the statutes is amended to read:  
17           174.07 (2) (d) The department shall furnish county clerks with suitable ~~kenel~~  
18 multiple dog license tags and blank licenses for distribution to the collecting officials.

19           **\*b0551/3.2\* SECTION 2881k.** 174.07 (3) (c) of the statutes is amended to read:  
20           174.07 (3) (c) *Reimbursement.* The collecting official may retain ~~25~~ 75 cents,  
21 or a greater amount established by the county board by ordinance or resolution, for  
22 each license issued as compensation for the service, if not a full-time, salaried  
23 municipal employee. If the collecting official is a full-time, salaried municipal  
24 employee this compensation shall be paid into the treasury of the town, village, or  
25 city.