

SENATE BILL 55**SECTION 2881L**

1 ***b0551/3.2* SECTION 2881L.** 174.09 (1) of the statutes is amended to read:

2 174.09 (1) The dog license taxes so paid to the county treasurer shall be kept
3 in a separate account and shall be known as the “dog license fund” and shall be
4 appropriated and disbursed for the purposes and in the manner following: fund.
5 Within 30 days after receipt of the same dog license taxes the county treasurer shall
6 pay into the state treasury 5% of the minimum tax as provided for \$1 for each license
7 issued under s. 174.05 (2) of all dog license taxes which shall have been received by
8 the county treasurer for a neutered or spayed dog, \$1.50 for each license issued under
9 s. 174.05 (2) for a dog that has not been neutered or spayed, \$10 for each multiple dog
10 license issued under s. 174.053 (1), and \$1 for each dog in excess of 12 for which a
11 multiple dog license is issued under s. 174.053 (1).

12 ***b0492/1.1* SECTION 2882m.** 175.50 of the statutes is created to read:

13 **175.50 Use of passive alcohol sensors. (1)** In this section:

14 (a) “Law enforcement officer” means a Wisconsin law enforcement officer, as
15 defined in s. 175.46 (1) (g).

16 (b) “Passive alcohol sensor” means a device that is used to determine the
17 presence of alcohol in the air but that does not require a person to breathe directly
18 into it through a mouthpiece, tube, or similar device.

19 (2) A law enforcement officer may not use a passive alcohol sensor for the
20 purpose of detecting the presence of alcohol in a person’s breath unless the person
21 consents to its use.

22 ***-0658/2.1* SECTION 2883.** 177.06 (3) (b) of the statutes is amended to read:

23 177.06 (3) (b) Assess a service charge after December 31 of the 2nd calendar
24 year covered in the report filed under s. 177.17 concerning that property.

25 ***-0658/2.2* SECTION 2884.** 177.06 (4) of the statutes is amended to read:

SENATE BILL 55

1 177.06 (4) Any property described in sub. (1) that is automatically renewable
2 is matured for purposes of sub. (1) upon the expiration of its initial time period, or
3 after one year if the initial period is less than one year, except that in the case of any
4 renewal to which the owner consents at or about the time of renewal by
5 communicating in writing with the banking or financial organization or otherwise
6 indicating consent as evidenced by a memorandum or other record on file prepared
7 by an employee of the organization, the property is matured upon the expiration of
8 the last time period for which consent was given or one year from the date of the last
9 consent, whichever is longer. If, at the time provided for delivery in s. ~~177.19~~ 177.17
10 (4) (a), a penalty or forfeiture in the payment of interest would result from the
11 delivery of the property, the time for delivery is extended until the time when no
12 penalty or forfeiture would result.

13 *~~0658/2.3~~* **SECTION 2885.** 177.10 (1) (intro.) of the statutes is amended to
14 read:

15 177.10 (1) (intro.) Except as provided in subs. (2) and (5), any stock or other
16 intangible ownership interest in a business association, the existence of which is
17 evidenced by records available to the association, is presumed abandoned and, with
18 respect to the interest, the association is the holder, if a dividend, distribution or
19 other sum payable as a result of the interest has remained unclaimed by the owner
20 for ~~7~~ 5 years and the owner has not done either of the following within ~~7~~ 5 years:

21 *~~0658/2.4~~* **SECTION 2886.** 177.10 (2) and (3) of the statutes are amended to
22 read:

23 177.10 (2) At the expiration of a ~~7-year~~ 5-year period following the failure of
24 the owner to claim a dividend, distribution or other sum payable to the owner as a
25 result of the interest, the interest is not presumed abandoned unless there have been

SENATE BILL 55**SECTION 2886**

1 at least ~~7~~ 5 dividends, distributions or other sums paid during the period, none of
2 which has been claimed by the owner. If ~~7~~ 5 dividends, distributions or other sums
3 are paid during the ~~7-year~~ 5-year period, the period leading to a presumption of
4 abandonment commences on the date on which payment of the first such unclaimed
5 dividend, distribution or other sum became due and payable. If ~~7~~ 5 dividends,
6 distributions or other sums are not paid during the presumptive period, the period
7 continues to run until there have been ~~7~~ 5 dividends, distributions or other sums that
8 have not been claimed by the owner.

9 (3) The running of the ~~7-year~~ 5-year period of abandonment ceases
10 immediately upon the occurrence of a communication specified under sub. (1). If any
11 future dividend, distribution or other sum payable to the owner as a result of the
12 interest is subsequently not claimed by the owner, a new period of abandonment
13 commences and relates back to the time a subsequent dividend, distribution or other
14 sum became due and payable.

15 *~~0658/2.5~~* **SECTION 2887.** 177.10 (5) of the statutes is amended to read:

16 177.10 (5) This chapter does not apply to any stock or other intangible
17 ownership interest enrolled in a plan that provides for the automatic reinvestment
18 of dividends, distributions or other sums payable as a result of the interest unless
19 the records available to the administrator of the plan show, with respect to any
20 intangible ownership interest not enrolled in the reinvestment plan, that the owner
21 has not within ~~7~~ 5 years communicated in any manner specified under sub. (1).

22 *~~0658/2.6~~* **SECTION 2888.** 177.17 (title) of the statutes is amended to read:

23 177.17 (title) **Report Reporting, payment, and delivery of abandoned**
24 **property.**

SENATE BILL 55

1 *~~0658/2.7~~* **SECTION 2889.** 177.17 (4) of the statutes is renumbered 177.17 (4)

2 (a) 1. and amended to read:

3 177.17 (4) (a) 1. Before ~~May~~ November 1 of each ~~even-numbered~~ year, each
4 holder shall file a report covering the ~~2~~ previous calendar ~~years~~ year. On written
5 request by any person required to file a report, the administrator may ~~postpone the~~
6 ~~reporting date~~ extend the deadline established in this paragraph.

 ***NOTE: This is reconciled s. 177.17 (4) (a) 1. This SECTION has been affected by
drafts with the following LRB numbers: LRB-0530 and LRB-0658. This SECTION is
necessary in order to incorporate proposed s. 177.19 (2) (b) from LRB-0530 into the proper
location in LRB-0658.

7 *~~0658/2.8~~* **SECTION 2890.** 177.17 (4) (a) 2. of the statutes is created to read:

8 177.17 (4) (a) 2. Except as otherwise provided in this subdivision and s. 177.06
9 (4), upon filing the report under subd. 1., the holder shall pay or deliver to the
10 administrator all abandoned property required to be reported. This subdivision does
11 not apply to abandoned property that is in the form of amounts credited under s.
12 20.912 (1) to the support collections trust fund or amounts not distributable from the
13 support collections trust fund to the persons for whom the amounts were awarded.

 ***NOTE: This is reconciled s. 177.17 (4) (a) 2. This SECTION has been affected by
drafts with the following LRB numbers: LRB-0530 and LRB-0658. This SECTION
incorporates proposed s. 177.19 (2) (b) from LRB-0530 into the proper location in
LRB-0658.

14 *~~0658/2.9~~* **SECTION 2891.** 177.18 (title) of the statutes is amended to read:

15 **177.18 (title) Notice and publication of lists of abandoned or escheated**
16 **property.**

17 *~~0658/2.10~~* **SECTION 2892.** 177.18 (1) of the statutes is amended to read:

18 177.18 (1) ~~The~~ Before July 1 of each year, the administrator shall publish a
19 notice entitled "Notice of names of persons appearing to be owners of abandoned
20 property" ~~not later than the September 20 following the report required under s.~~

SENATE BILL 55**SECTION 2892**

1 ~~177.17.~~ Except as provided in sub. (1m), the notice shall include the name of each
2 person identified in a report filed under s. 177.17 since the publication of the previous
3 notice. The administrator shall publish the notice as a class 1 notice under ch. 985,
4 in a newspaper of general circulation in the county in which is located the
5 last-known address of the person to be named in the notice. If no address is listed
6 or the address is outside this state, the notice shall be published in the county in
7 which the holder of the property has its principal place of business within this state.

8 *~~0658/2.11~~* **SECTION 2893.** 177.18 (2) (intro.) of the statutes is amended to
9 read:

10 177.18 (2) (intro.) The published A notice under sub. (1) shall contain all of the
11 following:

12 *~~0658/2.12~~* **SECTION 2894.** 177.18 (2) (c) of the statutes is repealed.

13 *~~0658/2.13~~* **SECTION 2895.** 177.18 (2) (d) of the statutes is renumbered 177.18
14 (2m) and amended to read:

15 177.18 (2m) For money or other property received under s. 852.01 (3), 863.37
16 (2) or 863.39 (1), the a notice shall be published at least annually in the official state
17 newspaper and shall include the name of the decedent, the time and place of the
18 decedent's death, the amount paid to the administrator, the name of the decedent's
19 personal representative, the county in which the estate is probated and a statement
20 that the money will be paid to the heirs or legatees without interest, on proof of
21 ownership, if claimed within 10 years from the date of publication as provided in s.
22 863.39 (3).

23 *~~0658/2.14~~* **SECTION 2896.** 177.19 (title), (1) and (2) of the statutes are
24 repealed.

SENATE BILL 55

1 *~~0658/2.15~~* **SECTION 2897.** 177.19 (4) of the statutes is renumbered 177.17
2 (4) (b) and amended to read:

3 177.17 (4) (b) The holder of an interest under s. 177.10 shall deliver to the
4 administrator, upon filing the report required under this section, a duplicate
5 certificate or other evidence of ownership if the holder does not issue certificates of
6 ownership. Upon delivery of a duplicate certificate to the administrator, the holder
7 and any transfer agent, registrar or other person acting for or on behalf of a holder
8 in executing or delivering the duplicate certificate are relieved of all liability, as
9 provided under s. 177.20, to any person, including any person acquiring the original
10 certificate or the duplicate of the certificate issued to the administrator, for any loss
11 or damage caused by the issuance and delivery of the duplicate certificate to the
12 administrator.

13 *~~2025/2.1~~* **SECTION 2898.** 177.22 (1) of the statutes is amended to read:

14 177.22 (1) Except as provided in subs. (2) and ~~(3)~~ (4), the administrator, within
15 3 years after the receipt of abandoned property, shall sell it to the highest bidder at
16 public sale in the city, village or town in this state which, in the judgment of the
17 administrator, affords the most favorable market for the property. The
18 administrator may decline the highest bid and reoffer the property for sale if, in his
19 or her judgment, the bid is insufficient. If the administrator determines that the
20 probable cost of sale exceeds the value of the property, it need not be offered for sale.
21 Any sale held under this section shall be preceded by the publication of one notice,
22 at least 3 weeks in advance of sale, in a newspaper of general circulation in the county
23 in which the property is to be sold.

24 *~~2025/2.2~~* **SECTION 2899.** 177.22 (3) of the statutes is repealed.

25 *~~2025/2.3~~* **SECTION 2900.** 177.22 (4) of the statutes is amended to read:

SENATE BILL 55**SECTION 2900**

1 177.22 (4) Unless the administrator determines that it is in the best interest
2 of this state to do otherwise, he or she shall hold all securities ~~presumed abandoned~~
3 ~~under s. 177.10, and delivered to the administrator, for at least 3 years~~ one year
4 before selling them. ~~If the administrator sells any securities delivered under s.~~
5 ~~177.10 before the expiration of the 3-year period, any person making a claim under~~
6 ~~this chapter before the end of the 3-year period is entitled either to the proceeds of~~
7 ~~the sale of the securities or to the market value of the securities at the time the claim~~
8 ~~is made, whichever amount is greater, less any deduction for fees under s. 177.23 (2).~~
9 ~~A person making a claim under this chapter after the expiration of the 3-year period~~
10 ~~is entitled to receive either the securities delivered to the administrator by the~~
11 ~~holder, if the administrator still has them, or to the proceeds from their sale, less any~~
12 ~~amounts deducted under s. 177.23 (2). No person has any claim under this chapter~~
13 ~~against this state, the holder, any transfer agent, registrar or other person acting for~~
14 ~~or on behalf of a holder for any appreciation in the value of the property occurring~~
15 ~~after delivery by the holder to the administrator.~~

16 *~~0658/2.16~~* **SECTION 2901.** 177.23 (1) of the statutes is amended to read:

17 177.23 (1) Except as provided in sub. (2), the administrator shall deposit in the
18 school fund all funds received under this chapter, including the clear proceeds from
19 the sale of abandoned property under s. 177.22. Before making the deposit, the
20 administrator shall record the name and last-known address of each person
21 appearing from the holders' reports to be entitled to the property and the name and
22 last-known address of each insured person or annuitant and beneficiary and, with
23 respect to each policy or contract listed in the report of an insurance company, its
24 number, the name of the company and the amount due. The information recorded
25 by the administrator under this subsection is not available for inspection or copying

SENATE BILL 55

1 under s. 19.35 (1) until 24 months after payment or delivery of the property is due
2 under s. ~~177.19 (1)~~ 177.17 (4) (a).

3 *~~0530/2.3~~* **SECTION 2902.** 177.24 (1) of the statutes is renumbered 177.24 (1)
4 (a).

5 *~~0530/2.4~~* **SECTION 2903.** 177.24 (1) (b) of the statutes is created to read:

6 177.24 (1) (b) Any person, except another state, claiming an interest in any
7 property that is reported to the administrator under s. 177.17 and that is in the form
8 of amounts credited under s. 20.912 (1) to the support collections trust fund or
9 amounts not distributable from the support collections trust fund to the persons for
10 whom the amounts were awarded may file a claim with the administrator, after
11 December 1 following the report, on a form prescribed by the administrator and
12 verified by the claimant.

13 *~~0658/2.17~~* **SECTION 2904.** 177.24 (2) of the statutes is amended to read:

14 177.24 (2) The administrator shall consider each claim within 90 days after it
15 is filed and may refer any claim to the attorney general for an opinion. For each claim
16 referred, the attorney general shall advise the administrator either to allow it or to
17 deny it in whole or in part. The administrator shall give written notice to the
18 claimant if the claim is denied in whole or in part. The notice ~~may~~ shall be given by
19 mailing it to the last address, if any, stated in the claim as the address to which
20 notices are to be sent. If no address for notices is stated in the claim, the notice ~~may~~
21 shall be mailed to the last address, if any, ~~of the claimant as stated in the claim as~~
22 the address of the claimant. No notice of denial need be given if the claim fails to state
23 either the last address to which notices are to be sent or the address of the claimant.

24 *~~2025/2.4~~* **SECTION 2905.** 177.24 (3) of the statutes is renumbered 177.24 (3)
25 (a) and amended to read:

SENATE BILL 55**SECTION 2905**

1 177.24 (3) (a) ~~If Except as provided in par. (b), if a claim is allowed, the~~
2 administrator shall deliver the property to the claimant or pay the claimant the
3 amount the administrator actually received or the net proceeds of the sale of the
4 property, together with any additional amount required under s. 177.21. ~~If the claim~~
5 ~~is for property presumed abandoned under s. 177.10 which was sold by the~~
6 ~~administrator within 3 years after the date of delivery, the amount payable for that~~
7 ~~claim is the value of the property at the time the claim was made or the net proceeds~~
8 ~~of sale, whichever is greater.~~ If the property claimed was interest bearing to the
9 owner on the date of surrender by the holder, the administrator shall pay interest at
10 a rate of 6% per year or any lesser rate the property earned while in the possession
11 of the holder. Interest begins to accrue when the property is delivered to the
12 administrator and ceases on the earlier of the expiration of 10 years after delivery
13 or the date on which payment is made to the owner. No interest on interest-bearing
14 property is payable for any period before December 31, 1984.

****NOTE: This is reconciled s. 177.24 (3) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0530 and LRB-2025. This treatment
incorporates the renumbering and amendment of s. 177.24 (3) from LRB-0530 into
LRB-2025.

15 *~~-0530/2.5~~* **SECTION 2906.** 177.24 (3) (b) of the statutes is created to read:

16 177.24 (3) (b) If the administrator allows a claim made under sub. (1) (b), the
17 administrator shall pay the claimant the amount reported to the administrator
18 under s. 177.17.

19 *~~-0530/2.6~~* **SECTION 2907.** 177.24 (4) of the statutes is amended to read:

20 177.24 (4) Any holder who pays the owner for property that has been delivered
21 to this state which, if claimed from the administrator, would be subject to sub. (3) (a)
22 shall add interest as provided under sub. (3) (a). The added interest shall be repaid
23 to the holder by the administrator in the same manner as the principal.

SENATE BILL 55

1 *–0530/2.7* **SECTION 2908.** 177.25 (1m) of the statutes is created to read:

2 177.25 (1m) At any time after December 1 following the reporting, under s.
3 177.17, of property that is in the form of amounts credited under s. 20.912 (1) to the
4 support collections trust fund or amounts not distributable from the support
5 collections trust fund to the persons for whom the amounts were awarded, another
6 state may recover the property under any of the circumstances described in sub. (1)
7 (a) to (d).

8 *–0530/2.8* **SECTION 2909.** 177.25 (2) of the statutes is amended to read:

9 177.25 (2) The claim of another state to recover escheated or abandoned
10 property shall be presented in a form prescribed by the administrator, who shall
11 decide the claim within 90 days after it is presented. The administrator shall allow
12 the claim if he or she determines that the other state is entitled to the abandoned
13 property under sub. (1) or (1m).

14 *–0530/2.9* **SECTION 2910.** 177.265 of the statutes is created to read:

15 **177.265 Reimbursement for claims and administrative expenses. (1)**
16 At least quarterly, the department of workforce development shall reimburse the
17 administrator, based on information provided by the administrator, for all of the
18 following:

19 (a) Any claims paid under ss. 177.24 to 177.26, since the last reimbursement
20 was made, with respect to abandoned property in the form of amounts credited under
21 s. 20.912 (1) to the support collections trust fund and amounts not distributable from
22 the support collections trust fund to the persons for whom the amounts were
23 awarded.

24 (b) Any administrative expenses specified in s. 177.23 (2) (a) to (e), incurred
25 since the last reimbursement was made, with respect to abandoned property in the

SENATE BILL 55**SECTION 2910**

1 form of amounts credited under s. 20.912 (1) to the support collections trust fund and
2 amounts not distributable from the support collections trust fund to the persons for
3 whom the amounts were awarded.

4 (2) The administrator shall deposit in the general fund all moneys received
5 under sub. (1).

6 ***-0658/2.18* SECTION 2911.** 177.35 (2) of the statutes is renumbered 177.35
7 (2) (a) and amended to read:

8 177.35 (2) (a) An agreement entered into under this section is not enforceable
9 if the agreement is entered into within 24 12 months after payment or delivery of the
10 property is due under s. ~~177.19 (1)~~ 177.17 (4) (a).

****NOTE: This is reconciled s. 177.35 (2) (a). This SECTION has been affected by
drafts with the following LRB numbers: LRB–0658/1 and LRB–0530/1.

11 ***-0530/2.10* SECTION 2912.** 177.35 (2) (b) of the statutes is created to read:

12 177.35 (2) (b) An agreement entered into under this section that relates to
13 property that is in the form of amounts credited under s. 20.912 (1) to the support
14 collections trust fund or amounts not distributable from the support collections trust
15 fund to the persons for whom the amounts were awarded is not enforceable if the
16 agreement is entered into within 12 months after December 1 following the reporting
17 of the property under s. 177.17.

****NOTE: This is reconciled s. 177.35 (2) (b). This SECTION has been conceptually
affected by drafts with the following LRB numbers: LRB–0530 and LRB–0658. This
treatment changes the 24-month period to a 12-month period to be conceptually
consistent with proposed s. 177.35 (2) (a) in LRB–0658.

18 ***-0712/4.1* SECTION 2913.** 178.48 (2) of the statutes is amended to read:

19 178.48 (2) The department shall collect a ~~\$10~~ the fee established under s.
20 182.01 (4) (c) each time process is served on the department under this chapter.

21 ***-0712/4.2* SECTION 2914.** 178.48 (3) of the statutes is amended to read:

SENATE BILL 55

1 178.48 (3) In addition to the fees required under sub. (1), the department shall
2 collect \$25 the fee established under s. 182.01 (4) (d) for processing in an expeditious
3 manner a document required or permitted to be filed with the department under this
4 chapter.

5 *~~0712/4.3~~* SECTION 2915. 179.16 (4) of the statutes is repealed.

6 *~~0712/4.4~~* SECTION 2916. 179.16 (5) of the statutes is amended to read:

7 179.16 (5) The department shall charge and collect, for processing a document
8 required or permitted to be filed under this chapter in an expeditious manner, ~~or~~
9 ~~preparing the information under sub. (4) in an expeditious manner, the expedited~~
10 ~~service~~ the fee established under s. 182.01 (4) (d) in addition to the fee required by
11 other provisions of this chapter.

12 *~~0712/4.5~~* SECTION 2917. 179.88 of the statutes is amended to read:

13 **179.88 Substituted service.** Service of process on the department under this
14 subchapter shall be made by serving of duplicate copies of the process on the
15 department, together with a the fee of \$10 established under s. 182.01 (4) (c). The
16 department shall mail notice of the service and a copy of the process within 10 days
17 addressed to the foreign limited partnership at its office in the state of its
18 organization. The time within which the foreign limited partnership may answer or
19 move to dismiss under s. 802.06 (2) does not start to run until 10 days after the date
20 of the mailing. The department shall keep a record of service of process under this
21 section showing the day and hour of service and the date of mailing.

22 *~~0712/4.6~~* SECTION 2918. 180.0122 (1) (z) of the statutes is amended to read:

23 180.0122 (1) (z) Request for certificate or statement of status, ~~\$5~~ the fee
24 established under s. 182.01 (4) (b).

25 *~~0712/4.7~~* SECTION 2919. 180.0122 (2) of the statutes is amended to read:

SENATE BILL 55

SECTION 2919

1 180.0122 (2) The department shall collect a ~~\$10~~ the fee established under s.
2 182.01 (4)(c) each time process is served on the department under this chapter. The
3 party to a civil, criminal, administrative or investigatory proceeding causing service
4 of process may recover this fee as costs if the party prevails in the proceeding.

5 *~~0712/4.8~~* SECTION 2920. 180.0122 (4) of the statutes is amended to read:

6 180.0122 (4) In addition to the fees required under sub. (1), the department
7 shall collect the expedited service fee established under s. 182.01 (4) (d) for
8 processing in an expeditious manner a document required or permitted to be filed
9 under this chapter ~~or~~ and shall collect the fee established under s. 182.01 (4) (f) for
10 preparing in an expeditious manner a certificate of status under s. 180.0128 (1) to
11 (3) or a statement of status under s. 180.0128 (4).

12 *~~0712/4.9~~* SECTION 2921. 181.0122 (1) (zm) of the statutes is amended to
13 read:

14 181.0122 (1) (zm) Request for certificate or statement of status, ~~\$5 or, if~~
15 ~~information other than the information provided under s. 181.0128 (2) is requested,~~
16 \$10 the fee established under s. 182.01 (4) (b).

17 *~~0712/4.10~~* SECTION 2922. 181.0122 (2) of the statutes is amended to read:

18 181.0122 (2) PROCESS FEE. The department shall collect a ~~\$10~~ the fee
19 established under s. 182.01 (4) (c) each time process is served on the department
20 under this chapter. The party to a civil, criminal, administrative or investigatory
21 proceeding who is causing service of process may recover this fee as costs if the party
22 prevails in the proceeding.

23 *~~0712/4.11~~* SECTION 2923. 181.0122 (4) of the statutes is amended to read:

24 181.0122 (4) EXPEDITED SERVICE FEE. In addition to the fees required under sub.
25 (1), the department shall collect the expedited service fee established under s. 182.01

SENATE BILL 55

1 (4) (d) for processing, in an expeditious manner, a document required or permitted
2 to be filed under this chapter ~~or~~ and shall collect the fee established under s. 182.01
3 (4) (f) for preparing, in an expeditious manner, a certificate of status under s.
4 181.0128 (2) or a statement of status under s. 181.0128 (4).

5 *~~0712/4.12~~* **SECTION 2924.** 182.01 (4) of the statutes is repealed and
6 recreated to read:

7 182.01 (4) PREPARATION OF COPIES, ISSUANCE OF CERTIFICATES, AND PERFORMANCE
8 OF SERVICES. The department shall establish by rule the fees for all of the following:

9 (a) Providing electronic access to, or preparing and supplying copies or certified
10 copies of, any resolution, deed, bond, record, document, or paper deposited with or
11 kept by the department under this section.

12 (b) Issuing certificates or statements, in any form, relating to the results of
13 searches of records and files of the department.

14 (c) Processing any service of process, notice, or demand served on the
15 department.

16 (d) Processing, in an expeditious manner, a document required or permitted to
17 be filed with the department.

18 (e) Providing, in an expeditious manner, electronic access to any resolution,
19 deed, bond, record, document, or paper deposited with or kept by the department
20 under this section.

21 (f) Preparing, in an expeditious manner, any copies, certified copies,
22 certificates, or statements provided under this section.

23 *~~0712/4.15~~* **SECTION 2927.** 183.0114 (1) (t) of the statutes is amended to read:

24 183.0114 (1) (t) Request for certificate or statement of status, \$5 the fee
25 established under s. 182.01 (4) (b).

SENATE BILL 55

SECTION 2928

1

-0712/4.16 SECTION 2928. 183.0114 (1) (u) of the statutes is amended to read:

2

183.0114 (1) (u) Processing in an expeditious manner a document required or

3

permitted to be filed under this chapter, or preparing in an expeditious manner a

4

certificate or statement of status, ~~\$25~~ the fee established under s. 182.01 (4) (d).

5

X

6

-0712/4.21 SECTION 2933. 185.83 (1) (d) of the statutes is amended to read:

7

185.83 (1) (d) Receiving services of any process, notice or demand, authorized

8

to be served on the department by this chapter, ~~\$10~~ the fee established under s.

9

182.01 (4) (c).

10

-0712/4.22 SECTION 2934. 185.83 (1) (f) of the statutes is repealed.

11

-0712/4.23 SECTION 2935. 185.83 (1) (fm) of the statutes is repealed.

12

-0712/4.24 SECTION 2936. 185.83 (1) (h) of the statutes is amended to read:

13

185.83 (1) (h) Processing a document required or permitted to be filed or

14

recorded under this chapter in an expeditious manner, ~~or preparing the information~~

15

~~under par. (f) or (fm) in an expeditious manner, \$25~~ the fee established under s.

16

182.01 (4) (d) in addition to the fee required by other provisions of this chapter.

17

X

18

19

20

21

b0520/1.1 SECTION 2972t. 195.60 (2) of the statutes is amended to read:

22

195.60 (2) The office shall annually, within 90 days after the close of each fiscal

23

year, ascertain the total of its expenditures during such year which are reasonably

24

attributable to the performance of its duties relating to railroads. For purposes of

25

such calculation, 90% of the expenditures so determined shall be expenditures of the

SENATE BILL 55

1 office and 10% of the expenditures so determined shall be expenditures for state
2 government operations. The office shall deduct therefrom all amounts chargeable
3 to railroads under sub. (1) and s. 201.10 (3). A sum equal to the remainder plus 10%
4 of the remainder shall be assessed by the office to the several railroads in proportion
5 to their respective gross operating revenues during the last calendar year, derived
6 from intrastate operations. Such assessment shall be paid within 30 days after the
7 bill has been mailed to the several railroads, which bill shall constitute notice of
8 assessment and demand of payment thereof. The total amount which may be
9 assessed to the railroads under authority of this subsection shall not exceed ~~1.75%~~
10 1.85% of the total gross operating revenues of such railroads, during such calendar
11 year, derived from intrastate operations. Ninety percent of the payment shall be
12 credited to the appropriation account under s. 20.155 (2) (g). The railroads shall
13 furnish such financial information as the office requires.

14 *~~2007/2.16~~* SECTION 2973. 196.01 (3n) of the statutes is repealed.

15 *~~2007/2.17~~* SECTION 2974. 196.01 (3p) of the statutes is repealed.

16 *~~2007/2.18~~* SECTION 2975. 196.01 (3q) of the statutes is renumbered 101.91
17 (6m) and amended to read:

18 101.91 (6m) “~~Mobile~~ Manufactured home park contractor” means a person,
19 other than a public utility, as defined in s. 196.01 (5) (a), who, under a contract with
20 a ~~mobile~~ manufactured home park operator, provides water or sewer service to a
21 ~~mobile~~ manufactured home park occupant or performs a service related to providing
22 water or sewer service to a ~~mobile~~ manufactured home park occupant.

23 *~~2007/2.19~~* SECTION 2976. 196.01 (3s) of the statutes is renumbered 101.91
24 (7) and amended to read:

SENATE BILL 55**SECTION 2976**

1 101.91 (7) “Mobile Manufactured home park occupant” means a person who
2 rents or owns a mobile manufactured home in a mobile manufactured home park.

3 ***-2007/2.20*** **SECTION 2977.** 196.01 (3t) of the statutes is renumbered 101.91
4 (8) and amended to read:

5 101.91 (8) “Mobile Manufactured home park operator” means a person
6 engaged in the business of owning or managing a mobile manufactured home park.

7 ***-2154/1.1*** **SECTION 2978.** 196.07 (2) of the statutes is amended to read:

8 196.07 (2) If a public utility fails to file a report with the commission containing
9 its balance sheet and other information prescribed by the commission by the date the
10 report is due under sub. (1), the commission may prepare the report from the records
11 of the public utility. All expenses of the commission in preparing the report, plus a
12 penalty equal to 50% of the amount of the expenses, shall be assessed against and
13 collected from the public utility under s. 196.85. The amount of the charge to a public
14 utility shall not be limited by s. 196.85 (1) (b) and shall be in addition to any other
15 charges assessable under s. 196.85. The penalty provision of the charge shall be
16 credited to the general fund under s. 20.906.

17 ***b0316/1.1*** **SECTION 2978m.** 196.191 of the statutes is created to read:

18 **196.191 Distributed generation electric rates. (1) DEFINITIONS.** In this
19 section:

20 (a) “Distributed generation facility” means a facility operated by an electric
21 consumer that uses any form of generation, including photovoltaic or fuel cells or
22 wind power, for producing electric power. “Distributed generation facility” includes
23 a small electric generating facility used by an independent power producer.

24 (b) “Engineering concerns” includes concerns related to power quality or the
25 safety and reliability of the state’s electric power distribution grid.

SENATE BILL 55

1 (c) “Regulatory concerns” includes concerns related to any of the following:

2 1. Tariffs for a public utility’s distributed generation.

3 2. Nondiscriminatory fees that a public utility may charge the owner or
4 operator of a distributed generation facility.

5 3. The cost of upgrades to the state’s electric power distribution grid that are
6 required by interconnection.

7 4. Other terms and conditions imposed by a public utility on the owner or
8 operator of a distributed generation facility, including liability insurance,
9 indemnification, or terms and conditions related to the transfer or sale of property.

10 (2) USE AND INTERCONNECTION RULES. The commission shall promulgate rules
11 that facilitate, to the greatest extent possible, the use of distributed generation
12 facilities and their interconnection to the state’s electric power distribution grid. The
13 rules shall include standards for interconnection that are uniform across the state
14 regardless of the distributed generation facility that is interconnected and
15 regardless of the owner of the transmission facility to which interconnection is made,
16 except where engineering and regulatory concerns require additional
17 interconnection standards.

18 (3) PURCHASE RULES. The commission shall promulgate rules establishing
19 standards for the purchase by public utilities of electric power produced by
20 distributed generation facilities, including standards for all of the following:

21 (a) The use of a net metering tariff for a distributed generation facility with a
22 capacity that does not exceed 20 kilowatts or the peak load of the facility’s owner,
23 whichever is greater.

SENATE BILL 55

SECTION 2978m

1 (b) The use of real-time pricing such that the price paid by a public utility for
2 power placed on the state's electric power distribution grid by a distributed
3 generation facility reflects the utility's cost of generation at that time.

4 ***-1694/11.14* SECTION 2979.** 196.195 (12) (b) 1. d. of the statutes is repealed.

5 ***-1694/11.15* SECTION 2980.** 196.196 (1) (cm) of the statutes is repealed.

6 ***-1694/11.16* SECTION 2981.** 196.196 (5) (b) 6. of the statutes is repealed.

7 ***-0705/3.14* SECTION 2982.** 196.218 (5) (a) 5. of the statutes is amended to
8 read:

9 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to
10 the extent that these costs are not paid under s. 44.73 (2) (d), except that no moneys
11 in the universal service fund may be used to pay installation costs that are necessary
12 for a political subdivision to obtain access to bandwidth under a shared service
13 agreement under s. 44.73 (2r) (a).

Do NOT DELETE

****NOTE: This is reconciled s. 196.218 (5) (a) 5. This SECTION has been affected by
drafts with the following LRB#s: LRB-1857.

14 ***-1857/5.112* SECTION 2983.** 196.218 (5) (a) 6. of the statutes is amended to
15 read:

16 196.218 (5) (a) 6. To pay the department of ~~administration~~ electronic
17 government for telecommunications services provided under s. ~~16.973~~ 22.05 (1) to
18 the campuses of the University of Wisconsin System at River Falls, Stout, Superior
19 and Whitewater.

20 ***-1694/11.17* SECTION 2984.** 196.218 (5r) (a) 4. of the statutes is amended to
21 read:

22 196.218 (5r) (a) 4. An assessment of how successful investments identified in
23 s. 196.196 (5) (f), assistance provided by the universal service fund ~~or the Wisconsin~~

SENATE BILL 55

1 ~~advanced telecommunications foundation~~, and price regulation and other
2 alternative incentive regulations of telecommunications utilities designed to
3 promote competition have been in advancing the public interest goals identified
4 under s. 196.03 (6), and recommendations for further advancing those goals.

5 ***b0317/1.1* SECTION 2984m.** 196.219 (3) (o) of the statutes is created to read:

6 196.219 (3) (o) Refuse to transfer or facilitate the transfer of the
7 telecommunications utility's or telecommunications provider's local exchange
8 service customers to another telecommunications provider on the same terms and
9 conditions as the telecommunications utility or telecommunications provider
10 receives from any other telecommunications provider, unless such terms and
11 conditions violate federal law.

12

13 ***-2007/2.21* SECTION 2989.** 196.26 (1) (a) of the statutes is amended to read:

14 196.26 (1) (a) A complaint filed with the commission that any rate, toll, charge,
15 or schedule, joint rate, regulation, measurement, act, or practice relating to the
16 provision of heat, light, water, power, or telecommunications service, ~~or to the~~
17 ~~provision of water or sewer service by a mobile home park operator or mobile home~~
18 ~~park contractor~~, is unreasonable, inadequate, unjustly discriminatory, or cannot be
19 obtained.

20 ***-2007/2.22* SECTION 2990.** 196.26 (1m) of the statutes is amended to read:

21 196.26 (1m) INVESTIGATION OF COMPLAINT. If any mercantile, agricultural, or
22 manufacturing society, body politic, municipal organization, or 25 persons file a
23 complaint specified in sub. (1) (a) against a public utility, or if the commission
24 terminates a proceeding on a complaint under s. 196.199 (3) (a) 1m. b., or if a person
25 files a complaint specified in sub. (1) (c), the commission, with or without notice, may

SENATE BILL 55**SECTION 2990**

1 investigate the complaint under this section as it considers necessary. ~~If the mobile~~
2 ~~home park occupants of 25% of the total number of mobile homes in a mobile home~~
3 ~~park or the mobile home park occupants of 25 mobile homes in a mobile home park,~~
4 ~~whichever is less, files a complaint specified in sub. (1) (a) against a mobile home park~~
5 ~~contractor or mobile home park operator, the commission, with or without notice,~~
6 ~~may investigate the complaint as it considers necessary.~~ The commission may not
7 issue an order based on an investigation under this subsection without a public
8 hearing.

9 ***-2007/2.23* SECTION 2991.** 196.26 (2) (a) of the statutes is amended to read:

10 196.26 (2) (a) Prior to a hearing under this section, the commission shall notify
11 the public utility, ~~mobile home park contractor, mobile home park operator~~ or party
12 to an interconnection agreement complained of that a complaint has been made, and
13 10 days after the notice has been given the commission may proceed to set a time and
14 place for a hearing and an investigation. This paragraph does not apply to a
15 complaint specified in sub. (1) (b).

16 ***-2007/2.24* SECTION 2992.** 196.26 (2) (b) of the statutes is amended to read:

17 196.26 (2) (b) The commission shall give the complainant and either the public
18 utility, ~~mobile home park contractor, mobile home park operator~~ or party to an
19 interconnection agreement which is the subject of a complaint specified in sub. (1)
20 (a) or (c) or, for a complaint specified in sub. (1) (b), a party to an interconnection
21 agreement who is identified in a notice under s. 196.199 (3) (b) 1. b., 10 days' notice
22 of the time and place of the hearing and the matter to be considered and determined
23 at the hearing. The complainant and either the public utility, ~~mobile home park~~
24 ~~contractor, mobile home park operator~~ or party to the interconnection agreement
25 may be heard. The commission may subpoena any witness at the request of the

SENATE BILL 55

1 public utility, ~~mobile home park contractor, mobile home park operator,~~ party to the
2 interconnection agreement, or complainant.

3 ***-2007/2.25* SECTION 2993.** 196.28 (1) of the statutes is amended to read:

4 196.28 (1) If the commission believes that any rate or charge is unreasonable
5 or unjustly discriminatory or that any service is inadequate or cannot be obtained
6 or that an investigation of any matter relating to any public utility ~~or to any provision~~
7 ~~of water or sewer service by a mobile home park operator or mobile home park~~
8 ~~contractor~~ should for any reason be made, the commission on its own motion
9 summarily may investigate with or without notice.

10 ***-2007/2.26* SECTION 2994.** 196.28 (3) of the statutes is amended to read:

11 196.28 (3) Notice of the time and place for a hearing under sub. (2) shall be
12 given to the public utility, ~~mobile home park contractor or mobile home park~~
13 ~~operator,~~ and to such other interested persons as the commission considers
14 necessary. After the notice has been given, proceedings shall be had and conducted
15 in reference to the matter investigated as if a complaint specified in s. 196.26 (1) (a)
16 had been filed with the commission relative to the matter investigated. The same
17 order or orders may be made in reference to the matter as if the investigation had
18 been made on complaint under s. 196.26.

19 ***b0319/1.1* SECTION 3001m.** 196.491 (3c) of the statutes is created to read:

20 196.491 (3c) COMMENCEMENT OF CONSTRUCTION OF LARGE ELECTRIC GENERATING
21 FACILITIES. (a) Except as provided in par. (b), an electric utility that has received a
22 certificate of public convenience and necessity under sub. (3) for constructing a large
23 electric generating facility shall commence construction no later than one year after
24 the latest of the following:
25

SENATE BILL 55**SECTION 3001m**

1 1. The date on which the commission issues the certificate of public convenience
2 and necessity.

3 2. The date on which the electric utility has been issued every federal and state
4 permit, approval, and license that is required prior to commencement of
5 construction.

6 3. The date on which every deadline has expired for requesting administrative
7 review or reconsideration of every federal and state permit, approval, and license
8 that is required prior to commencement of construction.

9 4. The date on which the electric utility has received the final decision, after
10 exhaustion of judicial review, in every proceeding for judicial review described in sub.
11 (3) (j).

12 (b) Upon showing of good cause, the commission may grant an extension to the
13 deadline specified in par. (a).

14 (c) If an electric utility does not commence construction of a large electric
15 generating facility within the deadline specified in par. (a) or extended under par. (b),
16 the certificate of public convenience and necessity is void, and the electric utility may
17 not commence construction of the large electric generating facility.

18 *~~2007/2.27~~* **SECTION 3002.** 196.498 (title) of the statutes is repealed.

19 *~~2007/2.28~~* **SECTION 3003.** 196.498 (2) of the statutes is renumbered 101.937
20 (1) and amended to read:

21 101.937 (1) **RULES.** The ~~commission~~ department shall promulgate rules that
22 establish standards for providing water or sewer service by a ~~mobile manufactured~~
23 home park operator or ~~mobile~~ manufactured home park contractor to a ~~mobile~~
24 manufactured home park occupant, including requirements for metering, billing,
25 ~~deposits, depositing, arranging deferred payment arrangements, installation of,~~

SENATE BILL 55

1 installing service, refusing or discontinuing service, and resolving disputes with
2 respect to service. Rules promulgated under this subsection shall ensure that any
3 charge for water or sewer service is reasonable and not unjustly discriminatory, that
4 the water or sewer service is reasonably adequate, and that any practice relating to
5 providing the service is just and reasonable.

6 ***-2007/2.29* SECTION 3004.** 196.498 (3) of the statutes is renumbered 101.937
7 (2) and amended to read:

8 101.937 (2) PERMANENT IMPROVEMENTS. A ~~mobile~~ manufactured home park
9 operator may make a reasonable recovery of capital costs for permanent
10 improvements related to the provision of water or sewer service to ~~mobile~~
11 manufactured home park occupants through ongoing rates for water or sewer
12 service.

13 ***-2007/2.30* SECTION 3005.** 196.498 (4) of the statutes is renumbered 101.937
14 (3) and amended to read:

15 101.937 (3) ENFORCEMENT. (a) ~~Notwithstanding s. 196.44, on~~ On its own motion
16 or upon a complaint filed by a ~~mobile~~ manufactured home park occupant, the
17 ~~commission~~ department may issue an order or commence a civil action against a
18 ~~mobile~~ manufactured home park operator or ~~mobile~~ manufactured home park
19 contractor to enforce this section, any rule promulgated under sub. (2) (1), or any
20 order issued under this paragraph.

21 (b) The department of justice, after consulting with the ~~commission~~
22 department, or any district attorney may commence an action in circuit court to
23 enforce this section.

24 ***-2007/2.31* SECTION 3006.** 196.498 (5) of the statutes is renumbered 101.937
25 (4) and amended to read:

SENATE BILL 55**SECTION 3006**

1 101.937 (4) PRIVATE CAUSE OF ACTION. Any person suffering pecuniary loss
2 because of a violation of any rule promulgated under sub. ~~(2)~~ (1) or order issued under
3 sub. ~~(4)~~ (3) (a) may sue for damages and shall recover twice the amount of any
4 pecuniary loss, together with costs, and, notwithstanding s. 814.04 (1), reasonable
5 attorney fees.

6 ***-2007/2.32*** SECTION 3007. 196.498 (6) of the statutes is renumbered 101.937
7 (5) and amended to read:

8 101.937 (5) PENALTIES. (a) Any person who violates any rule promulgated
9 under sub. ~~(2)~~ (1) or any order issued under sub. ~~(4)~~ (3) (a) shall forfeit not less than
10 \$25 nor more than \$5,000. Each violation and each day of violation constitutes a
11 separate offense.

12 (b) Any person who intentionally violates any rule promulgated under sub. ~~(2)~~
13 (1) or order issued under sub. ~~(4)~~ (3) (a) shall be fined not less than \$25 nor more than
14 \$5,000 or imprisoned not more than one year in the county jail or both. Each violation
15 and each day of violation constitutes a separate offense.

16 ***b0318/1.1*** SECTION 3008m. 196.52 (9) of the statutes is created to read:

17 196.52 (9) (a) In this subsection, “leased generation contract” means a contract
18 or arrangement under which an affiliated interest of a public utility agrees to
19 construct or improve electric generating equipment and associated facilities and to
20 lease to the public utility land and such equipment and facilities for operation by the
21 public utility.

22 (b) The commission may approve a leased generation contract under sub. (3)
23 only if all of the following apply:

SENATE BILL 55

1 1. The commission has not issued a certificate under s. 196.49 or a certificate
2 of public convenience and necessity under s. 196.491 (3) before January 1, 2001, for
3 any construction or improvement that is subject to the leased generation contract.

4 2. Construction or improvement of the electric generating equipment and
5 associated facilities that is subject to the leased generation contract commences on
6 or after January 1, 2001.

7 3. No electric generating equipment and associated facilities, or electric
8 generating equipment, held or used by the public utility for the provision of electric
9 service is transferred to the affiliated interest.

10 4. The estimated gross cost of the construction or improvement that is subject
11 to the leased generation contract is at least \$10,000,000.

12 5. Any real property that the public utility transfers to the affiliated interest
13 for the purpose of implementing the leased generation contract is transferred at book
14 value which is determined on the basis of the regulated books of account at the time
15 of the transfer.

16 6. If the public utility transfers real property to the affiliated interest for the
17 purpose of implementing the leased generation contract, the leased generation
18 contract provides for transferring the real property back to the public utility, on the
19 same terms and conditions as the original transfer, if the commission determines
20 that the construction or improvement that is subject to the leased generation
21 contract has not been completed.

22 7. The leased generation contract provides that, upon termination of the
23 contract, all of the following apply:

24 a. The public utility shall have the option, subject to commission approval, to
25 extend the contract, or purchase the electric generating equipment and associated

SENATE BILL 55**SECTION 3008m**

1 facilities that are constructed or improved, at fair market value as determined by a
2 valuation process that is conducted by an independent third party and that is
3 specified in the contract.

4 b. If the public utility exercises the option specified in subd. 7. a., the affiliated
5 interest may require the public utility to extend the contract, rather than purchase
6 the equipment and facilities, if the affiliated interest demonstrates to the
7 commission that the extension avoids material adverse tax consequences.

8 8. For any gas-fired electric generating equipment and associated facilities
9 that are constructed under the leased generation contract, the term of the lease is
10 20 years or more.

11 9. For any coal-fired electric generating equipment and associated facilities
12 that are constructed under the leased generation contract, the term of the lease is
13 25 years or more.

14 10. The leased generation contract does not take effect until the date on which
15 the affiliated interest commences construction or improvement of the electric
16 generating equipment and associated facilities, except that, if the leased generation
17 contract relates to the construction or improvement of more than one electric
18 generating facility, the leased generation contract does not take effect with respect
19 to the construction or improvement of an individual electric generating facility until
20 the date on which the affiliated interest commences construction or improvement on
21 that electric generating facility.

22 (c) Except as provided in par. (d), the commission may not increase or decrease
23 the retail revenue requirements of a public utility on the basis of any income,
24 expense, gain, or loss that is received or incurred by an affiliated interest of the public

SENATE BILL 55**SECTION 3008m**

1 utility and that arises from the ownership of electric generating equipment and
2 associated facilities by an affiliated interest under a leased generation contract.

3 (d) The commission shall allow a public utility that has entered into a leased
4 generation contract that has been approved by the commission under sub. (3) to
5 recover fully in its retail rates that portion of any payments under the leased
6 generation contract that is allocated to the public utility's retail electric service, and
7 that portion of all other costs that is prudently incurred in the public utility's
8 operation and maintenance of the electric generating equipment and associated
9 facilities constructed or improved under the leased generation contract and that is
10 allocated to the public utility's retail electric service.

11 (e) Notwithstanding sub. (5) (a), the commission may not modify a leased
12 generation contract approved under sub. (3) except as specified in the leased
13 generation contract or the commission's order approving the leased generation
14 contract.

15 (f) The commission shall maintain jurisdiction to ensure that the construction
16 or improvement under a leased generation contract approved under sub. (3) is
17 completed as provided in the leased generation contract.

18 (g) Nothing in this subsection prohibits a cooperative association organized
19 under ch. 185, a municipal utility, as defined in s. 196.377 (2) (a) 3., or a municipal
20 electric company, as defined in s. 66.0825 (3) (d), from acquiring an interest in electric
21 generating equipment and associated facilities that are constructed pursuant to a
22 leased generation contract or from acquiring an interest in land on which such
23 electric generating equipment and associated facilities are located.

24 *b0006/15.31* **SECTION 3011d.** 196.66 (3) (b) 1. and 3. of the statutes are
25 amended to read:

SENATE BILL 55**SECTION 3011d**

1 196.66 (3) (b) 1. The appropriateness of the forfeiture to the volume of business
2 of the public utility or telecommunications provider.

3 3. Any good faith attempt to achieve compliance after the public utility,
4 telecommunications provider, agent, director, officer, or employee receives notice of
5 the violation.

6 ***b0318/1.2* SECTION 3011g.** 196.795 (5) (k) 1. of the statutes is amended to
7 read:

8 196.795 (5) (k) 1. Except as provided under subd. 2. or 3., no public utility
9 affiliate may transfer, sell, or lease to any nonutility affiliate with which it is in a
10 holding company system any real property which, on or after November 28, 1985, is
11 held or used for provision of utility service except by public sale or offering to the
12 highest qualified bidder.

13 ***b0318/1.2* SECTION 3011j.** 196.795 (5) (k) 3. of the statutes is created to read:

14 196.795 (5) (k) 3. A public utility affiliate may transfer, at book value
15 determined on the basis of the regulated books of account at the time of the transfer,
16 real property, other than electric generating equipment and associated facilities, or
17 electric generating equipment, that is held or used for the provision of utility service,
18 to a nonutility affiliate for the purpose of implementing a leased generation contract,
19 as defined in s. 196.52 (9) (a), that is approved under s. 196.52 (3).

20 ***-2154/1.2* SECTION 3012.** 196.85 (1) of the statutes is renumbered 196.85 (1)
21 (a) and amended to read:

22 196.85 (1) (a) If the commission in a proceeding upon its own motion, on
23 complaint, or upon an application to it deems it necessary in order to carry out the
24 duties imposed upon it by law to investigate the books, accounts, practices, and
25 activities of, or make appraisals of the property of any public utility, power district,

SENATE BILL 55

1 or sewerage system or to render any engineering or accounting services to any public
2 utility, power district, or sewerage system, the public utility, power district, or
3 sewerage system shall pay the expenses attributable to the investigation, including
4 the cost of litigation, appraisal, or service. The commission shall mail a bill for the
5 expenses to the public utility, power district, or sewerage system either at the
6 conclusion of the investigation, appraisal, or services, or during its progress. The bill
7 constitutes notice of the assessment and demand of payment. The public utility,
8 power district, or sewerage system shall, within 30 days after the mailing of the bill,
9 pay to the commission the amount of the special expense for which it is billed. Ninety
10 percent of the payment shall be credited to the appropriation account under s. 20.155

11 (1) (g). The

12 (b) Except as provided in sub. (1m) (a), the total amount in any one calendar
13 year for which any public utility, power district, or sewerage system is liable under
14 this subsection, by reason of costs incurred by the commission within the calendar
15 year, including charges under s. 201.10 (3), may not exceed four-fifths of one percent
16 of its gross operating revenues derived from intrastate operations in the last
17 preceding calendar year.

18 (c) Nothing in this subsection shall prevent the commission from rendering
19 bills in one calendar year for costs incurred within a previous year.

20 (d) For the purpose of calculating the costs of investigations, appraisals, and
21 other services under this subsection, 90% of the costs determined shall be costs of the
22 commission and 10% of the costs determined shall be costs of state government
23 operations.

24 *–2154/1.3* **SECTION 3013.** 196.85 (1m) (a) of the statutes is amended to read:

SENATE BILL 55**SECTION 3013**

1 196.85 (1m) (a) For the purpose of direct assessment under sub. (1) of expenses
2 incurred by the commission in connection with its activities under s. 196.491, the
3 term “public utility” includes electric utilities, as defined in s. 196.491 (1) (d).
4 Subsection (1) (b) does not apply to assessments for the commission’s activities under
5 s. 196.491 related to the construction of wholesale merchant plants.

6 ***b0269/2.6* SECTION 3014b.** 196.85 (2g) of the statutes is repealed.

7 ***-2007/2.34* SECTION 3015.** 196.85 (3) of the statutes is amended to read:

8 196.85 (3) If any public utility, sewerage system, joint local water authority,
9 ~~mobile home park operator~~ or power district is billed under sub. (1), (2), or (2e) or (2g)
10 and fails to pay the bill within 30 days or fails to file objections to the bill with the
11 commission, as provided in this subsection, the commission shall transmit to the
12 state treasurer a certified copy of the bill, together with notice of failure to pay the
13 bill, and on the same day the commission shall mail by registered mail to the public
14 utility, sewerage system, joint local water authority, ~~mobile home park operator~~ or
15 power district a copy of the notice ~~which~~ that it has transmitted to the state treasurer.
16 Within 10 days after receipt of the notice and certified copy of the bill, the state
17 treasurer shall levy the amount stated on the bill to be due, with interest, by distress
18 and sale of any property, including stocks, securities, bank accounts, evidences of
19 debt, and accounts receivable belonging to the delinquent public utility, sewerage
20 system, joint local water authority, ~~mobile home park operator~~ or power district. The
21 levy by distress and sale shall be governed by s. 74.10, 1985 stats., except that it shall
22 be made by the state treasurer and that goods and chattels anywhere within the state
23 may be levied upon.

24 ***-2007/2.35* SECTION 3016.** 196.85 (4) (a) of the statutes is amended to read:

SENATE BILL 55

1 196.85 (4) (a) Within 30 days after the date of the mailing of any bill under sub.
2 (1), (2), or (2e) ~~or~~ (2g), the public utility, sewerage system, joint local water authority,
3 ~~mobile home park operator~~ or power district that has been billed may file with the
4 commission objections setting out in detail the grounds upon which the objector
5 regards the bill to be excessive, erroneous, unlawful, or invalid. The commission,
6 after notice to the objector, shall hold a hearing upon the objections, from 5 to 10 days
7 after providing the notice. If after the hearing the commission finds any part of the
8 bill to be excessive, erroneous, unlawful, or invalid, it shall record its findings upon
9 its minutes and transmit to the objector by registered mail an amended bill, in
10 accordance with the findings. The amended bill shall have the same force and effect
11 under this section as an original bill rendered under sub. (1), (2), or (2e) ~~or~~ (2g).

12 ***-2007/2.36*** SECTION 3017. 196.85 (5) of the statutes is amended to read:

13 196.85 (5) No suit or proceeding may be maintained in any court to restrain or
14 delay the collection or payment of any bill rendered under sub. (1), (2), or (2e) ~~or~~ (2g).
15 Every public utility, sewerage system, joint local water authority, ~~mobile home park~~
16 ~~operator~~ or power district that is billed shall pay the amount of the bill, and after
17 payment may in the manner provided under this section, at any time within 2 years
18 from 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 commission.

24 ***b0315/1.4*** SECTION 3017m. 196.856 of the statutes is repealed.

25 ***-1857/5.113*** SECTION 3018. 196.858 (1) of the statutes is amended to read:

SENATE BILL 55

SECTION 3018

1 196.858 (1) The commission shall annually assess against local exchange and
 2 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the
 3 amounts appropriated under s. ~~20.505 (4) (is)~~ 20.530 (1) (ir).

4 *~~1857/5.114~~* **SECTION 3019.** 196.858 (2) of the statutes is amended to read:

5 196.858 (2) The commission shall assess a sum equal to the annual total
 6 amount under sub. (1) to local exchange and interexchange telecommunications
 7 utilities in proportion to their gross operating revenues during the last calendar year.
 8 If total expenditures for telephone relay service exceeded the payment made under
 9 this section in the prior year, the commission shall charge the remainder to assessed
 10 telecommunications utilities in proportion to their gross operating revenues during
 11 the last calendar year. A telecommunications utility shall pay the assessment within
 12 30 days after the bill has been mailed to the assessed telecommunication utility. The
 13 bill constitutes notice of the assessment and demand of payment. Payments shall
 14 be credited to the appropriation account under s. ~~20.505 (4) (is)~~ 20.530 (1) (ir).

X

15

16 *~~1857/5.115~~* **SECTION 3024.** 221.0320 (3) (a) of the statutes is amended to
 17 read:

18 221.0320 (3) (a) In this subsection, "local governmental unit" has the meaning
 19 given in s. ~~16.97~~ 22.01 (7).

X

20

21

22

23

24

25

SENATE BILL 55

Do Not
Delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

one or more local units of government that is created by law or by action of one or more local units of government.

***NOTE: This is reconciled s. 230.03 (3). This SECTION has been affected by drafts with the following LRB numbers: -1335 and -1462.

***-1857/5.116* SECTION 3048.** 230.08 (2) (e) 1. of the statutes is amended to read:

230.08 (2) (e) 1. Administration — ~~12~~ 10.

***-0985/8.47* SECTION 3049.** 230.08 (2) (e) 3m. of the statutes is amended to read:

230.08 (2) (e) 3m. Educational communications board — 4. If the secretary of administration determines that the federal communications commission has approved the transfer of all broadcasting licenses held by the educational communications board to the broadcasting corporation as defined in s. 39.81 (2), this subdivision does not apply on and after the effective date of the last license transferred as determined by the secretary of administration under s. 39.87 (2) (a).

***-1857/5.117* SECTION 3050.** 230.08 (2) (e) 3r. of the statutes is created to read:

230.08 (2) (e) 3r. Electronic government — 3.

X X

***-0985/8.48* SECTION 3052.** 230.08 (2) (km) of the statutes is created to read:

230.08 (2) (km) Persons employed by the department of administration who were transferred to the department of administration under s. 39.86 (4) and who immediately before their transfer occupied a position described under par. (e) 3m., (L) 2. or (we).

***-0985/8.49* SECTION 3053.** 230.08 (2) (L) 2. of the statutes is amended to read:

SENATE BILL 55

1 230.08 (2) (L) 2. Educational communications board, created under s. 15.57 (1).
2 If the secretary of administration determines that the federal communications
3 commission has approved the transfer of all broadcasting licenses held by the
4 educational communications board to the broadcasting corporation, as defined in s.
5 39.81 (2), this subdivision does not apply on and after the effective date of the last
6 license transferred as determined by the secretary of administration under s. 39.87
7 (2) (a).

8 ***-0985/8.50*** SECTION 3056. 230.08 (2) (we) of the statutes is amended to read:
9 230.08 (2) (we) Professional staff members of the educational communications
10 board authorized under s. 39.13 (2). If the secretary of administration determines
11 that the federal communications commission has approved the transfer of all
12 broadcasting licenses held by the educational communications board to the
13 broadcasting corporation, as defined in s. 39.81 (2), this paragraph does not apply on
14 and after the effective date of the last license transferred as determined by the
15 secretary of administration under s. 39.87 (2) (a).

16 ***-0751/2.1*** SECTION 3057. 230.08 (2) (xm) of the statutes is created to read:
17 230.08 (2) (xm) The commandant of the Southern Wisconsin Veterans
18 Retirement Center in the department of veterans affairs.

19 ***-0985/8.51*** SECTION 3059. 230.08 (4) (a) of the statutes is amended to read:
20 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
21 includes all administrator positions specifically authorized by law to be employed
22 outside the classified service in each department, board or commission and the
23 historical society. ~~In~~ Except as provided in par. (am), in this paragraph,
24 “department” has the meaning given under s. 15.01 (5), “board” means the
25 educational communications board, investment board, public defender board and

SENATE BILL 55**SECTION 3059**

1 technical college system board and “commission” means the public service
2 commission. Notwithstanding sub. (2) (z), no division administrator position
3 exceeding the number authorized in sub. (2) (e) may be created in the unclassified
4 service.

5 ***0985/8.52*** **SECTION 3060.** 230.08 (4) (am) of the statutes is created to read:

6 230.08 (4) (am) If the secretary of administration determines that the federal
7 communications commission has approved the transfer of all broadcasting licenses
8 held by the educational communications board to the broadcasting corporation, as
9 defined in s. 39.81 (2), on and after the effective date of the last license transferred
10 as determined by the secretary of administration under s. 39.87 (2) (a), “board” in par.
11 (a) means the investment board, public defender board, and technical college system
12 board.

13 ***b0571/1.5*** **SECTION 3061m.** 230.12 (3) (e) of the statutes is amended to read:

14 230.12 (3) (e) *University of Wisconsin system senior executives, faculty and*
15 *academic staff employees.* The secretary, after receiving recommendations from the
16 board of regents, shall submit to the joint committee on employment relations a
17 proposal for adjusting compensation and employee benefits for employees under ss.
18 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective
19 bargaining unit under subch. V of ch. 111 for which a representative is certified. The
20 proposal shall include the salary ranges and adjustments to the salary ranges for the
21 university senior executive salary groups 1 and 2 established under s. 20.923 (4g).
22 The proposal shall be based upon the competitive ability of the board of regents to
23 recruit and retain qualified faculty and academic staff, data collected as to rates of
24 pay for comparable work in other public services, universities and commercial and
25 industrial establishments, recommendations of the board of regents and any special

SENATE BILL 55

1 studies carried on as to the need for any changes in compensation and employee
2 benefits to cover each year of the biennium. The proposal shall also take proper
3 account of prevailing pay rates, costs and standards of living and the state's
4 employment policies. The proposal for such pay adjustments may contain
5 recommendations for across-the-board pay adjustments, merit or other
6 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)
7 shall apply to the process for approval of all pay adjustments for such employees
8 under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved
9 by the joint committee on employment relations and the governor shall be based
10 upon a percentage of the budgeted salary base for such employees under ss. 20.923
11 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit
12 and adjustments other than across-the-board pay adjustments is available for
13 discretionary use by the board of regents.

14

15

16 ***-0695/2.2* SECTION 3079.** 230.35 (1m) (a) 5. of the statutes is created to read:
17 230.35 (1m) (a) 5. A position held by an employee of the state fair park board
18 who was employed on October 29, 1999, in a career executive position under the
19 program established under s. 230.24.

20 ***-2411/3.33* SECTION 3080.** 230.35 (3) (a) of the statutes is amended to read:
21 230.35 (3) (a) Officials and employees of the state who have permanent status
22 and who are members of the national guard, the naval militia, the state defense force,
23 or any other reserve component of the military forces of the United States or this
24 state now or hereafter organized or constituted under federal or state law, are
25 entitled to leaves of absence without loss of time in the service of the state, to enable

SENATE BILL 55

1 them to attend military schools and annual field training or annual active duty for
 2 training, and any other state or federal tours of active duty, except extended active
 3 duty or service as a member of the active armed forces of the United States which
 4 have been duly ordered but not exceeding 30 days, excluding Saturdays, Sundays
 5 and holidays enumerated in sub. (4) in the calendar year in which so ordered and
 6 held. During this leave of absence, each state official or employee shall receive base
 7 state pay less the base military pay received for and identified with such attendance
 8 but such reduction shall not be more than the base state pay. ~~Such~~ Other than for
 9 a leave of absence for the adjutant general and any deputy adjutants general, such
 10 leave shall not be granted for absences of less than 3 days. A state official or employee
 11 serving on state active duty as a member of the national guard, naval militia, or state
 12 defense force, may elect to receive pay from the state under s. 20.465 (1) in an amount
 13 equal to base state salary for such period of state active duty. Leave granted by this
 14 section is in addition to all other leaves granted or authorized by any other law. For
 15 the purpose of determining seniority, pay or pay advancement and performance
 16 awards the status of the employee shall be considered uninterrupted by such
 17 attendance.

18 *~~0408/1.1~~* SECTION 3081. 230.36 (1m) (b) 2. (intro.) of the statutes is amended
 19 to read:

20 230.36 (1m) (b) 2. (intro.) A conservation warden, conservation patrol boat
 21 captain, conservation patrol boat engineer, member of the state patrol, state motor
 22 vehicle inspector, University of Wisconsin System police officer, security officer, or
 23 security person, ~~state fair park~~ other state facilities police officer, ~~special tax agent,~~
 24 excise tax investigator employed by the department of revenue, and special criminal
 25 investigation agent employed by the department of justice at all times while:

plain space

plain comma

SENATE BILL 55

1 ***-0408/1.2*** **SECTION 3082.** 230.36 (2m) (a) 13. of the statutes is repealed.

2 ***-1528/8.20*** **SECTION 3087.** 231.01 (9) of the statutes is amended to read:

3 231.01 (9) “Revenues” means, with respect to any project, the rents, fees,
4 charges, and other income or profit derived therefrom and, with respect to any bonds
5 issued under s. 231.03 (6) (g), tobacco settlement revenues identified in the bond
6 resolution.

7 ***-1528/8.21*** **SECTION 3088.** 231.01 (11) of the statutes is created to read:

8 231.01 (11) “Tobacco settlement agreement” has the meaning given in s. 16.63
9 (1) (b).

10 ***-1528/8.22*** **SECTION 3089.** 231.01 (12) of the statutes is created to read:

11 231.01 (12) “Tobacco settlement revenues” has the meaning given in s. 16.63
12 (1) (c).

13 ***-1528/8.23*** **SECTION 3090.** 231.03 (6) (g) of the statutes is created to read:

14 231.03 (6) (g) Finance a purchase, or make a loan, under sub. (20). Bonds
15 issued under this paragraph shall be payable from, or secured by interests in, tobacco
16 settlement revenues and such other property pledged under the bond resolution and,
17 notwithstanding s. 231.08 (3), are not required to mature in 30 years or less from the
18 date of issue.

19 ***-1528/8.24*** **SECTION 3091.** 231.03 (20) of the statutes is created to read:

20 231.03 (20) Purchase the state’s right to receive any of the payments under the
21 tobacco settlement agreement, or make a loan to be secured by the state’s right to
22 receive any of the payments under the tobacco settlement agreement, upon such
23 terms and at such prices as the authority considers reasonable and as can be agreed
24 upon between the authority and the other party to the transaction. The authority
25 may issue certificates or other evidences of ownership interest in tobacco settlement

SENATE BILL 55**SECTION 3091**

1 revenues upon such terms and conditions as specified by the authority in the
2 resolution under which the certificates or other evidences are issued or in a related
3 trust agreement or trust indenture.

4 *~~1528/8.26~~* **SECTION 3093.** 231.16 (1) of the statutes is amended to read:

5 231.16 (1) The authority may issue bonds to refund any outstanding bond of
6 the authority or indebtedness that a participating health institution, participating
7 educational institution, or participating child care provider may have incurred for
8 the construction or acquisition of a project prior to or after April 30, 1980, including
9 the payment of any redemption premium on the outstanding bond or indebtedness
10 and any interest accrued or to accrue to the earliest or any subsequent date of
11 redemption, purchase, or maturity, or to pay all or any part of the cost of constructing
12 and acquiring additions, improvements, extensions, or enlargements of a project or
13 any portion of a project. No Except for bonds to refund bonds issued under s. 231.03
14 (6) (g), no bonds may be issued under this section unless the authority has first
15 entered into a new or amended agreement with a participating health institution,
16 participating educational institution, or participating child care provider to provide
17 sufficient revenues to pay the costs and other items described in s. 231.13.

18 *~~1528/8.27~~* **SECTION 3094.** 231.16 (3) of the statutes is amended to read:

19 231.16 (3) All bonds issued under this section shall be subject to this chapter
20 in the same manner and to the same extent as other bonds issued pursuant to this
21 chapter, except that the limitations with respect to dates under s. 231.03 (6) (e) and
22 (f) and (14) do not apply to bonds issued under this section, and the requirement
23 under s. 231.08 (3) that the bonds mature in 30 years or less from their date of issue
24 does not apply to bonds issued under this section to refund bonds issued under s.
25 231.03 (6) (g).

SENATE BILL 55

1 ***-1528/8.28*** SECTION 3095. 231.215 of the statutes is created to read:

2 **231.215 Incorporator for purpose related to purchase or sale of right**
3 **to payments.** The authority, or its executive director, may organize one or more
4 nonstock corporations under ch. 181 or limited liability companies under ch. 183 for
5 any purpose related to purchasing or selling the state's right to receive any of the
6 payments under the tobacco settlement agreement and may take any action
7 necessary to facilitate and complete the purchase or sale.

8 ***-1562/1.1*** SECTION 3096. 233.27 of the statutes is amended to read:

9 **233.27 Limit on the amount of outstanding bonds.** The authority may not
10 issue bonds or incur indebtedness described under s. 233.03 (12) if, after the bonds
11 are issued or the indebtedness is incurred, the aggregate principal amount of the
12 authority's outstanding bonds, together with all indebtedness described under s.
13 233.03 (12) would exceed ~~\$106,500,000~~ \$175,000,000. Bonds issued to fund or refund
14 outstanding bonds, or indebtedness incurred to pay off or purchase outstanding
15 indebtedness, is not included in calculating compliance with the ~~\$106,500,000~~
16 \$175,000,000 limit.

17 ***-0880/5.1*** SECTION 3099. 234.65 (3) (f) of the statutes, as affected by 1999
18 Wisconsin Act 9, is amended to read:

19 234.65 (3) (f) The name of the person receiving the loan does not appear on the
20 statewide support lien docket under s. 49.854 (2) (b). ~~The condition under this~~
21 ~~paragraph is met for a person whose name does appear if~~ or, if the person's name
22 appears on that docket, the person provides to the authority a payment agreement
23 that has been approved by the county child support agency under s. 59.53 (5) and that
24 is consistent with rules promulgated under s. 49.858 (2) (a).

25 ***-0878/2.3*** SECTION 3100. 234.67 (1) (f) of the statutes is amended to read:

SENATE BILL 55**SECTION 3100**

1 234.67 (1) (f) “Percentage of guarantee” means the percentage established by
2 the authority under sub. (3) (a).

3 ***-0878/2.4*** **SECTION 3101.** 234.67 (3) (a) of the statutes is renumbered 234.67
4 (3) and amended to read:

5 234.67 (3) **GUARANTEE OF COLLECTION.** ~~Subject to par. (b), the~~ The authority
6 shall guarantee collection of a percentage, not exceeding 90%, of the principal of any
7 loan eligible for a guarantee under sub. (2). The authority shall establish the
8 percentage of the unpaid principal of an eligible loan that will be guaranteed, using
9 the procedures described in the guarantee agreement under s. 234.93 (2) (a). The
10 authority may establish a single percentage for all guaranteed loans or establish
11 different percentages for eligible loans on an individual basis.

12 ***-0878/2.5*** **SECTION 3102.** 234.67 (3) (b) of the statutes is repealed.

13 ***-0880/5.2*** **SECTION 3103.** 234.83 (1) of the statutes is renumbered 234.83
14 (1m).

15 ***-0880/5.3*** **SECTION 3104.** 234.83 (1c) of the statutes is created to read:

16 234.83 (1c) **DEFINITIONS.** In this section:

17 (a) “Rural community” means any of the following:

18 1. A city, town, or village in this state that is located in a county with a
19 population density of less than 150 persons per square mile.

20 2. A city, town, or village in this state with a population of 12,000 or less.

21 (b) “Small business” means a business, as defined in s. 560.60 (2), that employs
22 50 or fewer employees on a full-time basis.

23 ***-0880/5.4*** **SECTION 3105.** 234.83 (2) (a) (intro.) of the statutes is amended to
24 read:

SENATE BILL 55

1 234.83 (2) (a) (intro.) A business, as defined in s. 560.60 (2), to which all of the
2 following apply:

3 *~~0880/5.5~~* **SECTION 3106.** 234.83 (2) (a) 2. of the statutes is amended to read:
4 234.83 (2) (a) 2. The business ~~employs 50 or fewer employees on a full-time~~
5 ~~basis is a small business.~~

6 *~~0880/5.6~~* **SECTION 3107.** 234.83 (2) (a) 3. of the statutes, as affected by 1999
7 Wisconsin Act 9, is amended to read:

8 234.83 (2) (a) 3. The name of the owner of the business does not appear on the
9 statewide support lien docket under s. 49.854 (2) (b). ~~The condition under this~~
10 ~~subdivision is met for an owner whose name does appear if~~ or, if the name of the
11 owner of the business appears on that docket, the owner of the business provides to
12 the authority a payment agreement that has been approved by the county child
13 support agency under s. 59.53 (5) and that is consistent with rules promulgated
14 under s. 49.858 (2) (a).

15 *~~0880/5.7~~* **SECTION 3108.** 234.83 (3) (a) 2. of the statutes is amended to read:
16 234.83 (3) (a) 2. The start-up, ~~expansion or acquisition~~ of a day care business,
17 including the purchase or improvement of land, buildings, machinery, equipment, or
18 inventory.

19 *~~0880/5.8~~* **SECTION 3109.** 234.83 (3) (a) 3. of the statutes is created to read:
20 234.83 (3) (a) 3. The start-up of a small business in a vacant storefront in the
21 downtown area of a rural community, including the purchase or improvement of
22 land, buildings, machinery, equipment, or inventory.

23 *~~0878/2.6~~* **SECTION 3110.** 234.83 (4) (a) of the statutes is renumbered 234.83
24 (4) and amended to read:

SENATE BILL 55

SECTION 3110

Do Not Delete

1 234.83 (4) GUARANTEE OF REPAYMENT. ~~Subject to par. (b), the~~ The authority may
 2 guarantee repayment of a portion of the principal of any loan eligible for a guarantee
 3 under sub. ~~(1)~~ (1m). That portion may not exceed 80% of the principal of the loan or
 4 \$200,000, whichever is less. The authority shall establish the portion of the principal
 5 of an eligible loan that will be guaranteed, using the procedures described in the
 6 agreement under s. 234.93 (2) (a). The authority may establish a single portion for
 7 all guaranteed loans that do not exceed \$250,000 and a single portion for all
 8 guaranteed loans that exceed \$250,000 or establish on an individual basis different
 9 portions for eligible loans that do not exceed \$250,000 and different portions for
 10 eligible loans that exceed \$250,000.

****NOTE: This is reconciled s. 234.83 (4) (a). This SECTION has been affected by drafts with the following LRB numbers: LRB-0878/1 and LRB-0880/4.

11 *-0878/2.7* SECTION 3111. 234.83 (4) (b) of the statutes is repealed.

12 *-0880/5.9* SECTION 3112. 234.90 (3) (d) of the statutes, as affected by 1999
 13 Wisconsin Act 9, is amended to read:

14 234.90 (3) (d) The farmer's name does not appear on the statewide support lien
 15 docket under s. 49.854 (2) (b). ~~The condition under this paragraph is met for a farmer~~
 16 ~~whose name does appear if or, if the farmer's name appears on that docket,~~ the farmer
 17 provides to the authority a payment agreement that has been approved by the county
 18 child support agency under s. 59.53 (5) and that is consistent with rules promulgated
 19 under s. 49.858 (2) (a).

20 *-0880/5.10* SECTION 3113. 234.90 (3g) (c) of the statutes, as affected by 1999
 21 Wisconsin Act 9, is amended to read:

22 234.90 (3g) (c) The farmer's name does not appear on the statewide support lien
 23 docket under s. 49.854 (2) (b). ~~The condition under this paragraph is met for a farmer~~

SENATE BILL 55

1 ~~whose name does appear if or, if the farmer's name appears on that docket,~~ the farmer
2 provides to the authority a payment agreement that has been approved by the county
3 child support agency under s. 59.53 (5) and that is consistent with rules promulgated
4 under s. 49.858 (2) (a).

5 *~~0878/2.8~~* SECTION 3114. 234.90 (4) (a) of the statutes is renumbered 234.90
6 (4) and amended to read:

7 234.90 (4) GUARANTEE. ~~Except as provided in par. (b), the~~ The authority shall
8 guarantee repayment of 90% of the principal of any agricultural production loan
9 eligible for guarantee under sub. (2) made to a farmer eligible for a guaranteed loan
10 under sub. (3) or (3g).

11 *~~0878/2.9~~* SECTION 3115. 234.90 (4) (b) of the statutes is repealed.

12 *~~0878/2.11~~* SECTION 3117. 234.907 (1) (f) of the statutes is amended to read:
13 234.907 (1) (f) "Percentage of guarantee" means the percentage established by
14 the authority under sub. (3) (a).

15 *~~0878/2.12~~* SECTION 3118. 234.907 (3) (a) of the statutes is renumbered
16 234.907 (3) and amended to read:

17 234.907 (3) GUARANTEE OF COLLECTION. ~~Subject to par. (b), the~~ The authority
18 shall guarantee collection of a percentage, not exceeding 90%, of the principal of any
19 loan eligible for a guarantee under sub. (2). The authority shall establish the
20 percentage of the unpaid principal of an eligible loan that will be guaranteed, using
21 the procedures described in the guarantee agreement under s. 234.93 (2) (a). The
22 authority may establish a single percentage for all guaranteed loans or establish
23 different percentages for eligible loans on an individual basis.

24 *~~0878/2.13~~* SECTION 3119. 234.907 (3) (b) of the statutes is repealed.

25 *~~0878/2.14~~* SECTION 3120. 234.91 (5) (a) of the statutes is amended to read:

SENATE BILL 55**SECTION 3120**

1 234.91 (5) (a) ~~Subject to par. (e), the~~ The authority shall guarantee collection
2 of a percentage of the principal of a loan eligible for a guarantee under sub. (2). The
3 principal amount of an eligible loan that the authority may guarantee may not
4 exceed the borrower's net worth or 25% of the total loan amount, whichever is less,
5 calculated at the time the loan is made.

6 *–0878/2.15* **SECTION 3121.** 234.91 (5) (c) of the statutes is repealed.

7 *–0878/2.16* **SECTION 3122.** 234.93 (3) (title) of the statutes is amended to
8 read:

9 234.93 (3) (title) ~~INCREASES OR DECREASES IN LOAN~~ LOAN GUARANTEES; INCREASES
10 OR DECREASES.

11 *–0878/2.17* **SECTION 3123.** 234.93 (3) of the statutes is renumbered 234.93
12 (3) (b) and amended to read:

13 234.93 (3) (b) The authority may request the joint committee on finance to take
14 action under s. 13.10 to permit the authority to increase or decrease the total
15 principal amount or total outstanding guaranteed principal amount of loans that it
16 may guarantee under ~~a program~~ the aggregate of the programs guaranteed by the
17 Wisconsin development reserve fund. Included with its request, the authority shall
18 provide a projection, for the next June 30, that compares the amounts required on
19 that date to pay outstanding claims and to fund guarantees under ~~all~~ the aggregate
20 of the programs guaranteed by funds from the Wisconsin development reserve fund,
21 and the balance remaining in the Wisconsin development reserve fund on that date
22 after deducting such amounts, if the increase or decrease is approved, with such
23 amounts and the balance remaining, if the increase or decrease is not approved.

24 *–0878/2.18* **SECTION 3124.** 234.93 (3) (a) of the statutes is created to read:

SENATE BILL 55

1 234.93 (3) (a) Except as provided in par. (b), the total principal amount or total
2 outstanding guaranteed principal amount of all loans that the authority may
3 guarantee under the aggregate of the programs guaranteed by funds from the
4 Wisconsin development reserve fund, excluding the program under s. 234.935, 1997
5 stats., may not exceed \$49,500,000.

6 ***b0195/2.2* SECTION 3125c.** 234.93 (4) (c) of the statutes is created to read:

7 234.93 (4) (c) 1. The statement under par. (b) shall include recommendations
8 as to the total principal amount or total outstanding guaranteed principal amount
9 of all loans that the authority may guarantee under each of the programs guaranteed
10 by the Wisconsin development reserve fund, subject to sub. (3). If the cochairpersons
11 of the joint committee on finance do not notify the executive director within 14
12 working days after August 31 that the committee has scheduled a meeting for the
13 purpose of reviewing the recommended maximum amounts, the recommended
14 maximum amounts shall be the total principal amounts or total outstanding
15 guaranteed principal amounts of all loans that the authority may guarantee under
16 each of the programs guaranteed by the Wisconsin development reserve fund. If,
17 within 14 working days after August 31, the cochairpersons of the committee notify
18 the executive director that the committee has scheduled a meeting for the purpose
19 of reviewing the recommended maximum amounts, the maximum amounts that the
20 authority may guarantee under each of the programs guaranteed by the Wisconsin
21 development reserve fund shall be the maximum amounts approved by the
22 committee.

23 2. If the total principal amount or total outstanding guaranteed principal
24 amount of all loans that the authority desires or intends to guarantee under a
25 program guaranteed by the Wisconsin development reserve fund will exceed the

SENATE BILL 55**SECTION 3125c**

1 maximum amount that was last approved for the program under subd. 1., the
2 executive director of the authority shall provide to the secretary of administration
3 and to the joint committee on finance notice of the proposed new maximum
4 guarantee amounts for each of the programs guaranteed by the Wisconsin
5 development reserve fund, subject to sub. (3). If the cochairpersons of the joint
6 committee on finance do not notify the executive director within 14 working days
7 after the date of the notice under this subdivision that the committee has scheduled
8 a meeting for the purpose of reviewing the proposed new maximum amounts, the
9 proposed new maximum amounts shall apply. If, within 14 working days after the
10 date of the notice under this subdivision, the cochairpersons of the committee notify
11 the executive director that the committee has scheduled a meeting for the purpose
12 of reviewing the proposed new maximum amounts, the new maximum amounts that
13 the authority may guarantee shall be the maximum amounts approved by the
14 committee. ✓

15 ~~*-0774/1.2* SECTION 3126. 234.93 (4m) of the statutes is amended to read:~~

16 ~~234.93 (4m) LIMITATION ON LOAN GUARANTEES. The authority shall regularly~~
17 ~~monitor the cash balance in the Wisconsin development reserve fund. The authority~~
18 ~~shall ensure that the cash balance in the fund is sufficient for the purposes specified~~
19 ~~in sub. (4) (a) 1. and 2., and 3.~~ ✓

20 ~~*-1335/7.62* SECTION 3128. Chapter 237 of the statutes is created to read:~~

21 **CHAPTER 237**

22 **FOX RIVER NAVIGATIONAL**

23 **SYSTEM AUTHORITY**

24 **237.01 Definitions.** In this chapter:

25 (1) "Authority" means the Fox River Navigational System Authority.