

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

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

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

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

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

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

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

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

- 5 1. An initial intake assessment.
- 6 2. Development of a treatment plan based on best practices.
- 7 3. Coordination of health care services.
- 8 4. Patient education.
- 9 5. Family support.
- 10 6. Monitoring and reporting of patient outcomes and costs.

11 (c) The department shall pay contract costs from the appropriation under s.
12 20.435 (4) (u).

13 (4) EVALUATION STUDY. The department shall conduct a study that evaluates the
14 pilot program in terms of health care outcomes and cost avoidance. In the study, the
15 department shall measure and compare, for pilot program participants and similarly
16 situated eligible persons not participating in the pilot program, plan costs and
17 utilization of services, including inpatient hospital days, rates of hospital
18 readmission within 30 days for the same diagnosis, and prescription drug utilization.
19 The department shall submit a report on the results of the study, including the
20 department's conclusions and recommendations, to the legislature under s. 13.172
21 (2) and to the governor.

22 *b0605/2.1* SECTION ~~2850x~~^{2850y} 150.345 of the statutes is created to read:

23 **150.345 Nursing home bed transfers.** (1) Notwithstanding ss. 150.33 and
24 150.34, a nursing home may transfer a licensed bed to another nursing home, if all
25 of the following apply:



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

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

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

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

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

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

13 (a) and amended to read:

14 157.10 (1) (a) ~~While~~ Except as provided in par. (b), while any person is buried
15 in a cemetery lot, the cemetery lot shall be inalienable, ~~without the consent of~~ unless
16 the cemetery authority, and on the consents to a conveyance of an interest in the
17 cemetery lot.

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

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

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

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

4 ***b0266/1.1* SECTION 2852t.** 157.635 (title) of the statutes is amended to read:
5 **157.635 (title) Regulations of religious cemetery ~~affiliated with~~**
6 **religious society authorities.**

7 ***b0266/1.1* SECTION 2852u.** 157.635 of the statutes is renumbered 157.635
8 (2) and amended to read:

9 157.635 (2) ~~Nothing Except as provided in sub. (3), nothing~~ in this subchapter
10 prohibits a religious cemetery authority of ~~a cemetery that is affiliated with a~~
11 ~~religious society organized under ch. 187~~ from prohibiting the burial of the human
12 remains of an individual in the cemetery if the individual was in a class of individuals
13 who are prohibited under regulations adopted by the religious cemetery authority
14 or affiliated religious society from being buried in the cemetery.

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

16 157.635 (1) In this section:

17 (a) “Affiliated religious society” means a religious society organized under ch.
18 187 that is affiliated with a religious cemetery authority.

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

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

22 157.635 (3) If an individual who is not prohibited under regulations adopted
23 by a religious cemetery authority or affiliated religious society from being buried in
24 a cemetery conveys his or her interest in a cemetery lot in the cemetery to his or her
25 spouse, child, sibling, or parent, the religious cemetery authority may not prohibit

1 the burial of the human remains of the spouse, child, sibling, or parent in the
2 cemetery.

3 ***-1464/2.66* SECTION 2853.** 157.70 (2) (i) of the statutes is amended to read:

4 157.70 (2) (i) Cause a cataloged burial site to be recorded by the register of
5 deeds of the county in which the burial site is located. The historical society shall
6 reimburse the county for the cost of recording under this paragraph from the
7 appropriation under s. 20.245 (3) (1) (a).

8 ***-1772/1.2* SECTION 2854.** 165.055 (3) of the statutes is repealed.

9 ***b0457/2.2* SECTION 2854m.** 165.10 of the statutes is created to read:

10 **165.10 Civil rights enforcement.** If any person, whether or not acting under
11 color of law, interferes with the exercise or enjoyment by any individual of a right
12 secured by the constitution or laws of the United States, or of a right secured by the
13 constitution or laws of this state, the attorney general may bring an action for
14 injunction or other appropriate equitable relief to protect the peaceable exercise or
15 enjoyment of the right secured.

16 ***-2156/4.12* SECTION 2855.** 165.25 (4) (ar) of the statutes is amended to read:

17 165.25 (4) (ar) The department of justice shall furnish all legal services
18 required by the department of agriculture, trade and consumer protection relating
19 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,
20 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50,
21 and 100.51 and chs. 136, 344, 704, 707, and 779, together with any other services as
22 are necessarily connected to the legal services.

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

24 165.25 (10) **REPORT ON RESTITUTION.** Semiannually submit a report to the
25 department of administration and the joint committee on finance regarding money

1 received by the department of justice under a court order or a settlement agreement
2 for providing restitution to victims. The report shall specify the amount of
3 restitution received by the department of justice during the reporting period; the
4 persons to whom the department of justice paid restitution and the amount that the
5 department of justice paid to each recipient during the reporting period; and the
6 department of justice's methodology for selecting recipients and determining the
7 amount paid to each recipient.

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

9 165.755 (1) (b) A court may not impose the crime laboratories and drug law
10 enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)
11 ~~or~~, (bm), or (br) or (5) (b) or for a violation of a state law or municipal or county
12 ordinance involving a nonmoving traffic violation or a safety belt use violation under
13 s. 347.48 (2m).

14 ***-1394/2.51* SECTION 2858.** 165.755 (4) of the statutes is amended to read:

15 165.755 (4) If a municipal court imposes a forfeiture, after determining the
16 amount due under sub. (1) (a) the court shall collect and transmit such amount to the
17 treasurer of the county, city, town or village, and that treasurer shall make payment
18 to the state treasurer as provided in s. 66.0114 (1) (b) (bm).

19 ***-0549/1.1* SECTION 2863.** 166.20 (1) (gk) of the statutes is created to read:

20 166.20 (1) (gk) "Local emergency response team" means a team that the
21 committee identifies under s. 166.21 (2m) (e).

22 ***-0549/1.2* SECTION 2864.** 166.20 (1) (im) of the statutes is created to read:

23 166.20 (1) (im) "Regional emergency response team" means a team that the
24 division contracts with under s. 166.215 (1).

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

3 166.20 (2) (bm) 1. If a regional or local emergency response team has made a
4 good faith effort to identify a person responsible for the emergency involving a
5 release or potential release of a hazardous substance under s. 166.215 (3) or 166.22
6 (4).

7 ***-0549/1.4*** SECTION 2866. 166.20 (2) (bm) 2. of the statutes is amended to
8 read:

9 166.20 (2) (bm) 2. If a person responsible for the emergency involving a release
10 or potential release of a hazardous substance under s. 166.215 (3) or 166.22 (4) is
11 financially able or has the money or resources necessary to reimburse a regional or
12 local emergency response team for the expenses incurred by the regional or local
13 emergency response team in responding to the release emergency.

14 ***-0549/1.5*** SECTION 2867. 166.20 (2) (bs) of the statutes is created to read:

15 166.20 (2) (bs) 1. Promulgate rules that establish the procedures that a
16 regional emergency response team shall follow to determine if an emergency that
17 requires the team's response exists as the result of a level A release or a potential
18 level A release.

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

23 ***-0549/1.6*** SECTION 2868. 166.21 (2m) (e) of the statutes is amended to read:

24 166.21 (2m) (e) Identification of a county local emergency response team that
25 is capable of responding to a level B release that occurs at any place in the county and

1 whose members meet the standards for hazardous materials technicians in 29 CFR
2 1910.120 (q) (6) (iii) and national fire protection association standards NFPA 471 and
3 472.

4 ***-0549/1.7* SECTION 2869.** 166.21 (2m) (f) of the statutes is amended to read:
5 166.21 (2m) (f) Procedures for ~~county~~ local emergency response team actions
6 that are consistent with local emergency response plans developed under s. 166.20
7 (3) and the state contingency plan established under s. 292.11 (5).

8 ***-0549/1.8* SECTION 2871.** 166.215 (2) of the statutes is amended to read:
9 166.215 (2) The division shall reimburse a regional emergency response team
10 for costs incurred by the team in responding to an emergency involving a level A
11 release under sub. (1), or a potential level A release, if the team followed the
12 procedures in the rules promulgated under s. 166.20 (2) (bs) 1. to determine if an
13 emergency requiring a response existed. Reimbursement under this subsection is
14 limited to amounts collected under sub. (3) and the amounts appropriated under s.
15 20.465 (3) (dr). Reimbursement is available under s. 20.465 (3) (dr) only if the
16 regional emergency response team has made a good faith effort to identify the person
17 responsible under sub. (3) and that person cannot be identified, or, if that person is
18 identified, the team has received reimbursement from that person to the extent that
19 the person is financially able or has determined that the person does not have
20 adequate money or other resources to reimburse the regional emergency response
21 team.

22 ***-0549/1.9* SECTION 2872.** 166.215 (3) of the statutes is repealed and
23 recreated to read:

24 166.215 (3) A person shall reimburse the division for costs incurred by a
25 regional emergency response team in responding to an emergency if the team

1 followed the procedures established under s. 166.20 (2) (bs) 1. to determine if an
2 emergency requiring the team's response existed and if any of the following
3 conditions applies:

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

6 (b) The person caused the emergency.

7 ***-0549/1.10* SECTION 2873.** 166.22 (1) (a) of the statutes is repealed.

8 ***-0549/1.11* SECTION 2874.** 166.22 (1) (c) of the statutes is amended to read:

9 166.22 (1) (c) "Local agency" means an agency of a county, city, village, or town,
10 including a municipal police or fire department, a municipal health organization, a
11 county office of emergency management, a county sheriff, an emergency medical
12 service, a local emergency response team, or a public works department.

13 ***-0549/1.12* SECTION 2875.** 166.22 (1) (d) of the statutes is created to read:

14 166.22 (1) (d) "Local emergency response team" means a team that the
15 committee identifies under s. 166.21 (2m) (e).

16 ***-0549/1.13* SECTION 2876.** 166.22 (2) of the statutes is amended to read:

17 166.22 (2) A person who possesses or controls a hazardous substance that is
18 ~~discharged~~ released or who causes the ~~discharge~~ release of a hazardous substance
19 shall take the actions necessary to protect public health and safety and prevent
20 damage to property.

21 ***-0549/1.14* SECTION 2877.** 166.22 (3) of the statutes is amended to read:

22 166.22 (3) If action required under sub. (2) is not being adequately taken or the
23 identity of the person responsible for a ~~discharge~~ an emergency involving a release
24 or potential release of a hazardous substance is unknown and the ~~discharge~~
25 emergency involving a release or potential release threatens public health or safety

1 or damage to property, a local agency may take any emergency action that is
2 consistent with the contingency plan for the undertaking of emergency actions in
3 response to the discharge release or potential release of hazardous substances
4 established by the department of natural resources under s. 292.11 (5) and that it
5 considers appropriate under the circumstances.

6 ***-0549/1.15*** SECTION 2878. 166.22 (3m) of the statutes is amended to read:

7 166.22 (3m) The division shall reimburse a local emergency response team for
8 costs incurred by the team in responding to an emergency involving a hazardous
9 substance discharge under sub. (3) release, or potential release, if the team followed
10 the procedures in the rules promulgated under s. 166.20 (2) (bs) 2. to determine if an
11 emergency requiring the team's response existed. Reimbursement under this
12 subsection is limited to the amount appropriated under s. 20.465 (3) (dr).
13 Reimbursement is available under s. 20.465 (3) (dr) only if the local emergency
14 response team has made a good faith effort to identify the person responsible under
15 sub. (4) and that person cannot be identified, or, if that person is identified, the team
16 has received reimbursement from that person to the extent that the person is
17 financially able or has determined that the person does not have adequate money or
18 other resources to reimburse the local emergency response team.

19 ***-0549/1.16*** SECTION 2879. 166.22 (4) of the statutes is repealed and
20 recreated to read:

21 166.22 (4) (a) Except as provided in par. (b), a person shall reimburse a local
22 agency as provided in sub. (5) for actual, reasonable, and necessary expenses
23 incurred in responding to an emergency involving the release or potential release of
24 a hazardous substance if any of the following conditions applies:

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

3 2. The person caused the emergency.

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

7 ***-0549/1.17*** SECTION 2880. 166.22 (5) (am) of the statutes is amended to read:

8 166.22 (5) (am) A local agency seeking reimbursement under sub. (4) shall
9 submit a claim stating its expenses to the reviewing entity for the county in which
10 the discharge emergency occurred.

11 ***-0549/1.18*** SECTION 2881. 166.22 (5) (b) of the statutes is amended to read:

12 166.22 (5) (b) The reviewing entity shall review claims submitted under par.
13 (am) and determine the amount of reasonable and necessary expenses incurred. The
14 reviewing entity shall provide a person who is liable for reimbursement under sub.
15 (4) with a notice of the amount of expenses it has determined to be reasonable and
16 necessary that ~~arise from one discharge and are~~ arose from the emergency involving
17 the release or potential release of a hazardous substance and that were incurred by
18 all local agencies from which the reviewing entity receives a claim.

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

20 **173.40 Pet dealers, pet breeders, kennels, and animal shelters. (1)**

21 DEFINITIONS. In this section:

22 (a) "Adequate food" means wholesome food that is accessible to an animal, is
23 appropriate for the type of animal, and is sufficient in amount to maintain the animal
24 in good health.

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

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

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

7 2. A facility that is operated for the purpose of providing for and promoting the
8 welfare, protection, and humane treatment of animals, that is used to shelter at least
9 25 animals in a year, and that is operated by a humane society, an animal welfare
10 society, or a nonprofit association.

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

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

18 1. An animal shelter.

19 2. A facility owned or operated by a veterinarian licensed under ch. 453 where
20 animals are boarded only in conjunction with the provision of veterinary care.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (b) 1. Except as provided under par. (a), a person who violates this section or
2 a rule promulgated under this section may be required to forfeit not more than \$1,000
3 for the first offense and may be required to forfeit not less than \$200 nor more than
4 \$2000 for the 2nd or any subsequent offense within 5 years.

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

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

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

9 174.05 (2) TAX. The minimum dog license tax is \$3 \$4.50 for a neutered male
10 dog or spayed female dog, upon presentation of evidence that the dog is neutered or
11 spayed, and \$8 \$10.00 for an unneutered male dog or unspayed female dog, or
12 one-half of these amounts if the dog became 5 months of age after July 1 of the license
13 year.

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

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

1 (2) ~~KENNEL MULTIPLE DOG LICENSE TAGS.~~ Kennel Multiple dog license tags shall
2 be made in a form so that they may be readily distinguishable from the individual
3 license tags for the same year. The owner or keeper of ~~a kennel dogs for which a~~
4 multiple dog license has been issued shall keep at all times a ~~kennel~~ multiple dog
5 license tag attached to the collar of each dog over 5 months old kept by the owner or
6 keeper under a ~~kennel~~ multiple dog license, but this requirement does not apply to
7 a dog during competition or training, to a dog securely confined indoors, to a dog
8 while hunting, or to a dog securely confined in a fenced area. ~~These tags may be~~
9 ~~transferred from one dog to another within the kennel whenever any dog is removed~~
10 ~~from the kennel.~~ An owner or keeper may transfer a multiple dog license tag from
11 a dog that the owner or keeper no longer owns or keeps to another dog if the other
12 dog is currently immunized against rabies. The rabies vaccination tag or substitute
13 tag shall remain attached to the dog for which it is issued at all times, but this
14 requirement does not apply to a dog during competition or training, to a dog securely
15 confined indoors, to a dog while hunting, or to a dog securely confined in a fenced
16 area. No dog bearing a ~~kennel~~ multiple dog license tag shall be permitted to stray
17 or to be taken anywhere outside the limits of the ~~kennel~~ owner's or keeper's premises
18 unless the dog is in leash or temporarily out for the purposes of hunting, breeding,
19 trial, training, or competition.

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

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

24 174.06 (6) KENNEL MULTIPLE DOG LICENSE RECORDS. The listing official shall
25 make in triplicate a list of the names of persons ~~owning and operating kennels~~

1 holding multiple dog licenses and the number of dogs kept in each by each of those
2 persons.

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

4 174.06 (7) LIST DELIVERY. The listing official shall, by September 15, deliver one
5 copy of the list under sub. (5) or (6) to the county clerk, and one copy to the collecting
6 official to whom license taxes are paid under s. 174.08, and retain one copy for his
7 or her files.

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

9 174.065 (1) COLLECTING OFFICIAL. The collecting official is ~~the~~ any city, village,
10 or town treasurer or other tax collecting officer or ~~a~~ any person deputized by the
11 treasurer or tax collecting official, unless the common council or village or town board
12 provides by ordinance or resolution for the appointment of a different person.
13 Veterinarians and humane societies may voluntarily become collecting officials for
14 a city, village, or town if the governing body of the city, village, or town by resolution
15 or ordinance provides that veterinarians and humane societies may be collecting
16 officials for the city, village, or town.

17 *b0551/3.2* SECTION 2881i. 174.07 (1) (c) of the statutes is amended to read:

18 174.07 (1) (c) *Copies*. The collecting official shall keep a duplicate copy of the
19 license on file. In counties having a population of 500,000 or more, the collecting
20 official shall immediately send to the county clerk or whatever agency the county
21 board may direct, a triplicate copy of the license. A collecting official who is not the
22 official to whom license taxes are paid under s. 174.08 shall provide a copy of each
23 license issued to the official to whom license taxes are paid under s. 174.08.

24 *b0551/3.2* SECTION 2881j. 174.07 (2) (d) of the statutes is amended to read:

1 174.07 (2) (d) The department shall furnish county clerks with suitable kennel
2 multiple dog license tags and blank licenses for distribution to the collecting officials.

3 ***b0551/3.2* SECTION 2881k.** 174.07 (3) (c) of the statutes is amended to read:

4 174.07 (3) (c) *Reimbursement.* The collecting official may retain ~~25~~ 75 cents,
5 or a greater amount established by the county board by ordinance or resolution, for
6 each license issued as compensation for the service, if not a full-time, salaried
7 municipal employee. If the collecting official is a full-time, salaried municipal
8 employee this compensation shall be paid into the treasury of the town, village, or
9 city.

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

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

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

22 **175.50 Use of passive alcohol sensors.** (1) In this section:

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

1 (b) "Passive alcohol sensor" means a device that is used to determine the
2 presence of alcohol in the air but that does not require a person to breathe directly
3 into it through a mouthpiece, tube, or similar device.

4 (2) A law enforcement officer may not use a passive alcohol sensor for the
5 purpose of detecting the presence of alcohol in a person's breath unless the person
6 consents to its use.

7 ***-0658/2.1* SECTION 2883.** 177.06 (3) (b) of the statutes is amended to read:
8 177.06 (3) (b) Assess a service charge after December 31 of the 2nd calendar
9 year covered in the report filed under s. 177.17 concerning that property.

10 ***-0658/2.2* SECTION 2884.** 177.06 (4) of the statutes is amended to read:
11 177.06 (4) Any property described in sub. (1) that is automatically renewable
12 is matured for purposes of sub. (1) upon the expiration of its initial time period, or
13 after one year if the initial period is less than one year, except that in the case of any
14 renewal to which the owner consents at or about the time of renewal by
15 communicating in writing with the banking or financial organization or otherwise
16 indicating consent as evidenced by a memorandum or other record on file prepared
17 by an employee of the organization, the property is matured upon the expiration of
18 the last time period for which consent was given or one year from the date of the last
19 consent, whichever is longer. If, at the time provided for delivery in s. ~~177.19~~ 177.17
20 (4) (a), a penalty or forfeiture in the payment of interest would result from the
21 delivery of the property, the time for delivery is extended until the time when no
22 penalty or forfeiture would result.

23 ***-0658/2.3* SECTION 2885.** 177.10 (1) (intro.) of the statutes is amended to
24 read:

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

7 *~~0658/2.4~~* SECTION 2886. 177.10 (2) and (3) of the statutes are amended to
8 read:

9 177.10 (2) At the expiration of a ~~7-year~~ 5-year period following the failure of
10 the owner to claim a dividend, distribution or other sum payable to the owner as a
11 result of the interest, the interest is not presumed abandoned unless there have been
12 at least 7 5 dividends, distributions or other sums paid during the period, none of
13 which has been claimed by the owner. If 7 5 dividends, distributions or other sums
14 are paid during the ~~7-year~~ 5-year period, the period leading to a presumption of
15 abandonment commences on the date on which payment of the first such unclaimed
16 dividend, distribution or other sum became due and payable. If 7 5 dividends,
17 distributions or other sums are not paid during the presumptive period, the period
18 continues to run until there have been 7 5 dividends, distributions or other sums that
19 have not been claimed by the owner.

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

1 ***-0658/2.5*** SECTION 2887. 177.10 (5) of the statutes is amended to read:

2 177.10 (5) This chapter does not apply to any stock or other intangible
3 ownership interest enrolled in a plan that provides for the automatic reinvestment
4 of dividends, distributions or other sums payable as a result of the interest unless
5 the records available to the administrator of the plan show, with respect to any
6 intangible ownership interest not enrolled in the reinvestment plan, that the owner
7 has not within 7 5 years communicated in any manner specified under sub. (1).

8 ***-0658/2.6*** SECTION 2888. 177.17 (title) of the statutes is amended to read:

9 177.17 (title) **Report Reporting, payment, and delivery of abandoned**
10 **property.**

11 ***-0658/2.7*** SECTION 2889. 177.17 (4) of the statutes is renumbered 177.17 (4)

12 (a) 1. and amended to read:

13 177.17 (4) (a) 1. Before May November 1 of each even-numbered year, each
14 holder shall file a report covering the 2 previous calendar years year. On written
15 request by any person required to file a report, the administrator may ~~postpone the~~
16 reporting date extend the deadline established in this paragraph.

17 ***-0658/2.8*** SECTION 2890. 177.17 (4) (a) 2. of the statutes is created to read:

18 177.17 (4) (a) 2. Except as otherwise provided in this subdivision and s. 177.06
19 (4), upon filing the report under subd. 1., the holder shall pay or deliver to the
20 administrator all abandoned property required to be reported. This subdivision does
21 not apply to abandoned property that is in the form of amounts credited under s.
22 20.912 (1) to the support collections trust fund or amounts not distributable from the
23 support collections trust fund to the persons for whom the amounts were awarded.

24 ***-0658/2.9*** SECTION 2891. 177.18 (title) of the statutes is amended to read:

1 **177.18 (title) Notice and publication of lists of abandoned or escheated**
2 **property.**

3 ***-0658/2.10* SECTION 2892.** 177.18 (1) of the statutes is amended to read:

4 177.18 (1) The Before July 1 of each year, the administrator shall publish a
5 notice entitled “Notice of names of persons appearing to be owners of abandoned
6 property” ~~not later than the September 20 following the report required under s.~~
7 177.17. Except as provided in sub. (1m), the notice shall include the name of each
8 person identified in a report filed under s. 177.17 since the publication of the previous
9 notice. The administrator shall publish the notice as a class 1 notice under ch. 985,
10 in a newspaper of general circulation in the county in which is located the
11 last-known address of the person to be named in the notice. If no address is listed
12 or the address is outside this state, the notice shall be published in the county in
13 which the holder of the property has its principal place of business within this state.

14 ***-0658/2.11* SECTION 2893.** 177.18 (2) (intro.) of the statutes is amended to
15 read:

16 177.18 (2) (intro.) ~~The published~~ A notice under sub. (1) shall contain all of the
17 following:

18 ***-0658/2.12* SECTION 2894.** 177.18 (2) (c) of the statutes is repealed.

19 ***-0658/2.13* SECTION 2895.** 177.18 (2) (d) of the statutes is renumbered 177.18
20 (2m) and amended to read:

21 177.18 (2m) For money or other property received under s. 852.01 (3), 863.37
22 (2) or 863.39 (1), ~~the a~~ notice shall be published at least annually in the official state
23 newspaper and shall include the name of the decedent, the time and place of the
24 decedent’s death, the amount paid to the administrator, the name of the decedent’s
25 personal representative, the county in which the estate is probated and a statement

1 that the money will be paid to the heirs or legatees without interest, on proof of
2 ownership, if claimed within 10 years from the date of publication as provided in s.
3 863.39 (3).

4 ***-0658/2.14*** SECTION 2896. 177.19 (title), (1) and (2) of the statutes are
5 repealed.

6 ***-0658/2.15*** SECTION 2897. 177.19 (4) of the statutes is renumbered 177.17
7 (4) (b) and amended to read:

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

18 ***-2025/2.1*** SECTION 2898. 177.22 (1) of the statutes is amended to read:

19 177.22 (1) Except as provided in subs. (2) and ~~(3)~~ (4), the administrator, within
20 3 years after the receipt of abandoned property, shall sell it to the highest bidder at
21 public sale in the city, village or town in this state which, in the judgment of the
22 administrator, affords the most favorable market for the property. The
23 administrator may decline the highest bid and reoffer the property for sale if, in his
24 or her judgment, the bid is insufficient. If the administrator determines that the
25 probable cost of sale exceeds the value of the property, it need not be offered for sale.

1 Any sale held under this section shall be preceded by the publication of one notice,
2 at least 3 weeks in advance of sale, in a newspaper of general circulation in the county
3 in which the property is to be sold.

4 ***-2025/2.2* SECTION 2899.** 177.22 (3) of the statutes is repealed.

5 ***-2025/2.3* SECTION 2900.** 177.22 (4) of the statutes is amended to read:

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

21 ***-0658/2.16* SECTION 2901.** 177.23 (1) of the statutes is amended to read:

22 177.23 (1) Except as provided in sub. (2), the administrator shall deposit in the
23 school fund all funds received under this chapter, including the clear proceeds from
24 the sale of abandoned property under s. 177.22. Before making the deposit, the
25 administrator shall record the name and last-known address of each person

1 appearing from the holders' reports to be entitled to the property and the name and
2 last-known address of each insured person or annuitant and beneficiary and, with
3 respect to each policy or contract listed in the report of an insurance company, its
4 number, the name of the company and the amount due. The information recorded
5 by the administrator under this subsection is not available for inspection or copying
6 under s. 19.35 (1) until 24 months after payment or delivery of the property is due
7 under s. ~~177.19 (1)~~ 177.17 (4) (a).

8 *~~0530/2.3~~* SECTION 2902. 177.24 (1) of the statutes is renumbered 177.24 (1)
9 (a).

10 *~~0530/2.4~~* SECTION 2903. 177.24 (1) (b) of the statutes is created to read:

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

18 *~~0658/2.17~~* SECTION 2904. 177.24 (2) of the statutes is amended to read:

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

1 shall be mailed to the last address, if any, ~~of the claimant as stated in the claim as~~
2 the address of the claimant. No notice of denial need be given if the claim fails to state
3 either the last address to which notices are to be sent or the address of the claimant.

4 ***-2025/2.4* SECTION 2905.** 177.24 (3) of the statutes is renumbered 177.24 (3)
5 (a) and amended to read:

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

20 ***-0530/2.5* SECTION 2906.** 177.24 (3) (b) of the statutes is created to read:

21 177.24 (3) (b) If the administrator allows a claim made under sub. (1) (b), the
22 administrator shall pay the claimant the amount reported to the administrator
23 under s. 177.17.

24 ***-0530/2.6* SECTION 2907.** 177.24 (4) of the statutes is amended to read:

1 177.24 (4) Any holder who pays the owner for property that has been delivered
2 to this state which, if claimed from the administrator, would be subject to sub. (3) (a)
3 shall add interest as provided under sub. (3) (a). The added interest shall be repaid
4 to the holder by the administrator in the same manner as the principal.

5 ***-0530/2.7* SECTION 2908.** 177.25 (1m) of the statutes is created to read:

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

12 ***-0530/2.8* SECTION 2909.** 177.25 (2) of the statutes is amended to read:

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

18 ***-0530/2.9* SECTION 2910.** 177.265 of the statutes is created to read:

19 **177.265 Reimbursement for claims and administrative expenses.** (1)
20 At least quarterly, the department of workforce development shall reimburse the
21 administrator, based on information provided by the administrator, for all of the
22 following:

23 (a) Any claims paid under ss. 177.24 to 177.26, since the last reimbursement
24 was made, with respect to abandoned property in the form of amounts credited under
25 s. 20.912 (1) to the support collections trust fund and amounts not distributable from

1 the support collections trust fund to the persons for whom the amounts were
2 awarded.

3 (b) Any administrative expenses specified in s. 177.23 (2) (a) to (e), incurred
4 since the last reimbursement was made, with respect to abandoned property in the
5 form of amounts credited under s. 20.912 (1) to the support collections trust fund and
6 amounts not distributable from the support collections trust fund to the persons for
7 whom the amounts were awarded.

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

10 ***-0658/2.18* SECTION 2911.** 177.35 (2) of the statutes is renumbered 177.35
11 (2) (a) and amended to read:

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

15 ***-0530/2.10* SECTION 2912.** 177.35 (2) (b) of the statutes is created to read:

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

22 ***-0712/4.1* SECTION 2913.** 178.48 (2) of the statutes is amended to read:

23 178.48 (2) The department shall collect a ~~\$10~~ the fee established under s.
24 182.01 (4) (c) each time process is served on the department under this chapter.

25 ***-0712/4.2* SECTION 2914.** 178.48 (3) of the statutes is amended to read:

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:

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

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).

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 ***-0712/4.21* SECTION 2933.** 185.83 (1) (d) of the statutes is amended to read:
6 185.83 (1) (d) Receiving services of any process, notice or demand, authorized
7 to be served on the department by this chapter, ~~\$10~~ the fee established under s.
8 182.01 (4) (c).

9 ***-0712/4.22* SECTION 2934.** 185.83 (1) (f) of the statutes is repealed.

10 ***-0712/4.23* SECTION 2935.** 185.83 (1) (fm) of the statutes is repealed.

11 ***-0712/4.24* SECTION 2936.** 185.83 (1) (h) of the statutes is amended to read:
12 185.83 (1) (h) Processing a document required or permitted to be filed or
13 recorded under this chapter in an expeditious manner, ~~or preparing the information~~
14 ~~under par. (f) or (fm) in an expeditious manner, \$25~~ the fee established under s.
15 182.01 (4) (d) in addition to the fee required by other provisions of this chapter.

16 ***b0520/1.1* SECTION 2972t.** 195.60 (2) of the statutes is amended to read:
17 195.60 (2) The office shall annually, within 90 days after the close of each fiscal
18 year, ascertain the total of its expenditures during such year which are reasonably
19 attributable to the performance of its duties relating to railroads. For purposes of
20 such calculation, 90% of the expenditures so determined shall be expenditures of the
21 office and 10% of the expenditures so determined shall be expenditures for state
22 government operations. The office shall deduct therefrom all amounts chargeable
23 to railroads under sub. (1) and s. 201.10 (3). A sum equal to the remainder plus 10%
24 of the remainder shall be assessed by the office to the several railroads in proportion
25 to their respective gross operating revenues during the last calendar year, derived

1 from intrastate operations. Such assessment shall be paid within 30 days after the
2 bill has been mailed to the several railroads, which bill shall constitute notice of
3 assessment and demand of payment thereof. The total amount which may be
4 assessed to the railroads under authority of this subsection shall not exceed ~~1.75%~~
5 1.85% of the total gross operating revenues of such railroads, during such calendar
6 year, derived from intrastate operations. Ninety percent of the payment shall be
7 credited to the appropriation account under s. 20.155 (2) (g). The railroads shall
8 furnish such financial information as the office requires.

9 *–2007/2.16* SECTION 2973. 196.01 (3n) of the statutes is repealed.

10 *–2007/2.17* SECTION 2974. 196.01 (3p) of the statutes is repealed.

11 *–2007/2.18* SECTION 2975. 196.01 (3q) of the statutes is renumbered 101.91
12 (6m) and amended to read:

13 101.91 (6m) “Mobile Manufactured home park contractor” means a person,
14 other than a public utility, as defined in s. 196.01 (5) (a), who, under a contract with
15 a mobile manufactured home park operator, provides water or sewer service to a
16 mobile manufactured home park occupant or performs a service related to providing
17 water or sewer service to a mobile manufactured home park occupant.

18 *–2007/2.19* SECTION 2976. 196.01 (3s) of the statutes is renumbered 101.91
19 (7) and amended to read:

20 101.91 (7) “Mobile Manufactured home park occupant” means a person who
21 rents or owns a mobile manufactured home in a mobile manufactured home park.

22 *–2007/2.20* SECTION 2977. 196.01 (3t) of the statutes is renumbered 101.91
23 (8) and amended to read:

24 101.91 (8) “Mobile Manufactured home park operator” means a person
25 engaged in the business of owning or managing a mobile manufactured home park.

1 *–2154/1.1* **SECTION 2978.** 196.07 (2) of the statutes is amended to read:

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

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

12 **196.191 Distributed generation electric rates.** (1) **DEFINITIONS.** In this
13 section:

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

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

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

- 21 1. Tariffs for a public utility’s distributed generation.
22 2. Nondiscriminatory fees that a public utility may charge the owner or
23 operator of a distributed generation facility.
24 3. The cost of upgrades to the state’s electric power distribution grid that are
25 required by interconnection.

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

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

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

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

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

21 *~~1694/11.14~~* SECTION 2979. 196.195 (12) (b) 1. d. of the statutes is repealed.

22 *~~1694/11.15~~* SECTION 2980. 196.196 (1) (cm) of the statutes is repealed.

23 *~~1694/11.16~~* SECTION 2981. 196.196 (5) (b) 6. of the statutes is repealed.

24 *~~0705/3.14~~* SECTION 2982. 196.218 (5) (a) 5. of the statutes is amended to
25 read:

1 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to
2 the extent that these costs are not paid under s. 44.73 (2) (d), except that no moneys
3 in the universal service fund may be used to pay installation costs that are necessary
4 for a political subdivision to obtain access to bandwidth under a shared service
5 agreement under s. 44.73 (2r) (a).

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

8 196.218 (5) (a) 6. To pay the department of ~~administration~~ electronic
9 government for telecommunications services provided under s. ~~16.973~~ 22.05 (1) to
10 the campuses of the University of Wisconsin System at River Falls, Stout, Superior
11 and Whitewater.

12 ***-1694/11.17*** SECTION 2984. 196.218 (5r) (a) 4. of the statutes is amended to
13 read:

14 196.218 (5r) (a) 4. An assessment of how successful investments identified in
15 s. 196.196 (5) (f), assistance provided by the universal service fund ~~or the Wisconsin~~
16 ~~advanced telecommunications foundation,~~ and price regulation and other
17 alternative incentive regulations of telecommunications utilities designed to
18 promote competition have been in advancing the public interest goals identified
19 under s. 196.03 (6), and recommendations for further advancing those goals.

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

21 196.219 (3) (o) Refuse to transfer or facilitate the transfer of the
22 telecommunications utility's or telecommunications provider's local exchange
23 service customers to another telecommunications provider on the same terms and
24 conditions as the telecommunications utility or telecommunications provider

1 receives from any other telecommunications provider, unless such terms and
2 conditions violate federal law.

3 ***-2007/2.21* SECTION 2989.** 196.26 (1) (a) of the statutes is amended to read:

4 196.26 (1) (a) A complaint filed with the commission that any rate, toll, charge,
5 or schedule, joint rate, regulation, measurement, act, or practice relating to the
6 provision of heat, light, water, power, or telecommunications service, ~~or to the~~
7 ~~provision of water or sewer service by a mobile home park operator or mobile home~~
8 ~~park contractor, is unreasonable, inadequate, unjustly discriminatory, or cannot be~~
9 obtained.

10 ***-2007/2.22* SECTION 2990.** 196.26 (1m) of the statutes is amended to read:

11 196.26 (1m) INVESTIGATION OF COMPLAINT. If any mercantile, agricultural, or
12 manufacturing society, body politic, municipal organization, or 25 persons file a
13 complaint specified in sub. (1) (a) against a public utility, or if the commission
14 terminates a proceeding on a complaint under s. 196.199 (3) (a) 1m. b., or if a person
15 files a complaint specified in sub. (1) (c), the commission, with or without notice, may
16 investigate the complaint under this section as it considers necessary. ~~If the mobile~~
17 ~~home park occupants of 25% of the total number of mobile homes in a mobile home~~
18 ~~park or the mobile home park occupants of 25 mobile homes in a mobile home park,~~
19 ~~whichever is less, files a complaint specified in sub. (1) (a) against a mobile home park~~
20 ~~contractor or mobile home park operator, the commission, with or without notice,~~
21 ~~may investigate the complaint as it considers necessary.~~ The commission may not
22 issue an order based on an investigation under this subsection without a public
23 hearing.

24 ***-2007/2.23* SECTION 2991.** 196.26 (2) (a) of the statutes is amended to read:

1 196.26 (2) (a) Prior to a hearing under this section, the commission shall notify
2 the public utility, ~~mobile home park contractor, mobile home park operator~~ or party
3 to an interconnection agreement complained of that a complaint has been made, and
4 10 days after the notice has been given the commission may proceed to set a time and
5 place for a hearing and an investigation. This paragraph does not apply to a
6 complaint specified in sub. (1) (b).

7 *~~2007/2.24~~* SECTION 2992. 196.26 (2) (b) of the statutes is amended to read:

8 196.26 (2) (b) The commission shall give the complainant and either the public
9 utility, ~~mobile home park contractor, mobile home park operator~~ or party to an
10 interconnection agreement which is the subject of a complaint specified in sub. (1)
11 (a) or (c) or, for a complaint specified in sub. (1) (b), a party to an interconnection
12 agreement who is identified in a notice under s. 196.199 (3) (b) 1. b., 10 days' notice
13 of the time and place of the hearing and the matter to be considered and determined
14 at the hearing. The complainant and either the public utility, ~~mobile home park~~
15 ~~contractor, mobile home park operator~~ or party to the interconnection agreement
16 may be heard. The commission may subpoena any witness at the request of the
17 public utility, ~~mobile home park contractor, mobile home park operator~~, party to the
18 interconnection agreement, or complainant.

19 *~~2007/2.25~~* SECTION 2993. 196.28 (1) of the statutes is amended to read:

20 196.28 (1) If the commission believes that any rate or charge is unreasonable
21 or unjustly discriminatory or that any service is inadequate or cannot be obtained
22 or that an investigation of any matter relating to any public utility ~~or to any provision~~
23 ~~of water or sewer service by a mobile home park operator or mobile home park~~
24 ~~contractor~~ should for any reason be made, the commission on its own motion
25 summarily may investigate with or without notice.

1 ***2007/2.26*** SECTION 2994. 196.28 (3) of the statutes is amended to read:

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

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

11 196.491 (3c) COMMENCEMENT OF CONSTRUCTION OF LARGE ELECTRIC GENERATING
12 FACILITIES. (a) Except as provided in par. (b), an electric utility that has received a
13 certificate of public convenience and necessity under sub. (3) for constructing a large
14 electric generating facility shall commence construction no later than one year after
15 the latest of the following:

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

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

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

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

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

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

10 ***-2007/2.27*** SECTION 3002. 196.498 (title) of the statutes is repealed.

11 ***-2007/2.28*** SECTION 3003. 196.498 (2) of the statutes is renumbered 101.937
12 (1) and amended to read:

13 101.937 (1) RULES. The ~~commission~~ department shall promulgate rules that
14 establish standards for providing water or sewer service by a ~~mobile~~ manufactured
15 home park operator or ~~mobile~~ manufactured home park contractor to a ~~mobile~~
16 manufactured home park occupant, including requirements for metering, billing,
17 ~~deposits, depositing, arranging~~ deferred payment ~~arrangements, installation of,~~
18 installing service, refusing or discontinuing service, and resolving disputes with
19 respect to service. Rules promulgated under this subsection shall ensure that any
20 charge for water or sewer service is reasonable and not unjustly discriminatory, that
21 the water or sewer service is reasonably adequate, and that any practice relating to
22 providing the service is just and reasonable.

23 ***-2007/2.29*** SECTION 3004. 196.498 (3) of the statutes is renumbered 101.937
24 (2) and amended to read:

1 101.937 (2) PERMANENT IMPROVEMENTS. A ~~mobile~~ manufactured home park
2 operator may make a reasonable recovery of capital costs for permanent
3 improvements related to the provision of water or sewer service to ~~mobile~~
4 manufactured home park occupants through ongoing rates for water or sewer
5 service.

6 *~~2007/2.30~~* SECTION 3005. 196.498 (4) of the statutes is renumbered 101.937
7 (3) and amended to read:

8 101.937 (3) ENFORCEMENT. (a) ~~Notwithstanding s. 196.44, on~~ On its own motion
9 or upon a complaint filed by a ~~mobile~~ manufactured home park occupant, the
10 ~~commission department~~ may issue an order or commence a civil action against a
11 ~~mobile~~ manufactured home park operator or ~~mobile~~ manufactured home park
12 contractor to enforce this section, any rule promulgated under sub. (2) (1), or any
13 order issued under this paragraph.

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

17 *~~2007/2.31~~* SECTION 3006. 196.498 (5) of the statutes is renumbered 101.937
18 (4) and amended to read:

19 101.937 (4) PRIVATE CAUSE OF ACTION. Any person suffering pecuniary loss
20 because of a violation of any rule promulgated under sub. (2) (1) or order issued under
21 sub. (4) (3) (a) may sue for damages and shall recover twice the amount of any
22 pecuniary loss, together with costs, and, notwithstanding s. 814.04 (1), reasonable
23 attorney fees.

24 *~~2007/2.32~~* SECTION 3007. 196.498 (6) of the statutes is renumbered 101.937
25 (5) and amended to read:

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

5 (b) Any person who intentionally violates any rule promulgated under sub. (2)
6 (1) or order issued under sub. (4) (3) (a) shall be fined not less than \$25 nor more than
7 \$5,000 or imprisoned not more than one year in the county jail or both. Each violation
8 and each day of violation constitutes a separate offense.

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

10 196.52 (9) (a) In this subsection, “leased generation contract” means a contract
11 or arrangement under which an affiliated interest of a public utility agrees to
12 construct or improve electric generating equipment and associated facilities and to
13 lease to the public utility land and such equipment and facilities for operation by the
14 public utility.

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

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

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

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

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

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

7 6. If the public utility transfers real property to the affiliated interest for the
8 purpose of implementing the leased generation contract, the leased generation
9 contract provides for transferring the real property back to the public utility, on the
10 same terms and conditions as the original transfer, if the commission determines
11 that the construction or improvement that is subject to the leased generation
12 contract has not been completed.

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

15 a. The public utility shall have the option, subject to commission approval, to
16 extend the contract, or purchase the electric generating equipment and associated
17 facilities that are constructed or improved, at fair market value as determined by a
18 valuation process that is conducted by an independent third party and that is
19 specified in the contract.

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

1 8. For any gas-fired electric generating equipment and associated facilities
2 that are constructed under the leased generation contract, the term of the lease is
3 20 years or more.

4 9. For any coal-fired electric generating equipment and associated facilities
5 that are constructed under the leased generation contract, the term of the lease is
6 25 years or more.

7 10. The leased generation contract does not take effect until the date on which
8 the affiliated interest commences construction or improvement of the electric
9 generating equipment and associated facilities, except that, if the leased generation
10 contract relates to the construction or improvement of more than one electric
11 generating facility, the leased generation contract does not take effect with respect
12 to the construction or improvement of an individual electric generating facility until
13 the date on which the affiliated interest commences construction or improvement on
14 that electric generating facility.

15 (c) Except as provided in par. (d), the commission may not increase or decrease
16 the retail revenue requirements of a public utility on the basis of any income,
17 expense, gain, or loss that is received or incurred by an affiliated interest of the public
18 utility and that arises from the ownership of electric generating equipment and
19 associated facilities by an affiliated interest under a leased generation contract.

20 (d) The commission shall allow a public utility that has entered into a leased
21 generation contract that has been approved by the commission under sub. (3) to
22 recover fully in its retail rates that portion of any payments under the leased
23 generation contract that is allocated to the public utility's retail electric service, and
24 that portion of all other costs that is prudently incurred in the public utility's
25 operation and maintenance of the electric generating equipment and associated

1 facilities constructed or improved under the leased generation contract and that is
2 allocated to the public utility's retail electric service.

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

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

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

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

18 196.66 (3) (b) 1. The appropriateness of the forfeiture to the volume of business
19 of the public utility or telecommunications provider.

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

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

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

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

7 196.795 (5) (k) 3. A public utility affiliate may transfer, at book value
8 determined on the basis of the regulated books of account at the time of the transfer,
9 real property, other than electric generating equipment and associated facilities, or
10 electric generating equipment, that is held or used for the provision of utility service,
11 to a nonutility affiliate for the purpose of implementing a leased generation contract,
12 as defined in s. 196.52 (9) (a), that is approved under s. 196.52 (3).

13 ***-2154/1.2* SECTION 3012.** 196.85 (1) of the statutes is renumbered 196.85 (1)
14 (a) and amended to read:

15 196.85 (1) (a) If the commission in a proceeding upon its own motion, on
16 complaint, or upon an application to it deems it necessary in order to carry out the
17 duties imposed upon it by law to investigate the books, accounts, practices, and
18 activities of, or make appraisals of the property of any public utility, power district,
19 or sewerage system or to render any engineering or accounting services to any public
20 utility, power district, or sewerage system, the public utility, power district, or
21 sewerage system shall pay the expenses attributable to the investigation, including
22 the cost of litigation, appraisal, or service. The commission shall mail a bill for the
23 expenses to the public utility, power district, or sewerage system either at the
24 conclusion of the investigation, appraisal, or services, or during its progress. The bill
25 constitutes notice of the assessment and demand of payment. The public utility,

1 power district, or sewerage system shall, within 30 days after the mailing of the bill,
2 pay to the commission the amount of the special expense for which it is billed. Ninety
3 percent of the payment shall be credited to the appropriation account under s. 20.155
4 (1) (g). The

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

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

13 (d) For the purpose of calculating the costs of investigations, appraisals, and
14 other services under this subsection, 90% of the costs determined shall be costs of the
15 commission and 10% of the costs determined shall be costs of state government
16 operations.

17 ***-2154/1.3* SECTION 3013.** 196.85 (1m) (a) of the statutes is amended to read:
18 196.85 (1m) (a) For the purpose of direct assessment under sub. (1) of expenses
19 incurred by the commission in connection with its activities under s. 196.491, the
20 term “public utility” includes electric utilities, as defined in s. 196.491 (1) (d).
21 Subsection (1) (b) does not apply to assessments for the commission’s activities under
22 s. 196.491 related to the construction of wholesale merchant plants.

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

24 ***-2007/2.34* SECTION 3015.** 196.85 (3) of the statutes is amended to read:

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

17 ***-2007/2.35*** SECTION 3016. 196.85 (4) (a) of the statutes is amended to read:
18 196.85 (4) (a) Within 30 days after the date of the mailing of any bill under sub.
19 (1), (2), or (2e) ~~or~~ (2g), the public utility, sewerage system, joint local water authority,
20 ~~mobile home park operator~~ or power district that has been billed may file with the
21 commission objections setting out in detail the grounds upon which the objector
22 regards the bill to be excessive, erroneous, unlawful, or invalid. The commission,
23 after notice to the objector, shall hold a hearing upon the objections, from 5 to 10 days
24 after providing the notice. If after the hearing the commission finds any part of the
25 bill to be excessive, erroneous, unlawful, or invalid, it shall record its findings upon

1 its minutes and transmit to the objector by registered mail an amended bill, in
2 accordance with the findings. The amended bill shall have the same force and effect
3 under this section as an original bill rendered under sub. (1), (2), or (2e) ~~or (2g)~~.

4 ***-2007/2.36* SECTION 3017.** 196.85 (5) of the statutes is amended to read:

5 196.85 (5) No suit or proceeding may be maintained in any court to restrain or
6 delay the collection or payment of any bill rendered under sub. (1), (2), or (2e) ~~or (2g)~~.

7 Every public utility, sewerage system, joint local water authority, ~~mobile home park~~
8 ~~operator~~ or power district that is billed shall pay the amount of the bill, and after
9 payment may in the manner provided under this section, at any time within 2 years
10 from the date the payment was made, sue the state to recover the amount paid plus
11 interest from the date of payment, upon the ground that the assessment was
12 excessive, erroneous, unlawful, or invalid in whole or in part. If the court finds that
13 any part of the bill for which payment was made was excessive, erroneous, unlawful,
14 or invalid, the state treasurer shall make a refund to the claimant as directed by the
15 court. The refund shall be charged to the appropriations to the commission.

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

17 ***-1857/5.113* SECTION 3018.** 196.858 (1) of the statutes is amended to read:

18 196.858 (1) The commission shall annually assess against local exchange and
19 interexchange telecommunications utilities the total, not to exceed \$5,000,000, of the
20 amounts appropriated under s. ~~20.505 (4) (is)~~ 20.530 (1) (ir).

21 ***-1857/5.114* SECTION 3019.** 196.858 (2) of the statutes is amended to read:

22 196.858 (2) The commission shall assess a sum equal to the annual total
23 amount under sub. (1) to local exchange and interexchange telecommunications
24 utilities in proportion to their gross operating revenues during the last calendar year.
25 If total expenditures for telephone relay service exceeded the payment made under

1 this section in the prior year, the commission shall charge the remainder to assessed
2 telecommunications utilities in proportion to their gross operating revenues during
3 the last calendar year. A telecommunications utility shall pay the assessment within
4 30 days after the bill has been mailed to the assessed telecommunication utility. The
5 bill constitutes notice of the assessment and demand of payment. Payments shall
6 be credited to the appropriation account under s. ~~20.505 (4) (is)~~ 20.530 (1) (ir).

7 ***-1857/5.115* SECTION 3024.** 221.0320 (3) (a) of the statutes is amended to
8 read:

9 221.0320 (3) (a) In this subsection, “local governmental unit” has the meaning
10 given in s. ~~16.97~~ 22.01 (7).

11 ***-0726/5.10* SECTION 3029.** 224.71 (3) (b) 7. of the statutes is created to read:
12 224.71 (3) (b) 7. The department of veterans affairs when administering the
13 veteran’s housing loan program under subch. II of ch. 45.

14 ***b0684/2.3* SECTION 3037m.** 229.685 (1) of the statutes is renumbered
15 229.685 (1) (intro.) and amended to read:

16 229.685 (1) (intro.) The district board shall maintain a special fund into which
17 it deposits only the following revenue received from the department of revenue:

18 (a) The revenue that is derived from the taxes imposed under subch. V of ch.
19 77, and may use this. The revenue described in this paragraph may be used only for
20 purposes related to baseball park facilities.

21 ***b0684/2.3* SECTION 3037n.** 229.685 (1) (b) of the statutes is created to read:
22 229.685 (1) (b) The revenue that is derived from baseball donations, as defined
23 in s. 71.10 (5f) (a) 1. The revenue described in this paragraph may be used only for
24 the purpose of retiring bonds issued for the initial construction of baseball park
25 facilities.

1 ***-1335/7.61*** SECTION 3038. 230.03 (3) of the statutes is amended to read:

2 230.03 (3) “Agency” means any board, commission, committee, council, or
3 department in state government or a unit thereof created by the constitution or
4 statutes if such board, commission, committee, council, department, unit, or the
5 head thereof, is authorized to appoint subordinate staff by the constitution or
6 statute, except a legislative or judicial board, commission, committee, council,
7 department, or unit thereof or an authority created under ~~ch. chs.~~ 231, 232, 233, 234
8 or, 235, or 237. “Agency” does not mean any local unit of government or body within
9 one or more local units of government that is created by law or by action of one or more
10 local units of government.

11 ***-1857/5.116*** SECTION 3048. 230.08 (2) (e) 1. of the statutes is amended to
12 read:

13 230.08 (2) (e) 1. Administration — ~~12~~ 10.

14 ***-0985/8.47*** SECTION 3049. 230.08 (2) (e) 3m. of the statutes is amended to
15 read:

16 230.08 (2) (e) 3m. Educational communications board — 4. If the secretary of
17 administration determines that the federal communications commission has
18 approved the transfer of all broadcasting licenses held by the educational
19 communications board to the broadcasting corporation as defined in s. 39.81 (2), this
20 subdivision does not apply on and after the effective date of the last license
21 transferred as determined by the secretary of administration under s. 39.87 (2) (a).

22 ***-1857/5.117*** SECTION 3050. 230.08 (2) (e) 3r. of the statutes is created to read:

23 230.08 (2) (e) 3r. Electronic government — 3.

24 ***-0985/8.48*** SECTION 3052. 230.08 (2) (km) of the statutes is created to read:

1 230.08 (2) (km) Persons employed by the department of administration who
2 were transferred to the department of administration under s. 39.86 (4) and who
3 immediately before their transfer occupied a position described under par. (e) 3m.,
4 (L) 2. or (we).

5 *~~0985/8.49~~* SECTION 3053. 230.08 (2) (L) 2. of the statutes is amended to read:

6 230.08 (2) (L) 2. Educational communications board, created under s. 15.57 (1).
7 If the secretary of administration determines that the federal communications
8 commission has approved the transfer of all broadcasting licenses held by the
9 educational communications board to the broadcasting corporation, as defined in s.
10 39.81 (2), this subdivision does not apply on and after the effective date of the last
11 license transferred as determined by the secretary of administration under s. 39.87
12 (2) (a).

13 *~~0985/8.50~~* SECTION 3056. 230.08 (2) (we) of the statutes is amended to read:

14 230.08 (2) (we) Professional staff members of the educational communications
15 board authorized under s. 39.13 (2). If the secretary of administration determines
16 that the federal communications commission has approved the transfer of all
17 broadcasting licenses held by the educational communications board to the
18 broadcasting corporation, as defined in s. 39.81 (2), this paragraph does not apply on
19 and after the effective date of the last license transferred as determined by the
20 secretary of administration under s. 39.87 (2) (a).

21 *~~0751/2.1~~* SECTION 3057. 230.08 (2) (xm) of the statutes is created to read:

22 230.08 (2) (xm) The commandant of the Southern Wisconsin Veterans
23 Retirement Center in the department of veterans affairs.

24 *~~0985/8.51~~* SECTION 3059. 230.08 (4) (a) of the statutes is amended to read:

1 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
2 includes all administrator positions specifically authorized by law to be employed
3 outside the classified service in each department, board or commission and the
4 historical society. ~~In~~ Except as provided in par. (am), in this paragraph,
5 “department” has the meaning given under s. 15.01 (5), “board” means the
6 educational communications board, investment board, public defender board and
7 technical college system board and “commission” means the public service
8 commission. Notwithstanding sub. (2) (z), no division administrator position
9 exceeding the number authorized in sub. (2) (e) may be created in the unclassified
10 service.

11 *~~0985/8.52~~* SECTION 3060. 230.08 (4) (am) of the statutes is created to read:

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

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

20 230.12 (3) (e) *University of Wisconsin system senior executives, faculty and*
21 *academic staff employees.* The secretary, after receiving recommendations from the
22 board of regents, shall submit to the joint committee on employment relations a
23 proposal for adjusting compensation and employee benefits for employees under ss.
24 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective
25 bargaining unit under subch. V of ch. 111 for which a representative is certified. The

1 proposal shall include the salary ranges and adjustments to the salary ranges for the
2 university senior executive salary groups 1 and 2 established under s. 20.923 (4g).
3 The proposal shall be based upon the competitive ability of the board of regents to
4 recruit and retain qualified faculty and academic staff, data collected as to rates of
5 pay for comparable work in other public services, universities and commercial and
6 industrial establishments, recommendations of the board of regents and any special
7 studies carried on as to the need for any changes in compensation and employee
8 benefits to cover each year of the biennium. The proposal shall also take proper
9 account of prevailing pay rates, costs and standards of living and the state's
10 employment policies. The proposal for such pay adjustments may contain
11 recommendations for across-the-board pay adjustments, merit or other
12 adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)
13 shall apply to the process for approval of all pay adjustments for such employees
14 under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved
15 by the joint committee on employment relations and the governor shall be based
16 upon a percentage of the budgeted salary base for such employees under ss. 20.923
17 (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit
18 and adjustments other than across-the-board pay adjustments is available for
19 discretionary use by the board of regents.

20 ***-0695/2.2* SECTION 3079.** 230.35 (1m) (a) 5. of the statutes is created to read:
21 230.35 (1m) (a) 5. A position held by an employee of the state fair park board
22 who was employed on October 29, 1999, in a career executive position under the
23 program established under s. 230.24.

24 ***-2411/3.33* SECTION 3080.** 230.35 (3) (a) of the statutes is amended to read:

1 230.35 (3) (a) Officials and employees of the state who have permanent status
2 and who are members of the national guard, the naval militia, the state defense force,
3 or any other reserve component of the military forces of the United States or this
4 state now or hereafter organized or constituted under federal or state law, are
5 entitled to leaves of absence without loss of time in the service of the state, to enable
6 them to attend military schools and annual field training or annual active duty for
7 training, and any other state or federal tours of active duty, except extended active
8 duty or service as a member of the active armed forces of the United States which
9 have been duly ordered but not exceeding 30 days, excluding Saturdays, Sundays
10 and holidays enumerated in sub. (4) in the calendar year in which so ordered and
11 held. During this leave of absence, each state official or employee shall receive base
12 state pay less the base military pay received for and identified with such attendance
13 but such reduction shall not be more than the base state pay. Such Other than for
14 a leave of absence for the adjutant general and any deputy adjutants general, such
15 leave shall not be granted for absences of less than 3 days. A state official or employee
16 serving on state active duty as a member of the national guard, naval militia, or state
17 defense force, may elect to receive pay from the state under s. 20.465 (1) in an amount
18 equal to base state salary for such period of state active duty. Leave granted by this
19 section is in addition to all other leaves granted or authorized by any other law. For
20 the purpose of determining seniority, pay or pay advancement and performance
21 awards the status of the employee shall be considered uninterrupted by such
22 attendance.

23 ***-0408/1.1*** SECTION 3081. 230.36 (1m) (b) 2. (intro.) of the statutes is amended
24 to read:

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

7 *~~0408/1.2~~* SECTION 3082. 230.36 (2m) (a) 13. of the statutes is repealed.

8 *~~1528/8.20~~* SECTION 3087. 231.01 (9) of the statutes is amended to read:

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

13 *~~1528/8.21~~* SECTION 3088. 231.01 (11) of the statutes is created to read:

14 231.01 (11) “Tobacco settlement agreement” has the meaning given in s. 16.63
15 (1) (b).

16 *~~1528/8.22~~* SECTION 3089. 231.01 (12) of the statutes is created to read:

17 231.01 (12) “Tobacco settlement revenues” has the meaning given in s. 16.63
18 (1) (c).

19 *~~1528/8.23~~* SECTION 3090. 231.03 (6) (g) of the statutes is created to read:

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

25 *~~1528/8.24~~* SECTION 3091. 231.03 (20) of the statutes is created to read:

1 231.03 (20) Purchase the state's right to receive any of the payments under the
2 tobacco settlement agreement, or make a loan to be secured by the state's right to
3 receive any of the payments under the tobacco settlement agreement, upon such
4 terms and at such prices as the authority considers reasonable and as can be agreed
5 upon between the authority and the other party to the transaction. The authority
6 may issue certificates or other evidences of ownership interest in tobacco settlement
7 revenues upon such terms and conditions as specified by the authority in the
8 resolution under which the certificates or other evidences are issued or in a related
9 trust agreement or trust indenture.

10 ***-1528/8.26*** SECTION 3093. 231.16 (1) of the statutes is amended to read:

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

24 ***-1528/8.27*** SECTION 3094. 231.16 (3) of the statutes is amended to read:

1 231.16 (3) All bonds issued under this section shall be subject to this chapter
2 in the same manner and to the same extent as other bonds issued pursuant to this
3 chapter, except that the limitations with respect to dates under s. 231.03 (6) (e) and
4 (f) and (14) do not apply to bonds issued under this section, and the requirement
5 under s. 231.08 (3) that the bonds mature in 30 years or less from their date of issue
6 does not apply to bonds issued under this section to refund bonds issued under s.
7 231.03 (6) (g).

8 ***-1528/8.28*** SECTION 3095. 231.215 of the statutes is created to read:

9 **231.215 Incorporator for purpose related to purchase or sale of right**
10 **to payments.** The authority, or its executive director, may organize one or more
11 nonstock corporations under ch. 181 or limited liability companies under ch. 183 for
12 any purpose related to purchasing or selling the state's right to receive any of the
13 payments under the tobacco settlement agreement and may take any action
14 necessary to facilitate and complete the purchase or sale.

15 ***-1562/1.1*** SECTION 3096. 233.27 of the statutes is amended to read:

16 **233.27 Limit on the amount of outstanding bonds.** The authority may not
17 issue bonds or incur indebtedness described under s. 233.03 (12) if, after the bonds
18 are issued or the indebtedness is incurred, the aggregate principal amount of the
19 authority's outstanding bonds, together with all indebtedness described under s.
20 233.03 (12) would exceed ~~\$106,500,000~~ \$175,000,000. Bonds issued to fund or refund
21 outstanding bonds, or indebtedness incurred to pay off or purchase outstanding
22 indebtedness, is not included in calculating compliance with the ~~\$106,500,000~~
23 \$175,000,000 limit.

24 ***-0880/5.1*** SECTION 3099. 234.65 (3) (f) of the statutes, as affected by 1999
25 Wisconsin Act 9, is amended to read:

1 234.65 (3) (f) The name of the person receiving the loan does not appear on the
2 statewide support lien docket under s. 49.854 (2) (b). ~~The condition under this~~
3 ~~paragraph is met for a person whose name does appear if~~ or, if the person's name
4 appears on that docket, the person provides to the authority a payment agreement
5 that has been approved by the county child support agency under s. 59.53 (5) and that
6 is consistent with rules promulgated under s. 49.858 (2) (a).

7 *~~0878/2.3~~* SECTION 3100. 234.67 (1) (f) of the statutes is amended to read:

8 234.67 (1) (f) "Percentage of guarantee" means the percentage established by
9 the authority under sub. (3) (a).

10 *~~0878/2.4~~* SECTION 3101. 234.67 (3) (a) of the statutes is renumbered 234.67

11 (3) and amended to read:

12 234.67 (3) GUARANTEE OF COLLECTION. ~~Subject to par. (b), the~~ The authority
13 shall guarantee collection of a percentage, not exceeding 90%, of the principal of any
14 loan eligible for a guarantee under sub. (2). The authority shall establish the
15 percentage of the unpaid principal of an eligible loan that will be guaranteed, using
16 the procedures described in the guarantee agreement under s. 234.93 (2) (a). The
17 authority may establish a single percentage for all guaranteed loans or establish
18 different percentages for eligible loans on an individual basis.

19 *~~0878/2.5~~* SECTION 3102. 234.67 (3) (b) of the statutes is repealed.

20 *~~0880/5.2~~* SECTION 3103. 234.83 (1) of the statutes is renumbered 234.83

21 (1m).

22 *~~0880/5.3~~* SECTION 3104. 234.83 (1c) of the statutes is created to read:

23 234.83 (1c) DEFINITIONS. In this section:

24 (a) "Rural community" means any of the following:

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

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

4 (b) “Small business” means a business, as defined in s. 560.60 (2), that employs
5 50 or fewer employees on a full-time basis.

6 *~~0880/5.4~~* SECTION 3105. 234.83 (2) (a) (intro.) of the statutes is amended to
7 read:

8 234.83 (2) (a) (intro.) A business, as defined in ~~s. 560.60 (2)~~, to which all of the
9 following apply:

10 *~~0880/5.5~~* SECTION 3106. 234.83 (2) (a) 2. of the statutes is amended to read:

11 234.83 (2) (a) 2. The business ~~employs 50 or fewer employees on a full-time~~
12 basis is a small business.

13 *~~0880/5.6~~* SECTION 3107. 234.83 (2) (a) 3. of the statutes, as affected by 1999
14 Wisconsin Act 9, is amended to read:

15 234.83 (2) (a) 3. The name of the owner of the business does not appear on the
16 statewide support lien docket under s. 49.854 (2) (b). ~~The condition under this~~
17 ~~subdivision is met for an owner whose name does appear if~~ or, if the name of the
18 owner of the business appears on that docket, the owner of the business provides to
19 the authority a payment agreement that has been approved by the county child
20 support agency under s. 59.53 (5) and that is consistent with rules promulgated
21 under s. 49.858 (2) (a).

22 *~~0880/5.7~~* SECTION 3108. 234.83 (3) (a) 2. of the statutes is amended to read:

23 234.83 (3) (a) 2. The ~~start-up, expansion or acquisition~~ of a day care business,
24 including the purchase or improvement of land, buildings, machinery, equipment, or
25 inventory.