

1 beverages into this state in violation of sub. (1) if the person has not previously  
2 received a warning under this section. Any person located outside this state who  
3 sells or ships fermented malt beverages into this state in violation of sub. (1) and who  
4 has been previously issued a written warning under this subsection shall be fined not  
5 more than \$10,000 or imprisoned for not more than 2 years or both.

6 **\*-2318/3.6\* SECTION 2806.** 125.33 (2) (a) of the statutes is amended to read:

7 125.33 (2) (a) Give to any campus or Class "B" licensee or permittee, at any  
8 given time, for placement inside the premises, signs, clocks, or menu boards with an  
9 aggregate value of not more than \$150 \$2,500. If a gift of any item would cause the  
10 \$150 \$2,500 limit to be exceeded, the recipient shall pay the brewer or wholesaler the  
11 amount of the item's value in excess of \$150 \$2,500. Each recipient shall keep an  
12 invoice or credit memo containing the name of the donor and the number and value  
13 of items received under this paragraph. The value of an item is its cost to the donor.  
14 Each recipient shall make the records kept under this paragraph available to the  
15 department for inspection upon request.

16 **\*-2318/3.7\* SECTION 2807.** 125.33 (2) (b) 2. of the statutes is amended to read:

17 125.33 (2) (b) 2. Signs made from paper ~~or~~ cardboard, plastic, vinyl, or other  
18 like material for placement inside the premises, not withstanding the aggregate  
19 value limitation of par. (a).

20 **\*-2318/3.8\* SECTION 2808.** 125.33 (2) (L) of the statutes is renumbered 125.33

21 (2) (L) 1.

22 **\*-2318/3.9\* SECTION 2809.** 125.33 (2) (L) 2. of the statutes is created to read:

23 125.33 (2) (L) 2. Purchase advertising from a person who does not hold a license  
24 under this chapter and who conducts national or regional sweepstakes, contests, or  
25 promotions on the premises of Class "B" licensees or permittees that sell the brewer's

1 or wholesaler's products. The person may promote an event or activity in connection  
2 with a sweepstakes, contest, or promotion, including promoting the location of the  
3 event or activity, if the Class "B" licensee or permittee on whose premises the event  
4 or activity will occur does not receive money for hosting the event or activity and,  
5 except as provided in subd. 4., if the advertising for the event or activity identifies  
6 at least 4 unaffiliated Class "B" licensees or permittees.

7 **\*-2318/3.10\* SECTION 2810.** 125.33 (2) (L) 3. of the statutes is created to read:

8 125.33 (2) (L) 3. Conduct national or regional sweepstakes, contests, or  
9 promotions on the premises of Class "B" licensees or permittees that sell the brewer's  
10 or wholesaler's products. The brewer or wholesaler may promote an event or activity  
11 in connection with a sweepstakes, contest, or promotion, including promoting the  
12 location of the event or activity, if the Class "B" licensee or permittee on whose  
13 premises the event or activity will occur does not receive money for hosting the event  
14 or activity and, except as provided in subd. 4., if the advertising for the event or  
15 activity identifies at least 4 unaffiliated Class "B" licensees or permittees.

16 **\*b0687/1.7\* SECTION 2810m.** 125.33 (2) (L) 4. of the statutes is created to read:

17 125.33 (2) (L) 4. A brewer that manufactures less than 30,000 barrels of  
18 fermented malt beverages annually may purchase advertising under subd. 2, and  
19 may promote sweepstakes, contests, or promotions through advertising under subd.  
20 3., if the advertising identifies at least one Class "B" licensee or permittee.

21 **\*-2318/3.11\* SECTION 2811.** 125.33 (2) (n) 2. of the statutes is amended to read:

22 125.33 (2) (n) 2. Notwithstanding subd. 1., no brewer or wholesaler may  
23 provide business entertainment to a Class "B" licensee or permittee under subd. 1.  
24 in one day that has a value exceeding ~~\$75~~ \$500, and no brewer or wholesaler may

1 provide business entertainment to a Class “B” licensee or permittee under subd. 1.  
2 on more than 8 days in any calendar year.

3 \***-2318/3.12\*** SECTION 2812. 125.33 (2s) of the statutes is amended to read:

4 125.33 (2s) EXCEPTION FOR RETAIL TRADE ASSOCIATION CONTRIBUTIONS.  
5 Notwithstanding the prohibitions in sub. (1), a brewer ~~that produces 350,000 or more~~  
6 ~~barrels of fermented malt beverages annually~~ or wholesaler may contribute money  
7 or other things of value to a bona fide national ~~or statewide~~ or local trade association  
8 which derives its principle income from membership dues of Class “B” licensees.

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

10 125.33 (7m) CONDITIONAL PURCHASES. No Class “A” or Class “B” licensee may  
11 condition the purchase of fermented malt beverages from a brewer or wholesaler  
12 upon the furnishing by the brewer or wholesaler of any thing of value, other than the  
13 products purchased, to the licensee or to any person for the use, benefit, or relief of  
14 the licensee.

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

16 **125.35 Fermented malt beverage dealerships. (1) DEFINITIONS.** In this  
17 section, unless otherwise qualified:

- 18 (a) “Dealer” has the meaning given in s. 135.02 (2).  
19 (b) “Dealership” has the meaning given in s. 135.02 (3).  
20 (c) “Grantor” has the meaning given in s. 135.02 (5).  
21 (d) “Person” has the meaning given in s. 135.02 (6).

22 **(2) COMPENSATION OF PRIOR DEALER.** Notwithstanding s. 135.03, and except as  
23 provided in sub. (3), any person who assumes, in whole or in part, a dealership  
24 described in s. 135.02 (3) (c) following the grantor’s termination, cancellation, or  
25 nonrenewal in whole or in part of a prior dealership agreement shall compensate the

1 prior dealer for the fair market value of that portion of the dealership assumed unless  
2 the grantor terminated, canceled, or failed to renew for any of the following reasons:

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

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

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

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

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

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

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

20 (4) **BINDING ARBITRATION.** The grantor shall advise the person assuming the  
21 dealership of the person's obligations under sub. (2) prior to the person's assumption  
22 of the dealership. If the person assuming a dealership under sub. (2) and the prior  
23 dealer agree in writing to the fair market value of that portion of the dealership  
24 assumed, the person assuming the dealership shall pay the agreed upon sum to the  
25 prior dealer within 30 days of the date on which the parties reached the agreement.

1 If no written agreement for compensation of the prior dealer is reached within 30  
2 days after the grantor's termination, cancellation, or nonrenewal of the prior  
3 dealership agreement, the prior dealer may submit the dispute for binding  
4 arbitration, subject to ch. 788, through a nationally recognized arbitration  
5 association. Unless the parties agree otherwise, the arbitration shall be conducted  
6 on an expedited basis to the extent an expedited proceeding is reasonably available  
7 through the arbitration association, and each party shall pay an equal share of the  
8 cost of the arbitration.

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

11 134.66 (3) (title) DEFENSES.

12 \*b0427/2.1\* SECTION 2814i. 134.66 (3) (intro.) of the statutes is renumbered  
13 134.66 (3) (a) (intro.).

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

15 134.66 (3) (br) Proof by a retailer that the act for which the retailer is being  
16 prosecuted under sub. (2) (a) was committed by his or her agent or employee and that  
17 the retailer provided training on the prohibitions under sub. (2) (a) to that agent or  
18 employee is a defense to any prosecution for a violation of sub. (2) (a). The defense  
19 is not available to a retailer who knowingly permits his or her agent or employee to  
20 sell or provide for nominal or no consideration cigarettes or tobacco products to  
21 individuals under the age of 18.

22 \*-2318/3.13\* SECTION 2827. 135.02 (3) (c) of the statutes is created to read:

23 135.02 (3) (c) A contract or agreement, either expressed or implied, whether  
24 oral or written, between 2 or more persons by which a wholesaler, as defined in s.  
25 125.02 (21), is granted the right to sell or distribute fermented malt beverages or use

1 a trade name, trademark, service mark, logotype, brand, advertising, or other  
2 commercial symbol related to fermented malt beverages.

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

4 137.01 (1) (a) The governor shall appoint notaries public who shall be  
5 ~~Wisconsin~~ United States residents and at least 18 years of age. Applicants who are  
6 not attorneys shall file an application with the secretary of state and pay a \$20 fee.

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

8 137.01 (1) (d) Qualified applicants shall be notified by the secretary of state to  
9 take and file the official oath and execute and file an official bond in the sum of \$500,  
10 with a surety to be approved by the clerk of the circuit court for his or her county, or,  
11 if executed by a surety company, and approved by the secretary of state.

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

13 137.01 (2) (a) ~~Any Wisconsin~~ Except as provided in par. (am), any United States  
14 resident who is licensed to practice law in this state is entitled to a permanent  
15 commission as a notary public upon application to the secretary of state and payment  
16 of a \$50 fee. The application shall include a certificate of good standing from the  
17 supreme court, the signature and post-office address of the applicant and an  
18 impression of the applicant's official seal, or imprint of the applicant's official rubber  
19 stamp.

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

21 137.01 (2) (am) If a United States resident has his or her license to practice law  
22 in this state suspended or revoked, upon reinstatement of his or her license to  
23 practice law in this state, the person may be entitled to receive a certificate of  
24 appointment as a notary public for a term of 4 years. An eligible notary appointed  
25 under this paragraph is entitled to reappointment for 4-year increments. At least

1 30 days before the expiration of a commission under this paragraph the secretary of  
2 state shall mail notice of the expiration date to the holder of the commission.

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

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

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

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

10 137.01 (6m) CHANGE OF RESIDENCE. A notary public shall does not vacate his  
11 or her office by reason of his or her change of residence within the ~~state~~ United States.  
12 Written notice of any change of address shall be given to the secretary of state within  
13 ~~5~~ 10 days of ~~such~~ the change.

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

15 137.01 (7) OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold  
16 office the notary public, or in case of the notary public's death the notary public's  
17 executor or administrator, shall deposit the notary public's official records and  
18 papers in the office of the ~~clerk of the circuit court of the county of the notary public's~~  
19 ~~residence~~ secretary of state. If any such notary or any executor or administrator,  
20 after such records and papers come to his or her hands, neglects for 3 months to  
21 deposit them, he or she shall forfeit not less than \$50 nor more than \$500. If any  
22 person knowingly destroys, defaces or conceals any records or papers of any notary  
23 public, the person shall forfeit not less than \$50 nor more than \$500, and shall be  
24 liable to the party injured for all damages thereby sustained. ~~The clerks of the circuit~~

1 courts secretary of state shall receive and safely keep all such papers and records in  
2 their office.

3 \***-1841/1.1\* SECTION 2842.** 139.30 (7) of the statutes is amended to read:

4 139.30 (7) “Manufacturer” means any person who manufactures cigarettes for  
5 the purpose of sale, including the authorized agent of a person who manufactures  
6 cigarettes for the purpose of sale.

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

8 139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand,  
9 ~~29.5~~ 34 mills on each cigarette.

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

11 139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, ~~59~~ 68  
12 mills on each cigarette.

13 \***-1841/1.2\* SECTION 2843.** 139.31 (4) of the statutes is created to read:

14 139.31 (4) No person may sell or distribute in this state, acquire, store, possess,  
15 or transport for sale or distribution in this state, import or cause to be imported into  
16 this state for sale or distribution in this state, or affix stamps as described under s.  
17 139.32 to, any of the following:

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

22 (b) A cigarette package that does not comply with 15 USC 1333 and 15 USC  
23 1335 or other federal law.

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



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

3 **\*-1841/1.3\* SECTION 2844.** 139.31 (5) of the statutes is created to read:

4 139.31 (5) (a) No person may alter a cigarette package before the sale or  
5 distribution to the ultimate consumer so as to remove, conceal, or obscure any of the  
6 following:

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

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

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

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

13 139.31 (6) Subsections (4) and (5) do not apply to cigarettes that may be brought  
14 into the United States for personal use and cigarettes that are sold or intended for  
15 sale by a duty-free enterprise, as provided under 19 USC 1555, not including  
16 cigarettes that are brought into a customs territory, as defined under 19 USC 1555  
17 (2) (b) (C), for resale within the customs territory.

18 **\*-1841/1.5\* SECTION 2846.** 139.34 (3) of the statutes is created to read:

19 139.34 (3) No distributor may affix stamps to cigarette packages, as provided  
20 in s. 139.32, unless the distributor certifies to the department, in a manner  
21 prescribed by the department, that the distributor purchases cigarettes directly from  
22 a manufacturer.

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

Replace  
period w/ a  
comma

1           139.39 (4m) Any person who sells, distributes, or manufactures cigarettes and  
2 who sustains direct economic or commercial injury as the result of a violation of this  
3 chapter may bring an action for injunctive relief.

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

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

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

11          139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,  
12 possession with intent to sell or removal for consumption or sale or other disposition  
13 for any purpose of tobacco products by any person engaged as a distributor of them  
14 at the rate of ~~20%~~ 30% of the manufacturer's established list price to distributors  
15 without diminution by volume or other discounts on domestic products. On products  
16 imported from another country the rate of tax is ~~20%~~ 30% of the amount obtained by  
17 adding the manufacturer's list price to the federal tax, duties and transportation  
18 costs to the United States. The tax attaches at the time the tobacco products are  
19 received by the distributor in this state. The tax shall be passed on to the ultimate  
20 consumer of the tobacco products. All tobacco products received in this state for sale  
21 or distribution within this state, except tobacco products actually sold as provided  
22 in sub. (2), shall be subject to such tax.

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

24          139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco  
25 products in this state at the rate of ~~20%~~ 30% of the cost of the tobacco products. The

1 tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco products has been  
2 paid or if the tobacco products are exempt from the tobacco products tax under s.  
3 139.76 (2).

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

5 146.185 (3) From the appropriation under s. 20.435 (5) ~~(fh)~~ (kb), the  
6 department shall in each fiscal year award up to \$200,000 in grants for activities to  
7 improve the health status of economically disadvantaged minority group members.  
8 A person may apply, in the manner specified by the department, for a grant of up to  
9 \$50,000 in each fiscal year to conduct these activities. ~~A grant awarded~~ An awardee  
10 of a grant under this subsection may not exceed 50% of the cost of the activities. An  
11 applicant's required contribution for a grant shall provide, for at least 50% of the  
12 grant amount, matching funds that may consist of funding or an in-kind  
13 contribution. An applicant that is not a federally qualified health center, as defined  
14 under 42 CFR 405.2401 (b) shall receive priority for grants awarded under this  
15 subsection.

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

17 146.185 (4) From the appropriation under s. 20.435 (5) ~~(fh)~~ (kb), the  
18 department shall award a grant of up to ~~\$100,000~~ \$50,000 in each fiscal year to a  
19 private nonprofit corporation that applies, in the manner specified by the  
20 department, to conduct a public information campaign on minority health.

21 **\*-0299/2.1\* SECTION 2850.** 146.55 (2m) (a) of the statutes is repealed and  
22 recreated to read:

23 146.55 (2m) (a) The department shall contract with a physician to direct the  
24 state emergency medical services program. The department may expend from the  
25 funding under the federal preventive health services project grant program under

1 42 USC 2476 under the appropriation under s. 20.435 (1) (mc), \$25,000 in each fiscal  
2 year for this purpose.

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

4 **146.65 Rural health dental clinic.** From the appropriation under s. 20.435  
5 (5) (dm), the department shall distribute funds to the rural health dental clinic  
6 located in Ladysmith that provides dental services to persons in the counties of Rusk,  
7 Price, Taylor, Sawyer, and Chippewa who are developmentally disabled or elderly or  
8 who have low income. The department shall also seek federal funding to support the  
9 operations of the rural health dental clinic.

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

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

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

18 149.13 (4) Notwithstanding subs. (1) to (3), the department, with the  
19 agreement of the commissioner, may perform various administrative functions  
20 related to the assessment of insurers participating in the cost of administering the  
21 plan.

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

23 149.14 (3) (nm) Hospice care provided by a hospice licensed under subch. IV  
24 of ch. 50.

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

3           149.14 (5) (title)   DEDUCTIBLES, COPAYMENTS AND, COINSURANCE, AND  
4 OUT-OF-POCKET LIMITS.

5           **\*b0395/2.1\* SECTION 2850g.** 149.14 (5) (b) of the statutes is amended to read:

6           149.14 (5) (b) Except as provided in ~~par.~~ pars. (c) and (e), if the covered costs  
7 incurred by the eligible person exceed the deductible for major medical expense  
8 coverage in a calendar year, the plan shall pay at least 80% of any additional covered  
9 costs incurred by the person during the calendar year.

10          **\*b0395/2.1\* SECTION 2850h.** 149.14 (5) (c) of the statutes is amended to read:

11          149.14 (5) (c) ~~If~~ Except as provided in par. (e), if the aggregate of the covered  
12 costs not paid by the plan under par. (b) and the deductible exceeds \$500 for an  
13 eligible person receiving medicare, \$2,000 for any other eligible person during a  
14 calendar year or \$4,000 for all eligible persons in a family, the plan shall pay 100%  
15 of all covered costs incurred by the eligible person during the calendar year after the  
16 payment ceilings under this paragraph are exceeded.

17          **\*b0395/2.1\* SECTION 2850i.** 149.14 (5) (e) of the statutes is amended to read:

18          149.14 (5) (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17  
19 (4), establish ~~copayments~~ for prescription drug coverage under sub. (3) (d) copayment  
20 amounts, coinsurance rates, and copayment and coinsurance out-of-pocket limits  
21 over which the plan will pay 100% of covered costs under sub. (3) (d). Any copayment  
22 ~~amounts or rates~~ amount, coinsurance rate, or out-of-pocket limit established ~~are~~  
23 under this paragraph subject to the approval of the board. Copayments and  
24 coinsurance paid by an eligible person under this paragraph ~~shall~~ are separate from

1 and do not count toward the deductible and covered costs not paid by the plan under  
2 pars. (a) to (c).

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

4 \*b0394/1.1\* SECTION 2850k. 149.14 (6) (b) 2. of the statutes is renumbered  
5 149.14 (6) (b) and amended to read:

6 149.14 (6) (b) An eligible individual who obtains coverage under the plan ~~on~~  
7 ~~or after June 17, 1998,~~ may not be subject to any preexisting condition exclusion  
8 under the plan. ~~An eligible individual who is covered under the plan on June 17,~~  
9 ~~1998, may not be subject to any preexisting condition exclusion on or after June 17,~~  
10 ~~1998.~~

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

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

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

19 149.142 (2) The Except as provided in sub. (1) (b), the rates established under  
20 this section are subject to adjustment under ss. 149.143 and 149.144.

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

23 149.143 (1) (b) 1. d. Fourth, notwithstanding subd. 2., by increasing insurer  
24 assessments, excluding assessments under s. 149.144, and adjusting provider  
25 payment rates, subject to s. 149.142 (1) (b) and excluding adjustments to those rates

1 under s. 149.144, in equal proportions and to the extent that the amounts under  
2 subd. 1. a. to c. are insufficient to pay 60% of plan costs.

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

5 149.143 (1) (b) 2. b. Fifty percent from adjustments to provider payment rates,  
6 subject to s. 149.142 (1) (b) and excluding adjustments to those rates under s.  
7 149.144.

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

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

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

16 149.143 (2m) (b) 3. For distribution to eligible persons, notwithstanding any  
17 requirements in this chapter related to setting premium amounts. The department,  
18 with the approval of the board and the concurrence of the plan actuary, shall  
19 determine the policies, eligibility criteria, methodology, and other factors to be used  
20 in making any distribution under this subdivision.

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

23 149.143 (3) (a) If, during a plan year, the department determines that the  
24 amounts estimated to be received as a result of the rates and amount set under sub.  
25 (2) (a) 2. to 4. and any adjustments in insurer assessments and the provider payment

1 rate under s. 149.144 will not be sufficient to cover plan costs, the department may  
2 by rule increase the premium rates set under sub. (2) (a) 2. for the remainder of the  
3 plan year, subject to s. 149.146 (2) (b) and the maximum specified in sub. (2) (a) 2.,  
4 by rule increase the assessments set under sub. (2) (a) 3. for the remainder of the plan  
5 year, subject to sub. (1) (b) 2. a., and by the same rule under which assessments are  
6 increased adjust the provider payment rate set under sub. (2) (a) 4. for the remainder  
7 of the plan year, subject to sub. (1) (b) 2. b. and s. 149.142 (1) (b).

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

10 149.143 (3) (b) If the department increases premium rates and insurer  
11 assessments and adjusts the provider payment rate under par. (a) and determines  
12 that there will still be a deficit and that premium rates have been increased to the  
13 maximum extent allowable under par. (a), the department may further adjust, in  
14 equal proportions, assessments set under sub. (2) (a) 3. and the provider payment  
15 rate set under sub. (2) (a) 4., without regard to sub. (1) (b) 2. but subject to s. 149.142  
16 (1) (b).

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

19 149.143 (5) (a) Annually, no later than April 30, the department shall perform  
20 a reconciliation with respect to plan costs, premiums, insurer assessments, and  
21 provider payment rate adjustments based on data from the previous calendar year.  
22 On the basis of the reconciliation, the department shall make any necessary  
23 adjustments in premiums, insurer assessments, or provider payment rates, subject  
24 to s. 149.142 (1) (b), for the fiscal year beginning on the first July 1 after the  
25 reconciliation, as provided in sub. (2) (b).



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

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

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

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

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

1           **149.145 Program budget.** The department, in consultation with the board,  
2 shall establish a program budget for each plan year. The program budget shall be  
3 based on the provider payment rates specified in s. 149.142 and in the most recent  
4 provider contracts that are in effect and on the funding sources specified in s. 149.143  
5 (1), including the methodologies specified in ss. 149.143, 149.144, and 149.146 for  
6 determining premium rates, insurer assessments, and provider payment rates.  
7 Except as otherwise provided in s. 149.143 (3) (a) and (b) and subject to s. 149.142  
8 (1) (b), from the program budget the department shall derive the actual provider  
9 payment rate for a plan year that reflects the providers' proportional share of the  
10 plan costs, consistent with ss. 149.143 and 149.144. The department may not  
11 implement a program budget established under this section unless it is approved by  
12 the board.

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

14           **\*b0394/1.1\* SECTION 2850p.** 149.146 (1) (b) 2. of the statutes is renumbered  
15 149.146 (1) (b).

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

18           149.146 (2) (am) 2. Except as provided in ~~subd. subds. 3. and 5.~~, if the covered  
19 costs incurred by the eligible person exceed the deductible for major medical expense  
20 coverage in a calendar year, the plan shall pay at least 80% of any additional covered  
21 costs incurred by the person during the calendar year.

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

24           149.146 (2) (am) 3. If Except as provided in subd. 5., if the aggregate of the  
25 covered costs not paid by the plan under subd. 2. and the deductible exceeds \$3,500

1 for any eligible person during a calendar year or \$7,000 for all eligible persons in a  
2 family, the plan shall pay 100% of all covered costs incurred by the eligible person  
3 during the calendar year after the payment ceilings under this subdivision are  
4 exceeded.

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

7 149.146 (2) (am) 5. Subject to s. 149.14 (8) (b), the department may, by rule  
8 under s. 149.17 (4), establish for prescription drug coverage under this section  
9 copayment amounts, coinsurance rates, and copayment and coinsurance  
10 out-of-pocket limits over which the plan will pay 100% of covered costs for  
11 prescription drugs. Any copayment amount, coinsurance rate, or out-of-pocket  
12 limit established under this subdivision is subject to the approval of the board.  
13 Copayments and coinsurance paid by an eligible person under this subdivision are  
14 separate from and do not count toward the deductible and covered costs not paid by  
15 the plan under subs. 1. to 3.

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

17 149.15 (1) The plan shall have a board of governors consisting of  
18 representatives of 2 participating insurers ~~which~~ that are nonprofit corporations,  
19 representatives of 2 other participating insurers, 3 health care provider  
20 representatives, including one representative of the State Medical Society of  
21 Wisconsin, one representative of the Wisconsin Health and Hospital Association and  
22 one representative of an integrated multidisciplinary health system, and 3 4 public  
23 members, including one representative of small businesses in the state, appointed  
24 by the secretary for staggered 3-year terms. In addition, the commissioner, or a  
25 designated representative from the office of the commissioner, and the secretary, or

1 a designated representative from the department, shall be members of the board.  
2 The public members shall not be professionally affiliated with the practice of  
3 medicine, a hospital, or an insurer. At least ~~2~~ one of the public members shall be  
4 ~~individuals reasonably expected to qualify for an individual who has coverage under~~  
5 ~~the plan or the parent or spouse of such an individual.~~ The secretary or the  
6 secretary's representative shall be the chairperson of the board. Board members,  
7 except the commissioner or the commissioner's representative and the secretary or  
8 the secretary's representative, shall be compensated at the rate of \$50 per diem plus  
9 actual and necessary expenses.

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

11 **149.25 Case management pilot program. (1) DEFINITIONS.** In this section:

12 (a) "Chronic disease" means any disease, illness, impairment, or other physical  
13 condition that requires health care and treatment over a prolonged period and,  
14 although amenable to treatment, is irreversible and frequently progresses to  
15 increasing disability or death.

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

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

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

- 24 1. Be diagnosed as having a chronic disease.
- 25 2. Be taking 2 or more prescribed medications on a regular basis.

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 2850t. 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:

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: