

1 payment rates, subject to s. 149.142 (1) (b) and excluding adjustments to those rates  
2 under s. 149.144, in equal proportions and to the extent that the amounts under  
3 subd. 1. a. to c. are insufficient to pay 60% of plan costs.

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

6 149.143 (1) (b) 2. b. Fifty percent from adjustments to provider payment rates,  
7 subject to s. 149.142 (1) (b) and excluding adjustments to those rates under s.  
8 149.144.

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

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

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

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

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

24 149.143 (3) (a) If, during a plan year, the department determines that the  
25 amounts estimated to be received as a result of the rates and amount set under sub.

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

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

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

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

20 149.143 (5) (a) Annually, no later than April 30, the department shall perform  
21 a reconciliation with respect to plan costs, premiums, insurer assessments, and  
22 provider payment rate adjustments based on data from the previous calendar year.  
23 On the basis of the reconciliation, the department shall make any necessary  
24 adjustments in premiums, insurer assessments, or provider payment rates, subject

1 to s. 149.142 (1) (b), for the fiscal year beginning on the first July 1 after the  
2 reconciliation, as provided in sub. (2) (b).

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

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

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

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

1 commissioner so that the commissioner may levy any increase in insurer  
2 assessments.

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

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

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

17 **\*b0394/1.1\* SECTION 2850p.** 149.146 (1) (b) 2. of the statutes is renumbered  
18 149.146 (1) (b).

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

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

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

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

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

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

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

21           149.15 (1) The plan shall have a board of governors consisting of  
22 representatives of 2 participating insurers ~~which~~ that are nonprofit corporations,  
23 representatives of 2 other participating insurers, 3 health care provider  
24 representatives, including one representative of the State Medical Society of  
25 Wisconsin, one representative of the Wisconsin Health and Hospital Association and

1 one representative of an integrated multidisciplinary health system, and ~~3~~ 4 public  
2 members, including one representative of small businesses in the state, appointed  
3 by the secretary for staggered 3-year terms. In addition, the commissioner, or a  
4 designated representative from the office of the commissioner, and the secretary, or  
5 a designated representative from the department, shall be members of the board.  
6 The public members shall not be professionally affiliated with the practice of  
7 medicine, a hospital, or an insurer. At least ~~2~~ one of the public members shall be  
8 ~~individuals reasonably expected to qualify for an individual who has~~ coverage under  
9 ~~the plan or the parent or spouse of such an individual.~~ The secretary or the  
10 secretary's representative shall be the chairperson of the board. Board members,  
11 except the commissioner or the commissioner's representative and the secretary or  
12 the secretary's representative, shall be compensated at the rate of \$50 per diem plus  
13 actual and necessary expenses.

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

15 **149.25 Case management pilot program. (1) DEFINITIONS.** In this section:

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

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

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

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

- 3 1. Be diagnosed as having a chronic disease.
- 4 2. Be taking 2 or more prescribed medications on a regular basis.
- 5 3. Within 6 months of applying for the pilot program, have been treated 2 or  
6 more times at a hospital emergency room or have been admitted 2 or more times to  
7 a hospital as an inpatient.

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

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

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

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

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

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

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

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

14          (c) The department shall pay contract costs from the appropriation under s.  
15 20.435 (4) (u).

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

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



1           **150.345 Nursing home bed transfers.** (1) Notwithstanding ss. 150.33 and  
2 150.34, a nursing home may transfer a licensed bed to another nursing home, if all  
3 of the following apply:

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

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

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

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

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

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

16 (a) and amended to read:

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

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

24           (3) No human remains may be buried in a cemetery lot except the human  
25 remains of one having an interest in the cemetery lot, or a relative, or the husband

1 or wife of such person, or his or her relative, except by the consent of all persons  
2 having an interest in the cemetery lot.

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

4 157.10 (1) (b) A person having an interest in a cemetery lot may, after providing  
5 written notice to the cemetery authority, convey the interest to his or her spouse,  
6 child, sibling, or parent without the consent of the cemetery authority.

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

8 157.635 (title) **Regulations of religious cemetery ~~affiliated with~~**  
9 **religious society authorities.**

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

11 (2) and amended to read:

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

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

19 157.635 (1) In this section:

20 (a) “Affiliated religious society” means a religious society organized under ch.  
21 187 that is affiliated with a religious cemetery authority.

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

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

1           157.635 (3) If an individual who is not prohibited under regulations adopted  
2 by a religious cemetery authority or affiliated religious society from being buried in  
3 a cemetery conveys his or her interest in a cemetery lot in the cemetery to his or her  
4 spouse, child, sibling, or parent, the religious cemetery authority may not prohibit  
5 the burial of the human remains of the spouse, child, sibling, or parent in the  
6 cemetery.

7           \*~~1464/2.66~~\* **SECTION 2853.** 157.70 (2) (i) of the statutes is amended to read:

8           157.70 (2) (i) Cause a cataloged burial site to be recorded by the register of  
9 deeds of the county in which the burial site is located. The historical society shall  
10 reimburse the county for the cost of recording under this paragraph from the  
11 appropriation under s. 20.245 ~~(3)~~ (1) (a).

12           \*~~1772/1.2~~\* **SECTION 2854.** 165.055 (3) of the statutes is repealed.

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

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

20           \*~~2156/4.12~~\* **SECTION 2855.** 165.25 (4) (ar) of the statutes is amended to read:

21           165.25 (4) (ar) The department of justice shall furnish all legal services  
22 required by the department of agriculture, trade and consumer protection relating  
23 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,  
24 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50,

1 and 100.51 and chs. 136, 344, 704, 707, and 779, together with any other services as  
2 are necessarily connected to the legal services.

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

4 165.25 (10) REPORT ON RESTITUTION. Semiannually submit a report to the  
5 department of administration and the joint committee on finance regarding money  
6 received by the department of justice under a court order or a settlement agreement  
7 for providing restitution to victims. The report shall specify the amount of  
8 restitution received by the department of justice during the reporting period; the  
9 persons to whom the department of justice paid restitution and the amount that the  
10 department of justice paid to each recipient during the reporting period; and the  
11 department of justice's methodology for selecting recipients and determining the  
12 amount paid to each recipient.

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

14 165.755 (1) (b) A court may not impose the crime laboratories and drug law  
15 enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)  
16 ~~or~~, (bm), or (br) or (5) (b) or for a violation of a state law or municipal or county  
17 ordinance involving a nonmoving traffic violation or a safety belt use violation under  
18 s. 347.48 (2m).

19 **\*-1394/2.51\* SECTION 2858.** 165.755 (4) of the statutes is amended to read:

20 165.755 (4) If a municipal court imposes a forfeiture, after determining the  
21 amount due under sub. (1) (a) the court shall collect and transmit such amount to the  
22 treasurer of the county, city, town or village, and that treasurer shall make payment  
23 to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~ (bm).

24 **\*-0549/1.1\* SECTION 2863.** 166.20 (1) (gk) of the statutes is created to read:

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

3           \***-0549/1.2\*** **SECTION 2864.** 166.20 (1) (im) of the statutes is created to read:

4           166.20 (1) (im) “Regional emergency response team” means a team that the  
5 division contracts with under s. 166.215 (1).

6           \***-0549/1.3\*** **SECTION 2865.** 166.20 (2) (bm) 1. of the statutes is amended to  
7 read:

8           166.20 (2) (bm) 1. If a regional or local emergency response team has made a  
9 good faith effort to identify a person responsible for the emergency involving a  
10 release or potential release of a hazardous substance under s. 166.215 (3) or 166.22  
11 (4).

12           \***-0549/1.4\*** **SECTION 2866.** 166.20 (2) (bm) 2. of the statutes is amended to  
13 read:

14           166.20 (2) (bm) 2. If a person responsible for the emergency involving a release  
15 or potential release of a hazardous substance under s. 166.215 (3) or 166.22 (4) is  
16 financially able or has the money or resources necessary to reimburse a regional or  
17 local emergency response team for the expenses incurred by the regional or local  
18 emergency response team in responding to the release emergency.

19           \***-0549/1.5\*** **SECTION 2867.** 166.20 (2) (bs) of the statutes is created to read:

20           166.20 (2) (bs) 1. Promulgate rules that establish the procedures that a  
21 regional emergency response team shall follow to determine if an emergency that  
22 requires the team’s response exists as the result of a level A release or a potential  
23 level A release.

24           2. Promulgate rules that establish the procedures that a local emergency  
25 response team shall follow to determine if an emergency that requires the team’s

1 response exists as the result of a release or potential release of a hazardous  
2 substance, as defined in s. 299.01 (6).

3 \*–0549/1.6\* SECTION 2868. 166.21 (2m) (e) of the statutes is amended to read:

4 166.21 (2m) (e) Identification of a county local emergency response team that  
5 is capable of responding to a level B release that occurs at any place in the county and  
6 whose members meet the standards for hazardous materials technicians in 29 CFR  
7 1910.120 (q) (6) (iii) and national fire protection association standards NFPA 471 and  
8 472.

9 \*–0549/1.7\* SECTION 2869. 166.21 (2m) (f) of the statutes is amended to read:

10 166.21 (2m) (f) Procedures for county local emergency response team actions  
11 that are consistent with local emergency response plans developed under s. 166.20  
12 (3) and the state contingency plan established under s. 292.11 (5).

13 \*–0549/1.8\* SECTION 2871. 166.215 (2) of the statutes is amended to read:

14 166.215 (2) The division shall reimburse a regional emergency response team  
15 for costs incurred by the team in responding to an emergency involving a level A  
16 release under sub. (1), or a potential level A release, if the team followed the  
17 procedures in the rules promulgated under s. 166.20 (2) (bs) 1. to determine if an  
18 emergency requiring a response existed. Reimbursement under this subsection is  
19 limited to amounts collected under sub. (3) and the amounts appropriated under s.  
20 20.465 (3) (dr). Reimbursement is available under s. 20.465 (3) (dr) only if the  
21 regional emergency response team has made a good faith effort to identify the person  
22 responsible under sub. (3) and that person cannot be identified, or, if that person is  
23 identified, the team has received reimbursement from that person to the extent that  
24 the person is financially able or has determined that the person does not have

1 adequate money or other resources to reimburse the regional emergency response  
2 team.

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

5 166.215 (3) A person shall reimburse the division for costs incurred by a  
6 regional emergency response team in responding to an emergency if the team  
7 followed the procedures established under s. 166.20 (2) (bs) 1. to determine if an  
8 emergency requiring the team's response existed and if any of the following  
9 conditions applies:

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

12 (b) The person caused the emergency.

13 \***-0549/1.10\*** SECTION 2873. 166.22 (1) (a) of the statutes is repealed.

14 \***-0549/1.11\*** SECTION 2874. 166.22 (1) (c) of the statutes is amended to read:

15 166.22 (1) (c) "Local agency" means an agency of a county, city, village, or town,  
16 including a municipal police or fire department, a municipal health organization, a  
17 county office of emergency management, a county sheriff, an emergency medical  
18 service, a local emergency response team, or a public works department.

19 \***-0549/1.12\*** SECTION 2875. 166.22 (1) (d) of the statutes is created to read:

20 166.22 (1) (d) "Local emergency response team" means a team that the  
21 committee identifies under s. 166.21 (2m) (e).

22 \***-0549/1.13\*** SECTION 2876. 166.22 (2) of the statutes is amended to read:

23 166.22 (2) A person who possesses or controls a hazardous substance that is  
24 discharged released or who causes the discharge release of a hazardous substance

1 shall take the actions necessary to protect public health and safety and prevent  
2 damage to property.

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

4 166.22 (3) If action required under sub. (2) is not being adequately taken or the  
5 identity of the person responsible for a ~~discharge~~ an emergency involving a release  
6 or potential release of a hazardous substance is unknown and the ~~discharge~~  
7 emergency involving a release or potential release threatens public health or safety  
8 or damage to property, a local agency may take any emergency action that is  
9 consistent with the contingency plan for the undertaking of emergency actions in  
10 response to the ~~discharge~~ release or potential release of hazardous substances  
11 established by the department of natural resources under s. 292.11 (5) and that it  
12 considers appropriate under the circumstances.

13 \*~~0549/1.15~~\* SECTION 2878. 166.22 (3m) of the statutes is amended to read:

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



1           **\*-0549/1.16\* SECTION 2879.** 166.22 (4) of the statutes is repealed and  
2 recreated to read:

3           166.22 (4) (a) Except as provided in par. (b), a person shall reimburse a local  
4 agency as provided in sub. (5) for actual, reasonable, and necessary expenses  
5 incurred in responding to an emergency involving the release or potential release of  
6 a hazardous substance if any of the following conditions applies:

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

9           2. The person caused the emergency.

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

13           **\*-0549/1.17\* SECTION 2880.** 166.22 (5) (am) of the statutes is amended to read:

14           166.22 (5) (am) A local agency seeking reimbursement under sub. (4) shall  
15 submit a claim stating its expenses to the reviewing entity for the county in which  
16 the ~~discharge~~ emergency occurred.

17           **\*-0549/1.18\* SECTION 2881.** 166.22 (5) (b) of the statutes is amended to read:

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

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

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

2           DEFINITIONS. In this section:

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

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

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

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

12           2. A facility that is operated for the purpose of providing for and promoting the  
13           welfare, protection, and humane treatment of animals, that is used to shelter at least  
14           25 animals in a year, and that is operated by a humane society, an animal welfare  
15           society, or a nonprofit association.

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

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

23           1. An animal shelter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 (b) 1. Except as provided under par. (a), a person who violates this section or  
9 a rule promulgated under this section may be required to forfeit not more than \$1,000  
10 for the first offense and may be required to forfeit not less than \$200 nor more than  
11 \$2000 for the 2nd or any subsequent offense within 5 years.

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

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

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

16 174.05 (2) TAX. The minimum dog license tax is ~~\$3~~ \$4.50 for a neutered male  
17 dog or spayed female dog, upon presentation of evidence that the dog is neutered or  
18 spayed, and ~~\$8~~ \$10.00 for an unneutered male dog or unspayed female dog, or  
19 one-half of these amounts if the dog became 5 months of age after July 1 of the license  
20 year.

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

22 **174.053 Kennel Multiple dog licenses.** (1) ~~KENNEL MULTIPLE DOG LICENSE~~  
23 ~~OPTION.~~ Any person who keeps ~~or operates a kennel~~ more than one dog may, instead  
24 of the license tax for each dog required by this chapter, apply to the collecting official  
25 for a ~~kennel multiple dog license for the keeping or operating of the kennel of the~~

1 dogs. Such person shall pay for the license year a license tax of \$35 \$45.50 for ~~a~~  
2 ~~kennel~~ of 12 or fewer dogs and an additional \$3 \$4.50 for each dog in excess of 12.  
3 Upon payment of the required ~~kennel~~ multiple dog license tax and upon presentation  
4 of evidence that all dogs over 5 months of age are currently immunized against  
5 rabies, the collecting official shall issue the ~~kennel~~ multiple dog license and a number  
6 of tags equal to the number of dogs authorized to be kept ~~in the kennel by the person~~.

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

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

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

5           174.06 (6) ~~KENNEL~~ MULTIPLE DOG LICENSE RECORDS. The listing official shall  
6 make in triplicate a list of the names of persons ~~owning and operating kennels~~  
7 holding multiple dog licenses and the number of dogs kept ~~in each~~ by each of those  
8 persons.

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

10           174.06 (7) LIST DELIVERY. The listing official shall, by September 15, deliver one  
11 copy of the list under sub. (5) or (6) to the county clerk, and one copy to the ~~collecting~~  
12 official to whom license taxes are paid under s. 174.08, and retain one copy for his  
13 or her files.

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

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

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

24           174.07 (1) (c) *Copies.* The collecting official shall keep a duplicate copy of the  
25 license on file. In counties having a population of 500,000 or more, the collecting

1 official shall immediately send to the county clerk or whatever agency the county  
2 board may direct, a triplicate copy of the license. A collecting official who is not the  
3 official to whom license taxes are paid under s. 174.08 shall provide a copy of each  
4 license issued to the official to whom license taxes are paid under s. 174.08.

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

6 174.07 (2) (d) The department shall furnish county clerks with suitable ~~kenel~~  
7 multiple dog license tags and blank licenses for distribution to the collecting officials.

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

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

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

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



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

2           **175.50 Use of passive alcohol sensors. (1)** In this section:

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

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

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

11           **\*-0658/2.1\* SECTION 2883.** 177.06 (3) (b) of the statutes is amended to read:

12           177.06 **(3)** (b) Assess a service charge after December 31 of the ~~2nd~~ calendar  
13 year covered in the report filed under s. 177.17 concerning that property.

14           **\*-0658/2.2\* SECTION 2884.** 177.06 (4) of the statutes is amended to read:

15           177.06 **(4)** Any property described in sub. (1) that is automatically renewable  
16 is matured for purposes of sub. (1) upon the expiration of its initial time period, or  
17 after one year if the initial period is less than one year, except that in the case of any  
18 renewal to which the owner consents at or about the time of renewal by  
19 communicating in writing with the banking or financial organization or otherwise  
20 indicating consent as evidenced by a memorandum or other record on file prepared  
21 by an employee of the organization, the property is matured upon the expiration of  
22 the last time period for which consent was given or one year from the date of the last  
23 consent, whichever is longer. If, at the time provided for delivery in s. ~~177.19~~ 177.17  
24 (4) (a), a penalty or forfeiture in the payment of interest would result from the

1 delivery of the property, the time for delivery is extended until the time when no  
2 penalty or forfeiture would result.

3 **\*-0658/2.3\* SECTION 2885.** 177.10 (1) (intro.) of the statutes is amended to  
4 read:

5 177.10 (1) (intro.) Except as provided in subs. (2) and (5), any stock or other  
6 intangible ownership interest in a business association, the existence of which is  
7 evidenced by records available to the association, is presumed abandoned and, with  
8 respect to the interest, the association is the holder, if a dividend, distribution or  
9 other sum payable as a result of the interest has remained unclaimed by the owner  
10 for ~~7 ½~~ years and the owner has not done either of the following within ~~7 ½~~ years:

11 **\*-0658/2.4\* SECTION 2886.** 177.10 (2) and (3) of the statutes are amended to  
12 read:

13 177.10 (2) At the expiration of a ~~7-year~~ 5-year period following the failure of  
14 the owner to claim a dividend, distribution or other sum payable to the owner as a  
15 result of the interest, the interest is not presumed abandoned unless there have been  
16 at least ~~7 ½~~ dividends, distributions or other sums paid during the period, none of  
17 which has been claimed by the owner. If ~~7 ½~~ dividends, distributions or other sums  
18 are paid during the ~~7-year~~ 5-year period, the period leading to a presumption of  
19 abandonment commences on the date on which payment of the first such unclaimed  
20 dividend, distribution or other sum became due and payable. If ~~7 ½~~ dividends,  
21 distributions or other sums are not paid during the presumptive period, the period  
22 continues to run until there have been ~~7 ½~~ dividends, distributions or other sums that  
23 have not been claimed by the owner.

24 (3) The running of the ~~7-year~~ 5-year period of abandonment ceases  
25 immediately upon the occurrence of a communication specified under sub. (1). If any

1 future dividend, distribution or other sum payable to the owner as a result of the  
2 interest is subsequently not claimed by the owner, a new period of abandonment  
3 commences and relates back to the time a subsequent dividend, distribution or other  
4 sum became due and payable.

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

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

12 \*~~0658/2.6~~\* SECTION 2888. 177.17 (title) of the statutes is amended to read:

13 177.17 (title) **Report Reporting, payment, and delivery of abandoned**  
14 **property.**

15 \*~~0658/2.7~~\* SECTION 2889. 177.17 (4) of the statutes is renumbered 177.17 (4)  
16 (a) 1. and amended to read:

17 177.17 (4) (a) 1. Before ~~May~~ November 1 of each ~~even-numbered~~ year, each  
18 holder shall file a report covering the ~~2~~ previous calendar ~~years~~ year. On written  
19 request by any person required to file a report, the administrator may ~~postpone the~~  
20 ~~reporting date~~ extend the deadline established in this paragraph.

21 \*~~0658/2.8~~\* SECTION 2890. 177.17 (4) (a) 2. of the statutes is created to read:

22 177.17 (4) (a) 2. Except as otherwise provided in this subdivision and s. 177.06  
23 (4), upon filing the report under subd. 1., the holder shall pay or deliver to the  
24 administrator all abandoned property required to be reported. This subdivision does  
25 not apply to abandoned property that is in the form of amounts credited under s.

1 20.912 (1) to the support collections trust fund or amounts not distributable from the  
2 support collections trust fund to the persons for whom the amounts were awarded.

3 \*~~0658/2.9~~\* SECTION 2891. 177.18 (title) of the statutes is amended to read:

4 **177.18 (title) Notice and publication of lists of abandoned or escheated**  
5 **property.**

6 \*~~0658/2.10~~\* SECTION 2892. 177.18 (1) of the statutes is amended to read:

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

17 \*~~0658/2.11~~\* SECTION 2893. 177.18 (2) (intro.) of the statutes is amended to  
18 read:

19 177.18 (2) (intro.) ~~The published~~ A notice under sub. (1) shall contain all of the  
20 following:

21 \*~~0658/2.12~~\* SECTION 2894. 177.18 (2) (c) of the statutes is repealed.

22 \*~~0658/2.13~~\* SECTION 2895. 177.18 (2) (d) of the statutes is renumbered 177.18  
23 (2m) and amended to read:

24 177.18 (2m) For money or other property received under s. 852.01 (3), 863.37  
25 (2) or 863.39 (1), ~~the~~ a notice shall be published at least annually in the official state

1 newspaper and shall include the name of the decedent, the time and place of the  
2 decedent's death, the amount paid to the administrator, the name of the decedent's  
3 personal representative, the county in which the estate is probated and a statement  
4 that the money will be paid to the heirs or legatees without interest, on proof of  
5 ownership, if claimed within 10 years from the date of publication as provided in s.  
6 863.39 (3).

7 \*~~0658/2.14~~\* SECTION 2896. 177.19 (title), (1) and (2) of the statutes are  
8 repealed.

9 \*~~0658/2.15~~\* SECTION 2897. 177.19 (4) of the statutes is renumbered 177.17  
10 (4) (b) and amended to read:

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

21 \*~~2025/2.1~~\* SECTION 2898. 177.22 (1) of the statutes is amended to read:

22 177.22 (1) Except as provided in subs. (2) and ~~(3)~~ (4), the administrator, within  
23 3 years after the receipt of abandoned property, shall sell it to the highest bidder at  
24 public sale in the city, village or town in this state which, in the judgment of the  
25 administrator, affords the most favorable market for the property. The

1 administrator may decline the highest bid and reoffer the property for sale if, in his  
2 or her judgment, the bid is insufficient. If the administrator determines that the  
3 probable cost of sale exceeds the value of the property, it need not be offered for sale.  
4 Any sale held under this section shall be preceded by the publication of one notice,  
5 at least 3 weeks in advance of sale, in a newspaper of general circulation in the county  
6 in which the property is to be sold.

7 **\*-2025/2.2\* SECTION 2899.** 177.22 (3) of the statutes is repealed.

8 **\*-2025/2.3\* SECTION 2900.** 177.22 (4) of the statutes is amended to read:

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

24 **\*-0658/2.16\* SECTION 2901.** 177.23 (1) of the statutes is amended to read:

1           177.23 (1) Except as provided in sub. (2), the administrator shall deposit in the  
2 school fund all funds received under this chapter, including the clear proceeds from  
3 the sale of abandoned property under s. 177.22. Before making the deposit, the  
4 administrator shall record the name and last-known address of each person  
5 appearing from the holders' reports to be entitled to the property and the name and  
6 last-known address of each insured person or annuitant and beneficiary and, with  
7 respect to each policy or contract listed in the report of an insurance company, its  
8 number, the name of the company and the amount due. The information recorded  
9 by the administrator under this subsection is not available for inspection or copying  
10 under s. 19.35 (1) until 24 months after payment or delivery of the property is due  
11 under s. ~~177.19 (1)~~ 177.17 (4) (a).

12           \*~~0530/2.3~~\* **SECTION 2902.** 177.24 (1) of the statutes is renumbered 177.24 (1)  
13 (a).

14           \*~~0530/2.4~~\* **SECTION 2903.** 177.24 (1) (b) of the statutes is created to read:

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

22           \*~~0658/2.17~~\* **SECTION 2904.** 177.24 (2) of the statutes is amended to read:

23           177.24 (2) The administrator shall consider each claim within 90 days after it  
24 is filed and may refer any claim to the attorney general for an opinion. For each claim  
25 referred, the attorney general shall advise the administrator either to allow it or to

1 deny it in whole or in part. The administrator shall give written notice to the  
2 claimant if the claim is denied in whole or in part. The notice ~~may~~ shall be given by  
3 mailing it to the last address, if any, stated in the claim as the address to which  
4 notices are to be sent. If no address for notices is stated in the claim, the notice ~~may~~  
5 shall be mailed to the last address, if any, ~~of the claimant as stated in the claim as~~  
6 the address of the claimant. No notice of denial need be given if the claim fails to state  
7 either the last address to which notices are to be sent or the address of the claimant.

8 \*~~2025/2.4~~\* SECTION 2905. 177.24 (3) of the statutes is renumbered 177.24 (3)  
9 (a) and amended to read:

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

24 \*~~0530/2.5~~\* SECTION 2906. 177.24 (3) (b) of the statutes is created to read:



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

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

5           177.24 (4) Any holder who pays the owner for property that has been delivered  
6 to this state which, if claimed from the administrator, would be subject to sub. (3) (a)  
7 shall add interest as provided under sub. (3) (a). The added interest shall be repaid  
8 to the holder by the administrator in the same manner as the principal.

9           \***-0530/2.7\*** SECTION 2908. 177.25 (1m) of the statutes is created to read:

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

16           \***-0530/2.8\*** SECTION 2909. 177.25 (2) of the statutes is amended to read:

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

22           \***-0530/2.9\*** SECTION 2910. 177.265 of the statutes is created to read:

23           **177.265 Reimbursement for claims and administrative expenses. (1)**  
24 At least quarterly, the department of workforce development shall reimburse the

1 administrator, based on information provided by the administrator, for all of the  
2 following:

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

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

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

15 **\*-0658/2.18\* SECTION 2911.** 177.35 (2) of the statutes is renumbered 177.35  
16 (2) (a) and amended to read:

17 177.35 (2) (a) An agreement entered into under this section is not enforceable  
18 if the agreement is entered into within ~~24~~ 12 months after payment or delivery of the  
19 property is due under s. ~~177.19 (1)~~ 177.17 (4) (a).

20 **\*-0530/2.10\* SECTION 2912.** 177.35 (2) (b) of the statutes is created to read:

21 177.35 (2) (b) An agreement entered into under this section that relates to  
22 property that is in the form of amounts credited under s. 20.912 (1) to the support  
23 collections trust fund or amounts not distributable from the support collections trust  
24 fund to the persons for whom the amounts were awarded is not enforceable if the

1 agreement is entered into within 12 months after December 1 following the reporting  
2 of the property under s. 177.17.

3 **\*-0712/4.1\* SECTION 2913.** 178.48 (2) of the statutes is amended to read:

4 178.48 (2) The department shall collect a ~~\$10~~ the fee established under s.  
5 182.01 (4) (c) each time process is served on the department under this chapter.

6 **\*-0712/4.2\* SECTION 2914.** 178.48 (3) of the statutes is amended to read:

7 178.48 (3) In addition to the fees required under sub. (1), the department shall  
8 collect ~~\$25~~ the fee established under s. 182.01 (4) (d) for processing in an expeditious  
9 manner a document required or permitted to be filed with the department under this  
10 chapter.

11 **\*-0712/4.3\* SECTION 2915.** 179.16 (4) of the statutes is repealed.

12 **\*-0712/4.4\* SECTION 2916.** 179.16 (5) of the statutes is amended to read:

13 179.16 (5) The department shall charge and collect, for processing a document  
14 required or permitted to be filed under this chapter in an expeditious manner, ~~or~~  
15 ~~preparing the information under sub. (4) in an expeditious manner, the expedited~~  
16 ~~service~~ the fee established under s. 182.01 (4) (d) in addition to the fee required by  
17 other provisions of this chapter.

18 **\*-0712/4.5\* SECTION 2917.** 179.88 of the statutes is amended to read:

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

1 of the mailing. The department shall keep a record of service of process under this  
2 section showing the day and hour of service and the date of mailing.

3 **\*-0712/4.6\* SECTION 2918.** 180.0122 (1) (z) of the statutes is amended to read:

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

6 **\*-0712/4.7\* SECTION 2919.** 180.0122 (2) of the statutes is amended to read:

7 180.0122 (2) The department shall collect a \$10 the fee established under s.  
8 182.01 (4) (c) each time process is served on the department under this chapter. The  
9 party to a civil, criminal, administrative or investigatory proceeding causing service  
10 of process may recover this fee as costs if the party prevails in the proceeding.

11 **\*-0712/4.8\* SECTION 2920.** 180.0122 (4) of the statutes is amended to read:

12 180.0122 (4) In addition to the fees required under sub. (1), the department  
13 shall collect the expedited service fee established under s. 182.01 (4) (d) for  
14 processing in an expeditious manner a document required or permitted to be filed  
15 under this chapter ~~or~~ and shall collect the fee established under s. 182.01 (4) (f) for  
16 preparing in an expeditious manner a certificate of status under s. 180.0128 (1) to  
17 (3) or a statement of status under s. 180.0128 (4).

18 **\*-0712/4.9\* SECTION 2921.** 181.0122 (1) (zm) of the statutes is amended to  
19 read:

20 181.0122 (1) (zm) Request for certificate or statement of status, \$5 ~~or, if~~  
21 ~~information other than the information provided under s. 181.0128 (2) is requested,~~  
22 \$10 the fee established under s. 182.01 (4) (b).

23 **\*-0712/4.10\* SECTION 2922.** 181.0122 (2) of the statutes is amended to read:

24 181.0122 (2) PROCESS FEE. The department shall collect a \$10 the fee  
25 established under s. 182.01 (4) (c) each time process is served on the department

1 under this chapter. The party to a civil, criminal, administrative or investigatory  
2 proceeding who is causing service of process may recover this fee as costs if the party  
3 prevails in the proceeding.

4 **\*-0712/4.11\* SECTION 2923.** 181.0122 (4) of the statutes is amended to read:  
5 181.0122 (4) EXPEDITED SERVICE FEE. In addition to the fees required under sub.  
6 (1), the department shall collect the expedited service fee established under s. 182.01  
7 (4) (d) for processing, in an expeditious manner, a document required or permitted  
8 to be filed under this chapter ~~or~~ and shall collect the fee established under s. 182.01  
9 (4) (f) for preparing, in an expeditious manner, a certificate of status under s.  
10 181.0128 (2) or a statement of status under s. 181.0128 (4).

11 **\*-0712/4.12\* SECTION 2924.** 182.01 (4) of the statutes is repealed and  
12 recreated to read:

13 182.01 (4) PREPARATION OF COPIES, ISSUANCE OF CERTIFICATES, AND PERFORMANCE  
14 OF SERVICES. The department shall establish by rule the fees for all of the following:

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

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

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

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

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

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

6 **\*-0712/4.15\* SECTION 2927.** 183.0114 (1) (t) of the statutes is amended to read:

7 183.0114 (1) (t) Request for certificate or statement of status, \$5 the fee  
8 established under s. 182.01 (4) (b).

9 **\*-0712/4.16\* SECTION 2928.** 183.0114 (1) (u) of the statutes is amended to read:

10 183.0114 (1) (u) Processing in an expeditious manner a document required or  
11 permitted to be filed under this chapter, or preparing in an expeditious manner a  
12 certificate or statement of status, \$25 the fee established under s. 182.01 (4) (d).

13 **\*-0712/4.21\* SECTION 2933.** 185.83 (1) (d) of the statutes is amended to read:

14 185.83 (1) (d) Receiving services of any process, notice or demand, authorized  
15 to be served on the department by this chapter, \$10 the fee established under s.  
16 182.01 (4) (c).

17 **\*-0712/4.22\* SECTION 2934.** 185.83 (1) (f) of the statutes is repealed.

18 **\*-0712/4.23\* SECTION 2935.** 185.83 (1) (fm) of the statutes is repealed.

19 **\*-0712/4.24\* SECTION 2936.** 185.83 (1) (h) of the statutes is amended to read:

20 185.83 (1) (h) Processing a document required or permitted to be filed or  
21 recorded under this chapter in an expeditious manner, ~~or preparing the information~~  
22 ~~under par. (f) or (fm) in an expeditious manner,~~ \$25 the fee established under s.  
23 182.01 (4) (d) in addition to the fee required by other provisions of this chapter.

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

1           195.60 (2) The office shall annually, within 90 days after the close of each fiscal  
2 year, ascertain the total of its expenditures during such year which are reasonably  
3 attributable to the performance of its duties relating to railroads. For purposes of  
4 such calculation, 90% of the expenditures so determined shall be expenditures of the  
5 office and 10% of the expenditures so determined shall be expenditures for state  
6 government operations. The office shall deduct therefrom all amounts chargeable  
7 to railroads under sub. (1) and s. 201.10 (3). A sum equal to the remainder plus 10%  
8 of the remainder shall be assessed by the office to the several railroads in proportion  
9 to their respective gross operating revenues during the last calendar year, derived  
10 from intrastate operations. Such assessment shall be paid within 30 days after the  
11 bill has been mailed to the several railroads, which bill shall constitute notice of  
12 assessment and demand of payment thereof. The total amount which may be  
13 assessed to the railroads under authority of this subsection shall not exceed 1.75%  
14 1.85% of the total gross operating revenues of such railroads, during such calendar  
15 year, derived from intrastate operations. Ninety percent of the payment shall be  
16 credited to the appropriation account under s. 20.155 (2) (g). The railroads shall  
17 furnish such financial information as the office requires.

18           \*~~2007/2.16~~\* SECTION 2973. 196.01 (3n) of the statutes is repealed.

19           \*~~2007/2.17~~\* SECTION 2974. 196.01 (3p) of the statutes is repealed.

20           \*~~2007/2.18~~\* SECTION 2975. 196.01 (3q) of the statutes is renumbered 101.91  
21 (6m) and amended to read:

22           101.91 (6m) "Mobile Manufactured home park contractor" means a person,  
23 other than a public utility, as defined in s. 196.01 (5) (a), who, under a contract with  
24 a mobile manufactured home park operator, provides water or sewer service to a

1 ~~mobile~~ manufactured home park occupant or performs a service related to providing  
2 water or sewer service to a ~~mobile~~ manufactured home park occupant.

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

5 101.91 (7) “~~Mobile~~ Manufactured home park occupant” means a person who  
6 rents or owns a ~~mobile~~ manufactured home in a ~~mobile~~ manufactured home park.

7 **\*-2007/2.20\* SECTION 2977.** 196.01 (3t) of the statutes is renumbered 101.91  
8 (8) and amended to read:

9 101.91 (8) “~~Mobile~~ Manufactured home park operator” means a person  
10 engaged in the business of owning or managing a ~~mobile~~ manufactured home park.

11 **\*-2154/1.1\* SECTION 2978.** 196.07 (2) of the statutes is amended to read:

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

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

22 **196.191 Distributed generation electric rates. (1) DEFINITIONS.** In this  
23 section:

24 (a) “Distributed generation facility” means a facility operated by an electric  
25 consumer that uses any form of generation, including photovoltaic or fuel cells or



1 wind power, for producing electric power. “Distributed generation facility” includes  
2 a small electric generating facility used by an independent power producer.

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

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

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

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

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

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

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

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

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

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

7 \*-1694/11.14\* SECTION 2979. 196.195 (12) (b) 1. d. of the statutes is repealed.

8 \*-1694/11.15\* SECTION 2980. 196.196 (1) (cm) of the statutes is repealed.

9 \*-1694/11.16\* SECTION 2981. 196.196 (5) (b) 6. of the statutes is repealed.

10 \*-0705/3.14\* SECTION 2982. 196.218 (5) (a) 5. of the statutes is amended to  
11 read:

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

17 \*-1857/5.112\* SECTION 2983. 196.218 (5) (a) 6. of the statutes is amended to  
18 read:

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

23 \*-1694/11.17\* SECTION 2984. 196.218 (5r) (a) 4. of the statutes is amended to  
24 read:

1           196.218 **(5r)** (a) 4. An assessment of how successful investments identified in  
2 s. 196.196 (5) (f), assistance provided by the universal service fund ~~or the Wisconsin~~  
3 ~~advanced telecommunications foundation,~~ and price regulation and other  
4 alternative incentive regulations of telecommunications utilities designed to  
5 promote competition have been in advancing the public interest goals identified  
6 under s. 196.03 (6), and recommendations for further advancing those goals.

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

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

14           **\*-2007/2.21\* SECTION 2989.** 196.26 (1) (a) of the statutes is amended to read:

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

21           **\*-2007/2.22\* SECTION 2990.** 196.26 (1m) of the statutes is amended to read:

22           196.26 **(1m)** INVESTIGATION OF COMPLAINT. If any mercantile, agricultural, or  
23 manufacturing society, body politic, municipal organization, or 25 persons file a  
24 complaint specified in sub. (1) (a) against a public utility, or if the commission  
25 terminates a proceeding on a complaint under s. 196.199 (3) (a) 1m. b., or if a person

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

10 **\*-2007/2.23\* SECTION 2991.** 196.26 (2) (a) of the statutes is amended to read:

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

17 **\*-2007/2.24\* SECTION 2992.** 196.26 (2) (b) of the statutes is amended to read:

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

1 may be heard. The commission may subpoena any witness at the request of the  
2 public utility, ~~mobile home park contractor, mobile home park operator,~~ party to the  
3 interconnection agreement, or complainant.

4 **\*-2007/2.25\* SECTION 2993.** 196.28 (1) of the statutes is amended to read:

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

11 **\*-2007/2.26\* SECTION 2994.** 196.28 (3) of the statutes is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13           196.85 (5) No suit or proceeding may be maintained in any court to restrain or  
14 delay the collection or payment of any bill rendered under sub. (1), (2), or (2e) ~~or (2g)~~.  
15 Every public utility, sewerage system, joint local water authority, ~~mobile home park~~  
16 ~~operator~~ or power district that is billed shall pay the amount of the bill, and after  
17 payment may in the manner provided under this section, at any time within 2 years  
18 from the date the payment was made, sue the state to recover the amount paid plus  
19 interest from the date of payment, upon the ground that the assessment was  
20 excessive, erroneous, unlawful, or invalid in whole or in part. If the court finds that  
21 any part of the bill for which payment was made was excessive, erroneous, unlawful,  
22 or invalid, the state treasurer shall make a refund to the claimant as directed by the  
23 court. The refund shall be charged to the appropriations to the commission.

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

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

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

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

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

15           \*~~1857/5.115~~\* **SECTION 3024.** 221.0320 (3) (a) of the statutes is amended to  
16 read:

17           221.0320 (3) (a) In this subsection, “local governmental unit” has the meaning  
18 given in s. ~~16.97~~ 22.01 (7).

19           \*~~0726/5.10~~\* **SECTION 3029.** 224.71 (3) (b) 7. of the statutes is created to read:

20           224.71 (3) (b) 7. The department of veterans affairs when administering the  
21 veteran’s housing loan program under subch. II of ch. 45.

22           \*~~b0684/2.3~~\* **SECTION 3037m.** 229.685 (1) of the statutes is renumbered  
23 229.685 (1) (intro.) and amended to read:

24           229.685 (1) (intro.) The district board shall maintain a special fund into which  
25 it deposits only the following revenue received from the department of revenue;



1           (a) The revenue that is derived from the taxes imposed under subch. V of ch.  
2 77, ~~and may use this.~~ The revenue described in this paragraph may be used only for  
3 purposes related to baseball park facilities.

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

9           **\*-1335/7.61\* SECTION 3038.** 230.03 (3) of the statutes is amended to read:  
10           230.03 (3) “Agency” means any board, commission, committee, council, or  
11 department in state government or a unit thereof created by the constitution or  
12 statutes if such board, commission, committee, council, department, unit, or the  
13 head thereof, is authorized to appoint subordinate staff by the constitution or  
14 statute, except a legislative or judicial board, commission, committee, council,  
15 department, or unit thereof or an authority created under ~~ch. chs.~~ 231, 232, 233, 234  
16 ~~or~~, 235, or 237. “Agency” does not mean any local unit of government or body within  
17 one or more local units of government that is created by law or by action of one or more  
18 local units of government.

19           **\*-1857/5.116\* SECTION 3048.** 230.08 (2) (e) 1. of the statutes is amended to  
20 read:

21           230.08 (2) (e) 1. Administration — ~~12~~ 10.

22           **\*-0985/8.47\* SECTION 3049.** 230.08 (2) (e) 3m. of the statutes is amended to  
23 read:

24           230.08 (2) (e) 3m. Educational communications board — 4. If the secretary of  
25 administration determines that the federal communications commission has

1 approved the transfer of all broadcasting licenses held by the educational  
2 communications board to the broadcasting corporation as defined in s. 39.81 (2), this  
3 subdivision does not apply on and after the effective date of the last license  
4 transferred as determined by the secretary of administration under s. 39.87 (2) (a).

5 \*–1857/5.117\* SECTION 3050. 230.08 (2) (e) 3r. of the statutes is created to read:

6 230.08 (2) (e) 3r. Electronic government — 3.

7 \*–0985/8.48\* SECTION 3052. 230.08 (2) (km) of the statutes is created to read:

8 230.08 (2) (km) Persons employed by the department of administration who  
9 were transferred to the department of administration under s. 39.86 (4) and who  
10 immediately before their transfer occupied a position described under par. (e) 3m.,  
11 (L) 2. or (we).

12 \*–0985/8.49\* SECTION 3053. 230.08 (2) (L) 2. of the statutes is amended to read:

13 230.08 (2) (L) 2. Educational communications board, created under s. 15.57 (1).  
14 If the secretary of administration determines that the federal communications  
15 commission has approved the transfer of all broadcasting licenses held by the  
16 educational communications board to the broadcasting corporation, as defined in s.  
17 39.81 (2), this subdivision does not apply on and after the effective date of the last  
18 license transferred as determined by the secretary of administration under s. 39.87  
19 (2) (a).

20 \*–0985/8.50\* SECTION 3056. 230.08 (2) (we) of the statutes is amended to read:

21 230.08 (2) (we) Professional staff members of the educational communications  
22 board authorized under s. 39.13 (2). If the secretary of administration determines  
23 that the federal communications commission has approved the transfer of all  
24 broadcasting licenses held by the educational communications board to the  
25 broadcasting corporation, as defined in s. 39.81 (2), this paragraph does not apply on

1 and after the effective date of the last license transferred as determined by the  
2 secretary of administration under s. 39.87 (2) (a).

3 \***0751/2.1**\* SECTION 3057. 230.08 (2) (xm) of the statutes is created to read:

4 230.08 (2) (xm) The commandant of the Southern Wisconsin Veterans  
5 Retirement Center in the department of veterans affairs.

6 \***0985/8.51**\* SECTION 3059. 230.08 (4) (a) of the statutes is amended to read:

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

17 \***0985/8.52**\* SECTION 3060. 230.08 (4) (am) of the statutes is created to read:

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

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

1           230.12 (3) (e) *University of Wisconsin system senior executives, faculty and*  
2           *academic staff employees.* The secretary, after receiving recommendations from the  
3           board of regents, shall submit to the joint committee on employment relations a  
4           proposal for adjusting compensation and employee benefits for employees under ss.  
5           20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective  
6           bargaining unit under subch. V of ch. 111 for which a representative is certified. The  
7           proposal shall include the salary ranges and adjustments to the salary ranges for the  
8           university senior executive salary groups 1 and 2 established under s. 20.923 (4g).  
9           The proposal shall be based upon the competitive ability of the board of regents to  
10          recruit and retain qualified faculty and academic staff, data collected as to rates of  
11          pay for comparable work in other public services, universities and commercial and  
12          industrial establishments, recommendations of the board of regents and any special  
13          studies carried on as to the need for any changes in compensation and employee  
14          benefits to cover each year of the biennium. The proposal shall also take proper  
15          account of prevailing pay rates, costs and standards of living and the state's  
16          employment policies. The proposal for such pay adjustments may contain  
17          recommendations for across-the-board pay adjustments, merit or other  
18          adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf)  
19          shall apply to the process for approval of all pay adjustments for such employees  
20          under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d). The proposal as approved  
21          by the joint committee on employment relations and the governor shall be based  
22          upon a percentage of the budgeted salary base for such employees under ss. 20.923  
23          (4g), (5) and (6) (m) and 230.08 (2) (d). The amount included in the proposal for merit  
24          and adjustments other than across-the-board pay adjustments is available for  
25          discretionary use by the board of regents.