



State of Wisconsin
Department of Financial Institutions

Scott McCallum, Governor

John F. Kundert, Secretary

June 13, 2002

Representative Scott R. Jensen
Room 211 West
State Capitol
P.O. Box 8952
Madison 53708-8952

Senator Fred Risser
Room 220 South
State Capitol
P.O. Box 7882
Madison 53707-7882

Re: Notice of Proposed Rule

Dear Representative Jensen and Senator Risser:

Pursuant to ss. 227.19(2) and (3), Stats., notice is hereby given that CR 02-068 (proposed rule relating to certain fees regarding partnerships, corporations, limited liability companies and cooperatives) is in final draft form. The following documentation accompanies this notice in triplicate:

- report to the legislature
- proposed rule with analysis, note regarding form, and fiscal estimate
- recommendations of legislative council staff

If you have any questions regarding this matter or the enclosed, please do not hesitate to contact me at tel. 267-1705.

Sincerely,

A handwritten signature in cursive script that reads "Mark Schlei".

Mark Schlei
Deputy General Counsel

encls

Office of the Secretary

DATE: June 13, 2002

TO: Senator Fred Risser, President
Wisconsin State Senate

Representative Scott Jensen, Speaker
Wisconsin State Assembly

FROM: Mark Schlei, Deputy General Counsel
Department of Financial Institutions

SUBJECT: Report on CR 02-068

This report is submitted pursuant to s. 227.19 (2) and (3), Stats., regarding CR—068 (proposed rule creating ch. DFI—CCS 10), relating to certain fees regarding partnerships, corporations, limited liability companies and cooperatives.

1. STATEMENT EXPLAINING THE NEED FOR THE PROPOSED RULE

2001 Act 16 amended ss. 178.48(2) and (3), 179.16(5), 179.88, 180.0122(1)(z), (2) and (4), 181.0122(1)(zm), (2) and (4), 183.0114(1)(t) and (u), and 185.83(1)(d) and (h); repealed s. 179.16(4), 180.0122(1m), and 185.83 (1)(f) and (1)(fm); and repealed and recreated s. 182.01(4), Stats. The act authorizes the Department of Financial Institutions to adopt rules relating to certain fees regarding partnerships, corporations, limited liability companies and cooperatives. The proposed rule sets these fees.

2. MODIFICATIONS MADE AS A RESULT OF TESTIMONY RECEIVED AT THE PUBLIC HEARING

No modifications were made as a result of testimony received at the public hearing.

3. PERSONS APPEARING OR REGISTERING FOR OR AGAINST THE PROPOSED RULE AT THE PUBLIC HEARING

No persons appeared or registered for or against the proposed rule.

4. RESPONSE TO LEGISLATIVE COUNCIL RECOMMENDATIONS

Legislative council staff recommendations were accepted in whole.

5. FINAL REGULATORY FLEXIBILITY ANALYSIS

Pursuant to s. 227.19(3m), a final regulatory flexibility analysis is not required.

PROPOSED RULE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CORPORATE AND CONSUMER SERVICES

An order to create ch. DFI—CCS 10, relating to certain fees regarding partnerships, corporations, limited liability companies and cooperatives. Analysis: Statutory authority: ss. 182.01(4) and 227.11 (2), Stats. Statutes interpreted: 182.01(4). Summary: 2001 Act 16 amended ss. 178.48(2) and (3), 179.16(5), 179.88, 180.0122(1)(z), (2) and (4), 181.0122(1)(zm), (2) and (4), 183.0114(1)(t) and (u), and 185.83(1)(d) and (h); repealed s. 179.16(4), 180.0122(1m), and 185.83 (1)(f) and (1)(fm); and repealed and recreated s. 182.01(4), Stats. The act authorizes the Department of Financial Institutions to adopt rules relating to certain fees regarding partnerships, corporations, limited liability companies and cooperatives. The proposed rule sets these fees. Agency person to be contacted for substantive questions and responsible for the agency's internal processing: Ray Allen, Administrator, Department of Financial Institutions, Division of Corporate and Consumer Services, tel. (608) 264-9566. Pursuant to the statutory authority referenced above, the Department of Financial Institutions, Division of Corporate and Consumer Services adopts the following:

SECTION 1: CHAPTER DFI—CCS 10 is created to read:

CHAPTER DFI—CCS 10

FEES

DFI—CCS 10.01 Fees. The following fees apply to all of the following under s. 182.01(4), Stats.:

(1) For preparing and supplying copies or certified copies of any resolution, deed, bond, record, document or paper deposited with or kept by the department:

(a) *Certified copies*: \$10.00.

(b) *Non-certified copies*: \$5.00.

(c) *Information report*: \$5.00.

(2) For issuing certificates or statements, in any form, relating to the results of searches of records and files of the department:

(a) *Certificate of status or statement of status*: \$10.00.

(b) *Certificate of status or statement of status – special remarks*: \$10.00.

(c) *Certificate of status or statement of status – no record*: \$10.00.

(d) *Certificate of status or statement of status – long form*: \$10.00.

(3) For processing any service of process, notice, or demand served on the department: \$10.00.

(4) For processing, in an expeditious manner, a document required or permitted to be filed with the department: \$25.00.

(5) For preparing, in an expeditious manner, any copies, certified copies, certificates, or statements: \$25.00.

NOTE

Pursuant to s. 227.14 (3), Stats., an agency shall include a reference to forms in a note to the proposed rule and shall attach a description of how copies of the forms may be obtained. Pursuant to s. 227.14 (3), copies of forms may be obtained at the following:

Ray Allen, Administrator
Department of Financial Institutions
Division of Corporate and Consumer Services
P.O. Box 7846
Madison, WI 53707-7846

Fiscal Estimate — 2001 Session

<input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected <input type="checkbox"/> Supplemental	LRB Number Bill Number	Amendment Number if Applicable Administrative Rule Number DFI-CCS Ch.10
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Subject
 Corporation Fees

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- | | |
|--|---|
| <input type="checkbox"/> Increase Existing Appropriation | <input type="checkbox"/> Increase Existing Revenues |
| <input type="checkbox"/> Decrease Existing Appropriation | <input type="checkbox"/> Decrease Existing Revenues |
| <input type="checkbox"/> Create New Appropriation | |

Increase Costs — May be possible to absorb within agency's budget.

Yes No

Decrease Costs

Local: No Local Government Costs

- | | |
|--|---|
| 1. <input type="checkbox"/> Increase Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenues
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory |
| 2. <input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 4. <input type="checkbox"/> Decrease Revenues
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory |

5. Types of Local Governmental Units Affected:

- Towns Villages Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations

20.144(1)(g)

Assumptions Used in Arriving at Fiscal Estimate

This rule establishes fees charged for various services provided by the corporations bureau. The fees being promulgated by rule are the same as were previously charged under statutory authority.

Long-Range Fiscal Implications

Prepared By:	Telephone No.	Agency
Susan Dietzel	608-267-0399	DFI
Authorized Signature	Telephone No.	Date (mm/dd/ccyy)
		03/25/2002



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 02-068

AN ORDER to create chapter DFI-CSS 10, relating to fees regarding partnerships, corporations, limited liability companies and cooperatives.

Submitted by **DEPARTMENT OF FINANCIAL INSTITUTIONS**

05-08-02 RECEIVED BY LEGISLATIVE COUNCIL.

05-28-02 REPORT SENT TO AGENCY.

RNS:NZ:ksm;tlu

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



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CLEARINGHOUSE RULE 02-068

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

4. Adequacy of References to Related Statutes, Rules and Forms

The agency should consider amending s. DFI-CCS 1.01 (intro.) to read: "In chs. DFI 1 to 7 10:". This will make the definitions in that section applicable to the newly created ch. DFI-CCS 10.



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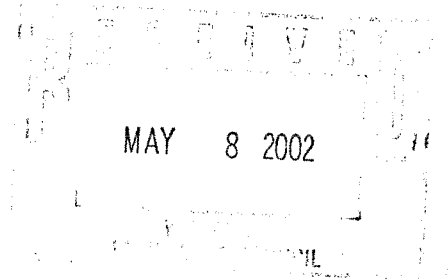
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Scott McCallum, Governor

John F. Kundert, Secretary

May 8, 2002

Director, Legislative Council
One East Main Street, Suite 401
P.O. Box 2536
Madison, WI 53701-2536



RE: Review of proposed rules

Dear Director:

Pursuant to s. 227.15(1), Stats., proposed rule creating ch. DFI—CCS 10, analysis, note regarding form and fiscal estimate are hereby submitted for your review. A copy of the proposed rule is attached and is being sent to you this day via e-mail. If you have any questions, the agency person to be contacted for substantive questions and responsible for the agency's internal processing is Ray Allen, Administrator, Department of Financial Institutions, Division of Corporate and Consumer Services, tel. (608) 264-9566.

Sincerely,

Mark Schlei
Deputy General Counsel

encls

Office of the Secretary

Mail: PO Box 8861 Madison WI 53708-8861

Voice: (608) 264-7800

Fax: (608) 261-4DFI

Courier: 345 W. Washington Ave. 5th Floor Madison, WI 53703

TTY: (608) 266-8818

Internet: www.wdfi.org

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