

**Committee Name:**

**Senate Committee – Privacy, Electronic Commerce and Financial Institutions  
(SC-PECFI)**

**Appointments**

01hr\_SC-PECFI\_Appoint\_pt00

**Clearinghouse Rules**

**01hr\_SC-PECFI\_CRule\_02-068**

**Committee Hearings**

01hr\_SC-PECFI\_CH\_pt00

**Committee Reports**

01hr\_SC-PECFI\_CR\_pt00

**Executive Sessions**

01hr\_SC-PECFI\_ES\_pt00

**Hearing Records**

01hr\_ab0000

01hr\_sb0000

**Misc.**

01hr\_SC-PECFI\_Misc\_pt01

**Record of Committee Proceedings**

01hr\_SC-PECFI\_RCP\_pt00

# JON ERPENBACH

STATE SENATOR

*Sen Erpenbach*

TO: Senate Privacy, Electronic Commerce and Financial Institutions Committee  
FR: Senator Jon Erpenbach, Chair  
DT: June 19, 2002  
RE: Clearinghouse rule 02-068 relating to fees regarding partnerships, corporations,  
limited liability companies and cooperatives

Attached is Clearinghouse rule 02-068 relating to fees regarding partnerships,  
corporations, limited liability companies and cooperatives. Please contact my office if  
you would like to hold a hearing or meeting on the proposal by July 17, 2002.



**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,

Mark Schlei  
Deputy General Counsel

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*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. 5<sup>th</sup> Floor Madison, WI 53703

TTY: (608) 266-8818

Internet: [www.wdfi.org](http://www.wdfi.org)

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**

- Original       Updated  
 Corrected       Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number DFI-CCS Ch.10

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.

- Increase Existing Appropriation       Increase Existing Revenues  
 Decrease Existing Appropriation       Decrease Existing Revenues  
 Create New Appropriation

Increase Costs — May be possible to absorb within agency's budget.  
 Yes       No

Decrease Costs

Local:  No Local Government Costs

1.  Increase Costs  
 Permissive       Mandatory  
 2.  Decrease Costs  
 Permissive       Mandatory

3.  Increase Revenues  
 Permissive       Mandatory  
 4.  Decrease Revenues  
 Permissive       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: Susan Dietzel	Telephone No. 608-267-0399	Agency DFI
Authorized Signature	Telephone No.	Date (mm/dd/ccyy) 03/25/2002



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# WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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**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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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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*Clearinghouse Director*

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*Legislative Council Deputy Director*

### 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.