

1 earned release program under this subsection during the term of confinement. The
2 inmate shall serve a copy of the petition on the district attorney who prosecuted him
3 or her, and the district attorney may file a written response. The court shall exercise
4 its discretion in granting or denying the inmate's petition but must do so no later
5 than 90 days after the inmate files the petition. If the court determines under this
6 paragraph that the inmate is eligible to participate in the earned release program,
7 the court shall inform the inmate of the provisions of par. (c).

8 ***-1769/2.5* SECTION 2502.** 302.113 (2) of the statutes is amended to read:

9 302.113 (2) Except as provided in subs. (3) and (9), an inmate subject to this
10 section is entitled to release to extended supervision after he or she has served the
11 term of confinement in prison portion of the sentence imposed under s. 973.01, as
12 modified by the sentencing court under sub. (9g) or s. 302.045 (3m) (b) 1., 302.05 (3)
13 (c) 2. a., or 973.195 (1r), if applicable.

14 ***-1712/5.80* SECTION 2503.** 303.066 of the statutes is repealed.

15 ***-1769/2.6* SECTION 2504.** 304.06 (1) (b) of the statutes, as affected by 2001
16 Wisconsin Act 109, is amended to read:

17 304.06 (1) (b) Except as provided in s. 961.49 (2), 1999 stats., sub. (1m) or s.
18 302.045 (3), 302.05 (3) (b), 973.01 (6), or 973.0135, the parole commission may parole
19 an inmate of the Wisconsin state prisons or any felon or any person serving at least
20 one year or more in a county house of correction or a county reforestation camp
21 organized under s. 303.07, when he or she has served 25% of the sentence imposed
22 for the offense, or 6 months, whichever is greater. Except as provided in s. 939.62
23 (2m) (c) or 973.014 (1) (b) or (c), (1g) or (2), the parole commission may parole an
24 inmate serving a life term when he or she has served 20 years, as modified by the
25 formula under s. 302.11 (1) and subject to extension under s. 302.11 (1q) and (2), if

1 applicable. The person serving the life term shall be given credit for time served prior
2 to sentencing under s. 973.155, including good time under s. 973.155 (4). The
3 secretary may grant special action parole releases under s. 304.02. The department
4 or the parole commission shall not provide any convicted offender or other person
5 sentenced to the department's custody any parole eligibility or evaluation until the
6 person has been confined at least 60 days following sentencing.

7 ***-0336/P2.3* SECTION 2505.** 304.073 of the statutes is repealed.

8 ***-0336/P2.4* SECTION 2506.** 304.074 (1) of the statutes is repealed.

9 ***-0336/P2.5* SECTION 2507.** 304.074 (4) of the statutes is repealed.

10 ***-1195/3.1* SECTION 2508.** 340.01 (7m) of the statutes is amended to read:

11 340.01 (7m) "Commercial driver license" means a license issued to a person by
12 this state or another jurisdiction which is in accordance with the requirements of the
13 federal commercial motor vehicle safety act of 1986, 49 USC 31301 to 31317, and the
14 federal Motor Carrier Safety Improvement Act of 1999, P.L. 106–159, or by Canada
15 or Mexico, and which authorizes the licensee to operate certain commercial motor
16 vehicles.

17 ***-1195/3.2* SECTION 2509.** 340.01 (13m) of the statutes is amended to read:

18 340.01 (13m) "Disqualification" means the loss or withdrawal of a person's
19 privilege to operate a commercial motor vehicle relating to certain offenses
20 committed by the person while driving or operating a motor vehicle or while on duty
21 time with respect to a commercial motor vehicle.

22 ***-0919/3.1* SECTION 2510.** 340.01 (46m) (a) of the statutes is amended to read:

23 340.01 (46m) (a) If the person has ~~one or no~~ 2 or fewer prior convictions,
24 suspensions, or revocations, as counted under s. 343.307 (1), an alcohol
25 concentration of ~~0.1~~ 0.08 or more.

1 ***-0919/3.2*** **SECTION 2511.** 340.01 (46m) (b) of the statutes is repealed.

2 ***-1575/3.1*** **SECTION 2512.** 341.25 (1) (a) of the statutes is amended to read:

3 341.25 (1) (a) For each automobile, a fee of \$45 ~~\$55~~, except that an automobile
4 registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be
5 registered at such lesser fee plus an additional fee of \$2.

6 ***-1767/3.62*** **SECTION 2513.** 341.43 (2) of the statutes is amended to read:

7 341.43 (2) Any person feeling aggrieved by a notice under this section of
8 additional assessment, refund or denial of refund may, within 30 days after the
9 receipt of the notice, petition the department for a redetermination. A person feeling
10 aggrieved by a redetermination may appeal to the office of the commissioner of tax
11 ~~appeals commission~~ in the manner provided for appeals of tax determinations under
12 s. 73.01 (5). If an appeal of a redetermination is not filed within the time period
13 provided under s. 73.01 (5), the redetermination is final and conclusive.

14 ***-1575/3.2*** **SECTION 2514.** 342.14 (1) of the statutes is amended to read:

15 342.14 (1) For filing an application for the first certificate of title, \$8.50 ~~\$18.50~~,
16 by the owner of the vehicle.

17 ***-0444/2.1*** **SECTION 2515.** 342.14 (1r) of the statutes is amended to read:

18 342.14 (1r) Upon filing an application under sub. (1) or (3), an environmental
19 impact fee of \$9 ~~\$10.50~~, by the person filing the application. All moneys collected
20 under this subsection shall be credited to the environmental fund for environmental
21 management. ~~This subsection does not apply after December 31, 2003.~~

22 ***-1575/3.3*** **SECTION 2516.** 342.14 (3) of the statutes is amended to read:

23 342.14 (3) For a certificate of title after a transfer, \$8.50 ~~\$18.50~~, by the owner
24 of the vehicle.

25 ***-1195/3.3*** **SECTION 2517.** 343.02 (1) of the statutes is amended to read:

1 343.02 (1) The department shall administer and enforce this chapter and may
2 promulgate for that purpose such rules as the secretary considers necessary. Rules
3 promulgated under this chapter may not conflict with and shall be at least as
4 stringent as standards set by the federal commercial motor vehicle safety act, 49
5 USC 31301 to 31317, and the federal Motor Carrier Safety Improvement Act of 1999,
6 P.L. 106-159, and the regulations adopted under ~~that act~~ those acts.

7 ***-1195/3.4*** SECTION 2518. 343.03 (1) (a) of the statutes is amended to read:

8 343.03 (1) (a) The department shall institute a classified driver license system
9 meeting all federal standards under 49 USC 31301 to 31317 and 49 CFR 383 and any
10 other applicable provision of federal law.

11 ***-1195/3.5*** SECTION 2519. 343.03 (3) (a) of the statutes is amended to read:

12 343.03 (3) (a) *Regular license.* The standard license legend is “regular” or a
13 readily recognizable abbreviation thereof. The regular license, without any express
14 endorsements or restrictions as provided in this chapter, authorizes the licensee to
15 operate only “class D” vehicles as described in s. 343.04 (1) (d), except as otherwise
16 provided in this subsection. The license may be endorsed to permit operation of Type
17 1 motorcycles or school buses that are not commercial motor vehicles. A regular
18 license may be subject to restrictions, including the attachment of a special
19 restrictions card as provided in s. 343.17 (4).

20 ***-1195/3.6*** SECTION 2520. 343.03 (3) (e) of the statutes is amended to read:

21 343.03 (3) (e) *Occupational license.* A license issued under s. 343.10
22 authorizing only the operation of motor vehicles other than “Class A”, “Class B” or
23 “Class C” vehicles shall be labeled “Occupational License”. ~~Licenses~~ No license may
24 be issued under s. 343.10 authorizing the operation of “Class A”, “Class B” or “Class
25 C” vehicles shall be labeled “CDL-Occupational”. An occupational license may

1 authorize the operation of “Class D” or “Class M” vehicles, or both, but may not be
2 endorsed to permit operation of the vehicle types described in s. 343.04 (2). The
3 license may be subject to restrictions in addition to those provided in s. 343.10,
4 including the attachment of a special restrictions card as provided in s. 343.17 (4).

5 ***-1195/3.6m* SECTION 6m.** 343.03 (5) (title) of the statutes is amended to read:

6 343.03 (5) (title) INQUIRIES BEFORE ISSUANCE OR RENEWAL.

7 ***-1195/3.7* SECTION 2521.** 343.03 (5) of the statutes is renumbered 343.03 (5)

8 (a) and amended to read:

9 343.03 (5) (a) Before issuing ~~a~~ or renewing any license under this chapter, the
10 department shall obtain driver record information from the national driver registry
11 and commercial driver license information system to determine whether the
12 applicant holds a commercial driver license, or a license that is revoked, suspended
13 or canceled, or is otherwise disqualified. If the applicant is currently licensed in
14 another state, the department shall obtain information on the applicant’s license
15 status with the state of licensure before issuing a license.

16 ***-1195/3.8* SECTION 2522.** 343.03 (5) (b) of the statutes is created to read:

17 343.03 (5) (b) 1. Before issuing or renewing a commercial driver license, the
18 department shall, within the time period specified in 49 CFR 384.232, request from
19 any other state that has issued an operator’s license or commercial driver license to
20 the person within the previous 10 years the complete driving record of the person.

21 2. Subdivision 1. does not apply to a renewal of a person’s commercial driver
22 license if the department has previously issued a renewal of the commercial driver
23 license after the effective date of this subdivision [revisor inserts date], and, in
24 connection with the previous renewal, the department recorded on the person’s

1 driving record under s. 343.23 (2) (a) the date on which the operator's record check
2 under subd. 1. was performed.

3 *–1195/3.9* SECTION 2523. 343.03 (6) of the statutes is renumbered 343.03 (6)
4 (a).

5 *–1195/3.10* SECTION 2524. 343.03 (6) (b) of the statutes is created to read:
6 343.03 (6) (b) The department shall, upon request and within 30 days of the
7 request, provide to the driver licensing agencies of other states the complete driving
8 record of any person currently or previously licensed by the department.

9 *–1195/3.11* SECTION 2525. 343.03 (6) (c) of the statutes is created to read:
10 343.03 (6) (c) 1. The department shall, upon request and within the time period
11 specified in s. 343.23 (2) (am) 2. and 4., provide the operating record file information
12 specified in s. 343.23 (2) (am) 2. and 4. to any of the following requesters:

- 13 a. The person holding the commercial driver license.
14 b. The U.S. secretary of transportation.
15 c. Any employer or prospective employer of the person holding the commercial
16 driver license, after notice to such person.
17 d. Any driver licensing agency of another state or law enforcement agency.
18 e. Any governmental entity having access to the commercial driver license
19 information system.
20 f. Any authorized agent of a requester specified in subd. 1. a. to e.

21 2. The department shall not provide the operating record file information
22 specified in s. 343.23 (2) (am) 2. and 4. to any requester other than those specified
23 in subd. 1.

24 *–1195/3.12* SECTION 2526. 343.03 (7) (title) of the statutes is amended to
25 read:

1 343.03 (7) (title) NOTIFICATION OF COMMERCIAL DRIVER LICENSE ISSUANCE AND
2 CERTAIN VIOLATIONS.

3 ***-1195/3.13*** SECTION 2527. 343.03 (7) of the statutes is renumbered 343.03
4 (7) (a).

5 ***-1195/3.14*** SECTION 2528. 343.03 (7) (b) of the statutes is created to read:
6 343.03 (7) (b) Within 10 days after the disqualification of the holder of a
7 commercial driver license from operating a commercial motor vehicle for at least 60
8 days, or after the revocation, suspension, or cancellation of a commercial driver
9 license for at least 60 days, the department shall notify the commercial driver license
10 information system and, if the license was not issued by the department, the state
11 that issued the license of the disqualification, revocation, suspension, or cancellation
12 and the violation that resulted in the disqualification, revocation, suspension, or
13 cancellation.

14 ***-1195/3.15*** SECTION 2529. 343.03 (7) (c) of the statutes is created to read:
15 343.03 (7) (c) Within 30 days after a conviction of the holder of a commercial
16 driver license issued by another state for violating any state or local law of this state
17 or any law of a federally recognized American Indian tribe or band in this state in
18 conformity with any state law relating to motor vehicle traffic control, other than
19 parking violations, or after a conviction of the holder of an operator's license issued
20 by another state, other than a commercial driver license, for operating a commercial
21 motor vehicle without a commercial driver license, the department shall notify the
22 driver licensing agency of the state that issued the license of the conviction.

23 ***-1195/3.16*** SECTION 2530. 343.03 (7) (c) of the statutes, as created by 2003
24 Wisconsin Act (this act), is amended to read:

SECTION 2530

1 343.03 (7) (c) Within ~~30~~ 10 days after a conviction of the holder of a commercial
2 driver license issued by another state for violating any state or local law of this state
3 or any law of a federally recognized American Indian tribe or band in this state in
4 conformity with any state law relating to motor vehicle traffic control, other than
5 parking violations, or after a conviction of the holder of an operator's license issued
6 by another state, other than a commercial driver license, for operating a commercial
7 motor vehicle without a commercial driver license, the department shall notify the
8 driver licensing agency of the state that issued the license of the conviction.

9 *~~1195/3.17~~* **SECTION 2531.** 343.06 (2) of the statutes is amended to read:

10 343.06 (2) The department shall not issue a commercial driver license,
11 including a renewal, occupational, or reinstated license, to any person during any
12 period of disqualification under s. 343.315 or 49 CFR 383.51 or the law of another
13 jurisdiction in substantial conformity therewith, as the result of one or more
14 disqualifying offenses committed on or after July 1, 1987, or to any person whose
15 operator's license or operating privilege is revoked, suspended, or canceled. Any
16 person who is known to the department to be subject to disqualification as described
17 in s. 343.44 (1) (d) shall be disqualified by the department as provided in s. 343.315.

18 *~~1195/3.18~~* **SECTION 2532.** 343.07 (1m) (intro.) of the statutes is amended to
19 read:

20 343.07 (1m) **COMMERCIAL MOTOR VEHICLE AND SCHOOL BUS INSTRUCTION PERMITS;**
21 **ISSUANCE, RESTRICTIONS.** (intro.) Upon application therefor by a person at least 18
22 years of age who holds a valid operator's license issued under this chapter and who,
23 except for lack of training in the operation of a commercial motor vehicle or school
24 bus, is qualified to obtain authorization for the operation of such vehicle including
25 having passed the applicable knowledge tests, the department may issue an

1 instruction permit for commercial motor vehicle or school bus operation or a
2 combination instruction permit. A permit limited to commercial motor vehicle
3 instructional operation entitles the permittee to operate only a commercial motor
4 vehicle other than a school bus upon the highways. A permit limited to school bus
5 instructional operation entitles the permittee to operate only a school bus that is not
6 a commercial motor vehicle upon the highways. ~~Both~~ A combination commercial
7 motor vehicle and school bus instruction permit entitles the permittee to operate a
8 school bus that is a commercial motor vehicle upon the highways. These permits are
9 subject to the following restrictions:

10 ~~*-1195/3.19*~~ **SECTION 2533.** 343.10 (1) (b) of the statutes is amended to read:

11 343.10 (1) (b) The application shall be in a form established by the department
12 and shall identify the specific motor vehicle that the applicant seeks authorization
13 to operate, including the vehicle classification and any required endorsements. The
14 application shall include an explanation of why operating the motor vehicle is
15 essential to the person's livelihood and identify the person's occupation or trade. The
16 application shall identify the applicant's employer, and include proof of financial
17 responsibility as specified in s. 343.38 (1) (c) covering the vehicle or vehicles that the
18 applicant requests authorization to operate. The application shall identify the hours
19 of operation and routes of travel being requested by the applicant in accord with the
20 restrictions of sub. (5). ~~The applicant shall certify whether, to the best of personal~~
21 ~~knowledge, he or she is disqualified under s. 343.315.~~

22 ~~*-1195/3.20*~~ **SECTION 2534.** 343.10 (1) (d) of the statutes is repealed.

23 ~~*-1195/3.21*~~ **SECTION 2535.** 343.10 (1) (e) of the statutes is repealed.

24 ~~*-1195/3.22*~~ **SECTION 2536.** 343.10 (1) (f) of the statutes is repealed.

25 ~~*-1195/3.23*~~ **SECTION 2537.** 343.10 (2) (c) of the statutes is amended to read:

1 343.10 (2) (c) No occupational license permitting the operation of a commercial
2 motor vehicle may be granted to a person ~~during a period of disqualification under~~
3 ~~s. 343.315.~~

4 *~~1195/3.24~~* SECTION 2538. 343.10 (7) (e) of the statutes is amended to read:

5 343.10 (7) (e) The occupational license issued by the department shall contain
6 the restrictions required by sub. (5). The occupational license authorizes the licensee
7 to operate a motor vehicle only when that operation is an essential part of the
8 licensee's occupation or trade. If the department determines that the applicant is
9 eligible under sub. (2), the department may impose such conditions and limitations
10 upon the authorization to operate ~~commercial or noncommercial~~ motor vehicles as
11 in the secretary's judgment are necessary in the interest of public safety and welfare,
12 including reexamination of the person's qualifications to operate a ~~commercial or~~
13 ~~noncommercial~~ motor vehicle or a particular type thereof. The department may limit
14 such authorization to include, without limitation, the operation of particular
15 vehicles, particular kinds of operation and particular traffic conditions.

16 *~~1195/3.25~~* SECTION 2539. 343.10 (7) (g) of the statutes is repealed.

17 *~~1195/3.26~~* SECTION 2540. 343.12 (2) (intro.) of the statutes is amended to
18 read:

19 343.12 (2) (intro.) The department shall issue a school bus endorsement to a
20 person, authorizing operation of a school bus that is not a commercial motor vehicle,
21 only if such person meets all of the following requirements:

22 *~~1195/3.27~~* SECTION 2541. 343.12 (2m) of the statutes is created to read:

23 343.12 (2m) The department shall issue a school bus endorsement to a person,
24 authorizing operation of a school bus that is a commercial motor vehicle, only if such

1 person meets all of the requirements specified in sub. (2) and, in addition, meets all
2 of the following requirements:

3 (a) Holds a valid commercial driver license.

4 (b) Qualifies for the endorsement under s. 343.17 (3) (d) 3., including passing
5 the knowledge and driving skills tests required for obtaining such an endorsement.

6 (c) Passes a knowledge test in compliance with the requirements of 49 CFR
7 383.123 (a) (2).

8 (d) Passes a driving skills test in compliance with the requirements of 49 CFR
9 383.123 (a) (3). To the extent that the test specified under sub. (2) (h) and s. 343.16
10 (1) meets the requirements of 49 CFR 383.123 (a) (3), no additional driving skills test
11 is required.

12 ***-1195/3.28* SECTION 2542.** 343.12 (3) of the statutes is amended to read:

13 343.12 (3) The department may issue a school bus endorsement to a person who
14 is more than 70 years of age, authorizing the operation of a school bus other than a
15 commercial motor vehicle, if the person meets the requirements specified in sub. (2)
16 (c) to (f) and (h) before issuance of the endorsement and annually takes and passes
17 a physical examination prior to issuance or renewal of the endorsement to determine
18 that the person meets the physical standards established under sub. (2) (g).

19 ***-1195/3.29* SECTION 2543.** 343.12 (3m) of the statutes is created to read:

20 343.12 (3m) Notwithstanding sub. (2) (a) and (g), the department may issue
21 a school bus endorsement to a person who is more than 70 years of age, authorizing
22 the operation of a school bus that is a commercial motor vehicle, if the person meets
23 the requirements specified in sub. (2m) (a) to (d), before issuance of the endorsement
24 and annually takes and passes a physical examination prior to issuance or renewal

1 of the endorsement to determine that the person meets the physical standards
2 established under sub. (2) (g).

3 ***-1195/3.30* SECTION 2544.** 343.12 (4) (a) 1. of the statutes is amended to read:

4 343.12 (4) (a) 1. The person is a nonresident holding a valid commercial driver
5 license with a “P” passenger endorsement and any additional endorsements required
6 by the person’s home jurisdiction for the operation of a school bus, if the school bus
7 is not a commercial motor vehicle, or is a nonresident holding a valid commercial
8 driver license with an “S” endorsement if the school bus is a commercial motor
9 vehicle, and the origin or destination of the trip is in another state.

10 ***-1195/3.31* SECTION 2545.** 343.12 (4) (a) 2. of the statutes is repealed.

11 ***-1195/3.32* SECTION 2546.** 343.12 (4) (a) 3. of the statutes is amended to read:

12 343.12 (4) (a) 3. The person is a resident of Iowa, Illinois, Michigan or
13 Minnesota and holds a valid operator’s license authorizing the operation of ~~a~~ the
14 type of school bus being operated.

15 ***-1195/3.33* SECTION 2547.** 343.12 (4) (b) of the statutes is amended to read:

16 343.12 (4) (b) The department may, by rule, establish standards for the
17 employment by an employer of a person under par. (a) 3. as an operator of a school
18 bus in this state. The rules may require the person to meet the qualifications
19 contained in sub. (2) ~~or~~, (2m), (3), or (3m) and any rules of the department applicable
20 to residents.

21 ***-1195/3.34* SECTION 2548.** 343.17 (3) (b) of the statutes is amended to read:

22 343.17 (3) (b) The reverse side of the license shall contain an explanation of any
23 restriction codes or endorsement abbreviations used on the front of the license, in
24 sufficient detail to identify the nature of the restrictions or endorsements to a law
25 enforcement officer of this state or another jurisdiction. ~~Except for a commercial~~

1 driver license or a license labeled “CDL-Occupational” as described in s. 343.03 (3)
2 (b) and (e), a A part of the reverse side of each license shall be printed to serve as a
3 document of gift under s. 157.06 (2) (b) and (c) or a document of refusal to make an
4 anatomical gift under s. 157.06 (2) (i).

5 ***-1195/3.35* SECTION 2549.** 343.175 (2) (ag) of the statutes is amended to read:

6 343.175 (2) (ag) The department shall print a separate document to be issued
7 to all persons issued a commercial driver license or a license labeled
8 “CDL-Occupational” as described in s. 343.03 (3) (b) and (e) and make provisions so
9 that the document may be attached to the reverse side of the license document along
10 one edge. This document shall serve as a document of gift under s. 157.06 (2) (b) and
11 (c) or a document of refusal to make an anatomical gift under s. 157.06 (2) (i).

12 ***-1195/3.36* SECTION 2550.** 343.20 (1) (d) of the statutes is amended to read:

13 343.20 (1) (d) The department shall cancel an operator’s license that is
14 endorsed for the operation of school buses under s. 343.12 (3) or (3m), regardless of
15 the license expiration date, if the licensee fails to provide proof to the department of
16 an annual physical examination determining that the person meets the physical
17 standards established under s. 343.12 (2) (g). The licensee may elect to surrender
18 the license under s. 343.265 (1m).

19 ***-1195/3.37* SECTION 2551.** 343.22 (2) (b) of the statutes is amended to read:

20 343.22 (2) (b) In lieu of applying for a duplicate license or identification card,
21 notify the department in writing of his or her change of address. This paragraph does
22 not apply to persons issued a commercial driver license or a license labeled
23 “CDL-Occupational” as described in s. 343.03 (3) (b) and (e).

24 ***-1195/3.38* SECTION 2552.** 343.23 (2) (am) of the statutes is created to read:

25 343.23 (2) (am) The file specified in par. (a) shall include the following:

1 1. For a person holding a commercial driver license issued by the department,
2 a record of any disqualification by another state or jurisdiction of the person from
3 operating a commercial motor vehicle for at least 60 days or of the revocation,
4 suspension, or cancellation by another state or jurisdiction of the person's
5 commercial driver license for at least 60 days, and the violation that resulted in the
6 disqualification, revocation, suspension, or cancellation, as specified in any notice
7 received from the state or other jurisdiction in conformity with 49 USC 31311 (a) (8).

8 2. For a person holding a commercial driver license issued by the department,
9 a record of any violation in another state of any state or local law of that state or any
10 law of a federally recognized American Indian tribe or band in that state in
11 conformity with any state law relating to motor vehicle traffic control, other than a
12 parking violation, as specified in any notice received from the state in conformity
13 with 49 USC 31311 (a) (9). The department shall record this information within 10
14 days after receipt of the notice. The department may not conceal, withhold, or mask
15 from the department's file, or otherwise allow in any way a person to avoid the
16 department's recording in the department's file of, any information of which the
17 department has notice that is required to be recorded under this subdivision,
18 regardless of whether the person has obtained deferral of imposition of judgment,
19 been allowed to enter a diversion program, or otherwise obtained delayed or
20 suspended judgment or alternative sentencing from a court.

21 3. For a person holding an operator's license, other than a commercial driver
22 license, issued by the department, a record of any violation in another state or
23 jurisdiction of operating a commercial motor vehicle without a commercial driver
24 license, as specified in any notice received from the state or other jurisdiction in
25 conformity with 49 USC 31311 (a) (9).

1 4. For a person holding a commercial driver license issued by any state, a record
2 of each violation, while operating any motor vehicle, of any state or local law of this
3 state or any law of a federally recognized American Indian tribe or band in this state
4 in conformity with any state law relating to motor vehicle traffic control, other than
5 a parking violation. The department shall record the information under this
6 subdivision within 10 days after the date of conviction.

7 ***-1195/3.39*** SECTION 2553. 343.23 (2) (b) of the statutes is amended to read:
8 343.23 (2) (b) The information specified in ~~par.~~ pars. (a) and (am) must be filed
9 by the department so that the complete operator's record is available for the use of
10 the secretary in determining whether operating privileges of such person shall be
11 suspended, revoked, canceled, or withheld in the interest of public safety. The record
12 of suspensions, revocations, and convictions that would be counted under s. 343.307
13 (2) shall be maintained permanently. The record of convictions for disqualifying
14 offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The record
15 of convictions for disqualifying offenses under s. 343.315 (2) (f) and (j), and all records
16 specified in par. (am), shall be maintained for at least 3 years. The record of
17 convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be
18 maintained permanently, except that 5 years after a licensee transfers residency to
19 another state such record may be transferred to another state of licensure of the
20 licensee if that state accepts responsibility for maintaining a permanent record of
21 convictions for disqualifying offenses. Such reports and records may be cumulative
22 beyond the period for which a license is granted, but the secretary, in exercising the
23 power of suspension granted under s. 343.32 (2) may consider only those reports and
24 records entered during the 4-year period immediately preceding the exercise of such
25 power of suspension.

1 *~~1195/3.40~~* SECTION 2554. 343.307 (2) (d) of the statutes is amended to read:

2 343.307 (2) (d) Convictions under the law of another jurisdiction that is in
3 substantial conformity with 49 CFR 383.51 (b) ~~(2) (i) or (ii) or both~~ Table 1, items (1)
4 to (4).

5 *~~0919/3.3~~* SECTION 2555. 343.31 (1) (ar) of the statutes is amended to read:

6 343.31 (1) (ar) Injury by the operation of a commercial motor vehicle while the
7 person has an alcohol concentration of 0.04 or more but less than ~~0.1~~ 0.08 and which
8 is criminal under s. 346.63 (6).

9 *~~1195/3.41~~* SECTION 2556. 343.31 (2) of the statutes is amended to read:

10 343.31 (2) The department shall revoke the operating privilege of any resident
11 upon receiving notice of the conviction of such person in another jurisdiction for an
12 offense therein which, if committed in this state, would have been cause for
13 revocation under this section or for revocation under s. 343.30 (1q). Such offenses
14 shall include violation of any law of another jurisdiction that prohibits use of a motor
15 vehicle while intoxicated or under the influence of a controlled substance or
16 controlled substance analog, or a combination thereof, or with an excess or specified
17 range of alcohol concentration, or under the influence of any drug to a degree that
18 renders the person incapable of safely driving, as those or substantially similar
19 terms are used in that jurisdiction's laws. Upon receiving similar notice with respect
20 to a nonresident, the department shall revoke the privilege of the nonresident to
21 operate a motor vehicle in this state. ~~Such revocation shall not apply to the operation~~
22 ~~of a commercial motor vehicle by a nonresident who holds a valid commercial driver~~
23 ~~license issued by another state.~~

24 *~~1195/3.42~~* SECTION 2557. 343.31 (2m) of the statutes is amended to read:

1 343.31 (2m) The department may suspend or revoke, respectively, the
2 operating privilege of any resident upon receiving notice of the conviction of that
3 person under a law of another jurisdiction or a federally recognized American Indian
4 tribe or band in this state for an offense which, if the person had committed the
5 offense in this state and been convicted of the offense under the laws of this state,
6 would have permitted suspension or revocation of the person's operating privilege
7 under s. 343.30 (1g). Upon receiving similar notice with respect to a nonresident, the
8 department may suspend or revoke the privilege of the nonresident to operate a
9 motor vehicle in this state. ~~The suspension or revocation shall not apply to the~~
10 ~~operation of a commercial motor vehicle by a nonresident who holds a valid~~
11 ~~commercial driver license issued by another state.~~ A suspension or revocation under
12 this subsection shall be for any period not exceeding 6 months.

13 *~~1195/3.43~~* **SECTION 2558.** 343.315 (2) (a) (intro.) of the statutes is amended
14 to read:

15 343.315 (2) (a) (intro.) Except as provided in par. (b), a person shall be
16 disqualified from operating a commercial motor vehicle for a one-year period upon
17 a first conviction of any of the following offenses, committed on or after July 1, 1987,
18 ~~while driving or operating a commercial motor vehicle:~~

19 *~~1195/3.44~~* **SECTION 2559.** 343.315 (2) (a) 7. of the statutes is created to read:

20 343.315 (2) (a) 7. Operating a commercial motor vehicle when the person's
21 commercial driver license is revoked, suspended, or canceled based on the person's
22 operation of a commercial motor vehicle or when the person is disqualified from
23 operating a commercial motor vehicle based on the person's operation of a
24 commercial motor vehicle.

25 *~~1195/3.45~~* **SECTION 2560.** 343.315 (2) (a) 8. of the statutes is created to read:

SECTION 2560

1 343.315 (2) (a) 8. Causing a fatality through negligent or criminal operation
2 of a commercial motor vehicle.

3 *-1195/3.46* SECTION 2561. 343.315 (2) (e) of the statutes is amended to read:

4 343.315 (2) (e) A person is disqualified for life from operating a commercial
5 motor vehicle if the person uses ~~a commercial~~ any motor vehicle on or after
6 July 1, 1987, in the commission of a felony involving the manufacture, distribution,
7 delivery or dispensing of a controlled substance or controlled substance analog, or
8 possession with intent to manufacture, distribute, deliver or dispense a controlled
9 substance or controlled substance analog. No person who is disqualified under this
10 paragraph is eligible for reinstatement under par. (d).

11 *-1195/3.47* SECTION 2562. 343.315 (2) (f) (intro.) of the statutes is amended
12 to read:

13 343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from
14 operating a commercial motor vehicle if convicted of 2 serious traffic violations, and
15 120 days if convicted of 3 serious traffic violations, arising from separate occurrences
16 committed within a 3-year period while driving or operating ~~a commercial~~ any motor
17 vehicle. The 120-day period of disqualification under this paragraph shall be in
18 addition to any other period of disqualification imposed under this paragraph. In
19 this paragraph, “serious traffic violations” means any of the following offenses
20 committed while operating a commercial motor vehicle, or any of the following
21 offenses committed while operating any motor vehicle if the offense results in the
22 revocation, cancellation, or suspension of the person’s operator’s license or operating
23 privilege:

24 *-1195/3.48* SECTION 2563. 343.315 (2) (f) 2. of the statutes is amended to
25 read:

1 343.315 (2) (f) 2. Violating any state or local law of this state or any law of a
2 federally recognized American Indian tribe or band in this state in conformity with
3 any state law or any law of another jurisdiction relating to motor vehicle traffic
4 control, arising in connection with a fatal accident, other than parking, vehicle
5 weight or vehicle defect violations, or violations to which par. (a) 7. applies.

6 ***-1195/3.49*** SECTION 2564. 343.315 (2) (f) 6. of the statutes is created to read:

7 343.315 (2) (f) 6. Operating a commercial motor vehicle when the person has
8 not obtained a commercial driver license.

9 ***-1195/3.50*** SECTION 2565. 343.315 (2) (f) 7. of the statutes is created to read:

10 343.315 (2) (f) 7. Operating a commercial motor vehicle when the person does
11 not have in his or her immediate possession the person's commercial driver license
12 document, including any special restrictions cards issued under s. 343.10 (7) (d) or
13 343.17 (4), unless the person produces in court or in the office of the law enforcement
14 officer that issued the citation, by the date that the person must appear in court or
15 pay any fine or forfeiture with respect to the citation, a commercial driver license
16 document issued to the person prior to the date of the citation and valid at the time
17 of the citation.

18 ***-1195/3.51*** SECTION 2566. 343.315 (2) (f) 8. of the statutes is created to read:

19 343.315 (2) (f) 8. Operating a commercial motor vehicle without the proper
20 class of commercial driver license or endorsements for the specific vehicle group
21 being operated or for the passengers or type of cargo being transported.

22 ***-1195/3.52*** SECTION 2567. 343.315 (2) (k) of the statutes is created to read:

23 343.315 (2) (k) A person disqualified by federal authorities under 49 USC
24 31310 (f) and 49 CFR 383.52 on the basis that the person's continued operation of a
25 commercial motor vehicle would create an imminent hazard, as defined in 49 USC

1 5102 and 49 CFR 383.5, is disqualified from operating a commercial motor vehicle
2 for the period of disqualification determined by the federal authority upon receipt by
3 the department of the notice of disqualification provided for in 49 CFR 383.52 (d).

4 ***-1195/3.53* SECTION 2568.** 343.44 (1) (d) of the statutes is amended to read:

5 343.44 (1) (d) *Operating while disqualified.* No person may operate a
6 commercial motor vehicle while disqualified under s. 343.315 or 49 CFR 383.51,
7 under the law of another jurisdiction or Mexico that provides for disqualification of
8 commercial drivers in a manner similar to 49 CFR 383.51, or under a determination
9 by the federal highway motor carrier safety administration under the federal rules
10 of practice for motor carrier safety contained in 49 CFR 386 that the person is no
11 longer qualified to operate a vehicle under 49 CFR 391.

12 ***-1195/3.54* SECTION 2569.** 343.44 (2) (b) (intro.) of the statutes is amended
13 to read:

14 343.44 (2) (b) (intro.) Except as provided in par. (am), any person who violates
15 sub. (1) (b), ~~(e)~~ or (d) shall be fined not more than \$2,500 or imprisoned for not more
16 than one year in the county jail or both. In imposing a sentence under this
17 paragraph, or a local ordinance in conformity with this paragraph, the court shall
18 review the record and consider the following:

19 ***-1195/3.55* SECTION 2570.** 343.44 (2) (bm) of the statutes is created to read:

20 343.44 (2) (bm) Any person who violates sub. (1) (c) shall be fined not less than
21 \$1,100 nor more than \$2,750 or imprisoned for not more than one year in the county
22 jail or both. In imposing a sentence under this paragraph, the court shall review the
23 record and consider the factors specified in par. (b) 1. to 5.

24 ***-0529/4.225* SECTION 2571.** 344.185 (2) (e) 2. of the statutes is amended to
25 read:

1 344.185 (2) (e) 2. All other proceeds of the sale remaining after the payments
2 under subd. 1. shall be retained by the secretary of transportation and applied as
3 security for payment of judgments and assignments as provided under s. 344.20 (2).
4 Any amounts not used to pay judgments or assignments shall be transmitted to the
5 ~~state treasurer~~ secretary of administration for deposit in the school fund.

6 *~~1111/4.94~~* **SECTION 2572.** 344.576 (3) (a) 5. of the statutes is amended to
7 read:

8 344.576 (3) (a) 5. The address and telephone number of the department of
9 ~~agriculture, trade and consumer protection~~ justice.

10 *~~1111/4.95~~* **SECTION 2573.** 344.576 (3) (c) of the statutes is amended to read:

11 344.576 (3) (c) The department of ~~agriculture, trade and consumer protection~~
12 justice shall promulgate rules specifying the form of the notice required under par.
13 (a), including the size of the paper and the type size and any highlighting of the
14 information described in par. (a). The rule may specify additional information that
15 must be included in the notice and the precise language that must be used.

16 *~~1111/4.96~~* **SECTION 2574.** 344.579 (2) (intro.) of the statutes is amended to
17 read:

18 344.579 (2) **ENFORCEMENT.** (intro.) The department of ~~agriculture, trade and~~
19 ~~consumer protection~~ justice shall investigate violations of ss. 344.574, 344.576 (1),
20 (2) and (3) (a) and (b), 344.577 and 344.578. The department of ~~agriculture, trade~~
21 ~~and consumer protection~~ justice may on behalf of the state:

22 *~~0529/4.226~~* **SECTION 2575.** 345.08 of the statutes is amended to read:

23 **345.08 Suit to recover protested tax or fee.** No suit shall be maintained
24 in any court to restrain or delay the collection or payment of the taxes levied or the
25 fees imposed or enacted in chs. 341 to 349. The aggrieved taxpayer shall pay the tax

1 or fee as and when due and, if paid under protest, may at any time within 90 days
2 from the date of such payment sue the state in an action at law to recover the tax or
3 fee so paid. If it is finally determined that such tax or fee or any part thereof was
4 wrongfully collected for any reason, the ~~department~~ secretary of administration
5 shall ~~issue a warrant on the state treasurer for pay from the transportation fund the~~
6 amount of such tax or fee so adjudged to have been wrongfully collected ~~and the state~~
7 ~~treasurer shall pay the same out of the transportation fund.~~ A separate suit need not
8 be filed for each separate payment made by any taxpayer, but a recovery may be had
9 in one suit for as many payments as were made within the 90-day period preceding
10 the commencement of the action. Such suits shall be commenced as provided in s.
11 775.01.

12 ***-0529/4.227* SECTION 2576.** 346.177 (3) of the statutes is amended to read:

13 346.177 (3) If any deposit is made for an offense to which this section applies,
14 the person making the deposit shall also deposit a sufficient amount to include the
15 railroad crossing improvement assessment under this section. If the deposit is
16 forfeited, the amount of the railroad crossing improvement assessment shall be
17 transmitted to the ~~state treasurer~~ secretary of administration under sub. (4). If the
18 deposit is returned, the amount of the railroad crossing improvement assessment
19 shall also be returned.

20 ***-0529/4.228* SECTION 2577.** 346.177 (4) of the statutes is amended to read:

21 346.177 (4) The clerk of the circuit court shall collect and transmit to the county
22 treasurer the railroad crossing improvement assessment as required under s. 59.40
23 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary of
24 administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of

1 administration shall deposit all amounts received under this subsection in the
2 transportation fund to be appropriated under s. 20.395 (2) (gj).

3 ***-1187/4.203* SECTION 2578.** 346.45 (3) (d) of the statutes is amended to read:

4 346.45 (3) (d) A railroad grade crossing which is marked with a sign in
5 accordance with s. 195.285 (3). Such signs shall be erected by the maintaining
6 authority only upon order of the ~~office of the commissioner of railroads as set forth~~
7 in department or the division of hearings and appeals in accordance with s. 195.285.

8 ***-0529/4.229* SECTION 2579.** 346.495 (3) of the statutes is amended to read:

9 346.495 (3) If any deposit is made for an offense to which this section applies,
10 the person making the deposit shall also deposit a sufficient amount to include the
11 railroad crossing improvement assessment under this section. If the deposit is
12 forfeited, the amount of the railroad crossing improvement assessment shall be
13 transmitted to the ~~state treasurer~~ secretary of administration under sub. (4). If the
14 deposit is returned, the amount of the railroad crossing improvement assessment
15 shall also be returned.

16 ***-0529/4.230* SECTION 2580.** 346.495 (4) of the statutes is amended to read:

17 346.495 (4) The clerk of the circuit court shall collect and transmit to the county
18 treasurer the railroad crossing improvement assessment as required under s. 59.40
19 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary of
20 administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of
21 administration shall deposit all amounts received under this subsection in the
22 transportation fund to be appropriated under s. 20.395 (2) (gj).

23 ***-0919/3.4* SECTION 2581.** 346.63 (2m) of the statutes is amended to read:

24 346.63 (2m) If a person has not attained the legal drinking age, as defined in
25 s. 125.02 (8m), the person may not drive or operate a motor vehicle while he or she

1 has an alcohol concentration of more than 0.0 but not more than ~~0.1~~ 0.08. One
2 penalty for violation of this subsection is suspension of a person's operating privilege
3 under s. 343.30 (1p). The person is eligible for an occupational license under s. 343.10
4 at any time. If a person arrested for a violation of this subsection refuses to take a
5 test under s. 343.305, the refusal is a separate violation and the person is subject to
6 revocation of the person's operating privilege under s. 343.305 (10) (em).

7 ***-0919/3.5* SECTION 2582.** 346.63 (5) (a) of the statutes is amended to read:

8 346.63 (5) (a) No person may drive or operate a commercial motor vehicle while
9 the person has an alcohol concentration of 0.04 or more but less than ~~0.1~~ 0.08.

10 ***-0919/3.6* SECTION 2583.** 346.63 (6) (a) of the statutes is amended to read:

11 346.63 (6) (a) No person may cause injury to another person by the operation
12 of a commercial motor vehicle while the person has an alcohol concentration of 0.04
13 or more but less than ~~0.1~~ 0.08.

14 ***-0529/4.231* SECTION 2584.** 346.65 (4r) (c) of the statutes is amended to read:

15 346.65 (4r) (c) If any deposit is made for an offense to which this subsection
16 applies, the person making the deposit shall also deposit a sufficient amount to
17 include the railroad crossing improvement assessment under this subsection. If the
18 deposit is forfeited, the amount of the railroad crossing improvement assessment
19 shall be transmitted to the ~~state treasurer~~ secretary of administration under par. (d).
20 If the deposit is returned, the amount of the railroad crossing improvement
21 assessment shall also be returned.

22 ***-0529/4.232* SECTION 2585.** 346.65 (4r) (d) of the statutes is amended to read:

23 346.65 (4r) (d) The clerk of the circuit court shall collect and transmit to the
24 county treasurer the railroad crossing improvement assessment as required under
25 s. 59.40 (2) (m). The county treasurer shall then pay the ~~state treasurer~~ secretary

1 of administration as provided in s. 59.25 (3) (f) 2. The ~~state treasurer~~ secretary of
2 administration shall deposit all amounts received under this paragraph in the
3 transportation fund to be appropriated under s. 20.395 (2) (g).

4 ***-0529/4.233* SECTION 2586.** 346.655 (2) (a) of the statutes is amended to read:

5 346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and
6 transmit the amount under sub. (1) to the county treasurer as provided in s. 59.40
7 (2) (m). The county treasurer shall then make payment of 38.5% of the amount to
8 the ~~state treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2.

9 ***-0529/4.234* SECTION 2587.** 346.655 (2) (b) of the statutes is amended to read:

10 346.655 (2) (b) If the forfeiture is imposed by a municipal court, the court shall
11 transmit the amount to the treasurer of the county, city, town, or village, and that
12 treasurer shall make payment of 38.5% of the amount to the ~~state treasurer~~
13 secretary of administration as provided in s. 66.0114 (1) (bm). The treasurer of the
14 city, town, or village shall transmit the remaining 61.5% of the amount to the
15 treasurer of the county.

16 ***-0529/4.235* SECTION 2588.** 346.655 (3) of the statutes is amended to read:

17 346.655 (3) All moneys collected from the driver improvement surcharge that
18 are transmitted to the county treasurer under sub. (2) (a) or (b), except the amounts
19 that the county treasurer is required to transmit to the ~~state treasurer~~ secretary of
20 administration under sub. (2) (a) or (b), shall be retained by the county treasurer and
21 disbursed to the county department under s. 51.42 for services under s. 51.42 for
22 drivers referred through assessment.

23 ***-1229/2.2* SECTION 2589.** 348.25 (8) (a) (intro.) of the statutes is amended to
24 read:

1 348.25 (8) (a) (intro.) Except as provided under par. (dm), the department shall
2 charge the following fees for each permit issued under s. 348.26 or 348.27:

3 *–1190/1.1* SECTION 2590. 348.25 (8) (a) 1. of the statutes is amended to read:

4 348.25 (8) (a) 1. For a vehicle or combination of vehicles which exceeds length
5 limitations, \$15, except that if the application for a permit for a vehicle described in
6 this subdivision is submitted to the department after December 31, 1999, and before
7 July 1, ~~2003~~ 2005, the fee is \$17.

8 *–1190/1.2* SECTION 2591. 348.25 (8) (a) 2. of the statutes is amended to read:

9 348.25 (8) (a) 2. For a vehicle or combination of vehicles which exceeds either
10 width limitations or height limitations, \$20, except that if the application for a
11 permit for a vehicle described in this subdivision is submitted to the department
12 after December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is \$22.

13 *–1190/1.3* SECTION 2592. 348.25 (8) (a) 2m. of the statutes is amended to
14 read:

15 348.25 (8) (a) 2m. For a vehicle or combination of vehicles which exceeds both
16 width and height limitations, \$25, except that if the application for a permit for a
17 vehicle described in this subdivision is submitted to the department after
18 December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is \$28.

19 *–1190/1.4* SECTION 2593. 348.25 (8) (b) 1. of the statutes is amended to read:

20 348.25 (8) (b) 1. For a vehicle or combination of vehicles which exceeds length
21 limitations, \$60, except that if the application for a permit for a vehicle described in
22 this subdivision is submitted to the department after December 31, 1999, and before
23 July 1, ~~2003~~ 2005, the fee is \$66.

24 *–1190/1.5* SECTION 2594. 348.25 (8) (b) 2. of the statutes is amended to read:

1 348.25 (8) (b) 2. For a vehicle or combination of vehicles which exceeds width
2 limitations or height limitations or both, \$90, except that if the application for a
3 permit for a vehicle described in this subdivision is submitted to the department
4 after December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is \$99.

5 *~~1190/1.6~~* **SECTION 2595.** 348.25 (8) (b) 3. a. of the statutes is amended to
6 read:

7 348.25 (8) (b) 3. a. If the gross weight is 90,000 pounds or less, \$200, except that
8 if the application for a permit for a vehicle described in this subd. 3. a. is submitted
9 to the department after December 31, 1999, and before July 1, ~~2003~~ 2005, the fee is
10 \$220.

11 *~~1190/1.7~~* **SECTION 2596.** 348.25 (8) (b) 3. b. of the statutes is amended to
12 read:

13 348.25 (8) (b) 3. b. If the gross weight is more than 90,000 pounds but not more
14 than 100,000 pounds, \$350, except that if the application for a permit for a vehicle
15 described in this subd. 3. b. is submitted to the department after December 31, 1999,
16 and before July 1, ~~2003~~ 2005, the fee is \$385.

17 *~~1190/1.8~~* **SECTION 2597.** 348.25 (8) (b) 3. c. of the statutes is amended to
18 read:

19 348.25 (8) (b) 3. c. If the gross weight is greater than 100,000 pounds, \$350 plus
20 \$100 for each 10,000–pound increment or fraction thereof by which the gross weight
21 exceeds 100,000 pounds, except that if the application for a permit for a vehicle
22 described in this subd. 3. c. is submitted to the department after December 31, 1999,
23 and before July 1, ~~2003~~ 2005, the fee is \$385 plus \$110 for each 10,000–pound
24 increment or fraction thereof by which the gross weight exceeds 100,000 pounds.

1 *~~1190/1.9~~* SECTION 2598. 348.25 (8) (bm) 1. of the statutes is amended to
2 read:

3 348.25 (8) (bm) 1. Unless a different fee is specifically provided, the fee for a
4 consecutive month permit is one-twelfth of the fee under par. (b) for an annual
5 permit times the number of months for which the permit is desired, plus \$15 for each
6 permit issued. This subdivision does not apply to applications for permits submitted
7 after December 31, 1999, and before July 1, ~~2003~~ 2005.

8 *~~1190/1.10~~* SECTION 2599. 348.25 (8) (bm) 2. of the statutes is amended to
9 read:

10 348.25 (8) (bm) 2. Unless a different fee is specifically provided, the fee for a
11 consecutive month permit is one-twelfth of the fee under par. (b) for an annual
12 permit times the number of months for which the permit is desired, plus \$16.50 for
13 each permit issued, rounded to the nearest whole dollar. This subdivision does not
14 apply to applications submitted before January 1, 2000, or submitted after
15 June 30, ~~2003~~ 2005.

16 *~~1229/2.3~~* SECTION 2600. 348.25 (8) (e) of the statutes is amended to read:

17 348.25 (8) (e) The officer or agency authorized to issue a permit under s. 348.26
18 or 348.27 may require any applicant for a permit under s. 348.26 or 348.27 to pay the
19 cost of any special investigation undertaken to determine whether a permit should
20 be approved or denied and to pay an additional fee of \$5 per permit if a department
21 telephone call-in procedure is used. If the department permits the payment of the
22 fee under par. (a) by telephone or Internet with use of a credit card, the department
23 shall charge a fee to be established by rule for each transaction. The fee shall
24 approximate the cost to the department for providing this service to persons so
25 requesting.

1 ***-0529/4.236*** SECTION 2601. 349.04 (3) of the statutes is amended to read:

2 349.04 (3) If any deposit is made for an offense to which this section applies,
3 the person making the deposit shall also deposit a sufficient amount to include the
4 truck driver education assessment under this section. If the deposit is forfeited, the
5 amount of the truck driver education assessment shall be transmitted to the ~~state~~
6 ~~treasurer~~ secretary of administration under sub. (4). If the deposit is returned, the
7 amount of the truck driver education assessment shall also be returned.

8 ***-0529/4.237*** SECTION 2602. 349.04 (4) of the statutes is amended to read:

9 349.04 (4) The clerk of the circuit court shall collect and transmit to the county
10 treasurer the truck driver education assessment as required under s. 59.40 (2) (m).
11 The county treasurer shall then pay the ~~state treasurer~~ secretary of administration
12 as provided in s. 59.25 (3) (f) 2. ~~The state treasurer~~ secretary of administration shall
13 deposit all amounts received under this subsection in the general fund to be credited
14 to the appropriation account under s. 20.292 (1) (hm).

15 ***-0529/4.238*** SECTION 2603. 350.115 (1) (c) of the statutes is amended to read:

16 350.115 (1) (c) If any deposit is made for an offense to which this section applies,
17 the person making the deposit shall also deposit a sufficient amount to include the
18 snowmobile registration restitution payment prescribed in this section. If the
19 deposit is forfeited, the amount of the snowmobile registration restitution payment
20 shall be transmitted to the ~~state treasurer~~ secretary of administration under par. (d).
21 If the deposit is returned, the snowmobile registration restitution payment shall also
22 be returned.

23 ***-0529/4.239*** SECTION 2604. 350.115 (1) (d) of the statutes is amended to read:

24 350.115 (1) (d) The clerk of the court shall collect and transmit to the county
25 treasurer the snowmobile registration restitution payment and other amounts

SECTION 2604

1 required under s. 59.40 (2) (m). The county treasurer shall then make payment to
2 the ~~state treasurer~~ secretary of administration as provided in s. 59.25 (3) (f) 2.

3 ***-1187/4.204* SECTION 2605.** 350.137 (1) of the statutes is amended to read:

4 350.137 (1) The department, after having consulted with each rail authority,
5 as defined in s. 350.138 (1) (b), in this state, that has furnished the department with
6 the information required under s. 350.138 (2m), an established snowmobile
7 association that represents snowmobile clubs, as defined in s. 350.138 (1) (e), in this
8 state, and the ~~office of the commissioner of railroads~~ department of transportation,
9 shall promulgate rules to establish uniform maintenance standards and uniform
10 design and construction standards for snowmobile rail crossings under ss. 350.138
11 and 350.139.

12 ***-1187/4.205* SECTION 2606.** 350.138 (4) (c) of the statutes is amended to read:

13 350.138 (4) (c) The department shall give notice of any hearing scheduled
14 under par. (b) to the applicant, to the applicable rail authority, and to the ~~office of the~~
15 ~~commissioner of railroads~~ department of transportation. The hearing shall be a
16 contested case hearing under ch. 227. The department's department of natural
17 resources' order issuing or denying a permit is a final order subject to judicial review
18 under ch. 227.

19 ***-1187/4.206* SECTION 2607.** 350.138 (9) of the statutes is amended to read:

20 350.138 (9) INSPECTION AUTHORIZED. The department or the ~~office of the~~
21 ~~commissioner of railroads~~ department of transportation may inspect the site of a
22 proposed snowmobile rail crossing or the site of a snowmobile rail crossing for which
23 a permit has been issued to determine whether there are grounds to refuse to issue
24 a permit under sub. (4) or to revoke a permit under sub. (8).

25 ***-1187/4.207* SECTION 2608.** 350.139 (5) of the statutes is amended to read:

1 350.139 (5) INSPECTION AUTHORIZED. The department or the ~~office of the~~
2 ~~commissioner of railroads~~ department of transportation may inspect an established
3 snowmobile rail crossing to determine whether the snowmobile organization
4 maintaining the crossing is in compliance with the requirements imposed under sub.
5 (4).

6 *~~1187/4.208~~* SECTION 2609. 350.1395 (2) (b) 2. of the statutes is amended to
7 read:

8 350.1395 (2) (b) 2. The department shall hold a hearing on a petition filed under
9 subd. 1. after giving notice of the hearing to the rail authority, the snowmobile
10 organization, and the ~~office of the commissioner of railroads~~ department of
11 transportation. The hearing shall be a contested case hearing under ch. 227. The
12 ~~department's~~ department of natural resources' order shall be a final order subject to
13 judicial review under ch. 227.

14 *~~1187/4.209~~* SECTION 2610. 350.1395 (2) (b) 3. (intro.) of the statutes is
15 amended to read:

16 350.1395 (2) (b) 3. (intro.) The department shall grant a rail authority's petition
17 under subd. 2. to close or remove a snowmobile rail crossing if, after a hearing under
18 subd. 2., and after giving substantial weight to the ~~office of the commissioner of~~
19 ~~railroads'~~ department of transportation's testimony or report given under s. 195.03
20 (30) (b), the department of natural resources finds that any of the following applies:

21 *~~1187/4.210~~* SECTION 2611. 350.1395 (4) (b) of the statutes is amended to
22 read:

23 350.1395 (4) (b) The department may not promulgate a rule under this
24 subsection without first consulting with each rail authority in this state that has
25 furnished the department with the information required under s. 350.138 (2m), an

SECTION 2611

1 established snowmobile association that represents snowmobile clubs, as defined in
2 s. 350.138 (1) (e), in this state, and the ~~office of the commissioner of railroads~~
3 department of transportation.

4 ***-0529/4.240* SECTION 2612.** 351.07 (1g) of the statutes is amended to read:

5 351.07 (1g) No person may file a petition for an occupational license under sub.
6 (1) unless he or she first pays a fee of \$40 to the clerk of the circuit court. The clerk
7 of the circuit court shall give the person a receipt and forward the fee to the county
8 treasurer. That treasurer shall pay 50% of the fee to the ~~state treasurer~~ secretary
9 of administration under s. 59.25 (3) (m) and retain the balance for the use of the
10 county.

11 ***-1249/1.1* SECTION 2613.** 445.125 (1) (a) 2. of the statutes, as affected by 2001

12 Wisconsin Act 16, is amended to read:

13 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
14 irrevocable as to the first \$3,000 \$1,500 of the funds paid under the agreement by
15 each depositor.

16 ***-1431/2.42* SECTION 2614.** 552.23 (1) of the statutes is amended to read:

17 552.23 (1) If the target company is an insurance company subject to regulation
18 by the commissioner of insurance, a banking corporation ~~subject to regulation by the~~
19 ~~division of banking, a~~, savings bank, or savings and loan association subject to
20 regulation by the division of ~~savings institutions~~ banking, or a company subject to
21 regulation by the public service commission, ~~the department of transportation~~ or the
22 ~~office of the commissioner of railroads~~, the division of securities shall promptly
23 furnish a copy of the registration statement filed under this chapter to the regulatory
24 agency having supervision of the target company. Any hearing under this chapter
25 involving any such target company shall be held jointly with the regulatory agency

or

strike

strike

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1 having supervision, and any determination following the hearing shall be made
2 jointly with that regulatory agency.

3 ~~*-1187/4.211* SECTION 2615. 552.23 (1) of the statutes, as affected by 2003
4 Wisconsin Act ... (this act), is amended to read:~~

5 ~~552.23 (1) If the target company is an insurance company subject to regulation
6 by the commissioner of insurance, a banking corporation, savings bank, or savings
7 and loan association subject to regulation by the division of banking, or a company
8 subject to regulation by the public service commission, or the department of
9 transportation, ~~or the office of the commissioner of railroads~~, the division of
10 securities shall promptly furnish a copy of the registration statement filed under this
11 chapter to the regulatory agency having supervision of the target company. Any
12 hearing under this chapter involving any such target company shall be held jointly
13 with the regulatory agency having supervision, and any determination following the
14 hearing shall be made jointly with that regulatory agency.~~

***NOTE: This is reconciled s. 552.23 (1). This SECTION has been affected by drafts
with the following LRB numbers: LRB-1187 and LRB-1431.

15 ~~*-1634/7.63* SECTION 2616. 560.045 (1) of the statutes is amended to read:
16 560.045 (1) Notwithstanding s. 16.54 (2) (a), from moneys received under a
17 community development block grant, 42 USC 5301 to 5320, the department shall
18 contract with the department of administration for the administration of housing
19 programs, including the housing improvement grant program and the initial
20 rehabilitation grant program. To the extent allowed under federal law or regulation,
21 the department shall give priority in the awarding of grants under the housing
22 programs to grants for projects related to the redevelopment of brownfields, as
23 defined in s. 560.60 (1v).~~

1 *–1546/2.15* SECTION 2617. 560.13 of the statutes is repealed.

2 *–1546/2.16* SECTION 2618. 560.138 (1) (ac) of the statutes is amended to read:

3 560.138 (1) (ac) “Brownfields” has the meaning given in s. ~~560.13 (1) (a)~~ 560.60

4 (1v).

5 *–1546/2.17* SECTION 2619. 560.139 (1) (c) of the statutes is repealed.

6 *–1376/1.2* SECTION 2620. 560.18 of the statutes is repealed.

7 *–1877/2.5* SECTION 2621. 560.25 of the statutes, as affected by 2001
8 Wisconsin Act 16, is repealed.

9 *–1546/2.18* SECTION 2622. 560.41 (1) of the statutes is repealed.

10 *–1546/2.19* SECTION 2623. 560.44 of the statutes is repealed.

11 *–1877/2.6* SECTION 2624. 560.605 (1) (i) of the statutes is amended to read:

12 560.605 (1) (i) The eligible recipient has not received a grant under s. 560.25,

13 2001 stats.

14 *–1877/2.7* SECTION 2625. 560.62 (2m) of the statutes is repealed.

15 *–0529/4.241* SECTION 2626. 562.02 (1) (g) of the statutes is amended to read:

16 562.02 (1) (g) At least once every 3 months, file a written report on the operation
17 of racing in this state with the governor, the attorney general, the ~~state treasurer~~
18 ~~secretary of administration~~, the secretary of state, the legislative audit bureau, the
19 president of the senate, and the speaker of the assembly. The report shall include
20 information on racetrack operations, race attendance, and private, state, and local
21 revenues derived from racing in this state.

22 *–1704/1.3* SECTION 2627. 565.25 (1m) of the statutes is amended to read:

23 565.25 (1m) SCOPE OF AUTHORITY. Subject to approval by the secretary of
24 revenue, the administrator may determine whether lottery functions shall be
25 performed by ~~department of revenue employees or~~ by one or more persons under

1 contract with the department of administration, except that no contract may provide
2 for the entire management of the lottery or for the entire operation of the lottery by
3 any private person. The department of administration may contract for
4 management consultation services to assist in the management or operation of the
5 lottery. The department of administration may not contract for financial auditing
6 or security monitoring services, except that, if for financial auditing services and
7 procurement functions relating to the state lottery. If the department of
8 administration delegates under s. 16.71 (1) to the department of revenue the
9 authority to make a major procurement, the department of revenue may contract
10 with the department of administration for warehouse and building protection
11 services relating to the state lottery. If the department of administration delegates
12 under s. 16.71 (1) to the department of revenue the authority to make a major
13 procurement, the department of revenue shall assume the powers and duties of the
14 department of administration and the administrator shall assume the powers and
15 duties of the secretary of administration under this section and ss. 16.70 to 16.77,
16 except under ss. 16.72 (4) (a), 16.76 (1) and 16.77 (1).

17 *~~1704/1.4~~* **SECTION 2628.** 565.25 (2) (a) 4. of the statutes is repealed and
18 recreated to read:

19 565.25 (2) (a) 4. The administrator shall develop specifications for major
20 procurements. If security is a factor in the materials, supplies, equipment, property,
21 or services to be purchased in any major procurement, then invitations for bids or
22 competitive sealed proposals shall include specifications related to security. The
23 administrator shall submit specifications for major procurement to the secretary of
24 revenue for review and approval before the department releases the specifications
25 in invitations for bids or competitive sealed proposals. The department shall require

1 separate bids or separate competitive sealed proposals for management consultation
2 services if the services are provided under contract as provided in sub. (1m).

3 ***-0529/4.242* SECTION 2629.** 565.37 (3) of the statutes is amended to read:

4 565.37 (3) DEPARTMENT REPORT. The department shall submit quarterly reports
5 on the operation of the lottery to the chief clerk of each house of the legislature, for
6 distribution to the legislature under s. 13.172 (2) and to the governor, attorney
7 general, ~~state treasurer~~ secretary of administration, secretary of state, and state
8 auditor.

9 ***-1825/2.2* SECTION 2630.** 569.06 of the statutes is renumbered 569.06 (1) and
10 amended to read:

11 569.06 (1) GENERAL ALLOCATION. Except as provided in sub. (2), Indian gaming
12 receipts received in any fiscal year, up to \$24,352,500, shall be credited to the
13 appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm) as
14 specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm). Except as provided
15 under sub. (2), Indian gaming receipts received in any fiscal year in excess of the
16 amount specified in this subsection shall be paid into the general fund.

17 ***-1825/2.3* SECTION 2631.** 569.06 (2) of the statutes is created to read:

18 569.06 (2) LIMITATIONS ON PAYMENTS TO GENERAL FUND. (a) *Fiscal year 2003–04.*
19 Not more than \$112,000,000 may be paid into the general fund under sub. (1) during
20 the 2003–04 fiscal year. Indian gaming receipts in excess of this amount that would
21 otherwise be required to be paid into the general fund under sub. (1) shall be credited
22 to the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm)
23 as specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm).

24 (b) *Fiscal year 2004–05 and thereafter.* Not more than \$125,000,000 may be
25 paid into the general fund under sub. (1) during the 2004–05 fiscal year and any fiscal

1 year thereafter. Indian gaming receipts in excess of this amount that would
2 otherwise be required to be paid into the general fund under sub. (1) shall be credited
3 to the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm)
4 as specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm).

5 ***-0529/4.243* SECTION 2632.** 601.13 (1) (intro.) of the statutes is amended to
6 read:

7 601.13 (1) RECEIPT OF DEPOSITS. (intro.) Subject to the approval of the
8 commissioner, the ~~state treasurer~~ secretary of administration shall accept deposits
9 or control of acceptable book-entry accounts from insurers and other licensees of the
10 office as follows:

11 ***-0529/4.244* SECTION 2633.** 601.13 (3) (intro.) of the statutes is amended to
12 read:

13 601.13 (3) SECURITIES ELIGIBLE. (intro.) All deposits may consist of any of the
14 securities authorized in this subsection. Each security must be approved by the
15 commissioner, must be subject to disposition by the ~~state treasurer~~ secretary of
16 administration, and must not be available to any other person except as expressly
17 provided by law. The authorized securities are:

18 ***-0529/4.245* SECTION 2634.** 601.13 (5) of the statutes is amended to read:

19 601.13 (5) RECEIPT, INSPECTION, AND RECORD. The ~~state treasurer~~ secretary of
20 administration shall deliver to the depositor a receipt for all securities deposited or
21 held under the control of the ~~state treasurer~~ secretary of administration and shall
22 permit the depositor to inspect its physically held securities at any reasonable time.
23 On application of the depositor the ~~treasurer~~ secretary of administration shall certify
24 when required by any law of the United States or of any other state or foreign country
25 or by the order of any court of competent jurisdiction that the deposit was made. The

SECTION 2634

1 ~~treasurer~~ secretary of administration and the commissioner shall each keep a
2 permanent record of securities deposited or held under the control of the state
3 ~~treasurer~~ secretary of administration and of any substitutions or withdrawals and
4 shall compare records at least annually.

5 *~~0529/4.246~~* SECTION 2635. 601.13 (6) of the statutes is amended to read:

6 601.13 (6) TRANSFER OF SECURITIES. No transfer of a deposited security, whether
7 voluntary or by operation of law, is valid unless approved in writing by the
8 commissioner and countersigned by the ~~treasurer~~ secretary of administration.

9 *~~0529/4.247~~* SECTION 2636. 601.13 (8) (intro.) of the statutes is amended to
10 read:

11 601.13 (8) INTEREST AND SUBSTITUTIONS. (intro.) Subject to s. ~~14.58 (13)~~ 16.401
12 (11), a depositor shall, while solvent and complying with the laws of this state, be
13 entitled:

14 *~~0529/4.248~~* SECTION 2637. 601.13 (11) of the statutes is amended to read:

15 601.13 (11) ADVANCE DEPOSIT OF FEES. With the approval of the commissioner,
16 any person required to pay fees or assessments to the state through the
17 commissioner may make a deposit with the ~~treasurer~~ secretary of administration
18 from which the fees or assessments shall be paid on order of the commissioner not
19 less than twice each year. Upon request by the depositor, any balance remaining
20 shall be returned on the certificate of the commissioner that all fees and assessments
21 have been paid to date.

22 *~~0153/P1.1~~* SECTION 2638. 601.17 of the statutes is repealed.

23 *~~1876/1.5~~* SECTION 2639. 601.34 of the statutes is repealed.

24 *~~0529/4.249~~* SECTION 2640. 601.45 (3) of the statutes is amended to read:

1 601.45 (3) DEPOSIT. The commissioner may require any examinee, before or
2 from time to time during an examination, to deposit with the ~~state treasurer~~
3 secretary of administration such deposits as the commissioner deems necessary to
4 pay the costs of the examination. Any deposit and any payment made under subs.
5 (1) and (2) shall be credited to the appropriation under s. 20.145 (1) (g) in the
6 percentage specified in that paragraph.

7 *~~0529/4.250~~* SECTION 2641. 601.62 (4) of the statutes is amended to read:

8 601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS. The fees for stenographic
9 services in investigations, examinations, and hearings may not exceed the sum
10 provided for like services in the circuit court. The fees of officers, witnesses,
11 interpreters, and stenographers on behalf of the commissioner or the state shall be
12 paid by the ~~state treasurer upon the warrant of the department~~ secretary of
13 administration, authorized by the certificate of the commissioner, and shall be
14 charged to the appropriation under s. 20.145 (1) (g).

15 *~~0529/4.251~~* SECTION 2642. 604.04 (4) of the statutes is amended to read:

16 604.04 (4) PAYMENT PROCEDURE. Any charges against a fund under sub. (3) shall
17 be certified by the commissioner, audited by the department of administration under
18 s. 16.53, and paid by the ~~treasurer~~ secretary of administration out of the appropriate
19 fund in accordance with procedures of the department of administration.

20 *~~0529/4.252~~* SECTION 2643. 604.05 of the statutes is amended to read:

21 604.05 Investments. Assets of all funds under chs. 605 to 607 shall be
22 invested by the state investment board under s. 25.17. Each January 1 the ~~state~~
23 ~~treasurer~~ secretary of administration shall credit each fund with earnings on the
24 invested assets in each fund for the preceding 12 months. If any fund is indebted to
25 the general fund of the state, the fund shall be charged, at the end of each calendar

1 year, with interest on the indebtedness at the average rate earned by the state upon
2 its deposits in public depositories during the period of indebtedness and that sum
3 shall be credited to the general fund.

4 ***-0529/4.253* SECTION 2644.** 604.06 (1) of the statutes is amended to read:

5 604.06 (1) CUSTODY. The ~~state treasurer~~ secretary of administration has sole
6 custody of all assets of funds under chs. 605 to 607.

7 ***-0529/4.254* SECTION 2645.** 604.07 of the statutes is amended to read:

8 **604.07 Bonds.** The commissioner as manager of the funds and the ~~treasurer~~
9 secretary of administration shall file surety bonds, specifically conditioned on the
10 performance of their duties under chs. 605 to 607, in amounts required by, and with
11 sureties approved by, the governor.

12 ***-0529/4.255* SECTION 2646.** 605.30 of the statutes is amended to read:

13 **605.30 Inadequacy of fund.** If the property fund does not have sufficient
14 assets to pay claims that are due, the ~~department~~ secretary of administration shall
15 ~~issue a warrant as a~~ transfer from the general fund to the property fund an amount
16 sufficient to pay the losses and ~~the state treasurer~~ shall pay the warrant losses. The
17 property fund shall thereafter repay the general fund this amount and the
18 ~~department~~ secretary of administration shall ~~issue warrants for such~~ transfer the
19 amount as soon as there are assets in the property fund.

20 ***-0529/4.256* SECTION 2647.** 611.76 (4) (e) of the statutes is amended to read:

21 611.76 (4) (e) That no policyholder, other than a policyholder of a mutual life
22 insurance company, may receive a distribution of shares valued in excess of the
23 amount to which he or she is entitled under s. 645.72 (4). Any excess over that
24 amount shall be distributed in shares to the state treasury for the benefit of the
25 common school fund. After 5 years the shares may be sold by the ~~treasurer~~ secretary

1 of administration at his or her discretion and the proceeds credited to the common
2 school fund; and

3 ***-0029/2.5* SECTION 2648.** 632.746 (7m) of the statutes is created to read:

4 632.746 (7m) (a) In this subsection, “terms of the group health benefit plan”
5 does not include any requirements under the group health benefit plan related to
6 enrollment periods or waiting periods.

7 (b) An insurer offering a group health benefit plan shall permit, as provided in
8 par. (c), an employee who is not enrolled but who is eligible for coverage under the
9 terms of the group health benefit plan, or a participant’s or employee’s dependent
10 who is not enrolled but who is eligible for coverage under the terms of the group
11 health benefit plan, to enroll for coverage under the terms of the plan if all of the
12 following apply:

13 1. The employee or dependent is eligible for benefits under the Medical
14 Assistance program under s. 49.472 or for coverage under the Badger Care health
15 care program under s. 49.665.

16 2. The department of health and family services will purchase coverage under
17 the group health benefit plan on behalf of the employee or dependent because the
18 department of health and family services has determined that paying the portion of
19 the premium for which the employee is responsible will not be more costly than
20 providing the medical assistance or the coverage under the Badger Care health care
21 program, whichever is applicable.

22 (c) An insurer permitting an employee or dependent to enroll under this
23 subsection shall provide for an enrollment period of not less than 30 days, beginning
24 on the date on which the department of health and family services makes the
25 determination under par. (b) 2.

1 ***-1755/3.8*** SECTION 2649. 655.26 (2) of the statutes is amended to read:

2 655.26 (2) By the 15th day of each month, the board of governors shall report
3 the information specified in sub. (1) to the medical examining board for each claim
4 paid by the fund or from the appropriation under s. 20.145 (2) (a) during the previous
5 month for damages arising out of the rendering of health care services by a health
6 care provider or an employee of a health care provider.

7 ***-1755/3.9*** SECTION 2650. 655.27 (3) (am) of the statutes is amended to read:

8 655.27 (3) (am) *Assessments for peer review council.* The fund, a mandatory
9 health care liability risk-sharing plan established under s. 619.04, and a private
10 health care liability insurer shall be assessed, as appropriate, fees sufficient to cover
11 the costs of the patients compensation fund peer review council, including costs of
12 administration, for reviewing claims paid by the fund, or from the appropriation
13 under s. 20.145 (2) (a), by the plan, and by the insurer, respectively, under s. 655.275
14 (5). The fees shall be set by the commissioner by rule, after approval by the board
15 of governors, and shall be collected by the commissioner for deposit in the fund. The
16 costs of the patients compensation fund peer review council shall be funded from the
17 appropriation under s. 20.145 (2) (um).

18 ***-1755/3.10*** SECTION 2651. 655.27 (4) (a) of the statutes is amended to read:

19 655.27 (4) (a) Moneys shall be withdrawn from the fund, or paid from the
20 appropriation under s. 20.145 (2) (a), by the commissioner only upon vouchers
21 approved and authorized by the board of governors.

22 ***-1755/3.11*** SECTION 2652. 655.27 (5) (e) of the statutes is amended to read:

23 655.27 (5) (e) Claims filed against the fund shall be paid in the order received
24 within 90 days after filing unless appealed by the fund. If the amounts in the fund
25 are not sufficient to pay all of the claims, claims received after the funds are

1 exhausted shall be ~~immediately payable the following year in the order in which they~~
2 ~~were received paid from the appropriation under s. 20.145 (2) (a).~~

3 ***-1755/3.13* SECTION 2653.** 655.275 (5) (a) (intro.) of the statutes is amended
4 to read:

5 655.275 (5) (a) (intro.) The council shall review, within one year of the date of
6 first payment on the claim, each claim that is paid by the fund, or from the
7 appropriation under s. 20.145 (2) (a), by a mandatory health care liability
8 risk-sharing plan established under s. 619.04, by a private health care liability
9 insurer, or by a self-insurer for damages arising out of the rendering of medical care
10 by a health care provider or an employee of the health care provider and shall make
11 recommendations to all of the following:

12 ***-1755/3.14* SECTION 2654.** Subchapter VIII of chapter 655 [precedes 655.75]
13 of the statutes is created to read:

14 **CHAPTER 655**

15 **SUBCHAPTER VIII**

16 **HEALTH CARE PROVIDER AVAILABILITY**

17 **AND COST CONTROL FUND**

18 **655.75 Health care provider availability and cost control fund. (1)**

19 There is created a health care provider availability and cost control fund for the
20 purposes of ensuring the availability of health care providers in the state and
21 controlling the cost of health care services to state taxpayers, workers, and
22 employers. The fund may be used for all of the following purposes:

23 (a) To assist in the education and training of health care providers.

24 (b) To ensure that health care providers who serve recipients under the Medical
25 Assistance program or other health care programs established by the state receive

1 levels of payment sufficient to retain their participation in the programs and to
2 reduce the risk of shifting costs to private sector employers.

3 (c) To defray the cost of other health-related programs that the secretary of
4 health and family services determines are effective in ensuring the availability of
5 health care providers in the state and controlling the cost of health care services to
6 state taxpayers, workers, and employers.

7 (2) The health care provider availability and cost control fund shall be
8 administered by the commissioner.

9 (3) The health care provider availability and cost control fund shall be funded
10 with the transfer of moneys from the patients compensation fund under 2003
11 Wisconsin Act (this act), section 9228 (1).

12 *~~1634/7.64~~* SECTION 2655. 704.05 (5) (a) 2. of the statutes is amended to read:

13 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
14 addressed to the tenant's last-known address, of the landlord's intent to dispose of
15 the personal property by sale or other appropriate means if the property is not
16 repossessed by the tenant. If the tenant fails to repossess the property within 30 days
17 after the date of personal service or the date of the mailing of the notice, the landlord
18 may dispose of the property by private or public sale or any other appropriate means.
19 The landlord may deduct from the proceeds of sale any costs of sale and any storage
20 charges if the landlord has first stored the personalty under subd. 1. If the proceeds
21 minus the costs of sale and minus any storage charges are not claimed within 60 days
22 after the date of the sale of the personalty, the landlord is not accountable to the
23 tenant for any of the proceeds of the sale or the value of the property. The landlord
24 shall send the proceeds of the sale minus the costs of the sale and minus any storage

1 charges to the department of administration for deposit in the appropriation under
2 s. 20.505-(7) 20.143 (2) (h).

3 ***-1111/4.97* SECTION 2656.** 704.90 (9) of the statutes is amended to read:

4 704.90 (9) RULES. The department of ~~agriculture, trade and consumer~~
5 ~~protection justice~~ may promulgate rules necessary to carry out the purposes of this
6 section.

7 ***-1111/4.98* SECTION 2657.** 704.90 (11) (title) of the statutes is amended to
8 read:

9 704.90 (11) (title) DUTIES OF THE DEPARTMENT OF AGRICULTURE, ~~TRADE AND~~
10 ~~CONSUMER PROTECTION JUSTICE~~.

11 ***-1111/4.99* SECTION 2658.** 704.90 (11) (a) of the statutes is amended to read:

12 704.90 (11) (a) Except as provided in par. (c), the department of ~~agriculture,~~
13 ~~trade and consumer protection justice~~ shall investigate alleged violations of this
14 section and rules promulgated under sub. (9). To facilitate its investigations, the
15 department may subpoena persons and records and may enforce compliance with the
16 subpoenas as provided in s. 885.12.

17 ***-1111/4.100* SECTION 2659.** 707.49 (4) of the statutes is amended to read:

18 707.49 (4) SURETY BOND AND OTHER OPTIONS. Instead of placing deposits in an
19 escrow account, a developer may obtain a surety bond issued by a company
20 authorized to do business in this state, an irrevocable letter of credit or a similar
21 arrangement, in an amount which at all times is not less than the amount of the
22 deposits otherwise subject to the escrow requirements of this section. The bond,
23 letter of credit or similar arrangement shall be filed with the department of
24 ~~agriculture, trade and consumer protection justice~~ and made payable to the

1 department of ~~agriculture, trade and consumer protection~~ justice for the benefit of
2 aggrieved parties.

3 *–1111/4.101* SECTION 2660. 707.57 (2) of the statutes is amended to read:

4 707.57 (2) DEPARTMENT OF AGRICULTURE, ~~TRADE AND CONSUMER PROTECTION~~
5 JUSTICE AUTHORITY. (a) The department of ~~agriculture, trade and consumer~~
6 ~~protection~~ justice, or any district attorney upon informing the department of
7 ~~agriculture, trade and consumer protection~~ justice, may commence an action in
8 circuit court in the name of the state to restrain by temporary or permanent
9 injunction any violation of this chapter. Before entry of final judgment, the court may
10 make such orders or judgments as may be necessary to restore to any person any
11 pecuniary loss suffered because of the acts or practices involved in the action if proof
12 of these acts or practices is submitted to the satisfaction of the court.

13 (b) The department of ~~agriculture, trade and consumer protection~~ justice may
14 conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its
15 investigation of violations of this chapter.

16 *–1111/4.102* SECTION 2661. 707.57 (3) of the statutes is amended to read:

17 707.57 (3) PENALTY. Any person who violates this chapter shall be required to
18 forfeit not more than \$5,000 for each offense. Forfeitures under this subsection shall
19 be enforced by action on behalf of the state by the department of ~~agriculture, trade~~
20 ~~and consumer protection~~ justice or by the district attorney of the county where the
21 violation occurs.

22 *–0529/4.257* SECTION 2662. 753.061 (5) of the statutes is amended to read:

23 753.061 (5) The state shall reimburse the county for the costs of operating one
24 of the 2 circuit court branches designated under sub. (2m) that begin to primarily
25 handle violent crime cases on September 1, 1991, including the one-time cost of

1 courtroom construction. The costs reimbursable under this subsection shall be paid
2 by the ~~state treasurer~~ secretary of administration to the county treasurer pursuant
3 to a voucher submitted by the clerk of circuit court to the director of state courts and
4 shall be paid from the appropriation under s. 20.625 (1) (as). The amount
5 reimbursable under this subsection may not exceed \$383,100 in the 1991–92 fiscal
6 year and \$0 in the 1992–93 fiscal year.

7 ***-0529/4.258* SECTION 2663.** 753.07 (2) (a) of the statutes is amended to read:

8 753.07 (2) (a) The persons shall continue to receive salaries directly payable
9 from the state in the same amount as they were receiving on July 31, 1978, and such
10 salaries are subject to s. 40.05. The balance of the salaries authorized under ss.
11 230.12 and 751.02 for the judges and reporters shall be paid by the ~~state treasurer~~
12 secretary of administration to the county treasurer pursuant to a voucher submitted
13 by the clerk of circuit court to the director of state courts. The county treasurer shall
14 pay the amounts directly to the judges and reporters and the amounts paid are
15 subject to the retirement system established under chapter 201, laws of 1937.

16 ***-0529/4.259* SECTION 2664.** 753.07 (3) (a) of the statutes is amended to read:

17 753.07 (3) (a) The salaries authorized under ss. 230.12 and 751.02 for the
18 judges and reporters shall be paid by the ~~state treasurer~~ secretary of administration
19 to the county treasurer pursuant to a voucher submitted by the clerk of circuit court
20 to the director of state courts. The county treasurer shall pay the amounts directly
21 to the judges and reporters and the amounts paid shall be subject to the retirement
22 system established under chapter 201, laws of 1937.

23 ***-0529/4.260* SECTION 2665.** 753.07 (4) of the statutes is amended to read:

24 753.07 (4) COURT PERSONNEL; OPTIONS. As state employees, county court judges,
25 county court reporters, and assistant county court reporters, as specified in sub. (1),

1 who are denominated or become circuit court judges and reporters on August 1, 1978,
2 and persons serving as circuit court judges and circuit court reporters for Milwaukee
3 County on July 31, 1978, shall have the option of remaining as participants under
4 county life and health insurance programs to the extent of their participation in such
5 programs on February 1, 1978. ~~The state treasurer~~ secretary of administration shall
6 semiannually pay to the county treasurer, pursuant to a voucher submitted by the
7 clerk of circuit court to the director of state courts, an amount equal to the state
8 contribution for life and health insurance for other comparable state employees. The
9 county shall pay the cost of any premiums for life and health insurance exceeding the
10 sum of the state contribution and the employee contribution as required under the
11 county programs.

12 ***-0529/4.261* SECTION 2666.** 757.05 (1) (b) of the statutes is amended to read:

13 757.05 (1) (b) If a fine or forfeiture is imposed by a court of record, after a
14 determination by the court of the amount due, the clerk of the court shall collect and
15 transmit the amount to the county treasurer as provided in s. 59.40 (2) (m). The
16 county treasurer shall then make payment to the ~~state treasurer~~ secretary of
17 administration as provided in s. 59.25 (3) (f) 2.

18 ***-0529/4.262* SECTION 2667.** 757.05 (1) (c) of the statutes is amended to read:

19 757.05 (1) (c) If a fine or forfeiture is imposed by a municipal court, after a
20 determination by the court of the amount due, the court shall collect and transmit
21 the amount to the treasurer of the county, city, town, or village, and that treasurer
22 shall make payment to the ~~state treasurer~~ secretary of administration as provided
23 in s. 66.0114 (1) (bm).

24 ***-0529/4.263* SECTION 2668.** 757.05 (1) (d) of the statutes is amended to read:

1 757.05 (1) (d) If any deposit of bail is made for a noncriminal offense to which
2 this subsection applies, the person making the deposit shall also deposit a sufficient
3 amount to include the assessment prescribed in this subsection for forfeited bail. If
4 bail is forfeited, the amount of the assessment shall be transmitted monthly to the
5 ~~state treasurer~~ secretary of administration under this subsection. If bail is returned,
6 the assessment shall also be returned.

7 *~~1289/7.117~~* SECTION 2669. 758.19 (7) of the statutes is amended to read:

8 758.19 (7) The director of state courts shall adopt, revise biennially and submit
9 to the cochairpersons of the joint committee on information policy and technology, the
10 governor and the ~~department of electronic government~~ secretary of administration,
11 no later than September 15 of each even-numbered year, a strategic plan for the
12 utilization of information technology to carry out the functions of the courts and
13 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the
14 business needs of the courts and judicial branch agencies and shall identify all
15 resources relating to information technology which the courts and judicial branch
16 agencies desire to acquire, contingent upon funding availability, the priority for such
17 acquisitions and the justification for such acquisitions. The plan shall also identify
18 any changes in the functioning of the courts and judicial branch agencies under the
19 plan.

20 *~~0016/1.1~~* SECTION 2670. 767.027 (1) (intro.) of the statutes is amended to
21 read:

22 767.027 (1) (intro.) In any action under s. 767.02 (1) (i) to enforce or modify a
23 judgment or order with respect to child support, due process requirements related
24 to notice and service of process are satisfied to the extent that the court finds all of
25 the following:

SECTION 2671

1 ***-1256/5.78* SECTION 2671.** 767.045 (1) (c) 1. of the statutes is amended to
2 read:

3 767.045 (1) (c) 1. Aid is provided under s. 46.261, 48.57 (3m) or (3n), 49.19, or
4 49.45 on behalf of the child, or wages or a stipend are paid to or benefits are provided
5 to the child's custodial parent under ss. 49.141 to 49.161, but the state and its
6 delegate under s. 49.22 (7) are barred by a statute of limitations from commencing
7 an action under s. 767.45 on behalf of the child.

8 ***-0015/2.1* SECTION 2672.** 767.075 (1) (c) of the statutes is amended to read:

9 767.075 (1) (c) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or 49.45
10 is provided on behalf of a dependent child or benefits are provided to the child's
11 custodial parent under s. 49.79 or under ss. 49.141 to 49.161.

12 ***-1256/5.79* SECTION 2673.** 767.075 (1) (c) of the statutes, as affected by 2003
13 Wisconsin Act ... (this act), is amended to read:

14 767.075 (1) (c) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or 49.45
15 is provided on behalf of a dependent child or wages or a stipend are paid to or benefits
16 are provided to the child's custodial parent under s. 49.79 or under ss. 49.141 to
17 49.161.

 ****NOTE: This is reconciled s. 767.075 (1) (c). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0015 and LRB-1256.

18 ***-1256/5.80* SECTION 2674.** 767.075 (1) (cm) of the statutes is amended to
19 read:

20 767.075 (1) (cm) Whenever aid under s. 46.261, 48.57 (3m) or (3n), 49.19, or
21 49.45 has, in the past, been provided on behalf of a dependent child, or wages or a
22 stipend have, in the past, been paid to or benefits have, in the past, been provided