

2003 DRAFTING REQUEST

Senate Amendment (SA-SB44)

Received: **05/22/2003**

Received By: **rnelson2**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Pollek**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters: **rkite**

Subject: **Justice - civil**
Trade Regulation - other

Extra Copies: **MGG**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Pollek -

Topic:

Yank consumer protection transfer

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rnelson2 05/22/2003 rkite 05/23/2003	kgilfoy 05/27/2003	chaskett 05/27/2003	_____	sbasford 05/28/2003		
/2	rkite 05/28/2003	kgilfoy 05/28/2003	chaskett 05/29/2003	_____	lemery 05/29/2003		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	rkite 05/30/2003	kgilfoy 06/02/2003		_____			
/3			jfrantze 06/02/2003	_____	sbasford 06/02/2003		
/4	rnelson2 06/04/2003	kgilfoy 06/04/2003	rschluet 06/04/2003	_____	lemery 06/04/2003		
/5	rnelson2 06/04/2003	kgilfoy 06/04/2003	chaskett 06/05/2003	_____	sbasford 06/05/2003		

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6/4 Instructions from Paal O - LFB

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		<i>15-6/4</i> <i>kmj</i>	<i>15 6/5</i> <i>cph</i>				

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14-6/4
KMG

6-4-3 JF

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13-6/2 King *6/2* *6/2*

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/1	rnelson2	1-5/27 <i>Kmg</i>	1-5/27 <i>cpk</i>	<i>cmk/cpk</i> 5/27			

FE Sent For:

<END>



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: 5/22/03

DELIVER TO: Becky Tradewell

Addressee Fax #: 4-6948 Addressee Phone #: 6-7290

of Pages, Including Cover: 2 Sender's Initials: CP

From: Chris Poltek

Message:

Hi Becky,
Here's the consumer protection motion I spoke of
in the e-mail. Please call with any questions.

Thanks a lot,

Chris
266-8086

Nelson, Robert P.

From: Gibson-Glass, Mary
Sent: Thursday, May 22, 2003 9:04 AM
To: Nelson, Robert P.
Subject: FW: consumer protection

Bob,

The actual written motion is on Robin Kite's chair.

Mary

-----Original Message-----

From: Tradewell, Becky
Sent: Thursday, May 22, 2003 9:01 AM
To: Gibson-Glass, Mary; Kite, Robin
Subject: FW: consumer protection

-----Original Message-----

From: Pollek, Chris
Sent: Thursday, May 22, 2003 8:32 AM
To: Tradewell, Becky
Subject: consumer protection

Hi Becky,

As you may have heard, JFC took action on consumer protection last night. As a result, I have one motion (#483) for you to please draft relating to paper #156.

I will send you a fax of the motion momentarily.

I believe alternative #2 from the motion can be entirely changed by me, but that I would need you to draft the changes in alternative #4 and the passive review requirement under the motion.

Thanks for the help and please call with any questions

Chris Pollek
266-8086

Representative Ward

AGRICULTURE, TRADE & CONSUMER PROTECTION AND JUSTICE

Transfer of Consumer Protection Responsibilities
[LFB Paper #156]

Motion:

Move to adopt alternatives #2 and #4 from paper #156. Further, require DATCP to submit a plan to the Joint Committee on Finance for its approval under a 14-day passive review procedure by November 1, 2003, detailing the agency's proposed implementation of consumer protection reductions required under the bill. Require the plan to include the classification and location of staff to be eliminated and the supplies, permanent property or other costs proposed to be reduced or eliminated.

positions + titles

Passes 12-4 No All Dem's

Note:

Alternative 2 deletes the Governor's recommendation, and all related changes, to transfer consumer protection and telephone solicitation responsibilities from DATCP to DOJ. The alternative reduces DATCP staff and funding by a similar net amount included in the bill.

Alternative 4 specifies that the amount of consumer protection surcharge revenue that may be credited to DATCP's consumer protection, information and education PR appropriation may not exceed \$375,000 annually, and that revenues in excess of \$375,000 annually would accrue to the general fund. Currently, annual revenues credited to this appropriation may not exceed \$185,000, with excess revenue accruing to the general fund.

*100-261
(3)(c)*

The motion would delete \$961,000 GPR annually and 13.35 GPR positions from DATCP that are used for its consumer protection responsibilities (an unclassified division administrator, \$1.45 million GPR, 26.35 GPR positions and 5.5 PR positions would be restored to DATCP). The motion requires that DATCP submit a plan to the Committee for its approval under the 14-day passive review procedure by November 1, 2003, detailing the agency's proposed reductions required in the motion. This motion would result in a net decrease of \$1,000 and an increase of 1.0 unclassified division administrator position from the amounts in the bill.

[Change to Bill: -\$136,800 GPR and 0.35 GPR position, \$135,800 PR and 0.65 PR position]

Gibson-Glass, Mary

From: Pollek, Chris
Sent: Friday, May 09, 2003 9:51 AM
To: Gibson-Glass, Mary
Subject: no-call draft

Hi Mary,

I thought I should send you something in writing since instructions for the no-call program have changed so much lately. Also, I think I might have told you the wrong appropriation to lapse \$600,000 PR from in my message last night. So this is to be hoped the last you will hear from me on the no-call list:

Please lapse \$600,000 PR from appropriation 20.115 (8) (jm) (numeric 824) to the general fund on the effective date of the bill. Also please convert this appropriation from a continuing appropriation to an annual appropriation.

Thanks you very much and please call with any questions,

Chris Pollek
266-8086



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0260/1
RNK/RPN/MGG:.....
King

D-Note Today

LFB:.....Pollek – Yank consumer protection transfer

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 74, line 16: delete lines 16 to 24.

3 ✓ 2. Page 75, line 1: delete lines 1 to 4.

4 ✓ 3. Page 334, line 2: delete lines 2 to 8.

5 ✓ 4. Page 335, line 13: delete that line and substitute:

6 *Insert 335-13 ✓*

7 ✓ 5. Page 391, line 1: delete lines 1 to 12.

8 ✓ 6. Page 754, line 9: delete the material beginning with that line and ending
9 with page 756, line 20.

10 ✓ 7. Page 764, line 23: delete the material beginning with that line and ending
11 with page 778, line 2.

1 ✓ **8.** Page 778, line 15: delete the material beginning with that line and ending
2 with page 782, line 21, and substitute:

3 "SECTION ~~100.261~~ 100.261 (3) (b) of the statutes is amended to read:

4 100.261 (3) (b) The ~~state treasurer~~ secretary of administration shall deposit the
5 consumer protection assessment amounts in the general fund and shall credit them
6 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.

7 (c.)

History: 1999 a. 9; 2001 a. 16.

8 ✓ **9.** Page 784, line 17: delete lines 17 to 21.

9 ✓ **10.** Page 829, line 14: delete lines 14 to 21.

10 ✓ **11.** Page 830, line 3: delete lines 3 to 20.

11 ✓ **12.** Page 842, line 15: delete the material beginning with that line and ending
12 with page 843, line 15.

13 ✓ **13.** Page 986, line 3: delete lines 3 to 16.

14 ✓ **14.** Page 1008, line 21: delete the material beginning with that line and
15 ending with page 1010, line 12.

16 ✓ **15.** Page 1017, line 15: delete the material beginning with that line and
17 ending with page 1018, line 7,

18 ✓ **16.** Page 1061, line 7: delete the material beginning with that line and ending
19 with page 1065, line 9, and substitute

20 ~~Insert 1061-7~~ **17.** Page 1116, line 1: delete lines 1 to 4.
21 ~~Insert 1061-7~~

22 ✓ **18.** Page 1127, line ~~11~~ ²⁰: delete lines ~~11 to 25~~ ²⁰

the material beginning
with that line and
ending with page 1128,
line 19, and substitute
(Insert 22-18)

insert
2-7/8

19
20
21
22

22-18

1

1

19. Page 1128, line 1: delete lines 1 to 19.

2

(END)



10/1/03

LFB:.....Pollek - Appropriation for funding for no-call requirements
FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION
SENATE AMENDMENT,
TO 2003 SENATE BILL 44

Insert 335-13 ✓

1 At the locations indicated, amend the bill as follows:

2 1. Page ?, line ?: after that line insert:

3 SECTION ~~2~~^{291d} 20.115 (8) (jm) of the statutes is amended to read:

4 20.115 (8) (jm) Telephone solicitation regulation. The amounts in the schedule

5 for establishing and maintaining the nonsolicitation directory under s. 100.52 (2). All ^{AA}

6 moneys received from telephone solicitor registration and registration renewal fees

7 paid under the rules promulgated under s. 100.52 (3) (a) ~~for establishing and~~

8 ~~maintaining the nonsolicitation directory under s. 100.52 (2)~~ shall be credited to this

9 appropriation. ✓)

strike ")"

History: 1971 c. 125, 215; 1973 c. 90, 299, 333; 1975 c. 39 ss. 78m, 79, 79m, 79n, 732 (1); 1975 c. 224; 1975 c. 394 ss. 1, 27; 1977 c. 29 ss. 112 to 115v, 1650m (1), (4), 1654 (1); 1977 c. 87, 106, 181, 418; 1979 c. 34, 129, 221, 289, 335; 1981 c. 20, 66, 93, 283, 346, 357; 1983 a. 27, 132, 368; 1983 a. 410 ss. 5, 2202 (2); 1985 a. 7, 8, 29, 138, 153, 313; 1987 a. 27, 281, 354; 1987 a. 399 ss. 34 to 38, 38u; 1987 a. 403 s. 256; 1989 a. 31, 219, 227, 282, 284, 335, 336; 1991 a. 39, 269, 309, 315; 1993 a. 16, 166, 243, 437, 456, 497; 1995 a. 27, 42, 79, 460; 1997 a. 27, 192, 252, 264; 1999 a. 5, 9, 55, 185; 2001 a. 16, 38, 56, 103, 109.

10

2. Page ?, line ?: after that line insert:

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0260/1ins.
RNK:.....

INSERT 2-7 ✓

✓ SECTION 181.1n. 100.261 (3) (c) of the statutes is amended to read:

100.261 (3) (c) The amount credited to the appropriation account under s. 20.115 (1) (jb) may not exceed ~~\$185,000~~ \$375,000 in each fiscal year." ✓

History: 1999 a. 9; 2001 a. 16.

INSERT 22-18

“(3) CONSUMER PROTECTION REDUCTION PLAN. On or before November 1, 2003, the department of agriculture, trade and consumer protection shall submit a plan to the joint committee on finance detailing how the department proposes to implement the appropriations reductions and positions reductions required by this act relating to the department’s consumer protection activities. The plan shall identify the titles of all of the positions that the department proposes to eliminate and the location of those positions. The plan shall also specify how the department plans to reduce costs and shall identify the supplies and property that the department proposes to reduce or eliminate. If the cochairpersons of the committee do not notify the department within 14 working days after the date of the department’s submittal of the plan that the committee has scheduled a meeting for the purpose of reviewing the plan, the plan may be implemented as proposed by the department. If, within 14 working days after the date of the department’s submittal, the cochairpersons of the committee notify the department that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the plan may be implemented only upon approval of the committee.”

Insert 1061-7 ✓

20.001

3x

1 "(1) TELEPHONE SOLICITATION APPROPRIATION. Notwithstanding section 20.01 (3)
 2 (a) ~~and~~ of the statutes, on the effective date of this subsection, there is lapsed to
 3 the general fund \$600,000 from the appropriation account of the department of
 4 agriculture, trade and consumer protection ~~\$600,000~~ under section 20.115 (8) (jm)
 5 of the statutes, as affected by acts of 2003. . ."

(END)

the

2003

Insert 1061-7

#. Page 1106, line 2: after that line insert:

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0260/1dn

RNK: j...
King

Chris Pollek:

As we discussed, this draft reflects the joint committee on finance's action regarding DATCP's consumer protection activities. It also incorporates the committee's action regarding the appropriation lapse related to telephone solicitation regulation.

Please look closely at the non^{statutory} language that requires DATCP to submit a plan to the joint committee on finance to ensure that it accurately reflects the intent of the committee.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0260/1dn
RNK:kmg:cph

May 27, 2003

Chris Pollek:

As we discussed, this draft reflects the joint committee on finance's action regarding DATCP's consumer protection activities. It also incorporates the committee's action regarding the appropriation lapse related to telephone solicitation regulation.

Please look closely at the nonstatutory language that requires DATCP to submit a plan to the joint committee on finance to ensure that it accurately reflects the intent of the committee.

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Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

Representative Ward

CONSUMER PROTECTION

Consumer Protection Assessment

only these cases

Motion:

Move to provide that when a court fails to impose a consumer protection assessment as required under current law, that the Secretary of Administration shall transfer to the Department of Agriculture, Trade and Consumer Protection's (DATCP) consumer protection, information and education PR appropriation, from Department of Justice (DOJ) GPR state operations appropriations, an amount equal to the unassessed consumer protection assessment. Provide that this provision would first apply to cases filed by DOJ after the effective date of the bill. Further provide that it would be the responsibility of DATCP to report to the Secretary of Administration the value of unassessed consumer protection assessments.

done

*appropriation
\$EO-only DOJ*

Note:

Under s. 100.261 of the statutes, a Wisconsin court is required to impose a consumer protection assessment in an amount equal to 25% of the fine or forfeiture imposed for statutory, rule and ordinance violations under Chapter 98 (Weights and Measures) and Chapter 100 (Marketing; Trade Practices). The assessment amount is credited to DATCP's consumer protection, information and education appropriation.

*per Chris
no transfer of funds for
cases not filed by DOJ
in all other cases
totally exempt*

*Ward/
Harsdorf
11-5*

MO#		
Darling	<input checked="" type="checkbox"/>	N
Welch	<input checked="" type="checkbox"/>	N
Fitzgrid	<input checked="" type="checkbox"/>	N
Lazich	<input checked="" type="checkbox"/>	N
Harsdorf	<input checked="" type="checkbox"/>	N
Kanavas	<input checked="" type="checkbox"/>	N
Decker	<input checked="" type="checkbox"/>	N
Moore	<input checked="" type="checkbox"/>	N
Kaufert	<input checked="" type="checkbox"/>	N
Huebsch	<input checked="" type="checkbox"/>	N
Ward	<input checked="" type="checkbox"/>	N
Stone	<input checked="" type="checkbox"/>	N
Rhoades	<input checked="" type="checkbox"/>	N
Meyer	<input checked="" type="checkbox"/>	N
Coggs	<input checked="" type="checkbox"/>	N
Schooff	<input checked="" type="checkbox"/>	N

5/28/03

Per Chris Pollek

you'd the reduction of DATCP division
of administrator positions

see LRB 1636/RCT

Also - re: implementation plan -
told him that I thought that references to
appropriations reductions was too vague -
he said the draft really only needs to
refer to positions as long as it also
refers to reductions in fringe benefits + supplies

Thurs. noon (5/29)

2003 - 2004 LEGISLATURE

LRBb0260#2
RNK/RPN/MGG:kmg:cph

DNste

LFB:.....Pollek - Yank consumer protection transfer

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1 At the locations indicated, amend the bill as follows:

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3 2. Page 75, line 1: delete lines 1 to 4.

4 3. Page 334, line 2: delete lines 2 to 8 and substitute:

5 4. Page 335, line 13: delete that line and substitute:

6 "SECTION 291d. 20.115 (8) (jm) of the statutes is amended to read:

7 20.115 (8) (jm) *Telephone solicitation regulation.* The amounts in the schedule

8 for establishing and maintaining the nonsolicitation directory under s. 100.52 (2).

9 All moneys received from telephone solicitor registration and registration renewal

10 fees paid under the rules promulgated under s. 100.52 (3) (a) ~~for establishing and~~

↓
Insert
1-4 →

1 ~~maintaining the nonsolicitation directory under s. 100.52 (2) shall be credited to this~~
2 ~~appropriation.~~"

3 **5.** Page 391, line 1: delete lines 1 to 12.

4 **6.** Page 754, line 9: delete the material beginning with that line and ending
5 with page 756, line 20.

6 **7.** Page 764, line 23: delete the material beginning with that line and ending
with page 778, line 2, ^{and substitute:}

✓
Insert 7
2-7 →

8 **8.** Page 778, line 15: delete the material beginning with that line and ending
with page 782, line 21, ^{and substitute:}

✓
Insert 9
2-9 →

10 **SECTION 1815.** 100.261 (3) (b) of the statutes ^{as affected by 2003 Wisconsin Act...} is amended to read:

11 100.261 (3) (b) ~~The state treasurer~~ ^{secretary of administration} shall deposit the
12 consumer protection assessment amounts ^{imposed under sub. (1)} in the general fund ~~and shall credit them~~
13 ~~to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.~~

14 ~~of the statutes is repealed."~~

15 **SECTION 1815n.** ^{RP;} 100.261 (3) (c) ~~of the statutes is amended to read:~~

16 100.261 (3) (c) ~~The amount credited to the appropriation account under s.~~
17 ~~20.115 (1) (jb) may not exceed \$185,000 \$375,000 in each fiscal year."~~

18 **9.** Page 784, line 17: delete lines 17 to 21.

19 **10.** Page 829, line 14: delete lines 14 to 21.

20 **11.** Page 830, line 3: delete lines 3 to 20.

21 **12.** Page 842, line 15: delete the material beginning with that line and ending
22 with page 843, line 15.

✓
Insert 22
2-22 →

23 **13.** Page 986, line 3: delete lines 3 to 16.

1 **14.** Page 1008, line 21: delete the material beginning with that line and
2 ending with page 1010, line 12.

3 **15.** Page 1017, line 15: delete the material beginning with that line and
4 ending with page 1018, line 7,

5 **16.** Page 1061, line 7: delete the material beginning with that line and ending
6 with page 1065, line 9, and substitute:

7 “(3x) CONSUMER PROTECTION REDUCTION PLAN. On or before November 1, 2003,
8 the department of agriculture, trade and consumer protection shall submit a plan to
9 the joint committee on finance detailing how the department proposes to implement
10 the ~~appropriations reductions and positions reductions~~ required by this act relating
11 to the department’s consumer protection activities. The plan shall identify the titles
12 of all of the positions that the department proposes to eliminate and the location of
13 those positions. The plan shall also specify how the department plans to reduce costs
14 and shall identify the ^{fringe benefits,} supplies, and property that the department proposes to reduce
15 or eliminate. If the cochairpersons of the committee do not notify the department
16 within 14 working days after the date of the department’s submittal of the plan that
17 the committee has scheduled a meeting for the purpose of reviewing the plan, the
18 plan may be implemented as proposed by the department. If, within 14 working days
19 after the date of the department’s submittal, the cochairpersons of the committee
20 notify the department that the committee has scheduled a meeting for the purpose
21 of reviewing the proposed plan, the plan may be implemented only upon approval of
22 the committee.”.

23 **17.** Page 1106, line 2: after that line insert:

reduction in positions,

1 “(3x) TELEPHONE SOLICITATION APPROPRIATION. Notwithstanding section 20.001
2 (3) (a) of the statutes, on the effective date of this subsection, there is lapsed to the
3 general fund \$600,000 from the appropriation account of the department of
4 agriculture, trade and consumer protection under section 20.115 (8) (jm) of the
5 statutes, as affected by the acts of 2003.”.

6 **18.** Page 1116, line 1: delete lines 1 to 4.

7 **19.** Page 1127, line 20: delete the material beginning with that line and
8 ending with page 1128, line 19.

9

(END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0260/lins
RNK/RPN/MGG:kmjgcp

INSERT 1-4

re numbered 20.115(1)(b) and

SECTION 287. 20.115 (1) (jb) of the statutes is amended to read:

20.115 (1) (b) *Consumer protection, information, and education.* The amounts in the schedule for consumer protection and consumer information and education

~~not to exceed \$375,000 in each fiscal year. All moneys received under s. 100.261 (3)~~

~~(b) shall be credited to this appropriation account, subject to the limit under s.~~

~~100.261 (3) (e).~~

no change of plain here

plain period

History: 1971 c. 125, 215; 1973 c. 90, 299, 333; 1975 c. 39 ss. 78m, 79, 79m, 79n, 732 (1); 1975 c. 224; 1975 c. 394 ss. 1, 27; 1977 c. 29 ss. 112 to 115v, 1650m (1), (4), 1654 (1); 1977 c. 87, 106, 181, 418; 1979 c. 34, 129, 221, 289, 335; 1981 c. 20, 66, 93, 283, 346, 357; 1983 a. 27, 132, 368; 1983 a. 410 ss. 5, 2202 (2); 1985 a. 7, 8, 29, 138, 153, 313; 1987 a. 27, 281, 354; 1987 a. 399 ss. 34 to 38, 38u; 1987 a. 403 s. 256; 1989 a. 31, 219, 227, 282, 284, 335, 336; 1991 a. 39, 269, 309, 315; 1993 a. 16, 166, 243, 437, 456, 497; 1995 a. 27, 42, 79, 460; 1997 a. 27, 192, 252, 264; 1999 a. 5, 9, 55, 185; 2001 a. 16, 38, 56, 103, 109.

INSERT 2-7

SECTION 1811c. 100.261 (1m) (a) of the statutes is created to read:

100.261 (1m) (a) Beginning with fiscal year 2003-04, the department shall

determine the total amount of all assessments that were not imposed by a court as

required under sub. (1) during ~~each~~ ^{that} fiscal year in court actions that were commenced

by the department of justice under ch. 100. The department shall make this

determination ~~on or~~ before the ~~July 31st~~ ^{August 1st} immediately following the fiscal year.

(b) ~~On or~~ before the September 1st ^{August 1st} immediately following the

deadline under par. (a), the secretary of administration shall lapse to the general

fund from any of the appropriations under s. 20.455 (1) (a), (2) (a), (3) (a), or (5) (a),

or from any combination of those appropriations a total amount equal to the amount

determined by the department under par. (a)."

INSERT 2-9

SECTION 1814. 100.261 (3) (b) of the statutes is amended to read:

100.261 (3) (b) The state treasurer shall deposit the consumer protection

assessment amounts imposed under sub. (1) in the general fund and shall credit

them to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par. (c).

History: 1999 a. 9; 2001 a. 16.

INSERT 2-22

1. Page 933, line 25: delete the material beginning with that line and ending with page 934, line 2.

INSERT 4-6

2. Page 1121, line 22: after that line insert:

"(1) CONSUMER PROTECTION ASSESSMENT. The treatment of section 100.261 (1m) of the statutes first applies to court actions commenced on the effective date of this subsection."

602642dn

Ret: King:
↑

Chris Pollet:

I reviewed the portion of this draft related to the consumer protection assessment because our editor had a technical question about it. I discussed the issue with Bob Nelson who told me that Mary had talked with you about how to handle the assessment issue.

I am writing this note because the approach in this draft seems to differ from the motion, although I realize that you and Mary may have come to an agreement that this is the ~~best~~ way to implement the motion. I just want to ensure that there is no misunderstanding, while not delaying your receipt of the redraft.

(GPR)

This draft provides DTCP with a 6PR annual appropriation

For consumer protection. Each biennium, the legislature would decide the amount of the appropriation, which would not need to have any relationship to the amount of the consumer protection assessment. The consumer protection assessment would be deposited in the general fund, not credited to any appropriation. ~~and~~ DOJ's appropriations would be reduced by the amount ~~that~~ of the assessments that should have been imposed but were not and that amount would be credited to the general fund.

Please don't hesitate to call if you would like to discuss this.

RLT

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0260/2dn
RCT:kmg:cph

May 29, 2003

Chris Pollek:

I reviewed the portion of this draft related to the consumer protection assessment because our editor had a technical question about it. I discussed the issue with Bob Nelson who told me that Mary had talked with you about how to handle the assessment issue. I am writing this note because the approach in this draft seems to differ from the motion, although I realize that you and Mary may have come to an agreement that this is the way to implement the motion. I just want to ensure that there is no misunderstanding, while not delaying your receipt of the redraft.

This draft provides DATCP with a GPR annual appropriation for consumer protection. Each biennium, the legislature would decide the amount of the appropriation, which would not need to have any relationship to the amount of the consumer protection assessment. The consumer protection assessment would be deposited in the general fund, not credited to any appropriation. DOJ's appropriations would be reduced by the amount of the assessments that should have been imposed but were not and that amount would be credited to the general fund.

Please don't hesitate to call if you would like to discuss this.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

RMR
3

D-Note

Today

LFB:.....Pollek - Yank consumer protection transfer

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 1. Page 74, line 16: delete lines 16 to 24.

3 2. Page 75, line 1: delete lines 1 to 4.

4 3. Page 334, line 2: delete lines 2 to 8 and substitute:

stet

INSERT 1-4

5 ~~SECTION 287n. 20.115 (1) (b) of the statutes is renumbered 20.115 (1) (b) and~~
6 amended to read:

7 20.115 (1) (b) *Consumer protection, information, and education.* The amounts
8 in the schedule for consumer protection and consumer information and education.
9 ~~All moneys received under s. 100.261 (3) (b) shall be credited to this appropriation~~
10 ~~account, subject to the limit under s. 100.261 (3) (e)."~~

11 4. Page 335, line 13: delete that line and substitute:

1 "SECTION 291n. 20.115 (8) (jm) of the statutes is amended to read:

2 20.115 (8) (jm) *Telephone solicitation regulation.* The amounts in the schedule
3 for establishing and maintaining the nonsolicitation directory under s. 100.52 (2).
4 All moneys received from telephone solicitor registration and registration renewal
5 fees paid under the rules promulgated under s. 100.52 (3) (a) ~~for establishing and~~
6 ~~maintaining the nonsolicitation directory under s. 100.52 (2)~~ shall be credited to this
7 appropriation."

8 5. Page 391, line 1: delete lines 1 to 12.

9 6. Page 754, line 9: delete the material beginning with that line and ending
10 with page 756, line 20.

11 7. Page 764, line 23: delete the material beginning with that line and ending
12 with page 778, line 2 ~~and substitute~~.

13 SECTION ~~1814a~~ 100.261 ~~(a)~~ of the statutes is created to read:

14 100.261 ~~(a)~~ (a) For each fiscal year, beginning with fiscal year 2003-04, the
15 department shall determine the total amount of all assessments that were not
16 imposed by a court as required under sub. (1) during that fiscal year in court actions
17 that were commenced on or after the effective date of this paragraph [revisor
18 inserts date], by the department of justice under ch. 100. The department shall make
19 this determination before the August 1 immediately following the fiscal year.

20 (b) ^{1.} Before the September 1 immediately following the August 1 deadline under
21 par. (a), the secretary of administration shall ~~raise to the general fund~~ ^{transfer} from any of
22 the appropriations under s. 20.455 (1) (a), (2) (a), (3) (a), or (5) (a), or from any
23 combination of those appropriations, ^{to the appropriation account under s. 20.115(1)(b)} a total amount equal to the amount determined
24 by the department under par. (a).

subject to subd. 2

Insert
2-24

1815e. → 1817d.

move and insert in
p. 3

Km

Km

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8. Page 778, line 15: delete ~~the material beginning with that line and ending~~
with page ~~782, line 21~~ *779, line 2,* and substitute:

~~"SECTION 1814d. 100.261 (3) (b) of the statutes is amended to read:
100.261 (3) (b) The state treasurer shall deposit the consumer protection
assessment amounts imposed under sub. (1) in the general fund and shall credit
them to the appropriation account under s. 20.115 (1) (j), subject to the limit under
par. (e).
SECTION 1815. 100.261 (3) (b) of the statutes, as affected by 2003 Wisconsin Act
... (this act), is amended to read:
100.261 (3) (b) ~~The state treasurer~~ secretary of administration shall deposit the
consumer protection assessment amounts imposed under sub. (1) in the general
fund.
SECTION 1815n. 100.261 (3) (c) of the statutes is repealed."~~

✓
Insert
3-13
and
material
from
pg. 2

- 9.** Page 784, line 17: delete lines 17 to 21.
10. Page 829, line 14: delete lines 14 to 21.
11. Page 830, line 3: delete lines 3 to 20.
12. Page 842, line 15: delete the material beginning with that line and ending
with page 843, line 15.
13. Page 933, line 25: delete the material beginning with that line and ending
with page 934, line 1.
14. Page 986, line 3: delete lines 3 to 16.
15. Page 1008, line 21: delete the material beginning with that line and
ending with page 1010, line 12.

1 **16.** Page 1017, line 15: delete the material beginning with that line and
2 ending with page 1018, line 7,

3 **17.** Page 1061, line 7: delete the material beginning with that line and ending
4 with page 1065, line 9, and substitute:

5 “(3x) CONSUMER PROTECTION REDUCTION PLAN. On or before November 1, 2003,
6 the department of agriculture, trade and consumer protection shall submit a plan to
7 the joint committee on finance detailing how the department proposes to implement
8 the reduction in positions required by this act relating to the department’s consumer
9 protection activities. The plan shall identify the titles of all of the positions that the
10 department proposes to eliminate and the location of those positions. The plan shall
11 also specify how the department plans to reduce costs and shall identify the fringe
12 benefits, supplies, and property that the department proposes to reduce or eliminate.
13 If the cochairpersons of the committee do not notify the department within 14
14 working days after the date of the department’s submittal of the plan that the
15 committee has scheduled a meeting for the purpose of reviewing the plan, the plan
16 may be implemented as proposed by the department. If, within 14 working days after
17 the date of the department’s submittal, the cochairpersons of the committee notify
18 the department that the committee has scheduled a meeting for the purpose of
19 reviewing the proposed plan, the plan may be implemented only upon approval of the
20 committee.”.

21 **18.** Page 1106, line 2: after that line insert:

22 “(3x) TELEPHONE SOLICITATION APPROPRIATION. Notwithstanding section 20.001
23 (3) (a) of the statutes, on the effective date of this subsection, there is lapsed to the
24 general fund \$600,000 from the appropriation account of the department of

1 agriculture, trade and consumer protection under section 20.115 (8) (jm) of the
2 statutes, as affected by the acts of 2003.”

3 **19.** Page 1116, line 1: delete lines 1 to 4.

4 **20.** Page 1127, line 20: delete the material beginning with that line and
5 ending with page 1128, line 19.

6 (END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0260/3ins
RNK:.....

INSERT 1-4 ✓

“SECTION 287p. 20.115 (1) (km) of the statutes is created to read:

20.115 (1) (km) *Consumer protection assessments.* All moneys transferred under s. 100.261 (4) from the appropriation accounts under s. 20.455 (1) (a), (2) (a), (3) (a), and (5) (a) for consumer protection and consumer information and education.” *for those purposes*

INSERT 2-24 ✓

2. If the sum of the amounts credited to the appropriation accounts under s. 20.115 (1) (j) and (km) exceeds \$375,000 in any fiscal year, the secretary of administration shall lapse the amount exceeding \$375,000 in that fiscal year to the general fund.” *From the appropriation account under s. 20.115 (1) (km)*

INSERT 3-13 ✓

“SECTION 1815. 100.261 (3) (b) of the statutes is amended to read:

100.261 (3) (b) *plain space OK* The ~~state treasurer~~ secretary of administration shall deposit the consumer protection assessment amounts in the general fund and shall credit them to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par. (c).²

History: 1999 a. 9; 2001 a. 16.

1. Page 779, line 3: delete the material beginning with that line and ending with page 782, line 21, and substitute:

“SECTION 1815d. 100.261 (3) (c) of the statutes is amended to read:

100.261 (3) (c) The amount credited to the appropriation account under s.
20.115 (1) (jb) may not exceed ~~\$185,000~~ \$375,000 in each fiscal year.

History: 1999 a. 9; 2001 a. 16.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0260/3dn

RNK: *King*

Chris Pollek:

I have prepared this redraft to address concerns that you raised with Becky Tradewell regarding the previous version of this draft. This draft provides DATCP with a new program revenue appropriation into which amounts are transferred from certain DOJ appropriations. The draft also specifies how amounts in excess of \$375,000 are to be lapsed from the relevant DATCP appropriations to the general fund.

Please let me know if you have any questions concerning this draft.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0260/3dn
RNK:kmg:jf

June 2, 2003

Chris Pollek:

I have prepared this redraft to address concerns that you raised with Becky Tradewell regarding the previous version of this draft. This draft provides DATCP with a new program revenue appropriation into which amounts are transferred from certain DOJ appropriations. The draft also specifies how amounts in excess of \$375,000 are to be lapsed from the relevant DATCP appropriations to the general fund.

Please let me know if you have any questions concerning this draft.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0260/3
RNK/RPN/MGG:kg:jf

LFB:.....Pollek – Yank consumer protection transfer

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 74, line 16: delete lines 16 to 24.

3 **2.** Page 75, line 1: delete lines 1 to 4.

4 **3.** Page 334, line 2: delete lines 2 to 8 and substitute:

5 “SECTION 287p. 20.115 (1) (km) of the statutes is created to read:

6 20.115 (1) (km) *Consumer protection assessments.* All moneys transferred
7 under s. 100.261 (4) from the appropriation accounts under s. 20.455 (1) (a), (2) (a),
8 (3) (a), and (5) (a) for consumer protection and consumer information and
9 education.”.

10 **4.** Page 335, line 13: delete that line and substitute:

11 “SECTION 291n. 20.115 (8) (jm) of the statutes is amended to read:

1 20.115 (8) (jm) *Telephone solicitation regulation.* The amounts in the schedule
2 for establishing and maintaining the nonsolicitation directory under s. 100.52 (2).
3 All moneys received from telephone solicitor registration and registration renewal
4 fees paid under the rules promulgated under s. 100.52 (3) (a) ~~for establishing and~~
5 ~~maintaining the nonsolicitation directory under s. 100.52 (2)~~ shall be credited to this
6 appropriation.”.

7 **5.** Page 391, line 1: delete lines 1 to 12.

8 **6.** Page 754, line 9: delete the material beginning with that line and ending
9 with page 756, line 20.

10 **7.** Page 764, line 23: delete the material beginning with that line and ending
11 with page 778, line 2.

12 **8.** Page 778, line 15: delete the material beginning with that line and ending
13 with page 799, line 2, and substitute:

14 “**SECTION 1815.** 100.261 (3) (b) of the statutes is amended to read:

15 100.261 (3) (b) ~~The state treasurer~~ secretary of administration shall deposit the
16 consumer protection assessment amounts in the general fund and shall credit them
17 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.
18 (c).”.

19 **9.** Page 779, line 3: delete the material beginning with that line and ending
20 with page 782, line 21, and substitute:

21 “**SECTION 1815d.** 100.261 (3) (c) of the statutes is amended to read:

22 100.261 (3) (c) The amount credited to the appropriation account under s.
23 20.115 (1) (jb) may not exceed ~~\$185,000~~ \$375,000 in each fiscal year.

24 **SECTION 1817d.** 100.261 (4) of the statutes is created to read:

1 100.261 (4) (a) For each fiscal year, beginning with fiscal year 2003–04, the
2 department shall determine the total amount of all assessments that were not
3 imposed by a court as required under sub. (1) during that fiscal year in court actions
4 that were commenced on or after the effective date of this paragraph [revisor
5 inserts date], by the department of justice under ch. 100. The department shall make
6 this determination before the August 1 immediately following the fiscal year.

7 (b) 1. Before the September 1 immediately following the August 1 deadline
8 under par. (a), the secretary of administration shall transfer from any of the
9 *departments sum certain, general purpose revenue state operations*
10 appropriations ~~under s. 20.455 (1) (a), (2) (a), (3) (a), or (5) (a)~~, or from any
11 combination of those appropriations, to the appropriation account under s. 20.115 (1)
12 (km) a total amount equal to the amount determined by the department under par.
13 (a), subject to subd. 2.

14 2. If the sum of the amounts credited to the appropriation accounts under s.
15 20.115 (1) (jb) and (km) exceeds \$375,000 in any fiscal year, the secretary of
16 administration shall lapse the amount exceeding \$375,000 in that fiscal year from
17 the appropriation account under s. 20.115 (1) (km) to the general fund.”.

18 **10.** Page 784, line 17: delete lines 17 to 21.

19 **11.** Page 829, line 14: delete lines 14 to 21.

20 **12.** Page 830, line 3: delete lines 3 to 20.

21 **13.** Page 842, line 15: delete the material beginning with that line and ending
22 with page 843, line 15.

23 **14.** Page 933, line 25: delete the material beginning with that line and ending
24 with page 934, line 1.

15. Page 986, line 3: delete lines 3 to 16.

1 **16.** Page 1008, line 21: delete the material beginning with that line and
2 ending with page 1010, line 12.

3 **17.** Page 1017, line 15: delete the material beginning with that line and
4 ending with page 1018, line 7,

5 **18.** Page 1061, line 7: delete the material beginning with that line and ending
6 with page 1065, line 9, and substitute:

7 “(3x) CONSUMER PROTECTION REDUCTION PLAN. On or before November 1, 2003,
8 the department of agriculture, trade and consumer protection shall submit a plan to
9 the joint committee on finance detailing how the department proposes to implement
10 the reduction in positions required by this act relating to the department’s consumer
11 protection activities. The plan shall identify the titles of all of the positions that the
12 department proposes to eliminate and the location of those positions. The plan shall
13 also specify how the department plans to reduce costs and shall identify the fringe
14 benefits, supplies, and property that the department proposes to reduce or eliminate.
15 If the cochairpersons of the committee do not notify the department within 14
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17 committee has scheduled a meeting for the purpose of reviewing the plan, the plan
18 may be implemented as proposed by the department. If, within 14 working days after
19 the date of the department’s submittal, the cochairpersons of the committee notify
20 the department that the committee has scheduled a meeting for the purpose of
21 reviewing the proposed plan, the plan may be implemented only upon approval of the
22 committee.”.

23 **19.** Page 1106, line 2: after that line insert:



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0260/4
RNK/RPN/MGG:kg:rs

LFB:.....Pollek – Yank consumer protection transfer

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION
SENATE AMENDMENT,
TO 2003 SENATE BILL 44

state operations

1 At the locations indicated, amend the bill as follows:

2 1. Page 74, line 16: delete lines 16 to 24.

3 2. Page 75, line 1: delete lines 1 to 4.

4 3. Page 334, line 2: delete lines 2 to 8 and substitute:

5 "SECTION 287p. 20.115 (1) (km) of the statutes is created to read:

6 20.115 (1) (km) *Consumer protection assessments.* All moneys transferred
7 *department of justice's sum certain general purpose revenue*
under s. 100.261 (4) from the appropriation accounts ~~under s. 20.455 (1) (a), (2) (a),~~

8 ~~(3) (a), and (5) (a)~~ for consumer protection and consumer information and
9 education."

10 4. Page 335, line 13: delete that line and substitute:

11 "SECTION 291n. 20.115 (8) (jm) of the statutes is amended to read:

1 20.115 (8) (jm) *Telephone solicitation regulation.* The amounts in the schedule
 2 for establishing and maintaining the nonsolicitation directory under s. 100.52 (2).
 3 All moneys received from telephone solicitor registration and registration renewal
 4 fees paid under the rules promulgated under s. 100.52 (3) (a) ~~for establishing and~~
 5 ~~maintaining the nonsolicitation directory under s. 100.52 (2)~~ shall be credited to this
 6 appropriation.”

7 **5.** Page 391, line 1: delete lines 1 to 12.

8 **6.** Page 754, line 9: delete the material beginning with that line and ending
 9 with page 756, line 20.

10 **7.** Page 764, line 23: delete the material beginning with that line and ending
 11 with page 778, line 2.

12 **8.** Page 778, line 15: delete the material beginning with that line and ending
 13 with page 799, line 2, and substitute: → 779 *and catch!*

14 “SECTION 1815. 100.261 (3) (b) of the statutes is amended to read:

15 100.261 (3) (b) ~~The state treasurer~~ secretary of administration shall deposit the
 16 consumer protection assessment amounts in the general fund and shall credit them
 17 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.
 18 (c).”

19 **9.** [✓]Page 779, line 3: delete the material beginning with that line and ending
 20 with page 782, line 21, and substitute:

21 “SECTION 1815d. 100.261 (3) (c) of the statutes is amended to read:

22 100.261 (3) (c) The amount credited to the appropriation account under s.
 23 20.115 (1) (jb) may not exceed \$185,000 \$375,000 in each fiscal year.

24 SECTION 1817d. 100.261 (4) of the statutes is created to read:

1 ~~100.261 (4) (a)~~ For each fiscal year, beginning with fiscal year 2003–04, the
2 ~~department~~ *of agriculture, trade and consumer protection* shall determine the total amount of all assessments that were not
3 imposed by a court as required under sub. (1) during that fiscal year in court actions
4 that were commenced on or after the effective date of this paragraph [revisor
5 inserts date], by the department of justice under ch. 100. The department shall make
6 this determination before the August 1 immediately following the fiscal year.

7 (b) 1. Before the September 1 immediately following the August 1 deadline
8 under par. (a), the secretary of administration shall transfer from any of the
9 department *of justices* sum certain, general purpose revenue state operations appropriations,
10 or from any combination of those appropriations, to the appropriation account under
11 s. 20.115 (1) (km) a total amount equal to the amount determined by the department
12 under par. (a), subject to subd. 2.

13 2. If the sum of the amounts credited to the appropriation accounts under s.
14 20.115 (1) (jb) and (km) exceeds \$375,000 in any fiscal year, the secretary of
15 administration shall lapse the amount exceeding \$375,000 in that fiscal year from
16 the appropriation account under s. 20.115 (1) (km) to the general fund.”.

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20 **13.** Page 842, line 15: delete the material beginning with that line and ending
21 with page 843, line 15.

22 **14.** Page 933, line 25: delete the material beginning with that line and ending
23 with page 934, line 1.

24 **15.** Page 986, line 3: delete lines 3 to 16.

1 **16.** Page 1008, line 21: delete the material beginning with that line and
2 ending with page 1010, line 12.

3 **17.** Page 1017, line 15: delete the material beginning with that line and
4 ending with page 1018, line 7,

5 **18.** Page 1061, line 7: delete the material beginning with that line and ending
6 with page 1065, line 9, and substitute:

7 “(3x) CONSUMER PROTECTION REDUCTION PLAN. On or before November 1, 2003,
8 the department of agriculture, trade and consumer protection shall submit a plan to
9 the joint committee on finance detailing how the department proposes to implement
10 the reduction in positions required by this act relating to the department’s consumer
11 protection activities. The plan shall identify the titles of all of the positions that the
12 department proposes to eliminate and the location of those positions. The plan shall
13 also specify how the department plans to reduce costs and shall identify the fringe
14 benefits, supplies, and property that the department proposes to reduce or eliminate.
15 If the cochairpersons of the committee do not notify the department within 14
16 working days after the date of the department’s submittal of the plan that the
17 committee has scheduled a meeting for the purpose of reviewing the plan, the plan
18 may be implemented as proposed by the department. If, within 14 working days after
19 the date of the department’s submittal, the cochairpersons of the committee notify
20 the department that the committee has scheduled a meeting for the purpose of
21 reviewing the proposed plan, the plan may be implemented only upon approval of the
22 committee.”.

23 **19.** Page 1106, line 2: after that line insert:



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0260/5
RNK/RPN/MGG:kg:cph

LFB:.....Pollek – Yank consumer protection transfer

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 74, line 16: delete lines 16 to 24.

3 **2.** Page 75, line 1: delete lines 1 to 4.

4 **3.** Page 334, line 2: delete lines 2 to 8 and substitute:

5 “SECTION 287p. 20.115 (1) (km) of the statutes is created to read:

6 20.115 (1) (km) *Consumer protection assessments.* All moneys transferred
7 under s. 100.261 (4) from the department of justice’s sum certain, general purpose
8 revenue state operations appropriations, for consumer protection and consumer
9 information and education.”.

10 **4.** Page 335, line 13: delete that line and substitute:

11 “SECTION 291n. 20.115 (8) (jm) of the statutes is amended to read:

1 20.115 (8) (jm) *Telephone solicitation regulation.* The amounts in the schedule
2 for establishing and maintaining the nonsolicitation directory under s. 100.52 (2).
3 All moneys received from telephone solicitor registration and registration renewal
4 fees paid under the rules promulgated under s. 100.52 (3) (a) ~~for establishing and~~
5 ~~maintaining the nonsolicitation directory under s. 100.52 (2)~~ shall be credited to this
6 appropriation.”.

7 **5.** Page 391, line 1: delete lines 1 to 12.

8 **6.** Page 754, line 9: delete the material beginning with that line and ending
9 with page 756, line 20.

10 **7.** Page 764, line 23: delete the material beginning with that line and ending
11 with page 778, line 2.

12 **8.** Page 778, line 15: delete the material beginning with that line and ending
13 with page 779, line 2, and substitute:

14 “**SECTION 1815.** 100.261 (3) (b) of the statutes is amended to read:

15 100.261 (3) (b) ~~The state treasurer~~ secretary of administration shall deposit the
16 consumer protection assessment amounts in the general fund and shall credit them
17 to the appropriation account under s. 20.115 (1) (jb), subject to the limit under par.
18 (c).”.

19 **9.** Page 779, line 3: delete the material beginning with that line and ending
20 with page 782, line 21, and substitute:

21 “**SECTION 1815d.** 100.261 (3) (c) of the statutes is amended to read:

22 100.261 (3) (c) The amount credited to the appropriation account under s.
23 20.115 (1) (jb) may not exceed ~~\$185,000~~ \$375,000 in each fiscal year.

24 **SECTION 1817d.** 100.261 (4) of the statutes is created to read:

1 100.261 (4) (a) For each fiscal year, beginning with fiscal year 2003–04, the
2 department of agriculture, trade and consumer protection shall determine the total
3 amount of all assessments that were not imposed by a court as required under sub.
4 (1) during that fiscal year in court actions that were commenced on or after the
5 effective date of this paragraph [revisor inserts date], by the department of justice
6 under ch. 100. The department of agriculture, trade and consumer protection shall
7 make this determination before the August 1 immediately following the fiscal year

8 (b) 1. Before the September 1 immediately following the August 1 deadline
9 under par. (a), the secretary of administration shall transfer from any of the
10 department of justice’s sum certain, general purpose revenue state operations
11 appropriations, or from any combination of those appropriations, to the
12 appropriation account under s. 20.115 (1) (km) a total amount equal to the amount
13 determined by the department of agriculture, trade and consumer protection under
14 par. (a), subject to subd. 2.

15 2. If the sum of the amounts credited to the appropriation accounts under s.
16 20.115 (1) (jb) and (km) exceeds \$375,000 in any fiscal year, the secretary of
17 administration shall lapse the amount exceeding \$375,000 in that fiscal year from
18 the appropriation account under s. 20.115 (1) (km) to the general fund.”.

19 **10.** Page 784, line 17: delete lines 17 to 21.

20 **11.** Page 829, line 14: delete lines 14 to 21.

21 **12.** Page 830, line 3: delete lines 3 to 20.

22 **13.** Page 842, line 15: delete the material beginning with that line and ending
23 with page 843, line 15.

1 **14.** Page 933, line 25: delete the material beginning with that line and ending
2 with page 934, line 1.

3 **15.** Page 986, line 3: delete lines 3 to 16.

4 **16.** Page 1008, line 21: delete the material beginning with that line and
5 ending with page 1010, line 12.

6 **17.** Page 1017, line 15: delete the material beginning with that line and
7 ending with page 1018, line 7,

8 **18.** Page 1061, line 7: delete the material beginning with that line and ending
9 with page 1065, line 9, and substitute:

10 “(3x) CONSUMER PROTECTION REDUCTION PLAN. On or before November 1, 2003,
11 the department of agriculture, trade and consumer protection shall submit a plan to
12 the joint committee on finance detailing how the department proposes to implement
13 the reduction in positions required by this act relating to the department’s consumer
14 protection activities. The plan shall identify the titles of all of the positions that the
15 department proposes to eliminate and the location of those positions. The plan shall
16 also specify how the department plans to reduce costs and shall identify the fringe
17 benefits, supplies, and property that the department proposes to reduce or eliminate.
18 If the cochairpersons of the committee do not notify the department within 14
19 working days after the date of the department’s submittal of the plan that the
20 committee has scheduled a meeting for the purpose of reviewing the plan, the plan
21 may be implemented as proposed by the department. If, within 14 working days after
22 the date of the department’s submittal, the cochairpersons of the committee notify
23 the department that the committee has scheduled a meeting for the purpose of

1 reviewing the proposed plan, the plan may be implemented only upon approval of the
2 committee.”.

3 **19.** Page 1106, line 2: after that line insert:

4 “(3x) TELEPHONE SOLICITATION APPROPRIATION. Notwithstanding section 20.001
5 (3) (a) of the statutes, on the effective date of this subsection, there is lapsed to the
6 general fund \$600,000 from the appropriation account of the department of
7 agriculture, trade and consumer protection under section 20.115 (8) (jm) of the
8 statutes, as affected by the acts of 2003.”.

9 **20.** Page 1116, line 1: delete lines 1 to 4.

10 **21.** Page 1127, line 20: delete the material beginning with that line and
11 ending with page 1128, line 19.

12

(END)