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1           **SECTION 36.** 30.12 (3) (bt) (intro.) of the statutes is renumbered 30.2023 (intro.)  
2 and amended to read:

3           **30.2023 Seawalls; Wolf River and Fox River basins.** (intro.) A riparian  
4 owner is exempt from the permit requirements under ~~sub. (2) and this subsection s.~~  
5 30.12 for a structure that is placed on the bed of a navigable water in the Wolf River  
6 and Fox River basin area, as described in s. 30.207 (1), and that extends beyond the  
7 ordinary high-water mark, if the following conditions apply:

8           **SECTION 37.** 30.12 (3) (bt) 1. to 9. of the statutes are renumbered 30.2023 (1)  
9 to (9).

10          **SECTION 38.** 30.12 (3) (bv) of the statutes is created to read:

11           30.12 (3) (bv) Notwithstanding s. 30.07 (1), the department shall issue the first  
12 statewide general permit issued under par. (a) 12. for an initial term of not less than  
13 5 years and nor more than 10 years and shall renew the permit for terms of not less  
14 than 5 years nor more than 10 years.

15          **SECTION 39.** 30.12 (3) (c) of the statutes is amended to read:

16           30.12 (3) (c) The department may ~~promulgate rules deemed necessary to carry~~  
17 ~~out the purposes of~~ impose conditions on general permits issued under par. (a) 6.,  
18 ~~including rules to establish minimum standards~~ to govern the architectural features  
19 of boat shelters and the number of boat shelters that may be constructed adjacent  
20 to a parcel of land. The ~~rules~~ conditions may not govern the aesthetic features or color  
21 of boat shelters. The ~~standards~~ conditions shall be designed to ~~assure~~ ensure the  
22 structural soundness and durability of ~~a boat shelter~~ boat shelters. A municipality  
23 may enact ordinances ~~not inconsistent~~ that are consistent with this section ~~or with~~  
24 ~~rules promulgated under this section regulating paragraph and with any conditions~~

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1 imposed on general permits issued to regulate the architectural features of boat  
2 shelters that are under the jurisdiction of the municipality.

3 **SECTION 40.** 30.12 (3) (d) of the statutes is repealed.

4 **SECTION 41.** 30.12 (3m) of the statutes is created to read:

5 **30.12 (3m) INDIVIDUAL PERMITS.** (a) For a structure or deposit that is not exempt  
6 under sub. (1g) and that is not subject to a general permit under sub. (3), a riparian  
7 owner may apply to the department for the individual permit that is required under  
8 sub. (1d) in order to place the structure for the owner's use or to deposit the material.

9 (b) The notice and hearing provisions of s. 30.208 (3) to (5) shall apply to an  
10 application under par. (a).

11 (c) The department shall issue an individual permit to a riparian owner for a  
12 structure or a deposit pursuant to an application under par. (a) if the department  
13 finds that all of the following apply:

- 14 1. The structure or deposit will not materially obstruct navigation.
- 15 2. The structure or deposit will not be detrimental to the public interest.
- 16 3. The structure or deposit will not materially reduce the flood flow capacity  
17 of a stream.

18 **SECTION 42.** 30.12 (4) (title) of the statutes is repealed.

19 **SECTION 43.** 30.12 (4) (a) of the statutes is renumbered 30.2022 (1) and  
20 amended to read:

21 **30.2022 (1)** Activities affecting waters of the state, as defined in s. 281.01 (18),  
22 that are carried out under the direction and supervision of the department of  
23 transportation in connection with highway, bridge, or other transportation project  
24 design, location, construction, reconstruction, maintenance, and repair are not  
25 subject to the prohibitions or permit or approval requirements specified under ~~this~~

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1 ~~section or~~ s. 29.601, 30.11, 30.12, 30.123, 30.19, 30.195, 30.20, 59.692, 61.351, 62.231,  
2 or 87.30 or chs. 281 to 285 or 289 to 299, except s. 281.48. However, at the earliest  
3 practical time prior to the commencement of these activities, the department of  
4 transportation shall notify the department of the location, nature, and extent of the  
5 proposed work that may affect the waters of the state.

6 **SECTION 44.** 30.12 (4) (b) of the statutes is renumbered 30.2022 (2) and  
7 amended to read:

8 30.2022 (2) The exemption under ~~par. (a) sub. (1)~~ does not apply unless the  
9 activity is accomplished in accordance with interdepartmental liaison procedures  
10 established by the department and the department of transportation for the purpose  
11 of minimizing the adverse environmental impact, if any, of the activity.

12 **SECTION 45.** 30.12 (4) (c) of the statutes is renumbered 30.2022 (3) and  
13 amended to read:

14 30.2022 (3) If the department determines that there is reasonable cause to  
15 believe that an activity being carried out under this ~~subsection~~ section is not in  
16 compliance with the environmental protection requirements developed through  
17 interdepartmental liaison procedures, it shall notify the department of  
18 transportation. If the secretary and the secretary of transportation are unable to  
19 agree upon the methods or time schedules to be used to correct the alleged  
20 noncompliance, the secretary, notwithstanding the exemption provided in this  
21 ~~subsection~~ section, may proceed with enforcement actions as the secretary deems  
22 appropriate.

23 **SECTION 46.** 30.12 (4) (d) of the statutes is renumbered 30.2022 (4).

24 **SECTION 47.** 30.12 (4) (e) of the statutes is renumbered 30.2022 (5) and  
25 amended to read:

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1           30.2022 (5) Except as may be required otherwise under s. 1.11, no public notice  
2 or hearing is required in connection with any interdepartmental consultation and  
3 cooperation under this ~~subsection~~ section.

4           **SECTION 48.** 30.12 (4) (f) of the statutes is renumbered 30.2022 (6) and amended  
5 to read:

6           30.2022 (6) This ~~subsection~~ section does not apply to activities in the Lower  
7 Wisconsin State Riverway, as defined in s. 30.40 (15).

8           **SECTION 49.** 30.12 (4m) (title) of the statutes is repealed.

9           **SECTION 50.** 30.12 (4m) of the statutes is renumbered 30.12 (1m), and 30.12  
10 (1m) (c) (intro.), as renumbered, is amended to read:

11           30.12 (1m) (c) (intro.) ~~Subsection (1) does not apply to a~~ A structure or deposit  
12 that the drainage board for the Duck Creek Drainage District places in a drain that  
13 the board operates in the Duck Creek Drainage District is exempt from the permit  
14 requirements under this section if either of the following applies:

15           **SECTION 51.** 30.12 (5) of the statutes is repealed.

16           **SECTION 52.** 30.121 (3w) of the statutes is created to read:

17           30.121 (3w) EXCEPTION; COMMERCIAL BOATHOUSES. Notwithstanding subs. (2)  
18 and (3), a person may construct, repair, or maintain a boathouse if all of the following  
19 apply:

20           (a) The boathouse is used exclusively for commercial purposes and does not  
21 contain any living quarters.

22           (b) The boathouse is located on land zoned exclusively for commercial or  
23 industrial purposes or the boathouse is located on a brownfield, as defined in s.  
24 560.13 (1) (a), or in a blighted area, as defined in s. 66.1331 (3) (a).

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1 (c) The boathouse is located within a harbor that is being operated as a  
2 commercial enterprise or is located on a river that is a tributary of Lake Michigan  
3 or Lake Superior.

4 (d) The person has been issued any applicable individual permits under this  
5 subchapter and is in compliance with any applicable general permitting  
6 requirements under this subchapter.

7 **SECTION 53.** 30.123 (title) of the statutes is repealed and recreated to read:

8 **30.123 (title) Bridges and culverts.**

9 **SECTION 54.** 30.123 (1) of the statutes is renumbered 30.1235 and amended to  
10 read:

11 **30.1235 Municipal bridge construction.** Municipalities which construct or  
12 reconstruct highway bridges shall not be required to obtain permits under this  
13 ~~section or s. 30.10 or s. 30.12 or 30.123~~ for such that construction or reconstruction.  
14 All municipal highway bridges shall be constructed or reconstructed in accordance  
15 with standards developed under s. 84.01 (23).

16 **SECTION 55.** 30.123 (2) of the statutes is amended to read:

17 **30.123 (2) PERMITS REQUIRED.** ~~Except as provided in sub. (1) and s. 30.12 (4)~~  
18 Unless an individual or general permit has been issued under this section or  
19 authorization has been granted by the legislature, no person may construct or  
20 maintain a bridge or culvert in, on, or over navigable waters ~~unless a permit has been~~  
21 ~~issued by the department under this section. The application for a permit shall~~  
22 ~~contain the applicant's name and address, the proposed location of the bridge, a cross~~  
23 ~~section and plan view of the navigable waters and adjacent uplands, a description~~  
24 ~~of materials to be used in construction of the bridge, plans for the proposed bridge,~~

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1 ~~evidence of permission to construct the bridge from the riparian owners and any~~  
2 ~~other information required by the department.~~

3 **SECTION 56.** 30.123 (3) of the statutes is repealed.

4 **SECTION 57.** 30.123 (4) of the statutes is renumbered 30.123 (8) (c) and  
5 amended to read:

6 30.123 (8) (c) ~~The department shall review the plans for the proposed bridge~~  
7 ~~to determine whether the proposed bridge will be an obstruction to navigation or will~~  
8 ~~adversely affect the flood flow capacity of the stream.~~ The department shall grant  
9 the issue an individual permit if the proposed pursuant to an application under par.  
10 (a) if the department finds that the bridge or culvert will not materially obstruct  
11 navigation, will not materially reduce the effective flood flow capacity of a stream or  
12 be, and will not be detrimental to the public interest.

13 **SECTION 58.** 30.123 (5) of the statutes is repealed.

14 **SECTION 59.** 30.123 (6) of the statutes is created to read:

15 30.123 (6) EXEMPTIONS. Subsection (2) does not apply to any of the following:

16 (a) The construction and maintenance of highway bridges to which s. 30.1235  
17 applies.

18 (b) The construction and maintenance of bridges by the department of  
19 transportation in accordance with s. 30.2022.

20 (c) The construction and maintenance of culverts that have an inside diameter  
21 that does not exceed 48 inches and that are part of private roads or private driveways.

22 **SECTION 60.** 30.123 (7) of the statutes is created to read:

23 30.123 (7) GENERAL PERMITS. (a) The department shall issue statewide general  
24 permits under s. 30.206 that authorize any person to do all of the following:

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1           1. Construct and maintain a bridge that will cross a navigable water that is less  
2 than 35 feet wide.

3           2. Construct and maintain a culvert that has an inside diameter that does not  
4 exceed 60 inches.

5           (b) The department may promulgate rules that specify bridges or culverts, in  
6 addition to those listed in par. (a), that may be authorized by statewide general  
7 permits.

8           **SECTION 61.** 30.123 (8) of the statutes is created to read:

9           30.123 (8) INDIVIDUAL PERMITS. (a) For the construction and maintenance of a  
10 bridge or culvert that is not exempt under sub. (6) and that is not subject to a general  
11 permit under sub. (7), a person may apply to the department for the individual  
12 permit that is required under sub. (2) in order to construct or maintain a bridge or  
13 culvert.

14           (b) The notice and hearing provisions of s. 30.208 (3) to (5) shall apply to an  
15 application under par. (a).

16           **SECTION 62.** 30.13 (1) of the statutes is repealed.

17           **SECTION 63.** 30.13 (1m) (intro.) of the statutes is amended to read:

18           30.13 (1m) SWIMMING RAFTS ALLOWED WITHOUT PERMIT UNDER CERTAIN  
19 CIRCUMSTANCES. (intro.) A riparian ~~proprietor~~ owner may place a swimming raft in  
20 a navigable waterway for swimming and diving purposes without obtaining a permit  
21 under s. 30.12 if all of the following conditions are met:

22           **SECTION 64.** 30.13 (1m) (b) of the statutes is amended to read:

23           30.13 (1m) (b) The swimming raft does not interfere with rights of other  
24 riparian ~~proprietors~~ owners.

25           **SECTION 65.** 30.13 (2) of the statutes is repealed.

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1           **SECTION 66.** 30.13 (4) (a) of the statutes is amended to read:

2           30.13 (4) (a) *Interferes with public rights.* A wharf or pier which interferes with  
3 public rights in navigable waters constitutes an unlawful obstruction of navigable  
4 waters unless ~~a permit is issued for the wharf or pier is authorized under a permit~~  
5 issued under s. 30.12 or unless other authorization for the wharf or pier is expressly  
6 provided.

7           **SECTION 67.** 30.13 (4) (b) of the statutes is amended to read:

8           30.13 (4) (b) *Interferes with riparian rights.* A wharf or pier which interferes  
9 with rights of other riparian ~~proprietors~~ owners constitutes an unlawful obstruction  
10 of navigable waters unless ~~a permit is issued for the wharf or pier is authorized~~  
11 under a permit issued under s. 30.12 or unless other authorization for the wharf or  
12 pier is expressly provided.

13           **SECTION 68.** 30.13 (4) (d) of the statutes is repealed.

14           **SECTION 69.** 30.131 (1) (intro.) of the statutes is amended to read:

15           30.131 (1) (intro.) Notwithstanding s. 30.133, a wharf or pier of the type which  
16 does not require a permit under ss. 30.12 ~~(1)~~ (1d) and 30.13 that abuts riparian land  
17 and that is placed in a navigable water by a person other than the owner of the  
18 riparian land may not be considered to be an unlawful structure on the grounds that  
19 it is not placed and maintained by the owner if all of the following requirements are  
20 met:

21           **SECTION 70.** 30.135 (1) (title) of the statutes is repealed.

22           **SECTION 71.** 30.135 (1) (a) (intro.) of the statutes is renumbered 30.135 (1)  
23 (intro.) and amended to read:

24           30.135 (1) (intro.) A riparian ~~proprietor may place~~ owner placing a water ski  
25 platform or water ski jump in a navigable waterway ~~without obtaining a~~ is exempt



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1 from the permit requirements under this chapter if all of the following requirements  
2 are met:

3 **SECTION 72.** 30.135 (1) (a) 1. of the statutes is renumbered 30.135 (1) (a).

4 **SECTION 73.** 30.135 (1) (a) 2. of the statutes is renumbered 30.135 (1) (b) and  
5 amended to read:

6 30.135 (1) (b) The platform or jump does not interfere with rights of other  
7 riparian ~~proprietors~~ owners.

8 **SECTION 74.** 30.135 (1) (a) 3. of the statutes is renumbered 30.135 (1) (c).

9 **SECTION 75.** 30.135 (1) (b) of the statutes is renumbered 30.135 (2) and  
10 amended to read:

11 30.135 (2) If the department determines that any of the requirements under  
12 ~~par. (a) sub. (1)~~ are not met, the riparian owner shall submit ~~a permit~~ an application  
13 for an individual permit to the department. The notice and hearing provisions under  
14 s. 30.208 (3) to (5) apply to the application.

15 **SECTION 76.** 30.135 (2), (3) and (4) of the statutes are repealed.

16 **SECTION 77.** 30.18 (2) (a) (intro.) of the statutes is amended to read:

17 30.18 (2) (a) *Streams.* (intro.) No person may divert water from a stream in  
18 this state without ~~a~~ an individual permit under this section if the diversion meets  
19 either of the following conditions:

20 **SECTION 78.** 30.18 (2) (b) of the statutes is amended to read:

21 30.18 (2) (b) *Streams or lakes.* No person, except a person required to obtain  
22 an approval under s. 281.41, may divert water from any lake or stream in this state  
23 without ~~a~~ an individual permit under this section if the diversion will result in a water  
24 loss averaging 2,000,000 gallons per day in any 30-day period above the person's  
25 authorized base level of water loss.

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1 SECTION 79. 30.18 (4) (a) of the statutes is amended to read:

2 30.18 (4) (a) Upon receipt of a complete application, the department shall  
3 follow the notice and hearing procedures under s. 30.02 (3) and (4) 30.208 (3) to (5).  
4 In addition to ~~the notice requirements~~ providing notice as required under s. 30.02 (3)  
5 ~~and (4) 30.208 (3) to (5)~~, the department shall mail a copy of the notice to every person  
6 upon whose land any part of the canal or any other structure will be located, to the  
7 clerk of the next town downstream, to the clerk of any village or city in which the lake  
8 or stream is located and which is adjacent to any municipality in which the diversion  
9 will take place and to each person specified in s. 281.35 (5) (b) or (6) (f), if applicable.

10 SECTION 80. 30.18 (6) (b) of the statutes is amended to read:

11 30.18 (6) (b) *Use of water.* A person issued a permit under this section for the  
12 purpose of irrigation or agriculture may use the water on any land contiguous to the  
13 permittee's riparian land, but may not withdraw more water than it did before  
14 August 1, 1957, without applying to the department for a modification of the permit.

15 SECTION 81. 30.18 (9) of the statutes is repealed.

16 SECTION 82. 30.19 (1) (intro.) of the statutes is renumbered 30.19 (1g) (intro.)  
17 and amended to read:

18 30.19 (1g) PERMITS REQUIRED. (intro.) Unless ~~a~~ an individual or general permit  
19 has been ~~granted by the department~~ issued under this section or authorization has  
20 been granted by the legislature, ~~it is unlawful~~ no person may do any of the following:

21 SECTION 83. 30.19 (1) (a) of the statutes is renumbered 30.19 (1g) (a) and  
22 amended to read:

23 30.19 (1g) (a) ~~To construct~~ Construct, dredge, or enlarge any artificial  
24 ~~waterway, canal, channel, ditch, lagoon, pond, lake or similar waterway where the~~

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1 ~~purpose is ultimate connection with an existing navigable stream, lake or other~~  
2 ~~navigable waters, or where~~ water body that connects with a navigable waterway.

3 (am) Construct, dredge, or enlarge any part of the an artificial waterway water  
4 body that is located within 500 feet of the ordinary high-water mark of an existing  
5 navigable stream, lake or other navigable waters waterway.

6 SECTION 84. 30.19 (1) (b) of the statutes is repealed.

7 SECTION 85. 30.19 (1) (c) of the statutes is renumbered 30.19 (1g) (c) and  
8 amended to read:

9 30.19 (1g) (c) ~~To grade or otherwise~~ Grade or remove top soil topsoil from the  
10 bank of any navigable ~~stream, lake or other body of navigable water~~ waterway where  
11 the area exposed by ~~such~~ the grading or removal will exceed 10,000 square feet.

12 SECTION 86. 30.19 (1b) of the statutes is created to read:

13 30.19 (1b) DEFINITION. In the section, “artificial water body” means a proposed  
14 or existing body of water that does not have a history of being a lake or stream or of  
15 being part of a lake or stream.

16 SECTION 87. 30.19 (1m) (intro.) of the statutes is amended to read:

17 30.19 (1m) ~~EXCEPTION EXEMPTIONS.~~ (intro.) ~~Subsection (1) does not apply to A~~  
18 person is exempt from the permit requirements under this section for any of the  
19 following:

20 SECTION 88. 30.19 (1m) (a) of the statutes is amended to read:

21 30.19 (1m) (a) The construction ~~and or~~ repair of any public highways highway.

22 SECTION 89. 30.19 (1m) (b) of the statutes is amended to read:

23 30.19 (1m) (b) Any agricultural ~~uses~~ use of land.

24 SECTION 90. 30.19 (1m) (c) of the statutes is amended to read:

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1           30.19 (1m) (c) Any An activity that affects a navigable inland lake that is  
2 located wholly or partly in any county having a population of 750,000 or more.

3           SECTION 91. 30.19 (1m) (cm) of the statutes is created to read:

4           30.19 (1m) (cm) Any activity that affects a portion of Lake Michigan or of Lake  
5 Superior that is located within a county having a population of 750,000 or more.

6           SECTION 92. 30.19 (1m) (d) of the statutes is amended to read:

7           30.19 (1m) (d) ~~These portions~~ Any activity that affects a portion of a navigable  
8 ~~streams, Lake Michigan or Lake Superior stream that is located within any a county~~  
9 having a population of 750,000 or more.

10          SECTION 93. 30.19 (1m) (e) of the statutes is amended to read:

11          30.19 (1m) (e) Any work required to maintain the original dimensions of an  
12 enlargement of ~~a waterway authorized~~ an artificial water body done pursuant to a  
13 permit or legislative authorization under sub. ~~(1) (a) or (b)~~ (1g) (a) or (am).

14          SECTION 94. 30.19 (1m) (g) of the statutes is created to read:

15          30.19 (1m) (g) The construction, dredging, or enlargement of any artificial  
16 water body that is within 500 feet of the ordinary high-water mark of a navigable  
17 waterway, if the artificial water body does not have a surface connection to any  
18 navigable waterway other than an overflow device and if the construction, dredging,  
19 or enlargement is authorized by a storm water discharge permit approved by the  
20 department under ch. 283 or a facility plan approved or authorized by the  
21 department under s. 281.41.

22          SECTION 95. 30.19 (1m) (h) of the statutes is created to read:

23          30.19 (1m) (h) Grading or removal of topsoil from the bank of a navigable  
24 waterway that is not located in an area of special natural resource interest and where

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1 the area exposed by the grading or removal will exceed 10,000 square feet, if any of  
2 the following applies:

3 1. The grading or removal is authorized by a storm water discharge permit  
4 approved by the department under ch. 283.

5 2. The grading or removal is authorized under an ordinance under s. 59.692,  
6 61.351, or 62.231.

7 3. The grading or removal is authorized by an erosion control plan pursuant  
8 to s. 101.653.

9 **SECTION 96.** 30.19 (2) of the statutes is repealed.

10 **SECTION 97.** 30.19 (3) of the statutes is repealed.

11 **SECTION 98.** 30.19 (3r) of the statutes is created to read:

12 **30.19 (3r) GENERAL PERMITS.** (a) The department shall issue statewide general  
13 permits under s. 30.206 that authorize persons to do all of the following:

14 1. Engage in an activity specified in sub. (1g) (a) or (am) that is not exempt  
15 under sub. (1m) if the construction, dredging, or enlargement is authorized by a  
16 storm water discharge permit approved by the department under ch. 283 or a facility  
17 plan approved by the department under s. 281.41.

18 2. Engage in an activity specified in sub. (1g) (a) or (am) if the construction,  
19 dredging, or enlargement is designed to enhance wildlife habitat or wetlands, as  
20 defined in s. 23.32 (1), or if the construction, dredging, or enlargement affects a body  
21 of water that is less than one acre in area.

22 3. Engage in an activity specified in sub. (1g) (c) that is not exempt under sub.  
23 (1m) (h) if the area exposed by the grading or removal will exceed 10,000 square feet.

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1 (b) The department may promulgate rules that specify other types of activities,  
2 in addition to those listed in par. (a), that may be authorized by statewide general  
3 permits.

4 SECTION 99. 30.19 (4) (title) of the statutes is amended to read:

5 30.19 (4) (title) ~~ISSUANCE OF PERMIT~~ INDIVIDUAL PERMITS.

6 SECTION 100. 30.19 (4) of the statutes is renumbered 30.19 (4) (c) (intro.) and  
7 amended to read:

8 30.19 (4) (c) (intro.) ~~If the The department finds that the project will not injure~~  
9 ~~public rights or interest, including fish and game habitat, that the project shall issue~~  
10 an individual permit pursuant to an application under par. (a) if the department  
11 finds that all of the following apply:

12 2. The activity will not cause environmental pollution, as defined in s. 299.01  
13 (4), that any.

14 3. Any enlargement connected to a navigable waterways conforms to the  
15 requirement of waterway complies with all of the laws for the relating to platting of  
16 land and for sanitation and that no.

17 4. No material injury will result to the rights of any riparian owners on any  
18 body of water affected will result, the department shall issue a permit authorizing  
19 the enlargement of the affected waterways of real property that abuts any water body  
20 that is affected by the activity.

21 SECTION 101. 30.19 (4) (a) of the statutes is created to read:

22 30.19 (4) (a) For activities that are not exempt under sub. (1m) and that are  
23 not subject to a general permit under sub. (3r), a person may apply to the department  
24 for an individual permit in order to engage in an activity for which a permit is  
25 required under sub. (1g).

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1           **SECTION 102.** 30.19 (4) (b) of the statutes is created to read:

2           30.19 (4) (b) The notice and hearing provisions of s. 30.208 (3) to (5) apply to  
3 an application under par. (a).

4           **SECTION 103.** 30.19 (4) (c) 1. of the statutes is created to read:

5           30.19 (4) (c) 1. The activity will not be detrimental to the public interest.

6           **SECTION 104.** 30.19 (5) of the statutes is amended to read:

7           30.19 (5) ~~CONDITIONS OF PERMIT~~ REQUIREMENT FOR PUBLIC ACCESS. ~~The A permit~~  
8 issued under this section to construct an artificial water body and to connect it to a  
9 navigable waterway shall provide that all require that the artificial waterways  
10 constructed under this section which are connected to navigable waterways shall be  
11 water body be a public waterways. ~~The department may impose such further~~  
12 ~~conditions in the permit as it finds reasonably necessary to protect public health,~~  
13 ~~safety, welfare, rights and interest and to protect private rights and property~~  
14 waterway.

15           **SECTION 105.** 30.195 (1) of the statutes is amended to read:

16           30.195 (1) ~~PERMIT REQUIRED.~~ No Unless a permit has been issued under this  
17 section or authorization has been granted by the legislature, no person may change  
18 the course of or straighten a navigable stream without a permit issued under this  
19 section or without otherwise being expressly authorized by statute to do so.

20           **SECTION 106.** 30.195 (1m) of the statutes is created to read:

21           30.195 (1m) **GENERAL PERMITS.** (a) The department shall issue statewide  
22 general permits under s. 30.206 that authorize riparian owners to change the course  
23 of or straighten a navigable stream under the following circumstances:

24           1. The change or straightening involves a relocation of less than a total of 500  
25 feet in stream length.

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1           2. The change or straightening involves a relocation of a stream with an  
2 average flow of less than 2 cubic feet per second.

3           (b) The department may promulgate rules that specify other circumstances, in  
4 addition to those listed in par. (a), that may be authorized by statewide general  
5 permits.

6           **SECTION 107.** 30.195 (2) of the statutes is repealed and recreated to read:

7           30.195 (2) INDIVIDUAL PERMITS. (a) For activities that are not subject to a  
8 general permit under sub. (1m), a riparian owner may apply to the department for  
9 an individual permit in order to engage in activities for which a permit is required  
10 under sub. (1).

11           (b) The notice and hearing provisions of s. 30.208 (3) to (5) apply to an  
12 application under par. (a).

13           **SECTION 108.** 30.195 (3) (title) of the statutes is repealed.

14           **SECTION 109.** 30.195 (3) of the statutes is renumbered 30.195 (2) (c) and  
15 amended to read:

16           30.195 (2) (c) ~~Upon application therefor, the~~ The department shall grant a  
17 issue an individual permit to the applicant applied for under this section to a riparian owner  
18 if the department determines that all of the following apply:

19           1. The applicant is the owner of any land to change the course of or straighten  
20 a upon which the change in course or straightening of the navigable stream on such  
21 land, if such will occur.

22           2. The proposed change of course or straightening of the navigable stream will  
23 improve the economic or aesthetic value of the owner's applicant's land and will.



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1           3. The proposed change of course or straightening of the navigable stream will  
2 not adversely affect the flood flow capacity of the stream or otherwise be detrimental  
3 to ~~public rights or the public interest.~~

4           4. The proposed change of course or straightening of the navigable stream will  
5 not be detrimental to the rights of other ~~riparians~~ riparian owners located on the  
6 stream. ~~If the department finds that the rights of such riparians will be adversely~~  
7 ~~affected, it may grant the permit only with their consent. Such permit may be~~  
8 ~~granted on the department's own motion after its own investigation or after public~~  
9 ~~hearing and after giving prior notice of such investigation or hearing~~ or all of these  
10 riparian owners have consented to the issuance of the permit.

11           SECTION 110. 30.195 (4) of the statutes is repealed.

12           SECTION 111. 30.195 (7) of the statutes is repealed.

13           SECTION 112. 30.196 (intro.) of the statutes is amended to read:

14           **30.196 Enclosure of navigable waters; issuance of permits to**  
15 **municipalities.** (intro.) A municipality may enclose navigable waters by directing,  
16 placing or restricting navigable waters into an enclosed drain, conduit, storm sewer  
17 or similar structure if the department grants the municipality ~~a~~ an individual  
18 permit. The department may grant this permit to a municipality after following the  
19 notice and hearing requirements under s. ~~30.02 (3) and (4)~~ 30.208 (3) to (5) if it finds  
20 that granting the permit:

21           SECTION 113. 30.20 (1) (title) of the statutes is repealed and recreated to read:

22           30.20 (1) (title) PERMITS OR CONTRACTS REQUIRED.

23           SECTION 114. 30.20 (1) (a) of the statutes is amended to read:

24           30.20 (1) (a) ~~No~~ Unless a contract has been entered into with the department  
25 under sub. (2) (a) or (b) or authorization has been granted by the legislature, no

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1 person may remove any material from the bed of ~~any a natural~~ navigable lake or from  
2 the bed of any outlying waters ~~of this state without first obtaining a contract as~~  
3 ~~provided in sub. (2).~~

4 **SECTION 115.** 30.20 (1) (b) of the statutes is amended to read:

5 30.20 (1) (b) ~~Except as provided under pars. (c) and (d),~~ Unless an individual  
6 or general permit has been issued by the department under this section or  
7 authorization has been granted by the legislature, no person may remove any  
8 material from the bed of any lake or navigable stream that is not mentioned  
9 described under par. (a) without first obtaining a permit from the department under  
10 sub. (2) (c).

11 **SECTION 116.** 30.20 (1) (c) 1. and 2. of the statutes are consolidated, renumbered  
12 30.20 (1g) (a) 1. and amended to read:

13 30.20 (1g) (a) 1. ~~Except as provided under subd. 2., a person may remove A~~  
14 removal of material from the bed of a farm drainage ditch which was not a navigable  
15 stream before ditching. 2. The department may require a permit under sub. (2) (c)  
16 for a removal under subd. 1. only if it is exempt from the individual and general  
17 permit requirements under this section unless the department finds that the  
18 proposed removal may have a long-term adverse effect on cold-water fishery  
19 resources or may destroy fish spawning beds or nursery areas.

20 **SECTION 117.** 30.20 (1) (c) 3. of the statutes is renumbered 30.20 (1g) (a) 2.

21 **SECTION 118.** 30.20 (1) (d) of the statutes is renumbered 30.20 (1g) (c) and  
22 amended to read:

23 30.20 (1g) (c) ~~The A removal of material by the~~ drainage board for the Duck  
24 Creek Drainage District ~~may, without a permit under sub. (2) (c), remove material~~  
25 from a drain that the board operates in the Duck Creek Drainage District is exempt

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1 from the individual and general permit requirements under this section if the  
2 removal is required, under rules promulgated by the department of agriculture,  
3 trade and consumer protection, in order to conform the drain to specifications  
4 imposed by the department of agriculture, trade and consumer protection after  
5 consulting with the department of natural resources.

6 **SECTION 119.** 30.20 (1g) (title) and (b) of the statutes are created to read:

7 30.20 (1g) (title) EXEMPTIONS.

8 (b) A removal of material is exempt from the permit and contract requirements  
9 under this section if the material does not contain hazardous substances, the  
10 material will be placed in an upland area, the material is not being removed from an  
11 area of special natural resource interest, and if any of the following applies:

12 1. The removal will be from an area from which material has been previously  
13 removed, the removal is for maintenance purposes, and the material to be removed  
14 does not exceed 1,000 cubic yards.

15 2. The removal will be from an area from which no material has been previously  
16 removed and the material to be removed does not exceed 100 cubic yards.

17 **SECTION 120.** 30.20 (1r) of the statutes is created to read:

18 30.20 (1r) GENERAL PERMITS. (a) The department shall issue statewide general  
19 permits under s. 30.206 that authorize any person to do all of the following:

20 1. Remove material from an area from which material has been previously  
21 removed, the removal is for maintenance purposes, and the material to be removed  
22 is 1,000 or more cubic yards.

23 2. Remove material from an area from which no material has been previously  
24 removed and the material to be removed is 100 or more cubic yards but less than  
25 1,000 cubic yards.

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1 (b) The department may promulgate rules that specify other types of removals,  
2 in addition to those listed in par. (a), that may be authorized by statewide general  
3 permits.

4 SECTION 121. 30.20 (2) (title) of the statutes is amended to read:

5 30.20 (2) (title) ~~CONTRACTS FOR REMOVAL AND INDIVIDUAL PERMITS.~~

6 SECTION 122. 30.20 (2) (a) and (b) of the statutes are amended to read:

7 30.20 (2) (a) The department, ~~whenever consistent with public rights,~~ may  
8 enter into ~~contracts~~ a contract on behalf of the state for the removal and lease or sale  
9 of any material from the bed of any navigable lake or of any of the outlying waters,  
10 ~~and for the lease or sale of the material. Every if the contract is consistent with public~~  
11 rights. A person seeking to enter into such a contract shall apply to the department.  
12 Each contract entered into under this paragraph shall contain such any conditions  
13 as may be that the department determines are necessary for the protection of the  
14 public interest and the interests of the state and. Each contract entered into under  
15 this paragraph shall also fix the amount of compensation to be paid to the state for  
16 the material so to be removed, except that no the contract may not require that any  
17 compensation may be paid for the material if the contract is with a municipality as  
18 defined in s. 281.01 (6) and the material is to be used for a municipal purpose and  
19 not for resale. No if the material will not be resold. Each contract entered into under  
20 this paragraph may not run for a longer period more than 5 years.

21 (b) The department, ~~whenever consistent with public rights,~~ may enter into  
22 ~~contracts~~ a contract on behalf of the state for the removal and lease or sale of any  
23 mineral, ore and, or other material from beneath the bed of a navigable lakes and  
24 ~~waters, where the waters would~~ water that the state may own if the contract will be  
25 consistent with public rights and if the navigable water will not be disturbed in the

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1 removal operation ~~and for the lease and sale of such mineral, material and ore and~~  
2 ~~provide the necessary regulations for all acts incident thereto. Every such.~~ A person  
3 seeking to enter into such a contract shall apply to the department. Each contract  
4 entered into under this paragraph shall contain such any conditions as may be that  
5 the department determines are necessary for the protection of the public interest and  
6 the interests interest of the state, and. Each contract entered into under this  
7 paragraph shall also fix the compensation to be paid to the state for the material,  
8 mineral and ore so mineral, ore, or other material to be removed. No Each contract  
9 entered into, pursuant to under this paragraph, shall may not run for a longer period  
10 more than 75 years. Should any doubt exist as to whether the state, in fact, owns  
11 such lake bed or stream bed such contract or lease shall be for such interests, if any,  
12 as the state may own. Title to the royalties to be paid when mining operations are  
13 begun shall be determined at such future time as royalties for ores so sold are paid  
14 or are due and payable.

15 **SECTION 123.** 30.20 (2) (bn) of the statutes is created to read:

16 30.20 (2) (bn) For a removal that is not exempt under sub. (1g) and that is not  
17 subject to a general permit under sub. (1r), a person may apply to the department  
18 for an individual permit that is required under sub. (1) (b) in order to remove material  
19 from the bed of any lake or stream not described under sub. (1) (a).

20 **SECTION 124.** 30.20 (2) (c) of the statutes is amended to read:

21 30.20 (2) (c) ~~A permit to remove material from the bed of any lake or stream~~  
22 ~~not included in sub. (1) (a) may be issued by the department if it~~ The department  
23 shall issue an individual permit pursuant to an application under par. (bn) if the  
24 department finds that the issuance of such a the permit will be consistent with the  
25 public interest in the water involved. A permit or contract issued under this

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1 ~~paragraph may be issued for up to 10 years if the applicant notifies the department~~  
2 ~~at least 30 days before removing any material lake or stream.~~

3 **SECTION 125.** 30.20 (2) (d) of the statutes is created to read:

4 30.20 (2) (d) If an applicant for a permit under par. (bn) submits the application  
5 at least 30 days before the proposed date of the removal, the department may issue  
6 the permit for a period of up to 10 years.

7 **SECTION 126.** 30.20 (2) (e) of the statutes is created to read:

8 30.20 (2) (e) The notice and hearing provisions of s. 30.208 (3) to (5) apply to  
9 an application for a permit or contract under this subsection.

10 **SECTION 127.** 30.201 of the statutes is created to read:

11 **30.201 Financial assurance for nonmetallic mining.** (1) If the  
12 department requires that financial assurance be provided as a condition for a permit  
13 under s. 30.19, 30.195, or 30.20 or for a contract under s. 30.20 for nonmetallic mining  
14 and reclamation, the financial assurance may be a bond or alternative financial  
15 assurance. An alternative financial assurance may include cash or any of the  
16 following:

17 (a) A certificate of deposit.

18 (b) An irrevocable letter of credit.

19 (c) An irrevocable trust.

20 (d) An escrow account.

21 (e) A government security.

22 (f) Any other demonstration of financial responsibility.

23 (2) Any interest earned by the financial assurance shall be paid to the person  
24 operating the nonmetallic mining or reclamation project.

25 **SECTION 128.** 30.2022 (title) of the statutes is created to read:

**BILL****30.2022 (title) Activities of department of transportation.**

**SECTION 129.** 30.2026 (2) (d) of the statutes is amended to read:

30.2026 (2) (d) The village of Belleville shall create any artificial barrier under this section in compliance with all state laws that relate to navigable bodies of water, except s. 30.12 (1) and (2).

**SECTION 130.** 30.2026 (3) (a) of the statutes is amended to read:

30.2026 (3) (a) The village of Belleville shall maintain any artificial barrier created as authorized under sub. (1). If a landowner of more than 500 feet of Lake Belle View shoreline, a portion of which is located within 1,000 feet of any such artificial barrier, is dissatisfied with the manner in which the village of Belleville is maintaining the barrier, the owner may maintain the barrier in lieu of the village, upon approval of the department. The village or a landowner who maintains the barrier shall comply with all state laws that relate to navigable bodies of water, except s. 30.12 (1) and (2). The department may require the village of Belleville or the landowner to maintain the barrier in a structurally and functionally adequate condition.

**SECTION 131.** 30.206 (1) (title) of the statutes is created to read:

30.206 (1) (title) PROCEDURE FOR ISSUING GENERAL PERMITS.

**SECTION 132.** 30.206 (1) of the statutes is renumbered 30.206 (1) (a) and amended to read:

30.206 (1) (a) ~~For activities which require a permit or approval under ss. 30.12 (3) (a) and 30.19 (1) (a), the department may issue a general permit authorizing a class of activities, according to rules promulgated by the department. Before The~~ department shall issue the statewide general permits required under ss. 30.12 (3) (a), 30.123 (7) (a), 30.19 (3r) (a), 30.195 (1m) (a), and 30.20 (1r) (a) within 540 days

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1 after the effective date of this paragraph .... [revisor inserts date]. General permits  
2 issued under s. 30.206, 2001 stats., shall remain valid until the date upon which the  
3 statewide general permits are issued under this paragraph. Vessels for commercial  
4 storage that, on the effective date of this paragraph .... [revisor inserts date], are in  
5 place on Lake Michigan or Lake Superior or on any tributary of Lake Michigan or  
6 Lake Superior determined to be navigable by the federal government shall be  
7 considered to be placed in compliance with s. 30.12 until the date upon which the  
8 statewide general permit is issued under s. 30.12 (3) (a) 12.

9 (b) Before issuing general permits, the department shall ~~determine~~ provide,  
10 after an environmental analysis and, notice and hearing under ss. 227.17 and  
11 227.18, that,

12 (c) To ensure that the cumulative adverse environmental impact of the class  
13 of activity ~~activities~~ authorized by a general permit is insignificant and that the  
14 issuance of the general permit will not injure public rights or ~~interest~~ interests, cause  
15 environmental pollution, as defined in s. 299.01 (4), or result in material injury to the  
16 rights of any riparian owner, the department may impose any of the following  
17 conditions on the permit:

18 **SECTION 133.** 30.206 (1) (c) 1. to 3. of the statutes are created to read:

19 30.206 (1) (c) 1. Construction and design requirements that are consistent with  
20 the purpose of the activity authorized under the permit.

21 2. Location requirements that ensure that the activity will not materially  
22 interfere with navigation or have an adverse impact on the riparian property rights  
23 of adjacent riparian owners.

24 3. Restrictions to protect areas of special natural resource interest.

25 **SECTION 134.** 30.206 (2) of the statutes is repealed.



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1           **SECTION 135.** 30.206 (3) (title) of the statutes is created to read:

2           30.206 (3) (title) PROCEDURES FOR CONDUCTING ACTIVITIES UNDER GENERAL  
3 PERMITS.

4           **SECTION 136.** 30.206 (3) of the statutes is renumbered 30.206 (3) (a) and  
5 amended to read:

6           30.206 (3) (a) A person wishing to proceed with an activity that may be  
7 authorized by a general permit shall apply to the department, with written  
8 notification of the person's wish to proceed, not less than 20 business 30 days before  
9 commencing the activity authorized by a general permit. The department may  
10 request additional information from the applicant notification shall provide  
11 information describing the activity in order to allow the department to determine  
12 whether the activity is within the scope of a authorized by the general permit and  
13 shall inform the applicant in writing of its determination within 10 business days  
14 after receipt of adequate information.

15           **SECTION 137.** 30.206 (3) (c) of the statutes is created to read:

16           30.206 (3) (c) Upon completion of an activity that the department has  
17 authorized under a general permit, the applicant for the general permit shall provide  
18 to the department a statement certifying that the activity is in compliance with all  
19 of the conditions of the general permit and a photograph of the activity.

20           **SECTION 138.** 30.206 (3m) of the statutes is repealed.

21           **SECTION 139.** 30.206 (4) of the statutes is renumbered 30.206 (3) (b) and  
22 amended to read:

23           30.206 (3) (b) ~~Upon receipt of the department's determination that the~~  
24 ~~proposed activity is authorized by a general permit, If within 30 days after a~~  
25 notification under par. (a) is submitted to the department the department does not

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## SECTION 139

1 require any additional information about the activity that is subject to the  
2 notification and does not inform the applicant that an individual permit will be  
3 required, the activity will be considered to be authorized by the general permit and  
4 the applicant may proceed without further notice, hearing, permit or approval if the  
5 activity is carried out in compliance with all of the conditions of the general permit.  
6 The department may require an individual permit only if it determines that the  
7 proposed activity is not authorized by the general permit.

8 SECTION 140. 30.206 (5) (title) of the statutes is created to read:

9 30.206 (5) (title) FAILURE TO FOLLOW PROCEDURAL REQUIREMENTS.

10 SECTION 141. 30.206 (6) of the statutes is amended to read:

11 30.206 (6) REQUEST FOR INDIVIDUAL PERMIT. A person proposing an activity for  
12 which a general permit has been issued may request an individual permit under the  
13 applicable provisions of this ~~chapter~~ subchapter or ch. 31 in lieu of seeking  
14 authorization under the general permit.

15 SECTION 142. 30.206 (7) of the statutes is amended to read:

16 30.206 (7) This section does not apply to an application for a general permit for  
17 the Wolf River and Fox River basin area or any area designated under s. 30.207 (1m)  
18 ~~if the application for the general permit may be submitted under s. 30.207.~~

19 SECTION 143. 30.207 (1) of the statutes is amended to read:

20 30.207 (1) GEOGRAPHICAL AREA. For purposes of this section and s. ~~30.12 (3) (bt)~~  
21 30.2023, the Wolf River and Fox River basin area consists of all of Winnebago County;  
22 the portion and shoreline of Lake Poygan in Waushara County; the area south of  
23 STH 21 and east of STH 49 in Waushara County; that portion of Calumet County in  
24 the Lake Winnebago watershed; all of Fond du Lac County north of STH 23; that  
25 portion of Outagamie County south and east of USH 41; that portion of Waupaca

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1 County that includes the town of Mukwa, city of New London, town of Caledonia,  
2 town of Fremont; and the portion and shoreline of Partridge Lake and the Wolf River  
3 in the town of Weyauwega.

4 **SECTION 144.** 30.207 (3) (d) 2. of the statutes is amended to read:

5 30.207 (3) (d) 2. Specify the department's plans for proceeding on the  
6 application. ~~The plans shall include a timetable for the notice and hearing required~~  
7 ~~under sub. (4).~~

8 **SECTION 145.** 30.207 (4) (b) of the statutes is repealed.

9 **SECTION 146.** 30.207 (5) of the statutes is repealed.

10 **SECTION 147.** 30.208 of the statutes is created to read:

11 **30.208 Applications for individual permits and contracts; department**  
12 **determinations. (1) APPLICATION REQUIRED.** A person who seeks to obtain or modify  
13 an individual permit under this subchapter or to enter into a contract under s. 30.20  
14 shall submit an application to the department. The application may contain a  
15 request for a public hearing on the application.

16 **(3) NOTICE OF COMPLETE APPLICATION; REQUEST FOR PUBLIC HEARING; DECISION. (a)**  
17 Upon determination by the department that an application submitted under sub. (1)  
18 is complete, the department shall provide notice of complete application to interested  
19 and potentially interested members of the public, as determined by the department.  
20 The department shall provide the notice within 15 days after the determination that  
21 the application is complete. If the applicant has requested a public hearing as part  
22 of the submitted application, a notice of public hearing shall be part of the notice of  
23 complete application.

24 **(b)** If the notice of complete application does not contain a notice of public  
25 hearing, any person may request a public hearing in writing or the department may

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1 decide to hold a public hearing without a request being submitted if the department  
2 determines that there is a significant public interest in holding a hearing.

3 (c) A request for a public hearing under par. (b) must be submitted to the  
4 department or the department's decision to hold a public hearing must occur within  
5 30 days after the department completes providing the notice of complete application.  
6 The department shall provide notice of public hearing within 15 days after the  
7 request for public hearing is submitted or the department makes its determination.

8 (d) The department shall hold a public hearing within 30 days after the notice  
9 of hearing has been provided under par. (a) or (c).

10 (e) Within 30 days after the public hearing is held or, if no public hearing is held,  
11 within 30 days of the 30-day comment period under sub. (4) (a), the department shall  
12 render a decision, issuing, denying, or modifying the permit or approving the  
13 contract that is the subject of the application submitted under sub. (1).

14 **(4) PUBLIC COMMENT.** (a) The department shall provide a period for public  
15 comment after the department has provided a notice of complete application under  
16 sub. (3) (a), during which time any person may submit written comments with  
17 respect to the application for the permit or contract. The department shall retain all  
18 of the written comments submitted during this period and shall consider all of the  
19 comments in the formulation of the final decision on the application. The period for  
20 public comment shall end on the 30th day following the date on which the  
21 department completes providing the notice of complete application, except as  
22 provided in par. (b).

23 (b) If a public hearing is held, the period for public comment shall end on the  
24 10th day following the date on which the public hearing is completed.

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1           (d) The department shall promulgate rules to establish procedures for the  
2           conduct of public hearings held under this subsection. Public hearings held under  
3           this subsection are not contested cases under s. 227.01 (3).

4           (5) NOTICE REQUIREMENTS. (a) The department shall, by rule, establish  
5           procedures for providing notices of complete applications and notices of public  
6           hearings to be provided under sub. (3), and notices of administrative hearings to be  
7           provided under s. 30.209 (1). The procedures shall require all of the following:

8                     1. That the notice be published as a class 1 notice under ch. 985.

9                     2. That the notice be mailed to any person or group upon request.

10           (b) The department shall, by rule, prescribe the form and content of notices of  
11           complete applications and notices of public hearings to be provided under sub. (3),  
12           and notices of administrative hearings to be provided under s. 30.209 (1). Each notice  
13           shall include all of the following information:

14                     1. The name and address of each applicant or permit holder.

15                     2. A brief description of each applicant's activity or project that requires the  
16           permit.

17                     3. The name of the waterway in or for which the activity or project is planned.

18                     4. For a notice of complete application and a notice of public hearing under sub.  
19           (3), a statement of the tentative determination to issue, modify, or deny a permit for  
20           the activity or project described in the application.

21                     5. For a notice of complete application and a notice of public hearing under sub.  
22           (3), a brief description of the procedures for the formulation of final determinations,  
23           including a description of the comment period required under sub. (4).

24           (c) The department may delegate the department's requirement to provide  
25           notice under sub. (3) or s. 30.209 (1) by doing any of the following:

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1           1. Requiring that the applicant for the permit or contract provide by  
2 publication, mailing, or other distribution or more of the notices.

3           2. That the applicant for the permit or contract pay for the publication, mailing,  
4 or any other distribution costs of providing one or more of the notices.

5           **SECTION 148.** 30.209 of the statutes is created to read:

6           **30.209 Individual permits; administrative and judicial review. (1)**

7           ADMINISTRATIVE REVIEW. (a) An applicant for or holder of an individual permit, or 5  
8 or more persons, may file a petition for administrative review of any of the following  
9 decisions given by the department:

10           1. The issuance, denial, or modification of any individual permit issued under  
11 this subchapter.

12           2. The imposition of, or failure to impose, a term or condition on any individual  
13 permit issued under this subchapter.

14           (b) A petition under this subsection shall be filed with the department within  
15 30 days after the date on which the department has given notice of its decision under  
16 par. (a) 1. or 2. The petition shall state the interest of each petitioner, the specific  
17 issue to be reviewed, and the reasons why an administrative hearing is warranted.

18           (c) Unless the department determines that there are no grounds supporting the  
19 position that an administrative hearing is warranted, the department shall provide  
20 a notice of the hearing at least 30 days before the date of the hearing to all of the  
21 following:

22           1. The applicant for or the holder of the permit.

23           2. Each petitioner, if other than the applicant or holder.

24           3. Any other persons required to receive notice under the rules promulgated  
25 under s. 30.208 (5).

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1 (d) The notice under par. (c) shall be in compliance with all of the other  
2 applicable rules promulgated under s. 30.208 (5).

3 (e) The administrative hearing shall be conducted as a contested case hearing  
4 in accordance with the procedures under ch. 227.

5 **(2) JUDICIAL REVIEW.** (a) Any applicant for or holder of an individual permit or  
6 any other person who satisfies the requirements of s. 227.52 may commence an  
7 action in circuit court to review any of the decisions given by the department that are  
8 specified in sub. (1) (a) 1. and 2.

9 (b) An action filed under par. (a) by an applicant for or holder of an individual  
10 permit shall be in lieu of the applicant or holder seeking review under sub. (1).

11 (c) Any administrative review petitioned for under sub. (1) may be removed to  
12 the circuit court by the applicant for the permit, the holder of the permit, or the  
13 department. The review shall be commenced by filing a motion for removal together  
14 with a copy of the petition filed under sub. (1). The motion must be filed within 30  
15 days after notice is provided under sub. (1) (c).

16 (d) An action or review commenced under this subsection shall be filed in the  
17 circuit court for the county in which the riparian property that is subject to a decision  
18 by the department, as specified in sub. (1) (a) 1. and 2., is located.

19 (e) A review under par. (c) or (d) shall include the examination of witnesses and  
20 the taking of evidence before the court.

21 **SECTION 149.** 30.28 (3) (b) of the statutes is amended to read:

22 30.28 (3) (b) This section does not apply to a permit issued under s. 30.12 (3)

23 (a) ~~2., 2m. or 3. or (4) (c) or (d).~~

24 **SECTION 150.** 30.29 (3) (d) of the statutes is amended to read:

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## SECTION 150

1           30.29 (3) (d) *Activities for which a permit is issued.* A person or agent of a person  
2 who is ~~issued a permit by the department while the person or agent is engaged in~~  
3 ~~activities related to the purpose for which the permit is issued~~ as authorized under  
4 a general or individual permit issued under this subchapter or as authorized under  
5 a contract entered into under this subchapter.

6           **SECTION 151.** 30.298 (3) of the statutes is amended to read:

7           30.298 (3) Any person who violates a general permit under s. 30.206 shall  
8 forfeit not less than \$10 nor more than \$500 for the first offense and shall forfeit not  
9 less than \$50 nor more than \$500 upon conviction of the same offense a 2nd or  
10 subsequent time.

11           **SECTION 152.** 31.39 (2m) (c) of the statutes is amended to read:

12           31.39 (2m) (c) If more than one fee under sub. (2) (a) or s. 30.28 (2) ~~(a)~~ or 281.22  
13 is applicable to a project, the department shall charge only the highest fee of those  
14 that are applicable.

15           **SECTION 153.** 66.0628 of the statutes is created to read:

16           **66.0628 Fees imposed by a political subdivision.** (1) In this section,  
17 “political subdivision” means a city, village, town, or county.

18           (2) Any fee that is imposed by a political subdivision shall bear a reasonable  
19 relationship to the service for which the fee is imposed.

20           (3) With regard to a fee that is first imposed, or an existing fee that is increased,  
21 on or after the effective date of this subsection .... [revisor inserts date], a political  
22 subdivision shall issue written findings that demonstrate that the fee meets the  
23 standard in sub. (2).

24           **SECTION 154.** 66.1001 (2) (e) of the statutes is amended to read:



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1           66.1001 (2) (e) *Agricultural, natural and cultural resources element.* A  
2 compilation of objectives, policies, goals, maps and programs for the conservation,  
3 and promotion of the effective management, of natural resources such as  
4 groundwater, forests, productive agricultural areas, environmentally sensitive  
5 areas, threatened and endangered species, stream corridors, surface water,  
6 floodplains, wetlands, wildlife habitat, metallic and nonmetallic mineral resources  
7 consistent with zoning limitations under s. 295.20 (2), parks, open spaces, historical  
8 and cultural resources, community design, recreational resources and other natural  
9 resources.

10           **SECTION 155.** 66.1001 (4) (a) of the statutes is amended to read:

11           66.1001 (4) (a) The governing body of a local governmental unit shall adopt  
12 written procedures that are designed to foster public participation, including open  
13 discussion, communication programs, information services, and public meetings for  
14 which advance notice has been provided, in every stage of the preparation of a  
15 comprehensive plan. The written procedures shall provide for wide distribution of  
16 proposed, alternative, or amended elements of a comprehensive plan and shall  
17 provide an opportunity for written comments on the plan to be submitted by  
18 members of the public to the governing body and for the governing body to respond  
19 to such written comments. The written procedures shall describe the methods the  
20 governing body of a local governmental unit will use to distribute proposed,  
21 alternative, or amended elements of a comprehensive plan to owners of property, or  
22 to persons who have a leasehold interest in property pursuant to which the persons  
23 may extract nonmetallic mineral resources in or on property, in which the allowable  
24 use or intensity of use, of the property, is changed by the comprehensive plan.

25           **SECTION 156.** 66.1001 (4) (e) of the statutes is created to read:

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1           66.1001 (4) (e) At least 30 days before the hearing described in par. (d) is held,  
2 a local governmental unit shall provide written notice to all owners of property, and  
3 all leaseholders who have an interest in property pursuant to which the persons may  
4 extract nonmetallic mineral resources, in which the allowable use or intensity of use,  
5 of the property, is changed by the comprehensive plan, including all of the following:

6           1. An operator who has obtained, or made application for, a permit that is  
7 described under s. 295.12 (3) (d).

8           2. A person who has registered a marketable nonmetallic mineral deposit  
9 under s. 295.20.

10          3. Any other person who the local governmental unit knows has a property  
11 interest in nonmetallic mineral resources in the jurisdiction.

12           **SECTION 157.** 77.52 (2r) of the statutes is created to read:

13           77.52 (2r) No part of the charge for services provided by a temporary help  
14 company, as defined in s. 108.02 (24m), is subject to tax under sub. (2), if the client  
15 for whom the services are provided controls the means of performing the services and  
16 is responsible for the satisfactory completion of the services.

17           **SECTION 158.** 84.18 (6) of the statutes is amended to read:

18           84.18 (6) EXECUTION AND CONTROL OF WORK. Subject to s. ~~30.12(4)~~ 30.2022 and  
19 the control exercised by the United States, the construction under this section of any  
20 local bridge project shall be wholly under the supervision and control of the  
21 department. The secretary shall make and execute all contracts and have complete  
22 supervision over all matters pertaining to such construction and shall have the  
23 power to suspend or discontinue proceedings or construction relative to any bridge  
24 project at any time in the event any county, city, village or town fails to pay the  
25 amount required of it for any project eligible for construction under this section, or

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1 if the secretary determines that sufficient funds to pay the state's part of the cost of  
2 such bridge project are not available. All moneys provided by counties, cities,  
3 villages and towns shall be deposited in the state treasury, when required by the  
4 secretary, and paid out on order of the secretary. Any of the moneys deposited for a  
5 project eligible for construction under this section which remain in the state treasury  
6 after the completion of the project shall be repaid to the respective county, city, village  
7 or town in proportion to the amount each deposited.

8 **SECTION 159.** 106.01 (9) of the statutes is amended to read:

9 106.01 (9) ~~The Subject to s. 106.04, the~~ department may investigate, fix  
10 reasonable classifications, ~~issue promulgate~~ rules and, ~~issue~~ general or special  
11 orders, and, hold hearings, make findings, and render orders upon its findings as  
12 ~~shall be~~ necessary to carry out the intent and purposes of this section. The  
13 investigations, classifications, hearings, findings, and orders shall be made as  
14 provided in s. 103.005. Except as provided in sub. (8), the penalties specified in s.  
15 103.005 (12) apply to violations of this section. Orders issued under this subsection  
16 are subject to review under ch. 227.

17 **SECTION 160.** 106.025 (4) of the statutes is amended to read:

18 106.025 (4) In order that the apprentice may qualify at the end of  
19 apprenticeship as a skilled mechanic in the art of installing plumbing work, the  
20 department, ~~subject to s. 106.04,~~ may prescribe the level of supervision of an  
21 apprentice and the character of plumbing work that the apprentice may do during  
22 the 3rd year of the apprenticeship term. An apprentice in the 4th or 5th year of the  
23 apprenticeship term may install plumbing under the direction or supervision of a  
24 master or journeyman plumber without either the master or journeyman being

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1 physically present, provided that the master plumber in charge shall be responsible  
2 for the work.

3 **SECTION 161.** 106.04 of the statutes is created to read:

4 **106.04** **Apprentice-to-journeyman job-site ratio regulation**  
5 **prohibited.** The department may not prescribe, whether by promulgating a rule,  
6 issuing a general or special order, or otherwise, the ratio of apprentices to  
7 journeymen that an employer may have at a job site.

8 **SECTION 162.** Chapter 137 (title) of the statutes is amended to read:

9 **CHAPTER 137**

10 **AUTHENTICATIONS AND ELECTRONIC**

11 **TRANSACTIONS AND RECORDS**

12 **SECTION 163.** Subchapter I (title) of chapter 137 [precedes 137.01] of the  
13 statutes is amended to read:

14 **CHAPTER 137**

15 **SUBCHAPTER I**

16 **NOTARIES AND COMMISSIONERS**

17 **OF DEEDS; ELECTRONIC AND**

18 **NONELECTRONIC NOTARIZATION AND**

19 **ACKNOWLEDGEMENT**

20 **SECTION 164.** 137.01 (3) (a) of the statutes is amended to read:

21 137.01 (3) (a) ~~Every~~ Except as authorized in sub. (4) (a) and s. 137.19, every  
22 notary public shall provide an engraved official seal which makes a distinct and  
23 legible impression or official rubber stamp which makes a distinct and legible  
24 imprint on paper. The impression of the seal or the imprint of the rubber stamp shall  
25 state only the following: "Notary Public," "State of Wisconsin" and the name of the

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1 notary. But any notarial seal in use on August 1, 1959, shall be considered in  
2 compliance.

3 **SECTION 165.** 137.01 (4) (a) of the statutes is amended to read:

4 137.01 (4) (a) Every official act of a notary public shall be attested by the notary  
5 public's written signature or electronic signature, as defined in s. ~~137.04 (2)~~ 137.11  
6 (8). The department of administration and the secretary of state shall jointly  
7 promulgate rules prescribing a method for attaching or associating an electronic  
8 signature and other required information with a signature or record under s. 137.19.  
9 The department of administration and the secretary of state shall jointly promulgate  
10 rules establishing requirements that a notary public must satisfy in order to use an  
11 electronic signature for any attestation other than an attestation under s. 137.19.  
12 All joint rules promulgated under this paragraph shall be numbered as rules of each  
13 agency in the Wisconsin Administrative Code.

14 **SECTION 166.** 137.01 (4) (b) of the statutes is amended to read:

15 137.01 (4) (b) ~~All~~ Except as authorized in par. (a) and s. 137.19, all certificates  
16 of acknowledgments of deeds and other conveyances, or any written instrument  
17 required or authorized by law to be acknowledged or sworn to before any notary  
18 public, within this state, shall be attested by a clear impression of the official seal or  
19 imprint of the rubber stamp of said officer, and in addition thereto shall be written  
20 or stamped either the day, month and year when the commission of said notary public  
21 will expire, or that such commission is permanent.

22 **SECTION 167.** 137.04 of the statutes is repealed.

23 **SECTION 168.** Subchapter II (title) of chapter 137 [precedes 137.04] of the  
24 statutes is amended to read:

25 **CHAPTER 137**

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## SUBCHAPTER II

## ELECTRONIC SIGNATURES

TRANSACTIONS AND RECORDS:ELECTRONIC NOTARIZATIONAND ACKNOWLEDGEMENT

SECTION 169. 137.05 (title) of the statutes is renumbered 137.25 (title) and amended to read:

**137.25** (title) **Submission of ~~written documents~~ records to governmental units; interoperability.**

SECTION 170. 137.05 of the statutes is renumbered 137.25 (1) and amended to read:

137.25 (1) Unless otherwise ~~prohibited~~ provided by law, with the consent of a governmental unit of this state that is to receive a record, any document record that is required by law to be submitted in writing to -a- that governmental unit and that requires a written signature may be submitted by ~~transforming the document into as an~~ an electronic format, but only with the consent of the governmental unit that is to receive the document record, and if submitted as an electronic record may incorporate an electronic signature.

SECTION 171. 137.06 of the statutes is repealed.

SECTION 172. 137.11 to 137.24 of the statutes are created to read:

**137.11 Definitions.** In this subchapter:

(1) "Agreement" means the bargain of the parties in fact, as found in their language or inferred from other circumstances and from rules, regulations, and procedures given the effect of agreements under laws otherwise applicable to a particular transaction.

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1           (2) “Automated transaction” means a transaction conducted or performed, in  
2 whole or in part, by electronic means or by the use of electronic records, in which the  
3 acts or records of one or both parties are not reviewed by an individual in the ordinary  
4 course in forming a contract, performing under an existing contract, or fulfilling an  
5 obligation required by the transaction.

6           (3) “Computer program” means a set of statements or instructions to be used  
7 directly or indirectly in an information processing system in order to bring about a  
8 certain result.

9           (4) “Contract” means the total legal obligation resulting from the parties’  
10 agreement as affected by this subchapter and other applicable law.

11           (5) “Electronic” means relating to technology having electrical, digital,  
12 magnetic, wireless, optical, electromagnetic, or similar capabilities.

13           (6) “Electronic agent” means a computer program or an electronic or other  
14 automated means used independently to initiate an action or respond to electronic  
15 records or performances in whole or in part, without review or action by an  
16 individual.

17           (7) “Electronic record” means a record that is created, generated, sent,  
18 communicated, received, or stored by electronic means.

19           (8) “Electronic signature” means an electronic sound, symbol, or process  
20 attached to or logically associated with a record and executed or adopted by a person  
21 with the intent to sign the record.

22           (9) “Governmental unit” means:

23           (a) An agency, department, board, commission, office, authority, institution, or  
24 instrumentality of the federal government or of a state or of a political subdivision

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1 of a state or special purpose district within a state, regardless of the branch or  
2 branches of government in which it is located.

3 (b) A political subdivision of a state or special purpose district within a state.

4 (c) An association or society to which appropriations are made by law.

5 (d) Any body within one or more of the entities specified in pars. (a) to (c) that  
6 is created or authorized to be created by the constitution, by law, or by action of one  
7 or more of the entities specified in pars. (a) to (c).

8 (e) Any combination of any of the entities specified in pars. (a) to (d).

9 (10) "Information" means data, text, images, sounds, codes, computer  
10 programs, software, databases, or the like.

11 (11) "Information processing system" means an electronic system for creating,  
12 generating, sending, receiving, storing, displaying, or processing information.

13 (12) "Record" means information that is inscribed on a tangible medium or that  
14 is stored in an electronic or other medium and is retrievable in perceivable form.

15 (13) "Security procedure" means a procedure employed for the purpose of  
16 verifying that an electronic signature, record, or performance is that of a specific  
17 person or for detecting changes or errors in the information in an electronic record.  
18 The term includes a procedure that requires the use of algorithms or other codes,  
19 identifying words or numbers, encryption, callback, or other acknowledgment  
20 procedures.

21 (14) "State" means a state of the United States, the District of Columbia,  
22 Puerto Rico, the U.S. Virgin Islands, or any territory or insular possession subject  
23 to the jurisdiction of the United States. The term includes an Indian tribe or band,  
24 or Alaskan native village, which is recognized by federal law or formally  
25 acknowledged by a state.



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1           **(15)** “Transaction” means an action or set of actions occurring between 2 or  
2 more persons relating to the conduct of business, commercial, or governmental  
3 affairs.

4           **137.115 Relation to federal law.** For the purpose of satisfying 15 USC 7002  
5 (a) (2) (B) as that statute relates to this subchapter, this state acknowledges the  
6 existence of the Electronic Signatures in Global and National Commerce Act, 15 USC  
7 7001 to 7031.

8           **137.12 Application. (1)** Except as otherwise provided in subs. (2) and (2m)  
9 and except in s. 137.25, this subchapter applies to electronic records and electronic  
10 signatures relating to a transaction.

11           **(2)** Except as otherwise provided in sub. (3), this subchapter does not apply to  
12 a transaction to the extent it is governed by:

13           (a) Any law governing the execution of wills or the creation of testamentary  
14 trusts; or

15           (b) Chapters 401 and 403 to 410, other than ss. 401.107 and 401.206.

16           **(2m)** This subchapter does not apply to any of the following records or any  
17 transaction evidenced by any of the following records:

18           (a) Records governed by any law relating to adoption, divorce, or other matters  
19 of family law.

20           (b) Notices provided by a court.

21           (c) Court orders or judgements.

22           (d) Official court documents, including, but not limited to, briefs, pleadings,  
23 affidavits, memorandum decisions, and other writings, required to be executed in  
24 connection with court proceedings.

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1 (e) Records required by law to accompany any transportation or handling of  
2 hazardous materials, pesticides, or other toxic or dangerous materials.

3 (f) Notices of cancelation or termination of utility services, including heat,  
4 water, basic local telecommunications services, and power.

5 (g) Notices of default, acceleration, repossession, foreclosure, or eviction, or the  
6 right to cure, under a credit agreement secured by, or a rental agreement for, a  
7 primary residence of an individual.

8 (h) Notices of the cancellation or termination of health insurance or benefits  
9 or life insurance benefits other than annuities.

10 (i) Notices of the recall of a product, or the material failure of a product, that  
11 risks endangering health or safety.

12 (3) This subchapter applies to an electronic record or electronic signature  
13 otherwise excluded from the application of this subchapter under sub. (2) to the  
14 extent it is governed by a law other than those specified in sub. (2).

15 (4) A transaction subject to this subchapter is also subject to other applicable  
16 substantive law.

17 (5) This subchapter applies to the state of Wisconsin, unless otherwise  
18 expressly provided.

19 **137.13 Use of electronic records and electronic signatures; variation**  
20 **by agreement. (1)** This subchapter does not require a record or signature to be  
21 created, generated, sent, communicated, received, stored, or otherwise processed or  
22 used by electronic means or in electronic form.

23 (2) This subchapter applies only to transactions between parties each of which  
24 has agreed to conduct transactions by electronic means. Whether the parties agree

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1 to conduct a transaction by electronic means is determined from the context and  
2 surrounding circumstances, including the parties' conduct.

3 (3) A party that agrees to conduct a transaction by electronic means may refuse  
4 to conduct other transactions by electronic means. The right granted by this  
5 subsection may not be waived by agreement.

6 (4) Except as otherwise provided in this subchapter, the effect of any provision  
7 of this subchapter may be varied by agreement. Use of the words "unless otherwise  
8 agreed," or words of similar import, in this subchapter shall not be interpreted to  
9 preclude other provisions of this subchapter from being varied by agreement.

10 (5) Whether an electronic record or electronic signature has legal consequences  
11 is determined by this subchapter and other applicable law.

12 **137.14 Construction.** This subchapter shall be construed and applied:

13 (1) To facilitate electronic transactions consistent with other applicable law;

14 (2) To be consistent with reasonable practices concerning electronic  
15 transactions and with the continued expansion of those practices; and

16 (3) To effectuate its general purpose to make uniform the law with respect to  
17 the subject of this subchapter among states enacting laws substantially similar to  
18 the Uniform Electronic Transactions Act as approved and recommended by the  
19 National Conference of Commissioners on Uniform State Laws in 1999.

20 **137.15 Legal recognition of electronic records, electronic signatures,**  
21 **and electronic contracts.** (1) A record or signature may not be denied legal effect  
22 or enforceability solely because it is in electronic form.

23 (2) A contract may not be denied legal effect or enforceability solely because an  
24 electronic record was used in its formation.

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1           (3) If a law requires a record to be in writing, an electronic record satisfies that  
2 requirement in that law.

3           (4) If a law requires a signature, an electronic signature satisfies that  
4 requirement in that law.

5           **137.16 Provision of information in writing; presentation of records.**

6           (1) If parties have agreed to conduct a transaction by electronic means and a law  
7 requires a person to provide, send, or deliver information in writing to another  
8 person, a party may satisfy the requirement with respect to that transaction if the  
9 information is provided, sent, or delivered, as the case may be, in an electronic record  
10 capable of retention by the recipient at the time of receipt. An electronic record is not  
11 capable of retention by the recipient if the sender or its information processing  
12 system inhibits the ability of the recipient to print or store the electronic record.

13           (2) If a law other than this subchapter requires a record to be posted or  
14 displayed in a certain manner, to be sent, communicated, or transmitted by a  
15 specified method, or to contain information that is formatted in a certain manner,  
16 then:

17           (a) The record shall be posted or displayed in the manner specified in the other  
18 law.

19           (b) Except as otherwise provided in sub. (4) (b), the record shall be sent,  
20 communicated, or transmitted by the method specified in the other law.

21           (c) The record shall contain the information formatted in the manner specified  
22 in the other law.

23           (3) If a sender inhibits the ability of a recipient to store or print an electronic  
24 record, the electronic record is not enforceable against the recipient.

25           (4) The requirements of this section may not be varied by agreement, but:

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1           (a) To the extent a law other than this subchapter requires information to be  
2 provided, sent, or delivered in writing but permits that requirement to be varied by  
3 agreement, the requirement under sub. (1) that the information be in the form of an  
4 electronic record capable of retention may also be varied by agreement; and

5           (b) A requirement under a law other than this subchapter to send,  
6 communicate, or transmit a record by 1st class or regular mail or with postage  
7 prepaid may be varied by agreement to the extent permitted by the other law.

8           **137.17 Attribution and effect of electronic records and electronic**  
9 **signatures.** (1) An electronic record or electronic signature is attributable to a  
10 person if the electronic record or electronic signature was created by the act of the  
11 person. The act of the person may be shown in any manner, including a showing of  
12 the efficacy of any security procedure applied to determine the person to which the  
13 electronic record or electronic signature was attributable.

14           (2) The effect of an electronic record or electronic signature that is attributed  
15 to a person under sub. (1) is determined from the context and surrounding  
16 circumstances at the time of its creation, execution, or adoption, including the  
17 parties' agreement, if any, and otherwise as provided by law.

18           **137.18 Effect of change or error.** (1) If a change or error in an electronic  
19 record occurs in a transmission between parties to a transaction, then:

20           (a) If the parties have agreed to use a security procedure to detect changes or  
21 errors and one party has conformed to the procedure, but the other party has not, and  
22 the nonconforming party would have detected the change or error had that party also  
23 conformed, the conforming party may avoid the effect of the changed or erroneous  
24 electronic record.

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1 (b) In an automated transaction involving an individual, the individual may  
2 avoid the effect of an electronic record that resulted from an error made by the  
3 individual in dealing with the electronic agent of another person if the electronic  
4 agent did not provide an opportunity for the prevention or correction of the error and,  
5 at the time the individual learns of the error, the individual:

6 1. Promptly notifies the other person of the error and that the individual did  
7 not intend to be bound by the electronic record received by the other person;

8 2. Takes reasonable steps, including steps that conform to the other person's  
9 reasonable instructions, to return to the other person or, if instructed by the other  
10 person, to destroy the consideration received, if any, as a result of the erroneous  
11 electronic record; and

12 3. Has not used or received any benefit or value from the consideration, if any,  
13 received from the other person.

14 (2) If neither sub. (1) (a) nor (b) applies, the change or error has the effect  
15 provided by other law, including the law of mistake, and the parties' contract, if any.

16 (3) Subsections (1) (b) and (2) may not be varied by agreement.

17 **137.19 Notarization and acknowledgement.** If a law requires a signature  
18 or record to be notarized, acknowledged, verified, or made under oath, the  
19 requirement is satisfied if, consistent with any applicable rules promulgated under  
20 s. 137.01 (4) (a), the electronic signature of the person authorized to administer the  
21 oath or to make the notarization, acknowledgment, or verification, together with all  
22 other information required to be included by other applicable law, is attached to or  
23 logically associated with the signature or record.

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1           **137.20 Retention of electronic records; originals.** (1) Except as provided  
2 in sub. (6), if a law requires that a record be retained, the requirement is satisfied  
3 by retaining the information set forth in the record as an electronic record which:

4           (a) Accurately reflects the information set forth in the record after it was first  
5 generated in its final form as an electronic record or otherwise; and

6           (b) Remains accessible for later reference.

7           (2) A requirement to retain a record in accordance with sub. (1) does not apply  
8 to any information the sole purpose of which is to enable the record to be sent,  
9 communicated, or received.

10          (3) A person may comply with sub. (1) by using the services of another person  
11 if the requirements of that subsection are satisfied.

12          (4) Except as provided in sub. (6), if a law requires a record to be presented or  
13 retained in its original form, or provides consequences if the record is not presented  
14 or retained in its original form, a person may comply with that law by using an  
15 electronic record that is retained in accordance with sub. (1).

16          (5) Except as provided in sub. (6), if a law requires retention of a check, that  
17 requirement is satisfied by retention of an electronic record containing the  
18 information on the front and back of the check in accordance with sub. (1).

19          (6) (a) Except as provided in par. (b), a record retained as an electronic record  
20 in accordance with sub. (1) satisfies a law requiring a person to retain a record for  
21 evidentiary, audit, or like purposes, unless a law enacted after the effective date of  
22 this paragraph .... [revisor inserts date], specifically prohibits the use of an electronic  
23 record for the specified purpose.

24          (b) A governmental unit that has custody of a record is also further subject to  
25 the retention requirements for public records of state agencies and the records of the

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1 University of Wisconsin Hospitals and Clinics Authority established under ss. 16.61  
2 and 16.611 and the retention requirements for documents of local governmental  
3 units established under s. 16.612.

4 (7) The public records board may promulgate rules prescribing standards  
5 consistent with this subchapter for retention of records by state agencies, the  
6 University of Wisconsin Hospitals and Clinics Authority and local governmental  
7 units.

8 (8) This section does not preclude the public records board, the department of  
9 administration, or any other governmental unit of this state from specifying  
10 additional requirements for the retention of any record of another governmental unit  
11 subject to its jurisdiction.

12 **137.21 Admissibility in evidence.** In a proceeding, a record or signature  
13 may not be excluded as evidence solely because it is in electronic form.

14 **137.22 Automated transactions.** In an automated transaction:

15 (1) A contract may be formed by the interaction of electronic agents of the  
16 parties, even if no individual was aware of or reviewed the electronic agent's actions  
17 or the resulting terms and agreements.

18 (2) A contract may be formed by the interaction of an electronic agent and an  
19 individual, acting on the individual's own behalf or for another person, including by  
20 an interaction in which the individual performs actions that the individual is free to  
21 refuse to perform and which the individual knows or has reason to know will cause  
22 the electronic agent to complete the transaction or performance.

23 (3) The terms of a contract under sub. (1) or (2) are governed by the substantive  
24 law applicable to the contract.