



**ASSEMBLY AMENDMENT 26,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1995 ASSEMBLY BILL 150**

June 21, 1995 – Offered by Representatives PROSSER, BRANCEL, AINSWORTH, ALBERS, BRANDEMUEHL, COLEMAN, DOBYNS, DUFF, FOTI, FREESE, GARD, GOETSCH, GREEN, GROTHMAN, GUNDERSON, HAHN, HANDRICK, HARSDFORF, HOVEN, HUEBSCH, HUTCHISON, JENSEN, JOHNSRUD, KAUFERT, KELSO, KLUSMAN, KREIBICH, LADWIG, F. LASEE, LAZICH, LEHMAN, LORGE, MUSSER, NASS, OLSEN, OTT, OTTE, OURADA, OWENS, PORTER, POWERS, SCHNEIDERS, SERATTI, SILBAUGH, SKINDRUD, UNDERHEIM, URBAN, VRAKAS, WALKER, WARD and ZUKOWSKI.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 7, line 6: after that line insert:

3 “SECTION 16q. 13.123 (2) of the statutes is repealed.

4 **SECTION 16r.** 13.123 (3) of the statutes is renumbered 13.123 (2), and 13.123

5 (2) (c), as renumbered, is amended to read:

6 13.123 (2) (c) Paragraph (b) may not be construed to affect eligibility for any  
7 allowance authorized under sub. (1) ~~or (2)~~.”.

8 **2.** Page 7, line 12: after that line insert:

9 “SECTION 17e. 13.45 (3) (a) of the statutes is amended to read:

10 13.45 (3) (a) For any day for which the legislator does not file a claim under s.  
11 13.123 (1), any legislator appointed to serve on a legislative committee or a  
12 committee to which the legislator was appointed by either house or the officers  
13 thereof shall be reimbursed from the appropriations under ss. 20.315 and 20.765 (1)  
14 (a) or (b) for actual and necessary expenses incurred as a member of the committee.”.

1           **3.** Page 7, line 12: after that line insert:

2           “**SECTION 17e.** 13.20 (2) of the statutes is amended to read:

3           13.20 (2) PAY RANGES; DURATION OF EMPLOYMENT. All legislative employes shall  
4           be paid in accordance with the compensation and classification plan for employes in  
5           the classified civil service within ranges approved by the joint committee on  
6           legislative organization, but subject to the pay range maximum and compensation  
7           maximum under s. 230.125. The secretary of employment relations shall make  
8           recommendations concerning a compensation and classification schedule for  
9           legislative employes if requested to do so by the joint committee on legislative  
10          organization or by the committee on organization of either house. If the joint  
11          committee does not approve pay ranges for legislative employes, the committee on  
12          organization of either house may approve pay ranges for its employes. Appointments  
13          shall be made for the legislative session, unless earlier terminated by the appointing  
14          officer.”.

15          **4.** Page 19, line 12: delete the material beginning with that line and ending  
16          with page 20, line 7.

17          **5.** Page 20, line 23: delete the material beginning with that line and ending  
18          with page 21, line 3.

19          **6.** Page 24, line 11: delete lines 11 to 13 and substitute:

20          “**SECTION 47p.** 14.015 (2) (title) of the statutes is renumbered 15.705 (3) (title).

21          **SECTION 47pg.** 14.015 (2) of the statutes is renumbered 15.705 (3) (a), and  
22          15.705 (3) (a) (intro.) and 5. (intro.), as renumbered, are amended to read:

            15.705 (3) (a) (intro.) There is created”.

**7.** Page 24, line 16: after that line insert:

1           “5. (intro.) ~~One~~ A representative of each of the following communities in this  
2 state.”.

3           **8.** Page 24, line 17: delete lines 17 and 18.

4           **9.** Page 25, line 11: after that line insert:

5           “**SECTION 49b.** 14.367 of the statutes is renumbered 15.187, and 15.187 (1) (a)  
6 (intro.) and (b), as renumbered, are amended to read:

7           15.187 (1) (a) (intro.) There is created in the ~~office of the secretary of state~~  
8 department of financial institutions a uniform commercial code statewide lien  
9 system council. The council shall consist of the administrator of the division of  
10 information technology services in the department of administration or the  
11 administrator’s designee and the following members appointed by the secretary of  
12 ~~state~~ the department of financial institutions for 6-year terms:

13           (b) The council shall advise the ~~secretary of state~~ department of financial  
14 institutions on the uniform commercial code statewide lien system under s. 409.410.

15           **SECTION 50b.** 14.38 (9) of the statutes is amended to read:

16           14.38 (9) FURNISH CERTIFIED COPIES; FEES. Make a copy of any law, resolution,  
17 deed, bond, record, document or paper deposited or kept in his or her office, upon  
18 request therefor, attach thereto his or her certificate, with the greater or lesser seal  
19 affixed, and collect therefor 50 cents per page and \$5 for such certificate; if a copy is  
20 not to be certified and if the reproduction is performed by the office of the secretary  
21 of state, then collect a fee to cover the actual and necessary cost of reproduction and  
22 actual and necessary cost of transcription required to produce the copy or \$2,  
23 whichever is greater; also to record any document authorized or required by law to  
24 be recorded in his or her office, and to charge therefor a fee of \$1 per page. The fee

1 for certified copies of ~~appointments, certificates of incorporations or amendments,~~  
2 ~~licenses of foreign corporations, or similar certificates,~~ and for certificates as to  
3 results of search of the records and files of his or her office, when a printed form is  
4 used, shall be \$5, but when a specially prepared form is required the fee shall be \$10.  
5 Telegraphic reports as to results of record searches shall be \$5 plus the cost of the  
6 telegram. The secretary of state shall charge and collect for preparing any record or  
7 certificate under this subsection in an expeditious manner, an expedited service fee  
8 of \$25 in addition to the fee otherwise required under this subsection, ~~except that~~  
9 ~~only one expedited service fee may be charged for multiple identical corporation or~~  
10 ~~limited partnership certificates of status if the certificates of status are requested at~~  
11 ~~the same time and issued at the same time.~~

12 **SECTION 51c.** 14.38 (12) of the statutes is renumbered 182.01 (6) and amended  
13 to read:

14 182.01 (6) DISCRIMINATION BY CORPORATIONS OR LIMITED LIABILITY COMPANIES. If  
15 a complaint is made to the ~~secretary of state~~ department that any corporation or  
16 limited liability company authorized to do business in this state is guilty of  
17 discrimination under s. 100.22, refer the matter to the department of agriculture,  
18 trade and consumer protection, which shall, if the facts justify it in its judgment,  
19 cause appropriate administrative or judicial proceedings to be commenced against  
20 the corporation or limited liability company and its officers or managers and  
21 members.

22 **SECTION 52b.** 14.38 (13) (title) of the statutes is repealed.

23 **SECTION 52c.** 14.38 (13) of the statutes is renumbered 220.02 (7) and amended  
24 to read:

1           220.02 (7) ~~Establish~~ The division shall establish and maintain, in consultation  
2 with the uniform commercial code statewide lien system council, computer and any  
3 other services necessary to support the uniform commercial code statewide lien  
4 system under s. 409.410 but may not maintain a central filing system, as defined in  
5 7 USC 1631 (c) (2), for farm products, as defined in 7 USC 1631 (c) (5).

6           **SECTION 53ad.** 14.38 (14) of the statutes is renumbered 182.01 (3), and 182.01  
7 (3) (intro.), as renumbered, is amended to read:

8           182.01 (3) NAME OF DRAFTER ON DOCUMENTS. (intro.) No articles of  
9 incorporation, articles of organization, articles of amendment, articles of merger,  
10 consolidation or share exchange, articles of dissolution, restated articles of  
11 incorporation, certificate of abandonment, or statement or articles of revocation of  
12 voluntary dissolution, provided for pursuant to ch. 180, 181, 183, 185 or 187 and no  
13 certificate of limited partnership, certificate of amendment, restated certificate of  
14 limited partnership or certificate of cancellation, provided for pursuant to ch. 179,  
15 shall be filed by the ~~secretary of state~~ department unless the name of the individual  
16 who, or the governmental agency which, drafted such document is printed,  
17 typewritten, stamped or written thereon in a legible manner. A document complies  
18 with this subsection if it contains a statement in the following form: "This document  
19 was drafted by .... (Name)". This subsection shall not apply to a document executed  
20 prior to December 1, 1967, or to:".

21           **10.** Page 25, line 11: delete that line and substitute:

22           **"SECTION 48m.** 14.26 (title) and (1) of the statutes are renumbered 44.25 (title)  
23 and (1).

1           **SECTION 48n.** 14.26 (2) of the statutes is renumbered 44.25 (2) and amended  
2 to read:

3           44.25 (2) The commission shall submit an annual report to the governor and  
4 to the legislature under s. 13.172 (2) regarding its activities upon the governor’s  
5 request on each March 1 until March 1, 1998.

6           **SECTION 48ng.** 14.26 (3) and (4) of the statutes are renumbered 44.25 (3) and  
7 (4).

8           **SECTION 48p.** 14.26 (5) of the statutes is renumbered 15.705 (3) (c).

9           **SECTION 48q.** 14.26 (6) of the statutes is renumbered 44.25 (6) and amended to  
10 read:

11           44.25 (6) The commission shall ~~report to the governor upon completion of~~  
12 complete its activities and, upon submit a final report regarding its activities to the  
13 governor, and to the legislature under s. 13.172 (2) no later than June 1, 1999. Upon  
14 acceptance of the report by the governor, the commission shall cease to exist.”.

15           **11.** Page 25, line 12: delete the material beginning with that line and ending  
with page 31, line 20.

16           **12.** Page 32, line 3: delete that line.

17           **13.** Page 35, line 13: substitute “29” for “21”.

18           **14.** Page 42, line 1: delete lines 1 to 3.

19           **15.** Page 42, line 17: delete the material beginning with “The” and ending with  
“(b).” on line 18.

20           **16.** Page 43, line 9: delete the material beginning with “The” and ending with  
“(b).” on line 10.

21           **17.** Page 43, line 18: after that line insert:

1           **“SECTION 97m.** 15.07 (2) (k) of the statutes is created to read:

2           15.07 (2) (k) The governor or his or her designee shall serve as chairperson of  
3 the competitive enterprise review board and the secretary of administration or his  
4 or her designee shall serve as vice-chairperson of the board.

5           **SECTION 97p.** 15.07 (3) (bm) 4. of the statutes is created to read:

6           15.07 (3) (bm) 4. The competitive enterprise review board shall meet at least  
7 6 times per year.”.

8           **18.** [Page 49, line 25](#): after that line insert:

9           **“SECTION 118r.** 15.105 (27) of the statutes is created to read:

10          15.105 (27) COMPETITIVE ENTERPRISE REVIEW BOARD. There is created a  
11 competitive enterprise review board which is attached to the department of  
12 administration under s. 15.03. The board shall consist of:

13          (a) The governor or his or her designee.

14          (b) The secretary of administration or his or her designee.

15          (c) The secretary of employment relations or his or her designee.

16          (d) Two members appointed for 2-year terms, one of whom shall be a  
17 representative of a labor organization that is certified or recognized to represent  
18 state employes under subch. V of ch. 111 and one of whom shall have experience in  
19 competitive bidding practices in the private sector.”.

20          **19.** [Page 61, line 18](#): delete the material beginning with that line and ending  
with page 62, line 5.

21          **20.** [Page 69, line 15](#): after that line insert:

22          **“SECTION 200am.** 15.587 (1) of the statutes, as affected by 1993 Wisconsin Act  
23 16, section 67n, is repealed and recreated to read:

1           15.587 (1) COUNCIL ON MUNICIPAL COLLECTIVE BARGAINING. There is created in  
2 the employment relations commission a council on municipal collective bargaining.  
3 The council shall consist of the chairperson of the commission, who shall serve as the  
4 nonvoting chairperson of the council, and 5 representatives of municipal employers  
5 and 5 representatives of municipal employes bargaining under subch. IV of ch. 111  
6 appointed by the chairperson of the commission to serve for 6-year terms. In making  
7 appointments to the council, the chairperson shall give due consideration to the  
8 necessity of achieving balanced representation of municipal employer interests, and  
9 to the diversity of municipal employe interests among municipal employes who are  
10 included in collective bargaining units subject to the procedures under s. 111.70 (4)  
11 (cm).”.

12           **21. Page 71, line 14:** after that line insert:

13           “**SECTION 209s.** 15.705 (3) (a) 5. g. and 6. to 8. and (b) of the statutes are created  
14 to read:

15           15.705 (3) (a) 5. g. Sports.

16           6. A representative of the Wisconsin council for local history.

17           7. A representative of American Indian tribes and bands in this state.

18           8. Five members at large.

19           (b) In addition to the members specified in par. (a), the governor shall serve as  
20 an ex-officio member of the commission and of any committee of the commission  
21 appointed under s. 44.25 (5r).”.

22           **22. Page 82, line 3:** after “parolees” insert “or persons on community  
supervision”.



1           **23.** Page 83, line 25: delete the material beginning with “but” and ending with  
“leader” on page 84, line 1.

2           **24.** Page 84, line 6: delete lines 6 to 15.

3           **25.** Page 91, line 1: delete lines 1 to 18.

4           **26.** Page 91, line 22: delete the material beginning with that line and ending  
with page 92, line 15.

5           **27.** Page 92, line 15: after that line insert:

6           “**SECTION 288p.** 16.42 (1) (intro.) of the statutes is amended to read:

7           16.42 (1) (intro.) All agencies, other than the legislature and the courts, no later  
8           than September 15 of each even-numbered year, in the form and content prescribed  
9           by the department subject to the requirements of sub. (3), shall prepare and forward  
10          to the department and to the legislative fiscal bureau the following program and  
11          financial information:

12          **SECTION 288q.** 16.42 (3) of the statutes is created to read:

13          16.42 (3) (a) In this subsection:

14           1. “Agency” has the meaning given in s. 16.52 (7).

15           2. “Zero-based budgeting” means compilation of a budget in which each  
16          component is justified on the basis of cost, need and relation to the statutory  
17          responsibilities of the agency for which the budget is made.

18          (b) For the period consisting of the fiscal biennia from 1997-99 to 2005-07, the  
19          department shall require each agency to submit one budget request prepared using  
20          the principles of zero-based budgeting for each of its activities, units and programs.  
21          Insofar as practicable, the department shall require 20% of the agencies to submit  
22          a budget request under this subsection for each fiscal biennium during this period.”.

1           **28.** Page 100, line 13: delete the material beginning with that line and ending  
with page 101, line 13.

2           **29.** Page 115, line 2: after that line insert:

3           “**SECTION 361f.** 16.705 (1) of the statutes is amended to read:

4           16.705 (1) The department or its agents may contract for services which can  
5 be performed more economically or efficiently by such contract. The department or  
6 its agents shall contract for contractual services whenever the competitive  
7 enterprise review board directs under s. 16.706 (7).

8           **SECTION 361g.** 16.705 (2) of the statutes is amended to read:

9           16.705 (2) The department shall promulgate rules for the procurement of  
10 contractual services, including but not limited to the approval and monitoring  
11 processes for contractual service contracts. ~~Each~~ Except as otherwise provided in  
12 this subsection, each officer requesting approval to engage any person to perform  
13 contractual services shall submit to the department written justification for such  
14 contracting which shall include a description of the contractual services to be  
15 procured, justification of need, justification for not contracting with other agencies,  
16 a specific description of the scope of contractual services to be performed, and  
17 justification for the procurement process if a process other than competitive bidding  
18 is to be used. If the competitive enterprise review board requires the solicitation of  
19 bids or competitive sealed proposals for contractual services under s. 16.706 (4), the  
20 responsible officer shall submit to the department the information required under  
21 this subsection and information concerning alternatives to procurement of  
22 contractual services, but need not provide justification for such procurement. The  
23 department may not approve any contract for contractual services unless it is

1 satisfied that the justification for contracting conforms to the requirements of this  
2 section and ss. 16.71 to 16.77.

3 **SECTION 361h.** 16.705 (3) (intro.) of the statutes is amended to read:

4 16.705 (3) (intro.) Contracts for contractual services, other than contracts  
5 awarded under s. 16.706 (7), shall be submitted by the department for the review and  
6 approval of the secretary of employment relations prior to award, under conditions  
7 established by rule of the department. The secretary of employment relations shall  
8 review such contracts in order to ensure that agencies:

9 **SECTION 361i.** 16.705 (5) of the statutes is amended to read:

10 16.705 (5) The department shall promulgate rules to assure that the process  
11 used for selection of persons to perform contractual services includes a review of the  
12 independence and relationship, if any, of the contractor to employees of the agency,  
13 disclosure of any former employment of the contractor or employees of the contractor  
14 with the agency and a procedure to minimize the likelihood of selection of a  
15 contractor who provides or is likely to provide services to industries, client groups or  
16 individuals who are the object of state regulation or the recipients of state funding  
17 to a degree that the contractor's independence would be compromised. Such rules  
18 do not apply to contracts awarded under s. 16.706 (7).

19 **SECTION 361j.** 16.706 of the statutes is created to read:

20 **16.706 Competitive enterprise review board.** (1) In this section "board"  
21 means the competitive enterprise review board.

22 (2) Any person who believes that the person can provide any materials,  
23 supplies, equipment or contractual services to an executive branch agency, but more  
24 economically, efficiently or effectively than the materials, supplies, equipment or  
25 services are currently provided or more economically, efficiently or effectively than

1 the agency provides the materials, supplies, equipment or comparable  
2 noncontractual services to itself, may file an application with the board proposing to  
3 provide the materials, supplies, equipment or contractual services to the agency. The  
4 application shall specify each executive branch agency to which it applies, and shall  
5 contain a description of the materials, supplies, equipment or contractual services  
6 to which it applies and a description of the materials, supplies, equipment or  
7 contractual services that the applicant is capable of providing.

8 **(3)** The department shall assist the board in the performance of its functions.

9 Upon receipt of an application by the board under sub. (2), the department shall:

10 (a) Evaluate the proposal contained in the application to determine whether  
11 the proposal is feasible and whether it would result in delivery of materials, supplies,  
12 equipment or services to any affected executive branch agency in a more economical,  
13 efficient or effective manner.

14 (b) Submit its evaluation, together with a recommendation, to the board.

15 **(4)** The board shall review each proposal filed under sub. (2) together with the  
16 evaluation and recommendation submitted under sub. (3) and shall determine  
17 whether the proposal is feasible and would, if implemented, result in the delivery of  
18 materials, supplies, equipment or services by any executive branch agency in a more  
19 economical, efficient or effective manner. If the board finds that the proposal, if  
20 implemented, would achieve at least one of these objectives, the board may direct the  
21 department to solicit bids or competitive sealed proposals to provide the materials,  
22 supplies, equipment or contractual services specified in the proposal. If the  
23 department delegates the responsibility to solicit such bids or proposals to an  
24 affected executive branch agency under s. 16.71 (1), the department shall ensure that  
25 the agency complies with the directive of the board under this subsection. This

1 subsection does not apply to commodities, materials, supplies, equipment or services  
2 purchased under s. 16.75 (3t), 16.752 (12) (a) or 16.78 (1).

3 (5) Any executive branch agency that is authorized to provide any materials,  
4 supplies, equipment or contractual services to another executive branch agency  
5 consistent with its program responsibilities may submit a bid or competitive sealed  
6 proposal whenever such bids or proposals are solicited under sub. (4).

7 (6) The board shall, by rule, specify time periods for solicitations of bids or  
8 competitive sealed proposals under sub. (4) and for the submission of bids or  
9 competitive sealed proposals in response to the solicitations.

10 (7) Whenever the board directs the solicitation of bids or competitive sealed  
11 proposals under sub. (4), the department shall, before accepting or rejecting any bid  
12 or proposal, refer the question of acceptance of a bid or proposal to the board for its  
13 review. The board may thereafter determine that any bid or competitive sealed  
14 proposal is the best and most reasonable bid or proposal and may direct the  
15 department to accept that bid or proposal. Except with respect to purchases of  
16 printing or stationery, the bid or competitive sealed proposal selected by the board  
17 need not be the lowest cost bid or proposal. Consistently with specifications in the  
18 solicitation, the board may direct the department to include specified terms and  
19 conditions in any contract or order resulting from a bid or competitive sealed  
20 proposal selected by the board. If the department delegates responsibility to solicit  
21 bids or competitive sealed proposals to an executive branch agency under s. 16.71 (1),  
22 the department shall ensure that the agency complies with the directives of the board  
23 under this subsection.

24 (8) The board may, with respect to its responsibilities under this section:

25 (a) Hold public hearings and conduct studies.

1 (b) Consult with private commercial sources.

2 (c) Require any executive branch agency to provide a cost estimate or conduct  
3 a management study regarding any materials, supplies, equipment or services  
4 provided by the agency.

5 (d) Prescribe cost accounting standards for executive branch agencies in their  
6 preparation of cost estimates under par. (c).

7 (e) Prescribe, in consultation with the department or any other affected  
8 executive branch agency, specifications and procedures to which the department or  
9 other agency shall conform when soliciting bids or competitive sealed proposals.

10 **SECTION 361k.** 16.71 (1) of the statutes is amended to read:

11 16.71 (1) Except as authorized in s. 16.74, the department shall purchase and  
12 may delegate to special designated agents the authority to purchase all necessary  
13 materials, supplies, equipment, all other permanent personal property and  
14 miscellaneous capital, and contractual services and all other expense of a  
15 consumable nature for all agencies. In making any delegation, the department shall  
16 require the agent to adhere to all requirements imposed upon the department in  
17 making purchases under this subchapter. Any purchase or delegation of the  
18 responsibility for purchasing is subject to directives issued by the competitive  
19 enterprise review board under s. 16.706. All materials, services and other things and  
20 expense furnished to any agency and interest paid under s. 16.528 shall be charged  
21 to the proper appropriation of the agency to which furnished.

22 **SECTION 361L.** 16.71 (2) of the statutes is amended to read:

23 16.71 (2) The Except as otherwise directed under s. 16.706 (7), the department  
24 of administration shall delegate authority to make all purchases for prison  
25 industries to the department of corrections. This delegation may be withdrawn by

1 the department of administration only with the consent of, and in accordance with  
2 the terms specified by, the joint committee on finance, for failure to comply with  
3 applicable purchasing rules, procedures or statutory requirements.”.

4 **30.** Page 115, line 9: after that line insert:

5 “SECTION 361n. 16.72 (2) (a) of the statutes is amended to read:

6 16.72 (2) (a) The Unless otherwise directed under s. 16.706 (8) (e), the  
7 department of administration shall prepare standard specifications, as far as  
8 possible, for all state purchases. By “standard specifications” is meant a  
9 specification, either chemical or physical or both, prepared to describe in detail the  
10 article which the state desires to purchase, and trade names shall not be used. On  
11 the formulation, adoption and modification of any standard specifications, the  
12 department of administration shall also seek and be accorded without cost, the  
13 assistance, advice and cooperation of other agencies and officers. Each specification  
14 adopted for any commodity shall, insofar as possible, satisfy the requirements of any  
15 and all agencies which use it in common.

16 **SECTION 361p.** 16.72 (2) (b) of the statutes is amended to read:

17 16.72 (2) (b) Except as ~~provided in s.~~ otherwise required under ss. 16.706 (8)  
18 (e) and 565.25 (2) (a) 4., the department shall prepare or review specifications for all  
19 materials, supplies, equipment, other permanent personal property and contractual  
20 services not purchased under standard specifications. Such “nonstandard  
21 specifications” may be generic or performance specifications, or both, prepared to  
22 describe in detail the article which the state desires to purchase either by its physical  
23 properties or programmatic utility. When appropriate for such nonstandard items  
24 or services, trade names may be used to identify what the state requires, but

1 wherever possible 2 or more trade names shall be designated and the trade name of  
2 any Wisconsin producer, distributor or supplier shall appear first.

3 **SECTION 361po.** 16.72 (2) (c) of the statutes is amended to read:

4 16.72 (2) (c) ~~To~~ Unless otherwise directed under s. 16.706 (8) (e) the department  
5 shall, to the extent possible, the department shall write specifications so as to permit  
6 the purchase of materials manufactured in the United States, as defined in s. 16.754  
7 (1).

8 **SECTION 361q.** 16.72 (2) (d) of the statutes is amended to read:

9 16.72 (2) (d) ~~To the extent possible~~ Unless otherwise directed under s. 16.706  
10 (8) (e), the department and any other designated purchasing agent under s. 16.71 (1)  
11 shall, to the extent possible, write specifications for the purchase of materials,  
12 supplies, commodities, equipment and contractual services so as to permit their  
13 purchase from prison industries, as created under s. 303.01 (1).”.

14 **31.** Page 115, line 12: after “shall” insert “, unless otherwise directed under  
s. 16.706 (8) (e),”.”.

15 **32.** Page 115, line 21: delete “In” and substitute “In Unless otherwise directed  
under s. 16.706 (8) (e), in”.”.

16 **33.** Page 116, line 2: delete “All” and substitute “All Unless otherwise directed  
under s. 16.706 (8) (e), all”.”.

17 **34.** Page 117, line 17: after “ss.” insert “16.706 (7),”.”.

18 **35.** Page 118, line 2: after “ss.” insert “16.706 (7),”.

19 **36.** Page 118, line 6: after that line insert:

20 “**SECTION 368n.** 16.75 (1) (a) 3. of the statutes is amended to read:



1           16.75 (1) (a) 3. Bids Except as provided in s. 16.706 (8) (e), bids may be received  
2 only in accordance with such specifications as are adopted by the department as  
3 provided in this subsection. Any or all bids may be rejected. Each bid, with the name  
4 of the bidder, shall be entered on a record, and each record with the successful bid  
5 indicated shall, after the award or letting of the contract, be opened to public  
6 inspection. Where a low bid is rejected, a complete written record shall be compiled  
7 and filed, giving the reason in full for such action. Any waiver of sealed, advertised  
8 bids as provided in sub. (2m) or (6) shall be entered on a record kept by the  
9 department and open to public inspection.”.

10           **37.** Page 118, line 8: delete “The” and substitute “The Except as otherwise  
directed under s. 16.706 (7), the”.

11           **38.** Page 118, line 19: after that line insert:

12           “**SECTION 371e.** 16.75 (2) (a) of the statutes is amended to read:

13           16.75 (2) (a) ~~When~~ Unless otherwise directed under s. 16.706 (7), whenever the  
14 department of administration believes that it is to the best interests of the state to  
15 purchase certain patented or proprietary articles, other than printing and  
16 stationery, it may purchase said articles without the usual statutory procedure. All  
17 equipment shall be purchased from the lowest and best bidder as determined by the  
18 bids and a comparison of the detailed specifications submitted with the bids, and  
19 after due advertisement as herein before provided. Where the low bid or bids are  
20 rejected, a complete written record shall be compiled and filed, giving the reasons in  
21 full for such action.

22           **SECTION 371m.** 16.75 (2g) (a) of the statutes is amended to read:

1           16.75 (2g) (a) ~~The~~ Unless otherwise directed under s. 16.706 (4), the purchasing  
2 authority under s. 16.71 (2) may make purchases for products of and goods for resale  
3 by prison industries, other than purchases of printing or stationery, without inviting  
4 bids and without accepting the lowest responsible bid.”.

5           **39.** Page 119, line 17: after that line insert:

6           “**SECTION 381m.** 16.75 (8) (b) of the statutes is created to read:

7           16.75 (8) (b) Paragraph (a) does not apply to purchases which the department  
8 is directed to make under s. 16.706 (7).”.

9           **40.** Page 119, line 19: delete “The” and substitute “The Unless otherwise  
directed under s. 16.706 (8) (e), the”.

10          **41.** Page 119, line 23: after that line insert:

11          “**SECTION 383b.** 16.752 (7) (a) 1. of the statutes is amended to read:

12          16.752 (7) (a) 1. A legible copy of the articles of incorporation of the organization  
13 showing the date of filing and with the seal of the secretary of state department of  
14 financial institutions.”.

15          **42.** Page 119, line 23: after that line insert:

16          “**SECTION 382m.** 16.75 (10) of the statutes is amended to read:

17          16.75 (10) An agency that has building, fleet or energy management  
18 responsibilities shall, to the extent cost-effective and technically feasible, rely upon  
19 energy systems that utilize fuels produced in this state. In reviewing bids for the  
20 purchase of fuels or energy systems or equipment, the agency shall purchase fuel or  
21 energy systems or equipment produced in this state if the cost of the lowest  
22 responsible bid for such fuel or energy systems or equipment is no greater than the

1 lowest responsible bid for fuel or energy systems or equipment produced outside of  
2 this state. This subsection does not apply to purchases made under s. 16.706 (7).”.

3 **43.** Page 120, line 4: after that line insert:

4 “**SECTION 384m.** 16.754 (3) (intro.) of the statutes is amended to read:

5 16.754 (3) EXEMPTIONS. (intro.) Subsection (2) does not apply if the materials  
6 are purchased for the purpose of commercial resale or for the purpose of use in the  
7 production of goods for commercial sale. Subsection (2) does not apply to the  
8 purchase of stationery and printing materials. Subsection (2) does not apply if the  
9 department determines, under s. 16.75 (1) (a) 2., that the foreign nation or  
10 subdivision thereof in which the vendor is domiciled does not give preference to  
11 vendors domiciled in that nation or subdivision in making governmental purchases.  
12 Subsection (2) does not apply if the competitive enterprise review board otherwise  
13 directs under s. 16.706 (7). Subsection (2) does not apply if the department or other  
14 person having contracting authority in respect to the purchase determines that:”.

15 **44.** Page 123, line 15: after that line insert:

16 “**SECTION 390s.** 16.82 (4) (a) of the statutes is amended to read:

17 16.82 (4) (a) May Unless otherwise directed under s. 16.706, may produce or  
18 contract to have produced, printing of classes 1, 3 and 4, and excerpts from the  
19 statutes under class 2, and all materials offered by state agencies for production.”.

20 **45.** Page 153, line 4: delete that line and substitute:

21 “**SECTION 439bb.** 18.13 (4) of the statutes is amended to read:

22 18.13 (4) PUBLIC INTERVENOR. Notwithstanding s. ~~165.075~~ 23.39, the public  
23 intervenor does not have authority to initiate any ~~action or~~ proceeding concerning  
24 the issuance of obligations by the building commission under this chapter.”.

1           **46.** Page 153, line 5: delete the material beginning with that line and ending  
with page 154, line 9.

2           **47.** Page 157, line 6: delete lines 6 to 18.

3           **48.** Page 172, line 2: delete the material beginning with the comma and  
ending with the comma on line 3.

4           **49.** Page 176, line 15: decrease the dollar amount for fiscal year 1995–96 by  
\$50,000 and decrease the dollar amount for fiscal year 1996–97 by \$50,000 to  
decrease funding for the purpose for which the appropriation is made.

5           **50.** Page 176, line 15: after that line insert:

6           “(dm) Wind erosion control aids                   GPR     C           50,000     50,000”.

7           **51.** Page 178, line 1: delete that line.

8           **52.** Page 180, line 14: after that line insert:

9           “(bs) Mexico trade office                           GPR     A           37,000     37,000”.

10          **53.** Page 180, line 14: increase the dollar amount for fiscal year 1996–97 by  
\$250,000 to increase funding for the purposes for which the appropriation is made.

11          **54.** Page 180, line 16: decrease the dollar amount for fiscal year 1995–96 by  
\$1,500,000 and decrease the dollar amount for fiscal year 1996–97 by \$1,500,000 to  
decrease funding for the purposes for which the appropriation is made.

12          **55.** Page 183, line 9: delete lines 9 and 10.

13          **56.** Page 187, line 2: increase the dollar amount for fiscal year 1995–96 by  
\$45,000 for the purpose of funding the additional 0.8 FTE PR position transferred  
to the department of development from the department of industry, labor and human  
relations.

1           **57.** Page 187, line 2: after that line insert:

2           “(rz) Code development operations;

3           petroleum inspection fund           SEG    A           11,200           -0-”.

4           **58.** Page 187, line 6: increase the dollar amount for fiscal year 1996–97 by \$2,300,100 for the purpose of increasing funding for the appropriation to reflect the transfer of functions from the secretary of state’s office to the department of financial institutions.

5           **59.** Page 194, line 11: delete that line.

6           **60.** Page 203, line 11: after that line insert:

7           “(i) Wisconsin sesquicentennial com-

8           mission; license revenue           PR    C           -0-           -0-”.

9           **61.** Page 205, line 16: decrease the dollar amount for fiscal year 1995–96 by \$750,000 and decrease the dollar amount for fiscal year 1996–97 by \$750,000 to reflect elimination of performance assessments.

10          **62.** Page 205, line 17: decrease the dollar amount for fiscal year 1995–96 by \$1,625,000 and decrease the dollar amount for fiscal year 1996–97 by \$2,600,00 to reflect elimination of performance assessments.

11          **63.** Page 207, line 4: increase the dollar amount for fiscal year 1995–96 by \$2,700,000 to increase funding for the purposes for which the appropriation is made.

12          **64.** Page 208, line 18: delete that line.

13          **65.** Page 208, line 23: decrease the dollar amount for fiscal year 1995–96 by \$307,200 and decrease the dollar amount for fiscal year 1996–97 by \$307,200 to decrease funding for human growth and development programs.



resources and to decrease the authorized FTE positions for the department of natural resources by 1.0 SEG position for that purpose.

1           **74.** Page 245, line 1: substitute “valley” for “vallely”.

2           **75.** Page 246, line 3: before that line insert:

3           **“20.395 Transportation, department of**

4	(1) AIDS				
5	(ar) Corrections of transportation aid				
6	payments	SEG	S	-0-	-0-
7	(as) Transportation aids to counties, state				
8	funds	SEG	A	68,809,500	73,473,900
9	(at) Transportation aids to municipalities,				
10	state funds	SEG	A	213,243,100	220,823,200
11	(bq) Small communities transit operating				
12	aids, state funds	SEG	A	53,139,900	4,374,000
13	(br) Milwaukee urban area rail transit				
14	system planning study, state funds	SEG	A	-0-	-0-
15	(bs) Medium-sized communities transit				
16	operating aids, state funds	SEG	A	3,502,500	14,383,600
17	(bt) Urban rail transit system grants	SEG	C	-0-	-0-
18	(bu) Large communities transit operating				
19	aids, state funds	SEG	A	16,552,600	55,672,600
20	(bv) Transit aids, local funds	SEG-L	C	-0-	-0-
21	(bw) Employment transit aids, state funds	SEG	A	596,500	614,400
22	(bx) Transit aids, federal funds	SEG-F	C	13,800,000	6,600,000

1	(by)	Employment transit aids, federal funds	SEG-F	C	-0-	-0-
2	(cq)	Elderly and disabled capital aids, state				
3		funds	SEG	A	733,700	755,700
4	(cr)	Elderly and disabled county aids, state				
5		funds	SEG	A	5,355,600	5,516,300
6	(cv)	Elderly and disabled aids, local funds	SEG-L	C	458,400	463,900
7	(cx)	Elderly and disabled aids, federal funds	SEG-F	C	1,100,000	1,100,000
8	(ds)	Demand management and ride-sharing				
9		grants, state funds	SEG	A	300,000	300,000
10	(ex)	Highway safety, local assistance, federal				
11		funds	SEG-F	C	1,700,000	1,700,000
12	(fq)	Connecting highways aids, state funds	SEG	A	11,584,500	11,996,400
13	(fs)	Flood damage aids, state funds	SEG	S	600,000	600,000
14	(ft)	Lift bridge aids, state funds	SEG	B	1,350,000	1,500,000
15	(fu)	County forest road aids, state funds	SEG	A	541,500	541,500
16	(gq)	Expressway policing aids, state funds	SEG	A	828,400	853,300

(1) PROGRAM TOTALS

SEGREGATED FUNDS		394,196,200	401,268,800
FEDERAL		(16,600,000)	(9,400,000)
OTHER		(377,137,800)	(391,404,900)
LOCAL		(458,400)	(463,900)
TOTAL-ALL SOURCES		394,196,200	401,268,800

17 (2) LOCAL TRANSPORTATION ASSISTANCE

18	(aq)	Accelerated local bridge improvement				
19		assistance, state funds	SEG	C	5,075,000	1,000,000
20	(av)	Accelerated local bridge improvement				
21		assistance, local funds	SEG-L	C	1,691,700	333,300



1	(ax) Accelerated local bridge improvement				
2	assistance, federal funds	SEG-F	C	-0-	-0-
3	(bq) Rail service assistance, state funds	SEG	C	656,400	656,400
4	(br) Rail passenger service, state funds	SEG	B	572,500	572,500
5	(bu) Freight rail infrastructure				
6	improvements, state funds	SEG	C	5,579,800	5,579,800
7	(bv) Rail service assistance, local funds	SEG-L	C	500,000	500,000
8	(bw) Freight rail assistance loan repayments,				
9	local funds	SEG-L	C	-0-	-0-
10	(bx) Rail service assistance, federal funds	SEG-F	C	50,000	50,000
11	(cq) Harbor assistance, state funds	SEG	C	580,700	580,700
12	(dq) Aeronautics assistance, state funds	SEG	C	12,863,900	12,863,900
13	(dv) Aeronautics assistance, local funds	SEG-L	C	6,985,200	6,985,200
14	(dx) Aeronautics assistance, federal funds	SEG-F	C	20,000,000	20,000,000
15	(eq) Highway and local bridge improvement				
16	assistance, state funds	SEG	C	8,188,200	9,170,000
17	(ev) Local bridge improvement assistance,				
18	local funds	SEG-L	C	8,182,300	8,427,700
19	(ex) Local bridge improvement assistance,				
20	federal funds	SEG-F	C	24,538,200	24,538,200
21	(fr) Local roads improvement program, state				
22	funds	SEG	C	11,336,400	11,676,500
23	(fv) Local transportation facility				
24	improvement assistance, local funds	SEG-L	C	25,483,400	25,823,500

1	(fx)	Local transportation facility					
2		improvement assistance, federal funds	SEG-F	C	56,138,000	56,138,000	
3	(gq)	Railroad crossing improvement and					
4		protection maintenance, state funds	SEG	A	2,250,000	2,250,000	
5	(gr)	Railroad crossing improvement and					
6		protection installation, state funds	SEG	A	450,000	450,000	
7	(gs)	Railroad crossing repair assistance, state					
8		funds	SEG	C	-0-	-0-	
9	(gv)	Railroad crossing improvement, local					
10		funds	SEG-L	C	-0-	-0-	
11	(gx)	Railroad crossing improvement, federal					
12		funds	SEG-F	C	1,849,300	1,849,300	
13	(hq)	Multimodal transportation studies, state					
14		funds	SEG	C	500,000	500,000	
15	(hx)	Multimodal transportation studies,					
16		federal funds	SEG-F	C	-0-	-0-	
17	(iq)	Transportation facilities economic					
18		assistance and development, state funds	SEG	C	3,605,000	3,713,200	
19	(iv)	Transportation facilities economic					
20		assistance and development, local funds	SEG-L	C	3,605,000	3,713,200	
21	(iw)	Transportation facility improvement					
22		loans, local funds	SEG-L	C	-0-	-0-	
23	(ix)	Transportation facilities economic					
24		assistance & development, federal funds	SEG-F	C	-0-	-0-	

1	(jq)	Surface transportation grants, state				
2		funds	SEG	C	-0-	-0-
3	(jv)	Surface transportation grants, local				
4		funds	SEG-L	C	680,000	680,000
5	(jx)	Surface transportation grants, federal				
6		funds	SEG-F	C	2,720,000	2,720,000
7	(kv)	Congestion mitigation and air quality				
8		improvement, local funds	SEG-L	C	1,502,400	1,502,400
9	(kx)	Congestion mitigation and air quality				
10		improvement, federal funds	SEG-F	C	6,009,500	6,009,500
11	(mq)	Local assistance administration, state				
12		funds	SEG	A	1,463,000	1,460,700
13	(mv)	Local assistance administration, local				
14		funds	SEG-L	C	-0-	-0-
15	(mx)	Local assistance administration, federal				
16		funds	SEG-F	C	300,000	300,000
			(2) PROGRAM TOTALS			
		SEGREGATED FUNDS			213,355,900	210,044,000
		FEDERAL			(111,605,000)	(111,605,000)
		OTHER			(53,120,900)	(50,473,700)
		LOCAL			(48,630,000)	(47,965,300)
		TOTAL-ALL SOURCES			213,355,900	210,044,000

17	(3)	STATE HIGHWAY FACILITIES				
18	(aq)	Environmental clean-up activities, state				
19		funds	SEG	C	2,000,000	2,000,000
20	(bq)	Major highway development, state funds	SEG	C	10,000,000	10,000,000
21	(br)	Major highway development, service				
22		funds	SEG-S	C	106,774,900	111,663,300

1	(bv)	Major highway development, local funds	SEG-L	C	-0-	-0-
2	(bx)	Major highway development, federal				
3		funds	SEG-F	C	36,721,600	48,354,700
4	(cq)	State highway rehabilitation, state funds	SEG	C	214,861,300	276,174,300
5	(cv)	State highway rehabilitation, local funds	SEG-L	C	2,000,000	2,000,000
6	(cx)	State highway rehabilitation, federal				
7		funds	SEG-F	C	185,994,900	174,361,800
8	(eq)	Highway maintenance, repair and traffic				
9		operations, state funds	SEG	B	139,331,100	143,139,800
10	(ev)	Highway maintenance, repair and traffic				
11		operations, local funds	SEG-L	C	250,000	250,000
12	(ex)	Highway maintenance, repair and traffic				
13		operations, federal funds	SEG-F	C	-0-	-0-
14	(iq)	Administration and planning, state funds	SEG	A	17,415,200	17,415,200
15	(ir)	Disadvantaged business mobilization				
16		assistance, state funds	SEG	C	-0-	-0-
17	(iv)	Administration and planning, local funds	SEG-L	C	-0-	-0-
18	(ix)	Administration and planning, federal				
19		funds	SEG-F	C	3,282,700	3,282,700

## (3) PROGRAM TOTALS

SEGREGATED FUNDS	718,631,700	788,641,800
FEDERAL	(225,999,200)	(225,999,200)
OTHER	(383,607,600)	(448,729,300)
SERVICE	(106,774,900)	(111,663,300)
LOCAL	(2,250,000)	(2,250,000)
TOTAL-ALL SOURCES	718,631,700	788,641,800

20 (4) GENERAL TRANSPORTATION OPERATIONS

1	(aq) Departmental management and				
2	operations, state funds	SEG	A	38,226,900	35,976,700
3	(ar) Minor construction projects, state funds	SEG	C	708,600	574,600
4	(as) Information technology development				
5	projects	PR-S	A	-0-	-0-
6	(at) Capital building projects, service funds	SEG-S	C	4,674,000	4,674,000
7	(av) Departmental management and				
8	operations, local funds	SEG-L	C	369,000	369,000
9	(ax) Departmental management and				
10	operations, federal funds	SEG-F	C	6,825,000	6,825,000
11	(ch) Gifts and grants	PR	C	-0-	-0-
12	(dq) Demand management	SEG	A	250,500	250,500
13	(eq) Data processing services, service funds	SEG-S	C	15,109,600	15,109,600
14	(er) Fleet operations, service funds	SEG-S	C	11,413,900	11,413,900
15	(es) Other department services, operations,				
16	service funds	SEG-S	C	1,119,800	1,119,800
17	(et) Equipment acquisition	SEG	A	-0-	-0-

## (4) PROGRAM TOTALS

PROGRAM REVENUE				-0-	-0-
OTHER				(-0-)	(-0-)
SERVICE				(-0-)	(-0-)
SEGREGATED FUNDS				78,697,300	76,313,100
FEDERAL				(6,825,000)	(6,825,000)
OTHER				(39,186,000)	(36,801,800)
SERVICE				(32,317,300)	(32,317,300)
LOCAL				(369,000)	(369,000)
TOTAL-ALL SOURCES				78,697,300	76,313,100

18 (5) MOTOR VEHICLE SERVICES AND ENFORCEMENT

1	(cg) Vehicle registration, telephone renewal				
2	transactions, state funds	PR	C	-0-	-0-
3	(ch) Repaired salvage vehicle examinations,				
4	state funds	PR	C	-0-	-0-
5	(cq) Vehicle reg., inspection & maintenance &				
6	driver licensing, state funds	SEG	A	60,343,300	57,301,300
7	(cx) Vehicle registration and driver licensing,				
8	federal funds	SEG-F	C	200,000	200,000
9	(dk) Public safety radio management, service				
10	funds	PR-S	C	143,600	143,600
11	(dq) Vehicle inspection, traffic enforcement				
12	and radio management, state funds	SEG	A	37,711,700	38,092,700
13	(dx) Vehicle inspection and traffic				
14	enforcement, federal funds	SEG-F	C	2,029,300	2,029,300
15	(hq) Motor veh. emission insp. and maint.				
16	program, contractor costs, state funds	SEG	A	8,021,700	8,021,700
17	(hx) Motor vehicle emission inspection and				
18	maintenance programs, federal funds	SEG-F	C	-0-	-0-
19	(iv) Municipal and county registration fee,				
20	local funds	SEG-L	C	-0-	-0-

(5) PROGRAM TOTALS

PROGRAM REVENUE	143,600	143,600
OTHER	(-0-)	(-0-)
SERVICE	(143,600)	(143,600)
SEGREGATED FUNDS	108,306,000	105,645,000
FEDERAL	(2,229,300)	(2,229,300)
OTHER	(106,076,700)	(103,415,700)
LOCAL	(-0-)	(-0-)
TOTAL-ALL SOURCES	108,449,600	105,788,600

1	(6)	DEBT SERVICES				
2	(aq)	Principal repayment and interest,				
3		transportation facilities, state funds	SEG	S	8,643,300	7,241,500
4	(ar)	Principal repayment and interest,				
5		buildings, state funds	SEG	S	686,800	645,100
6	(as)	Transportation facilities and highway				
7		projects revenue obligation repayment	SEG	C	-0-	-0-

(6) PROGRAM TOTALS

SEGREGATED FUNDS		9,330,100	7,886,600
OTHER		(9,330,100)	(7,886,600)
TOTAL-ALL SOURCES		9,330,100	7,886,600

20.395 DEPARTMENT TOTALS

PROGRAM REVENUE		143,600	143,600
OTHER		(-0-)	(-0-)
SERVICE		(143,600)	(143,600)
SEGREGATED FUNDS		1,522,517,200	1,589,799,300
FEDERAL		(363,258,500)	(356,058,500)
OTHER		(968,459,100)	(1,038,712,000)
SERVICE		(139,092,200)	(143,980,600)
LOCAL		(51,707,400)	(51,048,200)
TOTAL-ALL SOURCES		1,522,660,800	1,589,942,900

8     ”.

9           **76.** Page 250, line 3: delete “Probationer and parolee loan fund” and substitute “Loan fund for persons on probation, community supervision or parole”.

10           **77.** Page 250, line 7: delete “Probation and parole” and substitute “Probation, community supervision and parole”.

11           **78.** Page 253, line 7: after that line insert:

12	“(q)	Girls school benevolent trust				
13		fund	SEG	C	-0-	-0-”.

- 1           **79.** Page 275, line 6: decrease the dollar amount for fiscal year 1995–96 by  
\$45,000 for the purpose of funding the additional 0.8 FTE PR position transferred  
to the department of development from the department of industry, labor and human  
relations.
- 2           **80.** Page 278, line 2: decrease the dollar amount for fiscal year 1996–97 by  
\$1,511,200 to decrease funding for economic support to reflect the transfer of child  
support program functions to the department of revenue.
- 3           **81.** Page 278, line 4: delete lines 4 to 6.
- 4           **82.** Page 278, line 6: substitute “state” for “stste”.
- 5           **83.** Page 278, line 19: delete that line.
- 6           **84.** Page 278, line 21: delete that line.
- 7           **85.** Page 283, line 3: increase the dollar amount for fiscal year 1995–96 by  
\$54,600 and increase the dollar amount for fiscal year 1996–97 by \$52,200 and  
increase the authorized FTE positions for the department of justice by 1.0 GPR legal  
secretary position for the purpose of maintaining a position previously associated  
with the public intervenor.
- 8           **86.** Page 292, line 16: increase the dollar amount for fiscal year 1996–97 by  
\$2,800 for the purpose of providing moneys for maintenance of the exhibits and  
facilities at the veterans museum.
- 9           **87.** Page 293, line 14: increase the dollar amount for fiscal year 1996–97 by  
\$509,500 for the purpose of providing reimbursement for 35% of the veteran’s tuition  
and fees.





1           **94. Page 313, line 5:** increase the dollar amount for fiscal year 1995–96 by  
 \$97,700 and increase the dollar amount for fiscal year 1996–97 by \$280,100 for the  
 purpose of providing representation in cases involving misdemeanor charges under  
 chapter 161 of the statutes and section 813.12 (8) (a) of the statutes and in  
 misdemeanor cases arising out of arrests under section 968.075 of the statutes.

2           **95. Page 313, line 5:** increase the dollar amount for fiscal year 1995–96 by  
 \$193,700 and increase the dollar amount for fiscal year 1996–97 by \$440,900 for the  
 purpose of providing representation in obstructing an officer cases under section  
 946.41 (1) of the statutes.

3           **96. Page 313, line 5:** increase the dollar amount for fiscal year 1995–96 by  
 \$140,200 and increase the dollar amount for fiscal year 1996–97 by \$401,300 to  
 increase funding for the purposes for which the appropriation is made.

4           **97. Page 313, line 5:** increase the dollar amount for fiscal year 1995–96 by  
 \$185,200 and increase the dollar amount for fiscal year 1996–97 by \$530,300 to  
 increase funding for the purposes of for which the appropriation is made.

5           **98. Page 316, line 9:** before that line insert:

6           “(4) CHILD AND SPOUSAL SUPPORT AND PATERNITY

7           ESTABLISHMENT

8	(a)	General program operations	GPR	A	-0-	1,511,200
9	(c)	Child support collection–county				
10		administration	GPR	A	-0-	1,840,100
11	(cd)	Child support state operations	GPR	A	-0-	526,900
12	(g)	Child support collections	PR	C	-0-	-0-

1	(i) Gifts and grants	PR	C	-0-	-0-
2	(ja) Child support state				
3	operations-fees	PR	A	-0-	462,600
4	(jb) Fees for administrative services	PR	C	-0-	-0-
5	(kx) Interagency and intra-agency				
6	programs	PR-S	C	-0-	-0-
7	(ky) Interagency and intra-agency				
8	aids	PR-S	C	-0-	-0-
9	(kz) Interagency and intra-agency				
10	local assistance	PR-S	C	-0-	-0-
11	(n) Federal program operations	PR-F	C	-0-	-0-
12	(nL) Federal program local assistance	PR-F	C	-0-	-0-”.

13       **99.** [Page 317, line 8](#): decrease the dollar amount for fiscal year 1996-97 by \$1,758,800 for the purpose of decreasing funding for the appropriation to reflect the transfer of functions from the secretary of state’s office to the department of financial institutions and to decrease the authorized FTE positions for the secretary of state by 12.5 PR positions.

14       **100.** [Page 317, line 10](#): decrease the dollar amount for fiscal year 1996-97 by \$115,200 for the purpose of decreasing funding for the appropriation to reflect the transfer of functions from the secretary of state’s office to the department of financial institutions and to decrease the authorized FTE positions for the secretary of state by 1.0 PR position.

1           **101.** Page 317, line 11: decrease the dollar amount for fiscal year 1996–97 by  
\$211,600 for the purpose of decreasing funding for the appropriation to reflect the  
transfer of functions from the secretary of state’s office to the department of financial  
institutions.

2           **102.** Page 317, line 13: decrease the dollar amount for fiscal year 1996–97 by  
\$456,900 for the purpose of decreasing funding for the appropriation to reflect the  
transfer of functions from the secretary of state’s office to the department of financial  
institutions.

3           **103.** Page 317, line 14: decrease the dollar amount for fiscal year 1996–97 by  
\$80,000 for the purpose of decreasing funding for the appropriation to reflect the  
transfer of functions from the secretary of state’s office to the department of financial  
institutions.

4           **104.** Page 318, line 3: delete that line.

5           **105.** Page 318, line 7: decrease the dollar amount for fiscal year 1996–97 by  
\$2,800 for the purpose for which the appropriation is made.

6           **106.** Page 318, line 10: decrease the dollar amount for fiscal year 1996–97 by  
\$7,600 for the purpose for which the appropriation is made.

7           **107.** Page 318, line 12: increase the dollar amount for fiscal year 1996–97 by  
\$96,100 for the purpose for which the appropriation is made.

8           **108.** Page 318, line 14: after that line insert:

9           “(kb) General program operations           PR–S    A           380,900    355,600”.

- 1           **109.** Page 332, line 7: increase the dollar amount for fiscal year 1995–96 by  
\$133,300 and decrease the dollar amount for fiscal year 1996–97 by \$7,700 to pay for  
general program operations for the office of state treasurer.
- 2           **110.** Page 335, line 12: decrease the dollar amount for fiscal year 1995–96 by  
\$125,000 and decrease the dollar amount for fiscal year 1996–97 by \$125,000 to  
decrease funding for the Wisconsin Institute for School Executives.
- 3           **111.** Page 342, line 15: delete lines 15 to 21.
- 4           **112.** Page 343, line 21: delete lines 21 to 25.
- 5           **113.** Page 344, line 1: on lines 1 and 2, delete “renumbered 20.115 (7) (vm)  
and”.
- 6           **114.** Page 344, line 3: delete that line and substitute:  
7           “20.115 (7) (dm) *Wind erosion control aids. As*”.
- 8           **115.** Page 344, line 4: delete the underscored material.
- 9           **116.** Page 344, line 15: delete lines 15 to 19.
- 10          **117.** Page 346, line 6: delete that line and substitute: “the functions of the  
office, for the purposes for which the moneys were received or collected.”.
- 11          **118.** Page 346, line 14: delete lines 14 and 15 and substitute: “vided in  
carrying out the functions of the office department, for the purposes for which the  
moneys were received or collected.”.
- 12          **119.** Page 347, line 7: after that line insert:  
13          “**SECTION 507p.** 20.143 (1) (bs) of the statutes is created to read:  
14          20.143 (1) (bs) *Mexico trade office.* The amounts in the schedule for contract  
15          costs for the trade office in Mexico.

1           **SECTION 507pm.** 20.143 (1) (bs) of the statutes, as created by 1995 Wisconsin  
2 Act .... (this act), is repealed.”.

3           **120.** Page 348, line 5: delete lines 5 to 13 and substitute:

4           “20.143 (1) (ie) *Wisconsin development fund, repayments.* All moneys received  
5 in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.16, s.  
6 560.165, 1993 stats., subch. V of ch. 560 except s. 560.65, 1989 Wisconsin Act 336,  
7 section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m) and 1989 Wisconsin  
8 Act 336, section 3015 (3gx), to be used for grants and loans under subch. V of ch. 560  
9 except s. 560.65, for loans under ~~ss. s. 560.16 and 560.165~~, for reimbursements under  
10 s. 560.167 and to transfer \$100,000 in each of fiscal years 1995–96 and 1996–97 to  
11 the appropriation account under par. (km).”.

12           **121.** Page 348, line 22: delete the material beginning with that line and  
ending with page 349, line 6.

13           **122.** Page 352, line 19: after “operations” insert: “relating to the regulation  
of industry, buildings and safety under chs. 101, 107, 145 and 168 and ss. 32.19 to  
32.27, 167.10, 167.11 and 167.27”.

14           **123.** Page 353, line 16: after that line insert:

15           “(rz) *Code development operations; petroleum inspection fund.* From the  
16 petroleum inspection fund, the amounts in the schedule for the development and  
17 promulgation of rules relating to the regulation of industry, safety and buildings  
18 under chs. 101, 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335  
19 in anticipation of the transfer of industry, safety and buildings regulation to the  
20 department of development from the department of industry, labor and human  
21 relations under 1995 Wisconsin Act .... (this act). The unencumbered balance in this

1 appropriation on June 30, 1996, shall be transferred to the appropriation under s.  
2 20.445 (1) (r).”.

3 **124.** Page 353, line 25: delete the material beginning with that line and  
ending with page 354, line 8, and substitute:

4 **“SECTION 520b.** 20.144 (1) (g) of the statutes is created to read:

5 20.144 (1) (g) *General program operations.* The amounts in the schedule for  
6 the general program operations of the department of financial institutions. Except  
7 as provided in pars. (a), (h), (i), (ka) and (u), all moneys received by the department,  
8 other than by the office of credit unions, the division of banking and the division of  
9 savings and loan, and 88% of all moneys received by the department’s division of  
10 banking and the department’s division of savings and loan shall be credited to this  
11 appropriation, but any balance at the close of a fiscal year exceeding 10% of the  
12 previous fiscal year’s expenditures under this appropriation shall lapse to the  
13 general fund.”.

14 **125.** Page 357, line 16: delete “and (e) 2.” and substitute “and (e) 2.”.

15 **126.** Page 357, line 22: delete “and (e) 2.” and substitute “and (e) 2.”.

16 **127.** Page 358, line 4: delete “and (e) 2.”.

17 **128.** Page 358, line 8: delete “and (e) 2.”.

18 **129.** Page 359, line 14: after that line insert:

19 **“SECTION 546x.** 20.197 (3) (h) of the statutes is repealed.”.

20 **130.** Page 365, line 16: after that line insert:

21 **“SECTION 564s.** 20.245 (4) (i) of the statutes is created to read:

1           20.245 (4) (i) *Wisconsin sesquicentennial commission; license revenue.* All  
2 moneys received by the Wisconsin sesquicentennial commission from license fees, to  
3 be used for the general program operations of the commission under s. 44.25 upon  
4 approval of the director of the historical society.”.

5           **131.** Page 366, line 2: on lines 2 and 3, delete the underscored material.

6           **132.** Page 366, line 18: delete “renumbered 20.255 (2) (ee)” and substitute  
“repealed”.

7           **133.** Page 366, line 21: delete “and performance assessments”.

8           **134.** Page 367, line 2: after that line insert:

9           “**SECTION 575m.** 20.255 (1) (hg) of the statutes is amended to read:

10           20.255 (1) (hg) *Personnel certification, teacher supply, information and analysis*  
11 *and teacher improvement.* The amounts in the schedule to fund certification  
12 administrative costs under s. 115.28 (7) (d) and 118.19 (10), teacher supply,  
13 information and analysis costs under s. 115.29 (5) and teacher improvement under  
14 s. 115.41. All Ninety percent of all moneys received from the certification of school  
15 and public library personnel under s. 115.28 (7) (d), and all moneys received under  
16 s. 115.41, shall be credited to this appropriation.”.

17           **135.** Page 367, line 10: delete “renumbered 20.255 (2) (ra)” and substitute  
“repealed”.

18           **136.** Page 369, line 12: after that line insert:

19           “**SECTION 591m.** 20.255 (2) (fg) of the statutes is amended to read:

20           20.255 (2) (fg) *Aid for cooperative educational service agencies.* The amounts  
21 in the schedule for a payment not to exceed \$25,000 annually to each cooperative  
22 educational service agency, for the current operational expenses of these agencies



1 and to match any federal funds received by these agencies for vocational education  
2 administration. The remainder of the amounts in the schedule shall be distributed  
3 by the department to cooperative educational service agencies for human growth and  
4 development programs under ~~ss. 116.01 and 116.08 (3m).~~”.

5 **137.** Page 370, line 4: delete lines 4 to 8.

6 **138.** Page 376, line 10: after that line insert:

7 “SECTION 615r. 20.292 (1) (am) of the statutes is created to read:

8 20.292 (1) (am) *Agricultural land reimbursement*. A sum sufficient to make the  
9 payments under s. 38.04 (27).”.

10 **139.** Page 377, line 13: delete lines 13 to 17 and substitute:

11 “SECTION 625b. 20.320 (1) (d) of the statutes is repealed.”.

12 **140.** Page 383, line 7: after that line insert:

13 “SECTION 656b. 20.370 (2) (hq) of the statutes, as affected by 1995 Wisconsin  
14 Act .... (this act), is amended to read:

15 20.370 (2) (hq) *Recycling; administration*. From the recycling fund, the  
16 amounts in the schedule for the administration of subch. II of ch. 159, other than ss.  
17 159.17, 159.21, 159.23 and 159.25.”.

18 **141.** Page 399, line 17: after that line insert:

19 “SECTION 772h. 20.395 (1) (bq) of the statutes is amended to read:

20 20.395 (1) (bq) (title) *Transit Small communities transit operating aids, state*  
21 *funds*. The amounts in the schedule for the mass transit aid program aids to small  
22 communities under s. 85.20 (4m) (a) 1.

23 SECTION 772hj. 20.395 (1) (bs) of the statutes is renumbered 20.395 (1) (ds).

24 SECTION 772hm.. 20.395 (1) (bs) of the statutes is created to read:

1           20.395 (1) (bs) *Medium-sized communities transit operating aids, state funds.*  
2           The amounts in the schedule for mass transit aids to medium-sized communities  
3           under s. 85.20 (4m) (a) 2.

4           **SECTION 772ht.** 20.395 (1) (bu) of the statutes is amended to read:

5           20.395 (1) (bu) (title) *Supplemental Large communities transit operating aids,*  
6           *state funds.* The amounts in the schedule for the mass transit aid program aids to  
7           large communities under s. 85.20 (4m) ~~(am)~~ (a) 3.

8           **SECTION 772hz.** 20.395 (1) (bw) of the statutes is created to read:

9           20.395 (1) (bw) *Employment transit aids, state funds.* The amounts in the  
10          schedule for the employment transit assistance program under s. 85.26.

11          **SECTION 772im.** 20.395 (1) (bw) of the statutes, as created by 1995 Wisconsin  
12          Act .... (this act), is renumbered 20.445 (1) (uy) and amended to read:

13          20.445 (1) (uy) (title) *Employment transit aids, state funds* assistance program.  
14          The From the transportation fund, the amounts in the schedule for the employment  
15          transit assistance program under s. ~~85.26~~ 106.26.”.

16          **142.** Page 399, line 23: delete the material beginning with that line and  
ending with page 400, line 4, and substitute:

17          “**SECTION 772p.** 20.395 (1) (bz) of the statutes is repealed.

18          **SECTION 772r.** 20.395 (2) (bq) (title) of the statutes is repealed and recreated  
19          to read:

20          20.395 (2) (bq) (title) *Rail service assistance, state funds.*

21          **SECTION 772t.** 20.395 (2) (bt) of the statutes is repealed.

22          **SECTION 772u.** 20.395 (2) (bu) of the statutes is amended to read:

1           20.395 (2) (bu) *Freight rail infrastructure improvements, state funds.* As a  
2 continuing appropriation, the amounts in the schedule for loans under s. 85.08 (4m)  
3 (d) and (e) and to make payments under s. 85.085.

4           **SECTION 772w.** 20.395 (3) (aq) of the statutes is created to read:

5           20.395 (3) (aq) *Environmental clean-up activities, state funds.* As a continuing  
6 appropriation, the amounts in the schedule for environmental clean-up activities  
7 under s. 84.01 (30).

8           **SECTION 772z.** 20.395 (3) (bq) of the statutes is amended to read:

9           20.395 (3) (bq) *Major highway development, state funds.* As a continuing  
10 appropriation, the amounts in the schedule for major development of state trunk and  
11 connecting highways and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
12 business demonstration and training program under s. 84.076.

13           **SECTION 773b.** 20.395 (3) (bv) of the statutes is amended to read:

14           20.395 (3) (bv) *Major highway development, local funds.* All moneys received  
15 from any local unit of government or other source for major development of state  
16 trunk and connecting highways, including the railroad and utility alteration and  
17 relocation loan program under s. 84.065, and, before ~~July 1, 1995~~ October 1, 1997,  
18 the disadvantaged business demonstration and training program under s. 84.076,  
19 for such purposes.

20           **SECTION 773d.** 20.395 (3) (bx) of the statutes is amended to read:

21           20.395 (3) (bx) *Major highway development, federal funds.* All moneys received  
22 from the federal government for major development of state trunk and connecting  
23 highways and, before ~~July 1, 1995~~ October 1, 1997, the disadvantaged business  
24 demonstration and training program under s. 84.076, for such purposes.

25           **SECTION 773g.** 20.395 (3) (cq) of the statutes is amended to read:

1           20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing  
2 appropriation, the amounts in the schedule for improvement of existing state trunk  
3 and connecting highways; for improvement of bridges on state trunk or connecting  
4 highways and other bridges for which improvement is a state responsibility, for  
5 necessary approach work for such bridges and for replacement of such bridges with  
6 at-grade crossing improvements; for the construction and rehabilitation of the  
7 national system of interstate and defense highways and bridges and related  
8 appurtenances; for special maintenance activities under s. 84.04 on roadside  
9 improvements; for bridges under s. 84.10; for payment to a local unit of government  
10 for a jurisdictional transfer under s. 84.02 (8); and, before ~~July 1, 1995~~ October 1,  
11 1997, for the disadvantaged business demonstration and training program under s.  
12 84.076.

13           **SECTION 773j.** 20.395 (3) (cv) of the statutes is amended to read:

14           20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received  
15 from any local unit of government or other source for the specific information sign  
16 program under s. 86.195; for improvement of existing state trunk and connecting  
17 highways; for improvement of bridges on state trunk or connecting highways and  
18 other bridges for which improvement is a state responsibility, for necessary approach  
19 work for such bridges and for replacement of such bridges with at-grade crossing  
20 improvements; for the construction and rehabilitation of the national system of  
21 interstate and defense highways and bridges and related appurtenances; for special  
22 maintenance activities under s. 84.04 on roadside improvements; for the railroad  
23 and utility alteration and relocation loan program under s. 84.065 and, before ~~July~~  
24 ~~1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training  
25 program under s. 84.076, for such purposes.

1           **SECTION 773m.** 20.395 (3) (cx) of the statutes is amended to read:

2           20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys  
3 received from the federal government for improvement of existing state trunk and  
4 connecting highways; for improvement of bridges on state trunk or connecting  
5 highways and other bridges for which improvement is a state responsibility, for  
6 necessary approach work for such bridges and for replacement of such bridges with  
7 at-grade crossing improvements; for the construction and rehabilitation of the  
8 national system of interstate and defense highways and bridges and related  
9 appurtenances; for special maintenance activities under s. 84.04 on roadside  
10 improvements and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
11 business demonstration and training program under s. 84.076, for such purposes.

12           **SECTION 773p.** 20.395 (3) (eq) of the statutes is amended to read:

13           20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state*  
14 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of  
15 roadside improvements under s. 84.04, state trunk highways under s. 84.07 and  
16 bridges that are not on the state trunk highway system under s. 84.10; for highway  
17 operations such as permit issuance, pavement marking, highway signing, traffic  
18 signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27  
19 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business  
20 demonstration and training program under s. 84.076. This paragraph does not apply  
21 to special maintenance activities under s. 84.04 on roadside improvements.

22           **SECTION 773r.** 20.395 (3) (ev) of the statutes is amended to read:

23           20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local*  
24 *funds.* All moneys received from any local unit of government or other sources for  
25 the maintenance and repair of roadside improvements under s. 84.04, state trunk

1 highways under s. 84.07 and bridges that are not on the state trunk highway system  
2 under s. 84.10; for signing under s. 86.195; for highway operations such as permit  
3 issuance, pavement marking, highway signing, traffic signalization and highway  
4 lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before  
5 ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and  
6 training program under s. 84.076; for such purposes. This paragraph does not apply  
7 to special maintenance activities under s. 84.04 on roadside improvements.

8 **SECTION 773w.** 20.395 (3) (ex) of the statutes is amended to read:

9 20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal*  
10 *funds.* All moneys received from the federal government for the maintenance and  
11 repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07  
12 and bridges that are not on the state trunk highway system under s. 84.10; for  
13 highway operations such as permit issuance, pavement marking, highway signing,  
14 traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25  
15 to 348.27 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
16 business demonstration and training program under s. 84.076; for such purposes.  
17 This paragraph does not apply to special maintenance activities under s. 84.04 on  
18 roadside improvements.”.

19 **143.** [Page 400, line 9](#): after that line insert:

20 “**SECTION 774e.** 20.395 (4) (bh) of the statutes is repealed.

21 **SECTION 774j.** 20.395 (5) (cq) of the statutes is amended to read:

22 20.395 (5) (cq) *Vehicle registration, inspection and maintenance and driver*  
23 *licensing, state funds.* The amounts in the schedule for administering the vehicle  
24 registration and driver licensing program, including the traffic violation and

1 registration program and the driver license reinstatement training program under  
2 s. 85.28, for administering the motor vehicle emission inspection and maintenance  
3 program under s. 110.20, for the training of inspectors under s. 110.22, for  
4 administering the fuel tax and fee reporting program under s. 341.45 and to  
5 compensate for services performed, as determined by the secretary of transportation,  
6 by any county providing registration services.

7 **SECTION 774m.** 20.395 (5) (dk) of the statutes is amended to read:

8 20.395 (5) (dk) *Public safety radio management, service funds.* From the  
9 general fund, all moneys received by the department from the department and from  
10 other state agencies for purposes related to the statewide public safety radio  
11 management program under s. 85.12, for that purpose.”.

12 **144.** Page 400, line 10: delete lines 10 to 15.

13 **145.** Page 405, line 20: after that line insert:

14 “**SECTION 783p.** 20.410 (1) (b) of the statutes is amended to read:

15 20.410 (1) (b) *Field supervision.* The amounts in the schedule to provide  
16 services related to probation, community supervision and parole. No payments may  
17 be made under this paragraph for payments in accordance with other states party  
18 to the interstate corrections compact under s. 302.25.”.

19 **146.** Page 405, line 24: after that line insert:

20 “**SECTION 783sg.** 20.410 (1) (g) (title) of the statutes is amended to read:

21 20.410 (1) (g) (title) *Probationer and parolee loan Loan fund for persons on*  
22 *probation, community supervision or parole.*

23 **SECTION 783sr.** 20.410 (1) (gb) of the statutes is amended to read:

1           20.410 (1) (gb) *Drug testing*. All moneys received from probation, community  
2 supervision and parole clients who are required to pay for their drug testing, as  
3 prescribed by rule in accordance with s. 301.03 (3), for expenditures related to the  
4 drug testing program for probationers and parolees and persons on community  
5 supervision under s. 301.03 (3).”.

6           **147.** Page 406, line 8: after “*Probation*” insert “, *community supervision*”; and  
after “probation” insert “, *community supervision*”.

7           **148.** Page 410, line 13: on lines 13 and 14, delete “, and the girls school  
benevolent trust fund under s. 25.31”.

8           **149.** Page 412, line 8: after that line insert:

9           “**SECTION 796am.** 20.425 (1) (h) of the statutes, as affected by 1993 Wisconsin  
10 Act 16, is repealed and recreated to read:

11           20.425 (1) (h) *Collective bargaining training*. All moneys received from  
12 arbitrators and arbitration panel members, and individuals who are interested in  
13 serving in such positions, and from individuals and organizations who participate in  
14 other collective bargaining training programs conducted by the commission, for the  
15 cost of training programs under ss. 111.09 (3), 111.71 (5) and 111.94 (3).”.

16           **150.** Page 415, line 8: after “46.485” insert “(3r)”.

17           **151.** Page 426, line 16: delete lines 16 to 23 and substitute: “... (this act), is  
renumbered 20.566 (4) (c) and amended to read:

18           20.566 (4) (c) *Child support collection — county administration*. The amounts  
19 in the schedule for payments to counties for establishing paternity under s. 46.25  
20 73.25 (12), for the county child support order revision programs under s. 46.258  
21 73.258 (1), for state incentive payments under s. 46.258 73.258 (2), for assistance to



1 pilot counties in establishing paternity and obtaining child support under ss. 49.25  
2 (8) (a) and 49.27 (10) (e) and for payments to Milwaukee County under s. 49.25 (8)  
3 (b) to fund an additional family court commissioner.”.

4 **152.** Page 427, line 6: delete lines 6 to 11 and substitute: “... (this act), is  
renumbered 20.566 (4) (cd) and amended to read:

5 20.566 (4) (cd) *Child support state operations.* The amounts in the schedule for  
6 administering the program under s. ~~46.25~~ 73.25 and all other purposes specified in  
7 s. ~~46.25~~ 73.25. No moneys may be expended under this paragraph unless moneys  
8 appropriated under par. (j) (ja) are insufficient for the purposes specified under that  
9 paragraph.”.

10 **153.** Page 432, line 22: substitute “20.556 (4)” for “20.445 (3)”.

11 **154.** Page 433, line 16: delete lines 16 to 20 and substitute: “... (this act), is  
renumbered 20.566 (4) (ja) and amended to read:

12 20.566 (4) (ja) *Child support state operations — fees.* All moneys received from  
13 fees charged under s. ~~46.25~~ 73.25 (8) and from fees charged and incentive payments  
14 and collections retained under s. ~~46.25~~ 73.25 (7m), for administering the program  
15 under s. ~~46.25~~ 73.25 and all other purposes specified in s. ~~46.25~~ 73.25.”.

16 **155.** Page 436, line 4: on line 4, 7 and 9, substitute “73.25” for “49.143”.

17 **156.** Page 436, line 9: substitute “revenue” for “industry, labor and human  
relations”.

18 **157.** Page 440, line 25: delete the material beginning with that line and  
ending with page 441, line 3.

19 **158.** Page 454, line 1: delete lines 1 to 4 and substitute:

1           “20.445 (1) (k) *Fees*. All moneys received from fees charged to counties and to  
2 the department of health and social services revenue under ss. ~~46.25~~ 73.25 (8) and  
3 108.13 (4) (f) for administrative costs incurred in the enforcement of child and  
4 spousal support obligations under 42 USC 654.”.

5           **159.** Page 460, line 4: after that line insert:

6           “**SECTION 1018c.** 20.455 (2) (g) of the statutes is amended to read:

7           20.455 (2) (g) *Gaming law enforcement; racing revenues*. From all moneys  
8 received under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3)  
9 (d) ~~and (e) 2.~~ and (4) and 562.09 (2) (e), the amounts in the schedule for the  
10 performance of the department’s gaming law enforcement responsibilities as  
11 specified in s. 165.70 (3m).”.

12           **160.** Page 467, line 6: delete lines 6 to 12.

13           **161.** Page 469, line 24: after that line insert:

14           “**SECTION 1059m.** 20.505 (1) (kj) of the statutes is amended to read:

15           20.505 (1) (kj) *Financial services*. The amounts in the schedule to provide  
16 accounting, auditing, payroll and other financial services to state agencies and to  
17 transfer the amounts appropriated under s. 20.585 (1) (kb) to the appropriation  
18 account under s. 20.585 (1) (kb). All moneys received from the provision of  
19 accounting, auditing, payroll and other financial services to state agencies shall be  
20 credited to this appropriation.”.

21           **162.** Page 471, line 15: after that line insert:

22           “**SECTION 1066k.** 20.505 (1) (md) of the statutes is amended to read:

23           20.505 (1) (md) *Oil overcharge restitution funds*. All federal moneys received  
24 as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals

1 approved by the joint committee on finance under s. 14.065 and for transfers under  
2 1993 Wisconsin Act 16, section 9201 (1z).”

3 **163.** Page 471, line 19: after that line insert:

4 “SECTION 1067m. 20.505 (3) (g) of the statutes, as affected by 1993 Wisconsin  
5 Act 16, is amended to read:

6 20.505 (3) (g) *Gifts and grants.* All moneys received from gifts, grants or  
7 bequests by any committee created by law or executive order except the commission  
8 on privatization, by the women’s council or by the office of mediation if the office is  
9 created by executive order under s. 14.019, to be used for the purposes for which made  
10 and received.

11 **SECTION 1067n.** 20.505 (3) (g) of the statutes, as affected by 1995 Wisconsin Act  
12 .... (this act), is amended to read:

13 20.505 (3) (g) *Gifts and grants.* All moneys received from gifts, grants or  
14 bequests by any committee created by law or executive order ~~except the commission~~  
15 ~~on privatization~~, by the women’s council or by the office of mediation if the office is  
16 created by executive order under s. 14.019, to be used for the purposes for which made  
17 and received.

18 **SECTION 1067o.** 20.505 (3) (gb) of the statutes is created to read:

19 20.505 (3) (gb) *Gifts and grants; commission on privatization.* All moneys  
20 received from gifts, grants or bequests by the commission on privatization to be used  
21 for the purposes for which made and received. No moneys may be encumbered under  
22 this paragraph after the first day of the 7th month beginning after the effective date  
23 of this paragraph .... [revisor inserts date].

1           **SECTION 1067p.** 20.505 (3) (gb) of the statutes, as created by 1995 Wisconsin  
2 Act .... (this act), is repealed.”.

3           **164.** Page 481, line 24: substitute “, 977.075 or 977.076” for “or 977.075”.

4           **165.** Page 482, line 10: delete lines 10 to 17.

5           **166.** Page 482, line 21: delete “At” and substitute “Notwithstanding s. 20.001  
6 (3) (a), at”.

6           **167.** Page 484, line 17: after that line insert:

7           “**SECTION 1117m.** 20.566 (4) (title) of the statutes is created to read:

8           20.566 (4) (title) CHILD AND SPOUSAL SUPPORT AND PATERNITY ESTABLISHMENT.

9           **SECTION 1117mb.** 20.566 (4) (a) of the statutes is created to read:

10           20.566 (4) (a) *General program operations.* The amounts in the schedule for  
11 general program operations relating to child and spousal support and paternity  
12 establishment, including field services and administrative services.

13           **SECTION 1117mc.** 20.566 (4) (i) of the statutes is created to read:

14           20.566 (4) (i) *Gifts and grants.* All moneys received from gifts, grants and  
15 donations for the execution of the department’s functions consistent with the  
16 purpose of the gift, grant or donation.

17           **SECTION 1117md.** 20.566 (4) (jb) of the statutes is created to read:

18           20.566 (4) (jb) *Fees for administrative services.* All moneys received from fees  
19 charged for providing state mailings, special computer services, training programs,  
20 printed materials and publications, for the purpose of providing state mailings,  
21 special computer services, training programs, printed materials and publications  
22 relating to child and spousal support and paternity establishment.

23           **SECTION 1117me.** 20.566 (4) (kx) of the statutes is created to read:

1           20.566 (4) (kx) *Interagency and intra-agency programs*. All moneys received  
2 from other state agencies and all moneys received by the department from the  
3 department for the administration of programs and projects relating to child and  
4 spousal support and paternity establishment for which received.

5           **SECTION 1117mf.** 20.566 (4) (ky) of the statutes is created to read:

6           20.566 (4) (ky) *Interagency and intra-agency aids*. All moneys received from  
7 other state agencies and all moneys received by the department from the department  
8 for aids to individuals and organizations relating to child and spousal support and  
9 paternity establishment.

10          **SECTION 1117mg.** 20.566 (4) (kz) of the statutes is created to read:

11          20.566 (4) (kz) *Interagency and intra-agency local assistance*. All moneys  
12 received from other state agencies and all moneys received by the department from  
13 the department for local assistance relating to child and spousal support and  
14 paternity establishment.

15          **SECTION 1117mh.** 20.566 (4) (n) of the statutes is created to read:

16          20.566 (4) (n) *Federal program operations*. All moneys received from the  
17 federal government or any of its agencies for the state administration of continuing  
18 programs to be expended for the purposes specified.

19          **SECTION 2117mi.** 20.566 (4) (nL) of the statutes is created to read:

20          20.566 (4) (nL) *Federal program local assistance*. All moneys received from the  
21 federal government or any of its agencies for continuing programs to be expended as  
22 local assistance for the purposes specified.”.

23          **168.** [Page 485, line 3](#): after that line insert:

1           “**SECTION 1120b.** 20.575 (1) (g) of the statutes, as affected by 1993 Wisconsin  
2 Acts 452 and 491, is repealed and recreated to read:

3           20.575 (1) (g) *Program fees.* The amounts in the schedule for the purpose of  
4 carrying out general program operations. Except as provided under par. (ka), all  
5 amounts received by the secretary of state, including fees under chs. 132 and 137 and  
6 all moneys transferred from the appropriation under s. 20.566 (4) (g), shall be  
7 credited to this appropriation. Notwithstanding s. 20.001 (3) (a), any unencumbered  
8 balance at the close of a fiscal year exceeding 10% of that fiscal year’s expenditures  
9 under this appropriation shall lapse to the general fund.

10           **SECTION 1121b.** 20.575 (1) (gb) of the statutes is repealed.”.

11           **169.** Page 485, line 15: delete that line and substitute:

12           “**SECTION 1126s.** 20.585 (1) (a) of the statutes is renumbered 20.585 (1) (kb) and  
13 amended to read:

14           20.585 (1) (kb) *General program operations.* The From moneys transferred  
15 from the appropriation account under s. 20.505 (1) (kj), the amounts in the schedule  
16 for the custody of state funds.”.

17           **170.** Page 485, line 21: delete that line.

18           **171.** Page 486, line 3: delete that line.

19           **172.** Page 488, line 23: after that line insert:

20           “**SECTION 1153s.** 20.855 (4) (b) of the statutes is amended to read:

21           20.855 (4) (b) *Election campaign payments.* A sum sufficient equal to the  
22 amounts determined under s. 71.10 (3) (5e) to be paid into the Wisconsin election  
23 campaign fund annually on August 15.”.

24           **173.** Page 489, line 2: substitute “73.255” for “49.855”.

1           **174.** Page 490, line 18: after “(kd)” insert “and (5) (i)”.

2           **175.** Page 491, line 6: after “(kd)” insert “and (5) (i)”.

3           **176.** Page 491, line 7: delete “20.380 (1) (d)”.

4           **177.** Page 494, line 11: after that line insert:

5           “**SECTION 1165av.** 20.866 (2) (uv) of the statutes is amended to read:

6           20.866 (2) (uv) *Transportation, harbor improvements.* From the capital  
7 improvement fund, a sum sufficient for the department of transportation to provide  
8 grants for harbor improvements. The state may contract public debt in an amount  
9 not to exceed \$9,000,000 \$12,000,000 for this purpose.

10           **SECTION 1165ax.** 20.866 (2) (uw) of the statutes is amended to read:

11           20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the  
12 capital improvement fund, a sum sufficient for the department of transportation to  
13 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and  
14 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d);  
15 ~~and to credit the appropriation account under s. 20.395 (2) (bt) as reimbursement for~~  
16 ~~initial temporary funding of acquisitions, grants or loans authorized under 1993~~  
17 ~~Wisconsin Act 16, section 9154 (4n).~~ The state may contract public debt in an amount  
18 not to exceed \$10,000,000 \$14,500,000 for these purposes.”.

19           **178.** Page 502, line 12: delete the material beginning with that line and  
ending with page 506, line 2.

20           **179.** Page 506, line 6: on lines 6, 12 and 14, restore the stricken material and  
delete the underscored material.

1           **180.** Page 506, line 16: delete the material beginning with that line and  
ending with page 507, line 2.

2           **181.** Page 507, line 9: delete lines 9 to 14.

3           **182.** Page 508, line 4: delete lines 4 to 8.

4           **183.** Page 512, line 3: delete that line and substitute:

5           “20.923 (4) (c) 3. Credit Office of credit unions, commissioner : director of.”.

6           **184.** Page 512, line 21: after that line insert:

7           “**SECTION 1212m.** 20.923 (6) (intro.) of the statutes is amended to read:

8           20.923 (6) SALARIES SET BY APPOINTING AUTHORITIES. (intro.) Salaries for the  
9 following positions may be set by the appointing authority, subject to restrictions  
10 otherwise set forth in the statutes and the compensation plan under s. 230.12 and  
11 subject to the pay range maximum and compensation maximum under s. 230.125,  
12 except where the salaries are a subject of bargaining with a certified representative  
13 of a collective bargaining unit under s. 111.91.”.

14           **185.** Page 513, line 3: after that line insert:

15           “**SECTION 1217m.** 20.923 (6) (bh) of the statutes is created to read:

16           20.923 (6) (bh) Historical society: Wisconsin sesquicentennial commission;  
17 staff.”.

18           **186.** Page 513, line 4: delete lines 4 to 11.

19           **187.** Page 513, line 19: delete the material beginning with that line and  
ending with page 514, line 7.

20           **188.** Page 514, line 23: delete the material beginning with that line and  
ending with page 515, line 5.



1           **189.** Page 515, line 6: delete lines 6 to 8.

2           **190.** Page 515, line 11: substitute "73.255" for "49.855".

3           **191.** Page 515, line 12: delete lines 12 to 17 and substitute:

4           "SECTION 1220t. 21.49 (3) (a) of the statutes, as affected by 1995 Wisconsin Act  
5           ...(Assembly Bill 73), is repealed and recreated to read:

6           21.49 (3) (a) Any eligible guard member upon satisfactory completion of a  
7           full-time or part-time course in a qualifying school is eligible for a tuition grant  
8           equal to 50% of the actual tuition charged by the school or 50% of the maximum  
9           resident undergraduate tuition charged by the university of Wisconsin-Madison for  
10          a comparable number of credits, whichever amount is less."

11          **192.** Page 516, line 3: delete lines 3 to 25.

12          **193.** Page 520, line 24: delete the material beginning with that line and  
ending with page 521, line 19.

13          **194.** Page 522, line 10: delete the material beginning with that line and  
ending with page 525, line 2.

14          **195.** Page 524, line 5: after that line insert:

15          "SECTION 1262qm. 23.0915 (1m) of the statutes is created to read:

16          23.0915 (1m) PROHIBITIONS ON EXPENDITURES. (a) 1. The department may not  
17          expend moneys from the appropriation under s. 20.866 (2) (tz) for the acquisition of  
18          land for golf courses or for the development of golf courses.

19          2. Subdivision 1. does not apply to the expenditure of moneys approved under  
20          an application that was made before April 1, 1995, and that was approved by the  
21          department before April 10, 1995.

1 (b) The department may not expend moneys from the appropriation under s.  
2 20.866 (2) (tz) for the acquisition or development of land by a county or other local  
3 governmental unit or political subdivision if the county, local governmental unit or  
4 political subdivision acquires the land involved by condemnation.”.

5 **196.** Page 525, line 24: delete the material beginning with that line and  
ending with page 527, line 3.

6 **197.** Page 527, line 10: delete lines 10 to 21.

7 **198.** Page 529, line 13: delete the material beginning with that line and  
ending with page 531, line 2.

8 **199.** Page 532, line 1: delete lines 1 to 4.

9 **200.** Page 532, line 13: delete lines 13 to 19.

10 **201.** Page 535, line 10: delete the material beginning with that line and  
ending with page 539, line 20.

11 **202.** Page 540, line 12: delete lines 12 to 15.

12 **203.** Page 540, line 17: after that line insert:

13 “SECTION 1368b. 24.61 (3) (a) 10. of the statutes is created to read:

14 24.61 (3) (a) 10. A cooperative educational service agency representing 2 or  
15 more school districts in the area served by the agency for the purpose of conducting  
16 a distance education project by the school districts.”.

17 **204.** Page 540, line 19: after “municipality” insert “or cooperative  
educational service agency”.

18 **205.** Page 542, line 9: after that line insert:

19 “SECTION 1370i. 24.61 (7) of the statutes is created to read:

1           24.61 (7) LOANS TO COOPERATIVE EDUCATIONAL SERVICE AGENCIES. Whenever a  
2 cooperative educational service agency applies for a loan under sub. (3), the board  
3 shall treat the application as a loan to each of the school districts on behalf of which  
4 the loan is sought in an amount equal to the total amount of the loan divided equally  
5 by the number of school districts, unless the cooperative educational service agency  
6 specifies on its application a different arrangement that has been agreed to by all  
7 school districts for which the loan is sought. The board shall not make the loan unless  
8 each school district for which the loan is sought qualifies for a loan in the amount  
9 specified in this subsection, or a different amount if that amount is specified on the  
10 application. If the cooperative educational service agency fails to make a timely  
11 repayment of the principal or payment of the interest on the loan, each school district  
12 for which the loan is made is liable to repay the principal and pay the interest in the  
13 amount determined under this subsection.

14           **SECTION 1371b.** 24.63 (1) of the statutes is amended to read:

15           24.63 (1) (title) ~~MUNICIPAL LOANS~~ LOANS OTHER THAN TO SCHOOL DISTRICTS. State  
16 A state trust fund loans loan, other than those a loan to a school districts district, may  
17 be made for any term not exceeding 20 years, and may be made payable in  
18 instalments and. A state trust fund loan to a municipality other than a school district  
19 shall be in an amount which does not, ~~in connection~~ together with all other  
20 indebtedness of the municipality applying for the loan, exceed 5% of the valuation  
21 of the taxable property within the municipality as equalized for state purposes. If  
22 a state trust fund loan is made to pay off existing indebtedness, it may be advanced  
23 to the borrower in instalments as fast as the indebtedness or the evidence of  
24 indebtedness is canceled.

25           **SECTION 1371d.** 24.63 (2m) of the statutes is created to read:

1           24.63 (2m) COOPERATIVE EDUCATIONAL SERVICE AGENCY LOANS. A state trust fund  
2 loan to a cooperative educational service agency may be made for any term, not  
3 exceeding 20 years, as is agreed upon between the agency and the board, and for a  
4 total amount which, for each school district for which the loan is sought, in the  
5 proportion determined under s. 24.61 (7), together with all other indebtedness of the  
6 school district, does not exceed the school district's allowable indebtedness under s.  
7 67.03 (1).

8           **SECTION 1375b.** 24.63 (4) of the statutes is amended to read:

9           24.63 (4) REPAYMENT BEFORE DUE DATE PERMITTED. Any municipality borrower  
10 after March 15 and prior to August 1 of any year may repay one or more instalments  
11 in advance of the due date, and all interest upon such advance payment shall  
12 thereupon terminate.”.

13           **206.** [Page 542, line 17](#): delete the period and substitute:

14           “and in the case of a cooperative educational service agency, the names of the  
15 school districts participating in the distance education project for which the loan is  
16 sought”.”.

17           **207.** [Page 543, line 2](#): after that line insert:

18           **“SECTION 1377h.** 24.66 (3s) of the statutes is created to read:

19           24.66 (3s) FOR COOPERATIVE EDUCATIONAL SERVICE AGENCIES. An application for  
20 a loan by a cooperative educational service agency shall be accompanied by a certified  
21 copy of a resolution of the board of control of the agency approving the loan and  
22 shall contain satisfactory proof of the valuation of all taxable property within each  
23 school district for which the loan is sought as equalized for state purposes, of the  
24 existing indebtedness of each such school district and of approval of the application

1 by each school district in the same manner as provided for a loan to that school  
2 district for the same amount and terms under sub. (3).”.

3 **208.** Page 543, line 4: after “section” insert “by a municipality”.

4 **209.** Page 543, line 16: before “The” insert: “Every application for a loan  
under this subsection by a cooperative educational service agency shall be  
accompanied by a copy of a recorded resolution adopted by the school board of each  
school district for which the loan is sought, certified by the school district clerk of that  
school district, levying upon all taxable property of the school district a direct annual  
tax for the purpose of paying and sufficient to pay the school district’s share of the  
principal and interest on the proposed loan as they become due.”.

5 **210.** Page 543, line 18: after that line insert:

6 “SECTION 1377s. 24.67 (1) (intro.) of the statutes is amended to read:

7 24.67 (1) (intro.) If the board approves the application, it shall cause  
8 certificates of indebtedness to be prepared in proper form and transmitted to the  
9 municipality or cooperative educational service agency submitting the application.

10 The certificate of indebtedness shall be executed and signed:

11 SECTION 1377t. 24.67 (1) (L) of the statutes is created to read:

12 24.67 (1) (L) For a cooperative educational service agency, by the president of  
13 each school district for which the loan is made.”.

14 **211.** Page 543, line 22: after the underscored comma insert: “or upon  
direction of the board if a loan is made to a cooperative educational service agency.”.

15 **212.** Page 543, line 24: after “municipality” insert “or cooperative  
educational service agency”.

1           **213.** Page 543, line 25: after “municipality” insert “or cooperative  
2           educational service agency”.

3           **214.** Page 544, line 4: delete lines 4 to 21.

4           **215.** Page 545, line 7: delete the material beginning with that line and ending  
5           with page 546, line 3, and substitute:

6           “**SECTION 1379m.** 24.70 of the statutes is amended to read:

7           **24.70** (title) **Collection from municipalities borrowers other than**  
8           **school districts.** (1) APPLICABILITY. This section applies to all outstanding state  
9           trust fund loans to ~~municipalities~~ borrowers other than school districts.

10           (2) CERTIFIED STATEMENT. If a ~~municipality~~ borrower other than a school district  
11           has a state trust fund loan, the board shall transmit to the ~~municipal~~ clerk of the  
12           jurisdiction, or the person signing the application on behalf of the borrower in the  
13           case of a cooperative educational service agency, a certified statement of the amount  
14           due on or before October 1 of each year until the loan is paid repaid. The board shall  
15           submit a copy of each certified statement to the state treasurer. A cooperative  
16           educational service agency shall transmit a copy of the statement to the clerk of each  
17           school district on behalf of which the agency has obtained a loan.

18           (3) AMOUNT ADDED TO MUNICIPAL LEVY. The Upon receipt of a certified statement  
19           by a municipal clerk, the municipal clerk shall then cause the amount to be added  
20           to the municipal levy and collected in the same manner as the municipal tax except  
21           the amount for the state trust fund loan shall be separately designated. Upon receipt  
22           of a certified statement by a school district clerk from a cooperative educational  
          service agency, the clerk shall cause the amount for which the district is responsible  
          under s. 24.61 (7) to be added to the school district levy and collected in the same

1 manner as the school district tax, except that the amount for the loan shall be  
2 separately stated.

3 (4) PAYMENT TO STATE TREASURER. ~~The municipal treasurer of each municipality~~  
4 shall transmit to the state treasurer on his or her order the full amount levied for  
5 state trust fund loans within 15 days after March 15. Each cooperative educational  
6 service agency shall similarly transmit the annual amount owed on any state trust  
7 fund loan made to the agency by that date. The state treasurer shall notify the board  
8 when he or she receives payment. Any payment not made by March 30 is delinquent  
9 and is subject to a penalty of one percent per month to be paid to the state treasurer  
10 with the delinquent payment.

11 (6) FAILURE TO MAKE PAYMENTS. ~~If the municipal treasurer~~ any municipality fails  
12 to remit the amount due by the date specified under sub. (4), the board may file a  
13 certified statement of the amount delinquent with the department of administration.  
14 The department of administration shall collect the amount due, including any  
15 penalty, by deducting that amount from any state payments due the municipality,  
16 shall remit that amount to the state treasurer and shall notify the treasurer and the  
17 board of that action.”.

18 **216.** [Page 545, line 7](#): delete the material beginning with that line and ending  
with page 546, line 24.

19 **217.** [Page 546, line 24](#): after that line insert:

20 “SECTION 1386m. 24.72 of the statutes is amended to read:

21 **24.72 Use of funds.** No money obtained by a ~~municipality~~ borrower from a  
22 state trust fund loan may be applied to or paid out for any purpose except that  
23 specified in the application for the loan without the consent of the board.

1           **SECTION 1387b.** 24.73 of the statutes is amended to read:

2           **24.73 Extension of loan.** All loans made or which may be made from any of  
3 such state trust funds to any municipality borrower may be extended for such time  
4 and upon such terms as may be agreed upon by and between the board and such  
5 borrower; provided, however, that no loan shall be extended upon which there is any  
6 default in the payment of interest at the time of making application therefor, nor to  
7 any period beyond 20 years from its inception, nor at any rate of interest less than  
8 the minimum established by law.”.

9           **218.** Page 547, line 14: delete lines 14 to 25.

10          **219.** Page 548, line 1: after that line insert:

11          “**SECTION 1393r.** 25.16 (7) of the statutes is amended to read:

12          25.16 (7) The executive director shall fix the compensation of all employes  
13 appointed by the executive director, subject to restrictions set forth in the  
14 compensation plan under s. 230.12, the pay range maximum and compensation  
15 maximum under s. 230.125 or any applicable collective bargaining agreement in the  
16 case of employes in the classified service, but the investment board may provide for  
17 bonus compensation to employes in the unclassified service as authorized under s.  
18 25.156 (6).”.

19          **220.** Page 548, line 22: delete the material beginning with that line and  
ending with page 549, line 3.

20          **221.** Page 550, line 5: delete lines 5 to 8.

21          **222.** Page 551, line 8: delete lines 8 to 10.

22          **223.** Page 551, line 10: after that line insert:

23          “**SECTION 1408r.** 25.40 (1) (a) 12. of the statutes is created to read:



1           25.40 (1) (a) 12. Fees collected under s. 341.45 (1g) (a) that are required under  
2 s. 341.45 (4m) to be deposited in the petroleum inspection fund.”.

3           **224.** Page 551, line 16: after that line insert:

4           “SECTION 1411m. 25.40 (2) (b) 15g. of the statutes is created to read:  
5 25.40 (2) (b) 15g. Section 20.445 (1) (uy).”

6           **225.** Page 551, line 16: after that line insert:

7           “SECTION 1412d. 25.40 (2) (b) 15g. of the statutes is created to read:  
8 25.40 (2) (b) 15g. Section 20.445 (1) (uy).”

9           **226.** Page 552, line 18: delete the material beginning with that line and  
ending with page 553, line 19.

10          **227.** Page 554, line 15: delete the material beginning with that line and  
ending with page 555, line 12.

11          **228.** Page 570, line 10: delete “license\_or” and substitute “license, or”.

12          **229.** Page 572, line 8: after that line insert:

13          “SECTION 1610r. 29.093 (10) (b) of the statutes is amended to read:  
14 29.093 (10) (b) *Endangered species permit*. A permit issued under s. 29.415 (6)  
15 or (6m) (a) is valid for the period designated by the department.”.

16          **230.** Page 576, line 4: after that line insert:

17          “SECTION 1631c. 29.415 (1) of the statutes is amended to read:  
18 29.415 (1) PURPOSE. The legislature finds that certain wild animals and wild  
19 plants are endangered or threatened and are entitled to preservation and protection  
20 as a matter of general state concern. The federal endangered species act of 1973 and  
21 the Lacey act together provide for the protection of wild animals and wild plants  
22 threatened with worldwide extinction by prohibiting the importation of endangered

1 or threatened wild animals and wild plants and by restricting and regulating  
2 interstate and foreign commerce in wild animals and wild plants taken in violation  
3 of state, federal and foreign laws. The states, however, must also assume their  
4 responsibility for conserving these wild animals and wild plants and for restricting  
5 the taking, possession, transportation, processing or sale of endangered or  
6 threatened wild animals and wild plants within their respective jurisdictions to  
7 assure their continued survival and propagation for the aesthetic, recreational and  
8 scientific purposes of future generations. The legislature finds that by ~~eliminating~~  
9 restricting the taking, possession or marketing of endangered species in this state  
10 and by establishing a program for conservation and restoration of these endangered  
11 or threatened species, their potential for continued existence will be strengthened.  
12 The legislature further finds that the activities of both individual persons and  
13 governmental agencies are tending to destroy the few remaining whole  
14 plant-animal communities in this state. Since these communities represent the only  
15 standard against which the effects of change can be measured, their preservation is  
16 of highest importance, and the legislature urges all persons and agencies to fully  
17 consider all decisions in this light.

18 **SECTION 1631e.** 29.415 (2) (am) of the statutes is created to read:

19 29.415 (2) (am) "Federal list" means the part of the list under sub. (3) (b) that  
20 is the U.S. list of endangered and threatened native species.

21 **SECTION 1631g.** 29.415 (2) (bm) of the statutes is created to read:

22 29.415 (2) (bm) "Transportation facility" means a highway, as defined in s.  
23 340.01 (22); an airport, as defined in s. 114.002 (7); a harbor facility, as defined in s.  
24 30.01 (3); or rail property, as defined in s. 85.01 (3).

25 **SECTION 1631j.** 29.415 (4) (intro.) of the statutes is amended to read:

1           29.415 (4) PROHIBITION. (intro.) Except as provided under sub. (6m) (b) and as  
2 permitted by departmental rule or permit:

3           **SECTION 1631k.** 29.415 (6m) of the statutes is created to read:

4           29.415 (6m) TRANSPORTATION FACILITIES. (a) For the taking of a wild animal or  
5 a wild plant that is an endangered or threatened species on the federal list, the  
6 department may issue a permit authorizing a taking that otherwise is prohibited by  
7 this section if the taking is not the purpose of, but will be only incidental to, the  
8 carrying out of a lawful activity and the taking is necessary for the construction,  
9 operation or maintenance of a transportation facility that is located on public  
10 property.

11           (b) For the taking of a wild animal or wild plant that is an endangered or  
12 threatened species but that is not on the federal list, no permit is needed under this  
13 subsection and the prohibitions under sub. (4) do not apply if the taking is necessary  
14 for the construction, operation or maintenance of a transportation facility that is  
15 located on public property.

16           (c) The departments of natural resources and transportation shall promulgate  
17 rules for the issuance of permits under par. (a).”.

18           **231.** [Page 581, line 25](#): delete the material beginning with that line and  
ending with page 584, line 6.

19           **232.** [Page 584, line 6](#): after that line insert:

20           “**SECTION 1657zm.** 30.121 (3m) (title) of the statutes is amended to read:

21           30.121 (3m) (title) EXCEPTION; CERTAIN SINGLE-STORY BOATHOUSES.

22           **SECTION 1657zq.** 30.121 (3r) of the statutes is created to read:

1           30.121 (3r) EXCEPTION; DAMAGES AFTER JANUARY 1, 1984. Subsections (2) and (3)  
2 do not apply to the repair or reconstruction of a damaged boathouse if the boathouse  
3 was damaged by violent wind, vandalism or fire and if the damage occurs after  
4 January 1, 1984.”.

5           **233.** Page 584, line 6: after that line insert:

6           “SECTION 1657ym. 30.12 (3) (c) of the statutes is amended to read:

7           30.12 (3) (c) The department may promulgate rules deemed necessary to carry  
8 out the purposes of par. (a) 6., including rules to establish minimum standards to  
9 govern the architectural and aesthetic features of boat shelters and the number of  
10 boat shelters that may be constructed adjacent to a parcel of land. The rules may not  
11 govern the aesthetic features or color of boat shelters. The standards shall be  
12 designed to assure the structural soundness and durability of a boat shelter and to  
13 ~~minimize the visual intrusiveness of a boat shelter with respect to the surrounding~~  
14 ~~body of water and shoreline.~~ A municipality may enact ordinances not inconsistent  
15 with this section or with rules promulgated under this section regulating the  
16 architectural and aesthetic features of boat shelters.

17           **Section 1657yp.** 30.121 (6) of the statutes is amended to read:

18           30.121 (6) RULES. The department may promulgate rules deemed necessary  
19 to carry out the purposes of this section. The rules may not govern the aesthetic  
20 features or color of boathouses.”.

21           **234.** Page 584, line 16: delete lines 16 to 23.

22           **235.** Page 593, line 15: after that line insert:

23           “SECTION 1712c. 32.05 (8) (a) of the statutes is repealed and recreated to read:

24           32.05 (8) (a) In this subsection:

1 1. "Comparable replacement business" has the meaning given in s. 32.19 (2) (c).

2 2. "Condemnor" has the meaning given in s. 32.185.

3 **SECTION 1712e.** 32.05 (8) (c) of the statutes is amended to read:

4 32.05 (8) (c) The condemnor may not require the persons who occupied the  
5 premises on the date that title vested in the condemnor to vacate until a comparable  
6 replacement property is made available, except that whenever a business is  
7 condemned for transportation purposes, the condemnor may require the persons  
8 who occupied the business on the date that title vested in the condemnor to vacate  
9 without providing a comparable replacement business. This paragraph does not  
10 apply to any person who waives his or her right to receive relocation benefits or  
11 services under s. 32.197 or who is not a displaced person, as defined under s. 32.19  
12 (2) (e), unless the acquired property is part of a program or project receiving federal  
13 financial assistance."

14 **236.** Page 598, line 24: after that line insert:

15 "SECTION 1725i. 32.25 (2) (b) of the statutes is amended to read:

16 32.25 (2) (b) Assist owners of displaced business concerns ~~and farm operations~~  
17 in obtaining and becoming established in suitable replacement business locations ~~or~~  
18 ~~replacement farms,~~ except that whenever a condemnor intends to condemn a  
19 business for transportation purposes, the condemnor is not required to identify  
20 specific locations in the plan.

21 **SECTION 1725j.** 32.25 (2) (c) of the statutes is amended to read:

22 32.25 (2) (c) Assist displaced owners or renters in the location of comparable  
23 dwellings and assist persons displaced from farm operations in the location of  
24 comparable replacement farm operations."

1           **237.** Page 603, line 20: restore the stricken material and delete the  
underscored material.

2           **238.** Page 603, line 21: on lines 21 and 22, delete “~~and the state treasurer shall~~  
~~pay the warrant under s. 14.58 (4)~~” and substitute “and the state treasurer shall pay  
the warrant under s. 14.58 (4)”.

3           **239.** Page 606, line 19: after that line insert:

4           “**SECTION 1749m.** 35.29 (1m) of the statutes is created to read:

5           35.29 (1m) No state agency may distribute any materials printed under sub.  
6 (1) directly to any member of the legislature, except in the manner provided in this  
7 subsection. If a state agency wishes to make available any materials under sub. (1)  
8 to members of the legislature, the agency shall send a notice to all members briefly  
9 describing the materials. If a member notifies the state agency that the member  
10 wishes to receive a copy of specified materials, the agency may then distribute the  
11 materials to that member.”.

12           **240.** Page 609, line 13: after that line insert:

13           “**SECTION 1755r.** 36.09 (1) (j) of the statutes is amended to read:

14           36.09 (1) (j) Except where such matters are a subject of bargaining with a  
15 certified representative of a collective bargaining unit under s. 111.91 and subject to  
16 the pay range maximum and compensation maximum under s. 230.125, the board  
17 shall establish salaries for persons not in the classified staff prior to July 1 of each  
18 year for the next fiscal year, and shall designate the effective dates for payment of  
19 the new salaries. In the first year of the biennium, payments of the salaries  
20 established for the preceding year shall be continued until the biennial budget bill  
21 is enacted. If the budget is enacted after July 1, payments shall be made following

1 enactment of the budget to satisfy the obligations incurred on the effective dates, as  
2 designated by the board, for the new salaries, subject only to the appropriation of  
3 funds by the legislature and s. 20.928 (3). This Except as provided in s. 230.125, this  
4 paragraph does not limit the authority of the board to establish salaries for new  
5 appointments. The board may not increase the salaries of employes specified in ss.  
6 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the salary  
7 increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board  
8 authorizes the salary increase to correct salary inequities under par. (h), to fund job  
9 reclassifications or promotions, or to recognize competitive factors. The board may  
10 not increase the salary of any position identified in s. 20.923 (4) (j) or (4m) under this  
11 paragraph unless the salary increase conforms to the compensation plan for  
12 executive salary group positions as approved under 230.12 (3) (b) or the board  
13 authorizes the salary increase to correct a salary inequity or to recognize competitive  
14 factors. The granting of salary increases to recognize competitive factors does not  
15 obligate inclusion of the annualized amount of the increases in the appropriations  
16 under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each  
17 year, the board shall report to the joint committee on finance and the departments  
18 of administration and employment relations concerning the amounts of any salary  
19 increases granted to recognize competitive factors, and the institutions at which they  
20 are granted, for the 12-month period ending on the preceding June 30.

21 **SECTION 1755v.** 36.09 (1) (k) 1. of the statutes is amended to read:

22 36.09 (1) (k) 1. The Subject to the pay range maximum and compensation  
23 maximum under s. 230.125, the board shall, with respect to academic staff, correct  
24 pay inequities based on gender or race.”.

1           **241.** Page 610, line 24: substitute “73.255” for “49.855”.

2           **242.** Page 614, line 23: substitute “73.255” for “49.855”.

3           **243.** Page 615, line 25: after that line insert:

4           “**SECTION 1775hd.** 36.25 (30m) (intro.) of the statutes is renumbered 36.25  
5 (30m) and amended to read:

6           36.25 (**30m**) (title) AGRICULTURAL TECHNOLOGY AND FAMILY FARM INSTITUTE  
7 PROGRAMS. The board ~~shall~~ may establish an agricultural technology and family farm  
8 institute programs in the college of agriculture and life sciences at the university of  
9 Wisconsin–Madison ~~to do all of the following:~~.

10           **SECTION 1775hf.** 36.25 (30m) (a) to (d) of the statutes are repealed.”.

11           **244.** Page 616, line 19: delete the material beginning with that line and  
ending with page 617, line 9.

12           **245.** Page 616, line 20: delete “pars. (b) and (c)” and substitute “(e) pars. (b)  
13 to (d)”.

13           **246.** Page 617, line 9: after that line insert:

14           “**SECTION 1775q.** 36.27 (1) (d) of the statutes is created to read:

15           36.27 (**1**) (d) The board may not require students to pay any fee for the support  
16 of noninstructional student activities if any portion of the fee is provided to an  
17 organization that engages in lobbying, as defined in s. 13.62 (10), or that employs an  
18 individual to or attempts to lobby congress.”.

19           **247.** Page 617, line 22: substitute “73.255” for “49.855”.

20           **248.** Page 628, line 16: delete lines 16 to 23.

21           **249.** Page 630, line 7: after that line insert:



1           **“SECTION 1803m.** 38.04 (27) of the statutes is created to read:

2           38.04 (27) AGRICULTURAL LAND REIMBURSEMENT. Until December 31, 2001, the  
3 board shall grant to each district board that applies and that in its most recent levy  
4 levied a tax under s. 38.16 at a rate of 1.5 mills an amount calculated as follows:

5           (a) Subtract the equalized value of agricultural land, as defined in s. 70.32 (2)  
6 (c) 1., in the district as determined for the year to which the levy applies from the  
7 equalized value of agricultural land in the district as determined for 1996.

8           (b) If the amount under par. (a) is a positive number, multiply that amount by  
9 the district’s most recent levy rate for operations.”.

10           **250.** [Page 631, line 6](#): delete lines 6 to 13.

11           **251.** [Page 637, line 16](#): delete the material beginning with that line and  
ending with page 639, line 23, and substitute:

12           **“SECTION 1851j.** 39.155 (1) of the statutes is amended to read:

13           39.155 (1) ~~All~~ Subject to sub. (3), all funds appropriated to the medical college  
14 of Wisconsin, inc., under s. 20.250 (1) (a) shall be based on a per capita formula for  
15 an amount for each Wisconsin resident enrolled at the college who is paying full  
16 tuition. A student’s qualification as a resident of this state shall be determined by  
17 the higher educational aids board in accordance with s. 36.27, so far as applicable.

18           **SECTION 1851p.** 39.155 (1) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is repealed and recreated to read:

20           39.155 (1) Subject to sub. (3), all funds appropriated to the medical college of  
21 Wisconsin, inc., under s. 20.250 (1) (a) shall be based on a per capita formula for an  
22 amount for each Wisconsin resident enrolled at the college who is paying full tuition.

1 A student's qualification as a resident of this state shall be determined by the  
2 department of education in accordance with s. 36.27, so far as applicable.

3 **SECTION 1851t.** 39.155 (2) of the statutes is amended to read:

4 39.155 (2) On or before January 15 and September 15 of each year, the medical  
5 college of Wisconsin, inc., shall submit to the ~~higher educational aids board~~  
6 department of education for its approval a list of the Wisconsin residents enrolled at  
7 the college who are paying full tuition. The state shall make semiannual payments  
8 to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1)  
9 (a), upon approval of the list. If the appropriation under s. 20.250 (1) (a) is  
10 insufficient to pay the amount specified to be disbursed under s. 20.250 (1) (a), the  
11 payments shall be disbursed on a prorated basis for each student entitled to such aid.  
12 No more than 8 such payments may be made to the medical college of Wisconsin, inc.,  
13 from the appropriation under s. 20.250 (1) (a), for any individual student.”.

14 **252.** Page 641, line 13: substitute “73.255” for “49.855”.

15 **253.** Page 650, line 3: substitute “73.255” for “49.855”.

16 **254.** Page 661, line 13: substitute “73.255” for “49.855”.

17 **255.** Page 662, line 20: substitute “73.255” for “49.855”.

18 **256.** Page 665, line 12: substitute “73.255” for “49.855”.

19 **257.** Page 668, line 19: delete lines 19 to 24.

20 **258.** Page 676, line 21: restore the stricken material and delete the  
underscored material.

21 **259.** Page 676, line 23: restore the stricken material.

22 **260.** Page 679, line 18: delete lines 18 to 24.

1           **261.** Page 685, line 5: restore the stricken material and delete the  
underscored material.

2           **262.** Page 685, line 6: restore the stricken material.

3           **263.** Page 687, line 9: after that line insert:

4           “**SECTION 1988b.** 44.03 (1) of the statutes is amended to read:

5           44.03 (1) County or local historical societies without capital stock may be  
6           incorporated as affiliates of the historical society, to gather and preserve the books,  
7           documents and artifacts relating to the history of their region or locality. No fees  
8           shall be charged by any register of deeds for recording nor by the ~~secretary of state~~  
9           department of financial institutions for filing the articles of organization or its  
10          amendments, or for a certificate of incorporation of any such society, but the  
11          ~~secretary of state~~ department of financial institutions shall not accept articles of  
12          incorporation under this section unless they are approved by the board of curators  
13          of the historical society.

14          **SECTION 1989b.** 44.03 (2) of the statutes is amended to read:

15          44.03 (2) Statewide, county or other patriotic or historical organizations, or  
16          chapters in this state may be incorporated as affiliates of the historical society under  
17          sub. (1) if their purposes and programs are similar to and consonant with those of the  
18          historical society and its affiliates, or if already incorporated, the organizations or  
19          chapters may apply to the board of curators for affiliation with the historical society.  
20          Upon incorporation under this section or acceptance of affiliation by the board of  
21          curators the applying organization shall as an affiliate accept the provisions and  
22          shall be entitled to all the benefits of this section. Any affiliated society shall be a  
23          member and entitled to one vote in any general meeting of the historical society. The

1 board of curators may terminate the affiliation as an affiliate of the historical society  
2 under this section of any such organization by formal resolution, a copy of which shall  
3 be deposited with the ~~secretary of state~~ department of financial institutions.”.

4 **264.** Page 687, line 24: delete lines 24 and 25 and substitute:

5 “SECTION 1993b. 44.25 (5g) and (5r) of the statutes are created to read:

6 44.25 (5g) The commission may:

7 (a) Subject to authorization under s. 16.505, employ staff outside of the  
8 classified service and consultants and fix their compensation.

9 (b) Enter into contracts, leases or other agreements.

10 (c) Accept gifts, grants, bequests or donations of personal services.

11 (d) Assume such other functions authorized by law as may be necessary to carry  
12 out the purposes of this section.

13 (e) License products.

14 (5r) The commission may appoint such committees as may be required to carry  
15 out its functions.”.

16 **265.** Page 690, line 1: before that line insert:

17 “SECTION 1995k. 45.25 (3) (a) of the statutes is amended to read:

18 45.25 (3) (a) An individual who meets the requirements under sub. (2), upon  
19 satisfactory completion of an undergraduate semester in any institution or center  
20 within the university of Wisconsin system or a semester at any technical college  
21 district school under ch. 38, may be reimbursed for up to ~~25%~~ 35% of the individual’s  
22 tuition and fees, other than textbooks and other costs, charged by the institution,  
23 center or school, or the difference between the individual’s tuition and fees and the  
24 grants or scholarships, including those made under s. 21.49, that the individual

1 receives specifically for the payment of the tuition or fees, whichever is less.  
2 Reimbursement is available only for tuition and fees that are part of a curriculum  
3 that is relevant to a degree in a particular course of study at the institution, center  
4 or school.”.

5 **266.** Page 690, line 4: substitute “73.255” for “49.855”.

6 **267.** Page 693, line 13: on lines 13 and 18, substitute “73.255” for “49.855”.

7 **268.** Page 695, line 8: delete lines 8 to 24.

8 **269.** Page 697, line 19: substitute “73.255” for “49.855”.

9 **270.** Page 698, line 8: substitute “73.255” for “49.855”.

10 **271.** Page 712, line 5: on lines 5 and 7, substitute “revenue” for “industry,  
labor and human relations; and substitute “73.25” for “49.143”.

11 **272.** Page 737, line 21: delete the material beginning with that line and  
ending with page 738, line 13, and substitute:

12 “**SECTION 2128bm.** 46.25 (title) of the statutes is renumbered 73.35 (title).

13 **SECTION 2128bn.** 46.25 (1) of the statutes is renumbered 73.25 (1m).

14 **SECTION 2128bp.** 46.25 (2) to (7) of the statutes are renumbered 73.25 (2) to  
15 (7), and 73.25 (7), as renumbered, is amended to read:”.

16 **273.** Page 738, line 14: before “(7)” insert “73.25”.

17 **274.** Page 739, line 2: substitute “20.566 (4)” for “(4) 20.445 (3)”.

18 **275.** Page 739, line 14: substitute “73.25” for “49.143”, in both places.

19 **276.** Page 739, line 16: substitute “73.25” for “49.143”.

20 **277.** Page 739, line 21: substitute “73.255” for “49.855”.

1           **278.** Page 744, line 8: delete the material beginning with that line and ending  
with page 747, line 3, and substitute:

2           “**SECTION 2157em.** 46.255 (title) and (1) of the statutes are renumbered 73.255  
3 (title) and (1).

4           **SECTION 2157f.** 46.255 (2) of the statutes is repealed.

5           **SECTION 2157g.** 46.255 (2m) of the statutes is renumbered 73.255 (2) and  
6 amended to read:

7           73.255 (2) At least annually, the department of health and social services shall  
8 certify to the department of revenue any obligation owed to the department of health  
9 and social services under s. 46.10 if the obligation is rendered to a judgment.

10          **SECTION 2157h.** 46.255 (3) of the statutes is renumbered 73.255 (3) and  
11 amended to read:

12          73.255 (3) Receipt of a certification by the department of revenue a certification  
13 under sub. (1) or (2) or a certification of a delinquency or outstanding amount from  
14 another state because the obligor resides in this state shall constitute a lien, equal  
15 to the amount certified, on any state tax refunds or credits owed to the obligor. The  
16 lien shall be foreclosed by the department of revenue as a setoff under s. 71.93 (3),  
17 (6) and (7). When the department of revenue determines that the obligor is otherwise  
18 entitled to a state tax refund or credit, it shall notify the obligor that the state intends  
19 to reduce any state tax refund or credit due the obligor by the amount the obligor is  
20 delinquent under the support or maintenance order, by the outstanding amount for  
21 past support, medical expenses or birth expenses under the court order or by the  
22 amount due under s. 46.10 (4). The notice shall provide that within 20 days the  
23 obligor may request a hearing before the circuit court rendering the order. Within

1 10 days after receiving a request for hearing under this subsection, the court shall  
2 set the matter for hearing. Pending further order by the court or family court  
3 commissioner, the clerk of circuit court is prohibited from disbursing the obligor's  
4 state tax refund or credit. The family court commissioner may conduct the hearing.  
5 The sole issues at that hearing shall be whether the obligor owes the amount certified  
6 and, if not and it is a support or maintenance order, whether the money withheld  
7 from a tax refund or credit shall be paid to the obligor or held for future support or  
8 maintenance. An obligor may, within 20 days of receiving notice that the amount  
9 certified shall be withheld from his or her federal tax refund or credit, request a  
10 hearing under this subsection.

11 **SECTION 2157i.** 46.255 (4) of the statutes is renumbered 73.255 (4) and  
12 amended to read:

13 73.255 (4) The department of revenue shall send that portion of any state or  
14 federal tax refunds or credits withheld to the department of health and social  
15 services for distribution to the appropriate clerk of circuit court. The department of  
16 health and social services shall make a settlement at least annually with the  
17 department of revenue and with each clerk of circuit court who has certified a  
18 delinquent obligation or outstanding amount for past support, medical expenses or  
19 birth expenses. The settlement shall state the amounts certified, the amounts  
20 deducted from tax refunds and credits and returned to the clerk of circuit court and  
21 the administrative costs incurred by the department of revenue. The department of  
22 health and social services may charge the county whose clerk of circuit court certified  
23 the obligation or outstanding amount the related administrative costs incurred by  
24 the department of health and social services and the department of revenue.

25 **SECTION 2157im.** 46.255 (4m) (a) of the statutes is renumbered 73.255 (4m) (a).

1           **SECTION 2157j.** 46.255 (4m) (b) of the statutes is renumbered 73.255 (4m) (b)  
2 and amended to read:

3           73.255 (4m) (b) The department may provide a certification that it receives  
4 under sub. (1) or (2) or (2m) or a certification of a delinquency or outstanding amount  
5 that it receives from another state because the obligor resides in this state to the  
6 department of administration. Upon receipt of the certification, the department of  
7 administration shall determine whether the obligor is a vendor or is receiving any  
8 other payments from this state, except for wages, retirement benefits or assistance  
9 under s. 45.352, 1971 stats., s. 45.351 (1), ~~this chapter~~ or ch. 46, 49 or 108. If the  
10 department of administration determines that the obligor is a vendor or is receiving  
11 payments from this state, except for wages, retirement benefits or assistance under  
12 s. 45.352, 1971 stats., s. 45.351 (1), ~~this chapter~~ or ch. 46, 49 or 108, it shall begin to  
13 withhold the amount certified from those payments and shall notify the obligor that  
14 the state intends to reduce any payments due the obligor by the amount the obligor  
15 is delinquent under the support or maintenance order, by the outstanding amount  
16 for past support, medical expenses or birth expenses under the court order or by the  
17 amount due under s. 46.10 (4). The notice shall provide that within 20 days after  
18 receipt of the notice the obligor may request a hearing before the circuit court  
19 rendering the order. An obligor may, within 20 days after receiving notice, request  
20 a hearing under this paragraph. Within 10 days after receiving a request for hearing  
21 under this paragraph, the court shall set the matter for hearing. The family court  
22 commissioner may conduct the hearing. Pending further order by the court or family  
23 court commissioner, the clerk of circuit court may not disburse the payments  
24 withheld from the obligor. The sole issues at the hearing are whether the obligor  
25 owes the amount certified and, if not and it is a support or maintenance order,



1 whether the money withheld shall be paid to the obligor or held for future support  
2 or maintenance.

3 **SECTION 2157k.** 46.255 (4m) (c) of the statutes is renumbered 73.255 (4m) (c)  
4 and amended to read:

5 73.255 (4m) (c) Except as provided by order of the court after hearing under  
6 par. (b), the department of administration shall continue withholding until the  
7 amount certified is recovered in full. The department of administration shall  
8 transfer the amounts withheld under this paragraph to the department of health and  
9 social services, or to the department of revenue for distribution to the appropriate  
10 clerk of court, whichever is appropriate.

11 **SECTION 2157km.** 46.255 (4m) (d) of the statutes is renumbered 73.255 (4m)  
12 (d).

13 **SECTION 2157L.** 46.255 (5) of the statutes is renumbered 73.255 (5) and  
14 amended to read:

15 73.255 (5) Certification of an obligation to the department of health and social  
16 services does not deprive any party of the right to collect the obligation or to prosecute  
17 the obligor. The clerk of court shall immediately notify the department of any  
18 collection of an obligation that has been certified. The department shall correct the  
19 certified obligation according to the amount the county has collected and report the  
20 correction to the department of revenue.

21 **SECTION 2157m.** 46.255 (6) of the statutes is renumbered 73.255 (6).

22 **SECTION 2157n.** 46.255 (7) of the statutes is renumbered 73.255 (7).”.

23 **279.** [Page 747, line 4](#): substitute “73.258” for “49.163”.

24 **280.** [Page 747, line 19](#): on lines 19 and 20, substitute “73.258” for “49.163”.

1           **281.** Page 747, line 20: substitute “20.566 (4)” for “(4) 20.445 (3)”.

2           **282.** Page 748, line 14: on lines 14, 15, 20, 21 and 22, substitute “73.258” for  
“49.163”.

3           **283.** Page 748, line 15: substitute “20.566 (4)” for “(4) 20.445 (3)”.

4           **284.** Page 748, line 25: substitute “73.25” for “49.143”.

5           **285.** Page 749, line 1: on lines 1 and 3, substitute “73.258” for “49.163”.

6           **286.** Page 749, line 5: substitute “73.25” for “49.143”.

7           **287.** Page 761, line 7: after that line insert:

8           “SECTION 2209w. 46.27 (1) (ai) of the statutes is created to read:

9           46.27 (1) (ai) “Community-based residential facility” means a facility that  
10           meets the definition in s. 50.01 (1g) and that is licensed under s. 50.03 (1).”.

11           **288.** Page 769, line 3: delete “, as defined in s. 50.01 (1g),”.

12           **289.** Page 769, line 6: delete “has no more than 16 beds” and substitute “is  
licensed on the effective date of this subd. 1. a. .... [revisor inserts date],”.

13           **290.** Page 783, line 1: delete “\$11,374,700” and substitute “\$11,299,700”.

14           **291.** Page 783, line 2: delete “\$11,572,700” and substitute “\$11,497,700”.

15           **292.** Page 800, line 6: delete lines 6 to 12.

16           **293.** Page 817, line 18: on lines 18 and 19 and lines 22 and 23, substitute  
“revenue” for “industry, labor and human relations”.

17           **294.** Page 817, line 25: substitute “revenue” for “industry”.

18           **295.** Page 818, line 1: delete the underscored material.

1           **296.** Page 830, line 19: delete the material beginning with that line and  
ending with page 831, line 3.

2           **297.** Page 831, line 16: substitute “revenue” for “industry, labor and human  
relations”.

3           **298.** Page 831, line 17: substitute “73.25” for “49.143”.

4           **299.** Page 832, line 8: substitute “revenue” for “industry, labor and human  
relations”.

5           **300.** Page 832, line 9: substitute “73.25” for “49.143”.

6           **301.** Page 837, line 7: after that line insert:

7           “**SECTION 2465n.** 48.355 (4) (a) of the statutes, as affected by 1993 Wisconsin  
8 Acts 377, 385 and 491 and 1995 Wisconsin Act .... (this act), section 2465m, is  
9 amended to read:

10           48.355 (4) (a) Except as provided under par. (b) or s. 48.368, all orders under  
11 this section shall terminate at the end of one year unless the judge specifies a shorter  
12 period of time. Except if s. 48.368 applies, extensions or revisions shall terminate  
13 at the end of one year unless the judge specifies a shorter period of time. No extension  
14 under s. 48.365 of an original dispositional order may be granted for a child whose  
15 legal custody has been transferred to the department of corrections under s. 48.34  
16 (4g) or who is under the supervision of the department under s. 48.34 (4m) or (4n)  
17 or under the supervision of a county department under s. 48.34 (4n) if the child is ~~18~~  
18 17 years of age or older when the original dispositional order terminates. Any order  
19 made before the child reaches the age of majority shall be effective for a time up to  
20 one year after its entry unless the judge specifies a shorter period of time.”.

21           **302.** Page 837, line 9: after “(this act),” insert “sections 2465m and 2465n.”.

- 1           **303.** Page 842, line 15: substitute “revenue” for “industry, labor and human  
2           relations”.
- 3           **304.** Page 842, line 16: substitute “73.25” for “49.143”.
- 4           **305.** Page 843, line 10: on lines 10 and 11, substitute “revenue” for “industry,  
5           labor and human relations”.
- 6           **306.** Page 843, line 12: substitute “73.25” for “49.143”.
- 7           **307.** Page 844, line 16: substitute “revenue” for “industry, labor and human  
8           relations”.
- 9           **308.** Page 844, line 17: substitute “73.25” for “49.143”.
- 10           **309.** Page 844, line 23: on lines 23 and 24, delete “~~supervision~~” and substitute  
11           “supervision”.
- 12           **310.** Page 888, line 12: delete lines 12 to 20.
- 13           **311.** Page 889, line 13: after that line insert:  
14           “**SECTION 2611q.** 48.78 (2) (d) 4m. of the statutes is created to read:  
15           48.78 (2) (d) 4m. On community supervision to the department of corrections  
16           under s. 973.095.”.
- 17           **312.** Page 928, line 17: delete lines 17 to 25.
- 18           **313.** Page 933, line 7: delete lines 7 to 15.
- 19           **314.** Page 939, line 6: substitute “20.566 (4)” for “(4) 20.445 (3)”.  
20           **315.** Page 939, line 7: after “partment” insert “of revenue”.
- 21           **316.** Page 939, line 15: substitute “20.566 (4)” for “(4) 20.445 (3)”.  
22           **317.** Page 939, line 16: after “partment” insert “of revenue”.

1           **318.** Page 945, line 2: substitute “20.566 (4)” for “(4) 20.445 (3)”; and after  
“department” insert “of revenue”.

2           **319.** Page 947, line 5: delete lines 5 to 8 and substitute:

3           “**SECTION 2925d.** 49.30 (1m) of the statutes is created to read:

4           49.30 (1m) (a) If the total cemetery expenses for the recipient exceed \$3,500,  
5           the county or applicable tribal governing body or organization responsible for burial  
6           of the recipient is not required to make a payment for the cemetery expenses under  
7           sub. (1) (a).

8           (b) If the total funeral and burial expenses for the recipient exceed \$3,500, the  
9           county or applicable tribal governing body or organization responsible for burial of  
10          the recipient is not required to make a payment for funeral and burial expenses  
11          under sub. (1) (b).”.

12          **320.** Page 948, line 2: delete lines 2 to 4 and substitute: “a county department  
under s. 46.215, 46.22 or 46.23, except where, as determined by the department, a  
fee is administratively”.

13          **321.** Page 972, line 20: after that line insert:

14          “**SECTION 2988b.** 49.45 (8f) of the statutes is created to read:

15          49.45 (8f) LIMITS ON REIMBURSEMENT OF PROVIDERS OF HOME HEALTH SERVICES. (a)  
16          For any home health, personal care or private-duty nursing service provided to a  
17          medical assistance recipient in a month, the department may require, as a condition  
18          of reimbursement, that the provider charge the department the lesser of the  
19          following for the service:

1           1. The amount that the federal medicare program reimburses for a service,  
2 separately identified under 42 CFR Part 413, including skilled nursing service, home  
3 health aid service and physical therapy service.

4           2. The provider’s usual and customary charge for providing the service.

5           3. A maximum reimbursement rate, determined by the department, for the  
6 service.

7           (b) When a provider is required to charge the department a price under par. (a),  
8 the department may not reimburse the provider for more than that amount.”.

9           **322.** Page 972, line 24: delete “and (8e)” and substitute “, (8e) and (8f)”.

10          **323.** Page 980, line 17: delete “and (8e)” and substitute “, (8e) and (8f)”.

11          **324.** Page 980, line 18: delete “limitation under s. 49.45 (8e)” and substitute  
12 “limitations under s. 49.45 (8e) and (8f)”.

13          **325.** Page 981, line 2: delete “and (8e)” and substitute “(8e), (8f)”.

14          **326.** Page 993, line 20: delete the material beginning with that line and  
15 ending with page 994, line 3.

16          **327.** Page 1004, line 22: strike through “, child”.

17          **328.** Page 1004, line 23: delete that line and substitute: “and spousal support  
18 and establishment of paternity services under s. 46.25,”.

19          **329.** Page 1020, line 1: on lines 1 and 2 and line 10, substitute “revenue” for  
20 “industry, labor and human relations”.

21          **330.** Page 1026, line 21: delete the material beginning with that line and  
22 ending with page 1027, line 3.

23          **331.** Page 1034, line 19: delete lines 19 to 25.

1           **332.** Page 1037, line 6: after that line insert:

2           “**SECTION 3242b.** 50.05 (15) (f) of the statutes is amended to read:

3           50.05 (15) (f) The receiver shall, within 60 days after termination of the  
4           receivership, file a notice of any lien created under this subsection. No action on a  
5           lien created under this subsection may be brought more than 2 years after the date  
6           of filing. If the lien is on real property, the notice shall be filed with the clerk of circuit  
7           court of the county in which the facility is located and entered on the lien docket kept  
8           under s. 779.07. If the lien is on personal property, the lien shall be filed with the  
9           ~~secretary of state~~ department of financial institutions. The ~~secretary of state~~  
10          department of financial institutions shall place the lien on personal property in the  
11          same file as financing statements are filed under ss. 409.401 and 409.402. The notice  
12          shall specify the name of the person against whom the lien is claimed, the name of  
13          the receiver, the dates of the petition for receivership and the termination of  
14          receivership, a description of the property involved and the amount claimed. No lien  
15          shall exist under this section against any person, on any property, or for any amount  
16          not specified in the notice filed under this paragraph. To the extent applicable, ch.  
17          846 controls the foreclosure of liens under this subsection that attach to real  
18          property.”.

19          **333.** Page 1039, line 3: delete lines 3 to 10.

20          **334.** Page 1040, line 3: after that line insert:

21          “**SECTION 3251e.** 51.15 (1) (b) 2. of the statutes is amended to read:

22          51.15 (1) (b) 2. A specific recent overt act or attempt or threat to act or omission  
23          by the individual which is reliably reported to the officer or person by any other  
24          person, including any probation and parole agent authorized by the department to

1 exercise control and supervision over a probationer or parolee or a person on  
2 community supervision.

3 **SECTION 3251g.** 51.30 (4) (b) 10. (intro.), a., b. and d. of the statutes are  
4 amended to read:

5 51.30 (4) (b) 10. (intro.) To a correctional facility or to a probation and parole  
6 agent who is responsible for the supervision of an individual who is receiving  
7 inpatient or outpatient evaluation or treatment under this chapter in a program that  
8 is operated by, or is under contract with, the department or a county department  
9 under s. 51.42 or 51.437, or in a treatment facility, as a condition of the probation and  
10 parole supervision plan or the community supervision plan, or whenever such an  
11 individual is transferred from a state or local correctional facility to such a treatment  
12 program and is then transferred back to the correctional facility. Every probationer  
13 or parolee or person on community supervision who receives evaluation or treatment  
14 under this chapter shall be notified of the provisions of this subdivision by the  
15 individual's probation and parole agent. Release of records under this subdivision  
16 is limited to:

17 a. The report of an evaluation which is provided pursuant to the written  
18 probation and parole supervision plan or the community supervision plan.

19 b. The discharge summary, including a record or summary of all somatic  
20 treatments, at the termination of any treatment which is provided as part of the  
21 probation and parole supervision plan or the community supervision plan.

22 d. Any information necessary to establish, or to implement changes in, the  
23 individual's treatment plan or the level and kind of supervision on probation,  
24 community supervision or parole, as determined by the director of the facility or the  
25 treatment director. In cases involving a person transferred back to a correctional



1 facility, disclosure shall be made to clinical staff only. In cases involving a person on  
2 probation, community supervision or parole, disclosure shall be made to a probation  
3 and parole agent only. The department shall promulgate rules governing the release  
4 of records under this subdivision.”.

5 **335.** Page 1041, line 24: after that line insert:

6 “SECTION 3261b. 51.42 (3) (d) 12. f. of the statutes is amended to read:

7 51.42 (3) (d) 12. f. The receiver shall, within 60 days after termination of the  
8 receivership, file a notice of any lien created under this subdivision. No action on a  
9 lien created under this subdivision may be brought more than 2 years after the date  
10 of filing. If the lien is on real property, the notice shall be filed with the clerk of circuit  
11 court for the county in which the county department of community programs or  
12 related program is located and entered on a lien docket kept under s. 779.07. If the  
13 lien is on personal property, the lien shall be filed with the ~~secretary of state~~  
14 department of financial institutions. The ~~secretary of state~~ department of financial  
15 institutions shall place the lien on personal property in the same file as financing  
16 statements are filed under ss. 409.401 and 409.402. The notice shall specify the  
17 name of the county department of community programs or related program against  
18 which the lien is claimed, the name of the receiver, the dates of the petition for  
19 receivership and the termination of receivership, a description of the property  
20 involved and the amount claimed. No lien may exist under this subdivision against  
21 any person, on any property or for any amount not specified in the notice filed under  
22 this subd. 12. f. To the extent applicable, ch. 846 controls the foreclosure of liens  
23 under this subdivision that attach to real property.”.

24 **336.** Page 1045, line 10: after that line insert:

1           “**SECTION 3270b.** 51.45 (5) (c) of the statutes is amended to read:

2           51.45 (5) (c) County matching funds equal to ~~9.89%~~ of the total amount received  
3 by a county department under par. (b) are required for receipt of the allocation under  
4 par. (b).”.

5           **337.** Page 1046, line 13: on lines 13, 19, 22 and 24, substitute “revenue” for  
6 “industry, labor and human relations”.

6           **338.** Page 1046, line 24: substitute “73.25” for “49.143”.

7           **339.** Page 1051, line 21: delete the material beginning with that line and  
8 ending with page 1053, line 18.

8           **340.** Page 1054, line 22: on lines 22 and 23, substitute “revenue” for “industry,  
9 labor and human relations”.

9           **341.** Page 1055, line 1: on lines 1 and 15, substitute “73.25” for “49.143”.

10          **342.** Page 1056, line 9: after that line insert:

11          “**SECTION 3293b.** 59.51 (11) of the statutes is amended to read:

12          59.51 (11) File all documents pertaining to security interests in personal  
13 property, crops or fixtures that are required or authorized by law to be filed with the  
14 register. Except as otherwise prescribed by the ~~secretary of state~~ department of  
15 financial institutions pursuant to ss. 409.403 to 409.406, these documents shall be  
16 executed on white or light colored sheets of paper, 8 or 8-1/2 inches wide and 5, 7,  
17 10-1/2 or 14 inches long. Whenever there is offered for filing any document that  
18 varies more than one-eighth of an inch from the approved size, or that is not on a  
19 standard form prescribed by the ~~secretary of state~~ department of financial  
20 institutions, then in addition to the regular filing fee an additional filing fee shall be  
21 charged by the register of deeds, as prescribed by s. 59.57. No assignment, release

1 or other instrument shall be offered for filing that is executed or endorsed on any  
2 other document, but each shall be a separate and distinct document, except those  
3 assignments or notices that are printed or written on and immediately following the  
4 original agreement or financing statement, offered for filing at the same time, shall  
5 be considered as one document. All these documents shall be legibly written, and  
6 shall have the names of the debtor and secured party plainly printed or typed on the  
7 document and shall provide a space for filing data of the register of deeds on the  
8 outside of the document.”.

9 **343.** Page 1058, line 4: after that line insert:

10 “**SECTION 3298b.** 59.57 (6) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is repealed and recreated to read:

12 59.57 (6) For performing functions under s. 409.407 (1) and (2) (a) and (b), the  
13 register shall charge the fees stated in s. 409.407 (2) (a) or (b). A financing statement  
14 and an assignment or notice of assignment of the security interest, offered for filing  
15 at the same time, shall be considered as only one document for the purpose of this  
16 subsection. Whenever there is offered for filing any document that is not on a  
17 standard form prescribed by the department of financial institutions or that varies  
18 more than one-eighth of an inch from the approved size as prescribed by s. 59.51, the  
19 appropriate fee specified in ss. 409.403 to 409.406 or an additional filing fee of  
20 one-half the regular fee, whichever is applicable, shall be charged by the register.

21 **SECTION 3300.** 59.90 (1) (a) of the statutes is amended to read:

22 59.90 (1) (a) On or before January 10 of every odd-numbered year, each city,  
23 village, town and county officer, and each clerk of every court of record, shall file with  
24 the treasurer of that person’s county a written report under oath giving the names

1 and the last-known addresses of all persons for whom any such officer or clerk holds  
2 money or security, and which has not been claimed for at least one year, and showing  
3 the amount of the money or the nature of the security in detail. A duplicate report  
4 shall also be mailed to the ~~secretary of state~~ department of financial institutions.  
5 Upon receiving the reports the treasurer shall cause to be published a class 3 notice,  
6 under ch. 985, on or before February 1 of the same year, which contains the names  
7 and last-known addresses of the owners of such unclaimed money or security, and  
8 shall state that unless the owners call for and prove their ownership of the money  
9 or security, within 6 months from the time of the completed publication, the treasurer  
10 will take possession or control of the money or security.”.

11 **344.** Page 1058, line 4: after that line insert:

12 “**SECTION 3300d.** 59.971 (1) (c) of the statutes is amended to read:

13 59.971 (1) (c) “Shoreland zoning standard” means a standard for ordinances  
14 enacted under this section that ~~are~~ is promulgated as ~~rules~~ a rule by the department.

15 **SECTION 3300g.** 59.971 (2m) of the statutes is created to read:

16 59.971 (2m) (a) A county may enact an ordinance under this section to regulate  
17 the setback of a building or structure from a body of water. A county may amend an  
18 ordinance that is enacted under this section and that is in effect on the effective date  
19 of this paragraph .... [revisor inserts date] in order to change or repeal any provision  
20 of the ordinance related to the setback of a building or structure from a body of water.

21 (b) The department may not establish by rule any shoreland zoning standard,  
22 or otherwise maintain any standard or criterion, that regulates the setback of  
23 buildings or structures from a body of water in the unincorporated area of a county.”.

1           **345.** Page 1066, line 5: delete the material beginning with that line and  
ending with page 1067, line 13.

2           **346.** Page 1075, line 17: after that line insert:

3           “**SECTION 3330m.** 66.46 (5) (c) of the statutes is amended to read:

4           66.46 (5) (c) If the city adopts an amendment to the original project plan for any  
5           district which includes additional project costs at least part of which will be incurred  
6           after the period specified in sub. (6) (am) 1, the tax incremental base for the district  
7           shall be redetermined under par. (b) as of the January 1 ~~following~~ next preceding the  
8           effective date of the amendment, ~~except that~~ if the amendment becomes effective  
9           between January 2 and September 30, as of the next subsequent January 1 if the  
10          amendment becomes effective between October 1 and December 31 and if the  
11          effective date of the amendment is January 1 of any year, the redetermination shall  
12          be made on that date. The tax incremental base as redetermined under this  
13          paragraph is effective for the purposes of this section only if it exceeds the original  
14          tax incremental base determined under par. (b).”.

15          **347.** Page 1075, line 23: delete “following” and substitute “next preceding”;  
and delete “, except that” and substitute “if the amendment becomes effective  
between January 2 and September 30, as of the next subsequent January 1 if the  
amendment becomes effective between October 1 and December 31 and”.

16          **348.** Page 1080, line 24: before the period insert: “and add the difference  
between the total of state and federal aid received by the county in the current year  
compared to the amount received in the previous year if that total decreased”.

1           **349.** Page 1080, line 24: before the period insert: “or, for the 1995 calculation  
only, the operating levy for 1994 or the operating levy for 1993 increased by 3%,  
whichever is higher”.

2           **350.** Page 1084, line 9: delete the material beginning with that line and  
ending with page 1085, line 2.

3           **351.** Page 1088, line 23: delete the material beginning with that line and  
ending with page 1089, line 25.

4           **352.** Page 1090, line 12: after that line insert:

5           “**SECTION 3340m.** 67.12 (12) (f) of the statutes is created to read:

6           67.12 (12) (f) Paragraph (e) 2. does not apply to borrowing by a school district  
7           from the state trust funds under subch. II of ch. 24 if the trust fund loan is for a  
8           distance education project and the loan has been approved by the board of control of  
9           the cooperative educational service agency in which the school district participates.”.

10          **353.** Page 1090, line 20: substitute “73.25” for “49.143”.

11          **354.** Page 1091, line 2: substitute “revenue” for “industry, labor and human  
relations”.

12          **355.** Page 1091, line 3: substitute “73.25” for “49.143”.

13          **356.** Page 1091, line 6: after that line insert:

14          “**SECTION 3343d.** 69.22 (1) (c) of the statutes is amended to read:

15          69.22 (1) (c) ~~Ten~~ Twelve dollars for issuing a copy of a birth certificate, \$~~5~~ \$7  
16          of which shall be forwarded to the state treasurer as provided in sub. (1m) and  
17          credited to the appropriations under s. 20.433 (1) (g) and (h).”.

1           **357.** Page 1091, line 7: after “statutes” insert “, as affected by 1995 Wisconsin  
Act .... (this act),”.

2           **358.** Page 1091, line 7: delete lines 7 to 15.

3           **359.** Page 1091, line 24: after that line insert:

4           “**SECTION 3343wb.** 70.05 (5) (a) 1m. of the statutes is amended to read:

5           70.05 (5) (a) 1m. “Class of property” means residential under s. 70.32 (2) (a) 1.  
6           ~~or (b) 1.~~; commercial under s. 70.32 (2) (a) 2. ~~or (b) 2.~~; personal property; or the sum  
7           of agricultural under s. 70.32 (2) (a) 4. ~~or (b) 4.~~, swamp or waste under s. 70.32 (2)  
8           ~~(b) (a) 5. and,~~ productive forest land under s. 70.32 (2) ~~(b) (a) 6. and other under s.~~  
9           70.32 (2) (a) 7.”.

10          **360.** Page 1100, line 7: after that line insert:

11          “**SECTION 3362b.** 70.32 (1r) of the statutes is repealed.

12          **SECTION 3362c.** 70.32 (2) (a) (intro.) of the statutes is amended to read:

13          70.32 (2) (a) (intro.) ~~In cities and villages, the~~ The assessor shall segregate into  
14          the following classes on the basis of use and set down separately in proper columns  
15          the values of the land, exclusive of improvements, and, except for subds. 5. and 6.,  
16          the improvements in each class:

17          **SECTION 3362d.** 70.32 (2) (a) 5. to 7. of the statutes are created to read:

18          70.32 (2) (a) 5. Swamp or waste.

19          6. Productive forest land.

20          7. Other.

21          **SECTION 3362e.** 70.32 (2) (b) of the statutes is repealed.

22          **SECTION 3362f.** 70.32 (2) (c) 1. of the statutes is repealed and recreated to read:

1           70.32 (2) (c) 1. “Agricultural land” means land, exclusive of buildings and  
2 improvements, that is devoted primarily to agricultural use, as defined by rule.

3           **SECTION 3362g.** 70.32 (2m) of the statutes is repealed.

4           **SECTION 3362h.** 70.32 (2r) of the statutes is created to read:

5           70.32 (2r) (a) For the assessment as of January 1, 1996, or until the farmland  
6 advisory council under s. 73.03 (49) makes its recommendation, but not to extend  
7 beyond January 1, 2008, the assessed value of each parcel of agricultural land is the  
8 assessed value of that parcel as of January 1, 1995.

9           (b) For each year beginning with 1997 or upon completion of the farmland  
10 advisory council’s recommendation and promulgation of rules and ending no later  
11 than December 31, 2007, the assessed value of the parcel shall be reduced as follows:

12           1. Subtract the value of the parcel as determined according to the income that  
13 is or could be generated from its rental for agricultural use, as determined by rule,  
14 from its assessed value as of January 1, 1995.

15           2. Multiply .1 by the number of years that the parcel has been assessed under  
16 this paragraph.

17           3. Multiply the amount under subd. 1. by the decimal under subd. 2.

18           4. Subtract the amount under subd. 3. from the parcel’s assessed value as of  
19 January 1, 1995.

20           (c) For the assessment as of the January 1 after the valuation method under  
21 par. (b) no longer applies and for each assessment thereafter, agricultural land shall  
22 be assessed according to the income that is or could be generated from its rental for  
23 agricultural use.”.

24           **361.** [Page 1100, line 7](#): after that line insert:



1           **“SECTION 3362m.** 70.337 (7) of the statutes is amended to read:

2           70.337 (7) This section does not apply to property that is exempt under s. 70.11  
3 (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a  
4 payment in lieu of taxes is made for that property, lake beds owned by the state, state  
5 forests under s. 28.03 or 28.035, county forests under s. 28.10, property acquired by  
6 the department of transportation under s. 85.08 (2) (L) or 85.09 or highways, as  
7 defined in s. 340.01 (22).”.

8           **362.** Page 1100, line 12: delete the material beginning with that line and  
ending with page 1101, line 9.

9           **363.** Page 1101, line 24: after that line insert:

10           **“SECTION 3367c.** 70.57 (3) of the statutes is repealed and recreated to read:

11           70.57 (3) In determining the value of agricultural land under sub. (1), the  
12 department shall fulfill the requirements under s. 70.32 (2r).”.

13           **364.** Page 1106, line 23: after “upon” insert “pension income to the extent that  
income is attributable to employment in this state and”.

14           **365.** Page 1108, line 13: after that line insert:

15           **“SECTION 3373rm.** 71.05 (1) (a) of the statutes is amended to read:

16           71.05 (1) (a) *Retirement systems.* All payments received from the U.S. civil  
17 service retirement system, the U.S. military employe retirement system, the  
18 employe’s retirement system of the city of Milwaukee, Milwaukee county employes’  
19 retirement system, sheriff’s annuity and benefit fund of Milwaukee county, police  
20 officer’s annuity and benefit fund of Milwaukee, fire fighter’s annuity and benefit  
21 fund of Milwaukee, or the public employe trust fund as successor to the Milwaukee  
22 public school teachers’ annuity and retirement fund and to the Wisconsin state

1 teachers retirement system, which are paid on the account of any person who was  
2 a member of the paying or predecessor system or fund as of December 31, 1963, or  
3 was retired from any of the systems or funds as of December 31, 1963, and who is a  
4 resident of this state but such exemption shall not exclude from gross income tax  
5 sheltered annuity benefits.”.

6 **366.** Page 1109, line 24: delete “child” and substitute “individual”.

7 **367.** Page 1110, line 1: delete lines 1 and 2.

8 **368.** Page 1110, line 3: after that line insert:

9 “5. “Qualifying individual” means a dependent of a member of a targeted group  
10 who is employed by a claimant and with respect to whom the member is entitled to  
11 a deduction under section 151 (c) of the internal revenue code for federal income tax  
12 purposes, a dependent of a member of a targeted group who is employed by a  
13 claimant if the dependent is physically or mentally incapable of caring for himself  
14 or herself or the spouse of a member of a targeted group who is employed by the  
15 claimant if the spouse is physically or mentally incapable of caring for himself or  
16 herself.”.

17 **369.** Page 1110, line 11: substitute “individual” for “child”.

18 **370.** Page 1110, line 12: after the first comma insert “(c),”.

19 **371.** Page 1110, line 14: delete “(e) to” and substitute “(g) and”.

20 **372.** Page 1111, line 13: before the final period insert: “and after the claimant  
is certified under s. 560.765 (3), entitled under s. 560.795 (3) (a) or certified under s.  
560.797 (4) (a)”.

21 **373.** Page 1111, line 14: delete lines 14 to 16.

1           **374.** Page 1111, line 17: delete the first comma; and after the 2nd comma  
insert “(c)”.

2           **375.** Page 1111, line 19: delete “(e) to” and substitute “(g) and”.

3           **376.** Page 1112, line 3: delete lines 3 to 8.

4           **377.** Page 1112, line 16: delete lines 16 to 18 and substitute:

5           “**SECTION 3380gm.** 71.07 (2dj) (h) of the statutes is created to read:

6           71.07 (2dj) (h) For claims based on activity in a zone under s. 560.797, the rules  
7           under sub. (2di) (b) and (c) as they apply to the credit under that subsection apply  
8           to the credit under this subsection.”.

9           **378.** Page 1113, line 1: delete lines 1 to 3 and substitute:

10          “**SECTION 3381mm.** 71.07 (2ds) (h) of the statutes is created to read:

11          71.07 (2ds) (h) For claims based on activity in a zone under s. 560.797, the rules  
12          under sub. (2di) (b) and (c) as they apply to the credit under that subsection apply  
13          to the credit under this subsection.”.

14          **379.** Page 1113, line 4: delete lines 4 to 11.

15          **380.** Page 1116, line 8: after that line insert:

16          “**SECTION 3393w.** 71.10 (3) of the statutes, as affected by 1995 Wisconsin Act  
17          .... (this act), is repealed.”.

18          **381.** Page 1116, line 9: delete lines 9 to 17.

19          **382.** Page 1116, line 18: delete lines 18 to 20 and substitute:

20          “**SECTION 3394mm.** 71.10 (4) (gd), (ge), (gs) and (gt) of the statutes are created  
21          to read:

1           71.10 (4) (gd) Development zones jobs credit under s. 71.07 (2dj) if the credit  
2 is based on activity in a zone under s. 560.797.

3           (gf) Development zones sales tax credit under s. 71.07 (2ds) if the credit is  
4 based on activity in a zone under s. 560.797.

5           (gg) Development zones day care credit under s. 71.07 (2dd).

6           (gt) Development zones environmental remediation credit under s. 71.07 (2de).

7           **SECTION 3394mp.** 71.10 (4) (i) of the statutes is amended to read:

8           71.10 (4) (i) The total of claim of right credit under s. 71.07 (1), farmland  
9 preservation credit under subch. IX, homestead credit under subch. VIII, farmland  
10 tax relief credit under s. 71.07 (3m), farmers' drought property tax credit under s.  
11 71.07 (2fd), development zones sales tax credit under s. 71.07 (2ds) unless the credit  
12 is based on activity in a zone under s. 560.797, development zones jobs credit under  
13 s. 71.07 (2dj) unless the credit is based on activity in a zone under s. 560.797, earned  
14 income tax credit under s. 71.07 (9e), estimated tax payments under s. 71.09, and  
15 taxes withheld under subch. X.”

16           **383.** Page 1116, line 21: delete lines 21 to 24.

17           **384.** Page 1116, line 24: after that line insert:

18           “**SECTION 3395c.** 71.10 (5e) of the statutes is created to read:

19           71.10 (5e) WISCONSIN ELECTION CAMPAIGN FUND. (a) *Voluntary payments.* 1.  
20 ‘Designation on return.’ Any individual filing an income tax return may designate  
21 on the return any amount of additional payment or any amount of a refund due that  
22 individual for the Wisconsin election campaign fund.

1           2. 'Designation added to tax owed.' If the individual owes any tax, the  
2 individual shall remit in full the tax due and the amount designated on the return  
3 for the Wisconsin election campaign fund when the individual files a tax return.

4           3. 'Designation deducted from refund.' Except as provided under par. (c) if the  
5 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80  
6 (3), the department of revenue shall deduct the amount designated on the return for  
7 the Wisconsin election campaign fund from the amount of the refund.

8           (b) *Errors; failure to remit correct amount.* If an individual who owes taxes fails  
9 to remit an amount equal to or in excess of the total of the actual tax due, after error  
10 corrections, and the amount designated on the return for the Wisconsin election  
11 campaign fund:

12           1. The department shall reduce the designation for the Wisconsin election  
13 campaign fund program to reflect the amount remitted in excess of the actual tax  
14 due, after error corrections, if the individual remitted an amount in excess of the  
15 actual tax due, after error corrections, but less than the total of the actual tax due,  
16 after error corrections, and the amount originally designated on the return for the  
17 Wisconsin election campaign fund.

18           2. The designation for the Wisconsin election campaign fund is void if the  
19 individual remitted an amount equal to or less than the actual tax due, after error  
20 corrections.

21           (c) *Errors; insufficient refund.* If an individual who is owed a refund which does  
22 not equal or exceed the amount designated on the return for the Wisconsin election  
23 campaign fund, after crediting under ss. 71.75 (9) and 71.80 (3) and after error  
24 corrections, the department shall reduce the designation for the Wisconsin election

1 campaign fund to reflect the actual amount of the refund the individual is otherwise  
2 owed, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections.

3 (d) *Conditions.* If an individual places any conditions on a designation for the  
4 Wisconsin election campaign fund, the designation is void.

5 (e) *Void designation.* If a designation for the Wisconsin election campaign fund  
6 is void, the department of revenue shall disregard the designation and determine  
7 amounts due, owed, refunded and received without regard to the void designation.

8 (f) *Tax return.* The secretary of revenue shall provide a place for the  
9 designations under this subsection on the individual income tax return and the  
10 secretary shall highlight that place on the return by a symbol chosen by the  
11 department of revenue that relates to elections. The names of persons making  
12 designations under this subsection shall be strictly confidential.

13 (g) *Certification of amounts.* Annually, on or before August 15, the secretary  
14 of revenue shall certify to the elections board and the secretary of administration the  
15 total amount received from all designations for the Wisconsin election campaign  
16 fund made by taxpayers during the previous fiscal year. Amounts designated for the  
17 Wisconsin election campaign fund under this subsection are not subject to refund to  
18 the taxpayer unless the taxpayer submits information to the satisfaction of the  
19 department within 18 months after the date taxes are due or the date the return is  
20 filed, whichever is later, that the amount designated is clearly in error. Any refund  
21 granted by the department of revenue under this subdivision shall be deducted from  
22 the moneys received under this subsection in the fiscal year that the refund is  
23 certified.”.

24 **385.** [Page 1119, line 15](#): after that line insert:

1           **“SECTION 3395m.** 71.21 (4) of the statutes is amended to read:

2           71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),  
3 (2dj), (2dL) and (2ds) and passed through to partners or members shall be added to  
4 the partnership’s or limited liability company’s income.”.

5           **386.** Page 1126, line 12: after that line insert:

6           **“SECTION 3399em.** 71.26 (1) (g) and (h) of the statutes are repealed.”.

7           **387.** Page 1133, line 7: delete “child” and substitute “individual”.

8           **388.** Page 1133, line 9: delete lines 9 and 10.

9           **389.** Page 1133, line 10: after that line insert:

10           “5. “Qualifying individual” means a dependent of a member of a targeted group  
11 who is employed by a claimant and with respect to whom the member is entitled to  
12 a deduction under section 151 (c) of the internal revenue code for federal income tax  
13 purposes, a dependent of a member of a targeted group who is employed by a  
14 claimant if the dependent is physically or mentally incapable of caring for himself  
15 or herself or the spouse of a member of a targeted group who is employed by the  
16 claimant if the spouse is physically or mentally incapable of caring for himself or  
17 herself.”.

18           **390.** Page 1133, line 19: substitute “individual” for “child”.

19           **391.** Page 1133, line 20: after the first comma insert “(c),”.

20           **392.** Page 1133, line 22: delete “(e) to” and substitute “(g) and”.

21           **393.** Page 1134, line 16: delete the material beginning with “or” and ending  
with “zone” on line 18.

1           **394.** Page 1134, line 22: before the final period insert “and after the claimant  
is certified under s. 560.765 (3), entitled under s. 560.795 (3) (a) or certified under s.  
560.797 (4) (a)”.

2           **395.** Page 1134, line 23: delete lines 23 to 25.

3           **396.** Page 1135, line 1: after the first comma insert “(c),”.

4           **397.** Page 1135, line 3: delete “(e) to” and substitute “(g) and”.

5           **398.** Page 1135, line 11: delete lines 11 to 16.

6           **399.** Page 1135, line 24: delete the material beginning with that line and  
ending with page 1136, line 2, and substitute:

7           “**SECTION 3402mm.** 71.28 (1dj) (h) of the statutes is created to read:

8           71.28 (1dj) (h) For claims based on activity in a zone under s. 560.797, the rules  
9           under sub. (1di) (b) and (c) as they apply to the credit under that subsection apply  
10          to the credit under this subsection.”

11          **400.** Page 1136, line 10: delete lines 10 to 12 and substitute:

12          “**SECTION 3403mm.** 71.28 (1ds) (h) of the statutes is created to read:

13          71.28 (1ds) (h) For claims based on activity in a zone under s. 560.797, the rules  
14          under sub. (1di) (b) and (c) as they apply to the credit under that subsection apply  
15          to the credit under this subsection.”

16          **401.** Page 1136, line 21: delete lines 21 to 23 and substitute:

17          “**SECTION 3404cgm.** 71.30 (3) (eb) and (ec) of the statutes are created to read:

18          71.30 (3) (eb) Development zones jobs credit under s. 71.28 (1dj) if the credit  
19          is based on activity in a zone under s. 560.797.



1 (ec) Development zones sales tax credit under s. 71.28 (1ds) if the credit is based  
2 on activity in a zone under s. 560.797.

3 **SECTION 3404cgp.** 71.30 (3) (f) of the statutes is amended to read:

4 71.30 (3) (f) The total of farmers' drought property tax credit under s. 71.28  
5 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under  
6 s. 71.28 (2m), the development zones sales tax credit under s. 71.28 (1ds) unless the  
7 credit is based on activity in a zone under s. 560.797, the development zones job credit  
8 under s. 71.28 (1dj) unless the credit is based on activity in a zone under s. 560.797  
9 and estimated tax payments under s. 71.29.”.

10 **402.** Page 1145, line 7: delete “child” and substitute “individual”.

11 **403.** Page 1145, line 9: delete lines 9 and 10.

12 **404.** Page 1145, line 11: after that line insert:

13 “5. “Qualifying individual” means a dependent of a member of a targeted group  
14 who is employed by a claimant and with respect to whom the member is entitled to  
15 a deduction under section 151 (c) of the internal revenue code for federal income tax  
16 purposes, a dependent of a member of a targeted group who is employed by a  
17 claimant if the dependent is physically or mentally incapable of caring for himself  
18 or herself or the spouse of a member of a targeted group who is employed by the  
19 claimant if the spouse is physically or mentally incapable of caring for himself or  
20 herself.”.

21 **405.** Page 1145, line 19: substitute “individual” for “child”.

22 **406.** Page 1145, line 20: after the first comma insert “(c),”.

23 **407.** Page 1145, line 22: delete “(e) to” and substitute “(g) and”.

1           **408.** Page 1146, line 21: before the final period insert: “and after the claimant  
is certified under s. 560.765 (3), entitled under s. 560.795 (3) (a) or certified under s.  
560.797 (4) (a)”.

2           **409.** Page 1146, line 22: delete lines 22 to 24.

3           **410.** Page 1147, line 1: after the first comma insert “(c),”.

4           **411.** Page 1147, line 3: delete “(e) to” and substitute “(g) and”.

5           **412.** Page 1147, line 11: delete lines 11 to 16.

6           **413.** Page 1147, line 24: delete the material beginning with that line and  
ending with page 1148, line 2, and substitute:

7           “**SECTION 3410mm.** 71.47 (1dj) (h) of the statutes is created to read:

8           71.47 (1dj) (h) For claims based on activity in a zone under s. 560.797, the rules  
9           under sub. (1di) (b) and (c) as they apply to the credit under that subsection apply  
10          to the credit under this subsection.”.

11          **414.** Page 1148, line 10: delete lines 10 to 12 and substitute:

12          “**SECTION 3411mm.** 71.47 (1ds) (h) of the statutes is created to read:

13          71.47 (1ds) (h) For claims based on activity in a zone under s. 560.797, the rules  
14          under sub. (1di) (b) and (c) as they apply to the credit under that subsection apply  
15          to the credit under this subsection.”.

16          **415.** Page 1148, line 21: delete lines 21 to 23 and substitute:

17          “**SECTION 3412rg.** 71.49 (1) (eb), (ec), (en) and (eo) of the statutes are created  
18          to read:

19          71.49 (1) (eb) Development zones jobs credit under s. 71.47 (1dj) if the credit  
20          is based on activity in a zone under s. 560.797.

1 (ec) Development zones sales tax credit under s. 72.47 (1ds) if the credit is based  
2 on activity in a zone under s. 560.797.

3 (en) Development zones day care credit under s. 71.28 (1dd).

4 (eo) Development zones environmental remediation credit under s. 71.28 (1de).

5 **SECTION 3412rr.** 71.49 (1) (f) of the statutes is amended to read:

6 71.49 (1) (f) The total of farmers' drought property tax credit under s. 71.47  
7 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under  
8 s. 71.47 (2m), development zones sales tax credit under s. 71.47 (1ds) unless the  
9 credit is based on activity in a zone under s. 560.797, development zones jobs credit  
10 under s. 71.47 (1dj) unless the credit is based on activity in a zone under s. 560.797  
11 and estimated tax payments under s. 71.48.”.

12 **416.** Page 1151, line 10: delete the material beginning with that line and  
ending with page 1152, line 23.

13 **417.** Page 1153, line 8: on lines 8 and 19, substitute “73.255” for “49.855”.

14 **418.** Page 1153, line 25: substitute “73.25” for “49.143”.

15 **419.** Page 1154, line 5: delete lines 5 and 6 and substitute:

16 “71.78 (4) (n) The state public defender and the department of administration  
17 for the purpose of collecting payment ordered under s. 48.275 (2), 757.66, 973.06 (1)  
18 (e) or 977.076 (1).”.

19 **420.** Page 1154, line 6: after that line insert:

20 “**SECTION 3422m.** 71.78 (4) (o) of the statutes is created to read:

21 71.78 (4) (o) The department of regulation and licensing for the purpose of  
22 determining under s. 440.08 (2r) whether an applicant for renewal of a credential is  
23 liable for any delinquent taxes owed to this state.”.

1           **421.** Page 1154, line 11: delete “and (n)” and substitute “, (n) and (o)”.

2           **422.** Page 1155, line 15: substitute “73.255” for “49.855”.

3           **423.** Page 1156, line 10: on lines 10 and 21, substitute “73.255” for “49.855”.

4           **424.** Page 1156, line 21: after that line insert:

5           “**SECTION 3424b.** 71.80 (12) of the statutes is amended to read:

6           71.80 (12) (title) ~~SECRETARY OF STATE~~ DEPARTMENT DEEMED LAWFUL ATTORNEY FOR  
7           NONRESIDENT. (a) The transaction of business or the performance of personal services  
8           in this state or the derivation of income from property the income from which has a  
9           taxable situs in this state by any nonresident person, except where the nonresident  
10          is a foreign corporation that has been licensed pursuant to ch. 180, shall be deemed  
11          an irrevocable appointment by such person, binding upon that person, that person’s  
12          executor, administrator or personal representative, of the ~~secretary of state~~  
13          department of financial institutions to be that person’s lawful attorney upon whom  
14          may be served any notice, order, pleading or process (including without limitation by  
15          enumeration any notice of assessment, denial of application for abatement or denial  
16          of claim for refund) by any administrative agency or in any proceeding by or before  
17          any administrative agency, or in any proceeding or action in any court, to enforce or  
18          effect full compliance with or involving the provisions of this chapter. The  
19          transaction of business, the performance of personal services or derivation of income  
20          from such property in this state shall be a signification of that person’s agreement  
21          that any such notice, order, pleading or process which is so served shall be of the same  
22          legal force and validity as if served on that person personally, or upon that person’s  
23          executor, administrator or personal representative.

1           (b) The transaction of business in this state or the derivation of income which  
2 has a situs in this state under the provisions of this chapter by any person while a  
3 resident of this state shall be deemed an irrevocable appointment by such person,  
4 binding upon that person, that person's executor, administrator or personal  
5 representative, effective upon such person becoming a nonresident of this state, of  
6 ~~the secretary of state~~ department of financial institutions to be that person's true and  
7 lawful attorney upon whom may be served any notice, order, pleading or process  
8 (including without limitation by enumeration any notice of assessment, denial of  
9 application for abatement or denial of claim for refund) by any administrative agency  
10 or in any proceeding by or before an administrative agency, or in any proceeding or  
11 action in any court, to enforce or effect full compliance with or involving the  
12 provisions of this chapter. And the transaction of such business or the derivation of  
13 such income shall be a signification of that person's agreement that any such notice,  
14 order, pleading or process which is so served shall be of the same legal force and  
15 validity as if served on that person personally, or upon that person's executor,  
16 administrator or personal representative.

17           (c) Service under par. (a) or (b) shall be made by serving a copy upon the  
18 ~~secretary of state~~ department of financial institutions or by filing such copy in the  
19 ~~secretary of state's office~~ with the department of financial institutions, and such  
20 service shall be sufficient service upon such person, or that person's executor,  
21 administrator or personal representative if notice of such service and a copy of the  
22 notice, order, pleading or process are within 10 days thereafter sent by mail by the  
23 state department, officer or agency making such service to such person, or that  
24 person's executor, administrator or personal representative, at that person's  
25 last-known address, and that an affidavit of compliance herewith is filed with the

1 ~~secretary of state~~ department of financial institutions. The ~~secretary of state~~  
2 department of financial institutions shall keep a record of all such notices, orders,  
3 pleadings, processes and affidavits and shall note in such record the day and hour  
4 of service upon the ~~secretary~~ department.”.

5 **425.** Page 1157, line 14: substitute “73.255” for “49.855”.

6 **426.** Page 1157, line 20: delete the material beginning with that line and  
ending with page 1158, line 18.

7 **427.** Page 1160, line 3: delete lines 3 to 22.

8 **428.** Page 1161, line 1: strike through “of”; and delete the underscored  
material.

9 **429.** Page 1161, line 2: delete the underscored material.

10 **430.** Page 1164, line 7: delete lines 7 to 11.

11 **431.** Page 1164, line 12: delete the material beginning with that line and  
ending with page 1166, line 8.

12 **432.** Page 1166, line 8: after that line insert:

13 “**SECTION 3434g.** 73.03 (2a) of the statutes is amended to read:

14 73.03 (2a) To prepare, have published and distribute to each county having a  
15 county assessor system under s. 70.99 and to each town, city and village in the state  
16 for the use of assessors, assessment personnel and the public detailed assessment  
17 manuals, except that if an assessor is hired by more than one county, town, city or  
18 village the department shall provide that assessor with only one cost component of  
19 the manual rather than providing the cost component of the manual to each county,  
20 town, city or village that hires that assessor. The manual shall discuss and illustrate

1 accepted assessment methods, techniques and practices with a view to more nearly  
2 uniform and more consistent assessments of property at the local level. The manual  
3 shall be amended by the department from time to time to reflect advances in the  
4 science of assessment, court decisions concerning assessment practices, costs, and  
5 statistical and other information deemed valuable to local assessors by the  
6 department. The manual shall incorporate standards for the assessment of all types  
7 of renewable energy resource systems used in this state as soon as such systems are  
8 used in sufficient numbers and sufficient data exists to allow the formulation of valid  
9 guidelines. The manual shall incorporate standards, which the department of  
10 revenue and the state historical society of Wisconsin shall develop, for the  
11 assessment of nonhistoric property in historic districts and for the assessment of  
12 historic property, including but not limited to property that is being preserved or  
13 restored; property that is subject to a protective easement, covenant or other  
14 restriction for historic preservation purposes; property that is listed in the national  
15 register of historic places in Wisconsin or in this state's register of historic places and  
16 property that is designated as a historic landmark and is subject to restrictions  
17 imposed by a municipality or by a landmarks commission. The manual shall  
18 incorporate general guidelines about ways to determine whether property is taxable  
19 in part under s. 70.11 (8) and examples of the ways that s. 70.11 (8) applies in specific  
20 situations. The manual shall state that assessors are required to comply with s.  
21 70.32 (1g) and shall suggest procedures for doing so. The manual or a supplement  
22 to it shall specify per acre value guidelines for each municipality for various  
23 categories of agricultural land based on the income that could be generated from its  
24 actual or estimated rental for agricultural use, as defined by rule, and capitalization  
25 rates established by rule. The manual shall include guidelines for classifying land

1 as agricultural land, as defined in s. 70.32 (2) (c) 1. and guidelines for distinguishing  
2 between land and improvements to land. The cost of the development, preparation,  
3 publication and distribution of the manual and of revisions and amendments to it  
4 shall be borne by the assessment districts and requesters at an individual volume  
5 cost or a subscription cost as determined by the department. All receipts shall be  
6 credited to the appropriation under s. 20.566 (2) (hi). The department shall, on the  
7 4th Monday in August, certify past-due accounts and include them in the next  
8 apportionment of state special charges to counties and municipalities under s. 70.60.  
9 If the department provides an assessment manual to an assessor who is hired by  
10 more than one unit of government, those units of government shall each pay an equal  
11 share of the cost of that manual. The department may provide free assessment  
12 manuals to other state agencies or exchange them at no cost with agencies of other  
13 states or of the federal government for similar information or publications.”.

14 **433.** Page 1166, line 9: delete lines 9 to 24.

15 **434.** Page 1167, line 2: after that line insert:

16 “SECTION 3437m. 73.03 (29m) of the statutes is created to read:

17 73.03 (29m) To provide on an appropriate tax form, as determined by the  
18 secretary of revenue, a place for taxpayers to certify that they had at least \$6,000 in  
19 gross farm profits, as defined in s. 71.58 (4), for the applicable taxable year.”.

20 **435.** Page 1168, line 2: after that line insert:

21 “SECTION 3439m. 73.03 (49) of the statutes is created to read:

22 73.03 (49) To appoint a farmland advisory council that shall remain in  
23 existence until December 31, 2007, and that shall do the following:



1           (a) Advise the department of revenue on the supplement to the assessment  
2 manual's guidelines for assessing agricultural land, and on rules to implement  
3 use-value assessment of agricultural land and to reduce expansion of urban sprawl.

4           (b) Recommend to the legislature an appropriate penalty for converting  
5 agricultural land to another use to discourage urban sprawl.

6           (bm) Create a review process for objections to use-value assessment.

7           (c) Annually report to the legislature on the usefulness of use-value  
8 assessment as a way to preserve farmland and to reduce the conversion of farmland  
9 to other uses.

10          (d) Recommend a method to adjust the shared revenue formula and other  
11 formulas one factor of which is equalized value to compensate counties,  
12 municipalities and school districts that are adversely affected by use-value  
13 assessment.

14          (dg) Calculate the federal land bank's 5-year average capitalization rate and  
15 per-acre values based on actual or estimated income generated from rental for  
16 agricultural use.

17          (dm) Carry out its duties in cooperation with the strategic growth task force of  
18 the governor's land use council.

19          (e) Include the following members, who shall serve until January 1, 2008, or  
20 until resignation:

21           1. The secretary of revenue, who shall serve as a nonvoting chairperson.

22           2. An agribusiness person.

23           3. A person knowledgeable about agricultural lending practices.

24           4. An agricultural economist employed by the University of Wisconsin System.

25           5. A mayor of a city that has a population of more than 40,000.

1           6. An expert in the environment.

2           7. A nonagricultural business person.

3           8. A professor of urban studies.

4           9. A farmer.”.

5           **436.** Page 1168, line 12: after that line insert:

6           “**SECTION 3440p.** 73.03 (51) and (52) of the statutes are created to read:

7           73.03 (51) To administer the child support and paternity establishment  
8 programs under this chapter, as well as perform other functions related to child  
9 support that are specified in this chapter and ch. 49.

10           (52) To maintain a file containing records of declarations of paternal interest  
11 under s. 48.025 and of statements acknowledging paternity under s. 69.15 (3) (b).  
12 The department of revenue may release these records only upon an order of the court  
13 except that records relating to declarations of paternal interest and statements  
14 acknowledging paternity may be used without a court order upon the request of the  
15 department of revenue or its designee under s. 59.07 (97) pursuant to the program  
16 responsibilities under s. 73.25 or by any other person with a direct and tangible  
17 interest in the record.”.

18           **437.** Page 1168, line 21: delete the material beginning with that line and  
ending with page 1169, line 12.

19           **438.** Page 1169, line 12: after that line insert:

20           “**SECTION 3443p.** 73.25 (1) of the statutes is created to read:

21           73.25 (1) In this section and ss. 73.255 and 73.258, “department” means the  
22 department of revenue.

23           **SECTION 3443q.** 73.253 of the statutes is created to read:

1           **73.253 Limitation on giving information.** No person may use or disclose  
2 information concerning applicants or recipients of child and spousal support and  
3 establishment of paternity services under s. 73.25 for any purpose not connected  
4 with the administration of the program. Any person violating this section may be  
5 fined not less than \$25 nor more than \$500 or imprisoned in the county jail not less  
6 than 10 days nor more than one year or both.”.

7           **439.** Page 1171, line 4: delete lines 4 to 20.

8           **440.** Page 1171, line 20: after that line insert:

9           “**SECTION 3446y.** 74.48 of the statutes is created to read:

10           **74.48 Penalty for transfer of ownership. (1)** If land that has been valued  
11 under s. 70.32 (2r) (b) is sold by a person who has owned it for less than 5 years and  
12 who has benefited from a value lower than that established by s. 70.32 (2r) (a), there  
13 is imposed on that person a penalty equal to 5% of the difference between the sale  
14 price of the agricultural land and the value that would be established for it under s.  
15 70.32 (2r) (c) during the last year of the person’s ownership.

16           **(2)** Any amount due under sub. (1) shall be paid to the department of revenue.

17           **(3)** The department of revenue shall administer the penalty under this  
18 section.”.

19           **441.** Page 1171, line 21: delete the material beginning with that line and  
ending with page 1172, line 21.

20           **442.** Page 1173, line 3: delete the material beginning with that line and  
ending with page 1176, line 25.

21           **443.** Page 1176, line 4: after that line insert:

22           “**SECTION 3459m.** 76.125 (1) of the statutes is amended to read:

1           76.125 (1) Using the statement of assessments under s. 70.53 and the  
2 statement of taxes under s. 69.61, the department shall determine the net rate of  
3 taxation of commercial property under s. 70.32 (2) (a) 2. ~~and (b) 2.~~, of manufacturing  
4 property under s. 70.32 (2) (a) 3. ~~and (b) 3.~~ and of personal property under s. 70.30  
5 as provided in subs. (2) to (6). The department shall enter that rate on the records  
6 of the department.”.

7           **444.** Page 1177, line 1: delete the material beginning with that line and  
ending with page 1179, line 6.

8           **445.** Page 1180, line 21: delete the material beginning with that line and  
ending with page 1181, line 2.

9           **446.** Page 1181, line 3: delete lines 3 to 24.

10          **447.** Page 1181, line 25: delete the material beginning with that line and  
ending with page 1182, line 7.

11          **448.** Page 1182, line 8: delete the material beginning with that line and  
ending with page 1183, line 5.

12          **449.** Page 1184, line 3: delete lines 3 to 9.

13          **450.** Page 1184, line 13: delete the material beginning with that line and  
ending with page 1185, line 7.

14          **451.** Page 1190, line 4: substitute “73.255” for “49.855”.

15          **452.** Page 1190, line 5: delete lines 5 to 18.

16          **453.** Page 1193, line 17: after that line insert:

17          “**SECTION 3488m.** 77.84 (2) (c) of the statutes is amended to read:

1           77.84 (2) (c) In 1992 and each 5th year thereafter, the department of revenue  
2 shall adjust the amounts under pars. (a) and (b) by multiplying the amount specified  
3 by a ratio using as the denominator the department of revenue's estimate of the  
4 average statewide tax per acre of property classes under s. 70.32 (2) (b) 4., 1993 stats.,  
5 s. 70.32 (2) (b) 5., 1993 stats., and s. 70.32 (2) (b) 6., 1993 stats., for 1986 and, as the  
6 numerator, the department of revenue's estimate of the average tax per acre for the  
7 same classes of property for the year in which the adjustment is made.”.

8           **454.** Page 1195, line 25: after that line insert:

9           “SECTION 3496b. 78.005 (13g) of the statutes is created to read:

10           78.005 (13g) “Recreational motorboat” means a motorboat used predominately  
11 for entertainment, amusement or recreation by the owner of the motorboat, whether  
12 or not it is used incidentally in a trade or business.

13           **SECTION 3496d.** 78.01 (1) of the statutes is amended to read:

14           78.01 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
15 determined under s. 78.015, as adjusted under s. 78.017, is imposed on all motor  
16 vehicle fuel received by a supplier for sale in this state, for sale for export to this state  
17 or for export to this state except as otherwise provided in this chapter. The motor  
18 vehicle fuel tax is to be computed and paid as provided in this chapter. Except as  
19 otherwise provided in this chapter, a person who receives motor vehicle fuel under  
20 s. 78.07 shall collect from the purchaser of the motor vehicle fuel that is received, and  
21 the purchaser shall pay to the person who receives the motor vehicle fuel under s.  
22 78.07, the tax imposed by this section on each sale of motor vehicle fuel at the time  
23 of the sale, irrespective of whether the sale is for cash or on credit. In each  
24 subsequent sale or distribution of motor vehicle fuel on which the tax has been

1 collected as provided in this subsection, the tax collected shall be added to the selling  
2 price so that the tax is paid ultimately by the user of the motor vehicle fuel.

3 **SECTION 3496g.** 78.01 (2) (e) of the statutes is amended to read:

4 78.01 (2) (e) Gasoline sold for nonhighway use other than use in a snowmobile,  
5 an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or  
6 a recreational motorboat or in mobile machinery and equipment and delivered  
7 directly into the consumer's storage tank in an amount of not less than 100 gallons.

8 **SECTION 3496j.** 78.01 (2m) (f) of the statutes is amended to read:

9 78.01 (2m) (f) It is sold for off-highway use other than use in a snowmobile, an  
10 all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or a  
11 recreational motorboat if no claim for a refund for the tax on the diesel fuel may be  
12 made under s. 78.75 (1m) (a) 3.

13 **SECTION 3496m.** 78.015 (1) of the statutes is amended to read:

14 78.015 (1) Before April 1 the department shall recompute and publish the rate  
15 for the tax imposed under s. 78.01 (1). The new rate per gallon shall be calculated  
16 by multiplying the rate in effect at the time of the calculation without regard to  
17 adjustments under s. 78.017 by an the amount obtained by multiplying the amount  
18 under sub. (2) by the amount under sub. (3).

19 **SECTION 3496p.** 78.015 (3) of the statutes is repealed.

20 **SECTION 3496r.** 78.017 of the statutes is created to read:

21 **78.017 Temporary federal revenue decrease adjustment. (1)**

22 DEFINITIONS. In this section:

23 (a) "Federal revenue" means the amount available to this state under Title 1  
24 of the federal intermodal surface transportation efficiency act of 1991, as amended.

1 (b) "Federal revenue shortage" means the amount by which federal revenue is  
2 less than \$351,000,000.

3 (2) CERTIFICATION. (a) If, on November 1, 1995, or November 1, 1996, or both,  
4 the secretary of transportation determines that there will be a federal revenue  
5 shortage for the period beginning on the previous October 1 and ending on the  
6 succeeding September 30, the secretary shall certify the amount of that shortage to  
7 the secretary of revenue.

8 (b) If the secretary of revenue receives a certification under par. (a), the  
9 secretary shall estimate the adjustment in the rate for the tax that is imposed under  
10 s. 78.01 (1) that, with the same adjustment in the rate of the tax imposed under s.  
11 78.40 (1), will, during the period beginning on the December 1 after the certification  
12 under par. (a) and ending on the November 30 of the year after that certification,  
13 offset the certified federal revenue shortage. The secretary shall adjust the rate for  
14 the tax that is imposed under s. 78.01 (1) by the amount that the secretary has  
15 estimated, rounded to the nearest 0.1 cent, but not to exceed 2 cents. That  
16 adjustment is effective on December 1 and continues until November 30 of the next  
17 year.".

18 **455.** Page 1196, line 16: after that line insert:

19 "SECTION 3500cd. 78.12 (2) (intro.) of the statutes is amended to read:

20 78.12 (2) REPORTS OF LICENSEES. (intro.) Each licensee shall, not later than the  
21 last 20th day of each month, file with the department, or, if the department so  
22 requires, file electronically with any state agency that the department specifies, on  
23 forms prescribed and furnished by the department, a report that indicates for the  
24 month before the month during which the report is due the following:

1           **SECTION 3500cg.** 78.12 (4) (a) 4. of the statutes is amended to read:

2           78.12 (4) (a) 4. Multiply the number of gallons under subd. 3. by the rate under  
3 s. 78.015, as adjusted under s. 78.017.

4           **SECTION 3500cj.** 78.12 (4) (b) 2. of the statutes is amended to read:

5           78.12 (4) (b) 2. Multiply the number of gallons under subd. 1. by the rate under  
6 s. 78.015, as adjusted under s. 78.017.

7           **SECTION 3500cm.** 78.12 (5) (a) of the statutes is amended to read:

8           78.12 (5) (a) Licensed suppliers shall pay taxes on motor vehicle fuel no later  
9 than the ~~15th~~ 20th day of the month for motor vehicle fuel sold during the previous  
10 month. At the option of a wholesaler distributor, a licensed supplier shall allow the  
11 wholesaler distributor to delay paying the tax to the licensed supplier until the date  
12 that the tax is due to this state. A wholesaler distributor who makes delayed  
13 payments shall make the payments by electronic funds transfer. If a wholesaler  
14 distributor fails to make timely payments, the licensed supplier may terminate the  
15 right of the wholesaler distributor to make delayed payments. Each licensed  
16 supplier shall notify the department of each wholesaler distributor who makes  
17 delayed payments of the tax. The department may require any wholesaler  
18 distributor who makes delayed payments of the tax to file with the department a  
19 surety bond payable to this state in an amount not to exceed 3 times the highest  
20 estimated monthly tax owed by the wholesaler distributor. Whenever the  
21 wholesaler distributor pays the licensed supplier, the licensed supplier shall credit  
22 the wholesaler distributor's account for the amount of tax reduction that results from  
23 the calculation under s. 78.12 (4) (a) 2.

24           **SECTION 3500cp.** 78.40 (1) of the statutes is amended to read:



1           78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
2 determined under s. 78.405, as adjusted under s. 78.407, is imposed on the use of  
3 alternate fuels. The tax, with respect to all alternate fuel delivered by an alternate  
4 fuel dealer into supply tanks of motor vehicles in this state, attaches at the time of  
5 delivery and shall be collected by the dealer from the alternate fuels user and shall  
6 be paid to the department. The tax, with respect to alternate fuels acquired by any  
7 alternate fuels user other than by delivery by an alternate fuel dealer into a fuel  
8 supply tank of a motor vehicle, or of a snowmobile, an all-terrain vehicle that is not  
9 registered for private use under s. 23.33 (2) (d) or a recreational motorboat, attaches  
10 at the time of the use of the fuel and shall be paid to the department by the user. The  
11 department may permit any supplier of alternate fuels to report and pay to the  
12 department the tax on alternate fuels delivered into the storage facility of an  
13 alternate fuels user or retailer which will be consumed for alternate fuels tax  
14 purposes or sold at retail.

15           **SECTION 3500cr.** 78.407 of the statutes is created to read:

16           **78.407 Temporary federal revenue decrease adjustment.** If the rate for  
17 the tax that is imposed under s. 78.01 (1) is adjusted under s. 78.017, the rate for the  
18 tax that is imposed under s. 78.40 (1) is adjusted by the same amount on the same  
19 day.”.

20           **456.** [Page 1196, line 20](#): after that line insert:

21           **“SECTION 3500eg.** 78.49 (1) (a) of the statutes is amended to read:

22           78.49 (1) (a) For the purpose of determining the amount of liability to the state  
23 for the tax under this subchapter, except as provided in par. (b), each alternate fuels  
24 licensee shall, not later than the last 20th day of each month, file a monthly report

1 for the next preceding month with the department on forms furnished and prescribed  
2 by it. Such report shall contain a declaration by the licensee that the statements  
3 contained therein are accurate and are a true return of the amount of the alternate  
4 fuels tax due and shall be subscribed by the licensee or the licensee's duly authorized  
5 agent. The report shall show, with reference to each location at which an alternate  
6 fuel is delivered or placed by such licensee into a fuel supply tank of any motor  
7 vehicle, the information that the department reasonably requires for the proper  
8 administration and enforcement of the tax under this subchapter. The department  
9 shall give due consideration to the varying types of operations and transactions in  
10 specifying the information required.

11 **SECTION 3500em.** 78.49 (1) (b) of the statutes is amended to read:

12 78.49 (1) (b) The department may allow alternate fuels licensees whose tax  
13 liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports  
14 shall be mailed on or before the last 20th day of the next month following the end of  
15 each calendar quarter. The report shall contain the declaration, subscription and  
16 information specified in par. (a).”.

17 **457.** Page 1196, line 24: after that line insert:

18 “**SECTION 3503g.** 78.75 (1m) (a) 2. of the statutes is amended to read:

19 78.75 (1m) (a) 2. A person who uses motor vehicle fuel or an alternate fuel upon  
20 which has been paid the tax required under this chapter for the purpose of operating  
21 a snowmobile, as defined under s. 340.01 (58a), an aircraft, as defined under s. 78.55  
22 (2), or a motorboat, as defined under s. 30.50 (6), unless the motorboat is exempt from  
23 registration as a motor vehicle under s. 341.05 (20) not a recreational motorboat, may  
24 not be reimbursed or repaid the amount of tax paid.

1           **SECTION 3503j.** 78.75 (1m) (a) 3. of the statutes is amended to read:

2           78.75 **(1m)** (a) 3. Claims under subd. 1 shall be made and filed upon forms  
3 prescribed and furnished by the department. The forms shall indicate that refunds  
4 are not available for motor vehicle fuel or alternate fuels used for motorboats, except  
5 motorboats exempt from registration as motor vehicles under s. 341.05 (20) and  
6 recreational motorboats, or motor vehicle fuel or alternate fuels used for  
7 snowmobiles and that the estimated snowmobile motor vehicle fuel or alternate fuels  
8 tax payments are used for snowmobile trails and areas. The forms shall indicate that  
9 refunds are not available for motor vehicle fuel or alternate fuels used for all-terrain  
10 vehicles unless the all-terrain vehicle is registered for private use under s. 23.33 (2)  
11 (d) and shall indicate that estimated all-terrain vehicle motor vehicle fuel or  
12 alternate fuels tax payments are used for all-terrain vehicle trails and areas. The  
13 forms shall also indicate that refunds are not available for the tax on less than 100  
14 gallons. The department shall distribute forms in sufficient quantities to each  
15 county clerk.”.

16           **458.** Page 1200, line 15: delete lines 15 to 19.

17           **459.** Page 1201, line 2: delete lines 2 to 14.

18           **460.** Page 1204, line 24: after that line insert:

19           “**SECTION 3518b.** 84.02 (4) (b) of the statutes is amended to read:

20           84.02 **(4)** (b) No person shall mark any other highway routes or trails unless  
21 the route marked shall coincide exactly with the state trunk system. No such routes  
22 shall be marked until exact descriptions of the routes selected for marking have been  
23 filed with and the routes and markings approved by the department. Every route  
24 laid out and marked shall be made to conform to the state trunk system, and the

1 person responsible for the marking of such route shall remove or erase such marks  
2 from every portion of such route which does not coincide with the state trunk  
3 highway system. The department shall report to the ~~secretary of state~~ department  
4 of financial institutions any violations of or failure to comply with the provisions of  
5 this subsection, and the ~~secretary of state~~ department of financial institutions shall  
6 thereupon revoke the privilege, license or incorporation of the offender, and the  
7 department shall cause the offending marks to be erased, removed or destroyed. The  
8 expense of such erasure, removal or destruction shall be paid out of funds  
9 appropriated to the department, and may be recovered in the name of the state from  
10 the person responsible for such unauthorized marking.”

11 **461.** Page 1204, line 24: after that line insert:

12 “**SECTION 3516g.** 84.01 (30) of the statutes is created to read:

13 84.01 (30) ENVIRONMENTAL CLEAN-UP ACTIVITIES. From the appropriation under  
14 s. 20.395 (3) (aq), the department may fund environmental clean-up activities on  
15 lands acquired by the department that are not eligible to receive funding for such  
16 activities as part of a highway improvement project. Nothing in this subsection  
17 relieves a person from any responsibility to reimburse the department for any costs  
18 incurred by the department under this subsection.

19 **SECTION 3516m.** 84.013 (2) (c) of the statutes is created to read:

20 84.013 (2) (c) The department shall give priority to the completion of the major  
21 highway project authorized in sub. (3) (vL) in programming the expenditure of funds  
22 for major highway projects.

23 **SECTION 3516r.** 84.013 (3) (kb) to (km) of the statutes are created to read:

1           84.013 (3) (kb) USH 151 extending approximately 18.2 miles between USH 151  
2 west of Belmont and STH 23 south of Dodgeville, designated as the Belmont to  
3 Dodgeville project, in Lafayette and Iowa counties.

4           (kg) STH 16 and STH 16/67 extending approximately 7.4 miles from the  
5 junction of STH 16 with the Rock River to the STH 16/67 interchange east of  
6 Oconomowoc, designated as the Oconomowoc bypass, in Jefferson and Waukesha  
7 counties.

8           (km) USH 53 extending approximately 7.5 miles between USH 53 south of the  
9 USH 53/STH 93 interchange in Eau Claire and the USH 53/STH 124 interchange  
10 south of Chippewa Falls, designated as the Eau Claire freeway, in Eau Claire and  
11 Chippewa counties.

12           **SECTION 3517c.** 84.013 (3) (ye) of the statutes is amended to read:

13           84.013 (3) (ye) USH 10 between Appleton and Marshfield, in Winnebago,  
14 Outagamie, Waupaca, Portage and Wood counties.

15           **SECTION 3517m.** 84.06 (1) of the statutes is amended to read:

16           84.06 (1) (title) DEFINITIONS, PLANS. ~~“Improvement”~~ In this section,  
17 “improvement” or “highway improvement” as ~~used in this section~~ includes  
18 construction, reconstruction and the activities, operations and processes incidental  
19 to building, fabricating or bettering a highway, public mass transportation system  
20 or street, but not maintenance.

21           **(1m)** (title) PLANS. The department may prepare plans, estimates and  
22 specifications and undertake and perform all surveys, investigations and  
23 engineering work for any highway improvement within its jurisdiction. When  
24 provision has been made for the necessary funds for any such highway improvement  
25 and, if federal aid is to be utilized, when the project has been approved by the proper

1 federal authorities, the department may proceed as provided in this section, with due  
2 regard to any applicable federal requirement or regulation.”.

3 **462.** Page 1206, line 15: after that line insert:

4 “**SECTION 3519jc.** 84.076 (5) of the statutes is amended to read:

5 84.076 (5) SUNSET. This section does not apply after ~~June 30, 1995~~ September  
6 30, 1997.

7 **SECTION 3519je.** 84.078 (1) (a) of the statutes is renumbered 84.078 (1) (bm).

8 **SECTION 3519jg.** 84.078 (1) (am) of the statutes is created to read:

9 84.078 (1) (am) “High-volume industrial waste” means fly ash, bottom ash,  
10 paper mill sludge or foundry process waste, or any other waste with similar  
11 characteristics specified by the department of natural resources by rule.

12 **SECTION 3519jm.** 84.078 (1) (ar) of the statutes is created to read:

13 84.078 (1) (ar) “Highway improvement” has the meaning given in s. 84.06 (1).

14 **SECTION 3519jp.** 84.078 (1) (b) of the statutes is repealed.

15 **SECTION 3519jr.** 84.078 (2) of the statutes is amended to read:

16 84.078 (2) The department shall use or encourage the use of the maximum  
17 possible amount of recovered material, including ~~ash from industrial or utility~~  
18 ~~boilers, foundry sand, glass, paper mill sludge, wastepaper, pavement and rubber~~  
19 ~~recovered from waste tires~~ high-volume industrial waste as surfacing material,  
20 structural material, landscaping material and fill for all highway improvements, as  
21 ~~defined under s. 84.06 (1)~~, consistent with standard engineering practices. The  
22 department shall specify the proportion of recovered material that may be used in  
23 various types of highway improvements.

24 **SECTION 3519jt.** 84.078 (3) of the statutes is created to read:

1           84.078 **(3)** (a) Notwithstanding chs. 144, 147 and 160, no person is required to  
2 take or pay for any remedial or corrective action as a result of environmental  
3 pollution resulting from the use of high-volume industrial waste in a highway  
4 improvement project if all of the following apply:

5           1. The high-volume industrial waste is incorporated into the highway  
6 improvement in accordance with the policies, guidelines and rules applicable to the  
7 highway improvement at the time of the design of the improvement and at the time  
8 of certification under subd. 2.

9           2. The department of natural resources certifies to the department of  
10 transportation, before the time that the department of transportation advertises for  
11 bids for the improvement, that the high-volume industrial waste intended to be used  
12 and the design for the use of the high-volume industrial waste comply with all  
13 applicable state requirements or standards administered by the department of  
14 natural resources.

15           (b) The exemption under par. (a) extends to the transportation of high-volume  
16 industrial waste to or from the site of a highway improvement and to the storage of  
17 high-volume industrial waste at the site of a highway improvement. The exemption  
18 provided under par. (a) continues to apply after the date of certification by the  
19 department of natural resources under par. (a) 2., notwithstanding the occurrence  
20 of any of the following:

21           1. Statutes or rules are amended that would impose greater responsibilities on  
22 the department of transportation.

23           2. Alterations due to construction, maintenance, utility installation or other  
24 activities by the department of transportation or approved by the department of

1 transportation after the completion of the highway improvement affect the  
2 high-volume industrial waste at the site of the highway improvement.

3 (c) The department of transportation and the department of natural resources  
4 may enter into agreements establishing standard lists of high-volume industrial  
5 waste that may be used in highway improvements and designs for the use of  
6 high-volume industrial waste in highway improvements that comply with rules of  
7 the department of natural resources applicable at the time of the design of the  
8 highway improvement in order to simplify certification under par. (a) 2. to the  
9 greatest extent possible.

10 (d) 1. No state agency may commence an action or proceeding under federal or  
11 state law to require remedial action or to recover the costs of remedying  
12 environmental pollution related to the use of high-volume industrial waste in a  
13 highway improvement certified under par. (a) 2.

14 2. No person may commence an action under state law to require remedial  
15 action or to recover the costs of remedying environmental pollution related to the use  
16 of high-volume industrial waste in a highway improvement certified under par. (a)  
17 2.”.

18 **463.** Page 1206, line 16: delete the material beginning with that line and  
ending with page 1208, line 4.

19 **464.** Page 1208, line 10: after that line insert:

20 “SECTION 3523g. 84.59 (6) of the statutes is amended to read:

21 84.59 (6) Revenue obligations may be contracted by the building commission  
22 when it reasonably appears to the building commission that all obligations incurred  
23 under this section can be fully paid from moneys received or anticipated and pledged



1 to be received on a timely basis. Revenue obligations issued under this section shall  
2 not exceed ~~\$950,834,000~~ \$1,089,701,500 in principal amount, excluding obligations  
3 issued to refund outstanding revenue obligations. Not more than ~~\$841,634,000~~  
4 \$1,046,821,300 of the ~~\$950,834,000~~ \$1,089,701,500 may be used for transportation  
5 facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

6 **SECTION 3524g.** 85.012 of the statutes is created to read:

7 **85.012 Plans and programs exempt from consideration of**  
8 **environmental impacts.** A plan or program under the jurisdiction of the  
9 department is not a major action significantly affecting the quality of the human  
10 environment under s. 1.11 (2). For purposes of this section, a plan or program of the  
11 department does not include a transportation project under the jurisdiction of the  
12 department.”.

13 **465.** [Page 1208, line 16](#): after that line insert:

14 “**SECTION 3524pe.** 85.022 (1) (m) of the statutes is repealed.

15 **SECTION 3524pg.** 85.022 (2) of the statutes is created to read:

16 85.022 (2) (a) The department shall allocate \$250,000 in each fiscal year of the  
17 1995-97 biennium from the appropriation under s. 20.395 (2) (hq) for a study of  
18 high-speed rail service in the southern transportation corridor between this state  
19 and the state of Minnesota.

20 (b) 1. Except as provided in subd. 2., funds may be expended under par. (a) only  
21 to match funds, at the ratio of one-to-one from the state of Minnesota for the study.

22 2. No funds may be expended under par. (a) unless the federal government  
23 contributes funds for a study under par. (a) in an amount equal to the total amount  
24 of funds from this state and the state of Minnesota for the study.

1           **SECTION 3524pj.** 85.026 of the statutes is created to read:

2           **85.026 Urban rail transit system studies.** Notwithstanding any other  
3 provision of this chapter, the department may not expend any moneys for the study  
4 of an urban rail transit system, including any light rail transit system.

5           **SECTION 3524pm.** 85.061 (3) of the statutes is amended to read:

6           85.061 (3) PROGRAM. The department shall administer a rail passenger route  
7 development program. From the appropriation under s. 20.866 (2) (up), the  
8 department may fund capital costs related to Amtrak service extension routes or  
9 other rail service routes between the cities of Milwaukee and Madison and between  
10 the cities of Milwaukee and Green Bay. ~~The extension of the~~ Any route between the  
11 cities of Milwaukee and Green Bay funded under the program shall provide service  
12 to population centers along the route in a manner that makes the route most  
13 economically feasible. The department may not use any proceeds from the bond issue  
14 authorized under s. 20.866 (2) (up) for ~~the extension of~~ a route under this subsection  
15 unless the department submits evidence to the joint committee on finance that  
16 Amtrak or the applicable railroad has agreed to provide rail passenger service on  
17 that ~~extension~~ route and the joint committee on finance approves the use of the  
18 proceeds. The department may contract with Amtrak, railroads or other persons to  
19 perform the activities under this subsection.

20           **SECTION 3524pr.** 85.08 (4m) (e) 1. of the statutes is amended to read:

21           85.08 (4m) (e) 1. Upon the request of an eligible applicant, the department may  
22 negotiate and enter into a loan agreement with the eligible applicant for purposes  
23 of rehabilitating a rail line or to finance an economic development and transportation  
24 efficiency project, including a project designed to promote safety or the viability of  
25 a statewide system of freight rail service, to assist intermodal freight movement or

1 to provide industry access to a rail line. A loan made under this paragraph shall  
2 finance a project that confers a public benefit or enhances economic development in  
3 this state. Loans made under this paragraph shall be paid from the appropriation  
4 under s. 20.395 (2) ~~(bt)~~, (bu), (bw) or (bx).

5 **SECTION 3524pt.** 85.085 (1) of the statutes is renumbered 85.085 (1m).

6 **SECTION 3524pv.** 85.085 (1b) of the statutes is created to read:

7 85.085 **(1b)** In this section, “rehabilitated” means a significant rebuilding of  
8 railroad track that restores severely deteriorated track to a minimum service  
9 standard or, for track that is at or above a minimum service standard, that increases  
10 the service standard of the track.

11 **SECTION 3524px.** 85.085 (3) of the statutes is amended to read:

12 85.085 **(3)** The department shall not make any payment under this section  
13 unless the applicable private road crossing permit provides that the rail transit  
14 commission shall, at the user’s sole cost and expense, maintain, repair and renew the  
15 private road crossing. “Maintain, repair and renew” does not include any rebuilding  
16 of a private road crossing that is required because the applicable tracks have been  
17 rehabilitated.”.

18 **466.** Page 1208, line 23: delete the material beginning with that line and  
ending with page 1211, line 12.

19 **467.** Page 1209, line 9: after that line insert:

20 “**SECTION 3526fg.** 85.145 of the statutes is created to read:

21 **85.145 Television and video services.** The department shall use other  
22 publicly owned television or video production facilities to the maximum extent

1 possible before contracting with any private entity to provide any television or video  
2 services to the department.

3 **SECTION 3526fm.** 85.19 (1) of the statutes is amended to read:

4 85.19 (1) STANDARDS. The department, in consultation with the department of  
5 natural resources, shall, by rule, establish standards for the control of soil erosion  
6 related to highway and bridge construction that is funded in whole or in part with  
7 state or federal funds. ~~At a minimum, the standards shall require the use of best~~  
8 ~~management practices~~ No standard established under this section applicable to the  
9 construction, rehabilitation or improvement of any highway may be more stringent  
10 than the standards required under federal law. In this subsection, "highway" has the  
11 meaning given in s. 340.01 (22).

12 **SECTION 3526ft.** 85.20 (4m) (a) of the statutes is renumbered 85.20 (4m) (a)  
13 (intro.) and amended to read:

14 85.20 (4m) (a) (intro.) ~~From the amounts appropriated under s. 20.395 (1) (bq),~~  
15 ~~an amount equal to 42% of the projected operating expenses of each eligible~~  
16 ~~applicant's urban mass transit system~~ An amount shall be allocated to each eligible  
17 applicant. to ensure that the sum of state and federal aids for the projected operating  
18 expenses of each eligible applicant's urban mass transit system is equal to a uniform  
19 percentage, established by the department, of the projected operating expenses of  
20 the mass transit system. The department shall make allocations as follows:

21 **SECTION 3526fw.** 85.20 (4m) (a) 1. to 3. of the statutes are created to read:

22 85.20 (4m) (a) 1. From the appropriation under s. 20.395 (1) (bq), the uniform  
23 percentage for an urban mass transit system operating within an urban area having  
24 a population as shown in the 1990 federal decennial census of less than 50,000.

1           2. From the appropriation under s. 20.395 (1) (bs), the uniform percentage for  
2           an urban mass transit system operating within an urban area having a population  
3           as shown in the 1990 federal decennial census of at least 50,000 but not more than  
4           200,000 and meeting the federal definition of urbanized area for the purpose of  
5           federal mass transit aid.

6           3. From the appropriation under s. 20.395 (1) (bu), the uniform percentage for  
7           an urban mass transit system operating within an urban area having a population  
8           as shown in the 1990 federal decennial census of more than 200,000 and meeting the  
9           federal definition of urbanized area for the purpose of federal mass transit aid.

10          **SECTION 3526ge.** 85.20 (4m) (am) of the statutes is repealed.

11          **SECTION 3526gg.** 85.20 (4m) (e) of the statutes is repealed.

12          **SECTION 3526gm.** 85.20 (4m) (em) 1. of the statutes is amended to read:

13           85.20 (4m) (em) 1. An amount equal to ~~42%~~ the same percentage of the audited  
14           operating expenses for the project year of the applicant's urban mass transit system  
15           that is specified for allocations to the applicant under par. (a) 1. to 3.

16          **SECTION 3526gt.** 85.20 (4s) of the statutes is amended to read:

17           85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed  
18           between the department and eligible applicants under this section shall provide that  
19           the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the  
20           state's fiscal year shall be provided from the following fiscal year's appropriation  
21           under s. 20.395 (1) (bq), (bs) or (bu).

22          **SECTION 3526he.** 85.20 (7) of the statutes is created to read:

23           85.20 (7) COST-EFFICIENCY STANDARDS. (a) The department shall establish  
24           cost-efficiency standards for the urban mass transit system specified in sub. (4m) (a)  
25           1. to 3. The contracts executed between the department and eligible applicants

1 under this section for any period beginning on or after January 1, 1997, shall provide  
2 that the department may do any of the following if costs are incurred by the eligible  
3 applicant's urban mass transit system which are inconsistent with the standards  
4 established under this subsection:

5 1. Exclude those costs from operating expenses for purposes of sub. (4m).

6 2. Reduce the amount of state aid allocation under sub. (4m) (a).

7 (b) The department shall specify by rule the cost-efficiency standards under  
8 this subsection, including rules for the implementation of par. (a) 1. and 2.

9 **SECTION 3526hg.** 85.24 (3) (d) (intro.) of the statutes is amended to read:

10 85.24 (3) (d) (intro.) The department may award grants from the appropriation  
11 under s. 20.395 (1) ~~(bs)~~ (ds) to public and private organizations for the development  
12 and implementation of demand management and ride-sharing programs. As a  
13 condition of obtaining a grant under this paragraph, a public or private organization  
14 may be required to provide matching funds at any percentage. The department shall  
15 give priority in the awarding of grants to those programs that provide the greatest  
16 reduction in automobile trips, especially during peak hours of traffic congestion. The  
17 department shall have all powers necessary and convenient to implement this  
18 paragraph, including the following powers:

19 **SECTION 3526hj.** 85.243 (title) of the statutes is amended to read:

20 **85.243 (title) Surface transportation discretionary grants projects**  
21 **program.**

22 **SECTION 3526hm.** 85.243 (2) (a) of the statutes is amended to read:

23 85.243 (2) (a) The department shall administer a surface transportation  
24 ~~discretionary grants~~ projects program to promote the development and  
25 implementation of surface transportation projects that foster the diverse

1 transportation needs of the people of this state. Annually, the department may make  
2 grants to eligible applicants and other state agencies for surface transportation  
3 projects that promote nonhighway use or that otherwise supplement existing  
4 transportation activities. A grant may not exceed 80% of the total cost of a project.

5 The department shall give priority to funding projects that foster alternatives to  
6 single-occupancy automobile trips. In deciding whether to award a grant under this  
7 section, the department may consider whether other funding sources are available  
8 for the proposed project.

9 **SECTION 3526hr.** 85.243 (2) (b) 5. of the statutes is created to read:

10 85.243 (2) (b) 5. To conduct a project.”.

11 **468.** Page 1209, line 10: after “statutes” insert “, as affected by 1995  
Wisconsin Act .... (this act),”.

12 **469.** Page 1209, line 10: after that line insert:

13 “**SECTION 3526mg.** 85.26 (2) (a) of the statutes is renumbered 85.26 (2) (a)  
14 (intro.) and amended to read:

15 85.26 (2) (a) (intro.) “Eligible applicant” means a an applicant that provides  
16 employment, training or job placement services in a county with a population of  
17 500,000 or more and which is one of the following:

18 1. A local public body or a private organization, which is located in the county.

19 **SECTION 3526mm.** 85.26 (2) (a) 2. of the statutes is created to read:

20 85.26 (2) (a) 2. Two or more state agencies coordinating such services.

21 **SECTION 3526s.** 85.50 of the statutes is repealed.”.

22 **470.** Page 1209, line 10: after that line insert:

23 “**SECTION 3526t.** 85.51 of the statutes is created to read:

1           **85.51 Third-party registration, titling and other transactions.** (1) In  
2 this section, “contractor” means a person who has contracted with the department  
3 to perform services under this section.

4           (2) (a) The department may contract with any person for any of the following  
5 services:

6           1. Processing of applications for original or renewal registrations under ch. 341  
7 and certificates of title under ch. 342.

8           2. Furnishing abstracts of operating records under s. 343.24.

9           3. Furnishing other operator or vehicle records.

10          (b) The department may not compensate a contractor for services provided  
11 under this section.

12          (3) A contract with a contractor shall contain the following provisions:

13          (a) The amount of fees, if any, that the contractor may charge a person for  
14 services provided under sub. (2) (a).

15          (b) Within 7 business days after the completion of an application, the contractor  
16 shall process the application and submit any required fees and other documentation  
17 to the department.

18          (c) The contractor shall retain all records specified in the contract for a period  
19 of at least 5 years.

20          (d) The department or its representative may, without any prior notice, conduct  
21 random inspections and audits of the contractor.

22          (4) Any restriction, prohibition or limitation on release by the department of  
23 any information or record maintained by the department shall apply to the release  
24 of information by a contractor under this section.”



1           **471.** Page 1209, line 11: before that line insert:

2           “**SECTION 3527c.** 86.30 (2) (a) 3. d. of the statutes is amended to read:

3           86.30 (2) (a) 3. d. In calendar year 1995 and thereafter, \$1,350.

4           **SECTION 3527e.** 86.30 (2) (a) 3. c. of the statutes is repealed.

5           **SECTION 3527g.** 86.30 (2) (a) 3. e. of the statutes is created to read:

6           86.30 (2) (a) 3. e. In calendar year 1996, \$1,415.

7           **SECTION 3527i.** 86.30 (2) (a) 3. f. of the statutes is created to read:

8           86.30 (2) (a) 3. f. In calendar year 1997 and thereafter, \$1,480.

9           **SECTION 3527k.** 86.30 (9) of the statutes is amended to read:

10           86.30 (9) AIDS CALCULATIONS. (b) For the purpose of calculating and  
11 distributing aids under sub. (2), the amounts for aids to counties are ~~\$63,392,900 in~~  
12 ~~calendar year 1994 and \$66,588,900 in calendar year 1995, \$71,030,000 in calendar~~  
13 ~~year 1996 and \$75,917,700 in calendar year 1997~~ and thereafter. These amounts,  
14 to the extent practicable, shall be used to determine the statewide county average  
15 cost-sharing percentage in the particular calendar year.

16           (c) For the purpose of calculating and distributing aids under sub. (2), the  
17 amounts for aids to municipalities are ~~\$197,814,700 in calendar year 1994 and~~  
18 ~~\$209,496,900 in calendar year 1995, \$216,989,200 in calendar year 1996 and~~  
19 ~~\$224,657,100 in calendar year 1997~~ and thereafter. These amounts, to the extent  
20 practicable, shall be used to determine the statewide municipal average  
21 cost-sharing percentage in the particular calendar year.

22           **SECTION 3527m.** 86.31 (3m) of the statutes is amended to read:

23           86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395  
24 (2) (fr), the department shall allocate ~~\$500,000 in each fiscal year~~ \$515,000 in fiscal

1 year 1995-96 and \$530,500 in fiscal year 1996-97 and thereafter to fund town road  
2 improvements with eligible costs totaling \$100,000 or more. The funding of  
3 improvements under this subsection is in addition to the allocation of funds for  
4 entitlements under sub. (3).

5 **SECTION 3527p.** 86.315 (1) of the statutes is amended to read:

6 86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department  
7 shall annually, on March 10, pay to counties having county forests established under  
8 ch. 28, for the improvement of public roads within the county forests which are open  
9 and used for travel and which are not state or county trunk highways or town roads  
10 and for which no aids are paid under s. 86.30, the amount of ~~\$200~~ \$600 per mile of  
11 road designated in the comprehensive county forest land use plan as approved by the  
12 county board and the department of natural resources. If the amount appropriated  
13 under s. 20.395 (1) (fu) is insufficient to make the ~~\$200~~ \$600 per mile payments under  
14 this subsection, the department shall prorate the amount appropriated in the  
15 manner it deems desirable.

16 **SECTION 3527r.** 86.32 (2) (am) 5. and 6. of the statutes are repealed.

17 **SECTION 3527t.** 86.32 (2) (am) 8. of the statutes is created to read:

18 86.32 (2) (am) 8. For 1996, \$10,782 per lane mile for municipalities having a  
19 population over 500,000; \$9,987 per lane mile for municipalities having a population  
20 of 150,001 to 500,000; \$8,900 per lane mile for municipalities having a population of  
21 35,001 to 150,000; \$7,840 per lane mile for municipalities having a population of  
22 10,000 to 35,000; and \$6,755 per lane mile for municipalities having a population  
23 under 10,000.

24 **SECTION 3527w.** 86.32 (2) (am) 9. of the statutes is created to read:

1           86.32 (2) (am) 9. For 1997, \$11,105 per lane mile for municipalities having a  
2 population over 500,000; \$10,287 per lane mile for municipalities having a  
3 population of 150,001 to 500,000; \$9,167 per lane mile for municipalities having a  
4 population of 35,001 to 150,000; \$8,075 per lane mile for municipalities having a  
5 population of 10,000 to 35,000; and \$6,958 per lane mile for municipalities having  
6 a population under 10,000.”.

7           **472.** Page 1211, line 23: after that line insert:

8           “**SECTION 3529b.** 88.05 (6) of the statutes is amended to read:

9           88.05 (6) Railroad companies shall file with the ~~secretary of state~~ department  
10 of financial institutions a document stating the name and post-office address of the  
11 person upon whom any notice required by this chapter may be served.”.

12           **473.** Page 1214, line 7: delete the material beginning with that line and  
ending with page 1215, line 2.

13           **474.** Page 1215, line 19: delete lines 19 and 20 and substitute:

14           “93.47 (2) The department may award grants ~~from the appropriation under s.~~  
15 ~~20.115 (7) (k)~~ to individuals or organizations to fund dem-”.

16           **475.** Page 1215, line 23: after that line insert:

17           “**SECTION 3567e.** 93.47 (3) of the statutes is created to read:

18           93.47 (3) This section does not apply after June 30, 1996, unless the senate and  
19 assembly standing committees with jurisdiction over agricultural matters, as  
20 determined by the speaker of the assembly and the president of the senate, have  
21 approved the funding report of the department under 1995 Wisconsin Act .... (this  
22 act), section 9104 (4g).”.

23           **476.** Page 1220, line 15: after that line insert:

1           **“SECTION 3597b.** 96.17 (6) of the statutes is amended to read:

2           96.17 (6) If a handler is not a resident or is not authorized to do business in this  
3 state, the handler may designate an agent upon whom service of process may be  
4 made in this state. The agent shall be a resident of this state or a corporation  
5 authorized to do business in this state. The designation shall be in writing and filed  
6 with the ~~secretary of state~~ department of financial institutions. If no designation is  
7 made and filed or if process cannot be served in this state upon the designated agent,  
8 after reasonable effort, process may be served upon the ~~secretary of state~~ department  
9 of financial institutions.”.

10           **477.** Page 1221, line 17: after that line insert:

11           **“SECTION 3601b.** 100.03 (8) (bm) 3. of the statutes is amended to read:

12           100.03 (8) (bm) 3. The security interest under subd. 1. d. shall be properly  
13 created, and shall be filed by the trustee with the ~~secretary of state~~ department of  
14 financial institutions under ch. 409.”.

15           **478.** Page 1226, line 10: after that line insert:

16           **“SECTION 3603b.** 100.23 (5) (b) (intro.) of the statutes is amended to read:

17           100.23 (5) (b) (intro.) Has a current annual report on file with the ~~secretary of~~  
18 ~~state~~ department of financial institutions which satisfies all of the following  
19 requirements:

20           **SECTION 3604b.** 100.23 (5) (b) 2. of the statutes is amended to read:

21           100.23 (5) (b) 2. Is on a form furnished to the association by the ~~secretary of~~  
22 ~~state~~ department of financial institutions using information given as of the date of  
23 the execution of the report.

24           **SECTION 3605b.** 100.23 (5) (b) 4. of the statutes is amended to read:

1           100.23 (5) (b) 4. Is filed with the ~~secretary of state~~ department of financial  
2 institutions in each year following the year in which the association first filed the  
3 annual report required under this paragraph, during the calendar year quarter in  
4 which the anniversary of the filing occurs.

5           **SECTION 3606b.** 100.23 (6) (intro.) of the statutes is amended to read:

6           100.23 (6) (title) ~~SECRETARY OF STATE~~ DEPARTMENT OF FINANCIAL INSTITUTIONS  
7 DUTIES. (intro.) The ~~secretary of state~~ department of financial institutions shall:

8           **SECTION 3607b.** 100.23 (6) (c) of the statutes is amended to read:

9           100.23 (6) (c) Upon receipt of a report required under sub. (5) (b), determine  
10 if the report satisfies the requirements of sub. (5) (b). If the ~~secretary of state~~  
11 department of financial institutions determines that the report does not satisfy all  
12 of those requirements, the ~~secretary of state~~ department of financial institutions  
13 shall return the report to the association which filed it, along with a notice of any  
14 correction required. If the association files a corrected report within 30 days after  
15 the association receives that notice, the report shall be deemed timely filed for  
16 purposes of sub. (5) (b) 4.”.

17           **479.** [Page 1237, line 4](#): after that line insert:

18           **“SECTION 3649m.** 101.02 (20) of the statutes is created to read:

19           101.02 (20) The department of industry, labor and human relations shall  
20 establish a procedure for that department to provide to the state public defender and  
21 the department of administration any information that the department of industry,  
22 labor and human relations may have concerning an individual’s wages to assist the  
23 state public defender and the department of administration in collecting payment  
24 ordered under s. 48.275 (2), 757.66, 973.06 (1) (e) or 977.076 (1).

1           **SECTION 3649r.** 101.02 (20) of the statutes, as created by 1995 Wisconsin Act  
2 .... (this act), is renumbered 103.005 (20).”.

3           **480.** Page 1258, line 5: before the last period insert: “and any other job  
training program for veterans administered by the department”.

4           **481.** Page 1260, line 11: before the last period insert: “and any other job  
training program for veterans administered by the department”.

5           **482.** Page 1265, line 2: delete lines 2 to 8.

6           **483.** Page 1265, line 13: on lines 13 and 16, restore the stricken material and  
delete the underscored material.

7           **484.** Page 1265, line 25: delete the material beginning with that line and  
ending with page 1266, line 20.

8           **485.** Page 1274, line 6: after that line insert:

9           “**SECTION 3742b.** 102.17 (1) (a) of the statutes is amended to read:

10           102.17 (1) (a) Upon the filing with the department by any party in interest of  
11 any application in writing stating the general nature of any claim as to which any  
12 dispute or controversy may have arisen, it shall mail a copy of such application to all  
13 other parties in interest and the insurance carrier shall be deemed a party in  
14 interest. The department may bring in additional parties by service of a copy of the  
15 application. The department shall cause notice of hearing on the application to be  
16 given to each party interested, by service of such notice on the interested party  
17 personally or by mailing a copy to the interested party’s last-known address at least  
18 10 days before such hearing. In case a party in interest is located without the state,  
19 and has no post-office address within this state, the copy of the application and  
20 copies of all notices shall be filed ~~in the office of the secretary of state~~ with the

1 department of financial institutions and shall also be sent by registered or certified  
2 mail to the last-known post-office address of such party. Such filing and mailing  
3 shall constitute sufficient service, with the same effect as if served upon a party  
4 located within this state. The hearing may be adjourned in the discretion of the  
5 department, and hearings may be held at such places as the department designates,  
6 within or without the state. The department may also arrange to have hearing held  
7 by the commission, officer or tribunal having authority to hear cases arising under  
8 the worker's compensation law of any other state, of the District of Columbia, or of  
9 any territory of the United States, the testimony and proceedings at any such  
10 hearing to be reported to the department and to be part of the record in the case. Any  
11 evidence so taken shall be subject to rebuttal upon final hearing before the  
12 department.”.

13 **486.** Page 1274, line 6: after that line insert:

14 “SECTION 3741g. 102.07 (14) of the statutes is amended to read:

15 102.07 (14) An adult performing uncompensated community service work  
16 under s. 971.38, 973.03 (3), 973.05 (3) ~~or~~, 973.09 or 973.095 is an employe of the  
17 county in which the district attorney requiring or the court ordering the community  
18 service work is located or in which the place of assignment under s. 973.095 is  
19 located. No compensation may be paid to that employe for temporary disability  
20 during the healing period.”.

21 **487.** Page 1274, line 7: delete lines 7 to 22.

22 **488.** Page 1276, line 4: delete lines 4 to 11.

23 **489.** Page 1276, line 25: delete the material beginning with that line and  
ending with page 1277, line 14.

1           **490.** Page 1287, line 19: delete the material beginning with that line and  
ending with page 1288, line 4.

2           **491.** Page 1292, line 14: delete that line and substitute:

3           “**SECTION 3765m.** 104.04 of the statutes is amended to read:

4           **104.04 Classifications; department’s authority.** The department shall  
5 investigate, ascertain, determine and fix such reasonable classifications, and shall  
6 impose general or special orders, determining the living-wage, and shall carry out  
7 the purposes of ss. 104.01 to 104.12. Such investigations, classifications and orders  
8 shall be made pursuant to the proceeding in ss. 101.01 to 101.25, which are hereby  
9 made a part hereof, so far as not inconsistent with ss. 104.01 to 104.12; and every  
10 order of the department shall have the same force and effect as the orders issued  
11 pursuant to said ss. 101.01 to 101.25, and the penalties therein shall apply to and be  
12 imposed for any violation of ss. 104.01 to 104.12. In determining the living-wage,  
13 the department may consider the effect that an increase in the living-wage might  
14 have on the economy of the state, including the effect of a living-wage increase on  
15 job creation, retention and expansion, on the availability of entry-level jobs and on  
16 regional economic conditions within the state. The department may not establish a  
17 different minimum wage for men and women. Said orders shall be subject to review  
18 in the manner provided in ch. 227.

19           **SECTION 3765p.** 104.04 of the statutes, as affected by 1995 Wisconsin Act ...  
20 (this act), is amended to read:”.

21           **492.** Page 1292, line 24: after the last period insert: “In determining the  
living-wage, the department may consider the effect that an increase in the  
living-wage might have on the economy of the state, including the effect of a



living-wage increase on job creation, retention and expansion, on the availability of entry-level jobs and on regional economic conditions within the state.”.

1           **493.** Page 1296, line 6: restore the stricken material.

2           **494.** Page 1296, line 7: restore “~~department of~~”; after “services” insert “revenue”; restore the stricken comma; and restore “~~state or~~”.

3           **495.** Page 1296, line 12: restore the stricken material.

4           **496.** Page 1297, line 12: delete the material beginning with that line and ending with page 1298, line 8.

5           **497.** Page 1298, line 24: after that line insert:

6           “**SECTION 3782am.** 110.08 (2) of the statutes is amended to read:

7           110.08 (2) Except as provided under s. 343.16 (1) (b) and (c), all examinations  
8 for operator’s licenses and permits shall be given by state examiners.”.

9           **498.** Page 1302, line 2: delete “at any time” and substitute “on or after October  
1, 1998”.

10          **499.** Page 1305, line 9: after that line insert:

11          “**SECTION 3783b.** 111.07 (2) (a) of the statutes is amended to read:

12          111.07 (2) (a) Upon the filing with the commission by any party in interest of  
13 a complaint in writing, on a form provided by the commission, charging any person  
14 with having engaged in any specific unfair labor practice, it shall mail a copy of such  
15 complaint to all other parties in interest. Any other person claiming interest in the  
16 dispute or controversy, as an employer, an employe, or their representative, shall be  
17 made a party upon application. The commission may bring in additional parties by  
18 service of a copy of the complaint. Only one such complaint shall issue against a  
19 person with respect to a single controversy, but any such complaint may be amended

1 in the discretion of the commission at any time prior to the issuance of a final order  
2 based thereon. The person or persons so complained of shall have the right to file an  
3 answer to the original or amended complaint and to appear in person or otherwise  
4 and give testimony at the place and time fixed in the notice of hearing. The  
5 commission shall fix a time for the hearing on such complaint, which will be not less  
6 than 10 nor more than 40 days after the filing of such complaint, and notice shall be  
7 given to each party interested by service on the party personally or by mailing a copy  
8 thereof to the party at the party's last-known post-office address at least 10 days  
9 before such hearing. In case a party in interest is located without the state and has  
10 no known post-office address within this state, a copy of the complaint and copies  
11 of all notices shall be filed ~~in the office of the secretary of state~~ with the department  
12 of financial institutions and shall also be sent by registered mail to the last-known  
13 post-office address of such party. Such filing and mailing shall constitute sufficient  
14 service with the same force and effect as if served upon the party located within this  
15 state. Such hearing may be adjourned from time to time in the discretion of the  
16 commission and hearings may be held at such places as the commission shall  
17 designate.”.

18 **500.** Page 1312, line 5: after that line insert:

19 “**SECTION 3789x.** 111.32 (3) of the statutes is amended to read:

20 111.32 (3) “Conviction record” includes, but is not limited to, information  
21 indicating that an individual has been convicted of any felony, misdemeanor or other  
22 offense, has been adjudicated delinquent, has been less than honorably discharged,  
23 or has been placed on probation or community supervision, fined, imprisoned or  
24 paroled pursuant to any law enforcement or military authority.”.

1           **501.** Page 1313, line 4: delete lines 4 to 25 and substitute:

2           “**SECTION 3793am.** 111.70 (1) (a) of the statutes is amended to read:

3           111.70 (1) (a) “Collective bargaining” means the performance of the mutual  
4 obligation of a municipal employer, through its officers and agents, and the  
5 representatives representative of its municipal employes in a collective bargaining  
6 unit, to meet and confer at reasonable times, in good faith, with the intention of  
7 reaching an agreement, or to resolve questions arising under such an agreement,  
8 with respect to wages, hours and conditions of employment, and with respect to a  
9 requirement of the municipal employer for a municipal employe to perform law  
10 enforcement and fire fighting services under s. 61.66, except as provided in sub. (4)  
11 (m) and (n) and s. 40.81 (3) and except that a municipal employer shall not meet and  
12 confer with respect to any proposal to diminish or abridge the rights guaranteed to  
13 municipal employes under ch. 164. The duty to bargain, however, does not compel  
14 either party to agree to a proposal or require the making of a concession. Collective  
15 bargaining includes the reduction of any agreement reached to a written and signed  
16 document. The municipal employer shall not be required to bargain on subjects  
17 reserved to management and direction of the governmental unit except insofar as the  
18 manner of exercise of such functions affects the wages, hours and conditions of  
19 employment of the municipal employes in a collective bargaining unit. In creating  
20 this subchapter the legislature recognizes that the public municipal employer must  
21 exercise its powers and responsibilities to act for the government and good order of  
22 the municipality jurisdiction which it serves, its commercial benefit and the health,  
23 safety and welfare of the public to assure orderly operations and functions within its

1 jurisdiction, subject to those rights secured to public municipal employes by the  
2 constitutions of this state and of the United States and by this subchapter.

3 **SECTION 3793c.** 111.70 (1) (dm) of the statutes, as created by 1993 Wisconsin  
4 Act 16, section 2207ahm, is repealed and recreated to read:

5 111.70 (1) (dm) "Economic issue" means any issue that creates a new or  
6 increased financial liability upon the municipal employer, including salaries,  
7 overtime pay, sick leave, payments in lieu of sick leave usage, vacations, clothing  
8 allowances in excess of the actual cost of clothing, length-of-service credit,  
9 continuing education credit, shift premium pay, longevity pay, extra duty pay,  
10 performance bonuses, health insurance, life insurance, vacation pay, holiday pay,  
11 lead worker pay, temporary assignment pay, retirement contributions, severance or  
12 other separation pay, hazardous duty pay, certification or license payment, job  
13 security provisions, limitations on layoffs and contracting or subcontracting of work  
14 that would otherwise be performed by municipal employes in the collective  
15 bargaining unit with which there is a labor dispute.

16 **SECTION 3793e.** 111.70 (1) (nc) of the statutes, as created by 1993 Wisconsin  
17 Act 16, section 2207aho, is repealed and recreated to read:

18 111.70 (1) (nc) 1. "Qualified economic offer" means an offer made to a labor  
19 organization by a municipal employer that includes all of the following, except as  
20 provided in subd. 2.:

21 a. A proposal to maintain the percentage contribution by the municipal  
22 employer to the municipal employes' existing fringe benefit costs as determined  
23 under sub. (4) (cm) 8s., and to maintain all fringe benefits provided to the municipal  
24 employes in a collective bargaining unit, as such contributions and benefits existed  
25 on the 90th day prior to expiration of any previous collective bargaining agreement

1 between the parties, or the 90th day prior to commencement of negotiations if there  
2 is no previous collective bargaining agreement between the parties.

3 b. In any collective bargaining unit in which the municipal employe positions  
4 were on August 12, 1993, assigned to salary ranges with steps that determine the  
5 levels of progression within each salary range during a 12-month period, a proposal  
6 to provide for a salary increase of at least one full step for each 12-month period  
7 covered by the proposed collective bargaining agreement, beginning with the  
8 expiration date of any previous collective bargaining agreement, for each municipal  
9 employe who is eligible for a within range salary increase, unless the increased cost  
10 of providing such a salary increase, as determined under sub. (4) (cm) 8s., exceeds  
11 2.1% of the total compensation and fringe benefit costs for all municipal employes in  
12 the collective bargaining unit for any 12-month period covered by the proposed  
13 collective bargaining agreement, or unless the increased cost required to maintain  
14 the percentage contribution by the municipal employer to the municipal employes'  
15 existing fringe benefit costs and to maintain all fringe benefits provided to the  
16 municipal employes, as determined under sub. (4) (cm) 8s., in addition to the  
17 increased cost of providing such a salary increase, exceeds 3.8% of the total  
18 compensation and fringe benefit costs for all municipal employes in the collective  
19 bargaining unit for any 12-month period covered by the proposed collective  
20 bargaining agreement, in which case the offer shall include provision for a salary  
21 increase for each such municipal employe in an amount at least equivalent to that  
22 portion of a step for each such 12-month period that can be funded after the  
23 increased cost in excess of 2.1% of the total compensation and fringe benefit costs for  
24 all municipal employes in the collective bargaining unit is subtracted, or in an  
25 amount equivalent to that portion of a step for each such 12-month period that can

1 be funded from the amount that remains, if any, after the increased cost of such  
2 maintenance exceeding 1.7% of the total compensation and fringe benefit costs for  
3 all municipal employes in the collective bargaining unit for each 12-month period  
4 is subtracted on a prorated basis, whichever is the lower amount.

5 c. A proposal to provide for an average salary increase for each 12-month  
6 period covered by the proposed collective bargaining agreement, beginning with the  
7 expiration date of any previous collective bargaining agreement, for the municipal  
8 employes in the collective bargaining unit at least equivalent to an average cost of  
9 2.1% of the total compensation and fringe benefit costs for all municipal employes in  
10 the collective bargaining unit for each 12-month period covered by the proposed  
11 collective bargaining agreement, beginning with the expiration date of any previous  
12 collective bargaining agreement, including that percentage required to provide for  
13 any step increase and any increase due to a promotion or the attainment of increased  
14 professional qualifications, as determined under sub. (4) (cm) 8s., unless the  
15 increased cost of providing such a salary increase, as determined under sub. (4) (cm)  
16 8s., exceeds 2.1% of the total compensation and fringe benefit costs for all municipal  
17 employes in the collective bargaining unit for any 12-month period covered by the  
18 proposed collective bargaining agreement, or unless the increased cost required to  
19 maintain the percentage contribution by the municipal employer to the municipal  
20 employes' existing fringe benefit costs and to maintain all fringe benefits provided  
21 to the municipal employes, as determined under sub. (4) (cm) 8s., in addition to the  
22 increased cost of providing such a salary increase, exceeds 3.8% of the total  
23 compensation and fringe benefit costs for all municipal employes in the collective  
24 bargaining unit for any 12-month period covered by the collective bargaining  
25 agreement, in which case the offer shall include provision for a salary increase for

1 each such period for the municipal employes covered by the agreement at least  
2 equivalent to an average of that percentage, if any, for each such period of the  
3 prorated portion of 2.1% of the total compensation and fringe benefit costs for all  
4 municipal employes in the collective bargaining unit that remains, if any, after the  
5 increased cost of such maintenance exceeding 1.7% of the total compensation and  
6 fringe benefit costs for all municipal employes in the collective bargaining unit for  
7 each 12-month period and the cost of a salary increase of at least one full step for each  
8 municipal employe in the collective bargaining unit who is eligible for a within range  
9 salary increase for each 12-month period is subtracted from that total cost.

10 2. "Qualified economic offer" may include a proposal to provide for an average  
11 salary decrease for any 12-month period covered by a proposed collective bargaining  
12 agreement, beginning with the expiration date of any previous collective bargaining  
13 agreement, for the municipal employes covered by the agreement, in an amount  
14 equivalent to the average percentage increased cost of maintenance of the  
15 percentage contribution by the municipal employer to the municipal employes'  
16 existing fringe benefit costs, as determined under sub. (4) (cm) 8s., and the average  
17 percentage increased cost of maintenance of all fringe benefits provided to the  
18 municipal employes represented by a labor organization, as such costs and benefits  
19 existed on the 90th day prior to commencement of negotiations, exceeding 3.8% of the  
20 total compensation and fringe benefit costs for all municipal employes in the  
21 collective bargaining unit required for maintenance of those contributions and  
22 benefits for that 12-month period if the increased cost of maintenance of those costs  
23 and benefits exceeds 3.8% of the total compensation and fringe benefit costs for all  
24 municipal employes in the collective bargaining unit for that 12-month period."

1           **502.** Page 1314, line 1: delete lines 1 to 5 and substitute:

2           “**SECTION 3794am.** 111.70 (1) (ne) of the statutes is amended to read:

3           111.70 (1) (ne) “School district professional employe” means a municipal  
4 employe who is a professional employe and who is employed by to perform services  
5 for a school district, who holds a license issued by the state superintendent of public  
6 instruction under s. 115.28 (7), and whose employment requires that license.

7           **SECTION 3794c.** 111.70 (1) (nm) of the statutes, as affected by 1993 Wisconsin  
8 Act 16, is repealed is recreated to read:

9           111.70 (1) (nm) “Strike” includes any strike or other concerted stoppage of work  
10 by municipal employes, and any concerted slowdown or other concerted interruption  
11 of operations or services by municipal employes, or any concerted refusal to work or  
12 perform their usual duties as municipal employes, for the purpose of enforcing  
13 demands upon a municipal employer. Such conduct by municipal employes which  
14 is not authorized or condoned by a labor organization constitutes a “strike”, but does  
15 not subject such labor organization to the penalties under this subchapter. This  
16 paragraph does not apply to collective bargaining units composed of municipal  
17 employes of any county or municipal employes who are engaged in law enforcement  
18 or fire fighting functions.

19           **SECTION 3794d.** 111.70 (3) (a) 4. of the statutes is amended to read:

20           111.70 (3) (a) 4. To refuse to bargain collectively with a representative of a  
21 majority of its employes in an appropriate collective bargaining unit. Such refusal  
22 shall include action by the employer to issue or seek to obtain contracts, including  
23 those provided for by statute, with individuals in the collective bargaining unit while  
24 collective bargaining, mediation or fact-finding concerning the terms and conditions



1 of a new collective bargaining agreement is in progress, unless such individual  
2 contracts contain express language providing that the contract is subject to  
3 amendment by a subsequent collective bargaining agreement. Where the employer  
4 has a good faith doubt as to whether a labor organization claiming the support of a  
5 majority of its employees in an appropriate bargaining unit does in fact have that  
6 support, it may file with the commission a petition requesting an election to that  
7 claim. An employer shall not be deemed to have refused to bargain until an election  
8 has been held and the results thereof certified to the employer by the commission.  
9 The violation shall include, though not be limited thereby, to the refusal to execute  
10 a collective bargaining agreement previously agreed upon. A violation also includes  
11 a failure to advise a labor organization whether the municipal employer accepts or  
12 rejects a fact-finder's recommendations under sub. (4) (ce) 2. The term of any  
13 collective bargaining agreement shall not exceed 3 years.

14 **SECTION 3794e.** 111.70 (3) (a) 7. of the statutes, as affected by 1993 Wisconsin  
15 Act 16, is repealed and recreated to read:

16 111.70 (3) (a) 7. To refuse or otherwise fail to implement an arbitration decision  
17 lawfully made under sub. (4) (cm).

18 **SECTION 3794f.** 111.70 (3) (b) 3. of the statutes is amended to read:

19 111.70 (3) (b) 3. To refuse to bargain collectively with the duly authorized officer  
20 or agent of a municipal employer, provided it is the recognized or certified exclusive  
21 collective bargaining representative of employees in an appropriate collective  
22 bargaining unit. Such refusal to bargain shall include, but not be limited to, the  
23 refusal to execute a collective bargaining agreement previously agreed upon. A  
24 violation also includes a failure by a labor organization to advise a municipal

1 employer whether it accepts or rejects a fact-finder's recommendations under sub.  
2 (4) (ce) 2.

3 **SECTION 3794g.** 111.70 (3) (b) 6. of the statutes, as affected by 1993 Wisconsin  
4 Act 16, is repealed and recreated to read:

5 111.70 (3) (b) 6. To refuse or otherwise fail to implement an arbitration decision  
6 lawfully made under sub. (4) (cm).

7 **SECTION 3794gg.** 111.70 (3) (b) 7. of the statutes is created to read:

8 111.70 (3) (b) 7. In the case of municipal employes of a county, other than those  
9 engaged in law enforcement or fire fighting functions, to engage in, or induce or  
10 encourage any municipal employes to engage in a strike or other concerted refusal  
11 to perform their usual duties as municipal employes.

12 **SECTION 3794h.** 111.70 (4) (c) (title) of the statutes is amended to read:

13 111.70 (4) (c) (title) *Methods for peaceful settlement of disputes; law enforcement*  
14 *and fire fighting personnel.*

15 **SECTION 3794i.** 111.70 (4) (c) 4. of the statutes, as affected by 1993 Wisconsin  
16 Act 16, is repealed and recreated to read:

17 111.70 (4) (c) 4. 'Applicability.' This paragraph applies only to municipal  
18 employes who are engaged in law enforcement or fire fighting functions.

19 **SECTION 3794j.** 111.70 (4) (ce) of the statutes is created to read:

20 111.70 (4) (ce) *Methods for peaceful settlement of disputes; nonprotective county*  
21 *employes.* 1. 'Mediation.' The commission may function as a mediator in any labor  
22 dispute. Such mediation may be carried on by a person designated to act by the  
23 commission upon request of one or both of the parties or upon initiation of the  
24 commission. The function of the mediator shall be to bring the parties together  
25 voluntarily under such favorable auspices as will tend to effectuate settlement of the

1 dispute, but neither the commission nor a mediator shall have the power of  
2 compulsion.

3 2. 'Fact-finding.' a. If a dispute has not been settled after a reasonable period  
4 of negotiation and after the settlement procedures, if any, established by the parties  
5 have been exhausted, the parties jointly may petition the commission, in writing, to  
6 initiate fact-finding and to make recommendations to resolve the dispute.

7 b. Upon receipt of a petition to initiate fact-finding, the commission shall make  
8 an investigation with or without a formal hearing, to determine whether a deadlock  
9 exists. After its investigation the commission shall certify the results thereof. If the  
10 commission certifies that a deadlock exists, it shall appoint a qualified, disinterested  
11 person or, if jointly requested by the parties, a 3-member panel to function as a fact  
12 finder.

13 c. The fact finder may establish dates and places of hearings, and shall conduct  
14 the hearings pursuant to rules established by the commission. Upon request, the  
15 commission shall issue subpoenas for hearings conducted by the fact finder. The fact  
16 finder may administer oaths. Upon completion of the hearing, the fact finder shall  
17 make written findings of fact and recommendations for resolution of the dispute and  
18 shall cause them to be served on the parties and the commission. Costs of  
19 fact-finding proceedings shall be divided equally between the parties. At the time  
20 the fact finder submits a statement of his or her costs to the parties, the fact finder  
21 shall submit a copy thereof to the commission at its Madison office.

22 d. Any fact finder may endeavor to mediate the dispute in which the fact finder  
23 is involved at any time prior to the issuance of the fact finder's recommendations.

24 e. Within the time period mutually agreed upon by the parties, or if no time  
25 period is agreed to within 30 days after receipt of the fact-finder's recommendations,

1 each party shall advise the other, in writing, as to its acceptance or rejection, in whole  
2 or in part, of the fact finder's recommendations and, at the same time, transmit a  
3 copy of such notice to the commission at its Madison office.

4 3. 'Remedies in event of strike.' Upon establishing that a strike is in progress,  
5 the employer may either seek an injunction or file a prohibited practice charge with  
6 the commission under sub. (3) (b) 7. or both. The existence of an administrative  
7 remedy does not constitute grounds for denial of injunctive relief. The occurrence of  
8 a strike and the participation therein by municipal employes do not affect the rights  
9 of the municipal employer, in law or in equity, to deal with the strike, including:

10 a. The right to impose discipline, including discharge, or suspension without  
11 pay, of any municipal employe participating in the strike.

12 b. The right to cancel the reinstatement eligibility of any municipal employe  
13 engaging in the strike.

14 c. The right of the municipal employer to request the imposition of fines, either  
15 against the labor organization or against any municipal employe engaging in the  
16 strike, or to sue for damages because of such strike activity.

17 4. 'Application.' This paragraph applies only to municipal employes of a county,  
18 other than municipal employes who are engaged in law enforcement or fire fighting  
19 functions.

20 **SECTION 3794k.** 111.70 (4) (cm) of the statutes, as affected by 1993 Wisconsin  
21 Act 16, is repealed and recreated to read:

22 111.70 (4) (cm) *Methods for peaceful settlement of disputes; other personnel.* 1.  
23 'Notice of commencement of contract negotiations.' For the purpose of advising the  
24 commission of the commencement of contract negotiations, whenever either party  
25 requests the other to reopen negotiations under a binding collective bargaining

1 agreement, or the parties otherwise commence negotiations if no such agreement  
2 exists, the party requesting negotiations shall immediately notify the commission in  
3 writing. Upon failure of the requesting party to provide such notice, the other party  
4 may so notify the commission. The notice shall specify the expiration date of the  
5 existing collective bargaining agreement, if any, and shall set forth any additional  
6 information the commission may require on a form provided by the commission.

7 2. 'Presentation of initial proposals; open meetings.' The meetings between  
8 parties to a collective bargaining agreement or proposed collective bargaining  
9 agreement under this subchapter which are held for the purpose of presenting initial  
10 bargaining proposals, along with supporting rationale, shall be open to the public.  
11 Each party shall submit its initial bargaining proposals to the other party in writing.  
12 Failure to comply with this subdivision is not cause to invalidate a collective  
13 bargaining agreement under this subchapter.

14 3. 'Mediation.' The commission or its designee shall function as mediator in  
15 labor disputes involving municipal employes upon request of one or both of the  
16 parties, or upon initiation of the commission. The function of the mediator shall be  
17 to encourage voluntary settlement by the parties. No mediator has the power of  
18 compulsion.

19 4. 'Grievance arbitration.' Parties to a dispute pertaining to the meaning or  
20 application of the terms of a written collective bargaining agreement may agree in  
21 writing to have the commission or any other appropriate agency serve as arbitrator  
22 or may designate any other competent, impartial and disinterested person to so  
23 serve.

24 5. 'Voluntary impasse resolution procedures.' In addition to the other impasse  
25 resolution procedures provided in this paragraph, a municipal employer and labor

1 organization may at any time, as a permissive subject of bargaining, agree in writing  
2 to a dispute settlement procedure, including authorization for a strike by municipal  
3 employes or binding interest arbitration, which is acceptable to the parties for  
4 resolving an impasse over terms of any collective bargaining agreement under this  
5 subchapter. A copy of such agreement shall be filed by the parties with the  
6 commission. If the parties agree to any form of binding interest arbitration, the  
7 arbitrator shall give weight to the factors enumerated under subd. 7.

8 5s. 'Issues subject to arbitration.' In a collective bargaining unit consisting of  
9 school district professional employes, the municipal employer or the labor  
10 organization may petition the commission to determine whether the municipal  
11 employer has submitted a qualified economic offer. The commission shall appoint an  
12 investigator for that purpose. If the investigator finds that the municipal employer  
13 has submitted a qualified economic offer, the investigator shall determine whether  
14 a deadlock exists between the parties with respect to all economic issues. If the  
15 municipal employer submits a qualified economic offer applicable to any period  
16 beginning on or after July 1, 1993, no economic issues are subject to interest  
17 arbitration under subd. 6. for that period. In such a collective bargaining unit,  
18 economic issues concerning the wages, hours or conditions of employment of the  
19 school district professional employes in the unit for any period prior to July 1, 1993,  
20 are subject to interest arbitration under subd. 6. for that period. In such a collective  
21 bargaining unit, noneconomic issues applicable to any period on or after July 1, 1993,  
22 are subject to interest arbitration after the parties have reached agreement and  
23 stipulate to agreement on all economic issues concerning the wages, hours or  
24 conditions of employment of the school district professional employes in the unit for  
25 that period. In such a collective bargaining unit, if the commission's investigator

1 finds that the municipal employer has submitted a qualified economic offer and that  
2 a deadlock exists between the parties with respect to all economic issues, the parties  
3 are deemed to have stipulated to the inclusion in a new or revised collective  
4 bargaining agreement of all provisions of any predecessor collective bargaining  
5 agreement concerning economic issues, or of all provisions of any existing collective  
6 bargaining agreement concerning economic issues if the parties have reopened  
7 negotiations under an existing agreement, as modified by the terms of the qualified  
8 economic offer and as otherwise modified by the parties. In such a collective  
9 bargaining unit, a municipal employer that unilaterally implements the terms of a  
10 stipulation under this subdivision does not violate sub. (3) (a) 4. Any such unilateral  
11 implementation after August 11, 1993, operates as a full, final and complete  
12 settlement of all economic issues between the parties for the period included within  
13 the qualified economic offer. The failure of a labor organization to recognize the  
14 validity of such a lawful qualified economic offer does not affect the obligation of the  
15 municipal employer to submit economic issues to arbitration under subd. 6.

16 6. 'Interest arbitration.' a. If in any collective bargaining unit a dispute  
17 relating to one or more issues, qualifying for interest arbitration under subd. 5s. in  
18 a collective bargaining unit to which subd. 5s. applies, has not been settled after a  
19 reasonable period of negotiation and after mediation by the commission under subd.  
20 3. and other settlement procedures, if any, established by the parties have been  
21 exhausted, and the parties are deadlocked with respect to any dispute between them  
22 over wages, hours and conditions of employment to be included in a new collective  
23 bargaining agreement, either party, or the parties jointly, may petition the  
24 commission, in writing, to initiate compulsory, final and binding arbitration, as  
25 provided in this paragraph. At the time the petition is filed, the petitioning party

1 shall submit in writing to the other party and the commission its preliminary final  
2 offer containing its latest proposals on all issues in dispute. Within 14 calendar days  
3 after the date of that submission, the other party shall submit in writing its  
4 preliminary final offer on all disputed issues to the petitioning party and the  
5 commission. If a petition is filed jointly, both parties shall exchange their  
6 preliminary final offers in writing and submit copies to the commission at the time  
7 the petition is filed.

8 am. Upon receipt of a petition to initiate arbitration, the commission shall  
9 make an investigation, with or without a formal hearing, to determine whether  
10 arbitration should be commenced. If in determining whether an impasse exists the  
11 commission finds that the procedures set forth in this paragraph have not been  
12 complied with and such compliance would tend to result in a settlement, it may order  
13 such compliance before ordering arbitration. The validity of any arbitration award  
14 or collective bargaining agreement shall not be affected by failure to comply with  
15 such procedures. Prior to the close of the investigation each party shall submit in  
16 writing to the commission its single final offer containing its final proposals on all  
17 issues in dispute that are subject to interest arbitration under this subdivision or  
18 under subd. 5s. in collective bargaining units to which subd. 5s. applies. If a party  
19 fails to submit a single, ultimate final offer, the commission shall close the  
20 investigation based on the last written position of the party. The municipal employer  
21 may not submit a qualified economic offer under subd. 5s. after the close of the  
22 investigation. Such final offers may include only mandatory subjects of bargaining,  
23 except that a permissive subject of bargaining may be included by a party if the other  
24 party does not object and shall then be treated as a mandatory subject. No later than  
25 such time, the parties shall also submit to the commission a stipulation, in writing,



1 with respect to all matters which are agreed upon for inclusion in the new or  
2 amended collective bargaining agreement. The commission, after receiving a report  
3 from its investigator and determining that arbitration should be commenced, shall  
4 issue an order requiring arbitration and immediately submit to the parties a list of  
5 7 arbitrators. Upon receipt of such list, the parties shall alternately strike names  
6 until a single name is left, who shall be appointed as arbitrator. The petitioning party  
7 shall notify the commission in writing of the identity of the arbitrator selected. Upon  
8 receipt of such notice, the commission shall formally appoint the arbitrator and  
9 submit to him or her the final offers of the parties. The final offers shall be considered  
10 public documents and shall be available from the commission. In lieu of a single  
11 arbitrator and upon request of both parties, the commission shall appoint a tripartite  
12 arbitration panel consisting of one member selected by each of the parties and a  
13 neutral person designated by the commission who shall serve as a chairperson. An  
14 arbitration panel has the same powers and duties as provided in this section for any  
15 other appointed arbitrator, and all arbitration decisions by such panel shall be  
16 determined by majority vote. In lieu of selection of the arbitrator by the parties and  
17 upon request of both parties, the commission shall establish a procedure for  
18 randomly selecting names of arbitrators. Under the procedure, the commission shall  
19 submit a list of 7 arbitrators to the parties. Each party shall strike one name from  
20 the list. From the remaining 5 names, the commission shall randomly appoint an  
21 arbitrator. Unless both parties to an arbitration proceeding otherwise agree in  
22 writing, every individual whose name is submitted by the commission for  
23 appointment as an arbitrator shall be a resident of this state at the time of  
24 submission and every individual who is designated as an arbitration panel  
25 chairperson shall be a resident of this state at the time of designation.

1           b. The arbitrator shall, within 10 days of his or her appointment, establish a  
2 date and place for the conduct of the arbitration hearing. Upon petition of at least  
3 5 citizens of the jurisdiction served by the municipal employer, filed within 10 days  
4 after the date on which the arbitrator is appointed, the arbitrator shall hold a public  
5 hearing in the jurisdiction for the purpose of providing the opportunity to both  
6 parties to explain or present supporting arguments for their positions and to  
7 members of the public to offer their comments and suggestions. The final offers of  
8 the parties, as transmitted by the commission to the arbitrator, shall serve as the  
9 basis for continued negotiations, if any, between the parties with respect to the issues  
10 in dispute. At any time prior to the arbitration hearing, either party, with the consent  
11 of the other party, may modify its final offer in writing.

12           c. Prior to the arbitration hearing, either party may, within a time limit  
13 established by the arbitrator, withdraw its final offer and mutually agreed upon  
14 modifications thereof, if any, and shall immediately provide written notice of such  
15 withdrawal to the other party, the arbitrator and the commission. If both parties  
16 withdraw their final offers and mutually agreed upon modifications, the labor  
17 organization, after giving 10 days' written advance notice to the municipal employer  
18 and the commission, may strike. Unless both parties withdraw their final offers and  
19 mutually agreed upon modifications, the final offer of neither party shall be deemed  
20 withdrawn and the arbitrator shall proceed to resolve the dispute by final and  
21 binding arbitration as provided in this paragraph.

22           d. Before issuing his or her arbitration decision, the arbitrator shall, on his or  
23 her own motion or at the request of either party, conduct a meeting open to the public  
24 for the purpose of providing the opportunity to both parties to explain or present  
25 supporting arguments for their complete offer on all matters to be covered by the

1 proposed agreement. The arbitrator shall adopt without further modification the  
2 final offer of one of the parties on all disputed issues submitted under subd. 6. am.,  
3 except those items that the commission determines not to be mandatory subjects of  
4 bargaining and those items which have not been treated as mandatory subjects by  
5 the parties, and including any prior modifications of such offer mutually agreed upon  
6 by the parties under subd. 6. b., which decision shall be final and binding on both  
7 parties and shall be incorporated into a written collective bargaining agreement.  
8 The arbitrator shall serve a copy of his or her decision on both parties and the  
9 commission.

10 e. Arbitration proceedings shall not be interrupted or terminated by reason of  
11 any prohibited practice complaint filed by either party at any time.

12 f. The costs of arbitration shall be divided equally between the parties. The  
13 arbitrator shall submit a statement of his or her costs to both parties and to the  
14 commission.

15 g. If a question arises as to whether any proposal made in negotiations by either  
16 party is a mandatory, permissive or prohibited subject of bargaining, the commission  
17 shall determine the issue pursuant to par. (b). If either party to the dispute petitions  
18 the commission for a declaratory ruling under par. (b), the proceedings under subd.  
19 6. c. and d. shall be delayed until the commission renders a decision in the matter,  
20 but not during any appeal of the commission order. The arbitrator's award shall be  
21 made in accordance with the commission's ruling, subject to automatic amendment  
22 by any subsequent court reversal thereof.

23 7. 'Factors considered.' In making any decision under the arbitration  
24 procedures authorized by this paragraph, the arbitrator shall give weight to the  
25 following factors:

1 a. The lawful authority of the municipal employer.

2 b. Stipulations of the parties.

3 c. The interests and welfare of the public and the financial ability of the unit  
4 of government to meet the costs of any proposed settlement.

5 d. Comparison of wages, hours and conditions of employment of the municipal  
6 employes involved in the arbitration proceedings with the wages, hours and  
7 conditions of employment of other employes performing similar services.

8 e. Comparison of the wages, hours and conditions of employment of the  
9 municipal employes involved in the arbitration proceedings with the wages, hours  
10 and conditions of employment of other employes generally in public employment in  
11 the same community and in comparable communities.

12 f. Comparison of the wages, hours and conditions of employment of the  
13 municipal employes involved in the arbitration proceedings with the wages, hours  
14 and conditions of employment of other employes in private employment in the same  
15 community and in comparable communities.

16 g. The average consumer prices for goods and services, commonly known as the  
17 cost of living.

18 h. The overall compensation presently received by the municipal employes,  
19 including direct wage compensation, vacation, holidays and excused time, insurance  
20 and pensions, medical and hospitalization benefits, the continuity and stability of  
21 employment, and all other benefits received.

22 hm. Any state law or directive lawfully issued by a state legislative or  
23 administrative officer, body or agency which places limitations on expenditures that  
24 may be made or revenues that may be collected by a municipal employer.

1 i. Changes in any of the foregoing circumstances during the pendency of the  
2 arbitration proceedings.

3 j. Such other factors, not confined to the foregoing, which are normally or  
4 traditionally taken into consideration in the determination of wages, hours and  
5 conditions of employment through voluntary collective bargaining, mediation,  
6 fact-finding, arbitration or otherwise between the parties, in the public service or in  
7 private employment.

8 8. 'Rule making.' The commission shall adopt rules for the conduct of all  
9 arbitration proceedings under subd. 6., including, but not limited to, rules for:

10 a. The appointment of tripartite arbitration panels when requested by the  
11 parties.

12 b. The expeditious rendering of arbitration decisions, such as waivers of briefs  
13 and transcripts.

14 c. The removal of individuals who have repeatedly failed to issue timely  
15 decisions from the commission's list of qualified arbitrators.

16 d. Proceedings for the enforcement of arbitration decisions.

17 8m. 'Term of agreement; reopening of negotiations.' a. Except for the initial  
18 collective bargaining agreement between the parties and except as the parties  
19 otherwise agree, every collective bargaining agreement covering municipal  
20 employes subject to this paragraph other than school district professional employes  
21 shall be for a term of 2 years. No collective bargaining agreement for any collective  
22 bargaining unit consisting of municipal employes subject to this paragraph other  
23 than school district professional employes shall be for a term exceeding 3 years.

24 b. Except for the initial collective bargaining agreement between the parties,  
25 every collective bargaining agreement covering municipal employes who are school

1 district professional employes shall be for a term of 2 years expiring on June 30 of  
2 the odd-numbered year. An initial collective bargaining agreement between parties  
3 covering municipal employes who are school district professional employes shall be  
4 for a term ending on June 30 following the effective date of the agreement, if that date  
5 is in an odd-numbered year, or otherwise on June 30 of the following year.

6 c. No arbitration award may contain a provision for reopening of negotiations  
7 during the term of a collective bargaining agreement, unless both parties agree to  
8 such a provision. The requirement for agreement by both parties does not apply to  
9 a provision for reopening of negotiations with respect to any portion of an agreement  
10 that is declared invalid by a court or administrative agency or rendered invalid by  
11 the enactment of a law or promulgation of a federal regulation.

12 8p. 'Professional school employe salaries.' In every collective bargaining unit  
13 covering municipal employes who are school district professional employes in which  
14 the municipal employe positions were, on the effective date of this subdivision ...  
15 [revisor inserts date], assigned to salary ranges with steps that determine the levels  
16 of progression within each salary range, unless the parties otherwise agree, no new  
17 or modified collective bargaining agreement may contain any provision altering the  
18 salary range structure, the number of steps or the requirements for attaining a step  
19 or assignment of a position to a salary range, except that if the cost of funding the  
20 attainment of a step is greater than the amount required for the municipal employer  
21 to submit a qualified economic offer, the agreement may contain a provision altering  
22 the requirements for attaining a step to no greater extent than is required for the  
23 municipal employer to submit a qualified economic offer at the minimum possible  
24 cost to the municipal employer.

1           8s. 'Forms for determining costs.' The commission shall prescribe forms for  
2 calculating the total increased cost to the municipal employer of compensation and  
3 fringe benefits provided to school district professional employees. The cost shall be  
4 determined based upon the total cost of compensation and fringe benefits provided  
5 to school district professional employees who are represented by a labor organization  
6 on the 90th day before expiration of any previous collective bargaining agreement  
7 between the parties, or who were so represented if the effective date is retroactive,  
8 or the 90th day prior to commencement of negotiations if there is no previous  
9 collective bargaining agreement between the parties, without regard to any change  
10 in the number, rank or qualifications of the school district professional employees. For  
11 purposes of such determinations, any cost increase that is incurred on any day other  
12 than the beginning of the 12-month period commencing with the effective date of the  
13 agreement or any succeeding 12-month period commencing on the anniversary of  
14 that effective date shall be calculated as if the cost increase were incurred as of the  
15 beginning of the 12-month period beginning on the effective date or anniversary of  
16 the effective date in which the cost increase is incurred. In each collective bargaining  
17 unit to which subd. 5s. applies, the municipal employer shall transmit to the  
18 commission and the labor organization a completed form for calculating the total  
19 increased cost to the municipal employer of compensation and fringe benefits  
20 provided to the school district professional employees covered by the agreement as  
21 soon as possible after the effective date of the agreement.

22           9. 'Application.' a. Chapter 788 does not apply to arbitration proceedings under  
23 this paragraph.

1           b. This paragraph does not apply to labor disputes involving municipal  
2 employes of any county or municipal employes who are engaged in law enforcement  
3 or fire fighting functions.

4           **SECTION 3794m.** 111.70 (4) (cn) of the statutes, as created by 1993 Wisconsin  
5 Act 16, is repealed and recreated to read:

6           111.70 (4) (cn) *Term of professional school employe agreements.* Except for the  
7 initial collective bargaining agreement between the parties, every collective  
8 bargaining agreement covering municipal employes who are school district  
9 professional employes shall be for a term of 2 years expiring on June 30 of the  
10 odd-numbered year. An initial collective bargaining agreement between parties  
11 covering municipal employes who are school district professional employes shall be  
12 for a term ending on June 30 following the effective date of the agreement, if that date  
13 is in an odd-numbered year, or otherwise on June 30 of the following year.”.

14           **503.** Page 1314, line 6: delete lines 6 to 20 and substitute:

15           “**SECTION 3800am.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

16           111.70 (4) (d) 2. a. The commission shall determine the appropriate collective  
17 bargaining unit for the purpose of collective bargaining and shall whenever possible,  
18 unless otherwise required under this subchapter, avoid fragmentation by  
19 maintaining as few collective bargaining units as practicable in keeping with the size  
20 of the total municipal work force. In making such a determination, the commission  
21 may decide whether, in a particular case, the municipal employes in the same or  
22 several departments, divisions, institutions, crafts, professions or other  
23 occupational groupings constitute a collective bargaining unit. Before making its  
24 determination, the commission may provide an opportunity for the municipal



1 employes concerned to determine, by secret ballot, whether or not they desire to be  
2 established as a separate collective bargaining unit. The commission shall not  
3 decide, however, that any ~~unit is~~ group of municipal employes constitutes an  
4 appropriate collective bargaining unit if the ~~unit~~ group includes both municipal  
5 employes who are school district professional employes and municipal employes who  
6 are not school district professional employes. The commission shall not decide that  
7 any other group of municipal employes constitutes an appropriate collective  
8 bargaining unit if the group includes both professional employes and  
9 nonprofessional employes, unless a majority of the professional employes vote for  
10 inclusion in the unit. The commission shall not decide that any ~~unit is~~ group of  
11 municipal employes constitutes an appropriate collective bargaining unit if the ~~unit~~  
12 group includes both craft employes and noncraft employes unless a majority of the  
13 craft employes vote”.

14 **504.** Page 1315, line 3: after that line insert:

15 “SECTION 3800m. 111.70 (4) (L) of the statutes, as affected by 1993 Wisconsin  
16 Act 16, is repealed and recreated to read:

17 111.70 (4) (L) *Strikes prohibited.* Except as authorized under par. (cm) 5. and  
18 6. c., nothing contained in this subchapter constitutes a grant of the right to strike  
19 by any municipal employe or labor organization, and such strikes are hereby  
20 expressly prohibited. Paragraph (cm) does not authorize any strike after an  
21 injunction has been issued against such strike under sub. (7m).”.

22 **505.** Page 1315, line 21: after that line insert:

23 “SECTION 3801am. 111.70 (4) (n) of the statutes is created to read:

1           111.70 (4) (n) *Permissive subjects of collective bargaining.* The municipal  
2 employer is not required to bargain collectively with the representative of a collective  
3 bargaining unit consisting of school district professional employees with respect to the  
4 identity of any group health care benefits provider.

5           **SECTION 3801b.** 111.70 (7) of the statutes, as affected by 1993 Wisconsin Act  
6 16, is renumbered 111.70 (7) (a).

7           **SECTION 3801d.** 111.70 (7) (b) of the statutes, as affected by 1993 Wisconsin Act  
8 16, is repealed and recreated to read:

9           111.70 (7) (b) This subsection applies only to municipal employees who are  
10 engaged in law enforcement or fire fighting functions.

11           **SECTION 3801f.** 111.70 (7m) of the statutes, as affected by 1993 Wisconsin Act  
12 16, is repealed and recreated to read:

13           111.70 (7m) INJUNCTIVE RELIEF; PENALTIES; CIVIL LIABILITY. (a) *Injunction;*  
14 *prohibited strike.* At any time after the commencement of a strike which is prohibited  
15 under sub. (4) (L), the municipal employer or any citizen directly affected by such  
16 strike may petition the circuit court for an injunction to immediately terminate the  
17 strike. If the court determines that the strike is prohibited under sub. (4) (L), it shall  
18 issue an order immediately enjoining the strike, and in addition shall impose the  
19 penalties provided in par. (c).

20           (b) *Injunction; threat to public health or safety.* At any time after a labor  
21 organization gives advance notice of a strike under sub. (4) (cm) which is expressly  
22 authorized under sub. (4) (cm), the municipal employer or any citizen directly  
23 affected by such strike may petition the circuit court to enjoin the strike. If the court  
24 finds that the strike poses an imminent threat to the public health or safety, the court  
25 shall, within 48 hours after the receipt of the petition but after notice to the parties

1 and after holding a hearing, issue an order immediately enjoining the strike, and in  
2 addition shall order the parties to submit a new final offer on all disputed issues to  
3 the commission for final and binding arbitration as provided in sub. (4) (cm). The  
4 commission, upon receipt of the final offers of the parties, shall transmit them to the  
5 arbitrator or a successor designated by the commission. The arbitrator shall omit  
6 preliminary steps and shall commence immediately to arbitrate the dispute.

7 (c) *Penalties.* 1. 'Labor organizations.' a. Any labor organization which  
8 violates sub. (4) (L) shall be penalized by the suspension of any dues check-off  
9 agreement and fair-share agreement between the municipal employer and such  
10 labor organization for a period of one year. At the end of the period of suspension,  
11 any such agreement shall be reinstated unless the labor organization is no longer  
12 authorized to represent the municipal employes covered by such dues check-off or  
13 fair-share agreement or the agreement is no longer in effect.

14 b. Any labor organization which violates sub. (4) (L) after an injunction has  
15 been issued shall be required to forfeit \$2 per member per day, but not more than  
16 \$10,000 per day. Each day of continued violation constitutes a separate offense.

17 2. 'Individuals.' Any individual who violates sub. (4) (L) after an injunction  
18 against a strike has been issued shall be fined \$10. Each day of continued violation  
19 constitutes a separate offense. After the injunction has been issued, any municipal  
20 employe who is absent from work because of purported illness is presumed to be on  
21 strike unless the illness is verified by a written report from a physician to the  
22 municipal employer. The court shall order that any fine imposed under this  
23 subdivision be paid by means of a salary deduction at a rate to be determined by the  
24 court.

1           3. 'Strike in violation of award.' Any person who authorizes or otherwise  
2 participates in a strike after the issuance of any final and binding arbitration award  
3 or decision under sub. (4) (cm) and prior to the end of the term of the agreement which  
4 the award or decision amends or creates shall forfeit not less than \$15. Each day of  
5 continued violation constitutes a separate offense.

6           4. 'Contempt of court.' The penalties provided in this paragraph do not preclude  
7 the imposition by the court of any penalty for contempt provided by law.

8           (d) *Compensation forfeited.* No municipal employe may be paid wages or  
9 salaries by the municipal employer for the period during which he or she engages in  
10 any strike.

11           (e) *Civil liability.* Any party refusing to include an arbitration award or  
12 decision under sub. (4) (cm) in a written collective bargaining agreement or failing  
13 to implement the award or decision, unless good cause is shown, shall be liable for  
14 attorney fees, interest on delayed monetary benefits, and other costs incurred in any  
15 action by the nonoffending party to enforce the award or decision.

16           (f) *Application.* This subsection does not apply to strikes involving municipal  
17 employes of any county or municipal employes who are engaged in law enforcement  
18 or fire fighting functions.

19           **SECTION 3801h.** 111.70 (8) (a) of the statutes, as affected by 1993 Wisconsin Act  
20 16, is repealed and recreated to read:

21           111.70 (8) (a) This section, except subs. (1) (nm), (4) (cm) and (7m), applies to  
22 law enforcement supervisors employed by a 1st class city. This section, except subs.  
23 (1) (nm), (4) (cm) and (jm) and (7m), applies to law enforcement supervisors employed  
24 by a county having a population of 500,000 or more. For purposes of such application,  
25 the term "municipal employe" includes such a supervisor."

1           **506.** Page 1315, line 21: after that line insert:

2           “5. Any decision of a school board or board of school directors to contract for the  
3 establishment of a charter school under s. 118.40, in which one or more of the  
4 employes of the charter school is not a school district employe, or the impact of any  
5 such decision on the wages, hours or conditions of employment of the municipal  
6 employes who perform services for the school board or board of school directors.”.

7           **507.** Page 1316, line 8: delete the material beginning with that line and  
ending with page 1317, line 19 and substitute:

8           “**SECTION 3803p.** 111.71 (2) of the statutes, as affected by 1993 Wisconsin Act  
9 16, is repealed and recreated to read:

10           111.71 (2) The commission shall assess and collect a filing fee of \$25 from the  
11 party or parties filing a complaint alleging that a prohibited practice has been  
12 committed under s. 111.70 (3). The commission shall assess and collect a filing fee  
13 of \$25 from the party or parties filing a request that the commission act as an  
14 arbitrator to resolve a dispute involving the interpretation or application of a  
15 collective bargaining agreement under s. 111.70 (4) (c) 2. or (cm) 4. If such a request  
16 concerns issues arising as a result of more than one unrelated event or occurrence,  
17 each such separate event or occurrence shall be treated as a separate request. Fees  
18 required to be paid under this subsection shall be paid at the time of filing the  
19 complaint or the request for arbitration. A complaint or request for arbitration is not  
20 filed until the date such fee or fees are paid. Fees collected under this subsection  
21 shall be deposited as general purpose revenue-earned.”.

22           **508.** Page 1318, line 1: after “2.” insert “or (cm) 4.”.

23           **509.** Page 1319, line 4: after that line insert:

1           **“SECTION 3803u.** 111.71 (3) (c) of the statutes, as affected by 1993 Wisconsin  
2 Act 16, section 2213p, is repealed and recreated to read:

3           111.71 (3) (c) The council on municipal collective bargaining shall continuously  
4 review the operation of the dispute settlement procedures under s. 111.70 (4) (cm)  
5 and (7m). The council shall submit its recommendations with respect to any  
6 amendment to s. 111.70 (4) (cm) or (7m) to the chief clerk of each house of the  
7 legislature under s. 13.172 (2) at the commencement of each legislative session.

8           **SECTION 3803v.** 111.71 (3) (d) of the statutes, as affected by 1993 Wisconsin Act  
9 16, is repealed and recreated to read:

10           111.71 (3) (d) The council on municipal collective bargaining shall review each  
11 pending legislative proposal relating to modification of the dispute settlement  
12 procedures under s. 111.70 (4) (cm) or (7m) and shall report its findings and  
13 recommendations relating to the proposal to the chief clerk of each house of the  
14 legislature for referral to the appropriate standing committees under s. 13.172 (3).

15           **SECTION 3803w.** 111.71 (4) of the statutes, as affected by 1993 Wisconsin Act  
16 16, is repealed and recreated to read:

17           111.71 (4) The commission shall collect on a systematic basis information on  
18 the operation of the arbitration law under s. 111.70 (4) (cm). The commission shall  
19 report on the operation of the law to the legislature on an annual basis. The report  
20 shall be submitted to the chief clerk of each house of the legislature for distribution  
21 to the legislature under s. 13.172 (2).

22           **SECTION 3803x.** 111.71 (5) of the statutes, as affected by 1993 Wisconsin Act  
23 16, is repealed and recreated to read:

24           111.71 (5) The commission shall, on a regular basis, provide training programs  
25 to prepare individuals for service as arbitrators or arbitration panel members under

1 s. 111.70 (4) (cm). The commission shall engage in appropriate promotional and  
2 recruitment efforts to encourage participation in the training programs by  
3 individuals throughout the state, including at least 10 residents of each  
4 congressional district. The commission may also provide training programs to  
5 individuals and organizations on other aspects of collective bargaining, including on  
6 areas of management and labor cooperation directly or indirectly affecting collective  
7 bargaining. The commission may charge a reasonable fee for participation in the  
8 programs.

9 **SECTION 3805m.** 111.77 (9) of the statutes, as affected by 1993 Wisconsin Act  
10 16, is repealed and recreated to read:

11 111.77 (9) Section 111.70 (4) (c) 3. and (cm) shall not apply to employments  
12 covered by this section.”.

13 **510.** Page 1334, line 8: after that line insert:

14 “**SECTION 3844mc.** 114.002 (4) of the statutes is repealed.

15 **SECTION 3844me.** 114.002 (11) of the statutes is amended to read:

16 114.002 (11) “Antique aircraft” means an aircraft ~~more than 35 years old as~~  
17 ~~determined by the~~ which has a date of manufacture of 1944 or earlier and which is  
18 used solely for recreational or display purposes.

19 **SECTION 3844mg.** 114.002 (13) of the statutes is repealed.

20 **SECTION 3844mj.** 114.20 (1) (title) of the statutes is amended to read:

21 114.20 (1) (title) ~~ANNUAL REGISTRATION~~ REGISTRATION REQUIRED.

22 **SECTION 3844mm.** 114.20 (1) (a) of the statutes is amended to read:

23 114.20 (1) (a) Except as provided under sub. (2), all aircraft based in this state  
24 shall be registered by the owner of the aircraft with the department annually on or

1 before November 1 or, for aircraft with a maximum gross weight of not more than  
2 3,000 pounds that are not subject to sub. (10), biennially on or before the first  
3 November 1. Annual registration fees shall be determined in accordance with sub.  
4 (9) or (10). Biennial registration fees shall be determined in accordance with sub.  
5 (9m).

6 **SECTION 3844mp.** 114.20 (1) (b) of the statutes is amended to read:

7 114.20 (1) (b) Aircraft determined by the department to be based in this state  
8 shall be subject to the annual or biennial registration fees under sub. (9) or (9m).  
9 Aircraft which are determined to be not based in this state shall be exempt from the  
10 annual or biennial registration fees.

11 **SECTION 3844mr.** 114.20 (2) (intro.) of the statutes is amended to read:

12 114.20 (2) (title) ~~EXCEPTIONS TO ANNUAL REGISTRATION REQUIREMENTS.~~ (intro.)  
13 The ~~annual~~ registration requirements under sub. (1) do not apply to aircraft based  
14 in this state that are:

15 **SECTION 3844mt.** 114.20 (2) (c) of the statutes is repealed.

16 **SECTION 3844mw.** 114.20 (5) of the statutes is amended to read:

17 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft  
18 designated as an unairworthy aircraft may apply to the department in the manner  
19 the department prescribes. No application may be acted upon unless all information  
20 requested is supplied. Upon receipt of an application and a registration fee of \$5 to  
21 be established by rule and after determining from the facts submitted and  
22 investigation that the aircraft qualifies as an unairworthy aircraft, the department  
23 shall issue an unairworthy aircraft certificate. The certificate shall expire upon  
24 transfer of ownership or restoration. An aircraft is presumed restored if it is capable  
25 of operation. The annual registration fee is due on the date of restoration. Operation



1 of the aircraft is conclusive evidence of restoration. ~~An additional administrative fee~~  
2 ~~of \$5~~ A late payment charge to be established by rule shall be charged assessed on  
3 all applications filed later than 30 days after the date of restoration.

4 **SECTION 3844mx.** 114.20 (5) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is repealed and recreated to read:

6 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft  
7 designated as an unairworthy aircraft may apply to the department in the manner  
8 the department prescribes. No application may be acted upon unless all information  
9 requested is supplied. Upon receipt of an application and a registration fee to be  
10 established by rule and after determining from the facts submitted and investigation  
11 that the aircraft qualifies as an unairworthy aircraft, the department shall issue an  
12 unairworthy aircraft certificate. The certificate shall expire upon transfer of  
13 ownership or restoration. An aircraft is presumed restored if it is capable of  
14 operation. The annual or biennial registration fee is due on the date of restoration.  
15 Operation of the aircraft is conclusive evidence of restoration. A late payment charge  
16 to be established by rule shall be assessed on all applications filed later than 30 days  
17 after the date of restoration.

18 **SECTION 3844pc.** 114.20 (7) of the statutes is repealed.

19 **SECTION 3844pe.** 114.20 (9) (a) to (c) of the statutes are renumbered 114.20  
20 (9m) (a) to (c) and amended to read:

21	114.20 (9m) (a) Not more than	2,000	.....	<del>\$ 30</del> <u>\$ 60</u>
22	(b) Not more than	2,500	.....	<del>39</del> <u>78</u>
23	(c) Not more than	3,000	.....	<del>50</del> <u>100</u>

24 **SECTION 3844pg.** 114.20 (9) (d) of the statutes is amended to read:

25	114.20 (9) (d) Not more than	3,500	.....	<del>70</del> <u>\$ 70</u>
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1           **SECTION 3844pj.** 114.20 (9m) (intro.) of the statutes is created to read:

2           114.20 **(9m)** BIENNIAL REGISTRATION FEES. (intro.) Except as provided in sub.  
3 (10), the owner of an aircraft subject to the biennial registration requirements under  
4 sub. (1) shall pay a biennial registration fee established in accordance with the  
5 following gross weight schedule:

6	[Maximum gross	[Annual
7	Weight in pounds]	fee]

8           **SECTION 3844pm.** 114.20 (12) of the statutes is amended to read:

9           114.20 **(12)** (title) INITIAL ANNUAL REGISTRATION. For new aircraft, aircraft not  
10 previously registered in this state or unregistered aircraft for which annual  
11 registration is required under sub. (9), the fee for the initial year of registration shall  
12 be computed from the date of purchase, restoration, completed construction or entry  
13 of the aircraft into this state on the basis of one-twelfth of the registration fee  
14 specified in sub. (9) multiplied by the remaining number of months in the current  
15 registration year which are not fully expired. For new aircraft, aircraft not  
16 previously registered in this state or unregistered aircraft for which biennial  
17 registration is required under sub. (9m), the fee for the initial 2-year period of  
18 registration shall be computed from the date of purchase, restoration, completed  
19 construction or entry of the aircraft into this state on the basis of one twenty-fourth  
20 of the registration fee specified in sub. (9m) multiplied by the remaining number of  
21 months in the current 2-year registration period which are not fully expired.  
22 Application for registration shall be filed within 30 days from the date of purchase,  
23 restoration, completed construction or entry of the aircraft into this state and if filed  
24 after that date an additional administrative fee of \$5 shall be charged. If the date  
25 of purchase, restoration, completed construction or entry into this state is not

1 provided by the applicant, the full annual or biennial registration fee provided in sub.  
2 (9) or (9m) shall be charged for registering the aircraft.

3 **SECTION 3844pp.** 114.20 (13) (b) 1. of the statutes is amended to read:

4 114.20 (13) (b) 1. If an annual registration fee is not paid by November 1, from  
5 November 2 to April 30, the department shall add a late payment charge of \$50 or  
6 10% of the amount specified for the registration under sub. (9) or (10), whichever is  
7 greater, to the fee.

8 **SECTION 3844pr.** 114.20 (13) (b) 1. of the statutes, as affected by 1995  
9 Wisconsin Act .... (this act), is repealed and recreated to read:

10 114.20 (13) (b) 1. If an annual or biennial registration fee is not paid by  
11 November 1, from November 2 to the following April 30, the department shall add  
12 a late payment charge of \$50 or 10% of the amount specified for the registration  
13 under sub. (9), (9m) or (10), whichever is greater, to the fee.

14 **SECTION 3844ps.** 114.20 (13) (b) 2. of the statutes is amended to read:

15 114.20 (13) (b) 2. If an annual registration fee is not paid by April 30, from May  
16 1 to October 31, the department shall add a late payment charge of \$50 or 20% of the  
17 amount specified for the registration under sub. (9) or (10), whichever is greater, to  
18 the fee.

19 **SECTION 3844pt.** 114.20 (13) (b) 2. of the statutes, as affected by 1995 Wisconsin  
20 Act .... (this act), is repealed and recreated to read:

21 114.20 (13) (b) 2. If an annual or biennial registration fee is not paid by the  
22 following April 30, from May 1 to October 31 or, for a biennial registration, the end  
23 of the biennial period, the department shall add a late payment charge of \$50 or 20%  
24 of the amount specified for the registration under sub. (9), (9m) or (10), whichever  
25 is greater, to the fee.

1           **SECTION 3844pv.** 114.20 (13) (b) 3. of the statutes is repealed.

2           **SECTION 3844pw.** 114.20 (13) (b) 5. of the statutes is amended to read:

3           114.20 (13) (b) 5. This paragraph applies after October 31, ~~1989~~ 1995.

4           **SECTION 3844py.** 114.20 (15) (b) of the statutes is amended to read:

5           114.20 (15) (b) The lien against the aircraft for the original registration fee  
6 shall attach at the time the fee is first payable, ~~and the lien for all renewals of annual~~  
7 registration shall attach on November 1 of each year thereafter and the lien for all  
8 renewals of biennial registration shall attach on the first November of the  
9 registration period and every 2 years thereafter.”

10           **511.** Page 1338, line 16: after that line insert:

11           “**SECTION 3858m.** 115.28 (39) of the statutes is created to read:

12           115.28 (39) ADULT LITERACY. Designate an employe of the department as the  
13 adult literacy advocate to establish a statewide program to improve adult literacy.”

14           **512.** Page 1343, line 3: delete lines 3 to 10.

15           **513.** Page 1345, line 25: delete the material beginning with that line and  
ending with page 1346, line 21 and substitute:

16           “**SECTION 3878m.** 115.375 of the statutes is repealed.”

17           **514.** Page 1351, line 3: substitute “(26)” for “(25m)”.

18           **515.** Page 1352, line 19: substitute “(26)” for “(25m)”.

19           **516.** Page 1356, line 21: after that line insert:

20           “**SECTION 3921m.** 116.03 (13s) of the statutes is created to read:

21           116.03 (13s) Upon request of 2 or more school districts served by the board of  
22 control, apply for a state trust fund loan under s. 24.66 on behalf of the school districts  
23 to carry out a distance education project. The board of control shall expend the

1 proceeds or transfer the proceeds to each school district in the amounts determined  
2 under s. 24.61 (7) as directed by each school district and shall accept from each school  
3 district repayments of principal and payments of interest and promptly remit such  
4 payments to the board of commissioners of public lands.”.

5 **517.** Page 1358, line 20: after that line insert:

6 “SECTION 3924r. 116.08 (3m) (intro.) and (b) of the statutes are consolidated,  
7 renumbered 116.08 (3m) and amended to read:

8 116.08 (3m) The school board of a school district that has withdrawn from  
9 cooperative educational service agency no. 1 under s. 116.065 and is not in any other  
10 agency may: ~~(b) Contract~~ contract with the department for other programs and  
11 services the school district would be receiving if it were in an agency.

12 SECTION 3924t. 116.08 (3m) (a) of the statutes is repealed.”.

13 **518.** Page 1361, line 19: after that line insert:

14 “SECTION 3936m. 118.019 (5) of the statutes is amended to read:

15 118.019 (5) ADVISORY COMMITTEE. Each school board ~~shall~~ may appoint an  
16 advisory committee composed of parents, teachers, school administrators, pupils,  
17 health care professionals, members of the clergy and other residents of the school  
18 district. The advisory committee ~~shall~~ may develop a human growth and  
19 development curriculum and advise the school board on the design, review and  
20 implementation of the advisory committee’s human growth and development  
21 curriculum. The advisory committee ~~shall~~ may review the curriculum at least every  
22 3 years and ~~shall file a written report with the department indicating it has done so.”.~~

23 **519.** Page 1364, line 15: after that line insert:

24 “SECTION 3951m. 118.19 (11) of the statutes is created to read:

1           118.19 (11) The department may promulgate rules establishing requirements  
2 for licensure as a school principal. A school principal license shall authorize the  
3 individual to serve as a school principal for any grade level.”.

4           **520.** Page 1364, line 15: after that line insert:

5           “**SECTION 3951s.** 118.19 (12) of the statutes is created to read:

6           118.19 (12) Beginning on July 1, 1998, the department may not issue or renew  
7 a license that authorizes the holder to teach reading or language arts to pupils in any  
8 prekindergarten class or in any of the grades from kindergarten to 8 unless the  
9 applicant has successfully completed instruction preparing the applicant to teach  
10 reading and language arts using intensive systematic phonics. In this subsection,  
11 “intensive systematic phonics” means a method of teaching beginners to read and  
12 pronounce words by learning the phonetic value of letters, letter groups and  
13 syllables.”.

14           **521.** Page 1364, line 16: delete “**Section**” and substitute “**SECTION**”.

15           **522.** Page 1364, line 17: delete that line and substitute:

16           “**SECTION 3953.** 118.195 (1) of the statutes is amended to read:

17           118.195 (1) No person otherwise qualified may be denied a certificate or license  
18 from the state superintendent under s. 118.19 (1) because the person is totally or  
19 partially blind, deaf or physically handicapped nor may any school district refuse to  
20 employ or contract with a teacher on such grounds, if such handicapped teacher is  
21 able to carry out the duties of the position which the person seeks.

22           **SECTION 3954.** 118.20 (1) and (2) of the statutes are amended to read:

23           118.20 (1) No discrimination because of sex, except where sex is a bona fide  
24 occupational qualification as defined in s. 111.36 (2), race, nationality or political or

1 religious affiliation may be practiced in the employment of or contracting with  
2 teachers or administrative personnel in public schools or in their assignment or  
3 reassignment. No questions of any nature or form relative to sex, except where sex  
4 is a bona fide occupational qualification as defined in s. 111.36 (2), race, nationality  
5 or political or religious affiliation may be asked applicants for teaching or  
6 administrative positions in the public schools either by public school officials or  
7 employes or by teachers agencies or placement bureaus.”.

8 **523.** Page 1364, line 18: delete “118.20”.

9 **524.** Page 1364, line 20: after “of” insert “or contracting with”.

10 **525.** Page 1366, line 4: delete lines 4 to 9 and substitute:

11 “**SECTION 3957.** 118.24 (1) of the statutes is amended to read:

12 118.24 (1) A school board may employ a school district administrator, a  
13 business manager and school principals and assistants to such persons. The term  
14 of each initial employment contract shall ~~expire on June 30 of an odd-numbered year~~  
15 ~~and may not exceed~~ be for a term of at least 2 years.”.

16 **526.** Page 1367, line 10: delete lines 10 to 18 and substitute:

17 “**Section 3960.** 118.24 (8) of the statutes is amended to read:

18 118.24 (8) Personnel administrators and supervisors, curriculum  
19 administrators and assistants to such administrative personnel, when employed by  
20 the school board of any school district to perform administrative duties only, may be  
21 initially employed for a term ~~that expires on June 30 of an odd-numbered year and~~  
22 ~~that does not exceed~~ of at least 2 years. ~~The term shall coincide with the state fiscal~~  
23 ~~biennium.~~ Subsections (5) to (7) are applicable to such persons when they are  
24 employed to perform administrative duties only.”.

1           **527.** Page 1369, line 3: substitute “(26)” for “(25m)”.

2           **528.** Page 1370, line 5: on lines 5 and 6, delete “all of the following: (a)  
Examinations” and substitute “examinations”.

3           **529.** Page 1370, line 7: before “8th” insert “4th.”.

4           **530.** Page 1370, line 8: delete that line.

5           **531.** Page 1370, line 11: after that line insert:

6           “(a) Beginning in the 1996–97 school year, administer the 4th grade  
7 examination to all pupils enrolled in the school district, including pupils enrolled in  
8 charter schools located in the school district, in the 4th grade.”.

9           **532.** Page 1370, line 12: substitute “(am)” for “(a)”; and delete “under sub. (1)  
(a)”.

10          **533.** Page 1370, line 15: delete “under sub. (1) (a)”.

11          **534.** Page 1370, line 18: delete the material beginning with that line and  
ending with page 1371, line 20.

12          **535.** Page 1372, line 2: delete “or performance assessment”.

13          **536.** Page 1372, line 5: delete lines 5 to 19.

14          **537.** Page 1372, line 20: before that line insert:

15          “**SECTION 3971yd.** 118.30 (4) of the statutes is created to read:

16          118.30 (4) The department shall study the utility of administering  
17 technology-based performance assessments to pupils.”.

18          **538.** Page 1376, line 18: after “~~or~~” insert: “, except that if 2 or more school  
boards enter into an agreement under s. 66.30 to establish a charter school, the  
charter school shall be located within one of the school districts”.



1           **539.** Page 1376, line 23: delete the material beginning with that line and  
ending with page 1377, line 2, and substitute:

2           “118.40 (7) (a) A charter school is an instrumentality of the school district in  
3           which it is located ~~and the school board of that school district shall employ all~~  
4           ~~personnel for the charter school.~~ This paragraph does not apply to charter schools  
5           located in the school district operating under ch. 119.”.

6           **540.** Page 1383, line 18: delete lines 18 to 22.

7           **541.** Page 1385, line 22: after “operating” insert “and debt service”; and after  
“pupil” insert “that is related to educational programming”.

8           **542.** Page 1391, line 14: delete lines 14 to 18.

9           **543.** Page 1391, line 19: delete lines 19 to 22 and substitute:

10          “**SECTION 4027.** 120.13 (26) of the statutes is repealed and recreated to read:

11          120.13 (26) CONTRACTS FOR TEACHING AND OTHER EDUCATIONAL SERVICES.

12          Contract in writing with any person for teaching or other educational services if the  
13          individual who will be providing the services is appropriately licensed by the state  
14          superintendent under s. 115.28 (7) and the person entering into the contract files a  
15          copy of the individual’s license with the school board. The contract may be for any  
16          term not exceeding 3 years. Except as provided in s. 118.25 (1), an individual who  
17          provides services under such a contract is not a school district employe for any  
18          purpose, including the purposes of ss. 118.21, 118.22 and 118.23.”.

19          **544.** Page 1392, line 13: after that line insert:

20          “**SECTION 4033.** 121.006 (2) (b) of the statutes is amended to read:

21          121.006 (2) (b) Employ or contract under s. 120.13 (26) for teachers qualified  
22          under s. 118.19.”.

1           **545.** Page 1392, line 23: delete the material beginning with that line and  
ending with the material on page 1393, line 2, and substitute:

2           “121.02 (1) (s) Beginning in the 1993–94 school year, administer the  
3 examinations required by the state superintendent under s. 118.30. ~~A school board~~  
4 ~~may administer additional examinations only if they are aligned with the school~~  
5 ~~district’s curriculum (1m) (am) and (b), and beginning in the 1996–97 school year,~~  
6 administer the examination required by the state superintendent under s. 118.30  
7 (1m) (a).”.

8           **546.** Page 1393, line 20: after that line insert:

9           “**SECTION 4043.** 121.05 (1) (a) 11. of the statutes is created to read:

10           121.05 (1) (a) 11. Pupils taught by persons under contract with the school board  
11 under s. 120.13 (26).”.

12           **547.** Page 1395, line 13: delete the material beginning with “, except” and  
ending with “1” on line 23.

13           **548.** Page 1397, line 8: delete “121.105 and” and substitute “121.105,”; and  
after “(c)” insert “and 121.86”.

14           **549.** Page 1399, line 6: after that line insert:

15           “**SECTION 4067m.** 121.08 (4) of the statutes is created to read:

16           121.08 (4) Beginning with aid paid in the 1996–97 school year, if the amount  
17 determined by the joint committee on finance under s. 121.15 (3m) (c) is less than the  
18 amount certified to the committee under s. 121.15 (3m) (b), each school district’s aid  
19 under this section shall be calculated as if the amount appropriated under s. 20.255  
20 (2) (ac) were equal to the amount certified to the committee and shall then be reduced

1 by a percentage equal to the percentage by which the amount determined by the  
2 committee is less than the amount certified to the committee.”.

3 **550.** Page 1399, line 8: after that line insert:

4 “SECTION 4069m. 121.105 (4) of the statutes is created to read:

5 121.105 (4) Beginning with aid paid in the 1996–97 school year, if the amount  
6 determined by the joint committee on finance under s. 121.15 (3m) (c) is less than  
7 the amount certified to the committee under s. 121.15 (3m) (b), each school district’s  
8 aid under this section shall be calculated as if the amount appropriated under s.  
9 20.255 (2) (ac) were equal to the amount certified to the committee and shall then be  
10 reduced by a percentage equal to the percentage by which the amount determined  
11 by the committee is less than the amount certified to the committee.”.

12 **551.** Page 1402, line 2: after that line insert:

13 “SECTION 4080r. 121.555 (2) (c) 1. of the statutes is amended to read:

14 121.555 (2) (c) 1. Shall possess a valid Wisconsin operator’s license or a valid  
15 operator’s license issued by another jurisdiction, as defined in s. 340.01 (41m), or a  
16 valid commercial driver license issued by Mexico.”.

17 **552.** Page 1403, line 20: after that line insert:

18 “SECTION 4099g. 121.86 (2) (a) 2. of the statutes is amended to read:

19 121.86 (2) (a) 2. Multiply the number of pupils enumerated under pars. (b) and  
20 (c) by ~~0.325~~ 0.25.

21 SECTION 4099r. 121.86 (3) of the statutes is amended to read:

22 121.86 (3) STATE AID EXCEPTION. Pupils under sub. (2) (b) and (c) who are  
23 enrolled in a kindergarten program or in a preschool program under subch. V of ch.  
24 115 shall be multiplied under sub. (2) (a) 2. by a number equal to the result obtained

1 by multiplying ~~0.325~~ 0.25 by the appropriate fraction under s. 121.004 (7) (c), (cm)  
2 or (d).”.

3 **553.** Page 1403, line 20: after that line insert:

4 “SECTION 4098g. 121.85 (6) (h) of the statutes is created to read:

5 121.85 (6) (h) *Aid reduction.* Beginning with aid paid in the 1996–97 school  
6 year, if the amount determined by the joint committee on finance under s. 121.15  
7 (3m) (c) is less than the amount certified to the committee under s. 121.15 (3m) (b),  
8 each school district’s aid under par. (a) shall be calculated as if the amount  
9 appropriated under s. 20.255 (2) (ac) were equal to the amount certified to the  
10 committee and shall then be reduced by a percentage equal to the percentage by  
11 which the amount determined by the committee is less than the amount certified to  
12 the committee.

13 SECTION 4098r. 121.86 (5) of the statutes is created to read:

14 121.86 (5) AID REDUCTION. Beginning with aid paid in the 1996–97 school year,  
15 if the amount determined by the joint committee on finance under s. 121.15 (3m) (c)  
16 in less than the amount certified to the committee under s. 121.15 (3m) (b), each  
17 school district’s aid under sub. (2) shall be calculated as if the amount appropriated  
18 under s. 20.255 (2) (ac) were equal to the amount certified to the committee and shall  
19 then be reduced by a percentage equal to the percentage by which the amount  
20 determined by the committee is less than the amount certified to the committee.”.

21 **554.** Page 1407, line 17: substitute “75%” for “65%”.

22 **555.** Page 1408, line 14: delete the material beginning with that line and  
ending with page 1409, line 18.

1           **556.** Page 1417, line 17: delete “fined not more than \$10” and substitute  
“required to forfeit not more than \$100”.

2           **557.** Page 1418, line 7: after that line insert:

3           “**SECTION 4145b.** 133.12 of the statutes is amended to read:

4           **133.12 Domestic and foreign corporations and limited liability**  
5 **companies; cancellation of charters or certificates of authority for**  
6 **restraining trade; affidavit.** Any corporation or limited liability company  
7 organized under the laws of this state or foreign corporation or foreign limited  
8 liability company authorized to transact business in this state pursuant to a  
9 certificate of authority from the ~~secretary of state~~ department of financial  
10 institutions which violates any provision of this chapter, may, upon proof thereof, in  
11 any circuit court have its charter or authority to transact business in this state  
12 suspended, canceled or annulled. Every corporation or limited liability company  
13 shall, in its annual report filed with the ~~secretary of state~~ department of financial  
14 institutions, show whether it has entered into any contract, combination in the form  
15 of trust or otherwise, or conspiracy in restraint of trade or commerce. The  
16 department of justice shall enforce this section.”.

17           **558.** Page 1420, line 4: after that line insert:

18           “**SECTION 4147b.** 134.45 (3) (b) of the statutes is amended to read:

19           134.45 (3) (b) A domestic or foreign corporation, association or limited liability  
20 company exercising any of the powers, franchises or functions of a business entity  
21 in this state that violates any provision of this section, shall not have the right of, and  
22 shall be prohibited from, doing business in this state, and the ~~secretary of state~~

1 department of financial institutions shall revoke its certificate to do business in this  
2 state.”.

3 **559.** Page 1436, line 24: delete the material beginning with that line and  
ending with page 1437, line 9.

4 **560.** Page 1437, line 9: after that line insert:

5 “SECTION 4190rb. 139.31 (1) (a) of the statutes is amended to read:

6 139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand,  
7 ~~19~~ 21.5 mills on each cigarette.

8 SECTION 4190rg. 139.31 (1) (b) of the statutes is amended to read:

9 139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, ~~38~~ 43  
10 mills on each cigarette.”.

11 **561.** Page 1437, line 16: after that line insert:

12 “SECTION 4193b. 139.34 (9) of the statutes is amended to read:

13 139.34 (9) The applicant for a permit, if a nonresident, foreign corporation or  
14 foreign limited liability company, shall file proof that the applicant has appointed the  
15 ~~secretary of state~~ department of financial institutions as agent for the service of  
16 process on any matter arising under ss. 139.30 to 139.44. A foreign corporation  
17 without a place of business in this state need not obtain a certificate of authority  
18 under ss. 180.1501 to 180.1505. If a foreign corporation has a certificate of authority  
19 under ss. 180.1501 to 180.1505, the foreign corporation satisfies this subsection by  
20 filing the address of its registered office in this state and the name of its registered  
21 agent at that office and by promptly filing any changes to this information. A foreign  
22 limited liability company without a place of business in this state need not obtain a  
23 certificate of registration under ss. 183.1002 to 183.1007. If a foreign limited liability

1 company has a certificate of registration under ss. 183.1002 to 183.1007, the foreign  
2 limited liability company satisfies this subsection by filing the address of its  
3 registered office in this state and the name of its registered agent at that office and  
4 by promptly filing any changes to this information.”.

5 **562.** Page 1438, line 6: delete lines 6 to 15.

6 **563.** Page 1440, line 3: substitute “state” for “state”.

7 **564.** Page 1440, line 4: restore the stricken material and delete the  
underscored material.

8 **565.** Page 1440, line 24: after that line insert:

9 “SECTION 4205e. 144.025 (2) (p) of the statutes is repealed.”.

10 **566.** Page 1443, line 24: substitute “10%” for “50%”.

11 **567.** Page 1450, line 17: substitute “90%” for “50%”.

12 **568.** Page 1456, line 25: after that line insert:

13 “SECTION 4285e. 144.2415 (4) (c) of the statutes is amended to read:

14 144.2415 (4) (c) The building commission may pledge any portion of revenues  
15 received or to be received in the fund established in par. (b) or the clean water fund  
16 to secure revenue obligations issued under this subsection. The pledge shall provide  
17 for the transfer to the clean water fund of all pledged revenues, including any  
18 interest earned on the revenues, which are in excess of the amounts required to be  
19 paid under s. 20.320 (1) (c), ~~(d)~~ and (u) for the purposes specified in s. 25.43 (3). The  
20 pledge shall provide that the transfers be made at least twice yearly, that the  
21 transferred amounts be deposited in the clean water fund and that the transferred  
22 amounts are free of any prior pledge.”.

1           **569.** Page 1460, line 5: substitute “73.255” for “49.855”.

2           **570.** Page 1460, line 24: after that line insert:

3           “**SECTION 4302g.** 144.26 (6) of the statutes is amended to read:

4           144.26 (6) Within the purposes of sub. (1) the department shall prepare and  
5 provide to municipalities general recommended standards and criteria for navigable  
6 water protection studies and planning and for navigable water protection  
7 regulations and their administration. Such standards and criteria shall give  
8 particular attention to safe and healthful conditions for the enjoyment of aquatic  
9 recreation; the demands of water traffic, boating and water sports; the capability of  
10 the water resource; requirements necessary to assure proper operation of septic tank  
11 disposal fields near navigable waters; building setbacks from the water within the  
12 boundaries of cities and villages; preservation of shore growth and cover;  
13 conservancy uses for low lying lands; shoreland layout for residential and  
14 commercial development; suggested regulations and suggestions for the effective  
15 administration and enforcement of such regulations.

16           **SECTION 4302i.** 144.26 (6m) of the statutes is created to read:

17           144.26 (6m) The department may not promulgate any rule or maintain any  
18 standard or criterion that relates to the setback of buildings or structures from a body  
19 of water in the unincorporated area of a county.”.

20           **571.** Page 1460, line 25: delete the material beginning with that line and  
ending with page 1461, line 10, and substitute:

21           “**SECTION 4303c.** 144.266 (2) of the statutes is amended to read:

22           144.266 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in  
23 consultation with the department of industry, labor and human relations, shall



1 promulgate by rule a state storm water management plan. This state plan is  
2 applicable to activities contracted for or conducted by any agency, as defined under  
3 s. 227.01 (1) but also including the office of district attorney, unless that agency  
4 enters into a memorandum of understanding with the department of natural  
5 resources in which that agency agrees to regulate activities related to storm water  
6 management. The department shall coordinate the activities of agencies, as defined  
7 under s. 227.01 (1), in storm water management and make recommendations to  
8 these agencies concerning activities related to storm water management. The plan  
9 promulgated under this subsection is subject to the limitations under sub. (6).

10 **SECTION 4303e.** 144.266 (2) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is repealed and recreated to read:

12 144.266 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in  
13 consultation with the department of development, shall promulgate by rule a state  
14 storm water management plan. This state plan is applicable to activities contracted  
15 for or conducted by any agency, as defined under s. 227.01 (1) but also including the  
16 office of district attorney, unless that agency enters into a memorandum of  
17 understanding with the department of natural resources in which that agency  
18 agrees to regulate activities related to storm water management. The department  
19 shall coordinate the activities of agencies, as defined under s. 227.01 (1), in storm  
20 water management and make recommendations to these agencies concerning  
21 activities related to storm water management. The plan promulgated under this  
22 subsection is subject to the limitations under sub. (6).

23 **SECTION 4303g.** 144.266 (3) (a) 1. of the statutes is amended to read:

24 144.266 (3) (a) 1. Except as restricted under subd. 2. and sub. (6), the  
25 department shall establish by rule minimum standards for activities related to

1 construction site erosion control at sites where the construction activities do not  
2 include the construction of a building and to storm water management.

3 **SECTION 4303j.** 144.266 (3) (a) 2. of the statutes is amended to read:

4 144.266 (3) (a) 2. The department, in cooperation with the department of  
5 transportation, shall establish by rule minimum standards for activities related to  
6 construction site erosion control and storm water management if those activities  
7 concern street, highway, road or bridge construction, enlargement, relocation or  
8 reconstruction. The standards promulgated under this subdivision are subject to the  
9 limitations under sub. (6).

10 **SECTION 4303m.** 144.266 (6) of the statutes is created to read:

11 144.266 (6) EXEMPTION FOR CERTAIN HIGHWAY PROJECTS. Notwithstanding subs.  
12 (2) and (3), no state storm water management plan or standards relating to  
13 construction site erosion control applicable to the construction, rehabilitation or  
14 improvement of any existing highway may be more stringent than those required by  
15 federal law. In this subsection, “highway” has the meaning given in s. 340.01 (22).”.

16 **572.** Page 1467, line 24: after that line insert:

17 “**SECTION 4320g.** 144.449 (1) (am) of the statutes is created to read:

18 144.449 (1) (am) “Recovery activity” means a project designed to reduce the  
19 number or volume of waste tires, to recycle waste tires or to recover waste tires.

20 **SECTION 4320h.** 144.449 (3) (f) of the statutes is amended to read:

21 144.449 (3) (f) A site where a recovery activity, ~~as defined in s. 159.17 (1) (a),~~  
22 is carried on if no more than a 6-month inventory of tires is kept on the site.”.

23 **573.** Page 1467, line 24: after that line insert:

24 “**SECTION 4319h.** 144.44 (7) (em) of the statutes is created to read:

1           144.44 (7) (em) *Exemption from licensing, agricultural use of wood ash.* No  
2 license is required under this section for the agricultural use of wood ash.”.

3           **574.** Page 1467, line 24: after that line insert:

4           “SECTION 4319m. 144.442 (9) (b) 3. of the statutes is created to read:

5           144.442 (9) (b) 3. This subsection does not apply to the release or discharge of  
6 high-volume industrial waste used in a highway improvement project under s.  
7 84.078.

8           SECTION 4319t. 144.449 (1) (c) of the statutes is amended to read:

9           144.449 (1) (c) “Waste tire” has the meaning given under s. 84.078 (1) (b) means  
10 a tire that is no longer suitable for its original purpose because of wear, damage or  
11 defect.”.

12           **575.** Page 1470, line 2: after that line insert:

13           “SECTION 4330m. 144.76 (9) (f) of the statutes is created to read:

14           144.76 (9) (f) Any person discharging high-volume industrial waste used in a  
15 highway improvement project under s. 84.078 is exempted from the penalty  
16 requirements of this section.”.

17           **576.** Page 1475, line 15: delete the material beginning with that line and  
ending with page 1476, line 2.

18           **577.** Page 1477, line 18: on lines 18 and 21, substitute “73.255” for “49.855”.

19           **578.** Page 1480, line 7: after that line insert:

20           “SECTION 4380m. 147.021 (9) of the statutes is created to read:

21           147.021 (9) EXEMPTION FOR CERTAIN HIGHWAY PROJECTS. Notwithstanding sub.  
22 (8), no requirement under this section relating to a discharge of storm water  
23 applicable to the construction, rehabilitation or improvement of any highway may

1 be more stringent than required under federal law. In this subsection, “highway” has  
2 the meaning given in s. 340.01 (22).”.

3 **579.** Page 1483, line 23: delete the material beginning with that line and  
ending with page 1484, line 2.

4 **580.** Page 1484, line 11: after that line insert:

5 “SECTION 4396b. 157.062 (1) of the statutes is amended to read:

6 157.062 (1) ORGANIZATION. Seven or more residents of the same county may  
7 form a cemetery association. They shall meet, select a chairperson and secretary,  
8 choose a name, fix the annual meeting date, and elect by ballot not less than 3 nor  
9 more than 9 trustees whom the chairperson and secretary shall immediately divide  
10 by lot into 3 classes, who shall hold their offices for 1, 2 and 3 years, respectively.  
11 Within 3 days, the chairperson and secretary shall certify the corporate name, the  
12 names, home addresses and business addresses of the organizers and of the trustees,  
13 and their classification, and the annual meeting date acknowledged by them, and,  
14 except as provided in sub. (9), deliver the certification to the ~~secretary of state~~  
15 department of financial institutions. The association then has the powers of a  
16 corporation.

17 SECTION 4397b. 157.062 (2) of the statutes is amended to read:

18 157.062 (2) AMENDMENTS. The association may change its name, the number  
19 of trustees or the annual meeting date by resolution at an annual meeting, or special  
20 meeting called for such purpose, by a majority vote of the members present, and,  
21 except as provided in sub. (9), by delivering to the ~~secretary of state~~ department of  
22 financial institutions a copy of the resolution, with the date of adoption, certified by  
23 the president and secretary or corresponding officers.

1           **SECTION 4398b.** 157.062 (6) (b) of the statutes is amended to read:

2           157.062 **(6)** (b) If an association that has been dissolved under par. (a), or any  
3 group that was never properly organized as a cemetery association, has cemetery  
4 grounds and human remains are buried in the cemetery grounds, 5 or more  
5 members, or persons interested as determined by order of the circuit judge under par.  
6 (c), may publish a class 3 notice, under ch. 985, in the municipality in which the  
7 cemetery is located, of the time, place and object of the meeting, assemble and  
8 reorganize by the election of trustees and divide them into classes as provided in sub.  
9 (1), the commencement of the terms to be computed from the next annual meeting  
10 date. The secretary shall enter the proceedings of the meeting on the records. The  
11 association is reorganized upon delivery of a copy of the proceedings to the ~~secretary~~  
12 ~~of state~~ department of financial institutions, except as provided in sub. (9). Upon  
13 reorganization, the title to the cemetery grounds, trust funds and all other property  
14 of the association or group vests in the reorganized association, under the control of  
15 the trustees. The reorganized association may continue the name of the dissolved  
16 association or may adopt a new name.

17           **SECTION 4399b.** 157.062 (6m) of the statutes is amended to read:

18           157.062 **(6m)** FORMS. The ~~secretary of state~~ department of financial  
19 institutions may prescribe and furnish forms for providing the information required  
20 under subs. (1) to (6).

21           **SECTION 4400b.** 157.062 (9) of the statutes is amended to read:

22           157.062 **(9)** EXEMPTIONS FOR CERTAIN NONPROFIT CEMETERIES. In lieu of  
23 delivering a certification, resolution or copy of proceedings to the ~~secretary of state~~  
24 department of financial institutions under sub. (1), (2) or (6) (b), a cemetery  
25 association that is not required to be registered under s. 440.91 (1) and that is not

1 organized or conducted for pecuniary profit shall deliver the certification, resolution  
2 or copy of proceedings to the office of the register of deeds of the county in which the  
3 cemetery is located.

4 **SECTION 4401b.** 157.064 (7) of the statutes is amended to read:

5 157.064 (7) Not more than 30 days after a transfer under sub. (6), the  
6 transferring association shall notify the ~~secretary of state~~ department of financial  
7 institutions in writing of the transfer, including the name and address of the  
8 accepting association or its treasurer. ~~The secretary of state~~ department of financial  
9 institutions may prescribe and furnish forms for providing the information required  
10 under this subsection.”.

11 **581.** Page 1484, line 14: after that line insert:

12 “**SECTION 4403b.** 157.62 (1) (a) (intro.) of the statutes is amended to read:

13 157.62 (1) (a) (intro.) Except as provided in par. (b) and s. 157.625, every  
14 cemetery association shall file an annual report with the ~~secretary of state~~  
15 department of financial institutions. The report shall be made on a calendar-year  
16 basis unless the ~~secretary of state~~ department of financial institutions, by rule,  
17 provides for other reporting periods. The report is due on the 60th day after the last  
18 day of the reporting period. The annual report shall include all of the following:

19 **SECTION 4404b.** 157.62 (1) (c) of the statutes is amended to read:

20 157.62 (1) (c) ~~The secretary of state~~ department of financial institutions may  
21 prescribe and furnish forms for reports required under this subsection. If the  
22 ~~secretary of state~~ department of financial institutions prescribes forms under this  
23 paragraph, ~~he or she~~ the department of financial institutions shall mail the forms

1 to cemetery associations required to file under par. (a) no later than 60 days before  
2 the reports are due.”.

3 **582.** Page 1485, line 11: after that line insert:

4 “SECTION 4408m. 159.07 (3) (j) of the statutes is amended to read:

5 159.07 (3) (j) A waste tire, as defined in s. 84.078 (1) (b) 144.449 (1) (c).

6 SECTION 4410m. 159.17 (1) (d) of the statutes is amended to read:

7 159.17 (1) (d) “Waste tire” has the meaning given under s. 84.078 (1) (b) 144.449  
8 (1) (c).”.

9 **583.** Page 1485, line 12: delete lines 12 to 15 and substitute:

10 “SECTION 4415c. 159.17 of the statutes is repealed.”.

11 **584.** Page 1490, line 14: after that line insert:

12 “SECTION 4441c. 160.255 of the statutes is created to read:

13 **160.255 Exceptions for private sewage systems.** (1) In this section,  
14 “private sewage system” has the meaning given in s. 145.01 (12).

15 (2) Notwithstanding s. 160.19 (1), (2) and (4) (b), a regulatory agency is not  
16 required to promulgate or amend rules that define design or management criteria  
17 for private sewage systems to minimize the amount of nitrate in groundwater or to  
18 maintain compliance with the preventive action limit for nitrate.

19 (3) Notwithstanding s. 160.19 (3), a regulatory agency may promulgate rules  
20 that define design or management criteria for private sewage systems that permit  
21 the enforcement standard for nitrate to be attained or exceeded at the point of  
22 standards application.

23 (4) Notwithstanding s. 160.21, a regulatory agency is not required to  
24 promulgate rules that set forth responses that the agency may take, or require to be

1 taken, when the preventive action limit or enforcement standard for nitrate is  
2 attained or exceeded at the point of standards application if the source of the nitrate  
3 is a private sewage system.

4 (5) Notwithstanding ss. 160.23 and 160.25, a regulatory agency is not required  
5 to take any responses for a specific site at which the preventive action limit or  
6 enforcement standard for nitrate is attained or exceeded at the point of standards  
7 application if the source of the nitrate is a private sewage system.”.

8 **585.** [Page 1490, line 15](#): delete lines 15 to 23.

9 **586.** [Page 1492, line 17](#): delete the material beginning with that line and  
ending with page 1494, line 12 and substitute:

10 “SECTION 4450. 165.07 of the statutes is repealed.

11 SECTION 4451. 165.075 of the statutes is repealed.”.

12 **587.** [Page 1500, line 16](#): delete the material beginning with that line and  
ending with page 1501, line 9.

13 **588.** [Page 1501, line 21](#): after that line insert:

14 “SECTION 4462m. 166.20 (7g) of the statutes is repealed.”.

15 **589.** [Page 1504, line 7](#): delete lines 7 to 20.

16 **590.** [Page 1507, line 1](#): after that line insert:

17 “SECTION 4487m. 168.12 (5m) of the statutes is created to read:

18 168.12 (5m) All oil inspection fees paid to the department of transportation  
19 under s. 341.45 (1g) (a) in excess of oil inspection fee credits or refunds under s.  
20 341.45 (2) shall be deposited in the petroleum inspection fund. All oil inspection fees  
21 credited or refunded by the department of transportation under s. 341.45 (2) in



1 excess of oil inspection fees paid to the department of transportation under s. 341.45  
2 (1g) (a) shall be paid from the petroleum inspection fund.”.

3 **591.** Page 1510, line 4: after that line insert:

4 “SECTION 4496t. 177.13 of the statutes is amended to read:

5 **177.13 Property held by courts and public agencies.** Except as provided  
6 in ss. 40.08 (8), 800.095 (7m), 852.01 (3), 863.37 (2) and 863.39, intangible property  
7 held for the owner by a court, state or other government, governmental subdivision  
8 or agency, public corporation or public authority that remains unclaimed by the  
9 owner for more than one year after it became payable or distributable is presumed  
10 abandoned.”.

11 **592.** Page 1510, line 12: after that line insert:

12 “SECTION 4498b. 179.01 (2m) of the statutes is created to read:

13 179.01 (2m) “Department” means the department of financial institutions.

14 SECTION 4499b. 179.03 (2) of the statutes is amended to read:

15 179.03 (2) The reservation shall be made by filing with the ~~secretary of state~~  
16 department an application executed by the applicant to reserve a specified name  
17 together with a fee of \$10, or making a telephone application to reserve a specified  
18 name. The fee for a telephone application to reserve a specified name for 60 days is  
19 \$20. If the ~~secretary of state~~ department finds that the name is available for use by  
20 a domestic limited partnership or foreign limited partnership, the ~~secretary of state~~  
21 department shall reserve the name for the exclusive use of the applicant for a period  
22 of 60 days. The ~~secretary of state~~ department shall cancel the telephone application  
23 to reserve a specified name if the ~~secretary of state~~ department does not receive the  
24 proper fee within 15 business days after the application. Once having reserved a

1 name, the same applicant may not again reserve the same name until more than 60  
2 days after the expiration of the last 60-day period for which that applicant reserved  
3 that name. The right to the exclusive use of a reserved name may be transferred to  
4 any other person by filing ~~in the office of the secretary of state~~ with the department,  
5 together with a fee of \$10, a notice of the transfer executed by the applicant for whom  
6 the name was reserved and specifying the name and address of the transferee.

7 **SECTION 4500b.** 179.04 (2) of the statutes is amended to read:

8 179.04 (2) If a limited partnership fails to maintain an agent for service of  
9 process in this state or if the agent cannot with reasonable diligence be found,  
10 substituted service may be made on the ~~secretary of state~~ department by delivering  
11 duplicate copies of the process, together with a fee of \$10. The ~~secretary of state~~  
12 department shall forward one copy by registered mail, addressed to the limited  
13 partnership at its record office.

14 **SECTION 5401b.** 179.11 (1) (intro.) of the statutes is amended to read:

15 179.11 (1) (intro.) To form a limited partnership, a certificate of limited  
16 partnership must be executed and filed ~~in the office of the secretary of state~~ with the  
17 department. The certificate shall be filed together with a fee of \$70 and shall contain  
18 all of the following information:

19 **SECTION 5402b.** 179.11 (2) of the statutes is amended to read:

20 179.11 (2) A limited partnership is formed at the time of the filing of the  
21 certificate of limited partnership ~~in the office of the secretary of state~~ with the  
22 department or at any later time specified in the certificate of limited partnership, if  
23 there has been substantial compliance with this section.

24 **SECTION 5403b.** 179.12 (1) (intro.) of the statutes is amended to read:

1           179.12 (1) (intro.) A certificate of limited partnership is amended by filing a  
2 certificate of amendment ~~in the office of the secretary of state~~ with the department,  
3 together with a fee of \$25. The certificate shall specify all of the following:

4           **SECTION 5404b.** 179.12 (6) of the statutes is amended to read:

5           179.12 (6) Except as otherwise provided in this chapter or in the certificate of  
6 amendment, a certificate of amendment is effective on its filing in the ~~office of the~~  
7 ~~secretary of state~~ department.

8           **SECTION 5405b.** 179.13 (intro.) of the statutes is amended to read:

9           **179.13 Cancellation of certificate.** (intro.) A certificate of limited  
10 partnership shall be canceled upon the dissolution and the commencement of  
11 winding up of the limited partnership or at any other time that there are no limited  
12 partners. A certificate of cancellation shall be filed together with a fee of \$10 ~~in the~~  
13 ~~office of the secretary of state~~ with the department and shall specify all of the  
14 following:

15           **SECTION 4506b.** 179.14 (1) (intro.) of the statutes is amended to read:

16           179.14 (1) (intro.) Each certificate required by this subchapter to be filed ~~in the~~  
17 ~~office of the secretary of state~~ with the department shall be executed in the following  
18 manner:

19           **SECTION 4507b.** 179.15 of the statutes is amended to read:

20           **179.15 Execution of certificate by court order.** If a person required by s.  
21 179.14 to execute any certificate fails or refuses to do so, any other person who is  
22 adversely affected by the failure or refusal, may petition the circuit court to direct  
23 the execution of the certificate. If the court finds that it is proper for the certificate  
24 to be executed and that any person so designated has failed or refused to execute the

1 certificate, it shall order the ~~secretary of state~~ department to record an appropriate  
2 certificate.

3 **SECTION 4508b.** 179.16 (title) of the statutes is amended to read:

4 **179.16 (title) Filing with the ~~secretary of state~~ department of financial**  
5 **institutions.**

6 **SECTION 4509b.** 179.16 (1) (intro.) of the statutes is amended to read:

7 179.16 (1) (intro.) Two signed copies of the certificate of limited partnership  
8 and of any certificates of amendment or cancellation or of any court order under s.  
9 179.15 shall be delivered to the ~~secretary of state~~ department. A person who executes  
10 a certificate as an officer, general partner or fiduciary need not exhibit evidence of  
11 his or her authority as a prerequisite to filing. Unless the document does not conform  
12 to law, upon receipt of all filing fees the ~~secretary of state~~ department shall do all of  
13 the following:

14 **SECTION 4510b.** 179.16 (1) (b) of the statutes is amended to read:

15 179.16 (1) (b) File one duplicate original in his or her office the department.

16 **SECTION 5411b.** 179.16 (2) of the statutes is amended to read:

17 179.16 (2) Upon the filing of a certificate of amendment or court order of  
18 amendment in the ~~office of the secretary of state~~ department, the certificate of  
19 limited partnership shall be amended as set forth in the certificate or order, and upon  
20 the effective date of a certificate of cancellation or court order of cancellation, the  
21 certificate of limited partnership is canceled.

22 **SECTION 4512b.** 179.16 (3) (a) (intro.) of the statutes is amended to read:

23 179.16 (3) (a) (intro.) The ~~secretary of state~~ department may waive any of the  
24 following:

25 **SECTION 4513b.** 179.16 (3) (a) 2. of the statutes is amended to read:

1           179.16 (3) (a) 2. An omission or defect in a document, if the ~~secretary of state~~  
2 department determines from the face of the document that the omission or defect is  
3 immaterial.

4           **SECTION 4514b.** 179.16 (4) (intro.) of the statutes is amended to read:

5           179.16 (4) (intro.) The ~~secretary of state~~ department shall charge and collect  
6 for:

7           **SECTION 4515b.** 179.16 (5) of the statutes is amended to read:

8           179.16 (5) The ~~secretary of state~~ department shall charge and collect, for  
9 processing a document required or permitted to be filed under this chapter in an  
10 expeditious manner, or preparing the information under sub. (4) in an expeditious  
11 manner, the expedited service fee under ~~s. 14.38 (9)~~ s. 182.01 (4) in addition to the  
12 fee required by other provisions of this chapter.

13           **SECTION 4516b.** 179.18 of the statutes is amended to read:

14           **179.18 Notice conferred by filing.** The fact that a certificate of limited  
15 partnership is on file ~~in the office of the secretary of state~~ with the department is  
16 notice that the partnership is a limited partnership and the persons designated as  
17 general partners are general partners, but it is not notice of any other fact.

18           **SECTION 5417b.** 179.185 (1) of the statutes is amended to read:

19           179.185 (1) A limited partnership may integrate into a single instrument the  
20 operative provisions of its certificate of limited partnership, as shown by the original  
21 certificate and amendments filed under this subchapter, and it may at the same time  
22 also further amend its certificate of limited partnership by adopting a restated  
23 certificate of limited partnership. The restated certificate shall be filed together with  
24 a fee of \$25 ~~in the office of the secretary of state~~ with the department.

25           **SECTION 4518b.** 179.185 (4) of the statutes is amended to read:

1           179.185 (4) On filing the restated certificate with the ~~secretary of state~~  
2 department, the original certificate, as amended under this subchapter, is  
3 superseded. After its filing, the restated certificate is the certificate of limited  
4 partnership of the limited partnership, but the original effective date of formation  
5 shall remain unchanged.

6           **SECTION 5419b.** 179.19 of the statutes is amended to read:

7           **179.19 Delivery of certificates to limited partners.** Upon the return by  
8 the ~~secretary of state~~ department under s. 179.16 of a certificate marked "Filed", the  
9 general partners shall promptly deliver or mail a copy of the certificate of limited  
10 partnership and each certificate to each limited partner unless the partnership  
11 agreement provides otherwise.

12           **SECTION 4520b.** 179.24 (1) (b) of the statutes is amended to read:

13           179.24 (1) (b) Withdraws from future equity participation in the enterprise by  
14 executing and filing ~~in the office of the secretary of state~~ with the department,  
15 together with a \$15 filing fee, a certificate declaring withdrawal under this  
16 paragraph.

17           **SECTION 4521b.** 179.82 (intro.) of the statutes is amended to read:

18           **179.82 Registration.** (intro.) Before transacting business in this state, a  
19 foreign limited partnership shall register with the ~~secretary of state~~ department. A  
20 foreign limited partnership shall submit in duplicate, together with a filing fee of  
21 \$75, an application for registration as a foreign limited partnership, signed and  
22 sworn to by a general partner and setting forth all of the following:

23           **SECTION 4522b.** 179.82 (5) of the statutes is amended to read:

24           179.82 (5) A statement that the ~~secretary of state~~ department is appointed the  
25 agent of the foreign limited partnership for service of process under s. 179.88 if the

1 agent's authority has been revoked or the agent cannot be found or served with the  
2 exercise of reasonable diligence.

3 **SECTION 4523b.** 179.83 (1) (intro.) of the statutes is amended to read:

4 179.83 (1) (intro.) If the ~~secretary of state~~ department finds that an application  
5 for registration conforms to law and all requisite fees have been paid, ~~he or she~~ the  
6 department shall:

7 **SECTION 4524b.** 179.83 (1) (b) of the statutes is amended to read:

8 179.83 (1) (b) File ~~in his or her office~~ a duplicate original of the application.

9 **SECTION 4525b.** 179.84 of the statutes is amended to read:

10 **179.84 Name.** A foreign limited partnership may register with the ~~secretary~~  
11 ~~of state~~ department under any name that includes without abbreviation the words  
12 "limited partnership" and that could be registered by a domestic limited partnership.

13 **SECTION 4526b.** 179.85 of the statutes is amended to read:

14 **179.85 Amendments.** If any statement in the application for registration of  
15 a foreign limited partnership was false when made or any arrangements or other  
16 facts described have changed, making the application inaccurate in any respect, the  
17 foreign limited partnership shall promptly file ~~in the office of the secretary of state~~  
18 with the department, together with a filing fee of \$15, a certificate, signed and sworn  
19 to by a general partner, correcting the statement.

20 **SECTION 5427b.** 179.86 (1) of the statutes is amended to read:

21 179.86 (1) A foreign limited partnership may cancel its registration by filing  
22 with the ~~secretary of state~~ department, together with a filing fee of \$15, a certificate  
23 of cancellation signed and sworn to by a general partner.

24 **SECTION 5428b.** 179.86 (2) of the statutes is amended to read:

1           179.86 (2) A cancellation does not terminate the authority of the ~~secretary of~~  
2     state department to accept service of process on the foreign limited partnership with  
3     respect to claims arising out of the transaction of business in this state.

4           **SECTION 5429b.** 179.87 (4) of the statutes is amended to read:

5           179.87 (4) A foreign limited partnership, by transacting business in this state  
6     without registration, appoints the ~~secretary of state~~ department as its agent for  
7     service of process under s. 179.88 with respect to claims arising out of the transaction  
8     of business in this state.

9           **SECTION 5430b.** 179.88 of the statutes is amended to read:

10          **179.88 Substituted service.** Service of process on the ~~secretary of state~~  
11     department under this subchapter shall be made by serving of duplicate copies of the  
12     process on the ~~secretary of state~~ department, together with a fee of \$10. The  
13     ~~secretary of state~~ department shall mail notice of the service and a copy of the process  
14     within 10 days addressed to the foreign limited partnership at its office in the state  
15     of its organization. The time within which the foreign limited partnership may  
16     answer or move to dismiss under s. 802.06 (2) does not start to run until 10 days after  
17     the date of the mailing. The ~~secretary of state~~ department shall keep a record of  
18     service of process under this section showing the day and hour of service and the date  
19     of mailing.

20          **SECTION 4531b.** 180.0103 (6m) of the statutes is created to read:

21          180.0103 (6m) "Department", except in subs. (8) and (18), means the  
22     department of financial institutions.

23          **SECTION 4532b.** 180.0120 (1) (intro.) of the statutes is amended to read:

24          180.0120 (1) (intro.) Except as provided in sub. (4), a document required or  
25     permitted to be filed under this chapter ~~in the office of the secretary of state~~ with the



1 department must satisfy all of the following requirements to be filed under s.  
2 180.0125 (2) (a):

3 **SECTION 4533b.** 180.0120 (1) (d) of the statutes is amended to read:

4 180.0120 (1) (d) Contain the name of the drafter, if required by s. 14.38 (14)  
5 182.01 (3).

6 **SECTION 4534b.** 180.0120 (1) (f) of the statutes is amended to read:

7 180.0120 (1) (f) Be on the form prescribed by the ~~secretary of state~~ department  
8 if the document is described in s. 180.0121 (1).

9 **SECTION 4535b.** 180.0120 (1) (g) of the statutes is amended to read:

10 180.0120 (1) (g) Be delivered to the ~~office of the secretary of state~~ department  
11 for filing and be accompanied by one exact or conformed copy and the filing fee  
12 required by s. 180.0122.

13 **SECTION 4536b.** 180.0120 (2) of the statutes is amended to read:

14 180.0120 (2) The ~~secretary of state~~ department shall file photocopies or other  
15 reproduced copies of typewritten or printed documents if the copies are manually  
16 signed and satisfy this section.

17 **SECTION 4537b.** 180.0120 (4) of the statutes is amended to read:

18 180.0120 (4) The ~~secretary of state~~ department may waive any of the  
19 requirements of subs. (1) to (3) if it appears from the face of the document that the  
20 document's failure to satisfy the requirement is immaterial.

21 **SECTION 4538b.** 180.0121 (1) (a) (intro.) of the statutes is amended to read:

22 180.0121 (1) (a) (intro.) The ~~secretary of state~~ department shall prescribe and  
23 furnish on request forms for all of the following documents:

24 **SECTION 4539b.** 180.0121 (1) (b) of the statutes is amended to read:

1           180.0121 (1) (b) The forms prescribed by the ~~secretary of state~~ department  
2 under par. (a) 1., 2. and 3. shall require disclosure of only the information required  
3 under ss. 180.1503, 180.1520, 180.1622 and 180.1921, respectively.

4           **SECTION 4540b.** 180.0121 (2) of the statutes is amended to read:

5           180.0121 (2) The ~~secretary of state~~ department may prescribe and furnish on  
6 request forms for other documents required or permitted to be filed by this chapter,  
7 but use of these forms is not mandatory.

8           **SECTION 4541b.** 180.0122 (1) (intro.) of the statutes is amended to read:

9           180.0122 (1) (intro.) The ~~secretary of state~~ department shall collect the  
10 following fees when the documents described in this subsection are delivered to ~~him~~  
11 ~~or her~~ for filing or, under pars. (e) and (f), the telephone applications are made:

12           **SECTION 4542b.** 180.0122 (2) of the statutes is amended to read:

13           180.0122 (2) The ~~secretary of state~~ department shall collect a \$10 fee each time  
14 process is served on ~~him or her~~ the department under this chapter. The party to a  
15 civil, criminal, administrative or investigatory proceeding causing service of process  
16 may recover this fee as costs if the party prevails in the proceeding.

17           **SECTION 4543b.** 180.0122 (3) (intro.) of the statutes is amended to read:

18           180.0122 (3) (intro.) The ~~secretary of state~~ department may not collect a fee for  
19 any of the following:

20           **SECTION 4544b.** 180.0122 (4) of the statutes is amended to read:

21           180.0122 (4) In addition to the fees required under sub. (1), the ~~secretary of~~  
22 ~~state~~ department shall collect the expedited service fee under ~~s. 14.38 (9)~~ s. 182.01  
23 (4) for processing in an expeditious manner a document required or permitted to be  
24 filed under this chapter or for preparing in an expeditious manner a certificate of  
25 status under s. 180.0128 (1) to (3) or a statement of status under s. 180.0128 (4).

1           **SECTION 4545b.** 180.0123 (1) (a) (intro.) of the statutes is amended to read:  
2           180.0123 (1) (a) (intro.) Except as provided in sub. (2) or s. 180.0124 (3),  
3           180.1622 (5) or 180.1921 (4), a document filed by the ~~secretary of state~~ department  
4           under this chapter is effective on the date that it is received by the ~~office of the~~  
5           ~~secretary of state~~ department for filing and at any of the following times on that date:

6           **SECTION 4546b.** 180.0123 (1) (b) of the statutes is amended to read:  
7           180.0123 (1) (b) The date that a document is received by the ~~office of the~~  
8           ~~secretary of state~~ department is determined by the ~~secretary of state's~~ department's  
9           endorsement on the original document under s. 180.0125 (1).

10          **SECTION 4547b.** 180.0124 (1) of the statutes is amended to read:  
11          180.0124 (1) A domestic corporation or foreign corporation may correct a  
12          document that is filed by the ~~secretary of state~~ department before, on or after  
13          January 1, 1991, if the document contains a statement that was incorrect at the time  
14          of filing or was defectively executed, including defects in any attestation, seal,  
15          verification or acknowledgment.

16          **SECTION 4548b.** 180.0124 (2) (intro.) of the statutes is amended to read:  
17          180.0124 (2) (intro.) To correct a document under sub. (1), a domestic  
18          corporation or foreign corporation shall prepare and deliver to the ~~secretary of state~~  
19          department for filing articles of correction that satisfy all of the following:

20          **SECTION 4549b.** 180.0125 (title) of the statutes is amended to read:  
21          **180.0125 (title) Filing duty of ~~secretary of state~~ department of financial**  
22          **institutions.**

23          **SECTION 4550b.** 180.0125 (1) of the statutes is amended to read:  
24          180.0125 (1) Upon receipt of a document by the ~~office of the~~ ~~secretary of state~~  
25          department for filing, the ~~secretary of state~~ department shall stamp or otherwise

1 endorse the date and time of receipt on the original, the document copy and, upon  
2 request, any additional document copy received. The ~~secretary of state~~ department  
3 shall return any additional document copy to the person delivering it, as  
4 confirmation of the date and time of receipt.

5 **SECTION 4551b.** 180.0125 (2) (a) of the statutes is amended to read:

6 180.0125 (2) (a) Except as provided in par. (b), if a document satisfies s.  
7 180.0120 and the terms of the document satisfy, if applicable, s. 180.0401 (1) and (2)  
8 or 180.1506 (1) and (2), the ~~secretary of state~~ department shall file the document by  
9 stamping or otherwise endorsing "Filed", together with ~~his or her~~ the department  
10 name ~~and official title~~, on both the original and the document copy. After filing a  
11 document, the ~~secretary of state~~ department shall deliver the document copy to the  
12 domestic corporation or foreign corporation, or its representative.

13 **SECTION 4552b.** 180.0125 (2) (b) of the statutes is amended to read:

14 180.0125 (2) (b) If a domestic corporation or foreign corporation is in default  
15 in the payment of any fee required under s. 180.0122 (1) (a) to (j) or (m) to (ym), the  
16 ~~secretary of state~~ department shall refuse to file any document relating to the  
17 domestic corporation or foreign corporation until all delinquent fees are paid by the  
18 domestic corporation or foreign corporation.

19 **SECTION 4553b.** 180.0125 (3) (a) of the statutes is amended to read:

20 180.0125 (3) (a) If the ~~secretary of state~~ department refuses to file a document,  
21 ~~he or she~~ the department shall return it to the domestic corporation or foreign  
22 corporation, or its representative, within 5 business days after the document was  
23 received by the ~~office of the secretary of state~~ department for filing, together with a  
24 brief, written explanation of the reason for ~~his or her~~ the refusal.

25 **SECTION 4554b.** 180.0125 (3) (b) of the statutes is amended to read:

1           180.0125 (3) (b) The ~~secretary of state's~~ department's failure to either file or  
2 return a document within 5 business days after it was received constitutes a refusal  
3 to file the document.

4           **SECTION 4555b.** 180.0125 (3) (c) of the statutes is amended to read:

5           180.0125 (3) (c) Except as provided in s. 180.0124 (3), if a document that had  
6 been refused for filing by the ~~secretary of state~~ department is resubmitted and filed  
7 by the ~~secretary of state~~ department, the effective date of the filed document under  
8 s. 180.0123 is the date that the resubmitted document is received by the ~~office of the~~  
9 ~~secretary of state~~ department for filing or a delayed effective date specified in the  
10 resubmitted document in accordance with s. 180.0123 (2). The effective time of the  
11 resubmitted document shall be determined under s. 180.0123 (1) or (2), whichever  
12 is applicable.

13           **SECTION 4556b.** 180.0125 (4) (intro.) of the statutes is amended to read:

14           180.0125 (4) (intro.) Except as provided in s. 180.0203 (2), the ~~secretary of~~  
15 ~~state's~~ department's filing of a document or refusal to file a document does not do any  
16 of the following:

17           **SECTION 4557b.** 180.0126 of the statutes is amended to read:

18           **180.0126 Appeal from ~~secretary of state's~~ department of financial**  
19 **institutions' refusal to file document. (1)** If the ~~secretary of state~~ department  
20 refuses to file a document received by his or her office for filing, the domestic  
21 corporation or foreign corporation may appeal the refusal by filing a petition in  
22 circuit court to compel the ~~secretary of state~~ department to file the document. The  
23 domestic corporation or foreign corporation shall file the petition in the circuit court  
24 for the county where the domestic corporation's or foreign corporation's principal  
25 office or, if none in this state, its registered office is or will be located. The domestic

1 corporation or foreign corporation shall attach to the petition the document and any  
2 explanation by the ~~secretary of state~~ department of the reasons for his or her the  
3 refusal to file.

4 (2) The domestic corporation or foreign corporation shall file the petition under  
5 sub. (1) within 30 days after the ~~secretary of state~~ department returns the document  
6 under s. 180.0125 (3) (a). If the ~~secretary of state~~ department does not return the  
7 document within the period specified in s. 180.0125 (3) (b), the domestic corporation  
8 or foreign corporation shall file the petition within 30 days after the period specified  
9 in s. 180.0125 (3) (b) expires.

10 (3) The court may summarily order the ~~secretary of state~~ department to file the  
11 document or take other action that the court considers appropriate. The court's final  
12 decision may be appealed as in other civil proceedings.

13 **SECTION 4558b.** 180.0127 of the statutes is amended to read:

14 **180.0127 Evidentiary effect of copy of filed document.** A certificate that  
15 contains the ~~secretary of state's~~ signature, produced manually or in facsimile, and  
16 ~~this state's seal and that is attached to a~~ certified copy of a document filed by the  
17 ~~secretary of state~~ department is conclusive evidence that the original document is on  
18 file with the ~~secretary of state~~ department.

19 **SECTION 4559b.** 180.0128 (1) of the statutes is amended to read:

20 180.0128 (1) Any person may obtain from the ~~secretary of state~~ department,  
21 upon request, a certificate of status for a domestic corporation or foreign corporation.

22 **SECTION 4560b.** 180.0128 (2) (b) 3. of the statutes is amended to read:

23 180.0128 (2) (b) 3. The domestic corporation or foreign corporation has, during  
24 its most recently completed report year, filed with the ~~secretary of state~~ department  
25 an annual report required by s. 180.1622, or, if a service corporation, by s. 180.1921.

1           **SECTION 4561b.** 180.0128 (3) of the statutes is amended to read:

2           180.0128 (3) The certificate of status may include other facts of record in the  
3 ~~office of the secretary of state~~ department that are requested.

4           **SECTION 4562b.** 180.0128 (4) of the statutes is amended to read:

5           180.0128 (4) Upon request, the ~~secretary of state~~ department shall issue, by  
6 telegraph, teletype, facsimile or other form of wire or wireless communication, a  
7 statement of status, which shall contain the information required in a certificate of  
8 status under sub. (2) and may contain any other information permitted under sub.  
9 (3).

10          **SECTION 4563b.** 180.0128 (5) of the statutes is amended to read:

11          180.0128 (5) Subject to any qualification stated in a certificate or statement of  
12 status issued by the ~~secretary of state~~ department, the certificate or statement is  
13 conclusive evidence that the domestic corporation or foreign corporation is in  
14 existence or is authorized to transact business in this state.

15          **SECTION 4564b.** 180.0128 (6) of the statutes is amended to read:

16          180.0128 (6) Upon request by telephone or otherwise, the ~~office of the secretary~~  
17 ~~of state~~ department shall confirm, by telephone, any of the information required in  
18 a certificate of status under sub. (2) and may confirm any other information  
19 permitted under sub. (3).

20          **SECTION 4565b.** 180.0129 (1) of the statutes is amended to read:

21          180.0129 (1) A person may not sign a document with intent that it be delivered  
22 to the ~~secretary of state~~ department for filing or deliver, or cause to be delivered, a  
23 document to the ~~secretary of state~~ department for filing, if the person knows that the  
24 document is false in any material respect at the time of its delivery.

25          **SECTION 4566b.** 180.0203 (2) of the statutes is amended to read:

1           180.0203 (2) The ~~secretary of state's~~ department's filing of the articles of  
2 incorporation is conclusive proof that the corporation is incorporated under this  
3 chapter, except in a proceeding by the state to cancel or revoke the incorporation or  
4 involuntarily dissolve the corporation.

5           **SECTION 4567b.** 180.0401 (2) (a) (intro.) of the statutes is amended to read:

6           180.0401 (2) (a) (intro.) Except as provided in subs. (3) and (4), the corporate  
7 name of a domestic corporation must be distinguishable upon the records of the  
8 ~~secretary of state~~ department from all of the following names:

9           **SECTION 4568b.** 180.0401 (3) (intro.) of the statutes is amended to read:

10           180.0401 (3) (intro.) A corporation may apply to the ~~secretary of state~~  
11 department for authorization to use a name that is not distinguishable upon the  
12 records of the ~~secretary of state~~ department from one or more of the names described  
13 in sub. (2). The ~~secretary of state~~ department shall authorize use of the name applied  
14 for if any of the following occurs:

15           **SECTION 4569b.** 180.0401 (3) (a) of the statutes is amended to read:

16           180.0401 (3) (a) The other corporation or the foreign corporation, limited  
17 liability company, nonstock corporation, limited partnership or cooperative  
18 association consents to the use in writing and submits an undertaking in a form  
19 satisfactory to the ~~secretary of state~~ department to change its name to a name that  
20 is distinguishable upon the records of the ~~secretary of state~~ department from the  
21 name of the applicant.

22           **SECTION 4570b.** 180.0401 (3) (b) of the statutes is amended to read:

23           180.0401 (3) (b) The applicant delivers to the ~~secretary of state~~ department a  
24 certified copy of a final judgment of a court of competent jurisdiction establishing the  
25 applicant's right to use the name applied for in this state.



1           **SECTION 4571b.** 180.0402 (1) of the statutes is amended to read:

2           180.0402 (1) A person may reserve the exclusive use of a corporate name,  
3 including a fictitious name for a foreign corporation whose corporate name is not  
4 available, by delivering an application to the ~~secretary of state~~ department for filing  
5 or by making a telephone application. The application shall include the name and  
6 address of the applicant and the name proposed to be reserved. If the ~~secretary of~~  
7 ~~state~~ department finds that the corporate name applied for under this subsection is  
8 available, the ~~secretary of state~~ department shall reserve the name for the  
9 applicant's exclusive use for a 120-day period, which may be renewed by the  
10 applicant or a transferee under sub. (2) from time to time. If an application to reserve  
11 a name or to renew a reserved name is made by telephone, the ~~secretary of state~~  
12 department shall cancel the reservation or renewal if the ~~secretary of state~~  
13 department does not receive the fee required under s. 180.0122 (1) (e) or (f) within  
14 15 business days after the application is made.

15           **SECTION 4572b.** 180.0402 (2) of the statutes is amended to read:

16           180.0402 (2) A person who has the right to exclusive use of a reserved corporate  
17 name under sub. (1) may transfer the reservation to another person by delivering to  
18 the ~~secretary of state~~ department a written and signed notice of the transfer that  
19 states the name and address of the transferee.

20           **SECTION 4573b.** 180.0403 (1) (a) of the statutes is amended to read:

21           180.0403 (1) (a) A foreign corporation may register its corporate name if the  
22 name is distinguishable upon the records of the ~~secretary of state~~ department from  
23 the names described in s. 180.1506 (2) (a) 1. to 7. and if the foreign corporation  
24 delivers to the ~~secretary of state~~ department for filing an application complying with  
25 par. (b).

1           **SECTION 4574b.** 180.0403 (1) (c) of the statutes is amended to read:

2           180.0403 (1) (c) The registration expires December 31. The foreign corporation  
3 may renew its registration by delivering to the ~~secretary of state~~ department for  
4 filing a renewal application, which complies with par. (b), between October 1 and  
5 December 31 of each year that the registration is in effect. The renewal application  
6 when filed renews the registration for the next year.

7           **SECTION 4575b.** 180.0403 (2) of the statutes is amended to read:

8           180.0403 (2) A domestic corporation or a foreign corporation authorized to  
9 transact business in this state may, upon merger, change of name or dissolution,  
10 register its corporate name for no more than 10 years by delivering to the ~~secretary~~  
11 ~~of state~~ department for filing an application, executed by the domestic corporation  
12 or foreign corporation, simultaneously with the delivery for filing of the articles of  
13 merger or dissolution, the articles of amendment or restated articles that change the  
14 corporate name or an application for an amended certificate of authority that  
15 changes the corporate name.

16           **SECTION 4576b.** 180.0403 (3m) of the statutes is amended to read:

17           180.0403 (3m) A person who has the right to exclusive use of a registered name  
18 under sub. (1) or (2) may transfer the registration to another person by delivering to  
19 the ~~secretary of state~~ department a written and signed notice of the transfer that  
20 states the name and address of the transferee.

21           **SECTION 4577b.** 180.0502 (1) (a) of the statutes is amended to read:

22           180.0502 (1) (a) Delivering to the ~~secretary of state~~ department for filing a  
23 statement of change.

24           **SECTION 4578b.** 180.0502 (1) (c) of the statutes is amended to read:

1           180.0502 (1) (c) If a domestic corporation, including the name of its registered  
2 agent and the street address of its registered office, as changed, in its annual report  
3 under s. 180.1622 or 180.1921. A change under this paragraph is effective on the date  
4 the annual report is filed by the ~~office of the secretary of state~~ department.

5           **SECTION 4579b.** 180.0502 (3) of the statutes is amended to read:

6           180.0502 (3) If a registered agent changes the street address of his or her  
7 business office, he or she may change the street address of the registered office of any  
8 corporation for which he or she is the registered agent by notifying the corporation  
9 in writing of the change and by signing, either manually or in facsimile, and  
10 delivering to the ~~secretary of state~~ department for filing a statement that complies  
11 with sub. (2) and recites that the corporation has been notified of the change.

12           **SECTION 4580b.** 180.0503 (1) (intro.) of the statutes is amended to read:

13           180.0503 (1) (intro.) The registered agent of a corporation may resign by  
14 signing and delivering to the ~~secretary of state~~ department for filing a statement of  
15 resignation that includes all of the following information:

16           **SECTION 4581b.** 180.0503 (2) of the statutes is amended to read:

17           180.0503 (2) After filing the statement, the ~~secretary of state~~ department shall  
18 mail a copy to the corporation at its principal office.

19           **SECTION 4582b.** 180.0503 (3) (a) of the statutes is amended to read:

20           180.0503 (3) (a) Sixty days after the ~~secretary of state~~ department receives the  
21 statement of resignation for filing.”.

22           **593.** [Page 1510, line 19](#): after that line insert:

23           “**SECTION 4584b.** 180.0504 (3) (a) of the statutes, as affected by 1995 Wisconsin  
24 Act .... (this act), is amended to read:

1           180.0504 (3) (a) Except as provided in par. (b), if the address of the corporation's  
2 principal office cannot be determined from the records of the ~~secretary of state~~ held  
3 by the department, the corporation may be served by publishing a class 3 notice,  
4 under ch. 985, in the community where the corporation's principal office or registered  
5 office, as most recently designated in the records of the ~~secretary of state~~ department,  
6 is located.”.

7           **594.** Page 1510, line 25: after that line insert:

8           “**SECTION 4586b.** 180.0504 (3) (b) of the statutes, as created by 1995 Wisconsin  
9 Act .... (this act), is amended to read:

10           180.0504 (3) (b) If a process, notice or demand is served by the ~~secretary of state~~  
11 department on a corporation under s. 180.1421 and the address of the corporation's  
12 principal office cannot be determined from the records of the ~~secretary of state~~  
13 department, the corporation may be served by publishing a class 2 notice, under ch.  
14 985, in the official state newspaper.

15           **SECTION 4587b.** 180.0602 (2) (intro.) of the statutes is amended to read:

16           180.0602 (2) (intro.) Before issuing any shares of a class or series under sub.  
17 (1), the corporation shall deliver to the ~~secretary of state~~ department for filing  
18 articles of amendment, which are effective without shareholder action, that include  
19 all of the following information:

20           **SECTION 4588b.** 180.0602 (3) of the statutes is amended to read:

21           180.0602 (3) After the articles of amendment are filed under sub. (2) and before  
22 the corporation issues any shares of the class or series that is the subject of the  
23 articles of amendment, the board of directors may alter or revoke any preferences,  
24 limitations or relative rights described in the articles of amendment, by adopting

1 another resolution appropriate for that purpose. The corporation shall file with the  
2 ~~secretary of state~~ department revised articles of amendment that comply with sub.  
3 (2). A preference, limitation or relative right may not be altered or revoked after the  
4 issuance of any shares of the class or series that are subject to the preference,  
5 limitation or relative right, except by amendment of the articles of incorporation  
6 under s. 180.1003.

7 **SECTION 4589b.** 180.0620 (1) (b) of the statutes is amended to read:

8 180.0620 (1) (b) Unless the subscription agreement provides otherwise, the  
9 filing of the articles of incorporation by the ~~secretary of state~~ department constitutes  
10 acceptance by the corporation of all existing subscriptions to its shares.

11 **SECTION 4590b.** 180.0631 (3) (b) (intro.) of the statutes is amended to read:

12 180.0631 (3) (b) (intro.) If the articles of incorporation prohibit the reissuance  
13 of acquired shares, the number of authorized shares is reduced by the number of  
14 shares acquired by the corporation, effective upon amendment of the articles of  
15 incorporation. The board of directors may adopt articles of amendment under this  
16 paragraph without shareholder action and deliver them to the ~~secretary of state~~  
17 department for filing. The articles shall include all of the following information:

18 **SECTION 4591b.** 180.0860 (1) of the statutes is amended to read:

19 180.0860 (1) Whenever initial directors and principal officers are selected, or  
20 changes are made in the directors or principal officers of a corporation, the  
21 corporation may file with the ~~secretary of state~~ department a statement that  
22 includes the names and addresses of all the directors or principal officers, or both if  
23 there have been changes in both. The information in the statement shall be current  
24 as of the date on which the statement is signed on behalf of the corporation.

25 **SECTION 4592b.** 180.0860 (2) of the statutes is amended to read:

1           180.0860 (2) A director who resigns under s. 180.0807 or a principal officer who  
2 resigns under s. 180.0843 (1) may file a copy of the resignation notice with the  
3 ~~secretary of state~~ department.

4           **SECTION 4593b.** 180.1002 (4) of the statutes is amended to read:

5           180.1002 (4) To delete the name and address of a former registered agent or  
6 registered office, if a statement of change is on file with the ~~secretary of state~~  
7 department.

8           **SECTION 4594b.** 180.1006 (intro.) of the statutes is amended to read:

9           **180.1006 Articles of amendment.** (intro.) A corporation amending its  
10 articles of incorporation shall deliver to the ~~secretary of state~~ department for filing  
11 articles of amendment that include all of the following information:

12           **SECTION 4595b.** 180.1007 (4) (intro.) of the statutes is amended to read:

13           180.1007 (4) (intro.) A corporation restating its articles of incorporation shall  
14 deliver to the ~~secretary of state~~ department for filing articles of restatement that  
15 include the name of the corporation and the text of the restated articles of  
16 incorporation together with a certificate including the following information:

17           **SECTION 4596b.** 180.1008 (2) (intro.) of the statutes is amended to read:

18           180.1008 (2) (intro.) The persons designated by the court shall deliver to the  
19 ~~secretary of state~~ department for filing articles of amendment that include all of the  
20 following information:

21           **SECTION 4597b.** 180.1104 (4) of the statutes is amended to read:

22           180.1104 (4) The parent may not deliver articles of merger to the ~~secretary of~~  
23 ~~state~~ department for filing until at least 30 days after the date on which it mailed a  
24 copy of the plan of merger to each shareholder of the subsidiary who did not waive  
25 the mailing requirement.

1           **SECTION 4598b.** 180.1105 (1) (intro.) of the statutes is amended to read:

2           180.1105 (1) (intro.) Except as provided in s. 180.1104 (4), after a plan of merger  
3 or share exchange is approved by the shareholders, or adopted by the board of  
4 directors if shareholder approval is not required, the surviving or acquiring  
5 corporation shall deliver to the ~~secretary of state~~ department for filing articles of  
6 merger or share exchange setting forth all of the following:

7           **SECTION 4599b.** 180.1107 (3) (a) of the statutes is amended to read:

8           180.1107 (3) (a) When a merger or share exchange under this section takes  
9 effect, the ~~secretary of state~~ department is the agent of the surviving foreign  
10 corporation of a merger or the acquiring foreign corporation in a share exchange, for  
11 service of process in a proceeding to enforce any obligation or the rights of dissenting  
12 shareholders of each domestic corporation that is party to the merger or share  
13 exchange.

14           **SECTION 4600b.** 180.1401 (2) (intro.) of the statutes is amended to read:

15           180.1401 (2) (intro.) At any time after dissolution is authorized under sub. (1),  
16 the corporation may dissolve by delivering to the ~~secretary of state~~ department for  
17 filing articles of dissolution that include all of the following:

18           **SECTION 4601b.** 180.1403 (1) (intro.) of the statutes is amended to read:

19           180.1403 (1) (intro.) At any time after dissolution is authorized under s.  
20 180.1402, the corporation may dissolve by delivering to the ~~secretary of state~~  
21 department for filing articles of dissolution that include all of the following:

22           **SECTION 4602b.** 180.1404 (3) (intro.) of the statutes is amended to read:

23           180.1404 (3) (intro.) After the revocation of dissolution is authorized, the  
24 corporation may revoke the dissolution by delivering to the ~~secretary of state~~

1 department for filing articles of revocation of dissolution, together with a copy of its  
2 articles of dissolution, that include all of the following:

3 **SECTION 4603b.** 180.1420 (intro.) of the statutes is amended to read:

4 **180.1420 Grounds for administrative dissolution.** (intro.) The secretary  
5 of state department may bring a proceeding under s. 180.1421 to administratively  
6 dissolve a corporation if any of the following occurs:

7 **SECTION 4604b.** 180.1420 (1) of the statutes is amended to read:

8 180.1420 (1) The corporation does not pay, within one year after they are due,  
9 any fees or penalties due the secretary of state department under this chapter.

10 **SECTION 4605b.** 180.1420 (2) of the statutes is amended to read:

11 180.1420 (2) The corporation does not have on file its annual report with the  
12 ~~secretary of state~~ department within one year after it is due.

13 **SECTION 4606b.** 180.1420 (4) of the statutes is amended to read:

14 180.1420 (4) The corporation does not notify the ~~secretary of state~~ department  
15 within one year that its registered agent or registered office has been changed, that  
16 its registered agent has resigned or that its registered office has been discontinued.

17 **SECTION 4607b.** 180.1421 (1) of the statutes is amended to read:

18 180.1421 (1) If the ~~secretary of state~~ department determines that one or more  
19 grounds exist under s. 180.1420 for dissolving a corporation, the ~~secretary of state~~  
20 department shall serve the corporation under s. 180.0504 with written notice of his  
21 ~~or her~~ the determination.

22 **SECTION 4608b.** 180.1421 (2) (a) of the statutes is amended to read:

23 180.1421 (2) (a) Within 60 days after service of the notice is perfected under  
24 s. 180.0504, the corporation shall correct each ground for dissolution or demonstrate



1 to the reasonable satisfaction of the ~~secretary of state~~ department that each ground  
2 determined by the ~~secretary of state~~ department does not exist.

3 **SECTION 4609b.** 180.1421 (2) (b) of the statutes is amended to read:

4 180.1421 (2) (b) If the corporation fails to satisfy par. (a), the ~~secretary of state~~  
5 department shall administratively dissolve the corporation by ~~signing~~ issuing a  
6 certificate of dissolution that recites each ground for dissolution and its effective  
7 date. The ~~secretary of state~~ department shall file the original of the certificate and  
8 serve a copy on the corporation under s. 180.0504.

9 **SECTION 4610b.** 180.1422 (1) (intro.) of the statutes is amended to read:

10 180.1422 (1) (intro.) A corporation that is administratively dissolved may  
11 apply to the ~~secretary of state~~ department for reinstatement within 2 years after the  
12 later of January 1, 1991, or the effective date of dissolution. The application shall  
13 include all of the following:

14 **SECTION 4611b.** 180.1422 (2) (a) (intro.) of the statutes is amended to read:

15 180.1422 (2) (a) (intro.) The ~~secretary of state~~ department shall cancel the  
16 certificate of dissolution and prepare a certificate of reinstatement that complies  
17 with par. (b) if the ~~secretary of state~~ department determines all of the following:

18 **SECTION 4612b.** 180.1422 (2) (a) 2. of the statutes is amended to read:

19 180.1422 (2) (a) 2. That all fees and penalties owed by the corporation to the  
20 ~~secretary of state~~ department have been paid.

21 **SECTION 4613b.** 180.1422 (2) (b) of the statutes is amended to read:

22 180.1422 (2) (b) The certificate of reinstatement shall state the ~~secretary of~~  
23 state's department's determination under par. (a) and the effective date of  
24 reinstatement. The ~~secretary of state~~ department shall file the original of the  
25 certificate and return a copy to the corporation or its representative.

1           **SECTION 4614b.** 180.1423 (1) of the statutes is amended to read:

2           180.1423 (1) If the ~~secretary of state~~ department denies a corporation's  
3 application for reinstatement under s. 180.1422, the ~~secretary of state~~ department  
4 shall serve the corporation under s. 180.0504 with a written notice that explains each  
5 reason for denial.

6           **SECTION 4615b.** 180.1423 (2) of the statutes is amended to read:

7           180.1423 (2) The corporation may appeal the denial of reinstatement to the  
8 circuit court for the county where the corporation's principal office or, if none in this  
9 state, its registered office is located, within 30 days after service of the notice of denial  
10 is perfected. The corporation shall appeal by petitioning the court to set aside the  
11 dissolution and attaching to the petition copies of the ~~secretary of state's~~  
12 department's certificate of dissolution, the corporation's application for  
13 reinstatement and the ~~secretary of state's~~ department's notice of denial.

14           **SECTION 4616b.** 180.1423 (3) of the statutes is amended to read:

15           180.1423 (3) The court may order the ~~secretary of state~~ department to reinstate  
16 the dissolved corporation or may take other action that the court considers  
17 appropriate.

18           **SECTION 4617b.** 180.1433 (1) of the statutes is amended to read:

19           180.1433 (1) If after a hearing the court determines that one or more grounds  
20 for judicial dissolution described in s. 180.1430 exist, it may enter a decree dissolving  
21 the corporation and specifying the effective date of the dissolution. The clerk of the  
22 court shall deliver a certified copy of the decree to the ~~secretary of state~~ department  
23 for filing.

24           **SECTION 4618b.** 180.1501 (1) of the statutes is amended to read:

1           180.1501 (1) A foreign corporation may not transact business in this state until  
2 it obtains a certificate of authority from the ~~secretary of state~~ department.

3           **SECTION 4619b.** 180.1502 (5) (b) of the statutes is amended to read:

4           180.1502 (5) (b) The foreign corporation shall pay the amount owed under par.  
5 (a) to the ~~secretary of state~~ department, and the ~~secretary of state~~ department may  
6 not issue a certificate of authority to the foreign corporation until the amount owed  
7 is paid. The attorney general may enforce a foreign corporation's obligation to pay  
8 to the ~~secretary of state~~ department any amount owed under this subsection.

9           **SECTION 4620b.** 180.1503 (1) (intro.) of the statutes is amended to read:

10          180.1503 (1) (intro.) A foreign corporation may apply for a certificate of  
11 authority to transact business in this state by delivering an application to the  
12 ~~secretary of state~~ department for filing. The application shall set forth all of the  
13 following:

14          **SECTION 4621b.** 180.1503 (1) (j) of the statutes is amended to read:

15          180.1503 (1) (j) The proportion of its capital which is represented in this state  
16 by its property to be located or to be acquired in this state and by its business to be  
17 transacted in this state. The proportion of capital employed in this state shall be  
18 computed by taking the estimate of the gross business of the foreign corporation to  
19 be transacted in this state in the following year and adding the same to the value of  
20 its property to be located or to be acquired in the state. The sum so obtained shall  
21 be the numerator of a fraction of which the denominator shall consist of the estimate  
22 of its total gross business for said year added to the value of its entire property. The  
23 fraction so obtained shall represent the proportion of the capital within the state.  
24 For the purposes of this section, the estimate of the business to be transacted and the  
25 property to be located or to be acquired in the state shall cover the period when it is

1 estimated the foreign corporation will commence business in this state to and  
2 including December 31 of that year. ~~The secretary of state~~ department may demand,  
3 as a condition precedent to issuing a certificate of authority, such further information  
4 and statements as ~~he or she may deem~~ the department considers proper in order to  
5 determine the accuracy of the application submitted under this section.

6 **SECTION 4622b.** 180.1504 (1) (intro.) of the statutes is amended to read:

7 180.1504 (1) (intro.) A foreign corporation authorized to transact business in  
8 this state shall obtain an amended certificate of authority from the ~~secretary of state~~  
9 department if it changes any of the following:

10 **SECTION 4623b.** 180.1506 (1) of the statutes is amended to read:

11 180.1506 (1) If the corporate name of a foreign corporation is not available  
12 under sub. (2), the foreign corporation, to obtain or maintain a certificate of authority  
13 to transact business in this state, may use a fictitious name to transact business in  
14 this state if it delivers to the ~~secretary of state~~ department for filing a copy of the  
15 resolution of its board of directors, certified by any of its officers, adopting the  
16 fictitious name.

17 **SECTION 4624b.** 180.1506 (2) (a) (intro.) of the statutes is amended to read:

18 180.1506 (2) (a) (intro.) Except as authorized by sub. (3) or (4), the corporate  
19 name, including a fictitious name, of a foreign corporation must be distinguishable  
20 upon the records of the ~~secretary of state~~ department from all of the following names:

21 **SECTION 4625b.** 180.1506 (3) (intro.) of the statutes is amended to read:

22 180.1506 (3) (intro.) A foreign corporation may apply to the ~~secretary of state~~  
23 department for authorization to use in this state a name that is not distinguishable  
24 upon the records of the ~~secretary of state~~ department from one or more of the names

1 described in sub. (2). The ~~secretary of state~~ department shall authorize use of the  
2 name applied for if any of the following occurs:

3 **SECTION 4626b.** 180.1506 (3) (a) of the statutes is amended to read:

4 180.1506 (3) (a) The other foreign corporation or the domestic corporation,  
5 limited liability company, nonstock corporation, limited partnership or cooperative  
6 association consents to the use in writing and submits an undertaking in a form  
7 satisfactory to the ~~secretary of state~~ department to change its name to a name that  
8 is distinguishable upon the records of the ~~secretary of state~~ department from the  
9 name of the applicant.

10 **SECTION 4627b.** 180.1506 (3) (b) of the statutes is amended to read:

11 180.1506 (3) (b) The applicant delivers to the ~~secretary of state~~ department a  
12 certified copy of a final judgment of a court of competent jurisdiction establishing the  
13 applicant's right to use the name applied for in this state.

14 **SECTION 4628b.** 180.1508 (1) (intro.) of the statutes is amended to read:

15 180.1508 (1) (intro.) A foreign corporation authorized to transact business in  
16 this state may change its registered office or registered agent, or both, by delivering  
17 to the ~~secretary of state~~ department for filing a statement of change that, except as  
18 provided in sub. (2), includes all of the following:

19 **SECTION 4629b.** 180.1508 (2) of the statutes is amended to read:

20 180.1508 (2) If a registered agent changes the street address of his or her  
21 business office, he or she may change the street address of the registered office of any  
22 foreign corporation for which he or she is the registered agent by notifying the foreign  
23 corporation in writing of the change and by signing, either manually or in facsimile,  
24 and delivering to the ~~secretary of state~~ department for filing a statement of change

1 that complies with sub. (1) and recites that the foreign corporation has been notified  
2 of the change.

3 **SECTION 4630b.** 180.1509 (1) (intro.) of the statutes is amended to read:

4 180.1509 (1) (intro.) The registered agent of a foreign corporation may resign  
5 by signing and delivering to the ~~secretary of state~~ department for filing a statement  
6 of resignation that includes all of the following information:

7 **SECTION 4631b.** 180.1509 (2) of the statutes is amended to read:

8 180.1509 (2) After filing the statement, the ~~secretary of state~~ department shall  
9 mail a copy to the foreign corporation at its principal office.

10 **SECTION 4632b.** 180.1509 (3) (a) of the statutes is amended to read:

11 180.1509 (3) (a) Sixty days after the ~~secretary of state~~ department receives the  
12 statement of resignation for filing.

13 **SECTION 4633b.** 180.1510 (4) (a) (intro.) of the statutes is amended to read:

14 180.1510 (4) (a) (intro.) With respect to a foreign corporation described in sub.  
15 (2) or (3), the foreign corporation may be served by registered or certified mail, return  
16 receipt requested, addressed to the foreign corporation at its principal office as  
17 shown on the records of the ~~secretary of state~~ department, except as provided in par.

18 (b). Service is perfected under this paragraph at the earliest of the following:".

19 **595.** [Page 1511, line 8](#): after that line insert:

20 "SECTION 4635b. 180.1510 (4) (b) 1. of the statutes, as affected by 1995  
21 Wisconsin Act .... (this act), is amended to read:

22 180.1510 (4) (b) 1. Except as provided in subd. 2., if the address of the foreign  
23 corporation's principal office cannot be determined from the records of the ~~secretary~~  
24 of state department, the foreign corporation may be served by publishing a class 3

1 notice, under ch. 985, in the community where the foreign corporation's principal  
2 office or registered office, as most recently designated in the records of the secretary  
3 of state department, is located.”.

4 **596.** Page 1511, line 14: after that line insert:

5 “SECTION 4637b. 180.1510 (4) (b) 2. of the statutes, as created by 1995  
6 Wisconsin Act .... (this act), is amended to read:

7 180.1510 (4) (b) 2. If a process, notice or demand is served by the secretary of  
8 state department on a foreign corporation under s. 180.1531 and the address of the  
9 foreign corporation's principal office cannot be determined from the records of the  
10 secretary of state department, the foreign corporation may be served by publishing  
11 a class 2 notice, under ch. 985, in the official state newspaper.

12 **SECTION 4638b.** 180.1520 (1) of the statutes is amended to read:

13 180.1520 (1) A foreign corporation authorized to transact business in this state  
14 may not withdraw from this state until it obtains a certificate of withdrawal from the  
15 secretary of state department.

16 **SECTION 4639b.** 180.1520 (2) (intro.) of the statutes is amended to read:

17 180.1520 (2) (intro.) A foreign corporation authorized to transact business in  
18 this state may apply for a certificate of withdrawal by delivering an application to  
19 the secretary of state department for filing. The application shall include all of the  
20 following:

21 **SECTION 4640b.** 180.1520 (2) (e) of the statutes is amended to read:

22 180.1520 (2) (e) A commitment to notify the secretary of state department in  
23 the future of any change in the mailing address of its principal office.

24 **SECTION 4641b.** 180.1530 (1) (intro.) of the statutes is amended to read:

1           180.1530 (1) (intro.) Except as provided in sub. (1m), the ~~secretary of state~~  
2 department may bring a proceeding under s. 180.1531 to revoke the certificate of  
3 authority of a foreign corporation authorized to transact business in this state if any  
4 of the following applies:

5           **SECTION 4642b.** 180.1530 (1) (a) of the statutes is amended to read:

6           180.1530 (1) (a) The foreign corporation fails to file its annual report with the  
7 ~~secretary of state~~ department within 4 months after it is due.

8           **SECTION 4643b.** 180.1530 (1) (b) of the statutes is amended to read:

9           180.1530 (1) (b) The foreign corporation does not pay, within 4 months after  
10 they are due, any fees or penalties due the ~~secretary of state~~ department under this  
11 chapter.

12           **SECTION 4644b.** 180.1530 (1) (d) of the statutes is amended to read:

13           180.1530 (1) (d) The foreign corporation does not inform the ~~secretary of state~~  
14 department under s. 180.1508 or 180.1509 that its registered agent or registered  
15 office has changed, that its registered agent has resigned or that its registered office  
16 has been discontinued, within 6 months of the change, resignation or  
17 discontinuance.

18           **SECTION 4645b.** 180.1530 (1) (f) of the statutes is amended to read:

19           180.1530 (1) (f) The ~~secretary of state~~ department receives a duly  
20 authenticated certificate from the secretary of state or other official having custody  
21 of corporate records in the state or country under whose law the foreign corporation  
22 is incorporated stating that it has been dissolved or disappeared as the result of a  
23 merger.

24           **SECTION 4646n.** 180.1530 (1m) of the statutes is amended to read:



1           180.1530 **(1m)** If the ~~secretary of state~~ department receives a certificate under  
2 sub. (1) (f) and a statement by the foreign corporation that the certificate is submitted  
3 by the foreign corporation to terminate its authority to transact business in this  
4 state, the ~~secretary of state~~ department shall issue a certificate of revocation under  
5 s. 180.1531 (2) (b).

6           **SECTION 4647b.** 180.1530 (2) of the statutes is amended to read:

7           180.1530 **(2)** A court may revoke under s. 946.87 the certificate of authority of  
8 a foreign corporation authorized to transact business in this state. The court shall  
9 notify the ~~secretary of state~~ department of the action, and the ~~secretary of state~~  
10 department shall issue a certificate of revocation under s. 180.1531 (2) (b).

11           **SECTION 4648b.** 180.1531 (1) of the statutes is amended to read:

12           180.1531 **(1)** If the ~~secretary of state~~ department determines that one or more  
13 grounds exist under s. 180.1530 (1) for revocation of a certificate of authority, the  
14 ~~secretary of state~~ department shall serve the foreign corporation under s. 180.1510  
15 with written notice of his or her the determination.

16           **SECTION 4649b.** 180.1531 (2) (a) of the statutes is amended to read:

17           180.1531 **(2)** (a) Within 60 days after service of the notice is perfected under  
18 s. 180.1510, the foreign corporation shall correct each ground for revocation or  
19 demonstrate to the reasonable satisfaction of the ~~secretary of state~~ department that  
20 each ground determined by the ~~secretary of state~~ department does not exist.

21           **SECTION 4650b.** 180.1531 (2) (b) of the statutes is amended to read:

22           180.1531 **(2)** (b) If the foreign corporation fails to satisfy par. (a), the ~~secretary~~  
23 ~~of state~~ department may revoke the foreign corporation's certificate of authority by  
24 ~~signing~~ issuing a certificate of revocation that recites each ground for revocation and

1 its effective date. The ~~secretary of state~~ department shall file the original of the  
2 certificate and serve a copy on the foreign corporation under s. 180.1510.

3 **SECTION 4651b.** 180.1531 (2) (c) 1. (intro.) of the statutes is amended to read:

4 180.1531 (2) (c) 1. (intro.) If a foreign corporation's certificate of authority is  
5 revoked after December 31, 1991, the ~~secretary of state~~ department shall reinstate  
6 the certificate of authority if the foreign corporation does all of the following within  
7 the later of October 4, 1993 or 6 months after the effective date of the certificate of  
8 revocation:

9 **SECTION 4652b.** 180.1531 (2) (c) 1. b. of the statutes is amended to read:

10 180.1531 (2) (c) 1. b. Pays any fees or penalties due the ~~secretary of state~~  
11 department under s. 180.1502 (5) (a) or \$5,000, whichever is less.

12 **SECTION 4653b.** 180.1531 (4) of the statutes is amended to read:

13 180.1531 (4) If the ~~secretary of state~~ department or a court revokes a foreign  
14 corporation's certificate of authority, the foreign corporation may be served under s.  
15 180.1510 (3) and (4) or the foreign corporation's registered agent may be served until  
16 the registered agent's authority is terminated, in any civil, criminal, administrative  
17 or investigatory proceeding based on a cause of action which arose while the foreign  
18 corporation was authorized to transact business in this state.

19 **SECTION 4654b.** 180.1532 (1) of the statutes is amended to read:

20 180.1532 (1) A foreign corporation may appeal the ~~secretary of state's~~  
21 department's revocation of its certificate of authority under s. 180.1530 (1) to the  
22 circuit court for the county where the foreign corporation's principal office or, if none  
23 in this state, its registered office is located, within 30 days after service of the  
24 certificate of revocation is perfected under s. 180.1510. The foreign corporation shall  
25 appeal by petitioning the court to set aside the revocation and attaching to the

1 petition copies of its certificate of authority and the ~~secretary of state's~~ department's  
2 certificate of revocation.

3 **SECTION 4655b.** 180.1532 (2) of the statutes is amended to read:

4 180.1532 (2) The court may order the ~~secretary of state~~ department to reinstate  
5 the certificate of authority or may take any other action that the court considers  
6 appropriate.

7 **SECTION 4656b.** 180.1622 (title) of the statutes is amended to read:

8 **180.1622** (title) **Annual report for ~~secretary of state~~ department of**  
9 **financial institutions.**

10 **SECTION 4657b.** 180.1622 (1) (intro.) of the statutes is amended to read:

11 180.1622 (1) (intro.) Except as provided in s. 180.1921, each domestic  
12 corporation and each foreign corporation authorized to transact business in this  
13 state shall file with the ~~secretary of state~~ department an annual report that includes  
14 all of the following information:

15 **SECTION 4658b.** 180.1622 (1) (i) of the statutes is amended to read:

16 180.1622 (1) (i) With respect to a foreign corporation, the proportion of the  
17 capital represented in this state by its property located and business transacted in  
18 this state during the preceding year. The proportion of capital employed in the state  
19 shall be computed by taking the gross business of the foreign corporation in the state  
20 and adding the same to the value of its property located in the state. The sum so  
21 obtained shall be the numerator of a fraction of which the denominator shall consist  
22 of its total gross business of said year added to the value of its entire property. The  
23 fraction so obtained shall represent the proportion of the capital within the state.  
24 The ~~secretary of state~~ department may demand, as a condition precedent to the filing  
25 of the annual report, such further information and statements as he or she may deem

1 the department considers proper in order to determine the accuracy of the report  
2 submitted.

3 **SECTION 4659b.** 180.1622 (2) (a) of the statutes is amended to read:

4 180.1622 (2) (a) Information in the annual report shall be current as of the date  
5 on which the annual report is executed on behalf of a domestic corporation, except  
6 that the information required by sub. (1) (f) and (g) shall be current as of the close  
7 of the domestic corporation's fiscal year immediately before the date by which the  
8 annual report is required to be delivered to the ~~secretary of state~~ department.

9 **SECTION 4660b.** 180.1622 (2) (b) of the statutes is amended to read:

10 180.1622 (2) (b) Information in the annual report shall be current as of the date  
11 on which the annual report is executed on behalf of a foreign corporation, except that  
12 the information required by sub. (1) (f) to (i) shall be current as of the date of the close  
13 of the foreign corporation's fiscal year in the 12 months ending on the September 30  
14 immediately before the date by which the annual report is required to be delivered  
15 to the ~~secretary of state~~ department.

16 **SECTION 4661b.** 180.1622 (3) (a) of the statutes is amended to read:

17 180.1622 (3) (a) A domestic corporation shall deliver its annual report to the  
18 ~~secretary of state~~ department in each year following the calendar year in which the  
19 domestic corporation was incorporated, during the calendar year quarter in which  
20 the anniversary date of the incorporation occurs.

21 **SECTION 4662b.** 180.1622 (3) (b) of the statutes is amended to read:

22 180.1622 (3) (b) A foreign corporation authorized to transact business in this  
23 state shall deliver its annual report to the ~~secretary of state~~ department during the  
24 first calendar quarter of each year following the calendar year in which the foreign  
25 corporation becomes authorized to transact business in this state.

1           **SECTION 4663b.** 180.1622 (4) of the statutes is amended to read:

2           180.1622 (4) If an annual report does not contain the information required by  
3 this section, the ~~secretary of state~~ department shall promptly notify the reporting  
4 domestic corporation or foreign corporation in writing and return the report to it for  
5 correction. The notice shall comply with s. 180.0141. If the annual report is corrected  
6 to contain the information required by this section and delivered to the ~~secretary of~~  
7 ~~state~~ department within 30 days after the effective date of the notice under s.  
8 180.0141 (5), the annual report is timely filed.

9           **SECTION 4664b.** 180.1622 (5) of the statutes is amended to read:

10          180.1622 (5) An annual report is effective on the date that it is filed by the ~~office~~  
11 ~~of the secretary of state~~ department.

12          **SECTION 4665b.** 180.1708 (1) of the statutes is amended to read:

13          180.1708 (1) FILING DUTY; APPEAL. Sections 180.0125 and 180.0126 apply to a  
14 document delivered to the ~~office of the secretary of state~~ department for filing on or  
15 after January 1, 1991.

16          **SECTION 4666b.** 180.1708 (8) (b) of the statutes is amended to read:

17          180.1708 (8) (b) Sections 180.1530 (2) and 180.1531 (2) (b) and (3) to (5) apply  
18 to a judicial revocation under s. 946.87 of which the ~~secretary of state~~ department  
19 is notified under s. 180.1530 (2) on or after January 1, 1991. Section 180.1531 (2) (c)  
20 applies to a revocation based on grounds arising before, on or after January 1, 1991.

21          **SECTION 4667b.** 180.1909 of the statutes is amended to read:

22          **180.1909 Filing articles of incorporation.** Before commencing operations,  
23 a service corporation shall deliver its articles of incorporation to the ~~office of the~~  
24 ~~secretary of state~~ department for filing.

25          **SECTION 4668b.** 180.1921 (1) of the statutes is amended to read:

1           180.1921 (1) A service corporation shall deliver to the ~~office of the secretary of~~  
2 state department for filing a report in each year following the year in which the  
3 service corporation's articles of incorporation were filed by the ~~secretary of state~~  
4 department, during the calendar year quarter in which the anniversary of the filing  
5 occurs.

6           **SECTION 4669b.** 180.1921 (2) of the statutes is amended to read:

7           180.1921 (2) The report shall show the address of this service corporation's  
8 principal office and the name and post-office address of each shareholder, director  
9 and officer of the service corporation and shall certify that, with the exceptions  
10 permitted in s. 180.1913, each shareholder, director and officer is licensed, certified,  
11 registered or otherwise legally authorized to render the same professional or other  
12 personal service in this state or is a health care professional. The service corporation  
13 shall prepare the report on forms prescribed and furnished by the ~~secretary of state~~  
14 department, and the report shall contain no fiscal or other information except that  
15 expressly called for by this section. The ~~secretary of state~~ department shall forward  
16 report blanks by 1st class mail to every service corporation in good standing, at least  
17 60 days before the date on which the service corporation is required by this section  
18 to file an annual report.

19           **SECTION 4670b.** 180.1921 (4) of the statutes is amended to read:

20           180.1921 (4) An annual report is effective on the date that it is filed by the ~~office~~  
21 ~~of the secretary of state~~ department.

22           **SECTION 4671b.** 181.02 (4m) of the statutes is created to read:

23           181.02 (4m) "Department" means the department of financial institutions.

24           **SECTION 4672b.** 181.06 (3) (intro.) of the statutes is amended to read:

1           181.06 (3) (intro.) Shall not be the same as or deceptively similar to the name  
2 of any corporation, limited liability company or limited partnership existing under  
3 any law of this state, or any foreign corporation, foreign limited liability company or  
4 foreign limited partnership authorized to transact business or conduct affairs in this  
5 state, or a name the exclusive right to which is at the time reserved in the manner  
6 provided in this chapter or reserved or registered in the manner provided in ch. 180,  
7 except that this subsection shall not apply if the applicant files with the ~~secretary of~~  
8 ~~state~~ department either of the following:

9           **SECTION 4673b.** 181.07 (2) of the statutes is amended to read:

10           181.07 (2) The reservation shall be made by filing with the ~~secretary of state~~  
11 ~~department~~ an application to reserve a specified corporate name, executed by the  
12 applicant or making a telephone application to reserve a specified corporate name.  
13 If the ~~secretary of state~~ department finds that the name is available for corporate use,  
14 the ~~secretary of state~~ department shall reserve the same for the exclusive use of the  
15 applicant for a period of 60 days. The ~~secretary of state~~ department shall cancel the  
16 telephone application to reserve a specified corporate name if the ~~secretary of state~~  
17 ~~department~~ does not receive the proper fee within 15 business days after the  
18 application.

19           **SECTION 4674b.** 181.07 (3) of the statutes is amended to read:

20           181.07 (3) Any corporation, domestic or foreign entitled to the use of its  
21 corporate name under the laws of this state, may upon merger, consolidation, change  
22 of name or dissolution reserve the exclusive right to that corporate name for a period  
23 of not to exceed 10 years by filing with the ~~secretary of state~~ department an  
24 application to reserve the right to that name, executed by the corporation. This  
25 application shall be filed with the ~~secretary of state~~ department simultaneously with

1 the filing of articles of merger, consolidation or dissolution or with the filing of  
2 articles of amendment or restated articles which change the corporate name.

3 **SECTION 4675b.** 181.07 (5) of the statutes is amended to read:

4 181.07 (5) The right to the exclusive use of a specified corporate name so  
5 reserved may be transferred to any other person or corporation by filing ~~in the office~~  
6 ~~of the secretary of state~~ with the department a notice of such transfer, executed by  
7 the applicant for whom the name was reserved, and specifying the name and address  
8 of the transferee.

9 **SECTION 4676b.** 181.08 of the statutes is amended to read:

10 **181.08 Registered agent.** Each corporation shall have and continuously  
11 maintain in this state a registered agent, which agent may be an individual resident  
12 in this state, a domestic corporation organized under this chapter or ch. 180, a  
13 domestic limited liability company or a foreign corporation or foreign limited liability  
14 company authorized to transact business in this state. The name and address of the  
15 registered agent shall be filed with the ~~secretary of state~~ department.

16 **SECTION 4677b.** 181.09 (1) (intro.) of the statutes is amended to read:

17 181.09 (1) (intro.) A corporation may change its registered agent or the  
18 registered agent's address by executing and filing with the ~~secretary of state~~  
19 department a statement setting forth:

20 **SECTION 4678b.** 181.095 (1) (intro.) of the statutes is amended to read:

21 181.095 (1) (intro.) A registered agent may resign by executing and filing with  
22 the ~~secretary of state~~ department a statement in duplicate setting forth:

23 **SECTION 4679b.** 181.095 (3) of the statutes is amended to read:



1           181.095 (3) The ~~secretary of state~~ department shall note on one of the  
2 duplicates the date of filing and mail the same to the corporation at its principal office  
3 as shown by the statement filed.

4           **SECTION 4680b.** 181.10 (3) of the statutes is amended to read:

5           181.10 (3) If the address of the corporation's principal office cannot be  
6 determined from the records of the ~~secretary of state~~ held by the department, the  
7 corporation may be served by publishing a class 3 notice, under ch. 985, in the  
8 community where the corporation's principal office or registered office, as most  
9 recently designated in the records of the ~~secretary of state~~ department, is located.

10          **SECTION 4681b.** 181.265 of the statutes is amended to read:

11          **181.265 Report of names and addresses of officers or directors.**

12 Whenever initial officers are selected, or changes are made in the principal officers  
13 or directors of a corporation, the corporation may file with the ~~secretary of state~~  
14 department a report setting forth the names and addresses of all the principal  
15 officers or directors, or both if there have been changes in both.

16          **SECTION 4682b.** 181.32 (1) of the statutes is amended to read:

17          181.32 (1) The articles of incorporation shall be filed and recorded as provided  
18 in s. 181.67. Duplicate originals of the articles of incorporation shall be submitted  
19 to the ~~secretary of state, who~~ department. The department shall file one original in  
20 ~~his or her office~~ and forward the other within 5 days to the register of deeds of the  
21 county in which the corporation's principal office is located for recording. On filing  
22 an original, the ~~secretary of state~~ department shall issue a certificate of  
23 incorporation.

24          **SECTION 4683b.** 181.32 (2) of the statutes is amended to read:

1           181.32 (2) Upon issuing a certificate of incorporation, the ~~secretary of state~~  
2 department shall inform the corporation of the reporting requirements under s.  
3 440.42 for charitable organizations that solicit contributions.

4           **SECTION 4684b.** 181.38 of the statutes is amended to read:

5           **181.38 Filing of articles of amendment.** The articles of amendment shall  
6 be filed and recorded, and upon filing of the articles, the ~~secretary of state~~  
7 department may issue a certificate of amendment.

8           **SECTION 4685b.** 181.39 (2) of the statutes is amended to read:

9           181.39 (2) Restated articles of incorporation shall be executed, filed and  
10 recorded in the manner prescribed in this chapter for articles of amendment and on  
11 filing shall supersede and take the place of the theretofore existing articles of  
12 incorporation and amendments thereto. The ~~secretary of state~~ department shall  
13 upon request certify a copy of the articles of incorporation, or the articles of  
14 incorporation as restated, or any amendments to either thereof.

15           **SECTION 4686b.** 181.40 of the statutes is amended to read:

16           **181.40 Filing and recording court order under bankruptcy laws.** The  
17 ~~secretary of state~~ department and the register of deeds shall upon delivery to them  
18 respectively file and record in the manner and places and upon payment of fees as  
19 provided in this chapter in respect to articles of amendment, duly certified copies of  
20 any order of a court of the United States in proceedings under the national  
21 bankruptcy laws, if such order effects an amendment to the articles of incorporation.  
22 It shall be the duty of the principal officers of such corporation to cause each such  
23 order to be so filed and recorded promptly after such order has become final.

24           **SECTION 4687b.** 181.45 (2) of the statutes is amended to read:

1           181.45 (2) Such articles of merger or consolidation shall be filed ~~in the office~~  
2           ~~of the secretary of state~~ with the department and shall be recorded in the offices of  
3           the registers of deeds of the counties of this state in which the respective corporations  
4           so consolidating or merging have their principal offices and in the county in which  
5           the surviving or new corporation is to have its principal office.

6           **SECTION 4688b.** 181.45 (3) of the statutes is amended to read:

7           181.45 (3) The certificate of merger or consolidation may be issued by the  
8           ~~secretary of state~~ department upon expiration of the period for filing a certificate of  
9           abandonment.

10          **SECTION 4689b.** 181.46 of the statutes is amended to read:

11          **181.46 Effective date of merger or consolidation; abandonment.** The  
12          merger or consolidation shall be effected upon the filing of the articles of merger or  
13          consolidation, or at such time within 31 days thereafter as is designated in said  
14          articles. If, after the filing of articles of merger or consolidation, the merger or  
15          consolidation is abandoned pursuant to provisions therefor set forth in the plan of  
16          merger or consolidation, there shall be executed by the president or a vice president  
17          and the secretary or an assistant secretary of each corporation, and shall be sealed  
18          with the corporate seal of each corporation, a certificate of abandonment setting forth  
19          the fact and date of such abandonment; and such certificate shall within 30 days of  
20          such abandonment be filed ~~in the office of the secretary of state~~ with the department  
21          and recorded in each office in which such articles of merger or consolidation were  
22          recorded.

23          **SECTION 4690b.** 181.55 of the statutes is amended to read:

24          **181.55 Filing and recording of articles of dissolution and effect**  
25          **thereof.** The articles of dissolution shall be filed and recorded, and when the articles

1 are filed the existence of the corporation shall cease, except for the purpose of suits,  
2 other proceedings and appropriate corporate action of members, directors and  
3 officers as provided in this chapter. Upon the filing of the articles, the ~~secretary of~~  
4 state department may issue a certificate of dissolution.

5 **SECTION 4691b.** 181.561 (intro.) of the statutes is amended to read:

6 **181.561 Grounds for administrative dissolution.** (intro.) The ~~secretary~~  
7 of state department may bring a proceeding under s. 181.562 to administratively  
8 dissolve a corporation if any of the following occurs:

9 **SECTION 4692b.** 181.561 (1) of the statutes is amended to read:

10 181.561 (1) The corporation does not pay, within one year after they are due,  
11 any fees or penalties due the ~~secretary of state~~ department under this chapter.

12 **SECTION 4693b.** 181.561 (2) of the statutes is amended to read:

13 181.561 (2) The corporation does not have on file its annual report with the  
14 ~~secretary of state~~ department within one year after it is due.

15 **SECTION 4694b.** 181.561 (4) of the statutes is amended to read:

16 181.561 (4) The corporation does not notify the ~~secretary of state~~ department  
17 within one year that its registered agent or registered office has been changed, that  
18 its registered agent has resigned or that its registered office has been discontinued.

19 **SECTION 4695b.** 181.562 (1) of the statutes is amended to read:

20 181.562 (1) If the ~~secretary of state~~ department determines that one or more  
21 grounds exist under s. 181.561 for dissolving a corporation, the ~~secretary of state~~  
22 department shall serve the corporation under s. 181.10 with written notice of ~~his or~~  
23 her the determination.

24 **SECTION 4696b.** 181.562 (2) (a) of the statutes is amended to read:

1           181.562 (2) (a) Within 60 days after service of the notice is perfected under s.  
2           181.10 (2), the corporation shall correct each ground for dissolution or demonstrate  
3           to the reasonable satisfaction of the ~~secretary of state~~ department that each ground  
4           determined by the ~~secretary of state~~ department does not exist.

5           **SECTION 4697b.** 181.562 (2) (b) of the statutes is amended to read:

6           181.562 (2) (b) If the corporation fails to satisfy par. (a), the ~~secretary of state~~  
7           department shall administratively dissolve the corporation by ~~signing~~ issuing a  
8           certificate of dissolution that recites each ground for dissolution and its effective  
9           date. The ~~secretary of state~~ department shall file the original of the certificate and  
10          serve a copy on the corporation under s. 181.10.

11          **SECTION 4698b.** 181.563 (1) (intro.) of the statutes is amended to read:

12          181.563 (1) (intro.) A corporation that is administratively dissolved may apply  
13          to the ~~secretary of state~~ department for reinstatement within 2 years after the later  
14          of January 1, 1994, or the effective date of dissolution. The application shall include  
15          all of the following:

16          **SECTION 4699b.** 181.563 (2) (a) (intro.) of the statutes is amended to read:

17          181.563 (2) (a) (intro.) The ~~secretary of state~~ department shall cancel the  
18          certificate of dissolution and prepare a certificate of reinstatement that complies  
19          with par. (b) if the ~~secretary of state~~ department determines all of the following:

20          **SECTION 4700b.** 181.563 (2) (a) 2. of the statutes is amended to read:

21          181.563 (2) (a) 2. That all fees and penalties owed by the corporation to the  
22          ~~secretary of state~~ department have been paid.

23          **SECTION 4701b.** 181.563 (2) (b) of the statutes is amended to read:

24          181.563 (2) (b) The certificate of reinstatement shall state the ~~secretary of~~  
25          ~~state's~~ department's determination under par. (a) and the effective date of

1 reinstatement. The ~~secretary of state~~ department shall file the original of the  
2 certificate and serve a copy on the corporation under s. 181.10.

3 **SECTION 4702b.** 181.564 (1) of the statutes is amended to read:

4 181.564 (1) If the ~~secretary of state~~ department denies a corporation's  
5 application for reinstatement under s. 181.563, the ~~secretary of state~~ department  
6 shall serve the corporation under s. 181.10 with a written notice that explains each  
7 reason for denial.

8 **SECTION 4703b.** 181.564 (2) of the statutes is amended to read:

9 181.564 (2) The corporation may appeal the denial of reinstatement to the  
10 circuit court for the county where the corporation's principal office or, if none in this  
11 state, its registered office is located, within 30 days after service of the notice of denial  
12 is perfected. The corporation shall appeal by petitioning the court to set aside the  
13 dissolution and attaching to the petition copies of the ~~secretary of state's~~  
14 department's certificate of dissolution, the corporation's application for  
15 reinstatement and the ~~secretary of state's~~ department's notice of denial.

16 **SECTION 4704b.** 181.564 (3) of the statutes is amended to read:

17 181.564 (3) The court may order the ~~secretary of state~~ department to reinstate  
18 the dissolved corporation or may take other action that the court considers  
19 appropriate.

20 **SECTION 4705b.** 181.63 of the statutes is amended to read:

21 **181.63 Filing of decree of dissolution.** In case the court enters a decree  
22 dissolving a corporation the clerk of such court shall cause a certified copy of the  
23 decree to be filed and recorded. Upon the filing of the decree the ~~secretary of state~~  
24 department shall issue a certificate of dissolution. No fee shall be charged for such  
25 filing or recording.”.

1           **597.** Page 1511, line 15: delete lines 15 to 23.

2           **598.** Page 1511, line 23: after that line insert:

3           “**SECTION 4706b.** 181.651 (2) of the statutes is amended to read:

4           181.651 (2) The annual report shall be made on forms prescribed and furnished  
5 by the ~~secretary of state~~ department, and the information contained in the report  
6 shall be given as of the date of the execution of the report. It shall be executed by the  
7 corporation by its president, a vice president, secretary, assistant secretary, or  
8 treasurer, or, until the first election of officers, by one of its incorporators, or, if the  
9 corporation is in the hands of a receiver or trustee, it shall be executed on behalf of  
10 the corporation by such receiver or trustee.

11           **SECTION 4707b.** 181.651 (3) of the statutes is amended to read:

12           181.651 (3) The ~~secretary of state~~ department shall forward by 1st class mail  
13 a report form to every corporation in good standing not later than 60 days before the  
14 date on which the corporation is required by this chapter to file an annual report.

15           **SECTION 4708b.** 181.651 (5) of the statutes is amended to read:

16           181.651 (5) A corporation shall deliver its annual report to the ~~secretary of~~  
17 ~~state~~ department in each year following the calendar year in which the corporation  
18 was incorporated, during the calendar year quarter in which the anniversary date  
19 of the incorporation occurs.

20           **SECTION 4709b.** 181.651 (6) of the statutes is amended to read:

21           181.651 (6) If an annual report does not contain the information required by  
22 this section, the ~~secretary of state~~ department shall promptly notify the reporting  
23 corporation in writing and return the report to it for correction. The notice shall  
24 comply with s. 181.10. If the annual report is corrected to contain the information

1 required by this section and delivered to the ~~secretary of state~~ department within 30  
2 days after the effective date of the notice determined under s. 181.10 (2), the annual  
3 report is timely filed.

4 **SECTION 4710b.** 181.651 (7) of the statutes is amended to read:

5 181.651 (7) An annual report is effective on the date that it is filed by the ~~office~~  
6 ~~of the secretary of state~~ department.

7 **SECTION 4711b.** 181.66 (2) of the statutes is amended to read:

8 181.66 (2) A foreign corporation conducting its affairs or acquiring, holding or  
9 disposing of property in this state, shall by so doing be deemed to have thereby  
10 appointed the ~~secretary of state~~ department as its agent and representative upon  
11 whom any process, notice or demand may be served in any action or proceeding  
12 arising out of or relating to any affairs conducted or property acquired, held or  
13 disposed of within this state. Service of such process, notice or demand shall be made  
14 by serving a copy upon the ~~secretary of state or by filing such copy in the secretary~~  
15 ~~of state's office~~ department, and such service shall be sufficient service upon said  
16 foreign corporation, provided that notice of such service and a copy of the process,  
17 notice or demand are within 10 days thereafter sent by mail by the plaintiff to the  
18 defendant at its last-known address, and that the plaintiff's affidavit of compliance  
19 herewith is appended to the process, notice or demand. The ~~secretary of state~~  
20 department shall keep a record of all such processes, notices and demands which  
21 shows the day and hour of service.

22 **SECTION 4712b.** 181.667 (intro.) of the statutes is amended to read:

23 **181.667 Recording change of principal office.** (intro.) If a document  
24 submitted to the ~~secretary of state~~ department for filing under this chapter changes  
25 the county of the corporation's principal office:



1           **SECTION 4713b.** 181.667 (1) of the statutes is amended to read:

2           181.667 (1) An original of the document or a duplicate original ~~endorsed~~  
3 certified by the ~~secretary of state~~ department shall be recorded in each county;

4           **SECTION 4714b.** 181.667 (3) of the statutes is amended to read:

5           181.667 (3) A certificate of the ~~secretary of state~~ prepared by the department  
6 listing the type and date of filing of recordable documents previously filed by the  
7 corporation shall be recorded in the county of the new principal office.

8           **SECTION 4715b.** 181.67 (1) (a) of the statutes is amended to read:

9           181.67 (1) (a) Separate originals of the document for the ~~secretary of state~~  
10 department and for the register of deeds of each county in which the document is  
11 required to be recorded.

12           **SECTION 4716b.** 181.67 (1) (b) of the statutes is amended to read:

13           181.67 (1) (b) A check payable to the ~~secretary of state~~ department in the  
14 amount of the filing fee prescribed under s. 181.68.

15           **SECTION 4717b.** 181.67 (2) (a) of the statutes is amended to read:

16           181.67 (2) (a) Unless the document does not conform to law, the ~~secretary of~~  
17 ~~state~~ department shall ~~endorse on~~ mark each original "Filed" and the date of filing  
18 and shall file one original in ~~his or her office~~.

19           **SECTION 4718b.** 181.67 (2) (b) of the statutes is amended to read:

20           181.67 (2) (b) The ~~secretary of state~~ department shall forward to each register  
21 of deeds the check under sub. (1) (c) and an original document or duplicate ~~endorsed~~  
22 certified by the ~~secretary of state~~ department, within 5 days of filing.

23           **SECTION 4719b.** 181.67 (3) (a) of the statutes is amended to read:

24           181.67 (3) (a) Each week the ~~secretary of state~~ department shall forward to  
25 each register of deeds a listing of all documents received during the preceding week

1 for filing and recording as required under this chapter. For each document, the  
2 listing shall specify the type of document, the name of the corporation, the name of  
3 the county of the corporation's principal office, and the date of filing.

4 **SECTION 4720b.** 181.67 (3) (b) of the statutes is amended to read:

5 181.67 (3) (b) The ~~secretary of state~~ department of financial institutions shall  
6 forward to the department of regulation and licensing the name and address of any  
7 corporation filing articles of incorporation under this chapter.

8 **SECTION 4721b.** 181.67 (4) of the statutes is amended to read:

9 181.67 (4) A document required to be filed and recorded under this chapter is  
10 effective on filing with the ~~secretary of state~~ department, except as provided in s.  
11 181.46. An error or omission in recording the document or a certificate under s.  
12 181.667 (2) with a register of deeds does not affect its effectiveness.

13 **SECTION 4722b.** 181.67 (5) of the statutes is amended to read:

14 181.67 (5) A document filed with the ~~secretary of state~~ department under this  
15 chapter before May 7, 1982 is effective unless the records of the ~~secretary of state~~  
16 department show that the document was recognized as ineffective because of a  
17 recording defect and the ~~secretary of state~~ department or the corporation acted in  
18 reliance on the ineffectiveness of the document.

19 **SECTION 4723b.** 181.67 (6) (a) (intro.) of the statutes is amended to read:

20 181.67 (6) (a) (intro.) The ~~secretary of state~~ department may waive any of the  
21 following:

22 **SECTION 4724b.** 181.67 (6) (a) 2. of the statutes is amended to read:

23 181.67 (6) (a) 2. An omission or defect in a document, if the ~~secretary of state~~  
24 department determines from the face of the document that the omission or defect is  
25 immaterial.

1           **SECTION 4725b.** 181.68 (1) (intro.) of the statutes is amended to read:

2           181.68 (1) (intro.) The ~~secretary of state~~ department shall charge and collect  
3 for:

4           **SECTION 4726b.** 181.68 (1) (b) of the statutes is amended to read:

5           181.68 (1) (b) Filing articles of amendment, \$25, except that no fee may be  
6 collected for an amendment showing only a change of address resulting from the  
7 action of a governmental agency if there is no corresponding change in physical  
8 location and if 2 copies of the notice of the action are submitted to the ~~secretary of~~  
9 state department;

10          **SECTION 4727b.** 181.68 (1) (e) of the statutes is amended to read:

11          181.68 (1) (e) Filing statement of change of registered agent or address of  
12 registered agent under s. 181.09 (1), or a statement of resignation of registered agent,  
13 \$10, except that no fee may be collected for a change of address resulting from the  
14 action of a governmental agency if there is no corresponding change in physical  
15 location and if 2 copies of the notice of the action are submitted to the ~~secretary of~~  
16 state department;

17          **SECTION 4728b.** 181.68 (1) (f) of the statutes is amended to read:

18          181.68 (1) (f) Receiving service of any process, notice or demand authorized to  
19 be served on the ~~secretary of state~~ department by this chapter, \$10;

20          **SECTION 4729b.** 181.68 (3) of the statutes is amended to read:

21          181.68 (3) The ~~secretary of state~~ department shall not file any document  
22 relating to any corporation, domestic or foreign, organized under or subject to the  
23 provisions of this chapter, until all fees and charges provided to be paid in connection  
24 therewith shall have been paid to the ~~secretary of state~~ department or while the

1 corporation is in default in the payment of any fees, charges or penalties herein  
2 provided to be paid by or assessed against it.

3 **SECTION 4730b.** 181.69 of the statutes is amended to read:

4 **181.69 Penalties for false statements.** Any officer or director or any other  
5 person who shall file or cause to be filed with the ~~secretary of state~~ department on  
6 behalf of any corporation subject to this chapter any certificate, report, statement,  
7 application or any other document required or permitted to be so filed under this  
8 chapter, known to such director, officer or other person to be false or misleading in  
9 any material respect shall be imprisoned in the Wisconsin state prisons not more  
10 than 3 years or in the county jail not more than one year or fined not more than  
11 \$1,000.

12 **SECTION 4731b.** 181.73 (title) of the statutes is amended to read:

13 **181.73 (title) Appeal from ~~secretary of state~~ department of financial**  
14 **institutions.**

15 **SECTION 4732b.** 181.73 (1) of the statutes is amended to read:

16 181.73 (1) If the ~~secretary of state~~ department finds that any document  
17 required by this chapter to be filed ~~in the secretary's office~~ with the department does  
18 not conform to law, the ~~secretary~~ department shall, within 10 days after receipt of  
19 the document, give written notice of the ~~secretary's~~ decision to the person or  
20 corporation, domestic or foreign, delivering the document, specifying the reasons  
21 therefor. The decision shall be subject to such judicial proceedings as are provided  
22 by law, or such person or corporation, within 60 days after receipt of the notice of  
23 decision, may commence an action against the ~~secretary of state~~ department in the  
24 circuit court of Dane county by filing a summons and a complaint to set aside such  
25 finding. The proceedings shall be had as in other actions and the person or

1 corporation shall receive a new trial on all issues relating to the secretary's  
2 department's decision. The trial shall be conducted by the court without a jury, and  
3 the court shall either sustain the action of the ~~secretary of state~~ department or direct  
4 the ~~secretary~~ department to take such action as the court deems proper.

5 **SECTION 4733b.** 181.74 of the statutes is amended to read:

6 **181.74 (title) Forms to be furnished by ~~secretary of state~~ department**  
7 **of financial institutions.** (1) All reports required by this chapter to be filed ~~in the~~  
8 ~~office of the secretary of state~~ with the department shall be made on forms prescribed  
9 and furnished by the ~~secretary of state~~ department.

10 (2) The ~~secretary of state~~ department may provide such forms for other  
11 documents to be filed ~~in the secretary of state's office~~ with the department under this  
12 chapter as in that the ~~secretary of state's judgment may be deemed~~ department  
13 considers necessary for such purpose but the use thereof, unless otherwise  
14 specifically prescribed in this chapter, shall not be mandatory.

15 **SECTION 4733m.** 182.01 of the statutes is created to read:

16 **182.01 Business formation records. (1) DEFINITION.** In this section,  
17 "department" means the department of financial institutions.

18 (2) RECORD KEEPING RESPONSIBILITY. The department shall receive and maintain  
19 business formation records.

20 (4) FURNISH CERTIFIED COPIES; FEES. The department shall make a copy of any  
21 resolution, deed, bond, record, document or paper deposited or kept by the  
22 department under this section, upon request, attach a certificate and collect 50 cents  
23 per page and \$5 for a certificate; if a copy is not to be certified and if the reproduction  
24 is performed by the department, then collect a fee to cover the actual and necessary  
25 cost of reproduction and actual and necessary cost of transcription required to

1 produce the copy or \$2, whichever is greater; also to record any document authorized  
2 or required by law to be recorded in the department, and to charge a fee of \$1 per  
3 page. The fee for certified copies of certificates of incorporations or amendments,  
4 licenses of foreign corporations, or similar certificates, and for certificates as to  
5 results of search of the records and files of the department, when a printed form is  
6 used, shall be \$5, but when a specially prepared form is required the fee shall be \$10.  
7 Telegraphic reports as to results of record searches shall be \$5 plus the cost of the  
8 telegram. The department shall charge and collect for preparing any record or  
9 certificate under this subsection in an expeditious manner, an expedited service fee  
10 of \$25 in addition to the fee otherwise required under this subsection, except that  
11 only one expedited service fee may be charged for multiple identical corporation or  
12 limited partnership certificates of status if the certificates of status are requested at  
13 the same time and issued at the same time.

14 (5) **CONDITIONAL ACCEPTANCE OF FILING FEES.** Before actually filing any  
15 document by making an endorsement on that document, the department may accept  
16 and deposit the filing fee submitted with that document upon the condition that if  
17 subsequent examination of the document establishes that it does not meet the  
18 requirements for filing, the fee may be refunded and upon the condition that if a  
19 discrepancy in the amount of the fee is subsequently discovered the department may  
20 then demand further payment of a shortage or refund an overpayment subject to s.  
21 20.905 (3).

22 **SECTION 4734b.** 182.031 (2) of the statutes is amended to read:

23 182.031 (2) **POWERS; PLACE OF BUSINESS.** Every such corporation shall possess  
24 all the rights and powers conferred upon corporations by chs. 180 and 184. It may  
25 have its principal place of business without the state. If its principal place of business

1 is outside the state, process in actions against it may be served as provided in s.  
2 180.1510 for service on a foreign stock corporation authorized to transact business  
3 in this state or upon the ~~secretary of state~~ department of financial institutions as  
4 provided in s. 181.66 (2) for service upon a foreign nonprofit corporation.

5 **SECTION 4735b.** 182.34 (7) of the statutes is amended to read:

6 182.34 (7) Tolls and license fees authorized under s. 182.33 (2) shall be so fixed  
7 and adjusted in respect of the aggregate of tolls of each turnpike project including  
8 any extension or section thereof in connection with which the bonds of any issue shall  
9 have been issued as to provide a fund sufficient with other revenue from such  
10 turnpike project or extensions or sections thereof, if any, to pay a) the cost of  
11 maintaining, repairing and operating such turnpike project or extension or section  
12 thereof, including the legal liabilities of the corporation, and b) the principal of and  
13 the interest on such bonds as the same shall become due and payable, and to create  
14 reserve for such purposes. Such tolls shall not be subject to supervision or regulation  
15 by any commission, board, bureau or agency of the state. The tolls and all other  
16 revenues derived from each turnpike project or extensions or sections in connection  
17 with which the bonds of any issue shall have been issued, except such part thereof  
18 as may be necessary to pay such costs of maintenance, repair and operation including  
19 the legal liabilities of the corporation, and to provide such reserves therefor as may  
20 be provided for in the resolution authorizing the issuance of such bonds or in the trust  
21 agreement securing the same, shall be set aside at such regular intervals as may be  
22 provided in such resolution or such trust agreement in a sinking fund which shall be  
23 pledged to and charged with, the payment of the principal of and the interest on such  
24 bonds as the same shall become due, and the redemption price and the purchase price  
25 of bonds retired by call or purchase as therein provided. Such pledge shall be valid

1 and binding from the time when the pledge is made; the tolls or other revenues or  
2 other moneys so pledged and thereafter received by the corporation shall  
3 immediately be subject to the lien of such pledge without any physical delivery  
4 thereof, or further act, and the lien of any such pledge shall be valid and binding as  
5 against all parties having claims of any kind in tort, contract or otherwise against  
6 the corporation. All trust agreements and all resolutions relating thereto shall be  
7 ~~filed in the office of the secretary of state~~ with the department of financial  
8 institutions and recorded in the records of the corporation.

9 **SECTION 4736b.** 182.45 of the statutes is amended to read:

10 **182.45 Reports.** On or before the first day of February of each year, the  
11 corporation shall make an annual report of its activities for the preceding calendar  
12 year to the ~~secretary of state~~ department of financial institutions. Each such report  
13 shall set forth a complete operating and financial statement covering its operations  
14 during the year. The corporation shall cause an audit of its books to be made at least  
15 once each year by certified public accountants and the cost thereof may be treated  
16 as a part of the cost of the construction or of operations of the project.

17 **SECTION 4737b.** 183.0102 (3m) of the statutes is created to read:

18 183.0102 (3m) "Department" means the department of financial institutions.

19 **SECTION 4738b.** 183.0102 (17) of the statutes is amended to read:

20 183.0102 (17) "Organizer" means the person who signs and delivers the articles  
21 of organization for filing to the ~~secretary of state~~ department.

22 **SECTION 4739b.** 183.0103 (2) (intro.) of the statutes is amended to read:

23 183.0103 (2) (intro.) Except as provided in sub. (4), the name of a domestic  
24 limited liability company shall be distinguishable upon the records of the ~~secretary~~  
25 ~~of state~~ department from all of the following names:



1           **SECTION 4740b.** 183.0103 (4) (intro.) of the statutes is amended to read:

2           183.0103 (4) (intro.) A limited liability company may apply to the ~~secretary of~~  
3 ~~state~~ department for authorization to use a name that is not distinguishable upon  
4 the records of the ~~secretary of state~~ department from one or more of the names  
5 described in sub. (2) (a) to (c). The ~~secretary of state~~ department shall authorize use  
6 of the name applied for if any of the following occurs:

7           **SECTION 4741b.** 183.0103 (4) (a) of the statutes is amended to read:

8           183.0103 (4) (a) The other limited liability company, corporation, nonstock  
9 corporation, limited partnership or cooperative association consents to the use in  
10 writing and submits an undertaking in a form satisfactory to the ~~secretary of state~~  
11 department to change its name to a name that is distinguishable upon the records  
12 of the ~~secretary of state~~ department from the name of the applicant.

13           **SECTION 4742b.** 183.0103 (4) (b) of the statutes is amended to read:

14           183.0103 (4) (b) The applicant delivers to the ~~secretary of state~~ department a  
15 certified copy of a final judgment of a court of competent jurisdiction establishing the  
16 applicant's right to use the name applied for in this state.

17           **SECTION 4743b.** 183.0104 (1) of the statutes is amended to read:

18           183.0104 (1) A person may reserve the exclusive use of a limited liability  
19 company name, including a fictitious name for a foreign limited liability company  
20 whose name is not available, by delivering an application to the ~~secretary of state~~  
21 department for filing or by making a telephone application. The application shall  
22 include the applicant's name and address and the name proposed to be reserved. If  
23 the ~~secretary of state~~ department finds that the name applied for under this  
24 subsection is available, the ~~secretary of state~~ department shall reserve the name for  
25 the applicant's exclusive use for a 120-day period, which may be renewed by the

1 applicant or a transferee under sub. (2) from time to time. If an application to reserve  
2 a name or to renew a reserved name is made by telephone, the ~~secretary of state~~  
3 department shall cancel the reservation or renewal if the ~~secretary of state~~  
4 department does not receive the fee required under s. 183.0114 (1) (e) or (f) within  
5 10 business days after the day on which the application is made.

6 **SECTION 4744b.** 183.0104 (2) of the statutes is amended to read:

7 183.0104 (2) A person who has the right to exclusive use of a reserved name  
8 under sub. (1) may transfer the reservation to another person by delivering to the  
9 ~~secretary of state~~ department a written and signed notice of the transfer that states  
10 the name and address of the transferee.

11 **SECTION 4745b.** 183.0104 (3) (a) of the statutes is amended to read:

12 183.0104 (3) (a) A foreign limited liability company may register its name if the  
13 name is distinguishable upon the records of the ~~secretary of state~~ department from  
14 the names described in s. 183.0103 (2) (a) to (c) and if the foreign limited liability  
15 company delivers to the ~~secretary of state~~ department for filing an application  
16 complying with par. (b).

17 **SECTION 4746b.** 183.0104 (3) (c) of the statutes is amended to read:

18 183.0104 (3) (c) The registration expires annually on December 31. A foreign  
19 limited liability company may renew its registration by delivering to the ~~secretary~~  
20 ~~of state~~ department for filing a renewal application, which complies with par. (b),  
21 between October 1 and December 31 of each year that the registration is in effect.  
22 The renewal application when filed renews the registration for the next year.

23 **SECTION 4747b.** 183.0105 (2) (a) of the statutes is amended to read:

24 183.0105 (2) (a) Delivering to the ~~secretary of state~~ department for filing a  
25 statement of change.”.

1           **599.** Page 1512, line 4: after that line insert:

2           “**SECTION 4749b.** 183.0105 (2) (c) of the statutes, as created by 1995 Wisconsin  
3 Act .... (this act), is amended to read:

4           183.0105 (2) (c) In the case of a foreign limited liability company, including the  
5 name of its registered agent and the street address of its registered office, as changed,  
6 in its annual report under s. 183.0120. A change under this paragraph is effective  
7 on the date the annual report is filed by the office of the ~~secretary of state~~ department.

8           **SECTION 4750b.** 183.0105 (4) of the statutes is amended to read:

9           183.0105 (4) If a registered agent changes the street address of the registered  
10 agent’s business office, the registered agent may change the street address of the  
11 registered office of any limited liability company for which that person is the  
12 registered agent by notifying the limited liability company in writing of the change  
13 and by signing, either manually or in facsimile, and delivering to the ~~secretary of~~  
14 state department for filing a statement that complies with sub. (3) and recites that  
15 the limited liability company has been notified of the change.

16           **SECTION 4751b.** 183.0105 (5) (intro.) of the statutes is amended to read:

17           183.0105 (5) (intro.) The registered agent of a limited liability company may  
18 resign as registered agent by delivering to the ~~secretary of state~~ department for filing  
19 a written statement that includes all of the following information:

20           **SECTION 4752b.** 183.0105 (6) of the statutes is amended to read:

21           183.0105 (6) After filing the statement required under sub. (5), the ~~secretary~~  
22 of state department shall mail a copy of the statement to the limited liability  
23 company at its principal office.

24           **SECTION 4754b.** 183.0105 (8) (c) of the statutes is amended to read:

1           183.0105 (8) (c) If the address of the limited liability company's principal office  
2 cannot be determined from the records of the ~~secretary of state~~ department, the  
3 limited liability company may be served by publishing a class 3 notice, under ch. 985,  
4 in the community where the limited liability company's registered office, as most  
5 recently designated in the records of the ~~secretary of state~~ department, is located.

6           **SECTION 4757b.** 183.0107 (1) (intro.) of the statutes is amended to read:

7           183.0107 (1) (intro.) Except as provided in this chapter, any document required  
8 or permitted by this chapter to be delivered for filing to the ~~secretary of state~~  
9 department shall be executed by any of the following:

10          **SECTION 4758b.** 183.0107 (3) of the statutes is amended to read:

11          183.0107 (3) The person executing the document may do so as an  
12 attorney-in-fact. Powers of attorney relating to the execution of the document do  
13 not need to be shown to or filed with the ~~secretary of state~~ department.

14          **SECTION 4759b.** 183.0108 (1) (intro.) of the statutes is amended to read:

15          183.0108 (1) (intro.) Except as provided in sub. (3), to be filed under s. 183.0110,  
16 a document required or permitted to be filed under this chapter ~~in the office of the~~  
17 ~~secretary of state~~ with the department shall satisfy all of the following requirements:

18          **SECTION 4760b.** 183.0108 (1) (c) of the statutes is amended to read:

19          183.0108 (1) (c) Contain the name of the drafter, if required by s. ~~14.38~~ (14)  
20 182.01 (3).

21          **SECTION 4761b.** 183.0108 (1) (e) of the statutes is amended to read:

22          183.0108 (1) (e) Be on the form prescribed by the ~~secretary of state~~ department  
23 if the document is described in s. 183.0109 (1).

24          **SECTION 4762b.** 183.0108 (1) (f) of the statutes is amended to read:

1           183.0108 (1) (f) Be delivered to the office of the ~~secretary of state~~ department  
2 for filing and be accompanied by one exact or conformed copy and the filing fee  
3 required by s. 183.0114.

4           **SECTION 4763b.** 183.0108 (2) of the statutes is amended to read:

5           183.0108 (2) The ~~secretary of state~~ department shall file photocopies or other  
6 reproduced copies of typewritten or printed documents if the copies are manually  
7 signed and satisfy this section.

8           **SECTION 4764b.** 183.0108 (3) of the statutes is amended to read:

9           183.0108 (3) The ~~secretary of state~~ department may waive any of the  
10 requirements of subs. (1) and (2) and of s. 183.0107 if it appears from the face of the  
11 document that the document's failure to satisfy the requirement is immaterial.

12           **SECTION 4765b.** 183.0109 (1) (a) (intro.) of the statutes is amended to read:

13           183.0109 (1) (a) (intro.) The ~~secretary of state~~ department shall prescribe, and  
14 furnish on request, forms for all of the following documents:".

15           **600.** [Page 1512, line 11](#): after that line insert:

16           “**SECTION 4768b.** 183.0109 (1) (b) of the statutes, as affected by 1995 Wisconsin  
17 Act .... (this act), is amended to read:

18           183.0109 (1) (b) The forms prescribed by the ~~secretary of state~~ department  
19 under par. (a) 1. to 3. shall require disclosure of only the information required under  
20 ss. 183.1004, 183.1006, 183.1011 and 183.0120, respectively.

21           **SECTION 4769b.** 183.0109 (2) of the statutes is amended to read:

22           183.0109 (2) The ~~secretary of state~~ department may prescribe, and furnish on  
23 request, forms for other documents required or permitted to be filed by this chapter,  
24 but use of these forms is not mandatory.

1           **SECTION 4770b.** 183.0110 (title) of the statutes is amended to read:

2           **183.0110** (title) **Filing duty of ~~secretary of state~~ department of financial**  
3 **institutions.**

4           **SECTION 4771b.** 183.0110 (1) of the statutes is amended to read:

5           183.0110 (1) Upon receipt of a document by the ~~office of the secretary of state~~  
6 department for filing under this chapter, the ~~secretary of state~~ department shall  
7 stamp or otherwise endorse the date and time of receipt on the original, the document  
8 copy and, upon request, any additional document copy received. The ~~secretary of~~  
9 ~~state~~ department shall return any additional document copy to the person delivering  
10 it, as confirmation of the date and time of receipt.

11           **SECTION 4772b.** 183.0110 (2) (a) of the statutes is amended to read:

12           183.0110 (2) (a) Except as provided in par. (b), if a document satisfies s.  
13 183.0108 and the terms of the document satisfy the applicable provisions of this  
14 chapter, the ~~secretary of state~~ department shall file the document by stamping or  
15 otherwise endorsing "filed", together with the ~~secretary of state's~~ department's name  
16 ~~and official title~~, on both the original and the document copy. After filing a document,  
17 the ~~secretary of state~~ department shall deliver the document copy to the domestic  
18 limited liability company or foreign limited liability company, or its representative.

19           **SECTION 4773b.** 183.0110 (2) (b) of the statutes is amended to read:

20           183.0110 (2) (b) If a domestic limited liability company or foreign limited  
21 liability company is in default in the payment of any fee required under this chapter,  
22 the ~~secretary of state~~ department shall refuse to file any document relating to the  
23 domestic limited liability company or foreign limited liability company until all  
24 delinquent fees are paid by the domestic limited liability company or foreign limited  
25 liability company.

1           **SECTION 4774b.** 183.0110 (3) (a) of the statutes is amended to read:

2           183.0110 (3) (a) If the ~~secretary of state~~ department refuses to file a document,  
3           the ~~secretary of state~~ department shall return it to the domestic limited liability  
4           company or foreign limited liability company, or its representative, within 5 business  
5           days after the date on which the document is received by the ~~office of the secretary~~  
6           ~~of state~~ department for filing, together with a brief, written explanation of the reason  
7           for the refusal.

8           **SECTION 4775b.** 183.0110 (3) (b) of the statutes is amended to read:

9           183.0110 (3) (b) The ~~secretary of state's~~ department's failure to either file or  
10          return a document within 5 business days after the date on which it is received  
11          constitutes a refusal to file the document.

12          **SECTION 4776b.** 183.0110 (3) (c) of the statutes is amended to read:

13          183.0110 (3) (c) Except as provided in s. 183.0112 (3), if a document that had  
14          been refused for filing by the ~~secretary of state~~ department is resubmitted to and filed  
15          by the ~~secretary of state~~ department, the effective date of the filed document under  
16          s. 183.0111 is the date that the resubmitted document is received by the ~~office of the~~  
17          ~~secretary of state~~ department for filing or a delayed effective date specified in the  
18          resubmitted document in accordance with s. 183.0111 (2). The effective time of the  
19          resubmitted documents shall be determined under s. 183.0111 (1) or (2), whichever  
20          is applicable.

21          **SECTION 4777b.** 183.0110 (4) (intro.) of the statutes is amended to read:

22          183.0110 (4) (intro.) Except as provided in s. 183.0204 (2), the ~~secretary of~~  
23          ~~state's~~ department's filing of a document or refusal to file a document does not do any  
24          of the following:”.

1           **601.** Page 1512, line 16: after that line insert:

2           “**SECTION 4779b.** 183.0111 (1) (a) (intro.) of the statutes, as affected by this 1995  
3 Wisconsin Act .... (this act), is amended to read:

4           183.0111 (1) (a) (intro.) Except as provided in sub. (2) and ss. 183.0105 (7),  
5 183.0112 (3), 183.0120 (5) and 183.1009 (3), a document filed by the ~~secretary of state~~  
6 department under this chapter is effective on the date that it is received by the ~~office~~  
7 ~~of the secretary of state~~ department for filing and at any of the following times on that  
8 date:

9           **SECTION 4780b.** 183.0111 (1) (b) of the statutes is amended to read:

10           183.0111 (1) (b) The date that a document is received by the ~~office of the~~  
11 ~~secretary of state~~ department is determined by the ~~secretary of state's~~ department's  
12 endorsement on the original document under s. 183.0110 (1).

13           **SECTION 4781b.** 183.0112 (1) of the statutes is amended to read:

14           183.0112 (1) A domestic limited liability company or foreign limited liability  
15 company may correct a document that is filed by the ~~secretary of state~~ department  
16 if the document contains a statement that was incorrect at the time of filing or was  
17 defectively executed, including defects in any attestation, seal, verification or  
18 acknowledgment.

19           **SECTION 4782b.** 183.0112 (2) (intro.) of the statutes is amended to read:

20           183.0112 (2) (intro.) To correct a document under sub. (1), a domestic limited  
21 liability company or foreign limited liability company shall prepare and deliver to the  
22 ~~secretary of state~~ department for filing articles of correction that satisfy all of the  
23 following:

24           **SECTION 4783b.** 183.0113 (1) of the statutes is amended to read:



1           183.0113 (1) Any person may obtain from the ~~secretary of state~~ department,  
2 upon request, a certificate of status for a domestic limited liability company or  
3 foreign limited liability company.”.

4           **602.** Page 1512, line 20: after that line insert:

5           “**SECTION 4785b.** 183.0113 (2) (b) 1m. of the statutes, as created by 1995  
6 Wisconsin Act .... (this act), is amended to read:

7           183.0113 (2) (b) 1m. In the case of a foreign limited liability company, the  
8 foreign limited liability company has, during its most recently completed report year,  
9 filed with the ~~secretary of state~~ department an annual report required by s.  
10 183.0120.”.

11           **603.** Page 1512, line 23: after that line insert:

12           “**SECTION 4787b.** 183.0113 (3) of the statutes is amended to read:

13           183.0113 (3) The certificate of status may include other facts of record in the  
14 office of the ~~secretary of state~~ department that are requested.

15           **SECTION 4788b.** 183.0113 (4) of the statutes is amended to read:

16           183.0113 (4) Upon request, the ~~secretary of state~~ department shall issue, by  
17 telegraph, teletype, facsimile or other form of wire or wireless communication, a  
18 statement of status, which shall contain the information required in a certificate of  
19 status under sub. (2) and may contain any other information permitted under sub.  
20 (3).

21           **SECTION 4789b.** 183.0113 (5) of the statutes is amended to read:

22           183.0113 (5) Subject to any qualification stated in a certificate or statement of  
23 status issued by the ~~secretary of state~~ department, the certificate or statement is

1 conclusive evidence that the domestic limited liability company or foreign limited  
2 liability company is in existence or is authorized to transact business in this state.

3 **SECTION 4790b.** 183.0113 (6) of the statutes is amended to read:

4 183.0113 (6) Upon request by telephone or otherwise, the ~~office of the secretary~~  
5 ~~of state~~ department shall confirm, by telephone, any of the information required in  
6 a certificate of status under sub. (2) and may confirm any other information  
7 permitted under sub. (3).

8 **SECTION 4791b.** 183.0114 (1) (intro.) of the statutes is amended to read:

9 183.0114 (1) (intro.) The ~~secretary of state~~ department shall collect the  
10 following fees when the documents described in this subsection are delivered to him  
11 ~~or her~~ for filing, or, under pars. (e) and (f), the telephone applications are made.”.

12 **604.** [Page 1514, line 11](#): after that line insert:

13 “**SECTION 4798b.** 183.0120 (1) (intro.) and (2) to (5) of the statutes, as created  
14 by 1995 Wisconsin Act .... (this act), are amended to read:

15 183.0120 (1) (intro.) Each domestic limited liability company and each foreign  
16 limited liability company registered to transact business in this state shall file with  
17 the ~~secretary of state~~ department an annual report that includes all of the following  
18 information:

19 (2) Information in the annual report shall be current as of the date on which  
20 the annual report is executed on behalf of a domestic limited liability company or a  
21 foreign limited liability company, except that the information required by sub. (1) (e)  
22 shall be current as of the close of the domestic limited liability company’s or foreign  
23 limited liability company’s fiscal year immediately before the date by which the  
24 annual report is required to be delivered to the ~~secretary of state~~ department.

1           **(3)** (a) A domestic limited liability company shall deliver its annual report to  
2 the ~~secretary of state~~ department in each year following the calendar year in which  
3 the domestic limited liability company was organized, during the calendar year  
4 quarter in which the anniversary date of the organization occurs.

5           (b) A foreign limited liability company registered to transact business in this  
6 state shall deliver its annual report to the ~~secretary of state~~ department during the  
7 first calendar quarter of each year following the calendar year in which the foreign  
8 limited liability company becomes registered to transact business in this state.

9           **(4)** If an annual report does not contain the information required by this  
10 section, the ~~secretary of state~~ department shall promptly notify the reporting  
11 domestic limited liability company or foreign limited liability company in writing  
12 and return the report to it for correction.

13           **(5)** An annual report is effective on the date that it is filed by the ~~office of the~~  
14 ~~secretary of state~~ department.

15           **SECTION 4799b.** 183.0201 of the statutes is amended to read:

16           **183.0201 Organization.** One or more persons may organize a limited liability  
17 company by signing and delivering articles of organization to the ~~secretary of state~~  
18 department for filing. The organizer or organizers need not be members of the  
19 limited liability company at the time of organization or thereafter. A limited liability  
20 company shall have 2 or more members.

21           **SECTION 4800b.** 183.0203 (2) (intro.) of the statutes is amended to read:

22           183.0203 **(2)** (intro.) A limited liability company amending its articles of  
23 organization shall deliver to the ~~secretary of state~~ department for filing articles of  
24 amendment that include all of the following information:

25           **SECTION 4801b.** 183.0204 (2) of the statutes is amended to read:

1           183.0204 (2) The ~~secretary of state's~~ department's filing of the articles of  
2 organization is conclusive proof that the limited liability company is organized and  
3 formed under this chapter.

4           **SECTION 4803b.** 183.0906 (intro.) of the statutes is amended to read:

5           **183.0906 Articles of dissolution.** (intro.) After the dissolution of a limited  
6 liability company under s. 183.0901, the limited liability company may file articles  
7 of dissolution with the ~~secretary of state~~ department that include all of the following:

8           **SECTION 4812b.** 183.1002 (1) of the statutes is amended to read:

9           183.1002 (1) A foreign limited liability company may not transact business in  
10 this state until it obtains a certificate of registration from the ~~secretary of state~~  
11 department.

12           **SECTION 4813b.** 183.1003 (5) (b) of the statutes is amended to read:

13           183.1003 (5) (b) The foreign limited liability company shall pay the amount  
14 owed under par. (a) to the ~~secretary of state~~ department. The ~~secretary of state~~  
15 department may not issue a certificate of registration to the foreign limited liability  
16 company until the amount owed is paid. The attorney general may enforce a foreign  
17 limited liability company's obligation to pay to the ~~secretary of state~~ department any  
18 amount owed under par. (a).

19           **SECTION 4814b.** 183.1004 (intro.) of the statutes is amended to read:

20           **183.1004 Application for certificate of registration.** (intro.) A foreign  
21 limited liability company may apply for a certificate of registration to transact  
22 business in this state by delivering an application to the ~~secretary of state~~  
23 department for filing. The application shall include all of the following:

24           **SECTION 4815b.** 183.1006 (1) (intro.) of the statutes is amended to read:

1           183.1006 (1) (intro.) A foreign limited liability company authorized to transact  
2 business in this state shall obtain an amended certificate of registration from the  
3 ~~secretary of state~~ department if the foreign limited liability company changes any of  
4 the following:

5           **SECTION 4816b.** 183.1008 (1) (intro.) of the statutes is amended to read:

6           183.1008 (1) (intro.) A foreign limited liability company authorized to transact  
7 business in this state may change its registered office or registered agent, or both,  
8 by delivering to the ~~secretary of state~~ department for filing a statement of change  
9 that, except as provided in sub. (2), includes all of the following:

10          **SECTION 4817b.** 183.1008 (2) of the statutes is amended to read:

11          183.1008 (2) If a registered agent changes the street address of the registered  
12 agent's business office, the registered agent may change the street address of the  
13 registered office of any foreign limited liability company for which the person is the  
14 registered agent by notifying the foreign limited liability company in writing of the  
15 change and by signing, either manually or in facsimile, and delivering to the  
16 ~~secretary of state~~ department for filing a statement that complies with sub. (1) and  
17 recites that the foreign limited liability company has been notified of the change.

18          **SECTION 4818b.** 183.1009 (1) (intro.) of the statutes is amended to read:

19          183.1009 (1) (intro.) The registered agent of a foreign limited liability company  
20 may resign by signing and delivering to the ~~secretary of state~~ department for filing  
21 a statement of resignation that includes all of the following information:

22          **SECTION 4819b.** 183.1009 (2) of the statutes is amended to read:

23          183.1009 (2) After filing the statement, the ~~secretary of state~~ department shall  
24 mail a copy to the foreign limited liability company at its principal office.

25          **SECTION 4820b.** 183.1010 (4) (a) (intro.) of the statutes is amended to read:

1           183.1010 (4) (a) (intro.) With respect to a foreign limited liability company  
2 described in sub. (2) or (3), the foreign limited liability company may be served by  
3 registered or certified mail, return receipt requested, addressed to the foreign  
4 limited liability company at its principal office as shown on the records of the  
5 ~~secretary of state~~ department, except as provided in par. (b). Service is perfected  
6 under this paragraph at the earliest of the following:".

7           **605.** [Page 1514, line 19](#): after that line insert:

8           “**SECTION 4822b.** 183.1010 (4) (b) 1. of the statutes, as affected by 1995  
9 Wisconsin Act .... (this act), is amended to read:

10           183.1010 (4) (b) 1. Except as provided in subd. 2., if the address of the foreign  
11 limited liability company’s principal office cannot be determined from the records of  
12 the ~~secretary of state~~ department, the foreign limited liability company may be  
13 served by publishing a class 3 notice, under ch. 985, in the community where the  
14 foreign limited liability company’s principal office or, if not in this state, its registered  
15 office, as most recently designated in the records of the ~~secretary of state~~ department,  
16 is located.”.

17           **606.** [Page 1514, line 25](#): after that line insert:

18           “**SECTION 4824b.** 183.1010 (4) (b) 2. of the statutes, as created by 1995  
19 Wisconsin Act .... (this act), is amended to read:

20           183.1010 (4) (b) 2. If a process, notice or demand is served by the ~~secretary of~~  
21 ~~state~~ department on a foreign limited liability company under s. 183.1021 and the  
22 address of the foreign limited liability company’s principal office cannot be  
23 determined from the records of the ~~secretary of state~~ department, the foreign limited

1 liability company may be served by publishing a class 2 notice, under ch. 985, in the  
2 official state newspaper.

3 **SECTION 4825b.** 183.1011 (1) of the statutes is amended to read:

4 183.1011 (1) A foreign limited liability company authorized to transact  
5 business in this state may not withdraw from this state until it obtains a certificate  
6 of withdrawal from the ~~secretary of state~~ department.

7 **SECTION 4826b.** 183.1011 (2) (intro.) of the statutes is amended to read:

8 183.1011 (2) (intro.) A foreign limited liability company authorized to transact  
9 business in this state may apply for a certificate of withdrawal by delivering an  
10 application to the ~~secretary of state~~ department for filing. The application shall  
11 include all of the following:

12 **SECTION 4827b.** 183.1011 (2) (e) of the statutes is amended to read:

13 183.1011 (2) (e) A commitment to notify the ~~secretary of state~~ department in  
14 the future of any change in the mailing address of the foreign limited liability  
15 company principal office.”.

16 **607.** Page 1516, line 6: after that line insert:

17 **“SECTION 4829b.** 183.1020 (1) (intro.), (a), (b), (d) and (f), (2) and (3) of the  
18 statutes, as created by 1995 Wisconsin Act ... (this act), are amended to read:

19 183.1020 (1) (intro.) Except as provided in sub. (2), the ~~secretary of state~~  
20 department may bring a proceeding under s. 183.1021 to revoke the certificate of  
21 registration of a foreign limited liability company registered to transact business in  
22 this state if any of the following applies:

23 (a) The foreign limited liability company fails to file its annual report with the  
24 ~~secretary of state~~ department within 4 months after it is due.

1 (b) The foreign limited liability company does not pay, within 4 months after  
2 they are due, any fees or penalties due the ~~secretary of state~~ department under this  
3 chapter.

4 (d) The foreign limited liability company does not inform the ~~secretary of state~~  
5 department under s. 183.1008 or 183.1009 that its registered agent or registered  
6 office has changed, that its registered agent has resigned or that its registered office  
7 has been discontinued, within 6 months of the change, resignation or  
8 discontinuance.

9 (f) ~~The secretary of state~~ department receives an authenticated certificate from  
10 the secretary of state or other official having custody of limited liability company  
11 records in the state or country under whose law the foreign limited liability company  
12 is incorporated stating that it has been dissolved or disappeared as the result of a  
13 merger.

14 (2) If the ~~secretary of state~~ department receives a certificate under sub. (1) (f)  
15 and a statement by the foreign limited liability company that the certificate is  
16 submitted by the foreign limited liability company to terminate its registration to  
17 transact business in this state, the ~~secretary of state~~ department shall issue a  
18 certificate of revocation under s. 183.1021 (2) (b).

19 (3) A court may revoke under s. 946.87 the certificate of registration of a foreign  
20 limited liability company registered to transact business in this state. The court  
21 shall notify the ~~secretary of state~~ department of the action, and the ~~secretary of state~~  
22 department shall issue a certificate of revocation under s. 183.1021 (2) (b).”

23 **608.** Page 1517, line 7: after that line insert:



1           “**SECTION 4831b.** 183.1021 (1), (2) and (4) of the statutes, as created by 1995  
2 Wisconsin Act .... (this act), are amended to read:

3           183.1021 (1) If the ~~secretary of state~~ department determines that one or more  
4 grounds exist under s. 183.1020 (1) for revocation of a certificate of registration, the  
5 ~~secretary of state~~ department shall serve the foreign limited liability company under  
6 s. 183.1010 with written notice of the determination.

7           (2) (a) Within 60 days after service of the notice is perfected under s. 183.1010,  
8 the foreign limited liability company shall correct each ground for revocation or  
9 demonstrate to the reasonable satisfaction of the ~~secretary of state~~ department that  
10 each ground determined by the ~~secretary of state~~ department does not exist.

11           (b) If the foreign limited liability company fails to satisfy par. (a), the ~~secretary~~  
12 ~~of state~~ department may revoke the foreign limited liability company’s certificate of  
13 registration by signing a certificate of revocation that recites each ground for  
14 revocation and its effective date. The ~~secretary of state~~ department shall file the  
15 original of the certificate and serve a copy on the foreign limited liability company  
16 under s. 183.1010.

17           (4) If the ~~secretary of state~~ department or a court revokes a foreign limited  
18 liability company’s certificate of registration, the foreign limited liability company  
19 may be served under s. 183.1010 (3) and (4) or the foreign limited liability company’s  
20 registered agent may be served until the registered agent’s authority is terminated,  
21 in any civil, criminal, administrative or investigatory proceeding based on a cause  
22 of action which arose while the foreign limited liability company was registered to  
23 transact business in this state.”.

24           **609.** [Page 1517, line 19](#): after that line insert:

1           “**SECTION 4833b.** 183.1022 (1) and (2) of the statutes, as created by 1995  
2 Wisconsin Act .... (this act), are amended to read:

3           183.1022 (1) A foreign limited liability company may appeal the ~~secretary of~~  
4 ~~state’s~~ department’s revocation of its certificate of registration under s. 183.1020 (1)  
5 to the circuit court for the county where the foreign limited liability company’s  
6 principal office or, if none in this state, its registered office is located, within 30 days  
7 after service of the certificate of revocation is perfected under s. 183.1010. The  
8 foreign limited liability company shall appeal by petitioning the court to set aside the  
9 revocation and attaching to the petition copies of its certificate of registration and the  
10 ~~secretary of state’s~~ department’s certificate of revocation.

11           (2) The court may order the ~~secretary of state~~ department to reinstate the  
12 certificate of registration or may take any other action that the court considers  
13 appropriate.

14           **SECTION 4834b.** 183.1204 (1) (intro.) of the statutes is amended to read:

15           183.1204 (1) (intro.) The surviving limited liability company shall deliver to the  
16 ~~secretary of state~~ department articles of merger, executed by each party to the plan  
17 of merger, that include all of the following:

18           **SECTION 4835b.** 183.1301 of the statutes is amended to read:

19           **183.1301 Execution by judicial act.** Any person who is adversely affected  
20 by the failure or refusal of any person to execute and file any articles or other  
21 document to be filed under this chapter may petition the circuit court for the county  
22 in which the registered office of the limited liability company is located or, if no  
23 address is on file with the ~~secretary of state~~ department, in the circuit court for Dane  
24 county, to direct the execution and filing of the articles or other document. If the court  
25 finds that it is proper for the articles or other document to be executed and filed and

1 that there has been failure or refusal to execute and file the document, the court shall  
2 order the ~~secretary of state~~ department to file the appropriate articles or other  
3 document.

4 **SECTION 4838b.** 185.01 (3m) of the statutes is created to read:

5 185.01 (3m) "Department", except in s. 185.45 (3) (c) and (4) (d), means the  
6 department of financial institutions.

7 **SECTION 4939b.** 185.05 (3) of the statutes is amended to read:

8 185.05 (3) The articles shall be filed and recorded as provided in s. 185.82. The  
9 legal existence of a cooperative begins when the articles are filed. Upon the filing of  
10 the articles, the ~~secretary of state~~ department shall issue a certificate of  
11 incorporation. The ~~secretary of state~~ department shall forward within 5 days a  
12 duplicate original of the articles to the register of deeds of the county of the  
13 cooperative's principal office or registered agent for recording.

14 **SECTION 4840b.** 185.08 (3) of the statutes is amended to read:

15 185.08 (3) A registered agent may resign by mailing a written notice to both  
16 the ~~secretary of state~~ department and the cooperative. The resignation becomes  
17 effective when the cooperative names a new registered agent or 60 days after the  
18 receipt of notice by the ~~secretary of state~~ department, whichever is sooner.

19 **SECTION 4841b.** 185.31 (3) of the statutes is amended to read:

20 185.31 (3) The directors constituting the temporary board, named in the  
21 articles, shall hold office until the first member meeting. At that meeting and  
22 thereafter, directors shall be elected by the members at a member meeting in the  
23 manner and for the terms provided in the bylaws. If the bylaws provide that directors  
24 be from specified districts, the articles may limit voting for any director to members  
25 from within the district from which the director is to be elected. Unless the bylaws

1 provide otherwise, a director's term of office shall be one year. Each director shall  
2 hold office for the term for which elected and until a successor takes office. The  
3 bylaws may permit selection of alternates to take the place of directors absent at a  
4 meeting of the board. Whenever any change is made in the board, the cooperative  
5 shall file within 20 days with the ~~secretary of state~~ department a report showing the  
6 names and addresses of all directors.

7 **SECTION 4842b.** 185.35 (1) of the statutes is amended to read:

8 185.35 (1) Unless the articles of incorporation provide otherwise, the principal  
9 officers of a cooperative are a president, one or more vice presidents as prescribed in  
10 the bylaws, a secretary and a treasurer. They shall be elected annually by the board  
11 at such time and in such manner as the bylaws provide. Upon original election and  
12 whenever any change is made in the officers, the cooperative shall file with the  
13 ~~secretary of state~~ department, within 20 days, a report showing the name and  
14 address of all officers. Each principal officer except the secretary and the treasurer  
15 must be a director of the cooperative. The offices of secretary and treasurer may be  
16 combined in one person.

17 **SECTION 4843b.** 185.48 (2) of the statutes is amended to read:

18 185.48 (2) The annual report shall be made on forms furnished by the ~~secretary~~  
19 ~~of state~~ department, and the information therein contained shall be given as of the  
20 date of the execution of the report. The ~~secretary of state~~ department shall forward  
21 by 1st class mail report blanks to each cooperative in good standing not later than  
22 60 days prior to the date on which the cooperative is required to file an annual report  
23 under this chapter.

24 **SECTION 4844b.** 185.48 (3) of the statutes is amended to read:

1           185.48 (3) The annual report shall be delivered to the ~~secretary of state~~  
2           department in each year following the year in which the cooperative's articles are  
3           filed by the ~~secretary of state~~ department, during the calendar year quarter in which  
4           the anniversary of the filing occurs. If the report does not conform to requirements,  
5           it shall be returned to the cooperative for necessary corrections. The penalties for  
6           failure to file such report shall not apply if it is corrected and returned within 30 days  
7           after receipt thereof.

8           **SECTION 4845b.** 185.48 (4) of the statutes is amended to read:

9           185.48 (4) Any report not filed as required by sub. (3) may be filed only upon  
10          payment to the ~~secretary of state~~ department of \$26.

11          **SECTION 4846b.** 185.48 (5) of the statutes is amended to read:

12          185.48 (5) If the report is not filed within a year from the first day of the quarter  
13          calendar year in which the report is required, under sub. (3), to be delivered, the  
14          cooperative is not in good standing. Within the next 6 months the ~~secretary of state~~  
15          department shall mail to the cooperative a notice that it is no longer in good standing.  
16          If a cooperative has been out of good standing for more than 3 consecutive years  
17          immediately prior to January 1, 1978, the ~~secretary of state~~ department shall  
18          provide only the notice required under s. 185.72 (3). Until restored to good standing,  
19          the ~~secretary of state~~ department shall not accept for filing any document respecting  
20          such cooperative except those incident to its dissolution.

21          **SECTION 4847b.** 185.48 (6) of the statutes is amended to read:

22          185.48 (6) The cooperative may be restored to good standing by delivering to  
23          the ~~secretary of state~~ department a current annual report and by paying the \$26 late  
24          filing fee plus \$15 for each calendar year or part thereof during which it was not in  
25          good standing, not exceeding a total of \$176.

1           **SECTION 4848b.** 185.53 (2) of the statutes is amended to read:

2           185.53 (2) The amendment shall be filed and recorded as provided in s. 185.82.  
3           The amendment becomes effective upon filing, and the ~~secretary of state~~ department  
4           may then issue a certificate of amendment.

5           **SECTION 4849b.** 185.62 (1m) of the statutes is amended to read:

6           185.62 (1m) If after the filing of the articles under sub. (1), but before the  
7           merger or consolidation is effective, the merger or consolidation is abandoned, as  
8           provided in s. 185.61 (5), 2 principal officers of each merging or consolidating  
9           cooperative shall sign a certificate of abandonment stating that the merger or  
10          consolidation is abandoned and the date of abandonment, and shall seal the  
11          certificate with the seal of each cooperative. The certificate of abandonment shall be  
12          filed and recorded prior to the date the merger or consolidation would otherwise be  
13          effective, ~~in the office of the secretary of state~~ with the department and in each county  
14          where the cooperatives have their principal offices or registered agents, in the  
15          manner provided in s. 185.82.

16          **SECTION 4850b.** 185.72 (3) (a) (intro.) of the statutes is amended to read:

17          185.72 (3) (a) (intro.) If it is established by the records in the ~~office of the~~  
18          ~~secretary of state~~ department that a cooperative failed to file its annual report as  
19          required by this chapter for the preceding 3 years, the ~~secretary of state~~ department  
20          may involuntarily dissolve the cooperative in the following manner:

21          **SECTION 4951b.** 185.72 (3) (a) 1. of the statutes is amended to read:

22          185.72 (3) (a) 1. The ~~secretary of state~~ department shall give the cooperative  
23          notice of its delinquency by 1st class mail addressed to its situs.

24          **SECTION 4952b.** 185.72 (3) (a) 2. of the statutes is amended to read:

1           185.72 (3) (a) 2. If the delinquent cooperative is not restored to good standing  
2 under s. 185.48 (6) within 90 days after the notice was mailed, the ~~secretary of state~~  
3 department shall issue a certificate of involuntary dissolution, which shall state the  
4 fact of involuntary dissolution, the date and cause of the dissolution and the  
5 dissolved cooperative's situs.

6           **SECTION 4853b.** 185.72 (3) (a) 3. of the statutes is amended to read:

7           185.72 (3) (a) 3. The ~~secretary of state~~ department shall file the original  
8 certificate of involuntary dissolution and mail a copy to the former cooperative at its  
9 situs.

10          **SECTION 4854b.** 185.72 (3) (bm) (intro.) of the statutes is amended to read:

11          185.72 (3) (bm) (intro.) The ~~secretary of state~~ department shall rescind the  
12 dissolution of a cooperative involuntarily dissolved under this subsection and issue  
13 a certificate stating the rescision if all of the following are met:

14          **SECTION 4855b.** 185.72 (3) (bm) 1. of the statutes is amended to read:

15          185.72 (3) (bm) 1. The cooperative files with the ~~secretary of state~~ department  
16 2 affidavits, each executed by a different person who is a principal officer of the  
17 cooperative, stating that the cooperative did not receive the notice under par. (a) 1.

18          **SECTION 4856b.** 185.72 (3) (bm) 2. of the statutes is amended to read:

19          185.72 (3) (bm) 2. The cooperative pays to the ~~secretary of state~~ department  
20 \$100 in liquidated damages to cover the efforts of the ~~secretary of state~~ department  
21 in rescinding the involuntary dissolution.

22          **SECTION 4857b.** 185.815 (intro.) of the statutes is amended to read:

23          **185.815 Recording change of principal office or registered agent.**

24 (intro.) If a document submitted to the ~~secretary of state~~ department for filing under  
25 this chapter changes the county of the principal office or of the registered agent:

1           **SECTION 4858b.** 185.815 (1) of the statutes is amended to read:

2           185.815 (1) An original of the document or a duplicate original endorsed by the  
3 ~~secretary of state~~ department shall be recorded in each county;

4           **SECTION 4859b.** 185.815 (3) of the statutes is amended to read:

5           185.815 (3) A certificate of the ~~secretary of state~~ department listing the type  
6 and date of filing of recordable documents previously filed by the cooperative shall  
7 be recorded in the county of the new principal office or of the registered agent.

8           **SECTION 4860b.** 185.82 (1) (a) of the statutes is amended to read:

9           185.82 (1) (a) Separate originals of the document for the ~~secretary of state~~  
10 department and for the register of deeds of each county in which the document is  
11 required to be recorded.

12           **SECTION 4861b.** 185.82 (1) (b) of the statutes is amended to read:

13           185.82 (1) (b) A check payable to the ~~secretary of state~~ department in the  
14 amount of the filing fee prescribed under s. 185.83.

15           **SECTION 4862b.** 185.82 (2) (a) of the statutes is amended to read:

16           185.82 (2) (a) Unless the document does not conform to law, the ~~secretary of~~  
17 ~~state~~ department shall endorse on each original "Filed" and the date of filing and  
18 shall file one original ~~in his or her office~~.

19           **SECTION 4863b.** 185.82 (2) (b) of the statutes is amended to read:

20           185.82 (2) (b) The ~~secretary of state~~ department shall forward to each register  
21 of deeds the check under sub. (1) (c) and an original document or duplicate endorsed  
22 by the ~~secretary of state~~ department, within 5 days of filing.

23           **SECTION 4864b.** 185.82 (3) of the statutes is amended to read:

24           185.82 (3) Each week the ~~secretary of state~~ department shall forward to each  
25 register of deeds a listing of all documents received during the preceding week for



1 filing and recording as required under this chapter. For each document, the listing  
2 shall specify the type of document, the name of the cooperative, the name of the  
3 county of the cooperative's principal office or registered agent, and the date of filing.

4 **SECTION 4865b.** 185.82 (4) of the statutes is amended to read:

5 185.82 (4) A document required to be filed and recorded under this chapter is  
6 effective on filing with the ~~secretary of state~~ department, except as provided in s.  
7 185.62. An error or omission in recording the document or a certificate under s.  
8 185.815 (2) with a register of deeds does not affect its effectiveness.

9 **SECTION 4866b.** 185.82 (5) of the statutes is amended to read:

10 185.82 (5) A document filed with the ~~secretary of state~~ department under this  
11 chapter before May 7, 1982 is effective unless the records of the ~~secretary of state~~  
12 department show that the document was recognized as ineffective because of a  
13 recording defect and the ~~secretary of state~~ department or the cooperative acted in  
14 reliance on the ineffectiveness of the document.

15 **SECTION 4867b.** 185.82 (6) (a) (intro.) of the statutes is amended to read:

16 185.82 (6) (a) (intro.) The ~~secretary of state~~ department may waive any of the  
17 following:

18 **SECTION 4868b.** 185.82 (6) (a) 2. of the statutes is amended to read:

19 185.82 (6) (a) 2. An omission or defect in a document, if the ~~secretary of state~~  
20 department determines from the face of the document that the omission or defect is  
21 immaterial.

22 **SECTION 4869b.** 185.83 (1) (intro.) of the statutes is amended to read:

23 185.83 (1) (intro.) The ~~secretary of state~~ department shall charge and collect  
24 for:

25 **SECTION 4870b.** 185.83 (1) (b) of the statutes is amended to read:

1           185.83 (1) (b) Filing an amendment to or restatement of the articles or articles  
2 of merger, consolidation or division, \$10, except that no fee may be collected for an  
3 amendment showing only a change of address resulting from the action of a  
4 governmental agency if there is no corresponding change in physical location and if  
5 2 copies of the notice of the action are submitted to the ~~secretary of state~~ department;  
6 and an additional fee of \$1.25 for each \$1,000 of authorized stock not authorized at  
7 the time of amendment, restatement, merger, consolidation or division.

8           **SECTION 4871b.** 185.83 (1) (d) of the statutes is amended to read:

9           185.83 (1) (d) Receiving services of any process, notice or demand, authorized  
10 to be served on the ~~secretary of state~~ department by this chapter, \$10.

11           **SECTION 4872b.** 185.85 of the statutes is amended to read:

12           **185.85** (title) **Forms to be furnished by ~~secretary of state~~ department**  
13 **of financial institutions**. ~~The secretary of state~~ department may provide forms for  
14 any document to be filed in the office of the secretary of state with the department  
15 under this chapter.”.

16           **610.** Page 1534, line 6: on lines 6 and 7, delete “secretary of state” and  
substitute “~~secretary of state~~ department of financial institutions”.

17           **611.** Page 1536, line 15: restore the stricken material and delete the  
underscored material.

18           **612.** Page 1568, line 5: after that line insert:

19           “**SECTION 5029b.** 187.05 (1) of the statutes is amended to read:

20           187.05 (1) TRUSTEES; TERMS; PURPOSES. Any diocesan council or convention,  
21 conference, synod or other body of authorized representatives of any church or  
22 religious denomination or association or congregation thereof may elect any number

1 of trustees, not less than three, to be incorporated; and when a certificate shall have  
2 been made and signed by the presiding officer and countersigned by the secretary of  
3 the body by which they were elected, stating that such persons, naming them, were  
4 elected trustees, the name of the body by whom elected, the corporate name by which  
5 such trustees are to be known, the term for which they are to hold their offices, and  
6 the purposes for which it is desired to incorporate them, and filed ~~in the office of the~~  
7 ~~secretary of state~~ with the department of financial institutions, the persons named  
8 in such certificate as trustees and their successors in office shall be a body corporate  
9 for the purposes mentioned in such certificate and for such purposes, and no other,  
10 shall have the usual powers of a corporation; and the members of such corporation  
11 shall hold their positions for such term as the body electing them shall determine and  
12 until their successors are duly elected. Upon the receipt of such certificate, the  
13 ~~secretary of state~~ department of financial institutions shall issue a certificate of  
14 incorporation. But any diocesan council or convention, conference, synod or other  
15 body composed of or divided into district synods or other units may provide in its  
16 constitution for the election of one or more of its trustees by one or more of such  
17 district synods or other units or that one or more of its trustees shall be elected by  
18 said diocesan council or convention, conference, synod or other body from one or more  
19 of such district synods or other units.

20 **SECTION 5030b.** 187.05 (3) (a) (intro.) of the statutes is amended to read:

21 187.05 (3) (a) (intro.) Any denominational body mentioned in sub. (1) having  
22 a constitution (or other instrument of organization), in writing, at any stated  
23 meeting may vote to become a corporation and designate any of its members of adult  
24 age, not less than 10 in number, to make, acknowledge and file with the ~~secretary of~~

1 state department of financial institutions a certificate substantially in the following  
2 form:

3 **SECTION 5031b.** 187.05 (3) (a) (form) 4. of the statutes is amended to read:

4 187.05 (3) (a) (form) 4. The corporation may amend its constitution (or other  
5 written instrument of organization) as therein provided, and file with the ~~secretary~~  
6 of state department of financial institutions a certificate thereof duly acknowledged.

7 **SECTION 5032b.** 187.16 (1) of the statutes is amended to read:

8 187.16 (1) INCORPORATION. Any corps of the Salvation Army in the state of  
9 Wisconsin may become incorporated as a charitable, educational, missionary,  
10 philanthropic, beneficial and religious organization, by the commander in chief of  
11 the Salvation Army in the United States of America and the territorial commander  
12 of the central territory of the Salvation Army in the United States of America,  
13 together with three other officers or laypersons, members of the said local Salvation  
14 Army corps, executing, acknowledging and filing a certificate of incorporation ~~in the~~  
15 ~~office of the secretary of state~~ with the department of financial institutions, giving  
16 its corporate name, the location of the headquarters of said corps in Wisconsin, the  
17 names of the incorporators, its general objects and purposes. Said certificate shall  
18 be recorded ~~in the office of the secretary of state~~ with the department of financial  
19 institutions and a verified copy thereof in the office of the register of deeds in the  
20 county wherein the main office of said corps of the Salvation Army is located. When  
21 such record is made the corporation shall come into existence and possess the powers  
22 and privileges granted to corporations by ch. 181 so far as the same are applicable  
23 or necessary to accomplish its purpose, and also such powers as are conferred by this  
24 section.

25 **SECTION 5033b.** 187.16 (5) of the statutes is amended to read:

1           187.16 (5) AMENDMENT OF ARTICLES. The articles of incorporation of such  
2 corporation may be altered or amended by a two-thirds vote of the trustees of such  
3 corporation. When adopted, a copy of such amendment accompanied by certificates  
4 signed by the president and secretary of the corporation shall be filed with the  
5 ~~secretary of state~~ department of financial institutions and the original documents  
6 shall be recorded with the register of deeds of the county where such corporation  
7 shall have its principal office.

8           **SECTION 5034b.** 187.19 (7) of the statutes is amended to read:

9           187.19 (7) ARTICLES TO BE RECORDED IN OFFICE OF REGISTER OF DEEDS. Whenever  
10 any of said congregations have complied with the foregoing provisions, the articles  
11 of incorporation thereof shall be made out accordingly, be signed by the president and  
12 secretary in the presence of two witnesses, who shall sign their names thereto, and  
13 acknowledged before some notary public or other person authorized by law thereto  
14 and filed ~~in the office of the secretary of state~~ with the department of financial  
15 institutions, and recorded in the office of the register of deeds in the county or  
16 counties where such corporation may own real estate.

17           **SECTION 5035b.** 187.19 (9) of the statutes is amended to read:

18           187.19 (9) AMENDMENT OF ARTICLES. The articles of incorporation of any such  
19 congregations may be altered or amended by the unanimous vote of the directors of  
20 such corporation. When adopted, duplicate copies of such amendment, each with a  
21 certificate thereto affixed, signed by the president and secretary and the other  
22 directors, and sealed with the corporate seal, if there be any, stating the fact and date  
23 of the adoption of such amendment and that the same was adopted by unanimous  
24 vote of the directors of the corporation and that such copy is a true copy of the original,  
25 shall be made, and one of such duplicate copies shall be filed ~~in the office of the~~

1 ~~secretary of state~~ with the department of financial institutions and the other shall  
2 be recorded in the office of the register of deeds of the county where such corporation  
3 is located and in the office of the register of deeds of any other county or counties  
4 where the corporation may own real estate.

5 **SECTION 5036b.** 187.19 (10) of the statutes is amended to read:

6 187.19 (10) DISSOLUTION OF CORPORATION. Any corporation organized under this  
7 section may dissolve by adopting a resolution to that effect by unanimous vote of the  
8 directors of such corporation. When adopted, duplicate copies of such resolution of  
9 dissolution, each with a certificate thereto affixed, signed by the president and  
10 secretary and the other directors, and sealed with the corporate seal, if there be any,  
11 stating the fact and date of adoption of such resolution and that the same was  
12 adopted by unanimous vote of the directors of the corporation and that such copy is  
13 a true copy of the original, shall be made, and one of such duplicate copies shall be  
14 ~~filed in the office of the secretary of state~~ with the department of financial  
15 institutions and the other shall be recorded in the office of the register of deeds of the  
16 county where such corporation is located and in the office of the register of deeds of  
17 any other county or counties where the corporation may own real estate.

18 **SECTION 5037b.** 188.06 of the statutes is amended to read:

19 **188.06 Powers of trustees.** The powers conferred by this chapter upon the  
20 trustees of a subordinate grange or council of granges of the Patrons of Husbandry  
21 shall not be exercised until the chief officers of such grange or council of granges shall  
22 make and sign a certificate setting forth the name, number and date of organization  
23 of such grange or council and the number and names of its trustees first elected, and  
24 record the same in the office of the register of deeds in the county in which such  
25 grange or council is located; nor, in case of the state grange, until the like officers

1 thereof shall have made, signed and filed a like certificate ~~in the office of the~~  
2 ~~secretary of state~~ with the department of financial institutions.

3 **SECTION 5038b.** 188.08 (1) of the statutes is amended to read:

4 188.08 (1) Any post, county or district council or department of the American  
5 Legion organized in this state pursuant to the acts of congress passed September 16,  
6 1919, and the acts amendatory thereto, and any unit, county or district council, or  
7 department of the auxiliary of the American Legion organized in this state, shall  
8 have full corporate power to transact business in this state and to take over the assets  
9 and liabilities of the existing posts, units, county or district councils, or departments  
10 upon filing with the ~~secretary of state~~ department of financial institutions a  
11 statement of its intent so to do and a full and complete list of its duly elected officers,  
12 and shall by so doing become a body corporate. No filing fee shall be charged by the  
13 ~~secretary of state~~ department of financial institutions for so doing.

14 **SECTION 5039b.** 188.085 of the statutes is amended to read:

15 **188.085 Changing names and dissolving units of the American Legion.**

16 Any post, county, district council, department or other unit of the American Legion  
17 or of the auxiliary of the American Legion which has become a body corporate under  
18 the provisions of s. 188.08 may change its name or dissolve by the adoption of a  
19 written resolution to that effect, by a vote of a majority of its members present at a  
20 meeting called for that purpose and by filing the same as herein provided. Such  
21 resolution, with a certificate thereto affixed, signed by the commander and adjutant,  
22 or like or similar officers, stating the facts, including the date of the adoption of such  
23 resolution, the number of members present at such meeting, and the number of  
24 members who voted for the adoption of the resolution, shall be forwarded to and filed  
25 with the ~~secretary of state~~ department of financial institutions, and thereupon the

1 name of such corporation shall be changed or the corporation shall cease to exist, as  
2 the case may be. In lieu of the foregoing method of dissolution, any corporation  
3 formed under s. 188.08 may be dissolved by the filing of a certificate ~~in the office of~~  
4 ~~the secretary of state~~ with the department of financial institutions reciting that such  
5 corporation has ceased to be a unit of the American Legion or its auxiliary. Such  
6 certificate shall be signed by the national commander and national adjutant of the  
7 American Legion or by the state commander and state adjutant of the American  
8 Legion, department of Wisconsin. In the case of units of the auxiliary the certificates  
9 shall be signed by the national president and national secretary or the department  
10 president and department secretary. Corporations dissolved under this section shall  
11 continue to have corporate existence for the time and purposes specified in s. 181.65.  
12 No fee shall be charged by the ~~secretary of state~~ department of financial institutions  
13 for such filing.

14 **SECTION 5040b.** 188.09 (1) of the statutes is amended to read:

15 188.09 (1) Any chapter, county or district council, or department of the  
16 Disabled American Veterans, organized in this state pursuant to an act of congress  
17 of the United States, known as Public No. 186, seventy-second congress (H.R. 4738),  
18 and the acts amendatory thereto, any unit or department of the auxiliary of the  
19 Disabled American Veterans in this state and any dugout or state department of the  
20 National Order of Trench Rats, their auxiliaries and affiliated organizations, or any  
21 department thereof, organized in this state, shall have full corporate power to  
22 transact business in this state and to take over the assets and liabilities of the  
23 existing chapters, county or district councils, department of Wisconsin, their  
24 auxiliaries and affiliated organizations, or any department thereof, upon filing with  
25 the ~~secretary of state~~ department of financial institutions a statement of its intent



1 so to do, and a full and complete list of its duly elected officers, and shall by so doing  
2 become a body corporate. No filing fee shall be charged by the ~~secretary of state~~  
3 department of financial institutions for so doing.

4 **SECTION 5041b.** 188.095 of the statutes is amended to read:

5 **188.095 Changing names and dissolving units of the Disabled**  
6 **American Veterans.** Any chapter, county or district council, or department of the  
7 Disabled American Veterans, or other unit of the Disabled American Veterans, or of  
8 the auxiliaries of the Disabled American Veterans, which has become a body  
9 corporate under s. 188.09, may, whenever its articles do not provide the manner in  
10 which its name shall be changed or of its dissolution, change its name or dissolve by  
11 the adoption of a written resolution to that effect, by a vote of the majority of its  
12 members present at a meeting called for that purpose, and by filing the same as  
13 herein provided. A certificate thereto affixed, signed by the commander and  
14 adjutant, or like or similar officers, stating the facts, including the date of adoption  
15 of such resolution, the number of members present at such meeting, and the number  
16 of members who voted for the adoption of the resolution, shall be forwarded to and  
17 filed with the ~~secretary of state~~ department of financial institutions, and thereupon,  
18 the name of such corporation shall be changed or the corporation shall cease to exist  
19 as the case may be, except that in case of dissolution, it shall continue to exist for the  
20 purpose of winding up its affairs. No fee shall be charged by the ~~secretary of state~~  
21 department of financial institutions for such filing.

22 **SECTION 5042b.** 188.10 of the statutes is amended to read:

23 **188.10 Corporate powers of the Wisconsin Veterans Council.** The  
24 Wisconsin Veterans Council shall have full corporate power to transact business in  
25 this state upon filing with the ~~secretary of state~~ department of financial institutions

1 a full and complete list of its duly elected officers. The Wisconsin Veterans Council  
2 shall during each succeeding year of its existence file with the ~~secretary of state~~  
3 department of financial institutions on or before the first day of January of each  
4 succeeding year thereafter a like list of its duly elected officers. No filing fees shall  
5 be charged by the ~~secretary of state~~ department of financial institutions for so doing.

6 **SECTION 5043b.** 188.11 (1) of the statutes is amended to read:

7 188.11 (1) Any post, county or district council, or department of the Veterans  
8 of Foreign Wars of the United States, organized in this state pursuant to an act of  
9 the seventy-fourth Congress of the United States, and the acts amendatory thereto,  
10 any unit or department of the Auxiliary of the Veterans of Foreign Wars of the United  
11 States in this state and any Pup-Tent or Grand Pup-Tent of the Military Order of  
12 the Cooties, their auxiliaries and affiliated organizations, or any department  
13 thereof, organized in this state, shall have full corporate power to transact business  
14 in this state and to take over the assets and liabilities of the existing posts, county  
15 or district councils, department of Wisconsin, their auxiliaries and affiliated  
16 organizations, or any department thereof, upon filing with the ~~secretary of state~~  
17 department of financial institutions a statement of its intent, signed by commander  
18 and adjutant so to do, and a full and complete list of its duly elected officers, and shall  
19 by so doing become a body corporate. Provided, a duplicate of such statement and  
20 certificate of the ~~secretary of state~~ department of financial institutions, showing the  
21 date when such statement was filed by ~~him~~ the department of financial institutions,  
22 shall within 30 days of such filing be recorded by the register of deeds of the county  
23 in which such organization or its principal office is located, and until such recording  
24 no such organization shall have legal corporate existence. Notwithstanding such  
25 recording requirement any organization having acquired corporate existence prior

1 to July 4, 1945, shall continue to have such corporate existence if it shall within 90  
2 days after said date cause a duplicate or certified copy of its statement of intent and  
3 such certificate of the ~~secretary of state~~ department of financial institutions to be  
4 recorded with the register of deeds of the county where it or its principal office is  
5 located. No filing fee shall be charged by the ~~secretary of state~~ department of  
6 financial institutions for so doing.

7 **SECTION 5044b.** 188.115 of the statutes is amended to read:

8 **188.115 Changing names and dissolving units of the Veterans of**  
9 **Foreign Wars of the United States and affiliates.** Any post, county or district  
10 council, department or other unit of the Veterans of Foreign Wars of the United  
11 States, or of the auxiliaries of the Veterans of Foreign Wars of the United States, or  
12 any Pup-Tent or Grand Pup-Tent of the Military Order of the Cooties or of the  
13 auxiliaries of the Military Order of the Cooties, which has become a body corporate  
14 under s. 188.11, may, whenever its articles do not provide the manner in which its  
15 name shall be changed or of its dissolution, change its name or dissolve by the  
16 adoption of a written resolution to that effect, by a vote of the majority of its members  
17 present at a meeting called for that purpose and by filing the same as herein  
18 provided. Such resolution, with a certificate thereto affixed, signed by the  
19 commander and adjutant, or like or similar officers, stating the facts, including the  
20 date of adoption of such resolution, the number of members present at such meeting,  
21 and the number of members who voted for the adoption of the resolution, shall be  
22 forwarded to and filed with the ~~secretary of state~~ department of financial  
23 institutions, and thereupon, the name of such corporation shall be changed or the  
24 corporation shall cease to exist as the case may be, except that in case of dissolution,

1 it shall continue to exist for the purpose of winding up its affairs. No fee shall be  
2 charged by the ~~secretary of state~~ department of financial institutions for such filing.

3 **SECTION 5045b.** 188.12 (1) of the statutes is amended to read:

4 188.12 (1) Any Grand Voiture or Voiture Locale of the La Societe des 40  
5 Hommes et 8 Chevaux organized in this state pursuant to authority granted by La  
6 Societe Nationale des 40 Hommes et 8 Chevaux shall have full corporate power to  
7 transact business in this state and take over the assets and liabilities of the existing  
8 Voitures Locale and Grand Voiture of the state of Wisconsin, upon filing with the  
9 ~~secretary of state~~ department of financial institutions a statement of its intent so to  
10 do and a full and complete list of its duly elected officers. No filing fees shall be  
11 charged by the ~~secretary of state~~ department of financial institutions for so doing.

12 **SECTION 5046b.** 188.13 (1) of the statutes is amended to read:

13 188.13 (1) Any Red Arrow Club, composed exclusively of persons who were  
14 members of the 32nd Division at any time during World War I, members who served  
15 in the 32nd Division of the United States Army at any time in the period from October  
16 10, 1940, to the termination of World War II as proclaimed by the President or the  
17 Congress, or members who served in the 32nd Division in Federal Service at any time  
18 in the period from October 15, 1961, to August 10, 1962, during the Berlin Crisis,  
19 organized in this state, shall have full corporate power to transact business in this  
20 state and to take over the assets and liabilities of the existing clubs in this state, upon  
21 filing with the ~~secretary of state~~ department of financial institutions a statement of  
22 its intent so to do, and a full and complete list of its duly elected officers, and shall  
23 by so doing become a body corporate. No filing fee shall be charged by the ~~secretary~~  
24 ~~of state~~ department of financial institutions for so doing.

25 **SECTION 5047b.** 188.14 of the statutes is amended to read:

1           **188.14 Corporate powers of the Military Order of the World Wars.** Any  
2 chapter of the Military Order of the World Wars in this state shall have full corporate  
3 power to transact business in this state upon filing with the ~~secretary of state~~  
4 department of financial institutions a full and complete list of its duly elected  
5 officers, and shall by so doing become a body corporate. No filing fees shall be charged  
6 by the ~~secretary of state~~ department of financial institutions for so doing.

7           **SECTION 5048b.** 188.15 (1) of the statutes is amended to read:

8           188.15 (1) Any detachment or state department of the Marine Corps League,  
9 organized and existing in this state pursuant to the acts of congress passed August  
10 4, 1937, and the acts amendatory thereto, and any unit of the auxiliary of the Marine  
11 Corps League organized in this state and recognized by the local detachment, shall  
12 have full corporate power to transact business in this state, to take over the assets  
13 and liabilities of the existing detachments, units or departments, upon filing with the  
14 ~~secretary of state~~ department of financial institutions a statement of its intent so to  
15 do and a full and complete list of its duly elected officers, and shall by so doing become  
16 a body corporate. No filing fee shall be charged by the ~~secretary of state~~ department  
17 of financial institutions for so doing.

18           **SECTION 5049b.** 188.16 (1) of the statutes is amended to read:

19           188.16 (1) Any chapter, county or district council or department composed  
20 exclusively of persons who were awarded the medal known as the Purple Heart  
21 organized in this state pursuant to the constitution and bylaws of the national  
22 organization of the Military Order of the Purple Heart and any unit, county or  
23 district council or department of the auxiliary of the Military Order of the Purple  
24 Heart organized in this state shall have full corporate power to transact business in  
25 this state and to take over the assets and liabilities of the existing chapters, units,

1 county or district councils, or departments upon filing with the ~~secretary of state~~  
2 department of financial institutions a statement of its intent so to do and a full and  
3 complete list of its duly elected officers and thereupon it shall become a body  
4 corporate. No filing fee shall be charged by the ~~secretary of state~~ department of  
5 financial institutions for so doing.

6 **SECTION 5050b.** 188.16 (4) of the statutes is amended to read:

7 188.16 (4) Any chapter, county, district council, department or other unit of the  
8 Military Order of the Purple Heart or of the auxiliary of the Military Order of the  
9 Purple Heart which has become a body corporate under the provisions of this section  
10 may change its name or dissolve by the adoption of a written resolution to that effect,  
11 by a vote of a majority of its members present at a meeting called for that purpose  
12 and by filing the same as herein provided. Such resolution, with a certificate thereto  
13 affixed, signed by the commander and adjutant, or like or similar officers, stating the  
14 facts, including the date of the adoption of such resolution, the number of members  
15 present at such meeting, and the number of members who voted for the adoption of  
16 the resolution, shall be forwarded to and filed with the ~~secretary of state~~ department  
17 of financial institutions, and thereupon the name of such corporation shall be  
18 changed or the corporation shall cease to exist, as the case may be, except that in case  
19 of dissolution it shall continue to exist for the purpose of winding up its affairs. No  
20 fee shall be charged by the ~~secretary of state~~ department of financial institutions for  
21 such filing.

22 **SECTION 5051b.** 188.17 (1) of the statutes is amended to read:

23 188.17 (1) Any unit, department or auxiliary of the Navy Club of the United  
24 States of America organized in this state under 36 USC 140 to 140c shall have full  
25 corporate power to transact business in this state and to take over the assets and

1 liabilities of existing navy clubs and navy club auxiliaries upon filing with the  
2 ~~secretary of state~~ department of financial institutions a statement of its intent so to  
3 do and a full and complete list of its duly elected officers and shall by so doing become  
4 a body corporate. No filing fee shall be charged by the ~~secretary of state~~ department  
5 of financial institutions for so doing.

6 **SECTION 5052b.** 188.18 (1) of the statutes is amended to read:

7 188.18 (1) The department of Wisconsin and any chapter or unit of the Reserve  
8 Officers Association of the United States, organized in this state pursuant to the  
9 constitution, bylaws and rules and regulations of such association or such  
10 department, shall have full corporate power to transact business in this state and to  
11 take over the assets and liabilities of the existing department, chapters or other units  
12 upon filing with the ~~secretary of state~~ department of financial institutions, a  
13 statement of its intention so to do, its name, location and a full and complete list of  
14 its duly elected officers, and by so doing shall become a body corporate. No filing fees  
15 shall be charged by the ~~secretary of state~~ department of financial institutions for so  
16 doing.

17 **SECTION 5053b.** 188.18 (3) of the statutes is amended to read:

18 188.18 (3) Any department, chapter or other unit which has become a body  
19 corporate under the provisions of this section, whenever its constitution or bylaws  
20 do not provide the manner in which its name shall be changed or the dissolution  
21 effected, may change its name or dissolve by a majority vote of its members at a  
22 meeting called for that purpose. A certificate signed by the president and secretary  
23 stating the facts shall be filed with the ~~secretary of state~~ department of financial  
24 institutions, and thereupon the name shall be changed or the corporation shall cease

1 to exist except for the purpose of winding up its affairs. No filing fee shall be charged  
2 for such filing.

3 **SECTION 5054b.** 188.19 (1) of the statutes is amended to read:

4 188.19 (1) Any post, county, district council, and department of the American  
5 Veterans of World War II (AMVETS) organized in this state pursuant to the acts of  
6 congress passed July 23, 1947 and the acts amendatory thereto, and any unit, county  
7 or district council, and department of the auxiliary of the American Veterans of World  
8 War II (AMVETS) organized in this state, shall have full corporate power to transact  
9 business in this state and to take over the assets and liabilities of the existing posts,  
10 units, county or district councils, or departments upon filing with the ~~secretary of~~  
11 state department of financial institutions a statement of its intent so to do, and a full  
12 and complete list of its duly elected officers, and shall by so doing become a body  
13 corporate. No filing fee shall be charged by the ~~secretary of state~~ department of  
14 financial institutions.

15 **SECTION 5055b.** 188.20 of the statutes is amended to read:

16 **188.20 Changing names and dissolving units.** Any post, county, district  
17 council, department or other unit of the American Veterans of World War II  
18 (AMVETS) or of the auxiliary of the American Veterans of World War II (AMVETS)  
19 which has become a body corporate under the provisions of s. 188.19 may change its  
20 name or dissolve by the adoption of a written resolution to that effect by a vote of a  
21 majority of its members present at a meeting called for that purpose and by filing the  
22 same as herein provided. Such resolution, with a certificate thereto affixed, signed  
23 by the commander and adjutant, or like or similar officers, stating the fact, including  
24 the date of the adoption of such resolution, the number of members present at such  
25 meeting, and the number of members who voted for the adoption of the resolution,



1 shall be forwarded to and filed with the ~~secretary of state~~ department of financial  
2 institutions, and thereupon the name of such corporation shall be changed or the  
3 corporation shall cease to exist, as the case may be. Or any corporation formed under  
4 s. 188.19 may be dissolved by the filing of a certificate in the office of the ~~secretary~~  
5 ~~of state~~ department of financial institutions reciting that such corporation has  
6 ceased to be a unit of the American Veterans of World War II (AMVETS) auxiliary.  
7 Such certificate shall be signed by the national commander and national adjutant  
8 of the American Veterans of World War II (AMVETS) or by the state commander and  
9 state adjutant of the American Veterans of World War II (AMVETS) department of  
10 Wisconsin. In the case of units of the auxiliary the certificates shall be signed by the  
11 national president and national secretary or the department president and  
12 department secretary. Corporations dissolved under this section shall continue to  
13 have corporate existence for the time and purposes specified in s. 181.65. No fee shall  
14 be charged by the ~~secretary of state~~ department of financial institutions for such  
15 filing.

16 **SECTION 5056b.** 188.21 (1) of the statutes is amended to read:

17 188.21 (1) The department of Wisconsin and any post, unit, barracks,  
18 department or auxiliary of the American Veterans of World War I of the U.S.A., Inc.  
19 organized in this state pursuant to the acts of congress passed July 18, 1958 (P.L.  
20 85-530) (72 Stats. at Large pp. 370-375) and the acts amendatory thereto, shall have  
21 full corporate power to transact business in this state and to take over the assets and  
22 liabilities of the existing department of Wisconsin, posts, barracks, units,  
23 departments or auxiliaries of the Veterans of World War I of the U.S.A., Inc. upon  
24 filing with the ~~secretary of state~~ department of financial institutions a statement of  
25 its intent so to do, and a full and complete list of its duly elected officers, and shall

1 by so doing become a body corporate. No filing fee shall be charged by the secretary  
2 of state department of financial institutions.

3 **SECTION 5057b.** 188.22 (1) of the statutes is amended to read:

4 188.22 (1) Any post, county or district council or department of the Jewish War  
5 Veterans organized in this state pursuant to the constitution, bylaws and rules and  
6 regulations of said organization shall have full corporate powers to transact business  
7 in this state and to take over the assets and liabilities of the existing posts, units,  
8 county or district councils or departments upon filing with the ~~secretary of state~~  
9 department of financial institutions a statement of its intent to do so and a full and  
10 complete list of its duly elected officers. By so doing such organization shall become  
11 a body corporate. No filing fee shall be charged by the ~~secretary of state~~ department  
12 of financial institutions.

13 **SECTION 5058b.** 188.23 (1) of the statutes is amended to read:

14 188.23 (1) Any post, county or district council or department of the Polish  
15 Legion of American Veterans (P.L.A.V.) organized in this state pursuant to the  
16 constitution, bylaws and rules and regulations of said organization, and any unit,  
17 county or district council or department of the auxiliary of the Polish Legion of  
18 American Veterans, shall have full corporate powers to transact business in this  
19 state and to take over the assets and liabilities of the existing posts, units, county or  
20 district councils or departments upon filing with the ~~secretary of state~~ department  
21 of financial institutions a statement of its intent to do so and a full and complete list  
22 of its duly elected officers. By so doing such organization shall become a body  
23 corporate. No filing fee shall be charged by the ~~secretary of state~~ department of  
24 financial institutions.

25 **SECTION 5059b.** 188.235 (1) of the statutes is amended to read:

1           188.235 (1) Any post, county or district council or department of the Army and  
2 Navy Union of the U.S.A. organized in this state pursuant to the constitution, bylaws  
3 and rules and regulations of said organization shall have full corporate powers to  
4 transact business in this state and to take over the assets and liabilities of the  
5 existing posts, units, county or district councils or departments upon filing with the  
6 ~~secretary of state~~ department of financial institutions a statement of its intent to do  
7 so and a full and complete list of its duly elected officers. By so doing such  
8 organization shall become a body corporate. No filing fee shall be charged by the  
9 ~~secretary of state~~ department of financial institutions.

10           **SECTION 5060b.** 188.24 (1) of the statutes is amended to read:

11           188.24 (1) Any post, county or district council or department of the Catholic  
12 War Veterans organized in this state pursuant to the constitution, bylaws and rules  
13 and regulations of said organization shall have full corporate powers to transact  
14 business in this state and to take over the assets and liabilities of the existing posts,  
15 units, county or district councils or departments upon filing with the ~~secretary of~~  
16 ~~state~~ department of financial institutions a statement of its intent to do so and a full  
17 and complete list of its duly elected officers. By so doing such organization shall  
18 become a body corporate. No filing fee shall be charged by the ~~secretary of state~~  
19 department of financial institutions.

20           **SECTION 5061b.** 188.25 of the statutes is amended to read:

21           **188.25 Annual reports of veterans' organizations.** The state organization  
22 of any veterans' society or society affiliate which has a unit incorporated under this  
23 chapter shall file with the ~~secretary of state~~ department of financial institutions on  
24 or before January 1 an annual report showing the elected officers of the state  
25 organization. No filing fee shall be charged. The secretary of any such state

1 organization shall on request furnish the ~~secretary of state~~ department of financial  
2 institutions information about subordinate units. If any veterans' society or society  
3 affiliate has no state organization each unit incorporated under this chapter shall file  
4 an annual report of the elected officers with the ~~secretary of state~~ department of  
5 financial institutions on or before January 1.

6 **SECTION 5062b.** 188.26 of the statutes is amended to read:

7 **188.26 Veterans; corporations.** Whenever any corporation is formed under  
8 ch. 180 or 181 or this chapter for the purpose of assisting any veteran, as defined in  
9 s. 45.37 (1a), or operating social clubs in which the name "veteran" appears, the  
10 ~~secretary of state~~ department of financial institutions shall investigate the same to  
11 ascertain the character thereof, and whether or not the same has been procured by  
12 fraudulent representation or concealment of any material fact relating to such  
13 veteran's name, purpose, membership, organization, management or control or  
14 other material fact. If the ~~secretary of state~~ department of financial institutions so  
15 finds, such findings, misrepresentation or concealment shall be reported to the  
16 attorney general, and the attorney general thereupon shall as provided in s. 776.35  
17 bring an action to vacate or annul the corporate charter."

18 **613.** Page 1568, line 18: after that line insert:

19 "SECTION 5067b. 190.01 (4) of the statutes is amended to read:

20 190.01 (4) A railroad that is incorporated in another state is not required to  
21 form a corporation in this state, but any railroad first transacting business in this  
22 state after January 1, 1994, is required to obtain a certificate of authority from the  
23 ~~secretary of state~~ department of financial institutions in the manner required of  
24 foreign corporations before the railroad transacts business in this state.

1           **SECTION 5069b.** 190.02 (9) (c) of the statutes is amended to read:

2           190.02 (9) (c) Any railroad corporation organized to and which shall acquire,  
3 directly or by mesne conveyances, the property of another railroad corporation sold  
4 in judicial proceedings, or any railroad corporation reorganized under the federal  
5 bankruptcy act which corporation under a plan of reorganization as confirmed by the  
6 act, shall have been authorized to put into effect and carry out said plan, or any new  
7 railroad corporation which shall be organized for the like purpose, shall have all  
8 powers by law conferred upon railroad corporations, and may, at such times, in such  
9 amounts, for such considerations and upon such terms and conditions as the board  
10 of directors of said corporation shall determine, and as shall be authorized by the  
11 office, or in the case of a railroad corporation organized for the purpose of acquiring  
12 a railroad engaged in interstate commerce, or any existing railroad corporation  
13 reorganized under the act and acquiring railroad property used in interstate  
14 commerce, by the interstate commerce commission, as the case may be, issue, sell,  
15 pledge or otherwise dispose of its evidences of debt, which may be convertible, at the  
16 option of the holder, into stock, and shares of stock, which shares may have such  
17 nominal or par value or if the same be common stock, be without nominal or par  
18 value, and may be of such classes, with such rights and voting powers as may be  
19 expressed in its articles or any amendment thereto. In the case of a railroad  
20 corporation reorganized as aforesaid, the filing with the ~~secretary of state~~  
21 department of financial institutions of a certified copy of the plan of reorganization  
22 as confirmed by the federal bankruptcy act, if it shall so elect, shall accomplish and  
23 evidence the amendment of its charter or articles of incorporation without the  
24 necessity for any other or further action, corporate or otherwise, with respect thereto.  
25 Such reorganized railroad corporation shall thereupon have all powers necessary to

1 put into effect and carry out such plan of reorganization in all respects but such filing  
2 of the plan of reorganization shall not preclude such existing corporation from  
3 amending its charter or articles in the manner now provided by law. The fees for  
4 filing such copy of plan of reorganization shall be the same as prescribed in s. 190.01  
5 (3).

6 **SECTION 5071b.** 190.051 (1) of the statutes is amended to read:

7 190.051 (1) Any railroad corporation may extend its road from any point named  
8 in its charter or articles of organization, or may build branch roads from any point  
9 on its line or from any point on the line of any other road connected or to be connected  
10 with its road, the use of which other road between such points and the connection  
11 with its own road such corporation shall have secured for a term of not less than ten  
12 years. Before making such extension or building any such branch road such  
13 corporation shall, by resolution of its directors, to be entered in the record of its  
14 proceedings, designate the route of such proposed extension or branch, and file, for  
15 record, a copy of such record, certified by the president and secretary, ~~in the office of~~  
16 ~~the secretary of state~~ with the department of financial institutions. Thereupon such  
17 corporation shall have all the rights and privileges to make such extension or build  
18 such branch and receive aid thereto which it would have had if it had been authorized  
19 in its charter or articles of organization.

20 **SECTION 5072b.** 190.06 (1) of the statutes is amended to read:

21 190.06 (1) Any railroad corporation existing under the laws of this state, or by  
22 consolidation under said laws and the laws of other states, may consolidate with any  
23 other railroad corporation, and possess all of the powers, franchises and immunities,  
24 and be subject to all the liabilities and restrictions of railroad corporations generally,  
25 and such, in addition, as the combining corporations peculiarly possessed or were

1 subject to at the time of consolidation. Articles of consolidation shall be approved by  
2 each corporation, by a vote of a majority of the stock at an annual meeting or at a  
3 special meeting called for that purpose or by the consent in writing of the holders of  
4 a majority of the stock annexed to such articles; and such articles, with a copy of the  
5 records of such approval or such consent and accompanied by lists of the stockholders  
6 and the number of shares held by each, duly certified by their respective presidents  
7 and secretaries, shall be filed for record ~~in the office of the secretary of state~~ with the  
8 department of financial institutions before any such consolidation shall have  
9 validity or effect.

10 **SECTION 5073b.** 190.11 (1) of the statutes is amended to read:

11 190.11 (1) Every conveyance or lease, deed of trust, mortgage or satisfaction  
12 thereof made by any railroad corporation shall be executed and acknowledged in the  
13 manner in which conveyances of real estate by corporations are required to be to  
14 entitle the same to be recorded, and shall be filed ~~in the office of the secretary of state,~~  
15 ~~who~~ with the department of financial institutions, which shall endorse thereon  
16 “filed” and the date of filing.

17 **SECTION 5074b.** 190.11 (3) of the statutes is amended to read:

18 190.11 (3) The ~~secretary of state~~ department of financial institutions shall  
19 collect a fee of \$1 per page filed under sub. (1).

20 **SECTION 5075b.** 190.11 (4) of the statutes is amended to read:

21 190.11 (4) The ~~secretary of state~~ department of financial institutions shall  
22 collect a fee at the rate under s. 77.22 and, on or before the 15th day of the month after  
23 the fee is collected, shall remit that fee to the department of administration for  
24 deposit in the general fund ~~and transmit a copy of the return associated with that~~

1 return to the department of revenue. Sections 77.21, 77.22 and 77.25 to 77.27 apply  
2 to the fee under this subsection.

3 **SECTION 5076b.** 190.13 of the statutes is amended to read:

4 **190.13 Report to stockholders.** Every railroad corporation shall make an  
5 annual report to its stockholders of its operations for the preceding calendar year, or  
6 for its fiscal year, as the case may be, which report shall contain a balance sheet  
7 showing its assets and liabilities, its capital stock, and funded debt, and an income  
8 account showing its operating revenues, operating expenses, gross and net income,  
9 as the result of its traffic or business operations, and such other information in  
10 respect of its affairs as the board of directors shall deem advisable. A copy of each  
11 such report shall be kept on file in its principal office in this state, shall be mailed  
12 to each stockholder whose post-office address is known and shall be filed with the  
13 ~~office of the commissioner of railroads~~ department of financial institutions.

14 **SECTION 5088b.** 191.10 (1) of the statutes is amended to read:

15 **191.10 (1) ISSUANCE, FILING, RECORDING, CONDEMNATION.** If the office of the  
16 commissioner of railroads finds that the proposed railroad would be a public  
17 convenience and that a necessity requires its construction, the office of the  
18 commissioner of railroads shall enter an order to that effect and issue to the applicant  
19 a certificate that public convenience and a necessity require the construction of the  
20 railroad as proposed. The certificate shall be filed in the office of the ~~secretary of state~~  
21 department of financial institutions and the ~~office of the secretary of state~~  
22 department of financial institutions shall approve the map showing the route of the  
23 railroad. The applicant shall record the map certified by the office of the  
24 commissioner of railroads in the office of the register of deeds in each county in which  
25 the railroad shall be located. The filing of the certificate with the ~~secretary of state~~



1 department of financial institutions and the recording of the map, as above provided,  
2 are conditions precedent to the right of the applicant to institute condemnation  
3 proceedings.

4 **SECTION 5134b.** 192.71 of the statutes is amended to read:

5 **192.71 Lands may be sold; proceedings if terms of grant not complied**  
6 **with.** Any railroad corporation upon which any lands granted to this state shall have  
7 been conferred to aid in the construction of any railroad may sell, assign and transfer  
8 the lands so conferred upon it or any portion thereof to any other railroad corporation  
9 which shall by law have the right to construct a railroad along and upon the line or  
10 any portion of the line upon which such lands are applicable under the grant of this  
11 state upon such terms and conditions as it shall fix; provided, that the corporation  
12 receiving such lands shall be bound to construct the part of the line of railroad to aid  
13 in the construction of which the lands were granted to this state, to which the  
14 assigned lands are applicable according to the terms of the grant by congress, and  
15 to comply fully with all conditions and requirements contained in the act in and by  
16 which the state conferred said lands upon said corporation. The terms and  
17 conditions of every such transfer shall be embodied in an agreement in writing,  
18 which shall be recorded ~~in the office of the secretary of state~~ with the department of  
19 financial institutions; and provided further, that no such transfer or assignment  
20 shall be of any force or effect until two-thirds of the full-paid stockholders of the  
21 corporation making the same shall have assented in writing thereto and until such  
22 assent shall have been filed with the ~~secretary of state~~ department of financial  
23 institutions. Whenever any grant of lands shall have been or shall hereafter be made  
24 to any corporation to aid in the construction of a railroad upon condition that such  
25 road or any portion thereof shall be completed within the period of time or times fixed

1 or limited by the act or acts making such grant or grants or by any act or acts  
2 amendatory thereof, and such corporation shall have failed or shall hereafter fail to  
3 complete such railroad or any part or portions thereof within the time or times fixed  
4 or limited by such act or acts, it shall be the duty of the attorney general of the state  
5 to immediately institute, if the legislature shall not have revoked said grant,  
6 proceedings against such corporation in the supreme court of the state to ascertain  
7 judicially the facts in the premises, and if it shall appear that such corporation has  
8 failed to complete its railway or any portion thereof within the time limited by said  
9 act or acts, or has otherwise committed a breach of the condition or conditions upon  
10 which said grant was conferred upon it, or of the requirements of said act, judgment  
11 shall be entered in behalf of the state forfeiting, vacating and setting aside such grant  
12 or grants and annulling all rights and interest of such corporation in and to all lands  
13 granted to it and not fully earned and restoring such lands to the state, and such  
14 corporation shall thereafter be barred and foreclosed of all rights and interests in or  
15 to the lands so adjudged to be forfeited and restored to the state, and of all right to  
16 in any manner thereafter acquire the same.”.

17 **614.** Page 1568, line 19: delete the material beginning with that line and  
ending with page 1570, line 2.

18 **615.** Page 1570, line 21: delete the material beginning with that line and  
ending with page 1572, line 12.

19 **616.** Page 1577, line 17: delete the material beginning with that line and  
ending with page 1579, line 7.

20 **617.** Page 1680, line 4: restore the stricken material and delete the  
underscored material.

1           **618.** Page 1716, line 3: delete lines 3 to 12.

2           **619.** Page 1723, line 20: delete the material beginning with that line and  
ending with page 1724, line 4, and substitute:

3           “**SECTION 5847e.** 218.01 (2) (bd) 1g. of the statutes is amended to read:

4           218.01 (2) (bd) 1g. The manufacturer, distributor or importer shall send a  
5 notice of discontinuation or cancellation by certified mail, and forward a copy of the  
6 notice to the department, not less than 20 days before the effective date of  
7 discontinuation or cancellation of the agreement, if the dealer or distributor fails to  
8 conduct its customary sales and service operations during its customary business  
9 hours for 7 consecutive business days unless the failure is caused by an act of God,  
10 by work stoppage or delays due to strikes or labor disputes or other reason beyond  
11 the dealer’s or distributor’s control or by an order of the department or the office of  
12 ~~the commissioner of transportation~~ division of hearings and appeals.

13           **SECTION 5847g.** 218.01 (2) (bd) 1g. of the statutes, as affected by 1995  
14 Wisconsin Act .... (this act), is repealed and recreated to read:

15           218.01 (2) (bd) 1g. The manufacturer, distributor or importer shall send a  
16 notice of discontinuation or cancellation by certified mail, and forward a copy of the  
17 notice to the department of transportation, not less than 20 days before the effective  
18 date of discontinuation or cancellation of the agreement, if the dealer or distributor  
19 fails to conduct its customary sales and service operations during its customary  
20 business hours for 7 consecutive business days unless the failure is caused by an act  
21 of God, by work stoppage or delays due to strikes or labor disputes or other reason  
22 beyond the dealer’s or distributor’s control or by an order of the department of  
23 transportation or the division of hearings and appeals.



1           **621.** Page 1730, line 24: after that line insert:

2           “**SECTION 5869m.** 218.01 (3) (a) 24. of the statutes is amended to read:

3           218.01 (3) (a) 24. Being a manufacturer, importer or distributor who fails to  
4           comply with the procedures in sub. (3x) regarding a dealer’s request for approval of  
5           a change of ownership or executive management, transfer of its dealership assets to  
6           another person, adding another franchise at the same location as its existing  
7           franchise, or relocation of a franchise or who fails to comply with an order of the office  
8           of the commissioner of transportation division of hearings and appeals issued under  
9           sub. (3x).”.

10           **622.** Page 1736, line 16: delete the material beginning with that line and  
          ending with page 1737, line 14, and substitute:

11           “**SECTION 5885g.** 218.01 (3x) (b) 2. of the statutes is amended to read:

12           218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed  
13           action shall, within 30 days after receiving the dealer’s written notice of the proposed  
14           action or within 30 days after receiving all the information specified in a written list  
15           served on the dealer under subd. 1., whichever is later, file with the department and  
16           serve upon the dealer a written statement of the reasons for its disapproval. The  
17           reasons given for the disapproval or any explanation of those reasons by the  
18           manufacturer, distributor or importer shall not subject the manufacturer,  
19           distributor or importer to any civil liability unless the reasons given or explanations  
20           made are malicious and published with the sole intent to cause harm to the dealer  
21           or a transferee of the dealer. Failure to file and serve a statement within the  
22           applicable period shall, notwithstanding the terms of any agreement, constitute  
23           approval of the proposed action by the grantor. If an affected grantor files a written

1 statement within the applicable period, the dealer may not voluntarily undertake  
2 the proposed action unless it receives an order permitting it to do so from the office  
3 of the commissioner of transportation division of hearings and appeals under par. (c)  
4 2.

5 **SECTION 5885m.** 218.01 (3x) (b) 2. of the statutes, as affected by 1995 Wisconsin  
6 Act .... (this act), is repealed and recreated to read:

7 218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed  
8 action shall, within 30 days after receiving the dealer's written notice of the proposed  
9 action or within 30 days after receiving all the information specified in a written list  
10 served on the dealer under subd. 1., whichever is later, file with the department of  
11 transportation and serve upon the dealer a written statement of the reasons for its  
12 disapproval. The reasons given for the disapproval or any explanation of those  
13 reasons by the manufacturer, distributor or importer shall not subject the  
14 manufacturer, distributor or importer to any civil liability unless the reasons given  
15 or explanations made are malicious and published with the sole intent to cause harm  
16 to the dealer or a transferee of the dealer. Failure to file and serve a statement within  
17 the applicable period shall, notwithstanding the terms of any agreement, constitute  
18 approval of the proposed action by the grantor. If an affected grantor files a written  
19 statement within the applicable period, the dealer may not voluntarily undertake  
20 the proposed action unless it receives an order permitting it to do so from the division  
21 of hearings and appeals under par. (c) 2.

22 **SECTION 5886d.** 218.01 (3x) (b) 3. of the statutes is amended to read:

23 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected  
24 grantor under subd. 2 may file with the department and the office of the  
25 commissioner of transportation division of hearings and appeals and serve upon the

1 affected grantor a complaint for the determination of whether there is good cause for  
2 permitting the proposed action to be undertaken. ~~The office of the commissioner of~~  
3 ~~transportation~~ division of hearings and appeals shall promptly schedule a hearing  
4 and decide the matter. The proposed action may not be undertaken pending the  
5 determination of the matter.

6 **SECTION 5886g.** 218.01 (3x) (b) 3. of the statutes, as affected by 1995 Wisconsin  
7 Act .... (this act), is repealed and recreated to read:

8 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected  
9 grantor under subd. 2. may file with the department of transportation and the  
10 division of hearings and appeals and serve upon the affected grantor a complaint for  
11 the determination of whether there is good cause for permitting the proposed action  
12 to be undertaken. The division of hearings and appeals shall promptly schedule a  
13 hearing and decide the matter. The proposed action may not be undertaken pending  
14 the determination of the matter.

15 **SECTION 5886j.** 218.01 (3x) (c) 1. (intro.) of the statutes is amended to read:

16 218.01 (3x) (c) 1. (intro.) In determining if there is good cause for permitting  
17 a proposed action to be undertaken, ~~the office of the commissioner of transportation~~  
18 division of hearings and appeals may consider any relevant factor including:

19 **SECTION 5886m.** 218.01 (3x) (c) 2. of the statutes is amended to read:

20 218.01 (3x) (c) 2. The decision of the ~~office of the commissioner of~~  
21 ~~transportation~~ division of hearings and appeals shall be in writing and shall contain  
22 findings of fact and a determination of whether there is good cause for permitting the  
23 proposed action to be undertaken. The decision shall include an order that the dealer  
24 be allowed or is not allowed to undertake the proposed action, as the case may be.

1 The order may require fulfillment of appropriate conditions before and after the  
2 proposed action is undertaken.”.

3 **623.** Page 1740, line 19: after that line insert:

4 “**SECTION 5893g.** 218.01 (7m) (a) of the statutes is amended to read:

5 218.01 (**7m**) (a) A licensee may not file a complaint or petition with the office  
6 of the commissioner of transportation division of hearings and appeals or bring an  
7 action under sub. (9) (a), based on an alleged violation of this section by any other  
8 licensee or pursuant to sub. (3) (f) or (fm), (3c) or (3x), unless the licensee serves a  
9 demand for mediation upon the other licensee before or contemporaneous with the  
10 filing of the complaint or petition or the bringing of the action. A demand for  
11 mediation shall be in writing and served upon the other licensee by certified mail at  
12 an address designated for that licensee in the licensor’s records. The demand for  
13 mediation shall contain a brief statement of the dispute and the relief sought by the  
14 licensee filing the demand.

15 **SECTION 5893m.** 218.01 (7m) (c) of the statutes is amended to read:

16 218.01 (**7m**) (c) The service of a demand for mediation under par. (a) shall stay  
17 the time for the filing of any complaint or petition with the office of the commissioner  
18 of transportation division of hearings and appeals or for bringing an action under  
19 sub. (9) (a), based on an alleged violation of this section by the other licensee or  
20 pursuant to sub. (3) (f) or (fm), (3c) or (3x), until the representatives of both licensees  
21 have met with a mutually selected mediator for the purpose of attempting to resolve  
22 the dispute. If a complaint or petition is filed before the meeting, the office of the  
23 commissioner of transportation division of hearings and appeals or the court shall  
24 enter an order suspending the proceeding or action until the meeting has occurred



1 and may, upon the written stipulation of all parties to the proceeding or action that  
2 they wish to continue to mediate under this subsection, enter an order suspending  
3 the proceeding or action for as long a period as the ~~commissioner of transportation~~  
4 division of hearings and appeals or court considers to be appropriate. A suspension  
5 order issued under this paragraph may be revoked upon motion of any party or upon  
6 motion of the ~~office of the commissioner of transportation~~ division of hearings and  
7 appeals or the court.”.

8 **624.** Page 1762, line 4: after that line insert:

9 “SECTION 5974b. 218.165 (1) of the statutes is amended to read:

10 218.165 (1) The importation of a primary housing unit for sale in this state by  
11 an out-of-state manufacturer is deemed an irrevocable appointment by that  
12 manufacturer of the ~~secretary of state~~ department of financial institutions to be that  
13 manufacturer’s true and lawful attorney upon whom may be served all legal  
14 processes in any action or proceeding against such manufacturer arising out of the  
15 importation of such primary housing unit into this state.

16 SECTION 5975b. 218.165 (2) of the statutes is amended to read:

17 218.165 (2) The ~~secretary of state~~ department of financial institutions upon  
18 whom processes and notices may be served under this section shall, upon being  
19 served with such process or notice, mail a copy by registered mail to the out-of-state  
20 manufacturer at the nonresident address given in the papers so served. The original  
21 shall be returned with proper certificate of service attached for filing in court as proof  
22 of service. The service fee shall be \$4 for each defendant so served. The ~~secretary~~  
23 ~~of state~~ department of financial institutions shall keep a record of all such processes  
24 and notices, which record shall show the day and hour of service.”.

1           **625.** Page 1797, line 9: restore the stricken material and delete the  
underscored material.

2           **626.** Page 1805, line 25: restore the stricken material and delete the  
underscored material.

3           **627.** Page 1806, line 1: restore the stricken material and delete the  
underscored material.

4           **628.** Page 1832, line 16: on lines 16 and 17, delete “~~state treasurer~~ secretary  
of administration” and substitute “state treasurer”.

5           **629.** Page 1847, line 11: delete lines 11 to 13.

6           **630.** Page 1847, line 16: on lines 16, 20 and 25, restore the stricken material  
and delete the underscored material.

7           **631.** Page 1848, line 2: on lines 2, 4, 6, 8, 13 and 15, restore the stricken  
material and delete the underscored material.

8           **632.** Page 1848, line 18: delete the material beginning with that line and  
ending with page 1849, line 2.

9           **633.** Page 1856, line 19: after that line insert:

10           “**SECTION 6211b.** 226.025 (3) of the statutes is amended to read:

11           226.025 (3) The appointment of the ~~secretary of state~~ department of financial  
12 institutions or the designation of a resident agent as attorney for the service of  
13 summons, notice, pleadings or process under s. 180.1507 shall be applicable only to  
14 actions or proceedings against the foreign corporations described in this section  
15 (unless such corporations have been admitted to this state for purposes other than  
16 those mentioned in this section) where the cause of action or proceeding arises out

1 of transactions between such foreign corporations and public utilities operating in  
2 this state with which such foreign corporations are affiliated; and to actions or  
3 proceedings by or before the public service commission or office of the commissioner  
4 of railroads involving the transactions described in sub. (1), or involving the relation  
5 between such foreign corporations and public utilities operating in this state with  
6 which they are affiliated.

7 **SECTION 6212b.** 226.14 (1) of the statutes is amended to read:

8 226.14 (1) No common law trust organized in this state, and no such trust  
9 formed or organized under or by authority of the laws of any state or foreign  
10 jurisdiction, for the purpose of doing business under a declaration of trust which  
11 shall have issued to five or more persons, or which shall sell or propose to sell  
12 beneficial interests, certificates or memberships therein, shall transact business, or  
13 acquire, hold or dispose of property in this state until the trustees named in said  
14 declaration of trust shall have caused to be filed ~~in the office of the secretary of state~~  
15 with the department of financial institutions the original declaration of trust, or a  
16 true copy thereof, and all amendments which may be made, verified as such by the  
17 affidavits of two of the signers thereof. A like verified copy of the declaration and  
18 such amendments, and a certificate of the ~~secretary of state~~ department of financial  
19 institutions, showing the date when such declaration was filed and accepted by the  
20 ~~secretary of state~~ department of financial institutions within thirty days of such  
21 filing and acceptance, shall be recorded with the register of deeds of the county in  
22 which such trust has its principal office or place of business in this state. No such  
23 trust shall transact business in this state until such declaration or such copy thereof  
24 be left for record. The register of deeds shall forthwith transmit to the ~~secretary of~~  
25 ~~state~~ department of financial institutions a certificate stating the time when such

1 copy was recorded and shall be entitled to a fee of twenty-five cents therefor, to be  
2 paid by the person presenting such papers for record. Upon receipt of such certificate  
3 the ~~secretary of state~~ department of financial institutions shall issue to said trustees  
4 a certificate of filing.

5 **SECTION 6213b.** 226.14 (3) of the statutes is amended to read:

6 226.14 (3) Every such trust shall pay to the ~~secretary of state~~ department of  
7 financial institutions a filing fee of \$50, and \$15 for each subsequent amendment,  
8 together with a further fee of \$1 for each \$1,000 of beneficial certificates sold or  
9 offered for sale in this state.

10 **SECTION 6214b.** 226.14 (4) (intro.) of the statutes is amended to read:

11 226.14 (4) (intro.) Every such trust shall file, accompanied by a filing fee of \$5,  
12 ~~in the office of the secretary of state~~ with the department of financial institutions a  
13 verified statement on or before each March 31, showing the names and addresses of  
14 each of the trustees; the nature of the business transacted during the preceding year;  
15 in what states such trust is operating; the amount and number of beneficial  
16 certificates sold in this state, or elsewhere; a statement as to the total amount of  
17 beneficial certificates outstanding. Any such report not filed before April 1, may be  
18 filed only upon payment to the ~~secretary of state~~ department of financial institutions  
19 of the following fees:

20 **SECTION 6215b.** 226.14 (4) (c) of the statutes is amended to read:

21 226.14 (4) (c) If said report is not filed before the following January 1, the trust  
22 shall not be in good standing. Until it is restored to good standing the ~~secretary of~~  
23 ~~state~~ department of financial institutions shall not accept for filing any documents  
24 respecting such trust except documents incident to its dissolution.

25 **SECTION 6216b.** 226.14 (4) (d) of the statutes is amended to read:

1           226.14 (4) (d) The trust may be restored to good standing by delivering to the  
2       secretary of state department of financial institutions a current annual report  
3       conforming to the requirements of this section and by paying to the ~~secretary of state~~  
4       department of financial institutions \$10 for each calendar year or part thereof during  
5       which the trust has not been in good standing, not exceeding a total of \$105.

6           **SECTION 6217b.** 226.14 (5) of the statutes is amended to read:

7           226.14 (5) Every such trust shall file ~~in the office of the secretary of state~~ with  
8       the department of financial institutions the name of a trustee or trustees, if they  
9       designate more than one, resident in this state upon whom service may be made for  
10      and on behalf of said trust; or if none of such trustees reside in this state, then a  
11      statement shall be duly filed by the trustees appointing the ~~secretary of state~~  
12      department of financial institutions as the agent to accept service of process in this  
13      state, which appointment shall continue so long as such trust has any liabilities  
14      outstanding in this state.”.

15           **634.** [Page 1857, line 4](#): delete lines 4 to 6.

16           **635.** [Page 1858, line 24](#): after that line insert:

17           “**SECTION 6232.** 227.485 (2) (e) of the statutes is amended to read:

18           227.485 (2) (e) “State agency” does not include the ~~public intervenor or citizens~~  
19      utility board.”.

20           **636.** [Page 1863, line 14](#): after that line insert:

21           “**SECTION 6242m.** 230.01 (2) of the statutes is amended to read:

22           230.01 (2) It is the policy of the state and the responsibility of the secretary and  
23      the administrator to maintain a system of personnel management which fills  
24      positions in the classified service through methods which apply the merit principle,

1 with adequate civil service safeguards. It is the policy of this state to provide for  
2 equal employment opportunity by ensuring that all personnel actions including hire,  
3 tenure or term, and condition or privilege of employment be based on the ability to  
4 perform the duties and responsibilities assigned to the particular position without  
5 regard to age, race, creed or religion, color, handicap, sex, national origin, ancestry,  
6 sexual orientation or political affiliation. It is the policy of this state to take  
7 affirmative action which is not in conflict with other provisions of this chapter. It is  
8 the policy of the state to ensure its employes opportunities for satisfying careers and  
9 fair treatment based on the value of each employe's services. It is the policy of this  
10 state to encourage disclosure of information under subch. III and to ensure that any  
11 employe employed by a governmental unit is protected from retaliatory action for  
12 disclosing information under subch. III. It Subject to the pay range maximum and  
13 compensation maximum under s. 230.125, it is the policy of this state to correct pay  
14 inequities based on gender or race in the state civil service system."

15 **637.** Page 1865, line 17: after that line insert:

16 "SECTION 6274m. 230.08 (2) (t) of the statutes is created to read:

17 230.08 (2) (t) All employes of the office of the state superintendent of public  
18 instruction."

19 **638.** Page 1865, line 18: after that line insert:

20 "SECTION 6275m. 230.08 (2) (yz) of the statutes is created to read:

21 230.08 (2) (yz) The staff of the Wisconsin sesquicentennial commission."

22 **639.** Page 1866, line 4: after that line insert:

23 "SECTION 6277r. 230.09 (2) (b) of the statutes is amended to read:

1           230.09 (2) (b) To accommodate and effectuate the continuing changes in the  
2 classification plan as a result of the classification survey program and otherwise, the  
3 secretary shall, upon initial establishment of a classification, assign that class to the  
4 appropriate pay rate or range, and may, upon subsequent review, reassign classes to  
5 different pay rates or ranges. The secretary shall assign each class to a pay range  
6 according to the skill, effort, responsibility and working conditions required for the  
7 class, without regard to whether the class is occupied primarily by members of a  
8 certain gender or racial group. The secretary shall give notice to appointing  
9 authorities to permit them to make recommendations before final action is taken on  
10 any such assignment or reassignment of classes. Section 230.125 shall apply to this  
11 paragraph.”.

12           **640.** Page 1866, line 24: after that line insert:

13           “**SECTION 6279c.** 230.12 (1) (b) of the statutes is amended to read:

14           230.12 (1) (b) *Schedules.* The several separate pay schedules may incorporate  
15 different wage and salary administration features. ~~Each~~ Subject to the pay range  
16 maximum and compensation maximum under s. 230.125, each schedule shall  
17 provide for pay ranges or pay rates and applicable methods and frequency of within  
18 range pay adjustments based on such considerations as competitive practice,  
19 appropriate principles and techniques of wage and salary administration and  
20 determination, elimination of pay inequities based on gender or race, and the needs  
21 of the service. Not limited by enumeration, such considerations for establishment  
22 of pay rates and ranges and applicable within range pay adjustments may include  
23 provisions prevalent in schedules used in other public and private employment,

1 professional or advanced training, recognized expertise, or any other criteria which  
2 assures state employe compensation is set on an equitable basis.

3 **SECTION 6279g.** 230.12 (3) (a) of the statutes is amended to read:

4 230.12 (3) (a) *Submission to the joint committee on employment relations.* The  
5 secretary shall submit to the joint committee on employment relations a proposal for  
6 any required changes in the compensation plan which may include across the board  
7 pay adjustments for positions in the classified service. The proposal shall include the  
8 amounts and methods for within range pay progression, for pay transactions, and for  
9 performance awards. The proposal shall be based upon experience in recruiting for  
10 the service, the principle of providing pay equity regardless of gender or race, data  
11 collected as to rates of pay for comparable work in other public services and in  
12 commercial and industrial establishments, recommendations of agencies and any  
13 special studies carried on as to the need for any changes in the compensation plan  
14 to cover each year of the biennium. The proposal shall also take proper account of  
15 prevailing pay rates, costs and standards of living and the state's employment  
16 policies. Section 230.125 shall apply to any proposal submitted to the joint  
17 committee on employment relations under this paragraph.

18 **SECTION 6279n.** 230.12 (3) (b) of the statutes is amended to read:

19 230.12 (3) (b) *Public hearing on the proposal; adoption of plan.* The secretary  
20 shall submit the proposal for any required changes in the compensation plan to the  
21 joint committee on employment relations. The committee shall hold a public hearing  
22 on the proposal. The proposal, as may be modified by the joint committee on  
23 employment relations together with the unchanged provisions of the current  
24 compensation plan, shall, for the ensuing fiscal year or until a new or modified plan  
25 is adopted under this subsection, constitute the state's compensation plan for



1 positions in the classified service. Any modification of the secretary's proposed  
2 changes in the compensation plan by the joint committee on employment relations  
3 may be disapproved by the governor within 10 calendar days. A vote of 6 members  
4 of the joint committee on employment relations is required to set aside any such  
5 disapproval of the governor. The joint committee on employment relations may not  
6 approve or modify and approve any changes in the compensation plan that exceed  
7 any pay range or compensation maximum established under s. 230.125.

8 **SECTION 6279r.** 230.12 (3) (e) of the statutes is amended to read:

9 230.12 (3) (e) *University of Wisconsin system faculty and academic staff*  
10 *employees.* The secretary, after receiving recommendations from the board of regents,  
11 shall submit to the joint committee on employment relations a proposal for adjusting  
12 compensation and employe benefits for employes under ss. 20.923 (5) and (6) (m) and  
13 230.08 (2) (d) who are not included in a collective bargaining unit under subch. V of  
14 ch. 111 for which a representative is certified. The proposal shall be based upon the  
15 competitive ability of the board of regents to recruit and retain qualified faculty and  
16 academic staff, data collected as to rates of pay for comparable work in other public  
17 services, universities and commercial and industrial establishments,  
18 recommendations of the board of regents and any special studies carried on as to the  
19 need for any changes in compensation and employe benefits to cover each year of the  
20 biennium. The proposal shall also take proper account of prevailing pay rates, costs  
21 and standards of living and the state's employment policies. The proposal for such  
22 pay adjustments may contain recommendations for across-the-board pay  
23 adjustments, merit or other adjustments and employe benefit improvements.  
24 Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay  
25 adjustments for such employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d).

1 The proposal as approved by the joint committee on employment relations and the  
2 governor shall be based upon a percentage of the budgeted salary base for such  
3 employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d). The amount included  
4 in the proposal for merit and adjustments other than across-the-board pay  
5 adjustments is available for discretionary use by the board of regents. Section  
6 230.125 shall apply to any proposal submitted to the joint committee on employment  
7 relations under this paragraph.

8 **SECTION 6279w.** 230.125 of the statutes is created to read:

9 **230.125 Nonpublic employer pay survey; maximum pay ranges and**  
10 **compensation.** (1) Annually, the department shall conduct a pay survey among  
11 nonpublic employers to determine the prevailing market wage for jobs in the private  
12 sector that are comparable to positions in state employment, other than for positions  
13 occupied by employes who are included in a collective bargaining unit for which a  
14 representative is recognized or certified under subch. V of ch. 111 and by employes  
15 of the state court system whose compensation is set under s. 751.02. If there is no  
16 comparable job in the private sector for a position in state employment, the  
17 department may survey public employers in other states to determine the prevailing  
18 market wage for comparable jobs in public employment in other states. The  
19 department shall complete the pay survey and the secretary shall submit the results  
20 of the pay survey to the cochairpersons of the joint committee on employment  
21 relations before the beginning of the first day of the pay period closest to July 1 of  
22 each year.

23 (2) Beginning on the first day of the pay period closest to July 1 of each year,  
24 no employe, other than an employe who is included in a collective bargaining unit  
25 for which a representative is recognized or certified under subch. V of ch. 111 or an

1 employe of the state court system whose compensation is set under s. 751.02, may  
2 receive an increase in his or her basic pay rate, other than an across the board pay  
3 adjustment, if his or her basic pay rate is equal to or greater than 150% of the  
4 prevailing market wage for a job in the private sector or, where applicable, public  
5 sector, that is comparable to his or her position in state employment, as determined  
6 by the pay survey conducted by the department under sub. (1).

7 (3) If the pay range maximum for a position in state employment, other than  
8 a position occupied by an employe who is included in a collective bargaining unit for  
9 which a representative is recognized or certified under subch. V of ch. 111 or by an  
10 employe of the state court system whose compensation is set under s. 751.02, is equal  
11 to or greater than 150% of the prevailing market wage for such a job in the private  
12 sector or, where applicable, public sector, as determined by the pay survey conducted  
13 by the department under sub. (1), the pay range maximum for that position may not  
14 be increased. If the pay range maximum for such a position in state employment is  
15 less than 150% of the prevailing market wage for such a job in the private sector or,  
16 where applicable, public sector, the pay range maximum for that position may not  
17 be increased to an amount that is equal to or greater than 150% of the prevailing  
18 market wage for such a job in the private sector or, where applicable, public sector.”.

19 **641.** Page 1870, line 15: after “probation” insert “or community supervision”.

20 **642.** Page 1872, line 23: after that line insert:

21 “SECTION 6297b. 231.13 (2) of the statutes is amended to read:

22 231.13 (2) The authority shall pledge the revenues derived and to be derived  
23 from a project and other related health facilities, educational facilities or child care  
24 centers for the purposes specified in sub. (1), and additional bonds may be issued

1 which may rank on a parity with other bonds relating to the project to the extent and  
2 on the terms and conditions provided in the bond resolution. Such pledge shall be  
3 valid and binding from the time when the pledge is made, the revenues so pledged  
4 by the authority shall immediately be subject to the lien of such pledge without any  
5 physical delivery thereof or further act and the lien of any such pledge shall be valid  
6 and binding as against all parties having claims of any kind in tort, contract or  
7 otherwise against the authority, irrespective of whether such parties have notice  
8 thereof. Neither the bond resolution nor any financing statement, continuation  
9 statement or other instrument by which a pledge is created or by which the  
10 authority's interest in revenues is assigned need be filed or recorded in any public  
11 records in order to perfect the lien thereof as against 3rd parties, except that a copy  
12 thereof shall be filed in the records of the authority and with the secretary of state  
13 department of financial institutions.”.

14 **643.** Page 1877, line 14: substitute “(4)” for “(3)”.

15 **644.** Page 1894, line 16: on lines 16 and 18, delete “\$25,000,000” and  
substitute “\$50,000,000”.

16 **645.** Page 1894, line 22: substitute “(4)” for “(3)”.

17 **646.** Page 1895, line 25: substitute “73.255” for “49.855”.

18 **647.** Page 1896, line 3: after that line insert:

19 “**SECTION 6302j.** 234.265 (2) of the statutes is amended to read:

20 234.265 (2) Records or portions of records consisting of personal or financial  
21 information provided by a person seeking a grant or loan under s. 234.08, 234.49,  
22 234.59, 234.65, 234.67, 234.68, 234.69, 234.70, 234.765, 234.82, 234.83, 234.84,  
23 234.87, 234.90, 234.905 or 234.907, seeking a loan under ss. 234.621 to 234.626,

1 seeking financial assistance under s. 234.66 or under ss. 234.75 to 234.802, seeking  
2 investment of funds under s. 234.03 (18m) or in which the authority has invested  
3 funds under s. 234.03 (18m), unless the person consents to disclosure of the  
4 information.”.

5 **648.** Page 1896, line 6: on lines 6 and 7, delete “industry, labor and human  
relations” and substitute “revenue”.

6 **649.** Page 1896, line 7: on lines 7 and 20, substitute “73.255” for “49.855”.

7 **650.** Page 1897, line 2: on lines 2, 14, 18 and 22, substitute “73.255” for  
“49.855”.

8 **651.** Page 1897, line 11: after that line insert:

9 “SECTION 6305i. 234.82 (title) of the statutes is amended to read:

10 **234.82** (title) **Business improvement or start-up loan guarantee**  
11 **program.**

12 **SECTION 6305j.** 234.82 (1) (a) of the statutes is renumbered 234.82 (1) (a)  
13 (intro.) and amended to read:

14 234.82 (1) (a) (intro.) “Eligible business” means a any of the following:

15 1. A business that is primarily engaged in or derives a substantial percentage  
16 of its annual gross revenue from furnishing goods, services, lodging, recreation  
17 facilities or amusement facilities to tourists or from furnishing goods or services to  
18 such businesses.

19 **SECTION 6305k.** 234.82 (1) (a) 2. of the statutes is created to read:

20 234.82 (1) (a) 2. A business that derives more than 50% of its annual gross  
21 revenue from furnishing lodging.

22 **SECTION 6305km.** 234.82 (2) (intro.) of the statutes is amended to read:

1           234.82 (2) GUARANTEE REQUIREMENTS. (intro.) The authority may use money  
2 from the Wisconsin development reserve fund to guarantee a business improvement  
3 or start-up loan if all of the following apply:

4           **SECTION 6305L.** 234.82 (3) (a) of the statutes is amended to read:

5           234.82 (3) (a) The person is engaged in an eligible business under sub. (1) (a)  
6 1. or intends to engage in an eligible business under sub. (1) (a) 2.

7           **SECTION 6305m.** 234.82 (3) (b) of the statutes is amended to read:

8           234.82 (3) (b) The annual gross revenue of the person, together with any  
9 parent, subsidiary or affiliate corporation, does not exceed \$2,500,000 or, if the  
10 person intends to engage in an eligible business under sub. (1) (a) 2., the annual gross  
11 revenue of the person, together with any parent, subsidiary or affiliate corporation,  
12 will not exceed \$2,500,000.

13           **SECTION 6305n.** 234.82 (3) (c) of the statutes is amended to read:

14           234.82 (3) (c) The person, together with any parent, subsidiary or affiliate  
15 corporation, employs fewer than 25 employes on a full-time basis or, if the person  
16 intends to engage in an eligible business under sub. (1) (a) 2., the person, together  
17 with any parent, subsidiary or affiliate corporation, will employ fewer than 25  
18 employes on a full-time basis.

19           **SECTION 6305np.** 234.82 (4) (a) of the statutes is amended to read:

20           234.82 (4) (a) The borrower uses the loan proceeds for upgrading, renovating  
21 or expanding an eligible business under sub. (1) (a) 1. or for start-up costs for an  
22 eligible business under sub. (1) (a) 2. Loan proceeds may be used for direct or related  
23 expenses associated with the purchase or improvement of land, buildings,  
24 machinery, equipment or inventory. Loan proceeds may not be used to refinance  
25 existing debt or for operating or entertainment expenses.”.

1           **652.** Page 1897, line 11: after that line insert:

2           “**SECTION 6305nr.** 234.84 of the statutes is created to read:

3           **234.84 Job training loan guarantee program. (1) GUARANTEE**  
4           **REQUIREMENTS.** The authority may use money from the Wisconsin development  
5           reserve fund to guarantee a loan under this section if all of the following apply:

6           (a) The borrower is an employer in this state.

7           (b) The loan qualifies as an eligible loan under sub. (2).

8           (c) The lender is a financial institution that enters into an agreement under s.  
9           234.93 (2) (a).

10           **(2) ELIGIBLE LOANS.** A loan is eligible for guarantee of collection from the  
11           Wisconsin development reserve fund under s. 234.93 if all of the following apply:

12           (a) The borrower uses the loan proceeds for expenses related to employe  
13           training or retraining or for purchasing equipment or upgrading facilities for  
14           purposes related to employe training or retraining.

15           (b) Loan proceeds are not used to refinance existing debt or for operating or  
16           entertainment expenses.

17           (c) The interest rate on the loan, including any origination fees or other charges,  
18           is approved by the authority.

19           (d) The loan term does not extend beyond 3 years if the loan proceeds are used  
20           exclusively for expenses related to instruction or training, or beyond 5 years if the  
21           loan proceeds are used for purchasing equipment or upgrading facilities.

22           (e) The total principal amount of all loans to the borrower that are guaranteed  
23           under this section does not exceed \$250,000.

1 (f) The financial institution obtains a security interest in the physical plant,  
2 equipment or other assets if the loan proceeds are used for purchasing equipment or  
3 upgrading facilities.

4 (g) The financial institution believes that it is reasonably likely that the  
5 borrower will be able to repay the loan in full with interest.

6 (h) The financial institution agrees to the percentage of guarantee established  
7 for the loan by the authority.

8 **(3) GUARANTEE OF COLLECTION.** (a) Subject to par. (b), the authority shall  
9 guarantee collection of a percentage of the principal of any loan eligible for a  
10 guarantee under sub. (1). The authority shall establish the percentage of the  
11 principal of an eligible loan that will be guaranteed, using the procedures described  
12 in the agreement under s. 234.93 (2) (a). The authority may establish a single  
13 percentage for all guaranteed loans or establish different percentages for eligible  
14 loans on an individual basis.

15 (b) Except as provided in s. 234.93 (3), the total outstanding guaranteed  
16 principal amount of all loans that the authority may guarantee under par. (a) may  
17 not exceed \$14,000,000.”.

18 **653.** Page 1902, line 8: after that line insert:

19 “**SECTION 6321g.** 252.12 (2) (c) of the statutes is created to read:

20 252.12 (2) (c) *HIV prevention grants.* From the appropriation under s. 20.435  
21 (7) (md), the department shall award to applying nonprofit corporations or public  
22 agencies up to \$75,000 in each fiscal year, on a competitive basis, as grants for  
23 services to prevent HIV. Criteria for award of the grants shall include all of the  
24 following:



1           1. The scope of proposed services, including the proposed targeted population  
2 and numbers of persons proposed to be served.

3           2. The proposed methodology for the prevention services, including  
4 distribution and delivery of information and appropriateness of the message  
5 provided.

6           3. The qualifications of the applicant nonprofit corporation or public agency  
7 and its staff.

8           4. The proposed allocation of grant funds to the nonprofit corporation or public  
9 agency staff and services.

10          5. The proposed method by which the applicant would evaluate the impact of  
11 the grant funds awarded.”.

12           **654.** Page 1910, line 13: delete the material beginning with that line and  
ending with page 1912, line 7.

13           **655.** Page 1915, line 25: after that line insert:

14           “SECTION 6355L. 301.03 (3) of the statutes is amended to read:

15           301.03 (3) Administer parole ~~and~~, probation and community supervision  
16 matters, except that the decision to grant or deny parole to inmates shall be made  
17 by the parole commission and the decision to revoke probation or parole in cases in  
18 which there is no waiver of the right to a hearing shall be made by the division of  
19 hearings and appeals in the department of administration. The secretary may grant  
20 special action parole releases under s. 304.02. The department shall promulgate  
21 rules establishing a drug testing program for probationers and parolees and persons  
22 on community supervision. The rules shall provide for assessment of fees upon

1 probationers and parolees and persons on community supervision to partially offset  
2 the costs of the program.

3 **SECTION 6355m.** 301.03 (3r) of the statutes is amended to read:

4 301.03 (3r) If any restitution ordered under s. 973.20 (1) remains unpaid at the  
5 time that a person’s probation, community supervision or sentence expires, or he or  
6 she is discharged by the department, give to the person upon release, or send to the  
7 person at his or her last-known address, written notification that a civil judgment  
8 may be issued against the person for the unpaid restitution.”.

9 **656.** Page 1923, line 3: after that line insert:

10 “**SECTION 6358x.** 301.08 (1) (b) 1. of the statutes is amended to read:

11 301.08 (1) (b) 1. Contract with public, private or voluntary agencies for the  
12 purchase of goods, care and services for persons committed or sentenced to a state  
13 correctional or penal institution, placed on probation or community supervision to  
14 the department by a court of record, or released from a state correctional or penal  
15 institution. Services shall include, but are not limited to, diagnostic services,  
16 evaluation, treatment, counseling, referral and information, day care, inpatient  
17 hospitalization, transportation, recreation, special education, vocational training,  
18 work adjustment, sheltered employment, special living arrangements and legal and  
19 protective services.”.

20 **657.** Page 1924, line 25: delete the material beginning with that line and  
ending with page 1925, line 5.

21 **658.** Page 1937, line 24: after that line insert:

22 “**SECTION 6364c.** 301.32 (3) (a) of the statutes is amended to read:

1           301.32 (3) (a) All money or other property paid or delivered to a probation and  
2 parole agent or other employe of the department by or for the benefit of any person  
3 on probation, community supervision or parole shall be immediately transmitted to  
4 the department and it shall enter the same upon its books to his or her credit. The  
5 property shall be used only under the direction of the department.

6           **SECTION 6364d.** 301.32 (3) (b) of the statutes is amended to read:

7           301.32 (3) (b) If the person on probation, community supervision or parole  
8 absconds, the money shall be credited to the revolving fund created by s. 304.075; and  
9 other property if not called for within one year shall be sold by the department and  
10 the proceeds shall be credited to the fund.”.

11           **659.** Page 1938, line 10: after that line insert:

12           “**SECTION 6364L.** 301.35 (2) (am) of the statutes is created to read:

13           301.35 (2) (am) A person on community supervision.”.

14           **660.** Page 1939, line 20: after that line insert:

15           “**SECTION 6365j.** 302.14 of the statutes is amended to read:

16           **302.14** (title) **Property of deceased inmates, parolees ~~or~~, probationers**  
17 **or persons on community supervision, disposition.** When an inmate of a  
18 prison or a parolee of an institution or a person on probation or community  
19 supervision to the department dies leaving an estate of \$150 or less in the trust of  
20 the warden, superintendent or secretary, the warden, superintendent or secretary  
21 shall try to determine whether or not the estate is to be probated. If probate  
22 proceedings are not commenced within 90 days, the warden, superintendent or  
23 secretary shall turn over the money or securities to the nearest of kin as evidenced  
24 by the records of the institution and the department.”.

1           **661.** Page 1950, line 17: substitute a comma for “or”.

2           **662.** Page 1950, line 18: after “977.075” insert “or 977.076”.

3           **663.** Page 1955, line 20: after that line insert:

4           “SECTION 6408g. 304.075 of the statutes is amended to read:

5           **304.075** (title) ~~Probationer and parolee loan~~ Loan fund for persons on  
6 probation, community supervision or parole. The department shall create a  
7 revolving fund out of any moneys in its hands belonging to probationers and parolees  
8 and persons on community supervision who absconded, or whose whereabouts are  
9 unknown. The fund shall be used to defray the expenses of clothing, transportation,  
10 maintenance and other necessities for probationers and parolees and persons on  
11 community supervision who are without means to secure those necessities. All  
12 payments made from the fund shall be repaid by probationers or parolees and  
13 persons on community supervision for whose benefit they are made whenever  
14 possible; and any moneys belonging to them so paid into the revolving fund shall be  
15 repaid to them in accordance with law, in case a claim therefor is filed with the  
16 department upon showing the legal right of the claimant to such money.”.

17           **664.** Page 1955, line 20: after that line insert:

18           “SECTION 6409c. 340.01 (7m) of the statutes is amended to read:

19           340.01 (7m) “Commercial driver license” means a license issued to a person by  
20 this state or another jurisdiction which is in accordance with the requirements of the  
21 federal commercial motor vehicle safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to  
22 31317, and which authorizes the licensee to operate certain commercial motor  
23 vehicles.

24           SECTION 6409g. 340.01 (7r) of the statutes is amended to read:

1           340.01 **(7r)** “Commercial driver license information system” means the  
2 information system established pursuant to the federal commercial motor vehicle  
3 safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to 31317, to serve as a clearinghouse  
4 for information related to the licensing and identification of commercial motor  
5 vehicle drivers.”.

6           **665.** Page 1955, line 24: after that line insert:

7           “**SECTION 6409r.** 341.08 (2) (am) of the statutes is created to read:

8           341.08 **(2)** (am) If the applicant is a natural person registering a farm truck  
9 under s. 341.26 (3) (a) 1., the applicant’s social security number.

10          **SECTION 6409s.** 341.08 (2) (cm) of the statutes is created to read:

11          341.08 **(2)** (cm) If the applicant is registering a farm truck under s. 341.26 (3)  
12 (a) 1., certification that the applicant had at least \$6,000 in gross farm profits, as  
13 defined in s. 71.58 (4), in at least one of the 2 previous taxable years, or that the  
14 applicant expects to have at least \$6,000 in gross farm profits, as defined in s. 71.58  
15 (4), in the current taxable year.

16          **SECTION 6409t.** 341.08 (4) of the statutes is amended to read:

17          341.08 **(4)** Applications for renewal of registration shall contain the  
18 information required in sub. (2) for original applications or such parts thereof as the  
19 department deems necessary to assure the proper registration of the vehicle, except  
20 that all applications for renewal of registration of farm trucks under s. 341.26 (3) (a)  
21 1. shall contain the information specified in sub. (2) (am) and (cm). The department  
22 may require that applications for renewal of registration be accompanied by the  
23 certificate of title issued for the vehicle only when the true ownership or proper

1 registration of the vehicle is in doubt and cannot be resolved from records maintained  
2 by the department.

3 **SECTION 6409v.** 341.08 (8) of the statutes is created to read:

4 341.08 (8) The department may not disclose a social security number obtained  
5 from an applicant under sub. (2) (am) to any person except to the department of  
6 revenue for the sole purpose of determining the applicant's eligibility to register the  
7 farm truck under s. 341.26 (3) (a) 1.

8 **SECTION 6409w.** 341.14 (6r) (b) 2. of the statutes is amended to read:

9 341.14 (6r) (b) 2. An additional fee of \$10 \$15 shall be charged for the issuance  
10 or reissuance of the plates for special groups specified under par. (f) ~~1. to 34., 48., 49.~~  
11 ~~and 51.~~

12 **SECTION 6409x.** 341.14 (6r) (b) 3. of the statutes is repealed.

13 **SECTION 6409y.** 341.14 (6r) (b) 4. of the statutes is amended to read:

14 341.14 (6r) (b) 4. An additional fee of \$20 that is in addition to the fee under  
15 subd. 2. ~~or 3~~ shall be charged for the issuance or renewal of a plate issued on an  
16 annual basis for a special group specified under par. (f) 35. to 47. An additional fee  
17 of \$40 that is in addition to the fee under subd. 2. ~~or 3.~~ shall be charged for the  
18 issuance or renewal of a plate issued on a biennial basis for a special group specified  
19 under par. (f) 35. to 47 if the plate is issued or renewed during the first year of the  
20 biennial registration period or \$20 for the issuance or renewal if the plate is issued  
21 or renewed during the 2nd year of the biennial registration period. The fee under  
22 this subdivision is deductible as a charitable contribution for purposes of the taxes  
23 under ch. 71.

24 **SECTION 6410b.** 341.25 (1) (a) of the statutes is amended to read:

1           341.25 (1) (a) For each automobile or station wagon, a fee of \$40 \$45, except  
2 that an automobile registered in this state prior to September 1, 1947, at a fee of less  
3 than \$18 shall be registered at such lesser fee plus an additional fee of \$2.

4           **SECTION 6410c.** 341.26 (3) (a) 1. of the statutes is amended to read:

5           341.26 (3) (a) 1. For each farm truck having a gross weight of 12,000 pounds  
6 or less, a biennial fee of \$42. ~~Registration plates issued under this subdivision expire~~  
7 ~~on the last day of February of even-numbered years.~~

8           **SECTION 6410e.** 341.297 (2) of the statutes is renumbered 341.297 (2) (a) and  
9 amended to read:

10           341.297 (2) (a) A farm truck having a gross weight of 12,000 pounds or less, as  
11 specified in s. 341.26 (3) (a) 1. ~~The registration period for such a farm truck begins~~  
12 ~~on March 1 of an even-numbered year and ends on the last day of February of the~~  
13 ~~next even-numbered year~~ All such farm trucks shall be registered by the department  
14 according to the monthly series of registration prescribed by par. (b).

15           **SECTION 6410f.** 341.297 (2) (b) of the statutes is created to read:

16           341.297 (2) (b) There are established 24 registration periods, each to be  
17 designated by a calendar month and to start on the first day of such month and end  
18 on the last day of the 24th month from the date of commencing. The department shall  
19 so administer the monthly series system of registration as to distribute the work of  
20 registering farm trucks as uniformly as practicable throughout the calendar year.

21           **SECTION 6410g.** 341.43 of the statutes is amended to read:

22           **341.43 Audits.** The department may conduct such audits as it deems  
23 necessary to determine the adequacy of fees paid under the international  
24 registration plan or other proportional registration law or agreement and taxes and  
25 fees paid under s. 341.45. Audits shall be conducted during normal business hours.

1 Credits shall be given for overpayments and deficiencies shall be assessed, with  
2 interest. Actual and necessary expenses incurred by an auditor, plus wages, may be  
3 assessed against the person audited.

4 **SECTION 6410h.** 341.45 (title) of the statutes is amended to read:

5 **341.45 (title) Importation in vehicle tanks regulated; taxes; fee;**  
6 **permits.**

7 **SECTION 6410j.** 341.45 (1g) (a) of the statutes is amended to read:

8 341.45 (1g) (a) ~~Every~~ Except as provided in subs. (3) and (4g), every person who  
9 purchases or obtains motor vehicle fuel or an alternate fuel outside of this state and  
10 operates any qualified motor vehicle into this state upon a highway and transports  
11 that fuel in an attached or unattached fuel supply tank for the sole purpose of  
12 operating the qualified motor vehicle shall pay the Wisconsin motor vehicle fuel or  
13 alternate fuels tax and the oil inspection fee under s. 168.12 on the gallons consumed  
14 by the qualified motor vehicle while operated on the highways of this state. The  
15 person shall pay the tax and fee by purchasing motor vehicle fuel or alternate fuels  
16 within this state in an amount that is equivalent to the gallonage consumed while  
17 operating the qualified motor vehicle on the highways of this state, or by remitting  
18 the tax and fee directly to the department or to another jurisdiction that is a party  
19 to the international fuel tax agreement.

20 **SECTION 6410k.** 341.45 (1g) (b) of the statutes is amended to read:

21 341.45 (1g) (b) The department may require any person required to pay under  
22 par. (a) to report on forms prescribed by it, to display evidence of compliance with par.  
23 (a) and to pay taxes and fees in the manner specified by the department.



1           (c) The department shall require any person convicted of evading the tax or fee  
2           due under par. (a) to report on forms and in the manner prescribed by the  
3           department.

4           **SECTION 6410m.** 341.45 (2) of the statutes is amended to read:

5           341.45 (2) Every person regularly or habitually operating qualified motor  
6           vehicles upon the highways of any other state and using in those qualified motor  
7           vehicles motor vehicle fuel or an alternate fuel purchased or obtained in this state  
8           shall be allowed a credit or refund equal to the oil inspection fee and the tax on the  
9           motor vehicle fuel or alternate fuel actually paid to the state in which it is used, but  
10          not to exceed the tax and fee imposed on motor vehicle fuel or alternate fuels by this  
11          state.

12          **SECTION 6410n.** 341.45 (3) of the statutes is amended to read:

13          341.45 (3) The department may enter into reciprocal agreements with the  
14          appropriate officials of any other state under which it may waive all or any part of  
15          the requirements imposed by this section upon those who use motor vehicle fuel or  
16          alternate fuels upon which the tax ~~has~~ and fee have been paid to another state if the  
17          officials of the other state grant equivalent privileges with respect to motor vehicle  
18          fuel or alternate fuels used in that state but upon which the tax ~~has~~ and fee have been  
19          paid to Wisconsin.

20          **SECTION 6410p.** 341.45 (4g) of the statutes is created to read:

21          341.45 (4g) The department may issue trip permits for 72-hour periods to  
22          persons who would otherwise be required to pay the Wisconsin motor vehicle fuel or  
23          alternate fuels tax and the oil inspection fee under sub. (1g). The department shall  
24          charge a fee of not less than \$15 for each permit issued under this subsection. A

1 person who has obtained a permit under this subsection is exempt from the  
2 purchasing requirement of sub. (1g) (a).

3 **SECTION 6410r.** 341.45 (4m) of the statutes is created to read:

4 341.45 (4m) All oil inspection fees paid to the department of transportation  
5 under sub. (1g) (a) in excess of oil inspection fee credits or refunds under sub. (2) shall  
6 be deposited in the petroleum inspection fund. All oil inspection fees credited or  
7 refunded by the department of transportation under sub. (2) in excess of oil  
8 inspection fees paid to the department of transportation under sub. (1g) (a) shall be  
9 paid from the petroleum inspection fund.

10 **SECTION 6410s.** 341.45 (5) of the statutes is amended to read:

11 341.45 (5) The department shall promulgate rules under ch. 227 necessary to  
12 administer this section. The rules shall include provisions relating to the issuance  
13 and use of the permits authorized under sub. (4g). The rules may include provisions  
14 relating to the payment of interest on late payments of motor vehicle fuel and  
15 alternate fuels taxes and oil inspection fees, and fees for the late payment or  
16 underpayment of motor vehicle fuel and alternate fuels taxes and oil inspection fees.

17 **SECTION 6410t.** 342.14 (1) of the statutes is amended to read:

18 342.14 (1) For filing an application for the first certificate of title, ~~\$5~~ \$7.50, by  
19 the owner of the vehicle.”.

20 **666.** Page 1955, line 25: after that line insert:

21 “**SECTION 6411d.** 342.14 (3) of the statutes is amended to read:

22 342.14 (3) For a certificate of title after a transfer, ~~\$5~~ \$7.50, by the owner of the  
23 vehicle.

24 **SECTION 6411dg.** 342.15 (1m) of the statutes is created to read:

1           342.15 **(1m)** (a) No owner of a junk vehicle may transfer his or her interest in  
2 the junk vehicle except to a licensed motor vehicle salvage dealer.

3           (b) No person other than a licensed motor vehicle salvage dealer may acquire  
4 an interest in a junk vehicle from the owner of the junk vehicle.

5           (c) Paragraphs (a) and (b) do not apply to the sale, disposition or acquisition of  
6 a junk vehicle following the procedure under s. 342.40 (3) (c) or 779.415 (2).

7           **SECTION 6411dm.** 342.15 (5r) of the statutes is created to read:

8           342.15 **(5r)** Any person who violates sub. (1m) may be required to forfeit not  
9 more than \$1,000 for each violation.

10          **SECTION 6411e.** 343.01 (2) (cb) of the statutes is created to read:

11          343.01 **(2)** (cb) “Motorized construction equipment” means motor-driven  
12 construction equipment designed principally for off-road use, including a  
13 motorscraper, backhoe, motorgrader, compacter, excavator, tractor, trencher and  
14 bulldozer.

15          **SECTION 6411em.** 343.01 (2) (d) of the statutes is created to read:

16          343.01 **(2)** (d) “Photograph” means an unretouched image recorded by a camera  
17 and reproduced on a photosensitive surface and includes a digitized image.

18          **SECTION 6411f.** 343.02 (1) of the statutes is amended to read:

19          343.02 **(1)** The department shall administer and enforce this chapter and may  
20 promulgate for that purpose such rules as the secretary considers necessary. Rules  
21 promulgated under this chapter may not conflict with and shall be at least as  
22 stringent as standards set by the federal commercial motor vehicle safety act, 49  
23 USC ~~2701 to 2716~~ 31301 to 31317 and the regulations adopted under that act.

24          **SECTION 6411g.** 343.03 (1) (title) of the statutes is repealed and recreated to  
25 read:

1           343.03 (1) (title) COMPLIANCE WITH FEDERAL STANDARDS.

2           **SECTION 6411ge.** 343.03 (1) (a) of the statutes is amended to read:

3           343.03 (1) (a) The department shall institute a classified driver license system  
4 meeting all federal standards under 49 USC ~~2701 to 2716~~ 31301 to 31317 and 49 CFR  
5 383.

6           **SECTION 6411gg.** 343.03 (1) (b) of the statutes is amended to read:

7           343.03 (1) (b) The department shall ~~begin issuance of~~ issue operator's licenses  
8 in conformity with the classified driver license system to each licensee upon renewal,  
9 reinstatement or initial application ~~by April 1, 1991.~~

10          **SECTION 6411gj.** 343.03 (1) (c) of the statutes is repealed.

11          **SECTION 6411gm.** 343.03 (5) of the statutes is amended to read:

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

19          **SECTION 6411gr.** 343.03 (8) of the statutes is repealed.

20          **SECTION 6411h.** 343.05 (2) (a) 2. of the statutes is amended to read:

21          343.05 (2) (a) 2. A nonresident who has in his or her immediate possession a  
22 valid commercial driver license issued to the person in ~~his or her home~~ another  
23 jurisdiction or Mexico bearing all endorsements required for the specific class and  
24 type of vehicle being operated. A license is not valid under this subdivision if the  
25 license is restricted to operation inside the person's home jurisdiction, or if the person

1 is otherwise violating restrictions or exceeding operating authorization stated on the  
2 person's license. If the nonresident is operating a commercial motor vehicle in  
3 interstate commerce, he or she must be at least 21 years of age.

4 **SECTION 6411j.** 343.05 (2) (c) of the statutes is amended to read:

5 343.05 (2) (c) A tow truck operator holding a valid commercial driver license  
6 who is engaged in the removal of a disabled or wrecked vehicle from the highway or  
7 eliminating a hazard is not required to hold an endorsement to his or her commercial  
8 driver license regardless of the type of vehicle being towed. This exception to the  
9 requirement for an endorsement does not apply to any subsequent towing of the  
10 vehicle, including moving the vehicle from one repair facility to another, unless the  
11 one of the following applies:

12 1. The tow truck operator holds a commercial driver license and is accompanied  
13 by a driver who holds the required endorsements.

14 **SECTION 6411jg.** 343.05 (2) (c) 2. of the statutes is created to read:

15 343.05 (2) (c) 2. The vehicle is a vehicle that requires a "P" endorsement for its  
16 operation.

17 **SECTION 6411jm.** 343.05 (4) (a) 3. of the statutes is renumbered 343.05 (2) (a)  
18 5. and amended to read:

19 343.05 (2) (a) 5. A person temporarily operating motorized construction  
20 equipment designed principally for off-road use, including a motorscraper, backhoe,  
21 motorgrader, compacter, excavator, tractor, trencher and bulldozer upon a highway  
22 in this state who possesses a valid operator's license issued to the person by the  
23 department which is not revoked, suspended, canceled, disqualified or expired. This  
24 subdivision does not apply to a truck or a construction vehicle designed or equipped  
25 for use on a highway or to any vehicle exceeding a speed of 35 miles per hour.

1           **SECTION 6411m.** 343.055 (1) (a) of the statutes is amended to read:

2           343.055 (1) (a) *General.* Except as provided in subs. (3) and (4) and  
3 notwithstanding s. 343.05 (2), operators of certain commercial motor vehicles  
4 specified in pars. (b) to ~~(h)~~ (j) or any rule of the department promulgated under sub.  
5 (5) are not required to hold commercial driver licenses, if the operator holds a valid  
6 operator's license not limited to "Class M" vehicles.

7           **SECTION 6411md.** 343.055 (1) (j) of the statutes is created to read:

8           343.055 (1) (j) *Highway winter maintenance operators.* Notwithstanding ss.  
9 343.02 and 343.03 (1), the operator of the commercial motor vehicle is a town official  
10 or is employed in highway winter maintenance work on a part-time basis by the  
11 town, and the vehicle is owned by or leased to the town and is being used for the  
12 purpose of snow and ice control on a town highway.

13           **SECTION 6411mg.** 343.055 (4) of the statutes is amended to read:

14           343.055 (4) EFFECT OF WAIVERS. The waivers under ~~this section~~ sub. (1) (b) to  
15 (h) shall apply to the extent permitted under federal law and the waivers under sub.  
16 (1) (b) to (j) shall exempt a person only from the requirement in s. 343.05 (2) to hold  
17 a commercial driver license to operate a commercial motor vehicle upon a highway  
18 in this state. A commercial motor vehicle operated under this waiver remains a  
19 commercial motor vehicle.

20           **SECTION 6411mm.** 343.055 (5) of the statutes is renumbered 343.055 (5) (a) and  
21 amended to read:

22           343.055 (5) (a) As soon as possible after the federal commercial motor vehicle  
23 safety act, 49 USC ~~2701 to 2716~~ 31301 to 31317, or the regulations adopted under  
24 that act permit any commercial driver license waiver, the department shall

1 promulgate rules governing eligibility for the waiver. This ~~subsection~~ paragraph  
2 applies to waivers not permitted by federal law on May 12, 1992.

3 **SECTION 6411mp.** 343.055 (5) (b) of the statutes is created to read:

4 343.055 (5) (b) Notwithstanding par. (a), the department shall promulgate  
5 rules for the waiver under sub. (1) (j).

6 **SECTION 6411p.** 343.06 (1) (c) of the statutes is amended to read:

7 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a  
8 school program or high school equivalency program and is not a habitual truant as  
9 defined in s. 118.16 (1) (a), has graduated from high school or been granted a  
10 declaration of high school graduation equivalency or is enrolled in a home-based  
11 private educational program, as defined in s. 115.001 (3g), and has satisfactorily  
12 completed a course in driver education in public schools approved by the department  
13 of public instruction, or in technical colleges approved by the technical college system  
14 board, or in nonpublic and private schools which meet the minimum standards set  
15 by the department of public instruction, or has satisfactorily completed a  
16 substantially equivalent course in driver training approved by the department and  
17 given by a school licensed by the department under s. 343.61, or has satisfactorily  
18 completed a substantially equivalent course in driver education or training approved  
19 by another state and has attained the age of 16, except as provided in s. 343.07 (1).

20 The department shall not issue a license to any person under the age of 18  
21 authorizing the operation of "Class M" vehicles unless the person has successfully  
22 completed a basic rider course approved by the department. The department may,  
23 by rule, exempt certain persons from the basic rider course requirement of this  
24 paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the  
25 driver education, basic rider or driver training course requirement. The secretary

1 shall prescribe rules for licensing of schools and instructors to qualify under this  
2 paragraph. The driver education course shall be made available to every eligible  
3 student in the state. Except as provided under s. 343.16 (1) (c) and (2) (cm) to (f), no  
4 operator's license may be issued unless a driver's examination has been  
5 administered by the department.

6 **SECTION 6411pg.** 343.06 (2) of the statutes is amended to read:

7 343.06 (2) ~~After March 31, 1992, the~~ The department shall not issue a  
8 commercial driver license, including a renewal, occupational or reinstated license,  
9 to any person during any period of disqualification under s. 343.315 or 49 CFR 383.51  
10 or the law of another jurisdiction in substantial conformity therewith, as the result  
11 of one or more disqualifying offenses committed on or after July 1, 1987. ~~Beginning~~  
12 ~~on April 1, 1992, the department shall cancel any commercial driver license~~ Any  
13 person who is known to the department to have been issued to a person who is  
14 disqualified be subject to disqualification under s. 343.315 (1) (a) shall be disqualified  
15 by the department, unless the required period of disqualification ~~specified in s.~~  
16 ~~343.315 for the disqualifying offense~~ has already expired.

17 **SECTION 6411pm.** 343.065 (title) of the statutes is amended to read:

18 **343.065** (title) ~~Intrastate restricted~~ **Restricted** commercial driver  
19 **license.**

20 **SECTION 6411pr.** 343.065 (1) of the statutes is amended to read:

21 343.065 (1) If an applicant for a commercial driver license is less than 21 years  
22 of age or does not meet the physical qualifications for drivers contained in 49 CFR  
23 391 or an alternative federally approved driver qualification program established by  
24 the department by rule but is at least 18 years of age and otherwise qualified under  
25 this chapter and the rules of the department, the department may issue the



1 applicant a commercial driver license restricted to authorizing the operation of  
2 commercial motor vehicles ~~only within this state and~~ not in interstate commerce.

3 **SECTION 6411pt.** 343.065 (2) of the statutes is amended to read:

4 343.065 (2) A commercial driver license issued under this section shall clearly  
5 identify that the license does not authorize the operation of commercial motor  
6 vehicles ~~outside this state or~~ in interstate commerce.

7 **SECTION 6411r.** 343.10 (2) (a) 1. of the statutes is amended to read:

8 343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same  
9 incident or occurrence for which the person's license or operating privilege is  
10 currently revoked or suspended, the person's license or operating privilege was not  
11 revoked or suspended previously under this chapter or ch. 344 or s. 161.50 within the  
12 one-year period immediately preceding the present revocation or suspension.”.

13 **667.** Page 1956, line 1: delete lines 1 to 10.

14 **668.** Page 1956, line 10: after that line insert:

15 “**SECTION 6412be.** 343.10 (10) (a) of the statutes is amended to read:

16 343.10 (10) (a) If the petitioner's commercial driver license has been suspended  
17 or revoked solely for a violation of s. 346.63 (1) or a local ordinance in conformity  
18 therewith or a law of a federally recognized American Indian tribe or band in this  
19 state in conformity with s. 346.63 (1) and the person was not operating a commercial  
20 motor vehicle at the time of the violation, a petition seeking issuance of an  
21 occupational license authorizing operation of “Class A”, “Class B” or “Class C”  
22 vehicles may be filed directly with the department. The petition may also seek  
23 authorization to operate “Class D” or “Class M” vehicles.

24 **SECTION 6412bg.** 343.12 (2) (h) of the statutes is amended to read:

1           343.12 (2) (h) Prior to the initial issuance or renewal of the endorsement, takes  
2 and passes a special examination prescribed by the department and administered  
3 by the department or by a 3rd-party tester under s. 343.16 (1) (b) to determine his  
4 or her ability to safely operate a school bus. This special examination may include  
5 the examination required under sub. (3). The department may renew the  
6 endorsement without retesting the licensee, except under sub. (3).

7           **SECTION 6412bh.** 343.14 (3) of the statutes is renumbered 343.14 (3) (a).

8           **SECTION 6412bj.** 343.14 (3) (b) and (c) of the statutes are created to read:

9           343.14 (3) (b) Any photograph taken of an applicant under par. (a) or s. 343.50  
10 (4) may be maintained by the department and shall be kept confidential. The  
11 department may release a photograph only to the following persons:

12           1. The person whose photograph was taken.

13           2. Any person authorized in writing by the person whose photograph was  
14 taken.

15           3. A law enforcement agency, a state agency or a federal governmental agency  
16 to perform a legally authorized function.

17           (c) Any person who has received a photograph under par. (b) shall keep the  
18 photograph confidential and may not disclose or reproduce it except as authorized.  
19 This paragraph does not apply to the person whose photograph was taken.

20           **SECTION 6412bn.** 343.14 (4) of the statutes is repealed.”.

21           **669.** [Page 1956, line 13](#): after that line insert:

22           “**SECTION 6412ca.** 343.16 (1) (a) of the statutes is amended to read:

23           343.16 (1) (a) *General.* The department shall examine every applicant for an  
24 operator’s license, including applicants for license renewal as provided in sub. (3),

1 and every applicant for authorization to operate a vehicle class or type for which the  
2 applicant does not hold currently valid authorization, other than an instruction  
3 permit. Except as provided in sub. (2) (cm) ~~and (e) and s. 343.03 (8) (b) and (c), (e)~~  
4 and (f), the examinations of applicants for licenses authorizing operation of “Class  
5 A”, “Class B”, “Class C”, “Class D” or “Class M” vehicles shall include both a  
6 knowledge test and an actual demonstration in the form of a driving skills test of the  
7 applicant’s ability to exercise ordinary and reasonable control in the operation of a  
8 representative vehicle. The department shall not administer a driving skills test to  
9 a person applying for authorization to operate “Class M” vehicles who has failed 2  
10 previous such skills tests unless the person has successfully completed a rider course  
11 approved by the department. The department may, by rule, exempt certain persons  
12 from the rider course requirement of this paragraph. The driving skills of applicants  
13 for endorsements authorizing the operation of commercial motor vehicles equipped  
14 with air brakes, the transportation of passengers in commercial motor vehicles or the  
15 operation of school buses, as provided in s. 343.04 (2) (b), (d) or (e), shall also be tested  
16 by an actual demonstration of driving skills. The department may endorse an  
17 applicant’s commercial driver license for transporting hazardous materials, or the  
18 operation of tank vehicles or vehicles towing double or triple trailers, as described  
19 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In  
20 administering the knowledge test, the department shall attempt to accommodate  
21 any special needs of the applicant. The Except as may be required by the department  
22 for an “H” or “S” endorsement, the knowledge test is not intended to be a test for  
23 literacy or English language proficiency. This paragraph does not prohibit the  
24 department from requiring an applicant to correctly read and understand highway  
25 signs.

1           **SECTION 6412cb.** 343.16 (2) (f) of the statutes is created to read:

2           343.16 (2) (f) *“Class D” vehicle waiver.* The department may, by rule, waive the  
3 driving skills test of a person applying for authorization to operate “Class D” vehicles  
4 who qualifies for issuance of a license under s. 343.06 (1) (c) if the applicant has  
5 successfully completed an enhanced course in driver education in public schools  
6 approved by the department of public instruction, or in technical colleges approved  
7 by the technical college system board, or in nonpublic and private schools which meet  
8 the minimum standards set by the department of public instruction, and the  
9 instructor in that course certifies that the applicant has satisfied the driving skills  
10 requirements of the course.

11           **SECTION 6412cc.** 343.17 (3) (e) 1. of the statutes is amended to read:

12           343.17 (3) (e) 1. “K” restriction, which restricts a person issued a license under  
13 s. 343.065 to from operating commercial motor vehicles ~~only within this state and not~~  
14 in interstate commerce.

15           **SECTION 6412cd.** 343.21 (1) (g) of the statutes is amended to read:

16           343.21 (1) (g) For removing a “K” restriction against operation of commercial  
17 motor vehicles ~~outside this state or~~ in interstate commerce, the same fee as for a  
18 duplicate license.

19           **SECTION 6412ce.** 343.21 (1) (jm) of the statutes is created to read:

20           343.21 (1) (jm) For reinstatement of a previously disqualified authorization to  
21 operate a commercial motor vehicle, \$50. This fee is not applicable to  
22 disqualifications under s. 343.315 (2) (g).

23           **SECTION 6412cf.** 343.21 (1) (m) of the statutes is created to read:

1           343.21 (1) (m) For reinstatement of a previously canceled license or  
2 endorsement, \$50. This fee includes reinstatement of any classification or  
3 endorsement applied for at the same time for which the applicant is qualified.

4           **SECTION 6412cg.** 343.23 (2) of the statutes is amended to read:

5           343.23 (2) The department shall maintain a file for each licensee containing  
6 the application for license, permit or endorsement, a record of reports or abstract of  
7 convictions, the status of the licensee's authorization to operate different vehicle  
8 groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9)  
9 (am) and a record of any reportable accident in which the licensee has been involved,  
10 including specification of the type of license and endorsements issued under this  
11 chapter under which the licensee was operating at the time of the accident and an  
12 indication whether or not the accident occurred in the course of the licensee's  
13 employment as a law enforcement officer, fire fighter or emergency medical  
14 technician — paramedic or as a person engaged, by an authority in charge of the  
15 maintenance of the highway, in highway winter maintenance snow and ice removal  
16 during either a storm or cleanup following a storm. This information must be filed  
17 by the department so that the complete operator's record is available for the use of  
18 the secretary in determining whether operating privileges of such person shall be  
19 suspended, revoked, canceled or withheld in the interest of public safety. The record  
20 of suspensions, revocations and convictions that would be counted under s. 343.307  
21 (2) and of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be  
22 maintained for at least 10 years. The record of convictions for disqualifying offenses  
23 under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of  
24 convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be  
25 maintained permanently, except that 5 years after a licensee transfers residency to

1 another state such record may be transferred to another state of licensure of the  
2 licensee if that state accepts responsibility for maintaining a permanent record of  
3 convictions for disqualifying offenses. Such reports and records may be cumulative  
4 beyond the period for which a license is granted, but the secretary, in exercising the  
5 power of revocation granted under s. 343.32 (2) may consider only those reports and  
6 records entered during the 4-year period immediately preceding the exercise of such  
7 power of revocation. For purposes of this subsection, "highway winter maintenance  
8 snow and ice removal" includes plowing, sanding, salting and the operation of  
9 vehicles in the delivery of those services.

10 **SECTION 6412ch.** 343.245 (3) (b) 3. and 4. of the statutes are amended to read:

11 343.245 (3) (b) 3. Is subject to an out-of-service order in any state; ~~or~~

12 4. Has more than one operator's license, except during the 10-day period  
13 beginning on the date on which the employe is issued an operator's license; ~~;~~ or

14 **SECTION 6412ci.** 343.245 (3) (b) 5. of the statutes is created to read:

15 343.245 (3) (b) 5. Does not possess a valid commercial driver license properly  
16 endorsed to permit operation of the vehicle.

17 **SECTION 6412cj.** 343.245 (4) (b) of the statutes is amended to read:

18 343.245 (4) (b) Any person who violates sub. (3) (b) shall be fined not more than  
19 ~~\$5,000~~ less than \$2,500 nor more than \$10,000 or imprisoned for not more than 90  
20 days or both.

21 **SECTION 6412ck.** 343.265 (1) (intro.) of the statutes is renumbered 343.265 (1)  
22 and amended to read:

23 343.265 (1) The department may accept the voluntary surrender of the  
24 operator's license of a person who has a mental or physical disability or disease or  
25 a medical condition which prevents or may prevent the person from exercising

1 reasonable control over a motor vehicle if the person's operating privilege is not  
2 subject to suspension or revocation for any reason ~~and if either of the following~~  
3 ~~conditions are satisfied:~~

4 **SECTION 6412cL.** 343.265 (1) (a) and (b) of the statutes are repealed.

5 **SECTION 6412cm.** 343.28 (1) of the statutes is amended to read:

6 343.28 (1) Whenever a person is convicted of a moving traffic violation under  
7 chs. 341 to 349 or under a local ordinance enacted under ch. 349, the clerk of the court  
8 in which the conviction occurred, or the justice, judge or magistrate of a court not  
9 having a clerk, shall, as provided in s. 345.48, forward to the department the record  
10 of such conviction. The record of conviction forwarded to the department shall state  
11 whether the offender was involved in an accident at the time of the offense, whether  
12 the offender was operating a commercial motor vehicle at the time of the offense and,  
13 if so, whether the offender was transporting hazardous materials or operating a  
14 vehicle designed to carry, or actually carrying, 16 or more passengers, including the  
15 driver. Whenever a person is convicted of exceeding a posted speed limit, the record  
16 of conviction forwarded to the department shall include the number of miles per hour  
17 in excess of the posted speed limit.

18 **SECTION 6412cn.** 343.28 (2) of the statutes is amended to read:

19 343.28 (2) Whenever a person is convicted of any offense for which s. 343.31  
20 makes mandatory the revocation by the secretary of such person's operating  
21 privilege, the court in which the conviction occurred shall require the surrender to  
22 it of any license then held by such person. The clerk of the court, or the justice, judge  
23 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the  
24 department the record of conviction and any surrendered licenses. The record of  
25 conviction forwarded to the department shall state whether the offender was

1 involved in an accident at the time of the offense, whether the offender was operating  
2 a commercial motor vehicle at the time of the offense and, if so, whether the offender  
3 was transporting hazardous materials or operating a vehicle designed to carry, or  
4 actually carrying, 16 or more passengers, including the driver.

5 **SECTION 6412co.** 343.305 (10) (em) of the statutes is amended to read:

6 343.305 (10) (em) One penalty for improperly refusing to submit to a test for  
7 intoxication regarding a person arrested for a violation of s. 346.63 (2m) or (7) or a  
8 local ordinance in conformity therewith is revocation of the person's operating  
9 privilege for 6 months. After the first 15 days of the revocation period, the person  
10 is eligible for an occupational license under s. 343.10. Any such improper refusal or  
11 revocation for the refusal does not count as a prior refusal or a prior revocation under  
12 this section or ss. 343.30 (1q), 343.307 and 346.65 (2). The person shall not be  
13 required to submit to and comply with any assessment or driver safety plan under  
14 pars. (c) and (d).

15 **SECTION 6412cp.** 343.315 (2) (f) (intro.) of the statutes is amended to read:

16 343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from  
17 operating a commercial motor vehicle if convicted of 2 serious traffic violations, ~~or~~  
18 and 120 days if convicted of 3 serious traffic violations, arising from separate  
19 occurrences committed within a 3-year period while driving or operating a  
20 commercial motor vehicle. ~~The department shall consider only offenses committed~~  
21 ~~on or after November 2, 1989 in applying 120-day period of disqualification under~~  
22 this paragraph shall be in addition to any other period of disqualification imposed  
23 under this paragraph. In this paragraph, "serious traffic violations" means:

24 **SECTION 6412cq.** 343.315 (2) (fm) of the statutes is created to read:



1           343.315 (2) (fm) A person is disqualified for a period of 60 days from operating  
2 a commercial motor vehicle if convicted of violating s. 343.14 (5) or 345.17, if the  
3 violation relates to an application for a commercial driver license.

4           **SECTION 6412cr.** 343.315 (2) (h) of the statutes is created to read:

5           343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period  
6 of 90 days from operating a commercial motor vehicle if convicted of an  
7 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3  
8 years if convicted of 3 or more out-of-service violations, arising from separate  
9 occurrences committed within a 10-year period while driving or operating a  
10 commercial motor vehicle. A disqualification under this paragraph shall be in  
11 addition to any penalty imposed under s. 343.44. In this paragraph, “out-of-service  
12 violation” means violating s. 343.44 (1) by operating a commercial motor vehicle  
13 while ordered out-of-service under state or federal law.

14           **SECTION 6412cs.** 343.315 (2) (i) of the statutes is created to read:

15           343.315 (2) (i) If the violation listed in par. (h) occurred in the course of  
16 transporting hazardous materials or while operating a vehicle designed to carry, or  
17 actually carrying, 16 or more passengers, including the driver, the person shall be  
18 disqualified from operating a commercial motor vehicle for 180 days upon a first  
19 conviction, or for a 3-year period for a 2nd or subsequent conviction, arising from  
20 separate occurrences committed within a 10-year period while driving or operating  
21 a commercial motor vehicle. A disqualification under this paragraph shall be in  
22 addition to any penalty imposed under s. 343.44.

23           **SECTION 6412ct.** 343.315 (3) (a) of the statutes is amended to read:

24           343.315 (3) (a) Notwithstanding s. 343.39, if a person’s license or operating  
25 privilege is revoked or suspended as the result of an offense committed after March

1 31, 1992, which results in disqualification under sub. (2), the department shall  
2 immediately disqualify the person from operating a commercial motor vehicle for the  
3 period required under sub. (2). The person's authorization to operate a commercial  
4 motor vehicle shall not be reinstated upon expiration of the period of revocation or  
5 suspension unless the period of disqualification has also expired. During any period  
6 of disqualification in which the person's license or operating privilege is not revoked  
7 or suspended, the department may issue an operator's license to the person for the  
8 operation of vehicles other than commercial motor vehicles. ~~Upon expiration of the~~  
9 ~~period of disqualification, the person may apply for authorization to operate~~  
10 ~~commercial motor vehicles as provided in s. 343.14.~~

11 **SECTION 6412cu.** 343.315 (3) (b) of the statutes is amended to read:

12 343.315 (3) (b) If a person's license or operating privilege is not otherwise  
13 revoked or suspended as the result of an offense committed after March 31, 1992,  
14 which results in disqualification under sub. (2) (a) to (f), (h) or (i), the department  
15 shall immediately ~~cancel the person's license~~ disqualify the person from operating  
16 a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h) or (i).

17 Upon proper application by the person and payment of a duplicate license fee, the  
18 department may issue a separate license authorizing only the operation of vehicles  
19 other than commercial motor vehicles. Upon expiration of the period of  
20 disqualification, the person may apply for authorization to operate commercial  
21 motor vehicles under s. 343.26.

22 **SECTION 6412cv.** 343.32 (4) of the statutes is amended to read:

23 343.32 (4) In adopting rules for weighing traffic convictions by their  
24 seriousness under sub. (2), the secretary shall provide by rule for a reduction of up  
25 to 3 points if a person shows to the department satisfactory evidence of completion

1 of a rider course approved by the secretary. This subsection applies only to demerit  
2 points relating to violations committed before completion of the rider course by a  
3 person while driving or operating a Type 1 motorcycle. ~~No person is eligible for more  
4 than one point reduction of up to 3 points under this subsection.~~

5 **SECTION 6412cw.** 343.325 (title) of the statutes is amended to read:

6 **343.325 (title) Courts to report appeals; when appeal stays suspension**  
7 **or, revocation or disqualification.**

8 **SECTION 6412cx.** 343.325 (2) of the statutes is amended to read:

9 343.325 (2) Notwithstanding ss. 343.31, 343.315 and 343.32 and except as  
10 otherwise provided in sub. (4), the secretary shall not suspend or revoke a person's  
11 operating privilege or disqualify a person from operating a commercial motor vehicle  
12 on the basis of a conviction if the secretary receives from the court in which the  
13 conviction occurred a certificate stating that an appeal from the conviction has been  
14 taken. If the secretary receives such certificate after suspension or revocation of the  
15 operating privilege, the operating privilege shall be reinstated without requiring  
16 compliance with s. 343.38. If the secretary receives the certificate after suspension  
17 of the operating privilege or disqualification, the operating privilege or authorization  
18 to operate a commercial motor vehicle shall be reinstated automatically.

19 **SECTION 6412cy.** 343.325 (3) of the statutes is amended to read:

20 343.325 (3) Whenever suspension or revocation of an operating privilege or a  
21 disqualification has been withheld as provided in sub. (2) and the department  
22 receives notice that the conviction in question has been affirmed on appeal or that  
23 the appeal has been dropped, the secretary shall suspend or revoke such operating  
24 privilege or disqualify the person from operating a commercial motor vehicle on the  
25 same basis as if the appeal had not been taken, but the period of suspension ~~or,~~

1     revocation or disqualification shall run from the date of suspension ~~or~~, revocation or  
2     disqualification following the affirmance of the conviction or dropping of the appeal,  
3     less any time the operating privilege had been suspended or revoked or the  
4     authorization to operate a commercial motor vehicle had been disqualified prior to  
5     the receipt by the secretary of the certificate under sub. (2).

6             **SECTION 6412cz.** 343.325 (3m) of the statutes is amended to read:

7             343.325 **(3m)** Whenever the suspension or revocation of an operating privilege  
8     or a disqualification has been rescinded or withheld because of administrative  
9     action, an appeal, or a court order to reopen, stay or vacate a conviction, suspension  
10    ~~or~~, revocation or disqualification, and that suspension ~~or~~, revocation or  
11    disqualification is subsequently reimposed, the period of suspension ~~or~~, revocation  
12    or disqualification so reimposed shall be reduced by the period of suspension ~~or~~,  
13    revocation or disqualification previously served.

14            **SECTION 6412czb.** 343.325 (4) of the statutes is amended to read:

15            343.325 **(4)** If a person whose suspension ~~or~~, revocation or disqualification was  
16    stayed pursuant to sub. (2) is convicted of an offense for which revocation or  
17    disqualification is mandatory under s. 343.31 or 343.315, during the pendency of the  
18    appeal of the original conviction, the secretary shall forthwith revoke such person's  
19    operating privilege or disqualify the person from operating a commercial motor  
20    vehicle on account of the latter conviction, notwithstanding the appeal of either or  
21    both convictions.

22            **SECTION 6412czd.** 343.325 (5) of the statutes is amended to read:

23            343.325 **(5)** This section shall not prevent suspension or revocation of an  
24    operating privilege or a disqualification if there are grounds for suspension ~~or~~,  
25    revocation or disqualification other than the conviction in question.

1           **SECTION 6412czf.** 343.325 (6) (a) of the statutes is amended to read:

2           343.325 **(6)** (a) If a court enters an order reopening, vacating or staying a  
3 conviction or a suspension or revocation of an operating privilege or a  
4 disqualification, the court shall promptly forward a copy of that order to the  
5 department.

6           **SECTION 6412czh.** 343.44 (title) of the statutes is amended to read:

7           **343.44** (title) **Driving while disqualified, ~~out of service~~ or ordered**  
8 **out-of-service or after license revoked or suspended.**

9           **SECTION 6412czj.** 343.44 (1) of the statutes is amended to read:

10          343.44 **(1)** No person whose operating privilege has been duly revoked or  
11 suspended pursuant to the laws of this state shall operate a motor vehicle upon any  
12 highway in this state during such suspension or revocation or thereafter before filing  
13 proof of financial responsibility or before that person has obtained a new license in  
14 this state, including an occupational license, or the person's operating privilege has  
15 been reinstated under the laws of this state. No person may operate a commercial  
16 motor vehicle while ordered out-of-service as provided in s. 343.305 (7) (b) or (9) ~~(am)~~  
17 under state or federal law. No person may operate a commercial motor vehicle after  
18 ~~March 31, 1992~~, while disqualified as provided in s. 343.315.

19          **SECTION 6412czL.** 343.44 (3) of the statutes is amended to read:

20          343.44 **(3)** Refusal to accept or failure to receive an order of revocation ~~or~~,  
21 suspension or disqualification mailed by 1st class mail to such person's last-known  
22 address shall not be a defense to the charge of driving after revocation ~~or~~, suspension  
23 or disqualification. If the person has changed his or her address and fails to notify  
24 the department as required in s. 343.22 then failure to receive notice of revocation

1 or, suspension or disqualification shall not be a defense to the charge of driving after  
2 revocation or, suspension or disqualification.

3 **SECTION 6412czn.** 343.44 (4r) of the statutes is created to read:

4 343.44 (4r) In addition to other penalties for violation of this section, if a person  
5 has violated this section after he or she was ordered out-of-service under state or  
6 federal law as provided in s. 343.315, the violation shall result in disqualification  
7 under s. 343.315 (2) (h) or (i).

8 **SECTION 6412czp.** 344.12 of the statutes is amended to read:

9 **344.12 Applicability of provisions relating to deposit of security for**  
10 **past accidents.** Subject to the exceptions contained in s. 344.14, the provisions of  
11 this chapter requiring deposit of security and requiring revocation for failure to  
12 deposit security apply to the operator and owner of every motor vehicle which is in  
13 any manner involved in an accident in this state which has resulted in bodily injury  
14 to or death of any person or damage to property of any other person in excess of \$500  
15 \$1,000.

16 **SECTION 6412czt.** 344.14 (2) (e) of the statutes is amended to read:

17 344.14 (2) (e) To the operator or owner of a vehicle involved in an accident  
18 wherein no injury was caused to the person of anyone other than such operator or  
19 owner and wherein damage to property of any one person other than such operator  
20 or owner did not exceed \$500 \$1,000.”.

21 **670.** Page 1956, line 14: delete lines 14 to 19.

22 **671.** Page 1957, line 11: delete lines 11 to 25.

23 **672.** Page 1957, line 25: after that line insert:

24 “**SECTION 6413r.** 345.11 (1g) and (5) of the statutes are amended to read:

1           345.11 (1g) The uniform traffic citation may be used for violations of ~~s.~~ ss.  
2           218.01 (2) (a) and 218.205 (1). The report of conviction shall be forwarded to the  
3           department.

4           (5) Notwithstanding any other provision of the statutes, the use of the uniform  
5           traffic citation promulgated under sub. (4) by any peace officer in connection with the  
6           enforcement of any state traffic laws, any local traffic ordinances in strict conformity  
7           with the state traffic laws or s. 218.01 (2) (a) or 218.205 (1) shall be deemed adequate  
8           process to give the appropriate court jurisdiction over the person upon the filing with  
9           or transmitting to the court of the uniform traffic citation.”.

10           **673.** Page 1958, line 21: delete the material beginning with that line and  
          ending with page 1959, line 16.

11           **674.** Page 1959, line 16: after that line insert:

12           “SECTION 6416sm. 346.70 (1) of the statutes is amended to read:

13           346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator of a vehicle involved in  
14           an accident resulting in injury to or death of any person, any damage to state or other  
15           government-owned property, except a state or other government-owned vehicle, to  
16           an apparent extent of \$200 or more or total damage to property owned by any one  
17           person or to a state or other government-owned vehicle to an apparent extent of \$500  
18           \$1,000 or more shall immediately by the quickest means of communication give  
19           notice of such accident to the police department, the sheriff’s department or the  
20           traffic department of the county or municipality in which the accident occurred or  
21           to a state traffic patrol officer. In this subsection, “injury” means injury to a person  
22           of a physical nature resulting in death or the need of first aid or attention by a  
23           physician or surgeon, whether or not first aid or medical or surgical treatment was

1 actually received; “total damage to property owned by one person” means the sum  
2 total cost of putting the property damaged in the condition it was before the accident,  
3 if repair thereof is practical, and if not practical, the sum total cost of replacing such  
4 property. For purposes of this subsection if any property which is damaged is held  
5 in a form of joint or multiple ownership, the property shall be considered to be owned  
6 by one person.”.

7 **675.** Page 1959, line 22: after that line insert:

8 “**SECTION 6416vc.** 348.05 (2) (k) of the statutes is renumbered 348.05 (2) (k) 2.  
9 and amended to read:

10 348.05 (2) (k) 2. Nine feet for loads of tie logs, tie slabs and veneer logs, ~~provided~~  
11 ~~that if~~ no part of the load shall extend extends more than 6 inches beyond the fender  
12 line on the left side of the vehicle or ~~extend~~ extends more than 10 inches beyond the  
13 fender line on the right side of the vehicle. The term “fender line” as used herein  
14 ~~means as defined in s. 348.09. This paragraph shall~~

15 3. Subdivision 2. does not be applicable apply to transport on highways  
16 designated as parts of the national system of interstate and defense highways  
17 pursuant to under s. 84.29, except for that portion of USH 51 between Wausau and  
18 STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near  
19 Portage upon their federal designation as I 39. This exception for I 39 applies only  
20 to the extent permitted by federal law.

21 **SECTION 6416vf.** 348.05 (2) (k) 1. of the statutes is created to read:

22 348.05 (2) (k) 1. In this paragraph, “fender line” has the meaning given in s.  
23 348.09 (1).



1           **SECTION 6416vi.** 348.15 (3) (bg), (br), (bv) and (e) of the statutes are amended  
2 to read:

3           348.15 **(3)** (bg) In the case of a vehicle or combination of vehicles transporting  
4 exclusively milk from the point of production to the primary market and the return  
5 of dairy supplies and dairy products from such primary market to the farm, the gross  
6 weight imposed on the highway by the wheels of any one axle may not exceed 21,000  
7 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more  
8 consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is  
9 shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply  
10 to the national system of interstate and defense highways, except for that portion of  
11 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51  
12 and the I 90/94 interchange near Portage upon their federal designation as I 39.

13           (br) In the case of a vehicle or combination of vehicles transporting exclusively  
14 peeled or unpeeled forest products cut crosswise or in the case of a vehicle or  
15 combination of vehicles transporting exclusively scrap metal, the gross weight  
16 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds  
17 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive  
18 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c),  
19 but not to exceed 80,000 pounds. This paragraph does not apply to the national  
20 system of interstate and defense highways, except for that portion of USH 51  
21 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the  
22 I 90/94 interchange near Portage upon their federal designation as I 39.

23           (bv) In the case of a vehicle or combination of vehicles used primarily for the  
24 transportation of septage, as defined in s. 144.08 (1) (a), the gross weight imposed on  
25 the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2

1 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles  
2 more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or,  
3 for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000  
4 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles  
5 more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but  
6 not to exceed 80,000 pounds. This paragraph does not apply to the national system  
7 of interstate and defense highways, except for that portion of USH 51 between  
8 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
9 interchange near Portage upon their federal designation as I 39.

10 (e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or combination  
11 of vehicles transporting exclusively livestock, the gross weight imposed on the  
12 highway by the wheels of any one axle or axle group may exceed the applicable weight  
13 limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the vehicle  
14 or combination of vehicles does not exceed the maximum gross weight specified for  
15 that vehicle or combination of vehicles under par. (c). This paragraph does not apply  
16 to the national system of interstate and defense highways, except for that portion of  
17 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51  
18 and the I 90/94 interchange near Portage upon their federal designation as I 39.

19 **SECTION 6416vL.** 348.175 of the statutes is amended to read:

20 **348.175 Seasonal operation of vehicles hauling peeled or unpeeled**  
21 **forest products cut crosswise or abrasives or salt for highway winter**  
22 **maintenance.** The transportation of peeled or unpeeled forest products cut  
23 crosswise or of abrasives or salt for highway winter maintenance in excess of gross  
24 weight limitations under s. 348.15 shall be permitted during the winter months  
25 when the highways are so frozen that no damage may result thereto by reason of such

1 transportation. If at any time any person is so transporting such products or  
2 abrasives or salt upon a class "A" highway in such frozen condition then that person  
3 may likewise use a class "B" highway without other limitation, except that chains  
4 and other traction devices are prohibited on class "A" highways but such chains and  
5 devices may be used in cases of necessity. The officers or agencies in charge of  
6 maintenance of highways, upon determination of such frozen condition and freedom  
7 of damage to such highways by transportation shall declare particular highways, or  
8 highways within areas of the state as eligible for increased weight limitations. Such  
9 declaration shall include the maximum weight on each axle, combination of axles  
10 and the gross weight allowed. Any person transporting any such product over any  
11 highway of this state under this section is liable to the maintaining authority for any  
12 damage caused to such highway. This section does not apply to the national system  
13 of interstate and defense highways, except for that portion of USH 51 between  
14 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
15 interchange near Portage upon their federal designation as I 39.

16 **SECTION 6416vo.** 348.19 (2) (b) and (4) of the statutes are amended to read:  
17 348.19 (2) (b) If upon weighing a vehicle transporting livestock a traffic officer  
18 determines that the gross weight of the vehicle exceeds the limitations imposed by  
19 s. 348.15 or 348.16 or a limitation posted as provided in s. 348.17 (1), and if the point  
20 of apprehension is 15 miles or less from the destination of the vehicle, the traffic  
21 officer shall permit the operator of the vehicle to proceed to such destination without  
22 requiring the vehicle to be reloaded or unloaded as provided in par. (a). This  
23 paragraph does not apply to vehicles transporting livestock on the national system  
24 of interstate and defense highways, except for that portion of USH 51 between

1 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
2 interchange near Portage upon their federal designation as I 39.

3 (4) Subsection (1) (b) shall not apply to vehicles transporting peeled or  
4 unpeeled forest products on the national, interstate or defense highway systems,  
5 except for that portion of USH 51 between Wausau and STH 78 and that portion of  
6 STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal  
7 designation as I 39.

8 **SECTION 6416vr.** 348.27 (4), (9m) and (9r) of the statutes are amended to read:

9 348.27 (4) INDUSTRIAL INTERPLANT PERMITS. The department may issue, to  
10 industries and to their agent motor carriers owning and operating oversize vehicles  
11 in connection with interplant, and from plant to state line, operations in this state,  
12 annual or consecutive month permits for the operation of such vehicles over  
13 designated routes, provided that such permit shall not be issued under this section  
14 to agent motor carriers or, except for that portion of USH 51 between Wausau and  
15 STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near  
16 Portage upon their federal designation as I 39, from plant to state line for vehicles  
17 or loads of width exceeding 102 inches upon routes of the national system of  
18 interstate and defense highways. If the routes desired to be used by the applicant  
19 involve city or village streets or county or town highways, the application shall be  
20 accompanied by a written statement of route approval by the officer in charge of  
21 maintenance of the highway in question. The exception for I 39 applies only to the  
22 extent permitted by federal law.

23 (9m) TRANSPORTATION OF RAW FOREST AND AGRICULTURAL PRODUCTS. The  
24 department may issue annual or consecutive month permits for the transportation  
25 of raw forest products or for the transportation of fruits or vegetables from field to

1 storage or processing facilities in vehicles or vehicle combinations that exceed the  
2 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000  
3 pounds. A permit issued under this subsection does not authorize the operation of  
4 any vehicle or vehicle combination at a maximum gross weight in excess of 90,000  
5 pounds. This subsection does not apply to highways designated as part of the  
6 national system of interstate and defense highways, except for that portion of USH  
7 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and  
8 the I 90/94 interchange near Portage upon their federal designation as I 39.

9 **(9r)** TRANSPORTATION OF SCRAP. The department may issue an annual or  
10 consecutive month permit for the transportation of metallic or nonmetallic scrap for  
11 the purpose of recycling or processing on a vehicle or combination of vehicles which  
12 exceeds statutory weight or length limitations and for the return of the vehicle or  
13 combination of vehicles when empty. This subsection does not apply to the  
14 transportation of scrap on highways designated as part of the national system of  
15 interstate and defense highways, except for that portion of USH 51 between Wausau  
16 and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange  
17 near Portage upon their federal designation as I 39.

18 **SECTION 6416vt.** 349.16 (1) (intro.), (a) and (b) of the statutes are amended to  
19 read:

20 349.16 **(1)** (intro.) The officer in charge of maintenance in case of highways  
21 maintained by a town, city or village, the county highway commissioner or county  
22 highway committee in the case of highways maintained by the county and the  
23 department in the case of highways maintained by the state may do any of the  
24 following:

1 (a) Impose special weight limitations on any such highway or portion thereof  
2 which, because of weakness of the roadbed due to deterioration or climatic conditions  
3 or other special or temporary condition, would likely be seriously damaged or  
4 destroyed in the absence of such special limitations;

5 (b) Impose special weight limitations on bridges or culverts when in its  
6 judgment such bridge or culvert cannot safely sustain the maximum weights  
7 permitted by statute;

8 **SECTION 6416vw.** 349.16 (1) (d) of the statutes is created to read:

9 349.16 (1) (d) Impose special weight limitations on any such highway or portion  
10 thereof used as a detour for a state trunk highway under s. 84.02 (10) (b) when such  
11 limitations are considered necessary to protect the public safety. This paragraph  
12 does not apply to highways maintained by the state.”

13 **676.** Page 1959, line 23: delete the material beginning with that line and  
ending with page 1960, line 10.

14 **677.** Page 1962, line 2: after that line insert:

15 “**SECTION 6441b.** 406.104 (1) (c) of the statutes is amended to read:

16 406.104 (1) (c) The transferee preserves the list and schedule for 6 months next  
17 following the transfer and permits inspection of either or both and copying therefrom  
18 at all reasonable hours by any creditor of the transferor, or files the list and schedule  
19 ~~in with the office of the secretary of state~~ department of financial institutions.

20 **SECTION 6442b.** 409.105 (1) (dm) of the statutes is created to read:

21 409.105 (1) (dm) “Department” means the department of financial institutions.

22 **SECTION 6443b.** 409.401 (1) (c) of the statutes is amended to read:

1           409.401 (1) (c) In all other cases, ~~in the office of the secretary of state~~ with the  
2 department.

3           **SECTION 6444b.** 409.401 (5) of the statutes is amended to read:

4           409.401 (5) Notwithstanding the preceding subsections, and subject to s.  
5 409.302 (3), the proper place to file in order to perfect a security interest in collateral,  
6 including fixtures, of a transmitting utility is ~~the office of the secretary of state~~ with  
7 the department. This filing constitutes a fixture filing under s. 409.313 as to the  
8 collateral described therein which is or is to become fixtures.

9           **SECTION 6445b.** 409.402 (3m) of the statutes is amended to read:

10           409.402 (3m) The ~~secretary of state~~ department shall prescribe by rule  
11 standard forms for filing a financing statement, continuation statement,  
12 termination statement, statement of assignment or statement of release. A filing  
13 officer may refuse to accept statements not on the required form or not containing  
14 information required under sub. (1).”.

15           **678.** Page 1963, line 6: after that line insert:

16           “**SECTION 6448b.** 409.403 (5) (a) 1. of the statutes is amended to read:

17           409.403 (5) (a) 1. The fee for filing and indexing and for stamping a copy  
18 furnished by the secured party to show the date and place of filing for an original  
19 financing statement is \$8 if the statement is on the standard form prescribed by the  
20 ~~secretary of state~~ department and is \$16 if the statement is not on the standard form  
21 or if additional pages are attached to the standard form. The fee for filing an original  
22 financing statement subject to s. 409.402 (5) is \$10 if the statement is on the standard  
23 form and is \$20 if the statement is not on the standard form or if additional pages  
24 are attached to the standard form.

1           **SECTION 6449b.** 409.403 (5) (a) 2. of the statutes is amended to read:

2           409.403 **(5)** (a) 2. The fee for filing and indexing and for stamping a copy  
3 furnished by the secured party to show the date and place of filing for an amendment  
4 or a continuation statement is \$5 if the amendment or statement is on the standard  
5 form prescribed by the ~~secretary of state~~ department and is \$10 if the amendment  
6 or statement is not on the standard form or if additional pages are attached to the  
7 standard form.

8           **SECTION 6450b.** 409.403 (5) (a) 3. of the statutes, as affected by 1993 Wisconsin  
9 Act 452, is amended to read:

10           409.403 **(5)** (a) 3. A register of deeds shall forward \$3 to ~~the office of the~~  
11 ~~secretary of state~~ department for each original financing statement filed with the  
12 office of the register of deeds under subd. 1. and for each amendment and each  
13 continuation statement filed with the office of the register of deeds under subd. 2.

14           **SECTION 6451b.** 409.403 (5) (b) (title) of the statutes is amended to read:

15           409.403 **(5)** (b) (title) *Fees for filing with the office of the secretary of state*  
16 *department of financial institutions.*

17           **SECTION 6452b.** 409.403 (5) (b) 1. of the statutes is amended to read:

18           409.403 **(5)** (b) 1. The fee for filing and indexing and for stamping a copy  
19 furnished by the secured party to show the date and place of filing for an original  
20 financing statement is \$8 if the statement is on the standard form prescribed by the  
21 ~~secretary of state~~ department and is \$16 if the statement is not on the standard form  
22 or if additional pages are attached to the standard form.

23           **SECTION 6453b.** 409.403 (5) (b) 2. of the statutes is amended to read:

24           409.403 **(5)** (b) 2. The fee for filing and indexing and for stamping a copy  
25 furnished by the secured party to show the date and place of filing for an amendment



1 or a continuation statement is \$5 if the amendment or statement is on the standard  
2 form prescribed by the ~~secretary of state~~ department and is \$10 if the amendment  
3 or statement is not on the standard form or if additional pages are attached to the  
4 standard form.

5 **SECTION 6454b.** 409.404 (1) (b) of the statutes is amended to read:

6 409.404 (1) (b) (title) *Requirement for filing termination statement with the*  
7 *office of secretary of state department of financial institutions.* Except as provided in  
8 par. (c), if a financing statement is filed with the ~~office of the secretary of state~~  
9 department, then within one month or within 10 days following written demand by  
10 the debtor after there is no outstanding secured obligation and no commitment to  
11 make advances, incur obligations or otherwise give value, the secured party must file  
12 with the ~~office of the secretary of state~~ department a termination statement to the  
13 effect that the secured party no longer claims a security interest under the financing  
14 statement, which shall be identified by file number. A termination statement signed  
15 by a person other than the secured party of record must be accompanied by a separate  
16 written statement of assignment signed by the secured party of record complying  
17 with s. 409.405 (2), including payment of the required fee.

18 **SECTION 6455b.** 409.404 (1) (c) (intro.) of the statutes is amended to read:

19 409.404 (1) (c) (title) *Exceptions to requirement for filing termination statement*  
20 *with the office of the secretary of state department of financial institutions.* (intro.)  
21 No termination statement needs to be filed with the ~~office of the secretary of state~~  
22 department pursuant to par. (b) if:”.

23 **679.** Page 1963, line 17: after that line insert:

24 “**SECTION 6457b.** 409.404 (3) (b) of the statutes is amended to read:

1           409.404 **(3)** (b) (title) *Fees for filing a termination statement with the office of*  
2 *the secretary of state department of financial institutions.* There is no fee for a  
3 termination statement which is filed with the ~~office of the secretary of state~~  
4 department and there is no fee for indexing any name in connection with the  
5 termination process.

6           **SECTION 6458b.** 409.405 (1) of the statutes, as affected by 1993 Wisconsin Act  
7 452, is amended to read:

8           409.405 **(1)** An original financing statement may disclose an assignment of a  
9 security interest in the collateral described in the financing statement by indication  
10 in the financing statement of the name and address of the assignee or by an  
11 assignment itself or a copy thereof on the face or back of the statement. On  
12 presentation to the filing officer of such a financing statement the filing officer shall  
13 mark the same as provided in s. 409.403 (4). The fee for filing, indexing and stamping  
14 a copy furnished by the secured party to show the date and place of filing for an  
15 original financing statement so indicating an assignment is \$8 if the statement is on  
16 the standard form prescribed by the ~~secretary of state~~ department and is \$16 if the  
17 statement is not on the standard form or if additional pages are attached to the  
18 standard form. The fee for filing an original financing statement indicating an  
19 assignment and subject to s. 409.402 (5) is \$10 if the statement is on the standard  
20 form and is \$20 if the statement is not on the standard form or if additional pages  
21 are attached to the standard form. A register of deeds shall forward \$3 to the ~~office~~  
22 ~~of the secretary of state~~ department for each original financing statement indicating  
23 an assignment of a security interest that is filed with the office of the register of  
24 deeds.

1           **SECTION 6459b.** 409.405 (2) of the statutes, as affected by 1993 Wisconsin Act  
2 452, is amended to read:

3           409.405 (2) A secured party may assign of record all or part of his or her rights  
4 under a financing statement by the filing in the place where the original financing  
5 statement was filed of a separate written statement of assignment signed by the  
6 secured party of record and setting forth the name of the secured party of record and  
7 the debtor, the file number and the date of filing of the financing statement and the  
8 name and address of the assignee and containing a description of the collateral  
9 assigned. A copy of the assignment is sufficient as a separate statement if it complies  
10 with the preceding sentence. On presentation to the filing officer of such a separate  
11 statement, the filing officer shall mark such separate statement with the date and  
12 hour of the filing. The officer shall note the assignment on the index of the financing  
13 statement, or in the case of a fixture filing, or a filing covering timber to be cut, or  
14 covering minerals or the like, including oil and gas, or accounts subject to s. 409.103  
15 (5), the officer shall index the assignment under the name of the assignor as grantor  
16 and, to the extent that the law of this state provides for indexing the assignment of  
17 a mortgage under the name of the assignee, the officer shall index the assignment  
18 of the financing statement under the name of the assignee. The fee for filing,  
19 indexing and furnishing filing data about such a separate statement of assignment  
20 is \$5 if the statement is on the standard form prescribed by the ~~secretary of state~~  
21 department and is \$10 if the statement is not on the standard form or if additional  
22 pages are attached to the standard form. A register of deeds shall forward \$3 to the  
23 ~~office of the secretary of state~~ department for each statement of assignment filed with  
24 the office of the register of deeds. Notwithstanding this subsection, an assignment  
25 of record of a security interest in a fixture contained in a mortgage effective as a

1 fixture filing under s. 409.402 (6) may be made only by an assignment of the  
2 mortgage in the manner provided by the law of this state other than chs. 401 to 411.

3 **SECTION 6460b.** 409.406 of the statutes, as affected by 1993 Wisconsin Act 452,  
4 is amended to read:

5 **409.406 Release of collateral; duties of filing officer; fees.** A secured  
6 party of record may by his or her signed statement release all or a part of any  
7 collateral described in a filed financing statement. The statement of release is  
8 sufficient if it contains a description of the collateral being released, the name and  
9 address of the debtor, the name and address of the secured party, and the file number  
10 of the financing statement. A statement of release signed by a person other than the  
11 secured party of record must be accompanied by a separate written statement of  
12 assignment signed by the secured party of record and complying with s. 409.405 (2),  
13 including payment of the required fee. Upon presentation of such a statement of  
14 release to the filing officer, the officer shall mark the statement with the hour and  
15 date of filing and shall note the same upon the margin of the index of the filing of the  
16 financing statement. The fee for filing and noting such a statement of release is \$5  
17 if the statement is on the standard form prescribed by the ~~secretary of state~~  
18 department and is \$10 if the statement is not on the standard form or if additional  
19 pages are attached to the standard form. A register of deeds shall forward \$3 to the  
20 ~~office of the secretary of state~~ department for each statement of release filed with the  
21 office of the register of deeds.”.

22 **680.** Page 1963, line 23: after that line insert:

23 “**SECTION 6462b.** 409.407 (2) (c) of the statutes, as created by 1995 Wisconsin  
24 Act .... (this act), is amended to read:

1           409.407 (2) (c) For providing any service under par. (a) or (b) in an expeditious  
2 manner, the ~~secretary of state~~ department may charge and collect an expedited  
3 service fee of \$25 in addition to any fee required under par. (a) or (b). Only one  
4 expedited service fee may be charged for multiple identical certificates if the  
5 certificates are requested at the same time and issued at the same time.”.

6           **681.** Page 1964, line 5: after that line insert:

7           “**SECTION 6464b.** 409.410 (1) of the statutes is amended to read:

8           409.410 (1) ~~The office of the secretary of state~~ department and the office of each  
9 register of deeds in this state shall establish and maintain at least one computer  
10 terminal allowing the direct entry into permanent computer storage and the direct  
11 retrieval from permanent computer storage of information under sub. (2).

12           **SECTION 6465b.** 409.410 (2) of the statutes is amended to read:

13           409.410 (2) Beginning 30 days after notification by the ~~secretary of state~~  
14 department, each filing officer shall enter all information contained in all financing  
15 statements, amendments, termination statements, continuation statements,  
16 statements of assignment and statements of release submitted for filing, indexing  
17 or marking under ss. 409.401 to 409.408, including the date and time of filing these  
18 statements or amendments, into permanent computer storage by means of a  
19 computer terminal established and maintained under sub. (1).”.

20           **682.** Page 1964, line 9: after that line insert:

21           “**SECTION 6467b.** 422.505 (1) (d) of the statutes is amended to read:

22           422.505 (1) (d) The credit services organization’s principal business address  
23 and the name and address of its agent in this state, other than the ~~secretary of state~~  
24 department of financial institutions, who is authorized to receive service of process.”.

1           **683.** Page 1965, line 13: after that line insert:

2           “**SECTION 6470y.** 426.110 (4) (b) of the statutes is amended to read:

3           426.110 (4) (b) Such notice shall be in writing and shall be sent by certified or  
4 registered mail, return receipt requested, to such person at the place where the  
5 transaction occurred, such person’s principal place of business within this state, or,  
6 if neither will effect actual notice, ~~the office of the secretary of state of this state~~  
7 department of financial institutions.”.

8           **684.** Page 1969, line 19: after that line insert:

9           “**SECTION 6472g.** 440.03 (7) of the statutes is amended to read:

10           440.03 (7) The department shall establish the style, content and format of all  
11 credentials and of all forms for applying to the department for renewal of any  
12 credential issued under chs. 440 to 480. When establishing the format of credential  
13 renewal application forms, the department shall provide a place on the form for the  
14 information required under s. 440.08 (2g) (b). Upon request of any person who holds  
15 a credential and payment of a \$10 fee, the department may issue a wall certificate  
16 signed by the governor.

17           **SECTION 6472j.** 440.03 (12) of the statutes is created to read:

18           440.03 (12) The department shall establish a procedure for making the  
19 determination under s. 440.08 (2r) concerning the liability of credential holders for  
20 delinquent taxes.”.

21           **685.** Page 1981, line 15: after that line insert:

22           “**SECTION 6567j.** 440.08 (2) (c) of the statutes is amended to read:

23           440.08 (2) (c) Renewal applications shall be submitted to the department on  
24 a form provided by the department that complies with sub. (2g) and, except as

1 provided in sub. (3), shall include the applicable renewal fee specified in pars. (a) and  
2 (b).

3 **SECTION 6567k.** 440.08 (2g) of the statutes is created to read:

4 440.08 (2g) CREDENTIAL RENEWAL APPLICATION FORM. (a) The department shall  
5 establish a credential renewal application form for use by all credential holders who  
6 apply to renew a credential issued under chs. 440 to 480.

7 (b) The form established under par. (a) shall require the applicant to do all of  
8 the following:

- 9 1. If the applicant is a natural person, provide his or her social security number.
- 10 2. If the applicant is not a natural person, provide its federal employer  
11 identification number.
- 12 3. Sign a statement attesting that the applicant is not liable for any delinquent  
13 taxes owed to this state.

14 (c) The department may not disclose a social security number obtained from an  
15 applicant for credential renewal on a form established under par. (a) to any person  
16 except to the department of revenue for the sole purpose of making the determination  
17 required under sub. (2r).

18 **SECTION 6567L.** 440.08 (2r) of the statutes is created to read:

19 440.08 (2r) DETERMINATION CONCERNING DELINQUENT TAXES. Before granting an  
20 application to renew any credential issued under chs. 440 to 480, the department  
21 shall determine, in accordance with the procedure established under s. 440.03 (12),  
22 whether the applicant for the credential renewal is liable for any delinquent taxes  
23 owed to this state.”.

24 **686.** [Page 1981, line 24](#): after that line insert:

1           “**SECTION 6572b.** 440.08 (4) of the statutes is renumbered 440.08 (4) (a) and  
2 amended to read:

3           440.08 (4) (a) (title) Generally. If the department ~~or the interested examining~~  
4 ~~board or affiliated credentialing board, as appropriate,~~ determines that an applicant  
5 for renewal has failed to comply with sub. (2) (c) or (3) or with any other applicable  
6 requirement for renewal established under chs. 440 to 480 or that the denial of an  
7 application for renewal of a credential is necessary to protect the public health, safety  
8 or welfare, the department, ~~examining board or affiliated credentialing board~~ may  
9 summarily deny the application for renewal by mailing to the holder of the credential  
10 a notice of denial that includes a statement of the facts or conduct that warrant the  
11 denial and a notice that the holder may, within 30 days after the date on which the  
12 notice of denial is mailed, file a written request with the department to have the  
13 denial reviewed at a hearing before the department, if the department issued the  
14 credential, or before the examining board or affiliated credentialing board that  
15 issued the credential.

16           **SECTION 6572c.** 440.08 (4) (b) of the statutes is created to read:

17           440.08 (4) (b) *Failure to pay delinquent taxes.* If the department determines  
18 under sub. (2r) that an applicant for credential renewal is liable for any delinquent  
19 taxes owed to this state or if an applicant does not complete the information on the  
20 credential renewal application form that is required under sub. (2g) (b), the  
21 department shall deny the applicant’s application for credential renewal.”.

22           **687.** Page 1984, line 2: after that line insert:

23           “**SECTION 6586b.** 440.47 (5) of the statutes is amended to read:



1           440.47 (5) (title) ~~SECRETARY OF STATE~~ DEPARTMENT OF  
2 FINANCIAL INSTITUTIONS. A charitable organization, fund-raising counsel,  
3 professional fund-raiser or commercial coventurer that has its principal place of  
4 business outside of this state or is organized under laws other than the laws of this  
5 state and that is subject to this subchapter shall be considered to have irrevocably  
6 appointed the ~~secretary of state~~ department of financial institutions as its agent for  
7 the service of process or notice directed to the charitable organization, fund-raising  
8 counsel, professional fund-raiser or commercial coventurer or to any of its partners,  
9 principal officers or directors in an action or proceeding brought under this  
10 subchapter. Service of process or notice upon the ~~secretary of state~~ department of  
11 financial institutions shall be made by personally delivering to and leaving with the  
12 ~~secretary of state~~ department of financial institutions a copy of the process or notice.  
13 That service shall be sufficient service if the ~~secretary of state~~ department of  
14 financial institutions immediately sends notice of the service and a copy of the  
15 process or notice to the charitable organization, fund-raising counsel, professional  
16 fund-raiser, commercial coventurer or other person to whom it is directed by  
17 registered mail, with return receipt requested, at the last address known to the  
18 ~~secretary of state~~ department of financial institutions.”.

19           **688.** Page 1987, line 20: after that line insert:

20           “SECTION **6605b**. 441.06 (3) of the statutes is amended to read:

21           441.06 (3) A registered nurse practicing for compensation shall, on or before  
22 the applicable renewal date specified under s. 440.08 (2) (a), submit to the ~~board~~  
23 department on furnished blanks a statement giving name, residence and any other

1 facts or information as the ~~board~~ department requires, with the applicable renewal  
2 fee specified under s. 440.08 (2) (a).

3 **SECTION 6605f.** 441.10 (3) (b) of the statutes is amended to read:

4 441.10 (3) (b) On or before the applicable renewal date specified under s. 440.08  
5 (2) (a), a licensed practical nurse practicing for compensation shall submit to the  
6 ~~board~~ department, on blanks furnished by the department, an application for license  
7 renewal, together with a statement giving name, residence, nature and extent of  
8 practice as a licensed practical nurse during the prior year and prior unreported  
9 years and any other facts or information bearing upon current competency or  
10 eligibility for credential renewal as the ~~board~~ department requires, accompanied by  
11 the applicable license renewal fee specified under s. 440.08 (2) (a).

12 **SECTION 6605k.** 441.15 (3) (b) of the statutes is amended to read:

13 441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08  
14 (2) (a), a person issued a certificate under par. (a) and practicing nurse-midwifery  
15 shall submit to the ~~board~~ department on furnished blanks a statement giving his or  
16 her name, residence and other information as the ~~board~~ department requires ~~by rule~~,  
17 with the applicable renewal fee specified under s. 440.08 (2) (a).

18 **SECTION 6605p.** 442.08 of the statutes is amended to read:

19 **442.08 Licensure.** Upon application by a holder of an unrevoked Wisconsin  
20 certificate as a certified public accountant or an unrevoked Wisconsin certificate of  
21 authority as provided for in this chapter, the department shall issue a license to the  
22 holder. A license shall also be issued to any partnership or corporation, upon  
23 application, which has complied with this chapter. ~~The renewal date and renewal~~  
24 ~~fee for licenses issued under this chapter are specified under s. 440.08 (2) (a).~~

25 **SECTION 6605s.** 442.085 of the statutes is created to read:

1           **442.085 License renewal.** The renewal date for licenses issued under this  
2 chapter is specified under s. 440.08 (2) (a). Renewal applications shall be submitted  
3 to the department on a form provided by the department and shall include the  
4 renewal fee specified in s. 440.08 (2) (a).

5           **SECTION 6605w.** 443.07 (6) of the statutes is amended to read:

6           443.07 (6) The renewal date and renewal fee for permits under this section are  
7 is specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the  
8 department on a form provided by the department and shall include the renewal fee  
9 specified in s. 440.08 (2) (a).

10          **SECTION 6605y.** 443.08 (3) (b) of the statutes is amended to read:

11          443.08 (3) (b) The renewal date and renewal fee for certificates of authorization  
12 under this section are is specified under s. 440.08 (2) (a). Renewal applications shall  
13 be submitted to the department on a form provided by the department and shall  
14 include the renewal fee specified in s. 440.08 (2) (a)."

15          **689.** Page 1988, line 16: after that line insert:

16          "SECTION 6607b. 443.10 (6) of the statutes is amended to read:

17          443.10 (6) ROSTER. A roster showing the names and mailing addresses of all  
18 registered surveyors shall be prepared annually by the secretary and made available  
19 for purchase at cost, and a copy shall be placed on file with the ~~secretary of state~~  
20 department of financial institutions."

21          **690.** Page 1988, line 16: after that line insert:

22          "SECTION 6606c. 443.10 (2) (e) of the statutes is amended to read:

23          443.10 (2) (e) The renewal date and renewal fee dates for certificates of  
24 registration for architects, landscape architects, professional geologists and

1 professional engineers are specified under s. 440.08 (2) (a). Renewal applications  
2 shall be submitted to the department on a form provided by the department and shall  
3 include the renewal fee specified in s. 440.08 (2) (a).

4 **SECTION 6606g.** 443.10 (5) of the statutes is amended to read:

5 443.10 (5) FEES; RENEWALS. The land surveyor's section shall grant a certificate  
6 of registration as a land surveyor to any applicant who has met the applicable  
7 requirements of this chapter. The renewal date and renewal fee for the certificate  
8 are is specified under s. 440.08 (2) (a). Renewal applications shall be submitted to  
9 the department on a form provided by the department and shall include the renewal  
10 fee specified in s. 440.08 (2) (a).

11 **SECTION 6606L.** 445.06 of the statutes is amended to read:

12 **445.06 Renewal of licenses.** The renewal date and renewal fee for a funeral  
13 directors' license are is specified under s. 440.08 (2) (a). Renewal applications shall  
14 be submitted to the department on a form provided by the department and shall  
15 include the renewal fee specified in s. 440.08 (2) (a). Before any renewal license is  
16 delivered to any licensed funeral director, proof must be furnished by the applicant,  
17 to the satisfaction of the ~~examining board~~ department, that the applicant is doing  
18 business at a recognized funeral establishment, except that if such applicant is not  
19 doing business at a recognized funeral establishment at the time of application for  
20 a license, the applicant shall be given a certificate, without additional cost, to the  
21 effect that the applicant is in good standing as a funeral director, and shall be entitled  
22 to a renewal license at any time during that license period, when located at a  
23 recognized funeral establishment, without payment of any additional renewal fee.  
24 The applicant must also furnish proof of completion of at least 15 hours of continuing  
25 education during the previous 2-year licensure period, except that new licensees are

1 exempt from this requirement during the time between initial licensure and  
2 commencement of a full 2-year licensure period.

3 **SECTION 6606p.** 445.105 (3) of the statutes is amended to read:

4 445.105 (3) Applications for funeral establishment permits shall be made on  
5 forms provided by the department and filed with the department and shall be  
6 accompanied by the fee specified under s. 440.05 (1). The renewal date and renewal  
7 fee for a funeral establishment permit ~~are~~ is specified under s. 440.08 (2) (a).  
8 Renewal applications shall be submitted to the department on a form provided by the  
9 department and shall include the renewal fee specified in s. 440.08 (2) (a).

10 **SECTION 6606t.** 446.02 (4) of the statutes is amended to read:

11 446.02 (4) The renewal date and renewal fee dates for all licenses granted by  
12 the examining board are specified under s. 440.08 (2) (a). Renewal applications shall  
13 be submitted to the department on a form provided by the department and shall  
14 include the renewal fee specified in s. 440.08 (2) (a).

15 **SECTION 6606x.** 447.07 (1) of the statutes is repealed.”.

16 **691.** Page 1989, line 4: after that line insert:

17 “**SECTION 6608t.** 448.07 (2) of the statutes is amended to read:

18 448.07 (2) FEES. The fees for examination and licenses granted ~~or renewed~~  
19 under this chapter subchapter are specified in ~~ss. s.~~ s. 440.05 and 440.08.

20 **SECTION 6608u.** 448.07 (3) of the statutes is created to read:

21 448.07 (3) LICENSE RENEWAL. The renewal dates for licenses granted under this  
22 subchapter are specified under s. 440.08 (2) (a). Renewal applications shall be  
23 submitted to the department on a form provided by the department and shall include  
24 the renewal fee specified in s. 440.08 (2) (a).

1           **SECTION 6608v.** 448.075 (2) of the statutes is amended to read:

2           448.075 (2) The board may suspend, revoke or refuse to issue ~~or renew~~ the  
3 license of a podiatrist who fails to procure or to submit proof of the malpractice  
4 liability insurance coverage required under sub. (1).

5           **SECTION 6608w.** 448.80 of the statutes, as created by 1993 Wisconsin Act 443,  
6 is amended to read:

7           **448.80 Temporary certificate.** Upon application and payment of the fee  
8 specified in s. 440.05 (6), the affiliated credentialing board may grant a temporary  
9 dietitian certificate to an individual who satisfies the requirements under s. 448.78  
10 (1) to (4) and has submitted an application to take the next available examination  
11 under s. 448.84. A temporary certificate granted under this section is valid for a  
12 period designated by the affiliated credentialing board, not to exceed 9 months, and  
13 may be renewed once ~~by the affiliated credentialing board.~~

14           **SECTION 6608x.** 449.18 (4) of the statutes is amended to read:

15           449.18 (4) Certificates issued under this section expire on January 1 of each  
16 even-numbered year. Renewal applications shall be submitted to the ~~examining~~  
17 ~~board~~ department biennially on a form provided by the ~~examining board~~  
18 department, along with the renewal fee specified in s. 440.08 (2) (a) and proof of  
19 completion of continuing education requirements established in the rules  
20 promulgated under sub. (7).

21           **SECTION 6608y.** 450.08 (2) of the statutes is amended to read:

22           450.08 (2) (a) A pharmacist's license may be renewed by ~~paying~~ submitting a  
23 renewal application to the department, along with the applicable fee specified under  
24 s. 440.08 (2) (a) on or before the applicable renewal date specified under s. 440.08 (2)  
25 (a). Failure to obtain renewal within the time period specified under this paragraph

1 terminates the right of the person to be licensed as a pharmacist, and such right can  
2 only be acquired by passing an examination to the satisfaction of the board.

3 (b) A pharmacy, manufacturer's or distributor's license may be renewed by  
4 ~~paying~~ submitting a renewal application to the department, along with the  
5 applicable fee specified under s. 440.08 (2) (a) on or before the applicable renewal  
6 date specified under s. 440.08 (2) (a).".

7 **692.** Page 1989, line 7: after that line insert:

8 "SECTION 6611b. 452.05 (1m) (a) 2. of the statutes is amended to read:

9 452.05 (1m) (a) 2. "Commercial real property" means real property that is  
10 classified as commercial under s. 70.32 (2) (a) 2. ~~or (b) 2.~~".

11 **693.** Page 1991, line 5: after that line insert:

12 "SECTION 6616c. 453.06 (2) of the statutes is amended to read:

13 453.06 (2) The renewal date ~~and renewal fee~~ for veterinary licenses are is  
14 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the  
15 department on a form provided by the department and shall include the renewal fee  
16 specified in s. 440.08 (2) (a).

17 SECTION 6616g. 454.06 (8) of the statutes is amended to read:

18 454.06 (8) EXPIRATION AND RENEWAL. The renewal date ~~and renewal fee~~ dates  
19 for licenses issued under subs. (2) to (6) are specified under s. 440.08 (2) (a). Renewal  
20 applications shall be submitted to the department on a form provided by the  
21 department and shall include the renewal fee specified in s. 440.08 (2) (a).

22 SECTION 6616n. 454.08 (9) of the statutes is amended to read:

23 454.08 (9) The renewal date ~~and renewal fee~~ for licenses issued under this  
24 section are is specified under s. 440.08 (2) (a). Renewal applications shall be

1 submitted to the department on a form provided by the department and shall include  
2 the renewal fee specified in s. 440.08 (2) (a).

3 **SECTION 6616r.** 454.15 (2) (intro.) of the statutes is amended to read:

4 454.15 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1) and this  
5 chapter, the examining board may revoke, limit, suspend or refuse to issue ~~or renew~~,  
6 in accordance with the severity of the violation, a license or permit issued under this  
7 chapter or reprimand the holder of a license or permit issued under this chapter if  
8 it finds that the holder or applicant has done any of the following:

9 **SECTION 6616w.** 455.06 of the statutes is amended to read:

10 **455.06 Renewals.** The renewal date and renewal fee dates for licenses issued  
11 under s. 455.04 (1) and (4) are specified under s. 440.08 (2) (a). Renewal applications  
12 shall be submitted to the department on a form provided by the department and shall  
13 include the renewal fee specified in s. 440.08 (2) (a). An applicant for renewal of a  
14 license with a renewal date that is on or after October 1, 1993, shall include with his  
15 or her application proof of completion of continuing educational programs or courses  
16 approved under s. 455.065 (2) for the minimum number of hours required in the rules  
17 promulgated under s. 455.065 (1).”.

18 **694.** Page 1991, line 9: after that line insert:

19 “**SECTION 6618m.** 456.07 (1) of the statutes is amended to read:

20 456.07 (1) Every individual who holds a license as a nursing home  
21 administrator issued by the department shall biennially apply to the examining  
22 board department for a new certificate of registration and report any facts requested  
23 by the ~~examining board~~ department on forms provided for such purpose.”.

24 **695.** Page 1994, line 5: after that line insert:



1           **“SECTION 6620b.** 457.13 (2) of the statutes is amended to read:

2           457.13 (2) A professional counselor training certificate is valid for 24 months  
3 or until the date on which the holder of the certificate ceases to be employed in a  
4 position specified in sub. (1) (d), whichever occurs first, and may not be renewed by  
5 ~~the professional counselor section.~~ A professional counselor training certificate  
6 authorizes the holder to use any title specified in s. 457.04 (6) during the period in  
7 which the certificate is valid.

8           **SECTION 6620c.** 457.14 of the statutes is amended to read:

9           **457.14 Temporary certificates.** Upon application and payment of the fee  
10 specified in s. 440.05 (6), the appropriate section of the examining board may grant  
11 a temporary social worker, marriage and family therapist or professional counselor  
12 certificate to any individual who satisfies the requirements under s. 457.08 (1) (a)  
13 and (b), 457.10 (1) to (3) or 457.12 (1) to (3) and has submitted an application to take  
14 the next available examination for certification under s. 457.08 (1) (c), 457.10 (4) or  
15 457.12 (4). A temporary certificate granted under this section is valid for a period  
16 designated by the appropriate section of the examining board, not to exceed 9  
17 months, and may be renewed once ~~by that section of the examining board.~~

18           **SECTION 6620d.** 459.085 of the statutes is amended to read:

19           **459.085 Calibration of audiometric equipment.** Audiometric equipment  
20 used in the evaluation of hearing sensitivity for the fitting and sale of hearing aids  
21 shall be calibrated not less than once every 6 months. Certification of these  
22 calibrations shall be sent to the examining board with the renewal fee application  
23 required in s. 459.09.

24           **SECTION 6620e.** 459.09 of the statutes is amended to read:

1           **459.09** (title) **Renewal of license; fees; effect of failure to renew posting**  
2 **of certificate.** Each person who practices dealing in or fitting hearing aids shall,  
3 on or before the applicable renewal date specified under s. 440.08 (2) (a), ~~pay~~ submit  
4 a renewal application form to the department along with the applicable renewal fee  
5 specified under s. 440.08 (2) (a) and. Each person issued a certificate under this  
6 subchapter shall keep the certificate conspicuously posted in the person's office or  
7 place of business at all times. Where more than one office is operated by the licensee,  
8 duplicate certificates shall be issued by the department for posting in each location.

9           **SECTION 6620f.** 459.24 (6) (c) of the statutes is amended to read:

10           459.24 (6) (c) A temporary license granted under this subsection is valid for a  
11 period designated by the examining board, not to exceed 9 months, and may be  
12 renewed once ~~by the examining board~~. An applicant for a temporary license shall pay  
13 the fee specified in s. 440.05 (6).”.

14           **696.** [Page 2081, line 8](#): delete lines 8 and 9 and substitute:

15           “**SECTION 6923.** 560.31 (title) and (1) to (2m) of the statutes are renumbered  
16 41.19 (title) and (1) to (2m), and 41.19 (2m) (c) (intro.), as renumbered, is amended  
17 to read:”.

18           **697.** [Page 2081, line 12](#): after that line insert:

19           “**SECTION 6923g.** 560.31 (3) of the statutes is amended to read:  
20 560.31”.

21           **698.** [Page 2081, line 20](#): after that line insert:

22           “**SECTION 6923h.** 560.31 (3) of the statutes, as affected by 1995 Wisconsin Act  
23 .... (this act), is renumbered 41.19 (3).”.

1           **699.** Page 2098, line 8: after “location” insert “, except to the extent permitted  
under section 383 of the internal revenue code”.

2           **700.** Page 2101, line 22: delete the material beginning with that line and  
ending with page 2102, line 3.

3           **701.** Page 2105, line 13: delete the material beginning with that line and  
ending with page 2106, line 11.

4           **702.** Page 2106, line 11: after that line insert:

5           “**SECTION 6965.** 562.065 (3) (e) (intro.) of the statutes is renumbered 562.065 (3)  
6 (e) and amended to read:

7           562.065 (3) (e) *Breakage.* A licensee under s. 562.05 (1) (b) ~~shall deposit with~~  
8 ~~the commission an amount equal to 50%~~ may retain 100% of the breakage for each  
9 race day. ~~The moneys received under this paragraph shall be deposited as follows:~~

10           **SECTION 6966.** 562.065 (3) (e) 1. and 2. of the statutes are repealed.

11           **SECTION 6967.** 562.065 (3r) of the statutes is amended to read:

12           562.065 (3r) PERIOD FOR DEPOSIT BY LICENSEE. The licensee shall make the  
13 deposits required under subs. (3) (c) 1. to 2g., and (d) 1. ~~and (e) and (3m) (c) 2.~~ no later  
14 than 48 hours after the close of the race day or, if the 48-hour period does not include  
15 a business day, on the first business day immediately following the close of the race  
16 day.

17           **SECTION 6968.** 562.075 (title) of the statutes is amended to read:

18           **562.075 (title) Horses foaled in this state; three-year-old horses; races**  
19 **and purse supplements.**

20           **SECTION 6969.** 562.075 (1) (a) (title) of the statutes is repealed.

21           **SECTION 6970.** 562.075 (1) (a) of the statutes is renumbered 562.075 (1).

1           **SECTION 6971.** 562.075 (1) (b) of the statutes is repealed.

2           **SECTION 6972.** 562.075 (2) (c) of the statutes is repealed.”.

3           **703.** Page 2106, line 23: after that line insert:

4           “**SECTION 6976c.** 563.055 (1) of the statutes is amended to read:

5           563.055 (1) If the holder of a license issued under this chapter pays a fee  
6           required under s. 563.13 (4), 563.22 (2) or 563.92 (1) (2) by check and the check is not  
7           paid by the bank upon which the check is drawn, the commission may cancel the  
8           license on or after the 60th day after the commission receives the notice from the  
9           bank, subject to sub. (2).

10          **SECTION 6976d.** 563.92 (1) of the statutes is renumbered 563.92 (2).

11          **SECTION 6976f.** 563.92 (1m) of the statutes is created to read:

12          563.92 (1m) The commission may issue a Class A license for the conduct of a  
13          raffle in which some or all of the tickets for that raffle are sold on days other than the  
14          same day as the raffle drawing. The commission may issue a Class B license for the  
15          conduct of a raffle in which all of the tickets for that raffle are sold on the same day  
16          as the raffle drawing.

17          **SECTION 6976m.** 563.93 (title) of the statutes is amended to read:

18          **563.93** (title) ~~Tickets; calendars; drawings~~ **The conduct of raffles under**  
19          **a Class A license.**

20          **SECTION 6976p.** 563.93 (intro.) of the statutes is created to read:

21          **563.93** (intro.) All of the following shall apply to the conduct of a raffle under  
22          a Class A license:

23          **SECTION 6976s.** 563.93 (1m) of the statutes is repealed.

24          **SECTION 6976t.** 563.93 (3) of the statutes is amended to read:

1           563.93 (3) No person may sell a raffle ticket or calendar unless authorized by  
2 an organization licensed under this subchapter with a Class A license.

3           **SECTION 6976v.** 563.935 of the statutes is created to read:

4           **563.935 The conduct of raffles under a Class B license.** All of the  
5 following shall apply to the conduct of a raffle under a Class B license:

6           (1) All raffle tickets shall be identical in shape, form and color.

7           (2) The tickets need not be numbered consecutively.

8           (3) No raffle ticket may exceed \$10 in cost.

9           (4) No person may sell a raffle ticket unless authorized by an organization with  
10 a Class B license.

11           (5) All raffle drawings shall be held in public.

12           (6) The purchaser of a ticket must be present at the drawing to win a prize,  
13 unless the purchaser gives the ticket to another person who may claim the prize on  
14 behalf of the purchaser, but only if that other person is present at the drawing. If a  
15 purchaser of a ticket must leave before the drawing, the purchaser may request and  
16 receive a refund in the amount of the price of the ticket, but only if the purchaser  
17 makes the request before the drawing. The seller of the ticket shall immediately void  
18 that ticket.

19           (7) All prizes shall be awarded.

20           (8) The time of the drawing and the prizes to be awarded, the prize amount or  
21 the methodology used to determine the prize amount shall be posted or announced  
22 before the drawing.

23           (9) If a raffle drawing is canceled, the organization shall refund the receipts  
24 to the ticket purchasers.”.

1           **704.** Page 2118, line 13: after that line insert:

2           “**SECTION 6981bm.** 565.25 (2) (a) 1. of the statutes is amended to read:

3           565.25 (2) (a) 1. Except as provided ~~under in par. (d) and~~ s. 16.71 (1), the  
4 department shall make major procurements.”.

5           **705.** Page 2119, line 10: after that line insert:

6           “**SECTION 6981em.** 565.25 (2) (d) of the statutes is created to read:

7           565.25 (2) (d) This subsection does not apply to procurements made under s.  
8 16.706 (7).”.

9           **706.** Page 2121, line 24: delete lines 24 and 25 and substitute: “based on  
certifications by the department of health and social services under s. ~~46.255 (2)~~  
10 73.255 (1) whether any person named in the”.

11           **707.** Page 2122, line 18: on line 18 and lines 20 and 21, substitute “revenue”  
for “industry, labor and human relations”.

12           **708.** Page 2123, line 2: on lines 2 and 3, substitute “revenue” for “industry,  
labor and human relations”.

13           **709.** Page 2124, line 7: restore the stricken material and delete the  
underscored material.

14           **710.** Page 2125, line 23: after that line insert:

15           “**SECTION 6985b.** 600.01 (1) (b) 8. of the statutes is amended to read:

16           600.01 (1) (b) 8. Guarantees of the Wisconsin housing and economic  
17 234.84, 234.87, 234.90, 234.905 and 234.907.”.

1           **711.** Page 2125, line 24: delete the material beginning with that line and  
ending with page 2127, line 15.

2           **712.** Page 2130, line 6: delete lines 6 to 12.

3           **713.** Page 2130, line 25: delete the material beginning with that line and  
ending with page 2131, line 7.

4           **714.** Page 2131, line 19: after that line insert:

5           “**SECTION 7010b.** 601.72 (2) of the statutes, as affected by 1995 Wisconsin Act  
6 .... (this act), is amended to read:

7           601.72 (2) If an insurer fails to maintain an agent for service of process in this  
8 state or if the agent cannot be found, substituted service under the procedures  
9 provided in s. 601.73 may be made on the commissioner or, if the proceeding is  
10 brought by the state against an insurer or intermediary other than a risk retention  
11 group or risk purchasing group, on the ~~secretary of state~~ department of financial  
12 institutions. Litigants serving process on the commissioner under this subsection  
13 shall pay the fee specified in s. 601.31 (1) (p).”.

14           **715.** Page 2131, line 22: after that line insert:

15           “**SECTION 7012b.** 601.73 (1) (intro.) of the statutes, as affected by 1995  
16 Wisconsin Act .... (this act), is repealed and recreated to read:

17           601.73 (1) **REQUIREMENTS FOR EFFECTIVE SERVICE.** (intro.) Service upon the  
18 commissioner or department of financial institutions under s. 601.72 (2) is service  
19 on the principal, if:

20           **SECTION 7013b.** 601.73 (1) (a) of the statutes is amended to read:

1           601.73 (1) (a) Two copies of the process are left in the hands or office of the  
2 commissioner or ~~secretary of state~~ department of financial institutions respectively;  
3 and

4           **SECTION 7014b.** 601.73 (1) (b) of the statutes is amended to read:

5           601.73 (1) (b) The commissioner or ~~secretary of state~~ department of financial  
6 institutions mails a copy of the process to the person served according to sub. (2) (b).

7           **SECTION 7015b.** 601.73 (2) (a) of the statutes is amended to read:

8           601.73 (2) (a) *Records.* The commissioner and ~~secretary of state~~ department  
9 of financial institutions shall give receipts for and keep records of all process served  
10 through them.

11           **SECTION 7016b.** 601.73 (2) (b) of the statutes is amended to read:

12           601.73 (2) (b) *Process mailed.* The commissioner or ~~secretary of state~~  
13 department of financial institutions shall send immediately by certified mail to the  
14 person served, at the person's last-known principal place of business, residence or  
15 post-office address or at an address designated in writing by the person, one copy of  
16 any process received and shall retain the other copy.”.

17           **716.** [Page 2132, line 2](#): after that line insert:

18           “**SECTION 7018b.** 601.73 (3) of the statutes is amended to read:

19           601.73 (3) **PROOF OF SERVICE.** A certificate by the commissioner or the ~~secretary~~  
20 ~~of state~~ department of financial institutions, showing service made upon the  
21 commissioner or ~~secretary of state~~ department of financial institutions, and attached  
22 to a copy of the process presented for that purpose is sufficient evidence of the  
23 service.”.



1           **717.** Page 2132, line 16: delete the material beginning with that line and  
ending with page 2133, line 20.

2           **718.** Page 2134, line 4: after that line insert:

3           “**SECTION 7023b.** 610.01 (4) of the statutes is amended to read:

4           610.01 (4) In any provision of ch. 180 or 181 made applicable by any section of  
5 chs. 600 to 646, “~~secretary of state~~” “department” shall be read “commissioner of  
6 insurance”.

7           **SECTION 7024b.** 611.72 (1) of the statutes is amended to read:

8           611.72 (1) GENERAL. Subject to this section, ss. 180.1101, 180.1103 to 180.1107,  
9 180.1706, 180.1707 and 180.1708 (5) apply to the merger of a domestic stock  
10 insurance corporation or its parent insurance holding corporation, except that  
11 papers required by those sections to be filed with the ~~secretary of state~~ department  
12 of financial institutions shall instead be filed with the commissioner.

13           **SECTION 7025b.** 611.73 (1) of the statutes is amended to read:

14           611.73 (1) AUTHORIZATION, DOMESTIC CORPORATIONS. Any 2 or more domestic  
15 mutuals may merge or consolidate under the procedures of ss. 181.42 to 181.47,  
16 except that papers required by those sections to be filed with the ~~secretary of state~~  
17 department of financial institutions shall instead be filed with the commissioner.

18           **SECTION 7026b.** 611.74 (1) of the statutes is amended to read:

19           611.74 (1) PLAN OF DISSOLUTION. At least 60 days prior to the submission to  
20 shareholders or policyholders of any proposed voluntary dissolution of an insurance  
21 corporation under s. 180.1402 or 181.50 the plan shall be filed with the commissioner.  
22 The commissioner may require the submission of additional information to establish  
23 the financial condition of the corporation or other facts relevant to the proposed

1 dissolution. If the shareholders or policyholders adopt the resolution to dissolve, the  
2 commissioner shall, within 30 days after the adoption of the resolution, begin to  
3 examine the corporation. The commissioner shall approve the dissolution unless,  
4 after a hearing, the commissioner finds that it is insolvent or may become insolvent  
5 in the process of dissolution. Upon approval, the corporation may dissolve under ss.  
6 180.1402 to 180.1408 and 180.1706, or ss. 181.51 to 181.555, except that the last  
7 sentence of s. 181.555 does not apply and papers required by those sections to be filed  
8 with the ~~secretary of state~~ department of financial institutions shall instead be filed  
9 with the commissioner. Upon disapproval, the commissioner shall petition the court  
10 for liquidation or for rehabilitation under ch. 645.”.

11 **719.** Page 2134, line 5: delete lines 5 to 12.

12 **720.** Page 2134, line 17: after that line insert:

13 “**SECTION 7028b.** 613.01 (8) of the statutes is amended to read:

14 613.01 (8) (title) ~~SECRETARY OF STATE~~ DEPARTMENT OF FINANCIAL INSTITUTIONS.

15 In any provision of ch. 180 or 181 made applicable to service insurance corporations  
16 in this chapter, “~~secretary of state~~” “department” means commissioner of  
17 insurance.”.

18 **721.** Page 2135, line 6: after that line insert:

19 “**SECTION 7031b.** 614.09 of the statutes is amended to read:

20 **614.09 Reservation of corporate name.** Section 181.07 applies to  
21 fraternal, except that “~~secretary of state~~” “department” shall be read  
22 “commissioner”.”.

23 **722.** Page 2135, line 13: after that line insert:

24 “**SECTION 7033b.** 616.09 (1) (c) 2. of the statutes is amended to read:

1           616.09 (1) (c) 2. In all actions commenced after May 11, 1980, in those  
2 provisions of ch. 185 which apply under subd. 1. to plans authorized under s. 616.06,  
3 “~~secretary of state~~” “department” shall be deemed to read “~~secretary of state~~  
4 “department of financial institutions and commissioner”, except in s. 185.48, where  
5 “~~secretary of state~~” “department” shall be deemed to read “commissioner”.”.

6           **723.** Page 2135, line 15: delete “secretary of state” and substitute “secretary  
of state department of financial institutions”.

7           **724.** Page 2138, line 4: after that line insert:

8           “**SECTION 7041c.** 632.102 (2) (b) of the statutes is amended to read:

9           632.102 (2) (b) The lesser of \$5,000 \$7,500 or the limits under the policy for  
10 coverage of the building or other structure affixed to land that sustained the loss.”.

11           **725.** Page 2142, line 24: after that line insert:

12           “**SECTION 7062b.** 703.23 (1) of the statutes is amended to read:

13           703.23 (1) APPOINTMENT OF RESIDENT AGENT; CHANGE IN NAME OR ADDRESS. When  
14 any property is submitted to a condominium declaration, the declarant shall appoint  
15 a resident agent for the condominium who shall be a citizen and actual resident of  
16 the state or corporation duly registered or qualified to do business in the state. The  
17 declarant shall file the name and address of the resident agent with the ~~secretary of~~  
18 ~~state~~ department of financial institutions. The name or address of the resident agent  
19 may be changed by the association or other proper authority of the condominium in  
20 the same manner and to the same extent that names and addresses of registered  
21 agents may be changed by corporations. If the association is incorporated, the  
22 registered agent for the association shall be the registered agent for the  
23 condominium.

1           **SECTION 7063b.** 703.23 (2) of the statutes is amended to read:

2           703.23 (2) INDEX OF NAMES AND ADDRESS OF RESIDENT AGENTS. The secretary of  
3     state department of financial institutions shall keep an index of the names and  
4     addresses of resident agents and shall make the information available to the public  
5     on request.

6           **SECTION 7064b.** 704.22 (2) of the statutes is amended to read:

7           704.22 (2) Designation of an agent under sub. (1) shall be in writing and filed  
8     with the secretary of state department of financial institutions.”.

9           **726.** Page 2146, line 15: delete the material beginning with that line and  
ending with page 2148, line 4.

10          **727.** Page 2155, line 13: delete “industry, labor and hu-” and substitute  
“revenue.”.

11          **728.** Page 2155, line 14: delete that line.

12          **729.** Page 2155, line 18: on lines 18 and 23, substitute “73.25” for “49.143”.

13          **730.** Page 2156, line 2: on lines 2, 3 and 24, substitute “73.25” for “49.143”.

14          **731.** Page 2156, line 6: delete lines 6 to 20 and substitute:

15           “767.045 (6) COMPENSATION. The guardian ad litem shall be compensated at a  
16     rate that the court determines is reasonable. The court shall order either or both  
17     parties to pay all or any part of the compensation of the guardian ad litem. In  
18     addition, upon motion by the guardian ad litem, the court shall order either or both  
19     parties to pay the fee for an expert witness used by the guardian ad litem, if the  
20     guardian ad litem shows that the use of the expert is necessary to assist the guardian  
21     ad litem in performing his or her functions or duties under this chapter. If ~~either or~~  
22     both parties are ~~unable to pay~~ indigent, the court may direct that the county of venue

1 pay the compensation and fees, ~~in whole or in part, and may direct that any or all~~  
2 ~~parties reimburse the county, in whole or in part, for the payment.~~ If the court orders  
3 a county to pay the compensation of the guardian ad litem, the amount ordered may  
4 not exceed the compensation paid to private attorneys under s. 977.08 (4m) (b). The  
5 court may order a separate judgment for the amount of the reimbursement in favor  
6 of the county and against the party or parties responsible for the reimbursement.  
7 The court may enforce its orders under this subsection by means of its contempt  
8 power.”.

9 **732.** Page 2157, line 3: on lines 3, 6, 12 and 17, substitute “73.25” for “49.143”.

10 **733.** Page 2157, line 23: after that line insert:

11 “SECTION 7098c. 767.078 (1) (d) 1. c. of the statutes is amended to read:

12 767.078 (1) (d) 1. c. The parent who is absent from the home works, on average,  
13 less than 32 hours per week and is not participating in an employment training  
14 program that meets criteria established by the department of industry, labor and  
15 human relations.”.

16 **734.** Page 2158, line 1: restore “of”.

17 **735.** Page 2158, line 2: after “services” insert “industry, labor and human  
relations”.

18 **736.** Page 2158, line 17: on lines 17, 18 and 25, substitute “73.25” for “49.143”.

19 **737.** Page 2159, line 4: on lines 4, 10 and 11, substitute “73.25” for “49.143”.

20 **738.** Page 2160, line 17: substitute “73.25” for “49.143”.

21 **739.** Page 2161, line 5: on lines 5 and 9, substitute “73.25” for “49.143”.

22 **740.** Page 2162, line 5: on lines 5, 7, 11 and 20, substitute “73.25” for “49.143”.

1           **741.** Page 2163, line 10: substitute “73.25” for “49.143”.

2           **742.** Page 2163, line 23: after that line insert:

3           “**SECTION 7104tm.** 767.29 (2) of the statutes is amended to read:

4           767.29 (2) If any party entitled to maintenance payments or support money,  
5           or both, is receiving public assistance under ch. 49, the party may assign the party’s  
6           right thereto to the county department under s. 46.215, 46.22 or 46.23 granting such  
7           assistance. Such assignment shall be approved by order of the court granting the  
8           maintenance payments or support money, and may be terminated in like manner;  
9           except that it shall not be terminated in cases where there is any delinquency in the  
10          amount of maintenance payments and support money previously ordered or  
11          adjudged to be paid to the assignee without the written consent of the assignee or  
12          upon notice to the assignee and hearing. When an assignment of maintenance  
13          payments or support money, or both, has been approved by the order, the assignee  
14          shall be deemed a real party in interest within s. 803.01 but solely for the purpose  
15          of securing payment of unpaid maintenance payments or support money adjudged  
16          or ordered to be paid, by participating in proceedings to secure the payment thereof.  
17          Notwithstanding assignment under this subsection, and without further order of the  
18          court, the clerk of court, upon receiving notice that a party or a minor child of the  
19          parties is receiving aid under s. 49.19, shall forward all support assigned under s.  
20          49.19 (4) (h) 1. or 49.45 (19) to the department of industry, labor and human  
21          relations.”.

22          **743.** Page 2165, line 6: restore “of”; and after “services” insert “industry, labor  
and human relations”.

23          **744.** Page 2165, line 10: substitute “73.25” for “49.143”.

1           **745.** Page 2166, line 25: substitute “73.25” for “49.143”.

2           **746.** Page 2167, line 8: on lines 8 and 16, substitute “73.25” for “49.143”.

3           **747.** Page 2168, line 2: on lines 2 and 10, substitute “73.25” for “49.143”.

4           **748.** Page 2170, line 20: substitute “73.25” for “49.143”.

5           **749.** Page 2172, line 2: on lines 2 and 6, substitute “73.25” for “49.143”.

6           **750.** Page 2173, line 9: delete lines 9 to 13 and substitute:

7           “SECTION 7121cm. 767.52 (3) of the statutes is amended to read:

8           767.52 (3) This section does not prevent an attorney responsible for support  
9 enforcement under s. 59.458 (1) or any other attorney employed under s. ~~46.25~~ 49.143  
10 or 59.07 (97) from appearing in any paternity action as provided under s. 767.45 (6).”.

11           **751.** Page 2173, line 9: delete lines 9 to 13 and substitute:

12           “SECTION 7121d. 767.52 (3) of the statutes is amended to read:

13           767.52 (3) This section does not prevent an attorney responsible for support  
14 enforcement under s. 59.458 (1) or any other attorney employed under s. ~~46.25~~ 73.25  
15 or 59.07 (97) from appearing in any paternity action as provided under s. 767.45 (6).”.

16           **752.** Page 2173, line 19: on lines 19 and 20 and lines 23 and 24, substitute  
“revenue” for “industry, labor and human relations”.

17           **753.** Page 2174, line 8: delete the material beginning with that line and  
ending with page 2175, line 13.

18           **754.** Page 2174, line 15: after that line insert:

19           “SECTION 7128b. 776.44 of the statutes is amended to read:

20           **776.44 Judgment, where filed.** Upon the rendition of a judgment dissolving  
21 a corporation or vacating or annulling of letters patent the attorney general shall file

1 a certified copy of the judgment ~~in the office of the secretary of state~~ with the  
2 department of financial institutions.”.

3 **755.** Page 2175, line 13: after that line insert:

4 “**SECTION 7129b.** 779.87 (3) (b) of the statutes is amended to read:

5 779.87 (3) (b) *Amount; filed.* The principal sum of the bond shall be \$25,000  
6 at all times. A copy of the bond shall be filed with the ~~secretary of state~~ department  
7 of financial institutions.”.

8 **756.** Page 2176, line 3: after that line insert:

9 “**SECTION 7130b.** 779.97 (2) (c) 1. of the statutes is amended to read:

10 779.97 (2) (c) 1. If the person against whose interest the lien applies is a  
11 partnership or a corporation, as defined in 26 USC 7701 (a) (2) and (3), whose  
12 principal executive office is in this state, ~~in the office of the secretary of state~~ with  
13 the department of financial institutions.

14 **SECTION 7131b.** 779.97 (2) (c) 2. of the statutes is amended to read:

15 779.97 (2) (c) 2. If the person against whose interest the lien applies is a trust  
16 not covered under subd. 1., ~~in the office of the secretary of state~~ with the department  
17 of financial institutions.

18 **SECTION 7132b.** 779.97 (2) (c) 3. of the statutes is amended to read:

19 779.97 (2) (c) 3. If the person against whose interest the lien applies is the  
20 estate of a decedent, ~~in the office of the secretary of state~~ with the department of  
21 financial institutions.

22 **SECTION 7133b.** 779.97 (4) (a) 1. of the statutes is amended to read:

23 779.97 (4) (a) 1. ~~The secretary of state~~ With the department of financial  
24 institutions, the secretary of state filing officer shall cause the notice to be marked,



1 held and indexed in accordance with s. 409.403 (4) as if the notice were a financing  
2 statement within the meaning of chs. 401 to 411; or

3 **SECTION 7134b.** 779.97 (4) (b) 1. of the statutes is amended to read:

4 779.97 (4) (b) 1. If a refiling of a notice of lien is presented to the secretary of  
5 state department of financial institutions for filing, the secretary filing officer shall  
6 cause the refiled notice of federal lien to be marked, held and indexed in accordance  
7 with s. 409.403 as if the refiling were a continuation statement within the meaning  
8 of chs. 401 to 411, except that the time period in par. (d) shall apply instead of the time  
9 period in s. 409.403 (2) and (3).”.

10 **757.** Page 2176, line 14: after that line insert:

11 “**SECTION 7136b.** 779.97 (4) (b) 2. of the statutes, as affected by 1995 Wisconsin  
12 Act .... (this act), is amended to read:

13 779.97 (4) (b) 2. If a certificate of release is presented to the secretary of state  
14 department of financial institutions for filing, the secretary filing officer shall cause  
15 the certificate to be marked, held and indexed in accordance with s. 409.404 as if the  
16 certificate were a termination statement within the meaning of chs. 401 to 411, and  
17 the secretary filing officer may remove the notice of federal lien and any related  
18 refiling of a notice of lien, certificate of nonattachment, discharge or subordination  
19 from the files at any time after receipt of the certificate of release, but the secretary  
20 of state department of financial institutions shall keep the certificate of release or  
21 a microfilm or other photographic record or optical disk or electronic record of the  
22 certificate of release in a file, separate from those containing currently effective  
23 notices of liens, for a period of 30 years after the date of filing of the certificate of  
24 release.

1           **SECTION 7137b.** 779.97 (4) (b) 3. of the statutes is amended to read:

2           779.97 (4) (b) 3. If a certificate of discharge is presented to the ~~secretary of state~~  
3 department of financial institutions for filing, the ~~secretary~~ filing officer shall cause  
4 the certificate to be marked, held and indexed as if the certificate were a release of  
5 collateral within the meaning of chs. 401 to 411.

6           **SECTION 7138b.** 779.97 (4) (b) 4. of the statutes is amended to read:

7           779.97 (4) (b) 4. If a certificate of nonattachment or subordination of any lien  
8 is presented to the ~~secretary of state~~ department of financial institutions for filing,  
9 the ~~secretary~~ filing officer shall cause the certificate to be marked, held and indexed  
10 as if the certificate were an amendment within the meaning of chs. 401 to 411.”.

11           **758.** [Page 2177, line 2](#): after that line insert:

12           “**SECTION 7140b.** 779.97 (4) (c) 2. of the statutes, as affected by 1995 Wisconsin  
13 Act .... (this act), is amended to read:

14           779.97 (4) (c) 2. If a certificate of release is presented for filing with any other  
15 filing officer specified in sub. (2), the officer shall enter the certificate with the date  
16 of filing in any alphabetical federal lien index on the line where the original notice  
17 of lien is entered and may then remove the notice of federal lien and any related  
18 refiling of a notice of lien, certificate of nonattachment, discharge or subordination  
19 from the files, provided that the officer shall keep the certificate of release or a  
20 microfilm or other photographic record, or in the case of the ~~secretary of state~~  
21 department of financial institutions, or a register of deeds if authorized under s.  
22 59.512, a microfilm or other photographic record or optical disk record, of the  
23 certificate of release in a file, separate from those containing currently effective

1 notices of federal liens, for a period of 30 years after the date of filing of the certificate  
2 of release.”.

3 **759.** Page 2177, line 13: after that line insert:

4 “SECTION 7141g. 801.02 (7) of the statutes is created to read:

5 801.02 (7) No prisoner, as defined in s. 301.01 (2), may commence a civil action  
6 or special proceeding against an officer, employe or agent of the department of  
7 corrections in his or her official capacity or as an individual for acts or omissions  
8 committed while carrying out his or her duties as an officer, employe or agent or while  
9 acting within the scope of his or her office, employment or agency until the person  
10 has exhausted any administrative remedies that the department of corrections has  
11 promulgated by rule.”.

12 **760.** Page 2177, line 13: after that line insert:

13 “SECTION 7140x. 800.01 (2) (a) of the statutes is amended to read:

14 800.01 (2) (a) Service under sub. (1) (a) shall be as provided in s. 801.11 or  
15 968.04 (3) (b) 2. or by personal service by a municipal employe.”.

16 **761.** Page 2177, line 13: after that line insert:

17 “SECTION 7141g. 800.095 (7m) of the statutes is created to read:

18 800.095 (7m) TRANSFER OF UNCLAIMED MONEY. In addition to the procedures  
19 under this section, a municipal court may order the transfer of any of the defendant’s  
20 money that the municipality is holding and that is unclaimed by the defendant for  
21 more than one year to pay any forfeitures that the defendant failed to pay the  
22 municipality.”.

23 **762.** Page 2178, line 20: after that line insert:

24 “SECTION 7142m. 809.30 (1) (b) of the statutes is amended to read:

1           809.30 (1) (b) “Sentencing” means, in a felony or misdemeanor case, the  
2 imposition of a sentence, fine or probation or, in a misdemeanor case, imposition of  
3 community supervision. In a ch. 48, 51 or 55 case, other than a termination of  
4 parental rights case under s. 48.43, it means the entry of the trial court’s final  
5 judgment or order.”.

6           **763.** Page 2179, line 3: delete lines 3 to 11.

7           **764.** Page 2183, line 16: delete the material beginning with that line and  
ending with page 2184, line 5.

8           **765.** Page 2184, line 6: delete lines 6 to 10 and substitute:

9           “**SECTION 7147x.** 814.04 (intro.) of the statutes is amended to read:

10           **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 101.22 (6) (i)  
11 and (6m) (a), 769.313, 814.025, 814.245, 895.035 (4), 895.75 (3), 895.77 (2), 895.80 (3),  
12 943.212 (2) (b), 943.245 (2) (d) and 943.51 (2) (b), when allowed costs shall be as  
13 follows:

14           **SECTION 7148c.** 814.04 (intro.) of the statutes, as affected by 1995 Wisconsin  
15 Act .... (this act), is amended to read:

16           **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, ~~101.22~~ 106.04  
17 (6) (i) and (6m) (a), 769.313, 814.025, 814.245, 895.035 (4), 895.75 (3), 895.77 (2),  
18 895.80 (3), 943.212 (2) (b), 943.245 (2) (d) and 943.51 (2) (b), when allowed costs shall  
19 be as follows:”.

20           **766.** Page 2184, line 21: delete the material beginning with that line and  
ending with page 2185, line 2.

21           **767.** Page 2185, line 13: delete lines 13 to 21.

22           **768.** Page 2186, line 9: delete lines 9 to 17.

1           **769.** Page 2187, line 3: delete lines 3 to 20.

2           **770.** Page 2188, line 4: delete lines 4 to 14.

3           **771.** Page 2189, line 7: delete lines 7 to 14.

4           **772.** Page 2190, line 15: delete lines 15 to 21.

5           **773.** Page 2191, line 4: delete lines 4 to 10.

6           **774.** Page 2191, line 16: after that line insert:

7           “SECTION 7172d. 814.63 (1) (b) of the statutes, as affected by 1995 Wisconsin  
8 Act .... (this act), is amended to read:

9           814.63 (1) (b) Beginning with the fees imposed on September 1, 1989, and  
10 ending with the fees imposed on December 31, 1995, in all forfeiture actions in circuit  
11 court, the clerk of court shall collect a fee of ~~\$20~~ \$25 to be paid by the defendant when  
12 judgment is entered against the defendant.

13           SECTION 7172f. 814.63 (5) of the statutes, as affected by 1995 Wisconsin Act ....  
14 (this act), section 7174, is amended to read:

15           814.63 (5) Of the fees received by the clerk under sub. (1) (b), the county  
16 treasurer shall pay ~~\$12.50~~ \$17.50 to the state treasurer for deposit in the general  
17 fund and shall retain the balance for the use of the county. The state treasurer shall  
18 credit \$5 of the ~~\$12.50~~ \$17.50 to the appropriation under s. 20.680 (2) (j).”.

19           **775.** Page 2191, line 17: delete lines 17 to 23.

20           **776.** Page 2191, line 18: after the comma insert “sections 7172f and 7174,”.

21           **777.** Page 2191, line 20: on lines 20 and 22, substitute “\$17.50” for “\$12.50”.

22           **778.** Page 2192, line 25: delete the material beginning with that line and  
ending with page 2193, line 3.

1           **779.** Page 2193, line 13: delete lines 13 to 25.

2           **780.** Page 2194, line 11: delete lines 11 to 20.

3           **781.** Page 2212, line 2: after that line insert:

4           “**SECTION 7212b.** 891.20 of the statutes is amended to read:

5           **891.20 Articles of incorporation, presumptions.** Any charter or patent of  
6 incorporation which shall have been issued by the governor ~~or~~, secretary of state or  
7 department of financial institutions, or ~~both~~ by any combination, to any corporation  
8 under any law of the state; any certificate of organization or association of any  
9 corporation or joint stock company; the articles of organization of a limited liability  
10 company; the articles of association or organization of any corporation, or a certified  
11 copy thereof, which shall have been filed or recorded in the office of the secretary of  
12 state or with the department of financial institutions, or recorded in the office of any  
13 register of deeds or filed or recorded in the office of any clerk of the circuit court under  
14 any law of the state; any certificate or resolution for the purpose of amendment, and  
15 every amendment in any form, of the charter, patent, certificate or articles of  
16 association or organization or of the name, corporate powers or purposes of any  
17 corporation or limited liability company, filed or recorded in ~~either~~ any of said the  
18 departments or offices and a certified copy of any such document so filed or recorded  
19 shall be received as conclusive evidence of the existence of the corporation, limited  
20 liability company or joint stock company mentioned therein, or of the due  
21 amendment of the charter, patent, certificate or articles of association or  
22 organization thereof in all cases where such facts are only collaterally involved; and  
23 as presumptive evidence thereof and of the facts therein stated in all other cases.”.

24           **782.** Page 2212, line 11: after that line insert:

1           **“SECTION 7213b.** 893.19 (1) of the statutes is amended to read:

2           893.19 (1) If a person is out of this state when the cause of action accrues  
3 against the person an action may be commenced within the terms of this chapter  
4 respectively limited after the person returns or removes to this state. But the  
5 foregoing provision shall not apply to any case where, at the time the cause of action  
6 accrues, neither the party against nor the party in favor of whom the same accrues  
7 is a resident of this state; and if, after a cause of action accrues against any person,  
8 he or she departs from and resides out of this state the time of absence is not any part  
9 of the time limited for the commencement of an action; provided, that no foreign  
10 corporation which files with the ~~secretary of state~~ department of financial  
11 institutions, or any other state official or body, pursuant to the requirements of any  
12 applicable statute of this state, an instrument appointing a registered agent as  
13 provided in ch. 180, a resident or any state official or body of this state, its attorney  
14 or agent, on whom, pursuant to such instrument or any applicable statute, service  
15 of process may be made in connection with such cause of action, is deemed a person  
16 out of this state within the meaning of this section for the period during which such  
17 appointment is effective, excluding from such period the time of absence from this  
18 state of any registered agent, resident agent or attorney so appointed who departs  
19 from and resides outside of this state.”.

20           **783.** Page 2212, line 23: after that line insert:

21           **“SECTION 7215m.** 895.52 (6) (d) 3. of the statutes is amended to read:

22           895.52 (6) (d) 3. Property within 300 feet of a building or structure on land that  
23 is classified as ~~mereantile~~ commercial or manufacturing under s. 70.32 (2) ~~(b)~~ (a) 2.  
24 or 3.”.

1           **784.** Page 2213, line 7: after that line insert:

2           “SECTION 7223m. 895.80 of the statutes is created to read:

3           **895.80 Property damage or loss.** (1) Any person who suffers damage or loss  
4 by reason of conduct that occurs on or after November 1, 1995, and that is prohibited  
5 under s. 943.01, 943.20, 943.21, 943.24, 943.26, 943.34, 943.395, 943.41, 943.50 or  
6 943.61 has a cause of action against the person who caused the damage or loss.

7           (2) The burden of proof in a civil action under sub. (1) is with the person who  
8 suffers damage or loss to prove his or her case by a preponderance of the credible  
9 evidence.

10           (3) If the plaintiff prevails in a civil action under sub. (1), he or she may recover  
11 all of the following:

12           (a) Treble damages.

13           (b) All costs of investigation and litigation that were reasonably incurred.

14           (4) A person may bring a civil action under sub. (1) regardless of whether there  
15 has been a criminal action related to the loss or damage under sub. (1) and regardless  
16 of the outcome of any such criminal action.

17           (5) No person may bring a cause of action under both this section and s.  
18 943.212, 943.245 or 943.51 regarding the same incident or occurrence. If the plaintiff  
19 has a cause of action under both this section and s. 943.212, 943.245 or 943.51  
20 regarding the same incident or occurrence, the plaintiff may choose which action to  
21 bring.”.

22           **785.** Page 2213, line 25: after “ch.” insert “161,”.

23           **786.** Page 2214, line 1: before that line insert:

24           “(ag) Any violation of s. 813.12 (8) (a).



1 (ah) Any misdemeanor arising out of an arrest for a domestic abuse incident  
2 under s. 968.075.”

3 **787.** Page 2214, line 4: after that line insert:

4 “(2m) If a person is convicted of a misdemeanor to which sub. (1) applies, a court  
5 may not place the person on probation but may place the person on community  
6 supervision under s. 973.095.

7 **SECTION 7225x.** 940.20 (2m) (a) of the statutes is amended to read:

8 940.20 (2m) (a) In this subsection, “probation and parole agent” means any  
9 person authorized by the department of corrections to exercise control over a  
10 probationer or parolee or a person on community supervision.”.

11 **788.** Page 2214, line 17: delete lines 17 to 25.

12 **789.** Page 2215, line 1: delete lines 1 to 25.

13 **790.** Page 2216, line 1: delete lines 1 and 2.

14 **791.** Page 2216, line 3: delete lines 3 to 25.

15 **792.** Page 2217, line 1: delete lines 1 to 6.

16 **793.** Page 2217, line 7: delete lines 7 to 9.

17 **794.** Page 2217, line 10: delete lines 10 to 24.

18 **795.** Page 2218, line 1: delete lines 1 to 5.

19 **796.** Page 2219, line 12: delete lines 12 to 25.

20 **797.** Page 2227, line 4: substitute “73.255” for “49.855”.

21 **798.** Page 2228, line 3: delete lines 3 to 5 and substitute: “son to be charged  
if the prosecutor specifies in the complaint the penalties, including imprisonment,  
authorized by law for the offense.”.

1           **799.** Page 2228, line 6: delete lines 6 and 7.

2           **800.** Page 2228, line 14: after that line insert:

3           “**Section 7245mm.** 967.055 (2) (a) of the statutes is amended to read:

4           967.055 (2) (a) Notwithstanding s. 971.29, if the prosecutor seeks to dismiss  
5           or amend a charge under s. 346.63 (1) or (5) or a local ordinance in conformity  
6           therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the  
7           use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply  
8           to the court. The application shall state the reasons for the proposed amendment or  
9           dismissal. The court may approve the application only if the court finds that the  
10          proposed amendment or dismissal is consistent with the public’s interest in deterring  
11          the operation of motor vehicles by persons who are under the influence of an  
12          intoxicant, a controlled substance or both, under the influence of any other drug to  
13          a degree which renders him or her incapable of safely driving, or under the combined  
14          influence of an intoxicant and any other drug to a degree which renders him or her  
15          incapable of safely driving, or in deterring the operation of commercial motor  
16          vehicles by persons with an alcohol concentration of 0.04 or more. The court may not  
17          approve an application to amend the vehicle classification from a commercial motor  
18          vehicle to a noncommercial motor vehicle unless there is evidence in the record that  
19          the motor vehicle being operated by the defendant at the time of his or her arrest was  
20          not a commercial motor vehicle.”.

21          **801.** Page 2228, line 20: delete the material beginning with that line and  
            ending with page 2229, line 2.

22          **802.** Page 2229, line 2: after that line insert:

23          “**SECTION 7246r.** 969.01 (2) (a) of the statutes is amended to read:

1           969.01 (2) (a) Release pursuant to s. 969.02 or 969.03 may be allowed in the  
2           discretion of the trial court after conviction and prior to sentencing or the granting  
3           of probation or community supervision.

4           **SECTION 7246s.** 969.01 (4) of the statutes is amended to read:

5           969.01 (4) CONSIDERATIONS IN SETTING CONDITIONS OF RELEASE. If bail is imposed,  
6           it shall be only in the amount found necessary to assure the appearance of the  
7           defendant. Conditions of release, other than monetary conditions, may be imposed  
8           for the purpose of protecting members of the community from serious bodily harm  
9           or preventing intimidation of witnesses. Proper considerations in determining  
10          whether to release the defendant without bail, fixing a reasonable amount of bail or  
11          imposing other reasonable conditions of release are: the ability of the arrested person  
12          to give bail, the nature, number and gravity of the offenses and the potential penalty  
13          the defendant faces, whether the alleged acts were violent in nature, the defendant's  
14          prior criminal record, if any, the character, health, residence and reputation of the  
15          defendant, the character and strength of the evidence which has been presented to  
16          the judge, whether the defendant is currently on probation, community supervision  
17          or parole, whether the defendant is already on bail or subject to other release  
18          conditions in other pending cases, whether the defendant has been bound over for  
19          trial after a preliminary examination, whether the defendant has in the past  
20          forfeited bail or violated a condition of release or was a fugitive from justice at the  
21          time of arrest, and the policy against unnecessary detention of the defendant's  
22          pending trial.

23          **SECTION 7246t.** 969.03 (3) of the statutes is amended to read:

24          969.03 (3) Once bail has been given and a charge is pending or is thereafter filed  
25          or transferred to another court, the latter court shall continue the original bail in that

1 court subject to s. 969.08. A single bond form shall be utilized for all stages of the  
2 proceedings through conviction and sentencing or the granting of probation or  
3 community supervision.”.

4 **803.** Page 2229, line 20: after that line insert:

5 “SECTION 7247t. 971.165 (2) of the statutes is amended to read:

6 971.165 (2) If the plea of not guilty by reason of mental disease or defect is tried  
7 to a jury, the court shall inform the jury that the effect of a verdict of not guilty by  
8 reason of mental disease or defect is that, in lieu of criminal sentence ~~or~~, probation  
9 or community supervision, the defendant will be committed to the custody of the  
10 department of health and social services and will be placed in an appropriate  
11 institution unless the court determines that the defendant would not pose a danger  
12 to himself or herself or to others if released under conditions ordered by the court.  
13 No verdict on the plea of not guilty by reason of mental disease or defect may be valid  
14 or received unless agreed to by at least five-sixths of the jurors.”.

15 **804.** Page 2230, line 6: after that line insert:

16 “SECTION 7249s. 972.13 (7) of the statutes is amended to read:

17 972.13 (7) The department shall prescribe and furnish forms to the clerk of each  
18 county for use as judgments in cases where a defendant is placed on probation or  
19 community supervision or committed to the custody of the department pursuant to  
20 chs. 967 to 979.

21 SECTION 7249t. 972.15 (5) (intro.) of the statutes is amended to read:

22 972.15 (5) (intro.) The department may use the presentence investigation  
23 report for correctional programming, parole consideration or care and treatment of  
24 any person sentenced to imprisonment or the intensive sanctions program, placed

1 on probation or community supervision, released on parole or committed to the  
2 department under ch. 51 or 971 or any other person in the custody of the department  
3 or for research purposes. The department may make the report available to other  
4 agencies or persons to use for purposes related to correctional programming, parole  
5 consideration, care and treatment, or research. Any use of the report under this  
6 subsection is subject to the following conditions:”.

7 **805.** Page 2231, line 2: after that line insert:

8 “SECTION 7253m. 973.015 (2) of the statutes is amended to read:

9 973.015 (2) A person has successfully completed the sentence if the person has  
10 not been convicted of a subsequent offense and, if on probation, the probation has not  
11 been revoked and the probationer has satisfied the conditions of probation. If the  
12 person is on community supervision, the person has successfully completed the  
13 sentence if he or she has satisfied the conditions of community supervision. Upon  
14 successful completion of the sentence the detaining or probationary or supervising  
15 authority shall issue a certificate of discharge which shall be forwarded to the court  
16 of record and which shall have the effect of expunging the record.”.

17 **806.** Page 2231, line 11: after that line insert:

18 “SECTION 7255am. 973.045 (1) (intro.) of the statutes is amended to read:

19 973.045 (1) (intro.) On or after October 1, 1983, if a court imposes a sentence  
20 or places a person on probation or community supervision, the court shall impose a  
21 crime victim and witness assistance surcharge calculated as follows:”.

22 **807.** Page 2231, line 12: delete the material beginning with that line and  
ending with page 2233, line 5.

23 **808.** Page 2232, line 3: after that line insert:

1           **“SECTION 7255jm.** 973.046 (1) (intro.) of the statutes is amended to read:

2           973.046 (1) (intro.) Beginning on August 12, 1993, if a court imposes a sentence  
3 or places a person on probation or community supervision under any of the following  
4 circumstances, the court shall impose a deoxyribonucleic acid analysis surcharge of  
5 \$250.”.

6           **809.** Page 2232, line 18: after that line insert:

7           **“SECTION 7255sm.** 973.047 (1) (b) of the statutes is amended to read:

8           973.047 (1) (b) Except as provided in par. (a), if a court imposes a sentence or  
9 places a person on probation or community supervision for any violation under chs.  
10 940, 944 or 948 or ss. 943.01 to 943.15, the court may require the person to provide  
11 a biological specimen to the state crime laboratories for deoxyribonucleic acid  
12 analysis. The court may require the person to comply with the reporting  
13 requirements under s. 175.45 if the court determines that the underlying conduct  
14 was seriously sexually assaultive in nature and that it would be in the interest of  
15 public protection to have the person report under s. 175.45.

16           **SECTION 7255tg.** 973.05 (2) of the statutes is amended to read:

17           973.05 (2) When a defendant is sentenced to pay a fine and is also placed on  
18 probation or community supervision, the court may make the payment of the fine,  
19 the penalty assessment, the jail assessment, the crime victim and witness assistance  
20 surcharge, any applicable deoxyribonucleic acid analysis surcharge, any applicable  
21 drug abuse program improvement surcharge, any applicable domestic abuse  
22 assessment, any applicable uninsured employer assessment, any applicable driver  
23 improvement surcharge, any applicable weapons assessment, any applicable  
24 environmental assessment, any applicable wild animal protection assessment, any

1 applicable natural resources assessment and any applicable natural resources  
2 restitution payments a condition of probation or community supervision. When the  
3 payments are made a condition of probation or community supervision by the court,  
4 payments thereon shall be applied first to payment of the penalty assessment until  
5 paid in full, shall then be applied to the payment of the jail assessment until paid in  
6 full, shall then be applied to the payment of part A of the crime victim and witness  
7 assistance surcharge until paid in full, shall then be applied to part B of the crime  
8 victim and witness assistance surcharge until paid in full, shall then be applied to  
9 the deoxyribonucleic acid analysis surcharge until paid in full, shall then be applied  
10 to the drug abuse improvement surcharge until paid in full, shall then be applied to  
11 payment of the driver improvement surcharge until paid in full, shall then be applied  
12 to payment of the domestic abuse assessment until paid in full, shall then be applied  
13 to payment of the natural resources assessment if applicable until paid in full, shall  
14 then be applied to payment of the natural resources restitution payment until paid  
15 in full, shall then be applied to the payment of the environmental assessment if  
16 applicable until paid in full, shall then be applied to the payment of the wild animal  
17 protection assessment if applicable until paid in full, shall then be applied to  
18 payment of the weapons assessment until paid in full, shall then be applied to  
19 payment of the uninsured employer assessment until paid in full and shall then be  
20 applied to payment of the fine.

21 **SECTION 7255tm.** 973.055 (1) (intro.) of the statutes is amended to read:

22 973.055 (1) (intro.) If a court imposes a sentence on an adult person or places  
23 an adult person on probation or community supervision, regardless of whether any  
24 fine is imposed, the court shall impose a domestic abuse assessment of \$50 for each  
25 offense if:”.

1           **810.** Page 2233, line 8: delete “state treasurer secretary of administration”  
and substitute “state treasurer”.

2           **811.** Page 2233, line 15: delete lines 15 to 23.

3           **812.** Page 2233, line 24: delete that line.

4           **813.** Page 2234, line 1: delete lines 1 to 24 and substitute:

5           “**SECTION 7257j.** 973.09 (1) (a) of the statutes is amended to read:

6           973.09 (1) (a) Except as provided in par. (c) or s. 939.615 (2m) or if probation  
7 is prohibited for a particular offense by statute, if a person is convicted of a crime,  
8 the court, by order, may withhold sentence or impose sentence under s. 973.15 and  
9 stay its execution, and in either case place the person on probation to the department  
10 for a stated period, stating in the order the reasons therefor. The court may impose  
11 any conditions which appear to be reasonable and appropriate. The period of  
12 probation may be made consecutive to a sentence on a different charge, whether  
13 imposed at the same time or previously. If the court imposes an increased term of  
14 probation, as authorized under sub. (2) (a) 2. or (b) 2., it shall place its reasons for  
15 doing so on the record.

16           **SECTION 7257k.** 973.095 of the statutes is created to read:

17           **973.095 Community supervision.** (1) If a person is convicted of a  
18 misdemeanor to which s. 939.615 (1) applies, a court may impose sentence, impose  
19 sentence and stay its execution or withhold sentence and, in any case, may place the  
20 person on community supervision to the department for a stated period not  
21 exceeding one year. A person placed on community supervision under this  
22 subsection shall be monitored by a probation and parole agent of the department.



1           **(2)** A court may impose one or more of the following conditions when placing  
2 a person on community supervision under sub. (1):

3           (a) Payment of any fine and any assessments, surcharges, costs or fees imposed.

4           (b) Community service, as provided under sub. (3).

5           (c) Restitution, as provided under sub. (5).

6           (d) Alcohol and other drug abuse counseling, as provided under sub. (6).

7           **(3)** (a) The court may require as a condition of community supervision that the  
8 person placed on community supervision perform community service work for a  
9 public agency or a nonprofit charitable organization. The number of hours of work  
10 required may not exceed what would be reasonable considering the seriousness of the  
11 offense. An order may only apply if agreed to by the person placed on community  
12 supervision and the organization or agency. The court shall ensure that the person  
13 placed on community supervision is provided a written statement of the terms of the  
14 community service order and that the community service order is monitored by the  
15 department.

16           (b) Any organization or agency acting in good faith to which a person placed on  
17 community supervision is assigned under an order under this subsection has  
18 immunity from any civil liability in excess of \$25,000 for acts or omissions by or  
19 impacting on the person placed on community supervision.

20           **(4)** (a) If the court does not order community supervision under sub. (3), the  
21 department may order that a person placed on community supervision perform  
22 community service work for a public agency or a nonprofit charitable organization.  
23 An order may apply only if agreed to by the person placed on community supervision  
24 and the organization or agency. The department shall ensure that the person placed  
25 on community supervision is provided a written statement of the terms of the

1 community service order and shall monitor the person's compliance with the  
2 community service order.

3 (b) Any organization or agency acting in good faith to which a person placed on  
4 community supervision is assigned under an order under this subsection has  
5 immunity from any civil liability in excess of \$25,000 for acts or omissions by or  
6 impacting on the person placed on community supervision. The department has  
7 immunity from any civil liability for acts or omissions by or impacting on the person  
8 placed on community supervision regarding the assignment under this subsection.

9 (5) (a) If the court places the person on community supervision, the court shall  
10 order the person to pay restitution under s. 973.20 unless the court finds there is  
11 substantial reason not to order restitution as a condition of community supervision.  
12 If the court does not require restitution to be paid to a victim, the court shall state  
13 its reason on the record. If the court does require restitution, it shall notify the  
14 department of justice of its decision if the victim may be eligible for compensation  
15 under ch. 949.

16 (b) The department shall notify the sentencing court, any person to whom  
17 unpaid restitution is owed and the district attorney of the status of the ordered  
18 payments unpaid at least 90 days before the community supervision expiration date.  
19 If payment as ordered has not been made, the court shall issue a judgment for the  
20 unpaid restitution and direct the clerk to file and docket a transcript of the judgment,  
21 without fee, unless it finds that the victim has already recovered a judgment against  
22 the person placed on community supervision for the damages covered by the  
23 restitution order. If the court issues a judgment for the unpaid restitution, the court  
24 shall send to the person placed on community supervision and the victim at his or  
25 her last-known address written notification that a civil judgment has been issued

1 for the unpaid restitution. The judgment has the same force and effect as judgments  
2 docketed under s. 806.10.

3 (6) The court may order a person placed on community supervision to submit  
4 to and comply with an assessment by a treatment facility approved by the court for  
5 examination of the person's use of alcohol or other drugs and, if necessary,  
6 development of an alcohol or other drug abuse treatment plan for the person. The  
7 court may require the person placed on community supervision to pay the reasonable  
8 costs of an assessment and treatment ordered under this subsection.

9 (7) If the court has not ordered an assessment and treatment under sub. (6),  
10 the department may order a person placed on community supervision to submit to  
11 and comply with an assessment by a treatment facility approved by the department  
12 for examination of the person's use of alcohol or other drugs and, if necessary,  
13 development of an alcohol or other drug abuse treatment plan for the person. The  
14 department may require the person placed on community supervision to pay the  
15 reasonable costs of an assessment and treatment ordered under this subsection.

16 (8) When the person placed on community supervision has satisfied the  
17 conditions of his or her community supervision, the person placed on community  
18 supervision shall be discharged and the department shall issue the person a  
19 certificate of final discharge, a copy of which shall be filed with the clerk.

20 (9) A person who violates or fails to comply with community supervision  
21 ordered under sub. (1) may be proceeded against for contempt of court under ch. 785,  
22 except that a court may impose only the remedial sanctions specified in s. 785.04 (1)  
23 against that person.”.

24 **814.** [Page 2235, line 17](#): after that line insert:

1           **“SECTION 7263bd.** 973.20 (1) of the statutes is amended to read:

2           973.20 (1) When imposing sentence or ordering probation or community  
3 supervision for any crime, the court, in addition to any other penalty authorized by  
4 law, shall order the defendant to make full or partial restitution under this section  
5 to any victim of the crime or, if the victim is deceased, to his or her estate, unless the  
6 court finds substantial reason not to do so and states the reason on the record.  
7 Restitution ordered under this section is a condition of probation, community  
8 supervision or parole served by the defendant for the crime. After the termination  
9 of probation, community supervision or parole, or if the defendant is not placed on  
10 probation, community supervision or parole, restitution ordered under this section  
11 is enforceable in the same manner as a judgment in a civil action by the victim named  
12 in the order to receive restitution or enforced under ch. 785.

13           **SECTION 7263be.** 973.20 (10) of the statutes is amended to read:

14           973.20 (10) The court may require that restitution be paid immediately, within  
15 a specified period or in specified instalments. If the defendant is placed on probation  
16 or community supervision or sentenced to imprisonment, the end of a specified  
17 period shall not be later than the end of any period of probation, community  
18 supervision or parole. If the defendant is sentenced to the intensive sanctions  
19 program, the end of a specified period shall not be later than the end of the sentence  
20 under s. 973.032 (3) (a).

21           **SECTION 7263bf.** 973.20 (11) (a) of the statutes is amended to read:

22           973.20 (11) (a) Except as otherwise provided in this paragraph, the restitution  
23 order shall require the defendant to deliver the amount of money or property due as  
24 restitution to the department for transfer to the victim or other person to be  
25 compensated by a restitution order under this section. If the defendant is not placed

1 on probation or community supervision or sentenced to prison, the court may order  
2 that restitution be paid to the clerk of court for transfer to the appropriate person.  
3 The court shall require the defendant to pay a surcharge equal to 5% of the total  
4 amount of any restitution, costs and attorney fees and any fines and related  
5 payments ordered under s. 973.05 (1) to the department or clerk of court for  
6 administrative expenses under this section.

7 **SECTION 7263bg.** 973.20 (13) (c) (intro.) of the statutes is amended to read:

8 973.20 (13) (c) (intro.) The court, before imposing sentence or ordering  
9 probation or community supervision, shall inquire of the district attorney regarding  
10 the amount of restitution, if any, that the victim claims. The court shall give the  
11 defendant the opportunity to stipulate to the restitution claimed by the victim and  
12 to present evidence and arguments on the factors specified in par. (a). If the  
13 defendant stipulates to the restitution claimed by the victim or if any restitution  
14 dispute can be fairly heard at the sentencing proceeding, the court shall determine  
15 the amount of restitution before imposing sentence or ordering probation or  
16 community supervision. In other cases, the court may do any of the following:

17 **SECTION 7263bh.** 973.20 (13) (c) 1. of the statutes is amended to read:

18 973.20 (13) (c) 1. Order restitution of amounts not in dispute as part of the  
19 sentence or probation or community supervision order imposed and direct the  
20 appropriate agency to file a proposed restitution order with the court within 90 days  
21 thereafter, and mail or deliver copies of the proposed order to the victim, district  
22 attorney, defendant and defense counsel.

23 **SECTION 7263bi.** 973.20 (13) (c) 3. of the statutes is amended to read:

24 973.20 (13) (c) 3. With the consent of the defendant, refer the disputed  
25 restitution issues to an arbitrator acceptable to all parties, whose determination of

1 the amount of restitution shall be filed with the court within 60 days after the date  
2 of referral and incorporated into the court's sentence or probation or community  
3 supervision order.

4 **SECTION 7263bj.** 973.20 (13) (c) 4. of the statutes is amended to read:

5 973.20 (13) (c) 4. Refer the disputed restitution issues to a court commissioner  
6 or other appropriate referee, who shall conduct a hearing on the matter and submit  
7 the record thereof, together with proposed findings of fact and conclusions of law, to  
8 the court within 60 days of the date of referral. Within 30 days after the referee's  
9 report is filed, the court shall determine the amount of restitution on the basis of the  
10 record submitted by the referee and incorporate it into the sentence or probation or  
11 community supervision order imposed. The judge may direct that hearings under  
12 this subdivision be recorded either by audio recorder or by a court reporter. A  
13 transcript is not required unless ordered by the judge.

14 **SECTION 7263bk.** 974.05 (1) (c) of the statutes is amended to read:

15 974.05 (1) (c) Judgment and sentence or order of probation or community  
16 supervision not authorized by law.

17 **SECTION 7263bL.** 974.06 (1) of the statutes is amended to read:

18 974.06 (1) After the time for appeal or postconviction remedy provided in s.  
19 974.02 has expired, a prisoner in custody under sentence of a court or a person  
20 convicted and placed on community supervision under s. 973.095 or placed with a  
21 volunteers in probation program under s. 973.11 claiming the right to be released  
22 upon the ground that the sentence was imposed in violation of the U.S. constitution  
23 or the constitution or laws of this state, that the court was without jurisdiction to  
24 impose such sentence, or that the sentence was in excess of the maximum authorized

1 by law or is otherwise subject to collateral attack, may move the court which imposed  
2 the sentence to vacate, set aside or correct the sentence.”.

3 **815.** Page 2235, line 18: delete lines 18 to 20 and substitute:

4 “SECTION 7263e. 977.02 (4m) of the statutes is created to read:

5 977.02 (4m) Promulgate rules for payments to the state public defender under  
6 s. 977.075.

7 SECTION 7263f. 977.02 (4r) of the statutes is created to read:

8 977.02 (4r) Promulgate rules that establish procedures to provide the  
9 department of administration with any information concerning the collection of  
10 payment ordered under s. 48.275 (2), 757.66, 973.06 (1) (e) or 977.076 (1).”.

11 **816.** Page 2236, line 6: after that line insert:

12 “SECTION 7263k. 977.03 (2m) of the statutes is created to read:

13 977.03 (2m) The board may promulgate rules that establish procedures to  
14 collect payment ordered under s. 48.275 (2), 757.66, 973.06 (1) (e) or 977.076 (1) from  
15 a prisoner’s prison financial account.”.

16 **817.** Page 2239, line 13: after “977.06” insert “(title) and (1)”.

17 **818.** Page 2239, line 13: substitute “are” for “is”.

18 **819.** Page 2239, line 14: after “977.06” insert “(title)”.

19 **820.** Page 2239, line 17: delete lines 17 and 18 and substitute:

20 “(a) Verify the information necessary to determine indigency under s. 977.07  
21 (2). The information provided by a person seeking assigned counsel that is subject  
22 to verification shall include the social security numbers required on an application  
23 under sub. (1m), income records, value of assets, eligibility for public assistance, as  
24 defined in s. 16.20 (1) (fm), and claims of expenses.”.

1           **821.** Page 2239, line 25: after that line insert:

2           “**SECTION 7269m.** 977.06 (1) (a) of the statutes, as created by 1995 Wisconsin  
3 Act .... (this act), is amended to read:

4           977.06 (1) (a) Verify the information necessary to determine indigency under  
5 s. 977.07 (2). The information provided by a person seeking assigned counsel that  
6 is subject to verification shall include the social security numbers required on an  
7 application under sub. (1m), income records, value of assets, eligibility for public  
8 assistance, as defined in s. ~~16.20~~ 106.215 (1) (fm), and claims of expenses.

9           **SECTION 7269p.** 977.06 (1m) of the statutes is created to read:

10           977.06 (1m) APPLICATION FOR REPRESENTATION. A person seeking to have counsel  
11 assigned for him or her under s. 977.08, other than a child who is entitled to be  
12 represented by counsel under s. 48.23, shall provide the state public defender with  
13 his or her social security number and the social security numbers of his or her spouse  
14 and dependent children, if any.”.

15           **822.** Page 2240, line 2: after that line insert:

16           “**SECTION 7270m.** 977.06 (2) (am) of the statutes is created to read:

17           977.06 (2) (am) A person seeking to have counsel assigned for him or her under  
18 s. 977.08, other than a child who is entitled to be represented by counsel under s.  
19 48.23, shall sign a statement declaring that the information that he or she has given  
20 to determine eligibility for assignment of counsel he or she believes to be true and  
21 that he or she is informed that he or she is subject to the penalty under par. (b).”.

22           **823.** Page 2240, line 4: after that line insert:

23           “**SECTION 7271g.** 977.06 (3) (b) of the statutes is created to read:



1           977.06 (3) (b) The state public defender may petition a court that ordered  
2           payment under s. 757.66, 973.06 (1) (e) or 977.076 (1) to modify an order or judgment  
3           to adjust the amount of payment or the scheduled amounts at any time.

4           **SECTION 7271m.** 977.06 (3) (c) of the statutes is created to read:

5           977.06 (3) (c) Except as provided in s. 48.275 (2) (b), an adjustment under this  
6           subsection shall be based on the person's ability to pay and on the fee schedule  
7           established by the board under s. 977.075 (3).”.

8           **824.** Page 2240, line 6: after that line insert:

9           “**SECTION 7272m.** 977.07 (1) (a) of the statutes is amended to read:

10          977.07 (1) (a) Determination of indigency for persons entitled to counsel shall  
11          be made as soon as possible and shall be in accordance with the rules promulgated  
12          by the board under s. 977.02 (3) and the system established under s. 977.06. No  
13          determination of indigency is required for a child who is entitled to be represented  
14          by counsel under s. 48.23.”.

15          **825.** Page 2241, line 22: delete the material beginning with that line and  
            ending with page 2242, line 3, and substitute:

16          “**SECTION 7274m.** 977.07 (2) (b) of the statutes is renumbered 977.06 (3) (a) and  
17          amended to read:

18          977.06 (3) (a) Unless the court has made an adjustment under s. 973.06 (1) (e),  
19          upon determination at the conclusion of a case that a person's financial  
20          circumstances are changed, the state public defender may adjust the amount of  
21          payment for counsel ~~under par. (a) in accordance with par. (a) and sub. (1) (a).~~”.

22          **826.** Page 2242, line 19: delete that line and substitute: “48.275 (2), 757.66,  
            973.06 (1) (e) or 977.076 (1), and the possibility that the payment of attorney”.

1           **827.** Page 2243, line 1: substitute “subsection” for “paragraph”.

2           **828.** Page 2243, line 2: after “977.075” insert “(1)”.

3           **829.** Page 2243, line 20 substitute “board” for “state public defender”.

4           **830.** Page 2243, line 20: delete that line and substitute:

5           “**977.075 Payment for legal representation. (1)** The board shall establish”.

6           **831.** Page 2243, line 24: substitute “(a)” for “(1)”.

7           **832.** Page 2244, line 1: substitute “(b)” for “(2)”.

8           **833.** Page 2244, line 2: after that line insert:

9           “(2) The board shall establish by rule a procedure for collecting a  
10 nonrefundable partial payment for services from persons who are responsible for  
11 payment for legal representation and who are not indigent in full. The rule shall  
12 require that the payment be due within 60 days after the commencement of  
13 representation. This subsection does not apply to a parent who is subject to s. 48.275  
14 (2) (b).

15           “(3) The board shall establish by rule a fee schedule that sets the amount that  
16 a person, other than a parent under s. 48.275 (2) (b), who is responsible for payment  
17 for legal representation shall pay for the cost of the legal representation. The  
18 schedule shall establish a fee for a given type of case, and the fee for a given type of  
19 case shall be based on the average cost, as determined by the board, for  
20 representation for that type of case.

21           **SECTION 7281q.** 977.076 of the statutes is created to read:

22           **977.076 Collections. (1)** If the state public defender notifies the court in  
23 which the underlying action was filed that a person who is required to reimburse the  
24 state public defender for legal representation has failed to make the required

1 payment or to timely make periodic payments, the court may issue a judgment on  
2 behalf of the state for the unpaid balance and direct the clerk of circuit court to file  
3 and docket a transcript of the judgment, without fee. If the court issues a judgment  
4 for the unpaid balance, the court shall send a notice to the person at his or her  
5 last-known address that a civil judgment has been issued for the unpaid balance.  
6 The judgment has the same force and effect as judgments issued under s. 806.10.  
7 Except as provided in s. 48.275 (2) (b), the judgment shall be based on the person's  
8 ability to pay and on the fee schedule established by the board under s. 977.075 (3).

9 (2) The department of administration may collect unpaid reimbursement  
10 payments to the state public defender ordered by a court under sub. (1) or s. 48.275  
11 (1) (a), 757.66 or 973.06 (1) (e). The department may contract with a private  
12 collection agency to collect these payments. Section 16.705 does not apply to a  
13 contract under this subsection.”.

14 **834.** Page 2244, line 3: delete lines 3 to 7 and substitute:

15 “SECTION 7281s. 977.077 of the statutes is created to read:

16 **977.077 Deposit of payments received.** Payments for services provided by  
17 the state public defender or other counsel under this chapter that are received  
18 pursuant to s. 977.07, 977.075 or 977.076 shall be deposited in the state treasury and  
19 credited to the appropriation under s. 20.550 (1) (L).”.

20 **835.** Page 2245, line 6: delete “state public defender”.

21 **836.** Page 2246, line 25: substitute “, 977.075 and 977.076” for “and 977.075”.

22 **837.** Page 2247, line 20: substitute “73.25” for “49.143”.

23 **838.** Page 2248, line 1: delete lines 1 to 8.

24 **839.** Page 2249, line 5: after that line insert:

1           **“SECTION 7298d.** 1993 Wisconsin Act 16, section 2207aim is repealed.

2           **SECTION 7298e.** 1993 Wisconsin Act 16, section 2207ain is repealed.

3           **SECTION 7298f.** 1993 Wisconsin Act 16, section 2207aio is repealed.

4           **SECTION 7298g.** 1993 Wisconsin Act 16, section 2207aip is repealed.

5           **SECTION 7298h.** 1993 Wisconsin Act 16, section 2207air is repealed.

6           **SECTION 7298i.** 1993 Wisconsin Act 16, section 2213h is repealed.

7           **SECTION 7298j.** 1993 Wisconsin Act 16, section 2213i is repealed.

8           **SECTION 7298k.** 1993 Wisconsin Act 16, section 2213r is repealed.

9           **SECTION 7298L.** 1993 Wisconsin Act 16, section 2213s is repealed.

10          **SECTION 7298q.** 1993 Wisconsin Act 16, section 9120 (2xx) is repealed.”.

11          **840.** [Page 2249, line 5](#): after that line insert:

12          **“SECTION 7296b.** 992.06 (2) of the statutes is amended to read:

13           992.06 (2) Whenever in the organization of corporations under chapter 146,  
14 laws of 1872, articles of association were made and adopted and signed by the  
15 persons forming such corporation, and there may have been a failure to make and  
16 record a verified copy thereof in the office of the register of deeds of the county in  
17 which such corporation is located, and such association, organization or corporation  
18 has in good faith carried on business and acted as a corporation for 25 years or more,  
19 such failure to make and record a verified copy of the articles of association shall not  
20 affect the validity of the corporation, but the same shall be a body corporate from and  
21 after the date of the making, adopting and signing of the articles of association, the  
22 same as though a verified copy had been duly made and recorded in the office of the  
23 register of deeds. Whenever any such corporation shall in good faith have attempted  
24 to change its corporate name, and shall in good faith have carried on and conducted

1 its business under such changed name for a period of 25 years or more, and shall  
2 record its original articles of incorporation, or the copy thereof, with the register of  
3 deeds, of the county in which such corporation has its principal office, and in case the  
4 said original articles of incorporation, or a copy thereof, cannot be obtained, a  
5 certificate from the ~~secretary of state~~ department of financial institutions showing  
6 that no such articles nor a copy thereof can be found in the ~~office of the secretary of~~  
7 ~~state~~ records of the department of financial institutions, its acts, doings and  
8 proceedings heretofore done or which shall hereafter be done in or under such  
9 changed name shall be as valid and binding and as good in law as though done in or  
10 under the name contained in its original articles of association.

11 **SECTION 7297b.** 992.06 (3) of the statutes is amended to read:

12 992.06 (3) All transfers of real estate heretofore made to corporations,  
13 organized under the laws of this state, executed, delivered, filed and recorded  
14 between the date of the filing of the articles of organization ~~in the office of the~~  
15 ~~secretary of state~~ with the department of financial institutions and the date of the  
16 filing of a certified copy of said articles in the office of the register of deeds in the  
17 county wherein said corporation has its principal place of business, are hereby  
18 legalized, ratified, confirmed and validated.”.

19 **841.** Page 2250, line 14: after that line insert:

20 “**SECTION 7300g.** 1993 Wisconsin Act 16, section 9320 (1y) is repealed.

21 **SECTION 7300k.** 1993 Wisconsin Act 16, section 9420 (1z) is repealed.”.

22 **842.** Page 2262, line 18: after that line insert:

23 “(23b) COMPETITIVE ENTERPRISE REVIEW BOARD; INITIAL TERMS. Notwithstanding  
24 section 15.105 (27) (d) of the statutes, as created by this act, the members of the

1 competitive enterprise review board who are initially appointed to serve under  
2 section 15.105 (27) (d) of the statutes, as created by this act, shall serve for terms  
3 expiring on May 1, 1997.”.

4 **843.** Page 2265, line 6: after that line insert:

5 “(4g) FUNDING REPORT; SUSTAINABLE AGRICULTURE GRANT PROGRAM. By June 1,  
6 1996, the department of agriculture, trade and consumer protection shall submit a  
7 funding report to the senate and assembly standing committees with jurisdiction  
8 over agricultural matters, as determined by the speaker of the assembly and the  
9 president of the senate, specifying how the department will identify and secure  
10 revenue sources for the purpose of funding the sustainable agriculture grant  
11 program under section 93.47 of the statutes, as affected by this act. The committees,  
12 following their review, shall approve or disapprove the funding report. If the funding  
13 report is not approved by both committees by June 20, 1996, all of the following shall  
14 occur:

15 (a) The chairpersons of the committees shall send a notice of disapproval to the  
16 revisor of statutes for publication in the Wisconsin administrative register.

17 (b) The sustainable agriculture grant program shall be eliminated, effective  
18 July 1, 1996.”.

19 **844.** Page 2307, line 16: delete the material beginning with that line and  
ending with page 2308, line 9, and substitute:

20 “(7m) DUTIES PENDING TRANSFER OF SAFETY AND BUILDINGS FUNCTIONS FROM THE  
21 DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS. In anticipation”.

22 **845.** Page 2308, line 13: on lines 13, 17, 19 and 22, substitute “subsection” for  
“paragraph”.

1           **846.** Page 2308, line 22: after that line insert:

2           “(8t) MEXICO TRADE OFFICE. From the appropriation under section 20.143 (1)  
3 (bs) of the statutes, as affected by this act, the department of development may pay  
4 contract costs for the trade office in Mexico.”.

5           **847.** Page 2312, line 2: after that line insert:

6           “(3i) PENDING ARBITRATIONS. As soon as possible after the effective date of this  
7 subsection, the employment relations commission shall, for each collective  
8 bargaining unit consisting of municipal employes of a county in which it has  
9 appointed an arbitrator or arbitration panel under section 111.70 (4) (cm) 6., 1993  
10 stats., but for which no arbitration award has been issued on that effective date,  
11 order the arbitrator or panel members to terminate the arbitration with respect to  
12 that dispute. The parties shall reimburse the arbitrator or arbitration panel  
13 members for all costs incurred in conducting the arbitration prior to the date of the  
14 notice, but are not liable for any costs incurred to arbitrate any dispute or portion of  
15 a dispute that is not subject to arbitration under section 111.70 (4) (cm) of the  
16 statutes, as affected by this act, on or after the date of any notice by the commission  
17 to that effect. Notwithstanding section 111.70 (3) (a) 4. and 7. of the statutes, as  
18 affected by this act, no municipal employer commits a prohibited practice by refusing  
19 to execute a collective bargaining agreement resulting from an award under section  
20 111.70 (4) (cm) 6., 1993 stats., if the dispute resulting in that award is not subject to  
21 arbitration under section 111.70 (4) (cm) 6. of the statutes, as affected by this act.  
22 This subsection does not affect the obligations of a municipal employer which has  
23 executed a collective bargaining agreement prior to the effective date of this  
24 subsection.”.

1           **848.** Page 2321, line 1: delete “, CHILD SUPPORT AND PATERNITY”.

2           **849.** Page 2321, line 3: delete the material beginning with that line and  
3 ending with page 2323, line 23, and substitute:

4           “(a) *Assets and liabilities.* On the effective date of this paragraph, all assets  
5 and liabilities of the department of health and social services that are primarily  
6 related to the programs in subchapter III of chapter 49 of the statutes, as affected by  
7 this act, as determined by the secretary of administration, shall become the assets  
8 and liabilities of the department of industry, labor and human relations.

9           (b) *Employe transfers.*

10           1. All incumbent employes holding positions in the department of health and  
11 social services that are primarily related to the programs in subchapter III of chapter  
12 49 of the statutes, as affected by this act, as determined by the secretary of  
13 administration, are transferred on the effective date of this subdivision to the  
14 department of industry, labor and human relations.

15           2. Upon final determination of the personnel to be transferred to the  
16 department of industry, labor and human relations under subdivision 1., the  
17 secretary of health and social services and the secretary of industry, labor and human  
18 relations shall, by the date that is established for submittal of requests for  
19 consideration at the 4th quarterly meeting for 1995 of the joint committee on finance  
20 under section 13.10 of the statutes, request the joint committee on finance to transfer  
21 moneys between the general purpose revenue appropriations for the department of  
22 health and social services and the department of industry, labor and human  
23 relations, between the program revenue appropriations for the department of health  
and social services and the department of industry, labor and human relations,



1 between the program revenue-service appropriations for the department of health  
2 and social services and the department of industry, labor and human relations and  
3 between the federal revenues appropriations for the department of health and social  
4 services and the department of industry, labor and human relations, if necessary to  
5 adjust previously allocated costs in accordance with the transfer of personnel.

6 (c) *Employe status.* Employes transferred under paragraph (b) 1. have all the  
7 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
8 statutes in the department of industry, labor and human relations that they enjoyed  
9 in the department of health and social services immediately before the transfer.  
10 Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who  
11 has attained permanent status in class is required to serve a probationary period.

12 (d) *Tangible personal property.* On the effective date of this paragraph, all  
13 tangible personal property, including records, of the department of health and social  
14 services that is primarily related to the programs in subchapter III of chapter 49 of  
15 the statutes, as affected by this act, as determined by the secretary of administration,  
16 is transferred to the department of industry, labor and human relations.

17 (e) *Contracts.* All contracts entered into by the department of health and social  
18 services in effect on the effective date of this paragraph that are primarily related  
19 to the programs in subchapter III of chapter 49 of the statutes, as affected by this act,  
20 as determined by the secretary of administration, remain in effect and are  
21 transferred to the department of industry, labor and human relations. The  
22 department of industry, labor and human relations shall carry out any such  
23 contractual obligations until modified or rescinded by the department of industry,  
24 labor and human relations to the extent allowed under the contracts.

25 (f) *Rules and orders.*

1           1. All rules promulgated by the department of health and social services that  
2 are in effect on the effective date of this subdivision and that are primarily related  
3 to the programs in subchapter III of chapter 49 of the statutes, as affected by this act,  
4 remain in effect until their specified expiration date or until amended or repealed by  
5 the department of industry, labor and human relations. All orders issued by the  
6 department of health and social services that are in effect on the effective date of this  
7 subdivision and that are primarily related to the programs in subchapter III of  
8 chapter 49 of the statutes, as affected by this act, remain in effect until their specified  
9 expiration date or until modified or rescinded by the department of industry, labor  
10 and human relations.

11           2. The secretary of health and social services and the secretary of industry,  
12 labor and human relations shall, by December 31, 1995, meet and specify the  
13 apportionment of rules and standards, between the 2 departments, with respect to  
14 the supervision of employes of county departments under sections 46.215, 46.22 and  
15 46.23 of the statutes, as affected by this act, and with respect to eligibility  
16 requirements for certain programs of public assistance, in order to effect the intent  
17 of this act.

18           (g) *Pending matters.* Any matter pending with the department of health and  
19 social services on the effective date of this paragraph that is primarily related to the  
20 programs in subchapter III of chapter 49 of the statutes, as affected by this act, is  
21 transferred to the department of industry, labor and human relations and all  
22 materials submitted to or actions taken by the department of health and social  
23 services with respect to the pending matter are considered as having been submitted  
24 to or taken by the department of industry, labor and human relations.

25           (15g) TRANSFER OF CHILD SUPPORT AND PATERNITY PROGRAMS.

1           (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and  
2 liabilities of the department of health and social services that are primarily related  
3 to the programs in sections 73.25, 73.255 and 73.258 of the statutes, as affected by  
4 this act, as determined by the secretary of administration, shall become the assets  
5 and liabilities of the department of revenue.

6           (b) *Employe transfers.*

7           1. All incumbent employes holding positions in the department of health and  
8 social services that are primarily related to the programs in sections 73.25, 73.255  
9 and 73.258 of the statutes, as affected by this act, as determined by the secretary of  
10 administration, are transferred on the effective date of this subdivision to the  
11 department of revenue.

12           2. Upon final determination of the personnel to be transferred to the  
13 department of revenue under subdivision 1., the secretary of health and social  
14 services and the secretary of revenue shall, by the date that is established for  
15 submittal of requests for consideration at the 4th quarterly meeting for 1995 of the  
16 joint committee on finance under section 13.10 of the statutes, request the joint  
17 committee on finance to transfer moneys between the general purpose revenue  
18 appropriations for the department of health and social services and the department  
19 of revenue, between the program revenue appropriations for the department of  
20 health and social services and the department of revenue, between the program  
21 revenue-service appropriations for the department of health and social services and  
22 the department of revenue and between the federal revenues appropriations for the  
23 department of health and social services and the department of revenue, if necessary  
24 to adjust previously allocated costs in accordance with the transfer of personnel.

1           (c) *Employee status.* Employees transferred under paragraph (b) 1. have all the  
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
3 statutes in the department of revenue that they enjoyed in the department of health  
4 and social services immediately before the transfer. Notwithstanding section 230.28  
5 (4) of the statutes, no employe so transferred who has attained permanent status in  
6 class is required to serve a probationary period.

7           (d) *Tangible personal property.* On the effective date of this paragraph, all  
8 tangible personal property, including records, of the department of health and social  
9 services that is primarily related to the programs in sections 73.25, 73.255 and  
10 73.258 of the statutes, as affected by this act, as determined by the secretary of  
11 administration, is transferred to the department of revenue.

12           (e) *Contracts.* All contracts entered into by the department of health and social  
13 services in effect on the effective date of this paragraph that are primarily related  
14 to the programs in sections 73.25, 73.255 and 73.258 of the statutes, as affected by  
15 this act, as determined by the secretary of administration, remain in effect and are  
16 transferred to the department of revenue. The department of revenue shall carry out  
17 any such contractual obligations until modified or rescinded by the department of  
18 revenue to the extent allowed under the contracts.

19           (f) *Rules and orders.* All rules promulgated by the department of health and  
20 social services that are in effect on the effective date of this paragraph and that are  
21 primarily related to the programs in sections 73.25, 73.255 and 73.258 of the  
22 statutes, as affected by this act, remain in effect until their specified expiration date  
23 or until amended or repealed by the department of revenue. All orders issued by the  
24 department of health and social services that are in effect on the effective date of this  
25 paragraph and that are primarily related to the programs in sections 73.25, 73.255

1 and 73.258 of the statutes, as affected by this act, remain in effect until their specified  
2 expiration date or until modified or rescinded by the department of revenue.

3 (g) *Pending matters.* Any matter pending with the department of health and  
4 social services on the effective date of this paragraph that is primarily related to any  
5 of the programs in sections 73.25, 73.255 and 73.258 of the statutes, as affected by  
6 this act, is transferred to the department of revenue and all materials submitted to  
7 or actions taken by the department of health and social services with respect to the  
8 pending matter are considered as having been submitted to or taken by the  
9 department of revenue.”.

10 **850.** Page 2323, line 24: delete the material beginning with that line and  
ending with page 2326, line 11.

11 **851.** Page 2347, line 4: delete lines 4 to 8.

12 **852.** Page 2347, line 8: after that line insert:

13 “(28x) MANAGED CARE MEDICAL ASSISTANCE FORMS WORKING GROUP. The  
14 department of health and social services shall convene a working group no later than  
15 January 1, 1996, comprised of department employes and representatives of managed  
16 care providers under the medical assistance program. The working group shall  
17 study the development of standardized forms to be used by managed care providers  
18 under the medical assistance program, other than forms to be used for billing or  
19 obtaining medical assistance reimbursement. In particular, the working group shall  
20 study the development of standardized forms to be used to obtain referrals and prior  
21 authorization for care. The department of health and social services shall submit the  
22 results of the working group’s study to the legislature in the manner provided under  
23 section 13.172 (2) of the statutes no later than July 1, 1996.”.

1           **853.** Page 2354, line 1: delete lines 1 to 4.

2           **854.** Page 2356, line 16: delete “7.5 FTE PR” and substitute “8.3 FTE PR and  
3           0.2 FTE SEG”.

3           **855.** Page 2369, line 18: after that line insert:

4           “(16gg) TRANSFER OF CHILD SUPPORT AND PATERNITY PROGRAMS; POSITION  
5           AUTHORIZATIONS.

6           (a) The authorized FTE positions for the department of industry, labor and  
7           human relations funded from the appropriation under section 20.445 (3) (a) of the  
8           statutes, as affected by this act, are decreased by 9.13 GPR positions on July 1, 1996,  
9           for general program operations related to child support and paternity programs.

10          (b) The authorized FTE positions for the department of industry, labor and  
11          human relations funded from the appropriation under section 20.445 (3) (cd) of the  
12          statutes, as affected by this act, are decreased by 10.03 GPR positions on July 1, 1996,  
13          for administering child support and paternity establishment programs.

14          (c) The authorized FTE positions for the department of industry, labor and  
15          human relations funded from the appropriation under section 20.445 (3) (ja) of the  
16          statutes, as affected by this act, are decreased by 6.12 PR positions on July 1, 1996,  
17          for administering child support and paternity establishment programs.

18          (d) The authorized FTE positions for the department of industry, labor and  
19          human relations funded from the appropriation under section 20.445 (3) (n), as  
20          affected by this act, are decreased by 46.72 FED positions on July 1, 1996, for  
21          administering child support and paternity establishment programs.”.

22          **856.** Page 2371, line 19: delete the material beginning with that line and  
            ending with page 2372, line 11 and substitute:

1           “(1) PUBLIC INTERVENOR; PENDING MATTERS. Within 30 days after the effective  
2           date of this subsection, the public intervenor shall withdraw from any action or  
3           proceeding in which the public intervenor is a party. Within 30 days after the  
4           effective date of this subsection, the public intervenor shall submit written  
5           notification to the department of natural resources, and any other state agency,  
6           withdrawing any pending request made by the public intervenor for an  
7           investigation, study, report or other information.”.

8           **857.** [Page 2376, line 11](#): delete lines 11 to 20.

9           **858.** [Page 2378, line 9](#): after that line insert:

10          “**SECTION 9141. Nonstatutory provisions; military affairs.**

11          (2b) NATIONAL GUARD TUITION GRANTS. The treatment of section 21.49 (3) (a) of  
12          the statutes by Section 1220t of this act is effective only if 1995 Assembly Bill 73, as  
13          shown by senate substitute amendment 2, as affected by senate amendment 1, is  
14          enacted without change as it affects section 21.49 (3) (a) of the statutes.”.

15          **859.** [Page 2378, line 14](#): after that line insert:

16          “(1g) REPORT ON USE OF WOOD ASH. No later than November 1, 1995, the  
17          department of natural resources shall submit a report to the legislature, in the  
18          manner provided under section 13.172 (2) of the statutes, on how it will facilitate the  
19          use of wood ash and coordinate activities related to the use of wood ash by producers  
20          of wood ash, farmers and the department.”.

21          **860.** [Page 2382, line 10](#): delete the material beginning with “that” and ending  
22          with “paragraph” on line 12.

22          **861.** [Page 2383, line 13](#): after that line insert:

1           “(7g) CLEAN WATER FUND HARDSHIP ASSISTANCE FOR VILLAGE OF WAUSAUKEE.  
2     Notwithstanding rules promulgated under section 144.241 (13) of the statutes, the  
3     department of natural resources and the department of administration shall amend  
4     the clean water fund financial assistance agreement with the village of Wausaukee  
5     so that the village receives a no-interest loan for the amount of its cost overruns up  
6     to \$480,000. The department may not decrease the amount of the grant, or increase  
7     the interest rate on any portion of any other loan, to the village under the clean water  
8     fund financial assistance agreement. Notwithstanding section 144.2415 (3) (e) and  
9     (f) of the statutes, the present value for the assistance under this subsection shall be  
10    allocated from the percentage of the amount approved by the legislature under  
11    section 144.2415 (3) (d) of the statutes for financial assistance other than hardship  
12    assistance.”.

13           **862.** [Page 2383, line 23](#): delete the material beginning with that line and  
  ending with page 2384, line 7.

14           **863.** [Page 2387, line 2](#): after that line insert:

15           “(12b) ELIMINATION OF VIDEO TAPING FUNCTIONS. The department of natural  
16    resources shall transfer to the department of administration the equipment used by  
17    the department of natural resources in performing video taping functions for public  
18    information and education purposes. The department of administration shall sell or  
19    otherwise dispose of the equipment before June 30, 1997. Any proceeds from the sale  
20    or disposal shall be deposited into the general fund.”.

21           **864.** [Page 2387, line 2](#): after that line insert:

22           “(11z) STEWARDSHIP FUNDING.



1 (a) In this subsection, “qualifying local unit of government” means a local unit  
2 of government that has submitted an application before May 1, 1995, for funding  
3 from the appropriation under section 20.866 (2) (tz) of the statutes, as affected by this  
4 act, for the acquisition of land for a golf course.

5 (b) Notwithstanding any deadline promulgated by rule by the department of  
6 natural resources, a qualifying local unit of government may submit an application  
7 for funding for land acquisition from the appropriation under section 20.866 (2) (tz)  
8 of the statutes, as affected by this act, and the application shall be considered to have  
9 been submitted before May 1, 1995, if the application is submitted within 30 days of  
10 the effective date of this paragraph.”.

11 **865.** Page 2389, line 24: delete “, 8th and 10th grade performance  
assessments” and substitute “grade examination”.

12 **866.** Page 2389, line 25: delete “(b)”.

13 **867.** Page 2390, line 2: delete “appropriate grades” and substitute “4th  
grade”.

14 **868.** Page 2391, line 25: substitute “July 15” for “July 1”.

15 **869.** Page 2392, line 6: before that line insert:

16 **“SECTION 9146. Nonstatutory provisions; public service commission.**

17 (1t) FENCING, FARM CROSSING AND CATTLE GUARD COSTS. The commissioner of  
18 railroads and the chairperson of the public service commission shall jointly develop  
19 a plan for phasing in state reimbursement of 100% of the costs incurred by railroads  
20 for fencing, farm crossings and cattleguards, and shall submit a report containing  
21 their findings, conclusions and recommendations, including recommended statutory  
22 changes, to the joint committee on finance by January 1, 1996.”.

1           **870.** Page 2394, line 25: after that line insert:

2           “(1x) RULES. On or before May 1, 1996, the department of revenue shall submit  
3 to the legislative council staff under section 227.15 (1) of the statutes proposed rules  
4 to implement use-value assessment of agricultural land. The rules shall define  
5 “agricultural use” and shall designate categories of agricultural land based upon  
6 agricultural use, soil productivity and location. The rules shall also include  
7 guidelines to be used by property tax assessors in classifying land as agricultural  
8 land, including guidelines on ways to distinguish, particularly with respect to small  
9 acreage parcels, land devoted primarily to agricultural use from land devoted  
10 primarily to residential, recreational or commercial use. The rules shall provide a  
11 capitalization rate based on the federal land bank’s 5-year average capitalization  
12 rate for, and the per-acre values based on the income that is or could be generated  
13 from renting for agricultural use of, each category of land. The rules shall provide  
14 a method for calculating capitalization rates for each municipality by adding to the  
15 5-year average of federal land bank short-term adjustable rate mortgages for this  
16 state’s agricultural marketplace the municipality’s net property tax rate for the  
17 previous year. After they are promulgated, the rules shall be incorporated into the  
18 assessment manual under section 73.03 (2a) of the statutes.”.

19           **871.** Page 2395, line 5: after that line insert:

20           “(2gg) TRANSFER OF CHILD SUPPORT AND PATERNITY PROGRAMS; POSITION  
21 AUTHORIZATIONS.

22           (a) The authorized FTE positions for the department of revenue are increased  
23 by 9.13 GPR positions on July 1, 1996, to be funded from the appropriation under

1 section 20.566 (4) (a) of the statutes, as affected by this act, for general program  
2 operations related to child support and paternity programs.

3 (b) The authorized FTE positions for the department of revenue are increased  
4 by 10.03 GPR positions on July 1, 1996, to be funded from the appropriation under  
5 section 20.566 (4) (cd) of the statutes, as affected by this act, for administering child  
6 support and paternity establishment programs.

7 (c) The authorized FTE positions for the department of revenue are increased  
8 by 6.12 PR positions on July 1, 1996, to be funded from the appropriation under  
9 section 20.566 (4) (ja) of the statutes, as affected by this act, for administering child  
10 support and paternity establishment programs.

11 (d) The authorized FTE positions for the department of revenue are increased  
12 by 46.72 FED positions on July 1, 1996, to be funded from the appropriation under  
13 section 20.566 (4) (n) of the statutes, as affected by this act, for administering child  
14 support and paternity establishment programs.”.

15 **872.** Page 2398, line 1: delete lines 1 to 5 and substitute:

16 “(1bt) TRANSFER OF FUNCTIONS TO DEPARTMENT OF FINANCIAL INSTITUTIONS.

17 (a) On the effective date of this paragraph, the assets and liabilities of the office  
18 of the secretary of state primarily related to business organization record-keeping  
19 and filing functions, as determined by the secretary of administration, shall become  
20 the assets and liabilities of the department of financial institutions.

21 (am) On the effective date of this paragraph, 17.0 FTE PR positions in the office  
22 of the secretary of state performing duties primarily related to business organization  
23 record-keeping and filing functions, as determined by the secretary of

1 administration, and the incumbent employees holding those positions are transferred  
2 to the department of financial institutions.

3 (as) Employees transferred under paragraph (am) have all the rights and the  
4 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
5 department of financial institutions that they enjoyed in the office of the secretary  
6 of state immediately before the transfer. Notwithstanding section 230.28 (4) of the  
7 statutes, no employee so transferred who has attained permanent status in class is  
8 required to serve a probationary period.

9 (b) On the effective date of this paragraph, all tangible personal property,  
10 including records, of the office of the secretary of state that is primarily related to  
11 business organization record-keeping and filing functions, as determined by the  
12 secretary of administration, is transferred to the department of financial  
13 institutions.

14 (c) All contracts entered into by the office of the secretary of state in effect on  
15 the effective date of this paragraph that are primarily related to business  
16 organization record-keeping and filing functions, as determined by the secretary of  
17 administration, remain in effect and are transferred to the department of financial  
18 institutions. The department of financial institutions shall carry out any such  
19 contractual obligations until modified or rescinded by the department of financial  
20 institutions to the extent allowed under the contract.

21 (d) All rules promulgated by the office of the secretary of state that are in effect  
22 on the effective date of this paragraph and that are primarily related to business  
23 organization record-keeping and filing functions, as determined by the secretary of  
24 administration, remain in effect until their specified expiration date or until  
25 amended or repealed by the department of financial institutions. All orders issued

1 by the office of the secretary of state that are in effect on the effective date of this  
2 paragraph and that are primarily related to business organization record-keeping  
3 and filing functions, as determined by the secretary of administration, remain in  
4 effect until their specified expiration date or until modified or rescinded by the  
5 secretary of financial institutions.

6 (e) All matters pending with the office of the secretary of state on the effective  
7 date of this paragraph that are primarily related to business organization  
8 record-keeping and filing functions, as determined by the secretary of  
9 administration, are transferred to the department of financial institutions and all  
10 materials submitted to or actions taken by the office of the secretary of state with  
11 respect to the pending matter are considered as having been submitted to or taken  
12 by the department of financial institutions.

13 (2bt) TRANSFER OF UNIFORM COMMERCIAL CODE FILING FUNCTIONS TO DEPARTMENT  
14 OF FINANCIAL INSTITUTIONS.

15 (a) On the effective date of this paragraph, the assets and liabilities of the office  
16 of the secretary of state primarily related to uniform commercial code filings and  
17 federal lien filings, as determined by the secretary of administration, shall become  
18 the assets and liabilities of the department of financial institutions.

19 (b) On the effective date of this paragraph, 14.0 FTE PR positions in the office  
20 of the secretary of state performing duties primarily related to uniform commercial  
21 code filings and federal lien filings, as determined by the secretary of administration,  
22 and the incumbent employees holding those positions are transferred to the  
23 department of financial institutions.

24 (c) Employees transferred under paragraph (b) have all the rights and the same  
25 status under subchapter V of chapter 111 and chapter 230 of the statutes in the

1 department of financial institutions that they enjoyed in the office of the secretary  
2 of state immediately before the transfer. Notwithstanding section 230.28 (4) of the  
3 statutes, no employe so transferred who has attained permanent status in class is  
4 required to serve a probationary period.

5 (d) On the effective date of this paragraph, all tangible personal property,  
6 including records, of the office of the secretary of state that is primarily related to  
7 uniform commercial code filings and federal lien filings, as determined by the  
8 secretary of administration, is transferred to the department of financial  
9 institutions.

10 (e) All contracts entered into by the office of the secretary of state in effect on  
11 the effective date of this paragraph that are primarily related to uniform commercial  
12 code filings and federal lien filings, as determined by the secretary of administration,  
13 remain in effect and are transferred to the department of financial institutions. The  
14 department of financial institutions shall carry out any such contractual obligations  
15 until modified or rescinded by the department of financial institutions to the extent  
16 allowed under the contract.

17 (f) All rules promulgated by the office of the secretary of state that are in effect  
18 on the effective date of this paragraph and that are primarily related to uniform  
19 commercial code filings and federal lien filings, as determined by the secretary of  
20 administration, remain in effect until their specified expiration date or until  
21 amended or repealed by the department of financial institutions. All orders issued  
22 by the office of the secretary of state that are in effect on the effective date of this  
23 paragraph and that are primarily related to uniform commercial code filings and  
24 federal lien filings, as determined by the secretary of administration, remain in effect

1 until their specified expiration date or until modified or rescinded by the secretary  
2 of financial institutions.

3 (g) All matters pending with the office of the secretary of state on the effective  
4 date of this paragraph that are primarily related to uniform commercial code filings  
5 and federal lien filings, as determined by the secretary of administration, are  
6 transferred to the department of financial institutions and all materials submitted  
7 to or actions taken by the office of the secretary of state with respect to the pending  
8 matter are considered as having been submitted to or taken by the department of  
9 financial institutions.”.

10 **873.** Page 2403, line 5: after that line insert:

11 “(1mt) COST-EFFICIENCY STANDARDS.

12 (a) In promulgating rules under section 85.20 (7) (b) of the statutes, as created  
13 by this act, the department of transportation shall establish a transit committee to  
14 assist the department in developing the cost–efficiency standards for the purposes  
15 of section 85.20 (7) (a) of the statutes, as created by this act. The membership of the  
16 transit committee shall include the chairpersons of all of the following standing  
17 committees of the legislature:

- 18 1. The highways and transportation committee of the assembly.
- 19 2. The transportation, agriculture and local affairs of committee of the senate.
- 20 3. The natural resources committee of the assembly.
- 21 4. The environment and energy committee of the senate.

22 (b) This subsection does not apply after December 31, 1996.

23 (1t) EAST-WEST FREEWAY. The department of transportation may not conduct  
24 any construction activities relating to highway resurfacing or bridge repair on the

1 East-West Freeway from downtown Milwaukee to Waukesha until calendar year  
2 1997.

3 (2mt) SURPLUS LAND SALE. The department of transportation shall sell  
4 sufficient surplus land, as defined in section 84.09 (8) (a) of the statutes, during the  
5 1995-97 fiscal biennium to deposit not less than \$4,500,000 in the transportation  
6 fund from such sales.

7 (2t) ENTITLEMENT TO SUPPLEMENTS FOR UNBUDGETED COMPENSATION  
8 ADJUSTMENTS. Notwithstanding section 20.928 of the statutes, the department of  
9 transportation is not entitled to any supplements for unbudgeted compensation  
10 adjustments under section 20.928 of the statutes for the 1995-97 fiscal biennium for  
11 any position funded from the appropriations under section 20.395 (2) (eq) or (3) (bq),  
12 (cq) or (eq) of the statutes, as affected by this act, except for any supplement that  
13 exceeds an adjustment increase for that position of 3%, as determined by the  
14 secretary of administration.

15 (3mt) HIGHWAY PROJECTS.

16 (a) Notwithstanding section 84.013 of the statutes, as affected by this act, no  
17 moneys may be expended by the department of transportation for the major highway  
18 project specified under section 84.013 (3) (yf) of the statutes in the 1995-97 fiscal  
19 biennium from the appropriations listed under section 84.013 (2) (a) of the statutes.

20 (b) Notwithstanding section 84.013 of the statutes, as affected by this act, no  
21 moneys may be expended by the department of transportation for the major highway  
22 project specified under section 84.013 (3) (wg) of the statutes in the 1995-96 fiscal  
23 year from the appropriations listed under section 84.013 (2) (a) of the statutes.

24 (c) No moneys may be expended by the department of transportation for the  
25 reconditioning, reconstruction or resurfacing of Pennsylvania Avenue beginning at



1 College Avenue and extending to Layton Avenue in Milwaukee County in the  
2 1995-97 fiscal biennium from the appropriations listed under section 84.013 (2) (b)  
3 of the statutes.

4 (3t) EFFICIENCY MEASURES. By September 1, 1995, the department of  
5 transportation shall submit recommendations to the joint committee on finance if  
6 the department wishes to reallocate reductions resulting from budgetary efficiency  
7 measures and position vacancy reductions among the segregated fund revenue  
8 appropriations of the department of transportation for state operations. If the  
9 department submits recommendations under this subsection, the recommendations  
10 shall be implemented if the committee approves the recommendations, or does not  
11 schedule a meeting for the purpose of reviewing the recommendations within 14  
12 working days after their receipt.

13 (4mt) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes,  
14 in submitting information under section 16.42 of the statutes for purposes of the  
15 1997-99 biennial budget bill, the department of transportation shall submit  
16 information as follows:

17 (a) A dollar amount for each fiscal year of the 1997-99 fiscal biennium for the  
18 appropriation account under section 20.395 (5) (cq) of the statutes, as affected by this  
19 act, that is \$430,600 less than the total amount appropriated under section 20.395  
20 (5) (cq) of the statutes for the 1996-97 fiscal year, before submitting any information  
21 relating to any increase or decrease in the dollar amount for that appropriation for  
22 the 1997-99 fiscal biennium.

23 (b) A number for the authorized FTE positions for the department of  
24 transportation, to be funded from the appropriation under section 20.395 (5) (cq) of  
25 the statutes, as affected by this act, that is 24.2 SEG positions less than the number

1 of authorized FTE positions funded from that appropriation for the 1996-97 fiscal  
2 year, before submitting any information relating to any increase or decrease in FTE  
3 position authorizations to be funded from that appropriation for the 1997-99 fiscal  
4 biennium.

5 (4t) ELDERLY AND DISABLED TRANSPORTATION EXPENDITURES STUDY. The  
6 department of transportation shall conduct a study to determine the total amount  
7 and sources of all funds expended in this state on transportation services for the  
8 elderly and disabled. On or before July 1, 1996, the department of transportation  
9 shall report the results of its study to the governor, and to the chief clerk of each house  
10 of the legislature for distribution in the manner provided under section 13.172 (2) of  
11 the statutes, as affected by this act. All other state agencies shall cooperate with the  
12 department of transportation in conducting the study.

13 (5mt) REPAVING OF I 43. The department of transportation shall repave that  
14 portion of I 43 with a tined surface beginning before Henry Clay Street and extending  
15 beyond Bender and Devon streets in Milwaukee County, no later than 6 months after  
16 the effective date of this subsection, for the purpose of eliminating the tined surface.  
17 The department shall expend funds not to exceed \$650,000 from the appropriation  
18 under section 20.395 (3) (cq) or (cx) of the statutes, as affected by this act, for the  
19 repaving project.

20 (5t) URBAN RAIL TRANSIT SYSTEMS.

21 (a) The department of transportation shall prepare a report that identifies the  
22 amounts of moneys that the department of transportation intended to expend in the  
23 1995-97 fiscal biennium for the study of any urban rail transit system, including any  
24 light rail transit system, and the appropriations from which the moneys were to be

1 expended, and shall submit the report to the cochairpersons of the joint committee  
2 on finance by August 30, 1995.

3 (b) Upon receiving the report under paragraph (a), the joint committee on  
4 finance may transfer all or part of the moneys from the appropriation accounts  
5 identified in the report to any of the appropriation accounts under section 20.395 (1)  
6 (bq) or (bu) of the statutes, as affected by this act. Upon transfer of any moneys to  
7 the appropriation account under section 20.395 (1) (bq) or (bu) of the statutes, the  
8 amounts in the schedule are increased by the amount transferred for the fiscal year  
9 in which the transfer is made.

10 (6mt) CALCULATION OF RATE. The department of transportation shall determine  
11 the rate for calculating the amount due under section 341.45 (1g) (a) of the statutes,  
12 as affected by this act, for the 3rd quarter of 1995 and the 4th quarter of 1995, 1996  
13 and 1997 by adding the rates for the taxes under chapter 78 of the statutes and the  
14 fee under section 168.12 of the statutes for each of the months in the quarter, by  
15 adding the 3 total rates and by dividing that total by 3.

16 (6t) UNFAIR SALES ACT STUDY. The department of transportation and the  
17 department of agriculture, trade and consumer protection shall jointly develop a  
18 plan for strengthening the enforcement of this state's unfair sales act, particularly  
19 as it relates to the sale of motor vehicle fuel and other petroleum products, and shall  
20 submit a report containing their findings, conclusions and recommendations,  
21 including recommended statutory changes, to the joint committee on finance by  
22 September 30, 1995.”.

23 **874.** Page 2403, line 6: delete the material beginning with that line and  
ending with page 2404, line 16.

1           **875.** Page 2404, line 16: after that line insert:

2           “(2e) GENERAL PROGRAM OPERATIONS. The authorized FTE positions for the  
3 office of state treasurer, funded from the appropriation under section 20.585 (1) (kb)  
4 of the statutes, are increased by 6.13 PR positions for services for general program  
5 operations of the office of state treasurer.”.

6           **876.** Page 2409, line 18: delete the material beginning with “ensures” and  
ending with “budget;” on line 20.

7           **877.** Page 2410, line 13: delete lines 13 to 19.

8           **878.** Page 2428, line 23: after that line insert:

9           “(13b) COMMISSION ON PRIVATIZATION.

10          (a) *Creation; duties.*

11          1. In this subsection:

12          a. “Commission” means the commission on privatization created under  
13 subdivision 2.

14          b. “State agency” has the meaning given in section 20.001 (1) of the statutes.

15          2. There is created a special committee to be called the commission on  
16 privatization consisting of the following:

17          (a) The governor or his or her designee.

18          1. The secretary of administration or his or her designee.

19          a. Two senators and 2 representatives to the assembly, representing the  
20 majority and minority parties in each house, appointed in the same manner as  
21 members of standing committees.

22          b. One employe of the department of administration designated by the  
23 secretary of administration to serve as the nonvoting secretary of the commission.

1           c. Nine members appointed by the governor who are not public officers or  
2 employes. In making these appointments, the governor shall include one or more  
3 business owners and managers, employes who are not owners or managers,  
4 representatives of labor organizations, and theoreticians or consultants in the fields  
5 of business organization or management, personnel management or employment  
6 relations.

7           3. All members of the commission shall be designated or appointed within 10  
8 days after the effective date of this subdivision.

9           4. The governor shall designate one of the members of the commission to serve  
10 as the chairperson of the commission and shall call the first meeting of the  
11 commission. At the first meeting, the commission shall select 2 vice chairpersons.  
12 The commission shall hold meetings at the call of the chairperson or upon the written  
13 request of 5 members of the commission. A majority of the members of the  
14 commission who are entitled to vote constitutes a quorum to do business. Each  
15 member of the commission shall serve without compensation for his or her services,  
16 but shall be reimbursed for his or her actual and necessary expenses incurred in the  
17 performance of his or her duties.

18           5. The commission may accept gifts, grants, bequests and devises that are  
19 made to fund the expenses of the commission. All moneys received under this  
20 paragraph shall be credited to the appropriation account under section 20.505 (3)  
21 (gb) of the statutes, as created by this act.

22           6. a. The commission shall study and evaluate all functions of state  
23 government that may be delegated to the private sector at a cost savings to state  
24 taxpayers.

1           b. The commission may appoint subcommittees, which may be assigned by the  
2 commission to develop recommendations for inclusion in specific reports.

3           c. The commission shall submit reports of its findings and any  
4 recommendations to the competitive enterprise review board, as created by this act.

5           d. The commission may propose legislation to carry out its recommendations  
6 by submitting its legislative proposals to the competitive enterprise review board, as  
7 created by this act. The commission may hold public hearings on its legislative  
8 proposals.

9           7. The commission may call upon any state agency to make available the  
10 resources, facilities or data of the state agency for use by the commission. Each state  
11 agency shall cooperate with the commission to the fullest extent possible, including  
12 the provision, if requested by the commission, of staff assistance.

13           8. The commission shall submit its reports under subdivision 6. c. and all of its  
14 legislative proposals under subdivision 6. d. no later than the first day of the 7th  
15 month beginning after the effective date of this subsection. Upon submittal of its  
16 reports, the commission ceases to exist.

17           **SECTION 9201. Appropriation changes; administration.**

18           (1) FUNDING OF COMMISSION ON PRIVATIZATION. If the moneys appropriated under  
19 section 20.505 (3) (a) of the statutes are not sufficient to fund the operation of the  
20 commission on privatization, as created by this act, in conformity with the budget for  
21 the commission approved by the joint committee on finance under section 16.40 (14)  
22 of the statutes the secretary of administration shall transfer sufficient moneys from  
23 the appropriation account under section 20.505 (1) (a) of the statutes to the  
24 appropriation account under section 20.505 (3) (a) of the statutes to provide for the  
25 operation of the commission. Upon such transfer, the amount in the schedule for the

1 appropriation under section 20.505 (3) (a) of the statutes is increased by the amount  
2 transferred during the fiscal year for which the transfer is made.”.

3 **879.** Page 2428, line 23: after that line insert:

4 “(14h) REPORTS CONCERNING POTENTIAL SPONSORSHIP OF STATE PUBLICATIONS.

5 (a) In this subsection, “executive branch agency” has the meaning given in  
6 section 16.70 (4) of the statutes.

7 (b) No later than January 1, 1996, each executive branch agency shall submit  
8 to the secretary of administration a report which describes the documents and other  
9 materials published by the agency and the mailings by the agency of substantially  
10 similar materials in bulk quantities. The report shall address the appropriateness  
11 and feasibility of securing sponsorship for such documents, materials and mailings,  
12 if the agency were authorized by law to do so, including specific types of sponsorship  
13 for specific documents, materials and mailings. An executive branch agency may  
14 conduct such surveys as may be required to obtain necessary data for the report  
15 prepared by the agency.

16 (c) The secretary of administration shall examine the reports received under  
17 paragraph (b) and shall report to the legislature in the manner prescribed under  
18 section 13.172 (2) of the statutes, concerning any legislative proposals that may be  
19 required to implement recommendations of the secretary concerning sponsorship for  
20 documents, materials or mailings of executive branch agencies.”.

21 **880.** Page 2428, line 23: after that line insert:

22 “(14g) LIMITATION ON FILLING OF VACANT POSITIONS.

23 (a) In this subsection:

1           1. “Executive branch agency” has the meaning given in section 16.70 (4) of the  
2 statutes.

3           2. “Position” has the meaning given in section 230.03 (11) of the statutes.

4           (b) For each fiscal year in the 1995–97 fiscal biennium, the secretary of  
5 administration shall require each executive branch agency to identify each position  
6 for that agency that became vacant during the preceding fiscal year. In each fiscal  
7 year in the 1995–97 fiscal biennium, the secretary shall ensure that no executive  
8 branch agency fills a number of full–time equivalent positions that become vacant  
9 exceeding 75% of the total full–time equivalent positions for that agency identified  
10 under this paragraph for the preceding fiscal year. Notwithstanding section 16.50  
11 (1) (a) of the statutes, the secretary shall require each executive branch agency to  
12 submit expenditure estimates for the filling of all vacant full–time equivalent  
13 positions during the 1995–97 fiscal biennium and shall withhold approval of any  
14 expenditure estimate for the filling of a position that is inconsistent with this  
15 subsection.”.

16           **881.** [Page 2431, line 4](#): after that line insert:

17           **“SECTION 9216. Appropriation changes; development.**

18           (2b) DEVELOPMENT FUND REPAYMENTS LAPSE. Notwithstanding section 20.001 (3)  
19 (c) of the statutes, on July 1, 1996, there is lapsed to the general fund \$250,000 from  
20 the appropriation account of the department of development under section 20.143 (1)  
21 (ie) of the statutes, as affected by the acts of 1995.”.

22           **882.** [Page 2434, line 2](#): after that line insert:

23           “(2mt) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM. There is  
24 transferred from the appropriation account to the department of natural resources



1 under section 20.370 (9) (mr) of the statutes, as affected by the acts of 1995, to the  
2 appropriation account to the department of transportation under section 20.395 (5)  
3 (dk) of the statutes, as affected by the acts of 1995, \$47,500 in fiscal year 1996-97.”.

4 **883.** Page 2434, line 24: delete the material beginning with that line and  
ending with page 2435, line 15, and substitute:

5 “(3t) PROGRAM FEE LAPSE. The unencumbered balance in the appropriation  
6 account under section 20.575 (1) (g) of the statutes on July 1, 1996, shall lapse to the  
7 general fund.”.

8 **884.** Page 2436, line 12: after that line insert:

9 “(2mt) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM.

10 (a) There is transferred from the appropriation account to the department of  
11 transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts  
12 of 1995, to the appropriation account to the department of transportation under  
13 section 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$32,400 in fiscal  
14 year 1996-97.

15 (b) There is transferred from the appropriation account to the department of  
16 transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of  
17 1995, to the appropriation account to the department of transportation under section  
18 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$15,100 in fiscal year  
19 1996-97.

20 (2mu) HAZARDOUS MATERIALS TRANSPORTATION FEES. Notwithstanding section  
21 20.001 (3) (b) of the statutes, the unencumbered balance in the appropriation account  
22 under section 20.395 (4) (bh) of the statutes, as affected by this act, immediately  
23 before the effective date of this subsection shall lapse to the transportation fund.”.

1           **885.** Page 2437, line 12: after that line insert:

2           “(3x) EXHAUSTION OF ADMINISTRATIVE REMEDIES. The treatment of section 801.02  
3 (7) of the statutes first applies to acts or omissions occurring on the effective date of  
4 this subsection.”.

5           **886.** Page 2437, line 15: delete “and (5) (a) and (b)” and substitute “(by  
SECTION 7172) and (5) (a) and (b) (by SECTION 7174)”.

6           **887.** Page 2437, line 16: after that line insert:

7           “(4x) CIRCUIT COURT FORFEITURE FEES. The treatment of section 814.63 (1) (b) (by  
8 SECTION 7172d) and (5) (by SECTION 7172f) of the statutes first applies to actions  
9 commenced on the effective date of this subsection.”.

10          **888.** Page 2438, line 5: after that line insert:

11          “(7f) UNCLAIMED PROPERTY. The treatment of sections 177.13 and 800.095 (7m)  
12 of the statutes first applies to money received by the municipality on the effective  
13 date of this subsection.”.

14          **889.** Page 2438, line 8: after that line insert:

15          “(8e) MUNICIPAL COURT SUMMONS AND COMPLAINT OR CITATION. The treatment of  
16 section 800.01 (2) (a) of the statutes first applies to the service of a summons and  
17 complaint or citation on the effective date of this subsection.”.

18          **890.** Page 2440, line 1: delete “PERMISSIVE AND”.

19          **891.** Page 2440, line 2: delete “and” and substitute “(as it relates to the  
cross-reference to section 111.70 (4) (m) of the statutes) and”.

20          **892.** Page 2440, line 5: after that line insert:

1           “(2g) MUNICIPAL EMPLOYERS; PERMISSIVE SUBJECTS OF BARGAINING. The treatment  
2 of section 111.70 (1) (a) (as it relates to the cross-reference to section 111.70 (4) (m)  
3 of the statutes) and (4) (n) of the statutes first applies to employes who are affected  
4 by a collective bargaining agreement that contains provisions inconsistent with that  
5 treatment on the day on which the collective bargaining agreement expires or is  
6 extended, modified or renewed, whichever occurs first.

7           (2h) DISPUTE SETTLEMENT FOR NONPROTECTIVE COUNTY EMPLOYES. The treatment  
8 of section 111.70 (1) (nm), (4) (ce) and (cm) 9. b. and (7m) (f) of the statutes first applies  
9 with respect to collective bargaining agreements entered into on the effective date  
10 of this subsection.

11           (2i) LOCAL GOVERNMENT INTEREST ARBITRATION FACTORS. The treatment of section  
12 111.70 (4) (cm) 7. hm. of the statutes first applies with respect to petitions for  
13 arbitration filed under section 111.70 (4) (cm) 6. of the statutes on the effective date  
14 of this subsection.”.

15           **893.** [Page 2443, line 9](#): delete “and 4.”.

16           **894.** [Page 2444, line 10](#): delete lines 10 to 13.

17           **895.** [Page 2445, line 4](#): after that line insert:

18           “(2t) INTERIM ALLOWANCES. The repeal of section 13.123 (2) of the statutes first  
19 applies beginning with the month in which this subsection takes effect.”.

20           **896.** [Page 2447, line 2](#): after that line insert:

21           “(11z) STEWARDSHIP FUNDING. The treatment of section 23.0915 (1m) (a) 1. and  
22 (b) of the statutes first applies to moneys encumbered or expended from the  
23 appropriation under section 20.866 (2) (tz) of the statutes, as affected by this act, on  
24 the effective date of this subsection.”.

1

2           **897.** Page 2447, line 3: delete lines 3 to 5.

3           **898.** Page 2449, line 24: after “transfer” insert “and merged attendance area”;  
substitute “sections” for “section”; and after “2.” insert “and 121.86 (2) (a) 2. and (3)”.

4           **899.** Page 2449, line 25: after that line insert:

5           “(10m) SCHOOL PRINCIPAL LICENSE. The treatment of section 118.19 (11) of the  
6 statutes first applies to applications for the renewal of a school principal license that  
7 are received by the department of public instruction on the effective date of this  
8 subsection.”.

9           **900.** Page 2450, line 3: delete “1995–96” and substitute “1994–95”.

10          **901.** Page 2450, line 17: after that line insert:

11          “(3b) DENIAL OF CREDENTIAL RENEWAL FOR TAX DELINQUENCY. The treatment of  
12 sections 440.03 (7) and 440.08 (2) (c) and (4) of the statutes and the creation of  
13 sections 440.03 (12) and 440.08 (2g), (2r) and (4) (b) of the statutes first apply to  
14 applications submitted the department of regulation and licensing to renew  
15 credentials that expire on or after January 1, 1996.”.

16          **902.** Page 2451, line 1: delete lines 1 to 3.

17          **903.** Page 2451, line 7: after that line insert:

18          “(4m) The treatment of sections 71.02 (1) (as it relates to pension income) and  
19 71.05 (1) (a) of the statutes first applies to taxable years beginning on January 1,  
20 1996.”.

21          **904.** Page 2451, line 10: after that line insert:

1           “(4t) WISCONSIN ELECTION CAMPAIGN FUND. The treatment of section 71.10 (3)  
2 and (5e) of the statutes first applies to taxable years beginning on January 1, 1995.”.

3           **905.** Page 2451, line 10: after that line insert:

4           “(4x) BOND AND NOTE INTEREST INCOME. The treatment of section 71.26 (1) (g)  
5 and (h) of the statutes first applies to taxable years beginning on January 1, 1995.”.

6           **906.** Page 2451, line 14: delete “1995” and substitute “1996”.

7           **907.** Page 2451, line 19: delete lines 19 to 22 and substitute: “15., 71.07 (2dd),  
(2de), (2dj) (d) and (h) and (2ds) (c) and (h), 71.08 (1) (intro.), 71.10 (4) (gd), (ge), (gs),  
(gt) and (i), 71.26 (2) (a), 71.28 (1dd), (1de), (1dj) (d) and (h) and (1ds) (c) and (h), 71.30  
(3) (eb), (ec) and (f), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dd), (1de), (1dj) (d) and (h)  
and (1ds) (c) and (h), 71.49 (1) (eb), (ec), (en), (eo) and (f), 73.03 (35),”.

8           **908.** Page 2452, line 8: delete lines 8 and 9.

9           **909.** Page 2452, line 11: delete “and (d)”.

10          **910.** Page 2452, line 21: after that line insert:

11          “(11mt) MOTOR VEHICLE FUEL EXEMPTIONS. The treatment of sections 78.005  
12 (13g), 78.01 (2) (e) and (2m) (f), 78.40 (1) and 78.75 (1m) (a) 2. and 3. of the statutes  
13 first applies to fuel purchased on the first day of the first month beginning after  
14 publication.

15          (11mu) GROSS FARM PROFITS CERTIFICATION. The treatment of section 73.03  
16 (29m) of the statutes first applies to taxable years beginning on January 1, 1996.”.

17          **911.** Page 2453, line 6: after that line insert:

18          “(2m) SEGREGATED FEES. The treatment of section 36.27 (1) (d) of the statutes  
19 first applies to fees charged for the first fall semester beginning after publication.”.

1           **912.** Page 2453, line 6: after that line insert:

2           “**SECTION 9355. Initial applicability; transportation.**

3           (1) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections  
4           344.12, 344.14 (2) (e) and 346.70 (1) of the statutes first applies to accidents occurring  
5           on the effective date of this subsection.

6           (2) COMMERCIAL DRIVER LICENSES. The treatment of sections 343.10 (2) (a) 1.,  
7           343.245 (4) (b), 343.28 (1) and (2), 343.315 (2) (f) (intro.), (fm), (h) and (i) and 343.44  
8           (4r) of the statutes first applies to offenses and refusals committed on the effective  
9           date of this subsection, but does not preclude the counting of other convictions,  
10          suspensions, revocations, disqualifications or refusals as prior convictions,  
11          suspensions, revocations, disqualifications or refusals for purposes of sentencing a  
12          person, suspending or revoking a person’s operating privilege, disqualifying a person  
13          from operating a commercial motor vehicle or determining eligibility for an  
14          occupational license or authorization to operate certain vehicles.

15          (3) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)  
16          (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the  
17          creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3. of the statutes first apply  
18          to urban mass transit operating assistance payments for calendar year 1996.”.

19          **913.** Page 2453, line 18: after that line insert:

20          “(3v) VETERANS TUITION AND FEE REIMBURSEMENT. The treatment of section 45.25  
21          (3) (a) of the statutes first applies to courses begun after June 30, 1996.”.

22          **914.** Page 2453, line 20: delete lines 20 to 22.

23          **915.** Page 2453, line 23: delete lines 23 to 25.

24          **916.** Page 2454, line 1: delete lines 1 and 2.

1           **917.** Page 2454, line 3: delete lines 3 to 5.

2           **918.** Page 2454, line 10: after that line insert:

3           “(4mt) COMPARABLE BUSINESS PROPERTY.

4           (a) The treatment of section 32.05 (8) (a) and (c) of the statutes first applies to  
5 transfers of property on the effective date of this paragraph.

6           (b) The treatment of section 32.25 (2) (b) and (c) of the statutes first applies to  
7 plans filed with the department of industry, labor and human relations under section  
8 32.25 of the statutes on the effective date of this paragraph.”.

9           **919.** Page 2456, line 9: delete that line and substitute: “and (h) and 48.982  
(7) (a) of the statutes and the amendment of section 69.22 (1) (c) (by SECTION 3343d  
of the statutes takes effect on January 1, 1996.”.

10           **920.** Page 2456, line 23: after the first comma insert “48.355 (4) (a) (by  
SECTION 2465n),”.

11           **921.** Page 2457, line 2: after that line insert:

12           “(3x) EXHAUSTION OF ADMINISTRATIVE REMEDIES. The treatment of section 801.02  
13 (7) of the statutes takes effect on November 1, 1995.”.

14           **922.** Page 2457, line 17: delete the comma and substitute “and”.

15           **923.** Page 2457, line 18: after that line insert:

16           “(4x) CIRCUIT COURT FORFEITURE FEES. The treatment of section 814.63 (1) (b) (by  
17 SECTION 7172d) and (5) (by SECTION 7172f) of the statutes and SECTION 9310 (4x) of  
18 this act take effect on October 1, 1995.”.

19           **924.** Page 2457, line 18: delete “and 946.46 (by SECTION 7235x)”.

20           **925.** Page 2458, line 9: delete “, (cm)”.

- 1           **926.** Page 2459, line 13: after “560.31” insert “(title) and (1) to (2m)”.
- 2           **927.** Page 2459, line 15: after the comma insert “the renumbering of section  
560.31 (3) of the statutes,”.
- 3           **928.** Page 2459, line 22: delete lines 22 and 23.
- 4           **929.** Page 2460, line 5: after that line insert:  
5           “(6t) MEXICO TRADE OFFICE. The repeal of section 20.143 (1) (bs) of the statutes  
6           takes effect on July 1, 1997.”.
- 7           **930.** Page 2460, line 14: delete “takes” and substitute: “and the repeal and  
recreation of section 111.71 (2) (by SECTION 3803t) of the statutes take”.
- 8           **931.** Page 2460, line 14: delete the first “and (2)”.
- 9           **932.** Page 2460, line 15: delete lines 15 and 16.
- 10          **933.** Page 2461, line 21: delete “treatment” and substitute “amendment”.
- 11          **934.** Page 2461, line 23: delete “treatment” and substitute “amendment”.
- 12          **935.** Page 2463, line 18: delete “, CHILD SUPPORT AND PATERNITY”.
- 13          **936.** Page 2463, line 24: delete “(1) (k) and”.
- 14          **937.** Page 2463, line 25: delete “20.855 (7) (j), 21.49 (2) (e), 36.11 (6)”.
- 15          **938.** Page 2464, line 1: delete “(b), 36.25 (14), 36.34 (1) (b),”; and delete “45.25  
16          (4) (b), 45.351”.
- 17          **939.** Page 2464, line 2: delete that line and substitute: “46.011 (intro.), 46.03  
(8), (18)”.
- 17          **940.** Page 2464, line 5: delete “and (14) (b)”.



- 1           **941.** Page 2464, line 9: delete that line and substitute: “(7), 46.253 (title), (1),  
(2),”.
- 2           **942.** Page 2464, line 11: delete “46.255, 46.258 (title), (1)”.
- 3           **943.** Page 2464, line 12: delete that line and substitute: “46.26 (2) (a) and (4)  
(f), 46.27 (4) (c) 4.”.
- 4           **944.** Page 2464, line 16: delete that line and substitute: “4., 48.06 (1) (b) and  
(4),”.
- 5           **945.** Page 2464, line 17: delete “(1), 48.57” and substitute “48.57”.
- 6           **946.** Page 2464, line 25: delete “49.25 (8) (a)”.
- 7           **947.** Page 2465, line 1: delete that line and substitute: “49.27 (2), (4) (g) 1.  
a. (by SECTION 2906)”.
- 8           **948.** Page 2465, line 2: delete “, (10) (e) (by SECTION 2915b)”.
- 9           **949.** Page 2465, line 16: delete “(2),”.
- 10          **950.** Page 2465, line 18: delete “(97) and”; and delete “59.395”.
- 11          **951.** Page 2465, line 19: delete that line and substitute: “71.05 (3), 71.26 (1)  
(e),”.
- 12          **952.** Page 2465, line 20: delete lines 20 and 21.
- 13          **953.** Page 2465, line 22: delete “3424ds,”; delete “2. and”; and delete “77.59  
(5),”.
- 14          **954.** Page 2465, line 23: delete “108.13 (4)”.
- 15          **955.** Page 2465, line 24: delete “(b) and (f),”; and delete “144.25 (8) (L),”.
- 16          **956.** Page 2465, line 25: delete “145.245 (5m) (b),”.

1           **957.** Page 2466, line 1: delete that line and substitute: “230.147 (1) and (2),  
230.45 (1) (e),”.

2           **958.** Page 2466, line 2: delete that line and substitute: “252.076 (3), 252.14  
(1) (d), 253.085 (1),”.

3           **959.** Page 2466, line 3: delete “343.15 (2) (a),”.

4           **960.** Page 2466, line 4: delete “565.30 (5) and (5m),”.

5           **961.** Page 2466, line 6: delete that line.

6           **962.** Page 2466, line 7: delete that line and substitute: “767.078 (1) (d) 1. and  
3.,”.

7           **963.** Page 2466, line 8: delete that line and substitute: “767.10 (2) (b),”.

8           **964.** Page 2466, line 9: delete that line and substitute: “767.25 (4m) (a) and  
(e) 1.,”.

9           **965.** Page 2466, line 10: delete that line and substitute: “767.29 (2), 767.295  
(2) (a) (intro.) (by SECTION 7106) and 2.,”.

10          **966.** Page 2466, line 11: delete lines 11 and 12 and substitute: “767.51 (3m)  
(a) and (e) 1.,”.

11          **967.** Page 2466, line 12: delete “(by SECTION 7121c)”.

12          **968.** Page 2466, line 13: delete “769.201 (7), 769.31 (1),”.

13          **969.** Page 2466, line 17: delete “948.01”.

14          **970.** Page 2466, line 18: delete that line and substitute: “948.45 (2) and  
978.05 (4m) of the statutes, the repeal”.

15          **971.** Page 2466, line 21: delete “(e), (eb) and (g)” and substitute “(e) and (eb)”.

1           **972.** Page 2466, line 24: delete “(c), (cd),”.

2           **973.** Page 2466, line 25: delete “(j),”.

3           **974.** Page 2467, line 1: on lines 1 and 2, delete “46.258 (2) (a) (intro.),”.

4           **975.** Page 2471, line 24: after that line insert:

5           “(30g) TRANSFER OF CHILD SUPPORT AND PATERNITY PROGRAMS TO THE DEPARTMENT  
6           OF REVENUE. The treatment of sections 20.445 (1) (k), 20.566 (4) (title), (a), (i), (jb),  
7           (kx), (ky), (kz), (n) and (nL), 20.855 (7) (j), 21.49 (2) (e), 36.11 (6) (b), 36.25 (14), 36.34  
8           (1) (b), 45.25 (4) (b), 45.351 (2) (c), 45.356 (6), 45.396 (6), 45.74 (6), 46.03 (7) (b) and  
9           (bm), 46.10 (14) (b), 46.25 (title), (1), (2) to (7) and (7m) to (11) (by SECTION 2129m),  
10          46.255 (title), (1), (2), (2m), (3), (4), (4m) (a), (b), (c) and (d), (5), (6) and (7), 46.258  
11          (title), (1) (by SECTION 2158b), (2) (a) (intro.) (by SECTION 2160b), and 1. to 3. and (b),  
12          48.025 (1) and (3), 48.30 (6), 48.31 (7), 48.357 (5m), 48.363 (1), 49.25 (8) (a) (by  
13          SECTION 2896b) and (b) (by SECTION 2898b), 49.27 (10) (e) (by SECTION 2915b), 49.90  
14          (2), 59.07 (97), 59.395 (7), 59.458 (2), 69.03 (14), 69.15 (3) (b) 3., 71.75 (1) (by SECTION  
15          3419p) and (9) (by SECTION 3420p), 71.78 (4) (g), 71.80 (3) (by SECTION 3423mp), (3m)  
16          (a) (by SECTION 3423sc) and (b) 2. (by SECTION 3423tm), 71.88 (1) (a) (by SECTION  
17          3424ds), 71.93 (1) (a) 2., 73.03 (51) and (52), 73.25 (1), 73.253, 77.59 (5), 108.13 (4)  
18          (b) and (f), 144.25 (8) (L), 145.245 (5m) (b), 234.04 (2), 234.49 (1) (c), 234.59 (3) (c),  
19          234.65 (3) (f), 234.90 (3) (d) and (3g) (c), 234.905 (3) (d), 343.15 (2) (a), 565.30 (5) and  
20          (5m), 767.001 (1) and (1d), 767.02 (3), 767.045 (1) (c) 1. and 2., 767.075 (1) (a) and (b)  
21          and (2) (a) and (b), 767.077 (intro.), 767.08 (3), 767.085 (1) (g), (2) (b), (2m) (a) 2. and  
22          (5), 767.13 (7), 767.15 (2), 767.23 (1n), 767.24 (6) (b), 767.25 (1g), (1j) and (4m) (d) 2.,  
23          767.262 (1) (b) and (3), 767.27 (3) (b) and (4), 767.29 (1), 767.295 (2) (a) and (c), 767.32  
24          (1) (a), (b) 4., (c) 1., (2) and (4), 767.33 (1), 767.45 (7), 767.455 (6), 767.47 (6) (a), 767.51

1 (3m) (d) 2., (4g) and (4m), 767.52 (3), 767.53 (2), 769.201 (7), 769.31 (1), 948.01 (1g),  
2 949.08 (2) (g) and 978.06 (6) of the statutes, the renumbering of section 20.435 (4) (g)  
3 of the statutes, the renumbering and amendment of section 20.435 (4) (c), (cd) and  
4 (j) of the statutes and SECTIONS 9126 (15g), 9130 (16gg) and 9148 (2gg) of this act take  
5 effect on July 1, 1996.”.

6 **976.** Page 2472, line 3: delete “39.155 (1) and (2),”.

7 **977.** Page 2472, line 3: delete “(1) and”.

8 **978.** Page 2472, line 12: after “sections” insert “39.155 (1) and (2),”.

9 **979.** Page 2472, line 12: after “sections” insert: “39.155 (1),”.

10 **980.** Page 2474, line 7: delete “104.04,”.

11 **981.** Page 2474, line 11: delete “144.266 (2),”.

12 **982.** Page 2474, line 20: after “(intro.)” insert “(by SECTION 7148c)”.

13 **983.** Page 2474, line 22: after the comma insert: “the amendment of section  
14 104.04 of the statutes (by SECTION 3765p),”.

14 **984.** Page 2474, line 23: after “(1) (L),” insert “101.02 (20),”.

15 **985.** Page 2474, line 25: delete “and 101.973 (8)” and substitute: “, 101.973  
16 (8) and 144.266 (2)”.

16 **986.** Page 2475, line 18: delete lines 18 to 21 and substitute:

17 “(1) PUBLIC INTERVENOR. The treatment of sections 18.13 (4), 165.07, 165.075  
18 and 814.245 (2) (d) of the statutes takes effect on the first day of the 2nd month  
19 beginning after publication.”.

1           **987.** Page 2477, line 11: delete that line and substitute: “649), (dL) and (hq)  
(by SECTION 656b), 25.40 (1) (a) 5., 144.449 (1) (am) and (3) (f), 159.17 and 342.14 (1m)  
of the statutes takes”.

2           **988.** Page 2478, line 13: after that line insert:

3           **“SECTION 9444. Effective dates; public defender board.**

4           (1x) DETERMINATION OF INDIGENCY. The amendment of section 977.06 (1) (a) of  
5 the statutes takes effect on July 1, 1996.”.

6           **989.** Page 2478, line 23: delete “111.70 (1) (ne),”.

7           **990.** Page 2479, line 7: after “(e) 9.” insert “and (t)”.

8           **991.** Page 2479, line 18: delete lines 18 to 20.

9           **992.** Page 2480, line 25: after that line insert:

10          “(1x) USE-VALUE ASSESSMENT.

11          (a) The treatment of sections 70.05 (5) (a) 1m., 70.32 (1r), (2) (a) (intro.) and  
12 5. to 7., (b) and (c) 1., (2m) and (2r), 70.57 (3), 73.03 (2a) and (49), 74.48, 76.125 (1),  
13 77.84 (2) (c), 452.05 (1m) (a) 2. and 895.52 (6) (d) 3. of the statutes takes effect on  
14 January 1, 1996.

15          (b) The treatment of sections 20.292 (1) (am) and 38.04 (27) of the statutes  
16 takes effect on July 1, 1996.”.

17          **993.** Page 2480, line 25: after that line insert:

18          “(1g) CIGARETTE TAX. The treatment of section 139.31 (1) (a) and (b) of the  
19 statutes takes effect on September 1, 1995.”.

20          **994.** Page 2481, line 8: delete lines 8 to 12.

21          **995.** Page 2482, line 16: after that line insert:

1           “(4bt) BUSINESS FILING SERVICES. The repeal of section 20.575 (1) (gb) of the  
2 statutes, the renumbering and amendment of sections 14.38 (12) and 14.38 (14) of  
3 the statutes, the amendment of sections 14.38 (9), 16.752 (7) (a) 1., 44.03 (1), 44.03  
4 (2), 71.80 (12), 84.02 (4) (b), 88.05 (6), 96.17 (6), 100.23 (5) (b) (intro.), 100.23 (5) (b)  
5 2., 100.23 (5) (b) 4., 100.23 (6) (intro.), 100.23 (6) (c), 102.17 (1) (a), 111.07 (2) (a),  
6 133.12, 134.45 (3) (b), 139.34 (9), 157.062 (1), 157.062 (2), 157.062 (6) (b), 157.062  
7 (6m), 157.062 (9), 157.064 (7), 157.62 (1) (a) (intro.), 157.62 (1) (c), 179.03 (2), 179.04  
8 (2), 179.11 (1) (intro.), 179.11 (2), 179.12 (1) (intro.), 179.12 (6), 179.13 (intro.), 179.14  
9 (1) (intro.), 179.15, 179.16 (title), 179.16 (1) (intro.), 179.16 (1) (b), 179.16 (2), 179.16  
10 (3) (a) (intro.), 179.16 (3) (a) 2., 179.16 (4) (intro.), 179.16 (5), 179.18, 179.185 (1),  
11 179.185 (4), 179.19, 179.24 (1) (b), 179.82 (intro.), 179.82 (5), 179.83 (1) (intro.),  
12 179.83 (1) (b), 179.84, 179.85, 179.86 (1), 179.86 (2), 179.87 (4), 179.88, 180.0120 (1)  
13 (intro.), 180.0120 (1) (d), 180.0120 (1) (f), 180.0120 (1) (g), 180.0120 (2), 180.0120 (4),  
14 180.0121 (1) (a) (intro.), 180.0121 (1) (b), 180.0121 (2), 180.0122 (1) (intro.), 180.0122  
15 (2), 180.0122 (3) (intro.), 180.0122 (4), 180.0123 (1) (a) (intro.), 180.0123 (1) (b),  
16 180.0124 (1), 180.0124 (2) (intro.), 180.0125 (title), 180.0125 (1), 180.0125 (2) (a),  
17 180.0125 (2) (b), 180.0125 (3) (a), 180.0125 (3) (b), 180.0125 (3) (c), 180.0125 (4)  
18 (intro.), 180.0126, 180.0127, 180.0128 (1), 180.0128 (2) (b) 3., 180.0128 (3), 180.0128  
19 (4), 180.0128 (5), 180.0128 (6), 180.0129 (1), 180.0203 (2), 180.0401 (2) (a) (intro.),  
20 180.0401 (3) (intro.), 180.0401 (3) (a), 180.0401 (3) (b), 180.0402 (1), 180.0402 (2),  
21 180.0403 (1) (a), 180.0403 (1) (c), 180.0403 (2), 180.0403 (3m), 180.0502 (1) (a),  
22 180.0502 (1) (c), 180.0502 (3), 180.0503 (1) (intro.), 180.0503 (2), 180.0503 (3) (a),  
23 180.0504 (3) (a) (by SECTION 4584b), 180.0504 (3) (b), 180.0602 (2) (intro.), 180.0602  
24 (3), 180.0620 (1) (b), 180.0631 (3) (b) (intro.), 180.0860 (1), 180.0860 (2), 180.1002 (4),  
25 180.1006 (intro.), 180.1007 (4) (intro.), 180.1008 (2) (intro.), 180.1104 (4), 180.1105

1 (1) (intro.), 180.1107 (3) (a), 180.1401 (2) (intro.), 180.1403 (1) (intro.), 180.1404 (3)  
2 (intro.), 180.1420 (intro.), 180.1420 (1), 180.1420 (2), 180.1420 (4), 180.1421 (1),  
3 180.1421 (2) (a), 180.1421 (2) (b), 180.1422 (1) (intro.), 180.1422 (2) (a) (intro.),  
4 180.1422 (2) (a) 2., 180.1422 (2) (b), 180.1423 (1), 180.1423 (2), 180.1423 (3), 180.1433  
5 (1), 180.1501 (1), 180.1502 (5) (b), 180.1503 (1) (intro.), 180.1503 (1) (j), 180.1504 (1)  
6 (intro.), 180.1506 (1), 180.1506 (2) (a) (intro.), 180.1506 (3) (intro.), 180.1506 (3) (a),  
7 180.1506 (3) (b), 180.1508 (1) (intro.), 180.1508 (2), 180.1509 (1) (intro.), 180.1509 (2),  
8 180.1509 (3) (a), 180.1510 (4) (a) (intro.), 180.1510 (4) (b) 1. (by SECTION 4635b),  
9 180.1510 (4) (b) 2., 180.1520 (1), 180.1520 (2) (intro.), 180.1520 (2) (e), 180.1530 (1)  
10 (intro.), 180.1530 (1) (a), 180.1530 (1) (b), 180.1530 (1) (d), 180.1530 (1) (f), 180.1530  
11 (1m), 180.1530 (2), 180.1531 (1), 180.1531 (2) (a), 180.1531 (2) (b), 180.1531 (2) (c) 1.  
12 (intro.), 180.1531 (2) (c) 1. b., 180.1531 (4), 180.1532 (1), 180.1532 (2), 180.1622  
13 (title), 180.1622 (1) (intro.), 180.1622 (1) (i), 180.1622 (2) (a), 180.1622 (2) (b),  
14 180.1622 (3) (a), 180.1622 (3) (b), 180.1622 (4), 180.1622 (5), 180.1708 (1), 180.1708  
15 (8) (b), 180.1909, 180.1921 (1), 180.1921 (2), 180.1921 (4), 181.06 (3) (intro.), 181.07  
16 (2), 181.07 (3), 181.07 (5), 181.08, 181.09 (1) (intro.), 181.095 (1) (intro.), 181.095 (3),  
17 181.10 (3), 181.265, 181.32 (1), 181.32 (2), 181.38, 181.39 (2), 181.40, 181.45 (2),  
18 181.45 (3), 181.46, 181.55, 181.561 (intro.), 181.561 (1), 181.561 (2), 181.561 (4),  
19 181.562 (1), 181.562 (2) (a), 181.562 (2) (b), 181.563 (1) (intro.), 181.563 (2) (a) (intro.),  
20 181.563 (2) (a) 2., 181.563 (2) (b), 181.564 (1), 181.564 (2), 181.564 (3), 181.63,  
21 181.651 (2), 181.651 (3), 181.651 (5), 181.651 (6), 181.651 (7), 181.66 (2), 181.667  
22 (intro.), 181.667 (1), 181.667 (3), 181.67 (1) (a), 181.67 (1) (b), 181.67 (2) (a), 181.67  
23 (2) (b), 181.67 (3) (a), 181.67 (3) (b), 181.67 (4), 181.67 (5), 181.67 (6) (a) (intro.), 181.67  
24 (6) (a) 2., 181.68 (1) (intro.), 181.68 (1) (b), 181.68 (1) (e), 181.68 (1) (f), 181.68 (3),  
25 181.69, 181.73 (title), 181.73 (1), 181.74, 182.031 (2), 182.34 (7), 182.45, 183.0102

1 (17), 183.0103 (2) (intro.), 183.0103 (4) (intro.), 183.0103 (4) (a), 183.0103 (4) (b),  
2 183.0104 (1), 183.0104 (2), 183.0104 (3) (a), 183.0104 (3) (c), 183.0105 (2) (a),  
3 183.0105 (2) (c), 183.0105 (4), 183.0105 (5) (intro.), 183.0105 (6), 183.0105 (8) (c),  
4 183.0107 (1) (intro.), 183.0107 (3), 183.0108 (1) (intro.), 183.0108 (1) (c), 183.0108 (1)  
5 (e), 183.0108 (1) (f), 183.0108 (2), 183.0108 (3), 183.0109 (1) (a) (intro.), 183.0109 (1)  
6 (b) (by SECTION 4768b), 183.0109 (2), 183.0110 (title), 183.0110 (1), 183.0110 (2) (a),  
7 183.0110 (2) (b), 183.0110 (3) (a), 183.0110 (3) (b), 183.0110 (3) (c), 183.0110 (4)  
8 (intro.), 183.0111 (1) (a) (intro.) (by SECTION 4779b), 183.0111 (1) (b), 183.0112 (1),  
9 183.0112 (2) (intro.), 183.0113 (1), 183.0113 (2) (b) 1m., 183.0113 (3), 183.0113 (4),  
10 183.0113 (5), 183.0113 (6), 183.0114 (1) (intro.), 183.0120 (1) (intro.) and (2) to (5),  
11 183.0201, 183.0203 (2) (intro.), 183.0204 (2), 183.0906 (intro.), 183.1002 (1),  
12 183.1003 (5) (b), 183.1004 (intro.), 183.1006 (1) (intro.), 183.1008 (1) (intro.),  
13 183.1008 (2), 183.1009 (1) (intro.), 183.1009 (2), 183.1010 (4) (a) (intro.), 183.1010 (4)  
14 (b) 1. (by SECTION 4822b), 183.1010 (4) (b) 2., 183.1011 (1), 183.1011 (2) (intro.),  
15 183.1011 (2) (e), 183.1020 (1) (intro.), (a), (b), (d) and (f), (2) and (3), 183.1021 (1), (2)  
16 and (4), 183.1022 (1) and (2), 183.1204 (1) (intro.), 183.1301, 185.05 (3), 185.08 (3),  
17 185.31 (3), 185.35 (1), 185.48 (2), 185.48 (3), 185.48 (4), 185.48 (5), 185.48 (6), 185.53  
18 (2), 185.62 (1m), 185.72 (3) (a) (intro.), 185.72 (3) (a) 1., 185.72 (3) (a) 2., 185.72 (3)  
19 (a) 3., 185.72 (3) (bm) (intro.), 185.72 (3) (bm) 1., 185.72 (3) (bm) 2., 185.815 (intro.),  
20 185.815 (1), 185.815 (3), 185.82 (1) (a), 185.82 (1) (b), 185.82 (2) (a), 185.82 (2) (b),  
21 185.82 (3), 185.82 (4), 185.82 (5), 185.82 (6) (a) (intro.), 185.82 (6) (a) 2., 185.83 (1)  
22 (intro.), 185.83 (1) (b), 185.83 (1) (d), 185.85, 187.05 (1), 187.05 (3) (a) (intro.), 187.05  
23 (3) (a) (form) 4., 187.16 (1), 187.16 (5), 187.19 (7), 187.19 (9), 187.19 (10), 188.06,  
24 188.08 (1), 188.085, 188.09 (1), 188.095, 188.10, 188.11 (1), 188.115, 188.12 (1),  
25 188.13 (1), 188.14, 188.15 (1), 188.16 (1), 188.16 (4), 188.17 (1), 188.18 (1), 188.18 (3),



1 188.19 (1), 188.20, 188.21 (1), 188.22 (1), 188.23 (1), 188.235 (1), 188.24 (1), 188.25,  
2 188.26, 190.01 (2), 190.01 (4), 190.02 (9) (c), 190.051 (1), 190.06 (1), 190.11 (1), 190.11  
3 (3), 190.11 (4), 190.13, 191.10 (1), 192.71, 218.165 (1), 218.165 (2), 226.025 (3), 226.14  
4 (1), 226.14 (3), 226.14 (4) (intro.), 226.14 (4) (c), 226.14 (4) (d), 226.14 (5), 422.505 (1)  
5 (d), 426.110 (4) (b), 440.47 (5), 443.10 (6), 601.72 (1) (intro.), 601.72 (2), 601.73 (1) (a),  
6 601.73 (1) (b), 601.73 (2) (a), 601.73 (2) (b), 601.73 (3), 610.01 (4), 611.72 (1), 611.73  
7 (1), 611.74 (1), 613.01 (8), 614.09, 616.09 (1) (c) 2., 703.23 (1), 703.23 (2), 704.22 (2),  
8 776.44, 891.20, 893.19 (1), 992.06 (2) and 992.06 (3) of the statutes, the repeal and  
9 recreation of sections 20.575 (1) (g) and 601.73 (1) (intro.) of the statutes, the creation  
10 of sections 20.144 (1) (g), 20.566 (4), 179.01 (2m), 180.0103 (6m), 181.02 (4m), 182.01,  
11 183.0102 (3m) and 185.01 (3m) of the statutes and SECTION 9150 (1bt) of this act take  
12 effect on July 1, 1996.

13 (4bu) TRANSFER OF UNIFORM COMMERCIAL CODE FILING FUNCTIONS TO DEPARTMENT  
14 OF FINANCIAL INSTITUTIONS. The treatment of sections 14.367, 14.38 (13), 20.575 (1)  
15 (h) and (i), 50.05 (15) (f), 51.42 (3) (d) 12. f., 59.51 (11), 59.90 (1) (a), 100.03 (8) (bm)  
16 3., 231.13 (2), 406.104 (1) (c), 409.105 (1) (dm), 409.401 (1) (c) and (5), 409.402 (3m),  
17 409.403 (5) (a) 1., 2. and 3. and (b) (title), 1. and 2., 409.404 (1) (b) and (c) (intro.) and  
18 (3) (b), 409.405 (1) and (2), 409.406, 409.407 (2) (c), 409.410 (1) and (2), 779.87 (3) (b),  
19 779.97 (2) (c) 1., 2. and 3. and (4) (a) 1., (b) 1., 2. (by SECTION 7136b), 3. and 4. and (c)  
20 2. (by SECTION 7140b) of the statutes, the repeal of section 14.38 (13) (title) of the  
21 statutes, the renumbering and amendment of section 14.38 (13) of the statutes, the  
22 repeal and recreation of section 59.57 (6) of the statutes and SECTION 9150 (2bt) of  
23 this act take effect on July 1, 1996.”.

24 **996.** [Page 2483, line 10](#): after “(bz)” insert “, 25.40 (2) (b) 15g.”.

1           **997.** Page 2483, line 10: delete “and (bz) and 85.26 of the statutes takes” and  
substitute: “, 25.40 (2) (b) 15g. and 85.26 of the statutes and the renumbering and  
amendment of section 20.395 (1) (bw) of the statutes take”.

2           **998.** Page 2483, line 11: before that line insert:

3           “(1mt) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections  
4           344.12, 344.14 (2) (e) and 346.70 (1) of the statutes and SECTION 9355 (1) of this act  
5           take effect on January 1, 1996.

6           (1t) SPECIAL GROUP LICENSE PLATE FEES. The treatment of section 341.14 (6r) (b)  
7           2., 3. and 4. of the statutes takes effect on January 1, 1996.

8           (2ct) EXEMPTION REPORTS. The treatment of section 70.337 (7) of the statutes  
9           takes effect on March 31, 1996.

10           (2gt) INTERNATIONAL FUEL TAX AGREEMENT; PERMITS. The treatment of sections  
11           20.395 (5) (cq), 25.40 (1) (a) 12., 168.12 (5m), 341.43 and 341.45 (title), (1g) (a) and  
12           (b), (2), (3), (4m) and (5) of the statutes takes effect on August 1, 1995.

13           (2mt) AIRCRAFT REGISTRATION.

14           (a) The treatment of sections 114.002 (4), (11) and (13) and 114.20 (2) (c), (5),  
15           (7) and (13) (b) 1., 2., 3. and 5. of the statutes takes effect on November 1, 1995.

16           (b) The treatment of section 114.20 (1) (title), (a) and (b), (2) (intro.), (9) (a) to  
17           (c) and (d), (9m) (intro.), (12) and (15) (b) of the statutes and the repeal and recreation  
18           of section 114.20 (5) and (13) (b) 1. and 2. of the statutes take effect on November 1,  
19           1996.

20           (2t) MOTOR VEHICLE FUEL TAX. The treatment of sections 78.12 (2) (intro.) and  
21           (5) (a) and 78.49 (1) (a) and (b) of the statutes takes effect on August 1, 1995.

1           (3gt) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)  
2           (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the  
3           creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3. of the statutes take effect  
4           on January 1, 1996.

5           (3mt) FARM TRUCK REGISTRATION. The treatment of sections 341.08 (2) (am) and  
6           (cm), (4) and (8), 341.26 (3) (a) 1. and 341.297 (2) of the statutes and the creation of  
7           section 341.297 (2) (b) of the statutes take effect on January 1, 1997.

8           (3t) VEHICLE REGISTRATION AND TITLE FEES. The treatment of sections 341.25 (1)  
9           (a) and 342.14 (1) and (3) of the statutes takes effect on September 1, 1995.

10          (4gt) TRANSFER OF JUNK VEHICLES. The treatment of sections 342.15 (1m), 342.15  
11          (5r) and 345.11 (1g) and (5) of the statutes takes effect on the first day of the 4th  
12          month beginning after publication.”.

13          **999.** [Page 2483, line 16](#): delete the material beginning with that line and  
ending with page 2485, line 2.

14          **1000.** [Page 2484, line 6](#): after “69.22 (1) (c)” insert “(by SECTION 3343g)”.

15          **1001.** [Page 2484, line 7](#): delete “, 71.10 (3) (b)”.

16          **1002.** [Page 2485, line 18](#): after that line insert:

17          “(3v) VETERANS TUITION AND FEE REIMBURSEMENT. The treatment of section 45.25  
18          (3) (a) of the statutes takes effect on July 1, 1996.”.

19          **1003.** [Page 2485, line 21](#): delete “tions 20.425 (1) (ka) and 20.488 (1) (ka)” and  
substitute “tion 20.425 (1) (ka)”.

20          **1004.** [Page 2486, line 4](#): after “(2n)” insert “(by SECTION 294n)”.

