

1999 Assembly Bill 922

Date of enactment: **April 21, 2000**

Date of publication*: **May 5, 2000**

1999 WISCONSIN ACT 84

AN ACT relating to: amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references and eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions (Revisor's Correction Bill).

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.143 (1) (c) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

20.143 (1) (c) *Wisconsin development fund; grants, loans, reimbursements and assistance.* Biennially, the amounts in the schedule for grants under ss. 560.145, 560.16, 560.175; and 560.26; for grants and loans under ss. 560.62, 560.63 and 560.66; for loans under s. 560.147; for reimbursements under s. 560.167; for providing assistance under s. 560.06; for the costs specified in s. 560.607; for the loan under 1999 Wisconsin Act 9, section 9110 (4); and for the grants under 1995 Wisconsin Act 27, section 9116 (7gg), 1995 Wisconsin Act 119, section 2 (1), 1997 Wisconsin Act 27, section 9110 (6g), and 1999 Wisconsin Act 9, section 9110 (5). Of the amounts in the schedule, \$50,000 shall be allocated in each of fiscal years 1997-98 and 1998-99 for providing the assistance under s. 560.06 (1). Notwithstanding s. 560.607, of the amounts in the schedule, \$125,000 shall be allocated in each of 4 consecutive fiscal years, beginning with fiscal year 1998-99, for grants and loans under s. 560.62 (1) (a).

NOTE: Replaces comma with "and" to correct grammar after the governor's partial veto of 1999 Wis. Act 9.

SECTION 2. 20.155 (1) (q) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

20.155 (1) (q) *Universal telecommunications service.* From the universal service fund, the amounts in the schedule for the promotion of universal telecommunications service for the purposes specified in s. 196.218 (5) (a) 1. to 4., 8., and 9.

NOTE: Replaces comma with "and" to correct grammar after the governor's partial veto of 1999 Wis. Act 9.

SECTION 3. 20.380 (1) (kg) of the statutes, as created by 1999 Wisconsin Act 9, is amended to read:

20.380 (1) (kg) *Tourism marketing; gaming revenue.* All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 6. for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 and for the grants under 1999 Wisconsin Act 9, section 9149 (2c); and (2tw). In each fiscal year, the department shall expend for tourism marketing service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to the amount in the schedule for the fiscal year as the amount expended under par. (b) in that fiscal year bears to the amount in the schedule for par. (b) for that fiscal year. Of the amounts in the schedule, \$200,000 shall be allocated for grants to the Milwaukee Public Museum for Native American exhibits and activities.

NOTE: Replaces comma with "and" to correct grammar after the governor's partial veto of 1999 Wis. Act 9.

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 4. 20.435 (3) (i) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

20.435 (3) (i) *Gifts and grants.* All moneys ~~not appropriated under par. (gb) that are~~ received from gifts, grants, donations and burial trusts for the execution of the department's functions relating to children and family services consistent with the purpose of the gifts, grants, donations or trusts.

NOTE: There is no s. 20.435 (3) (gb). The renumbering of s. 20.505 (4) (j) to s. 20.435 (3) (gb) was removed from 1999 Wis. Act 9 by the governor's partial veto.

SECTION 5. 20.435 (3) (km) of the statutes, as affected by 1999 Wisconsin Act 9, section 397r, is amended to read:

20.435 (3) (km) *Federal block grant transfer; aids.* The amounts in the schedule for grants under ss. 46.95 (2), 46.99 (2) (a), and 46.995 (2), (3) (b) and (4m) (b). All moneys transferred from the appropriation account under s. 20.445 (3) (md) shall be credited to this appropriation account.

NOTE: Replaces comma with "and" to correct grammar after the governor's partial veto of 1999 Wis. Act 9.

SECTION 6. 20.536 (1) (k) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

20.536 (1) (k) *General program operations.* All moneys received from assessments made under s. 25.187 (2) and from charges made under ~~ss. s.~~ 25.17 (9) for the purpose of conducting general program operations.

NOTE: Corrects citation form after the governor's partial veto of 1999 Wis. Act 9.

SECTION 7. 23.197 (3m) of the statutes, as created by 1999 Wisconsin Act 9, is amended to read:

23.197 (3m) **RIB MOUNTAIN STATE PARK.** From the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide funding in the amount of ~~\$500,00~~ \$50,000 to rebuild a chalet at Rib Mountain State Park. The department shall determine how the moneys being provided under this subsection will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as moneys expended for general property development. For purposes of s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as moneys obligated under the subprogram for property development and local assistance.

NOTE: Corrects comma placement after the governor's partial veto of 1999 Wis. Act 9.

SECTION 8. 25.66 (1) of the statutes, as created by 1999 Wisconsin Act 9, is amended to read:

25.66 (1) There is created a separate nonlapsible trust fund, known as the tobacco control fund, to consist of, in fiscal year 1999-2000, the first \$23,500,000 of the moneys received under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998.

NOTE: Inserts comma required by the governor's partial veto of 1999 Wis. Act 9.

SECTION 9. 48.981 (7) (b) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

48.981 (7) (b) Notwithstanding par. (a), either parent of a child may authorize the disclosure of a record for use in a child custody proceeding under s. 767.24 or 767.325 or in an adoption proceeding under s. 48.833 (4), 48.835, 48.837 or 48.839 when the child has been the subject of a report. Any information that would identify a reporter shall be deleted before disclosure of a record under this paragraph.

NOTE: There is no s. 48.833 (1). The renumbering of s. 48.833 to 48.833 (1) was removed from 1999 Wis. Act 9 by the governor's partial veto.

SECTION 10. 79.10 (11) (b) of the statutes, as affected by 1999 Wisconsin Act 9, section 1818mLb, is amended to read:

79.10 (11) (b) Before October 16, the department of administration shall determine the total funds available for distribution under the lottery and gaming credit in the following year and shall inform the joint committee on finance of that total. Total funds available for distribution shall be all moneys projected to be transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and (jm) and all existing and projected lottery proceeds and interest for the fiscal year of the distribution, less the amount estimated to be expended under s. 20.835 (3) (r) and less the required reserve under s. 20.003 (5). The joint committee on finance may revise the total amount to be distributed if it does so at a meeting that takes place before November 1. If the joint committee on finance does not schedule a meeting to take place before November 1, the total determined by the department of administration shall be the total amount estimated to be distributed under the lottery and gaming credit in the following year.

NOTE: Restores inadvertently deleted "under".

SECTION 11. 118.33 (1) (f) 1. and 2. of the statutes, as created by 1999 Wisconsin Act 9, are amended to read:

118.33 (1) (f) 1. By September 1, 2002, each school board operating high school grades shall develop a written policy specifying criteria for granting a high school diploma that are in addition to the requirements under par. (a). The criteria shall include the pupil's score on the examination administered under s. 118.30 (4g) (1m) (d), the pupil's academic performance, and the recommendations of teachers. Except as provided in subd. 2., the criteria apply to pupils enrolled in charter schools located in the school district.

2. By September 1, 2002, each operator of a charter school under s. 118.40 (2r) that operates high school grades shall develop a policy specifying criteria for granting a high school diploma. The criteria shall include the pupil's score on the examination administered under s. 118.30 (1r) (d), the pupil's academic performance, and the recommendations of teachers.

NOTE: Replaces commas with "and" to correct grammar after the governor's partial veto of 1999 Wis. Act 9. Also inserts a correct cross-reference. There is no s. 118.30 (1g) (d). The graduation test is administered under s. 188.30 (1m) (d).

SECTION 12. 254.916 (3) (f) (intro.) of the statutes, as created by 1999 Wisconsin Act 9, is amended to read:

254.916 (3) (f) (intro.) Except with respect to investigations conducted under 42 USC 300x-021 or 21 CFR part 897, all of the following information shall be reported to the retailer, within 10 days after the conduct of an investigation under this section:

NOTE: Deletes comma that is unnecessary after the governor's partial veto of 1999 Wis. Act 9.

SECTION 13. 292.255 of the statutes, as created by 1999 Wisconsin Act 9, is amended to read:

292.255 Report on brownfield efforts. The department of natural resources, the department of administration, and the department of commerce shall submit a report evaluating the effectiveness of this state's efforts to remedy the contamination of, and to redevelop, brownfields, as defined in s. 560.60 (1v).

NOTE: Replaces comma with "and" to correct grammar after the governor's partial veto of 1999 Wis. Act 9.

SECTION 14. Nonstatutory provisions; reconciliation.

(1) The treatment of section 20.143 (1) (c) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 196, is overridden.

(2) The treatment of section 20.155 (1) (q) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 226c, is overridden.

(3) The treatment of section 20.380 (1) (kg) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 343, is overridden.

(4) The treatment of section 20.435 (3) (i) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 533, is overridden.

(5) The treatment of section 20.435 (3) (km) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 397r, is overridden.

(6) The treatment of section 20.536 (1) (k) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 593e, is overridden.

(7) The treatment of section 23.197 (3m) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 671m, is overridden.

(8) The treatment of section 25.66 (1) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 717t, is overridden.

(9) The treatment of section 48.981 (7) (b) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 1192g, is overridden.

(10) The treatment of section 118.33 (1) (f) 1. and 2. of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 2086h, is overridden.

(11) The treatment of section 254.916 (3) (f) (intro.) of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 2485j, is overridden.

(12) The treatment of section 292.255 of the statutes by 1999 Wisconsin Act (this act) is void if the partial veto of 1999 Wisconsin Act 9, section 2611d, is overridden.

SECTION 15. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The treatment of section 20.435 (3) (km) of the statutes takes effect on July 1, 2000.

(2) The treatment of section 79.10 (11) (b) of the statutes takes effect on the effective date of the 2001 budget, except that if the governor's partial veto of 1999 Wisconsin Act 9, section 9443 (24e), is overridden, the treatment of section 79.10 (11) (b) of the statutes takes effect on the effective date of the 2001-03 biennial budget act.