

NOTE: Replaces the passive voice with the active, deletes excess verbage, and inserts specific references.

\*\*\* NOTE: See my change to NOTE. CJS

1 X SECTION 97. 24.28 of the statutes is renumbered 24.28 (1) (intro.) and amended  
2 to read:

3 24.28 (1) (intro.) In the case of the nonpayment ~~A certificate of sale issued~~  
4 under s. 24.17 becomes void upon the occurrence of any of the following, and the  
5 purchaser of the lands described in the certificate, or the purchaser's heirs and  
6 assigns, shall forfeit all right and interest in the lands: PLAIN

7 (a) Nonpayment of interest when it is due according to the terms of the  
8 certificate of sale, or of PLAIN "(a)"

9 (b) Nonpayment of any taxes which that before said the annual interest  
10 required by the certificate of sale is paid shall have been are returned to the board  
11 of commissioners of public lands by the county treasurer as due and unpaid upon  
12 such land, or the lands described in the certificate.

13 (c) Nonpayment of the principal owing on the purchase of the lands described  
14 in the certificate of sale when required by the board, such certificate shall become  
15 void from the time of such failure, and the purchaser, the purchaser's heirs and  
16 assigns, shall forfeit all right and interest in the lands described in such certificate;  
17 and.

18 (2) In the event of a forfeiture of lands under sub. (1), the board may take  
19 immediate possession thereof and may of and resell the same the forfeited lands as  
20 hereinafter provided under ss. 24.29 to 24.33.

NOTE: Subdivides provision, reorganizes text, replaces the passive voice with the active, deletes excess verbage, and inserts specific references. "Board" is defined in s. 24.01 as the board of commissioners of public lands.

21 X SECTION 98. 24.29 of the statutes, as affected by 2003 Wisconsin Act 33, is  
22 amended to read:

23 (a) Sec. #. CR; 24.28(1)(intro.)  
24 (a) 24.28 (1) (intro.)  
25 (b)

\*\*\* NOTE: See my changes to text and NOTE. CJS

Technical

1           **24.29 Redemption.** At any time before the 5 days next preceding the  
 2           reoffering of such land <sup>← PLAIN SPACE</sup> at public sale of any land forfeited under s. 24.28, the former  
 3           purchaser, or the former purchaser's assigns or legal representatives, may, prevent  
 4           the resale of the forfeited lands and revive the original contract by the payment of  
 5           paying the principal sum due, with interest, and all taxes returned thereon on the  
 6           forfeited lands to the secretary of administration ~~which that~~ are still unpaid, and all  
 7           costs occasioned by the delay, together with ~~3%~~ <sup>Strike ↓ 3 percent</sup> damages on the whole sum owing for  
 8           such land, ~~prevent such resale and revive the original contract~~ the forfeited lands.

verbiage

NOTE: Reorganizes text, replaces the passive voice with the active, deletes excess verbiage, and inserts specific references.

→ \*\*\*\* Note: See my changes to text and Note. The change to "3 percent" is to conform to current style. CJS

9           ✓ **SECTION 99.** 24.30 of the statutes is amended to read:

10           **24.30 Liability of former purchaser.** In case of such a forfeiture of lands  
 11           under s. 24.28, the former purchaser of such land the forfeited lands shall be liable  
 12           for any waste or unnecessary injury ~~which that~~ the former purchaser may have done  
 13           to the same, the forfeited lands or to the timber or mineral thereon; and any minerals  
 14           located upon the forfeited lands. An action ~~therefor~~ for waste or unnecessary injury  
 15           under this section may be prosecuted by the board in the name of the state.

→ \*\*\*\* Note: I removed a redundant "the". CJS

NOTE: Divides long sentence and inserts specific references.

16           ✓ **SECTION 100.** 24.31 of the statutes is amended to read:

17           **24.31 Advertisement and resale of forfeited lands.** Whenever any public  
 18           lands have been forfeited under s. 24.28 for the nonpayment of either principal,  
 19           interest, or taxes, and the lands have remained forfeited for 3 months, the board shall  
 20           first cause such the forfeited lands to be appraised as provided by under s. 24.08 and  
 21           shall thereupon. Upon completion of the appraisal, the board shall advertise such  
 22           the forfeited land for sale as provided by under s. 24.09, and shall further state in the  
 23           notice that the lands have been forfeited and give the names of the former

PLAIN SPACE

1 purchasers. ~~Such~~ The sale of the forfeited lands shall be made either in the county  
 2 where the lands lie or at the capitol on a day not less than 3 months nor more than  
 3 6 months after the first insertion of the notice. The board shall publish a class 3  
 4 notice, under ch. 985, of the sale giving the time and place where ~~such~~ the sale will  
 5 be held and the county in which ~~such~~ the lands being sold are situated, but omitting  
 6 any description of ~~such~~ the lands; ~~the~~. The last insertion of the notice shall be at least  
 7 one week ~~previous~~ prior to the time of ~~commencing~~ such the sale is to commence.

NOTE: Divides long sentence, replaces the passive voice with the active, and inserts specific references.

8 ~~SECTION 101.~~ 24.32 of the statutes, as affected by 2003 Wisconsin Act 33, is  
 9 amended to read:

10 **24.32 Resale and redemption.** (1) Unless ~~such~~ the resale ~~be~~ of lands  
 11 forfeited under s. 24.28 is prevented by payment as ~~hereinbefore provided by~~ under  
 12 s. 24.29, ~~such~~ the forfeited lands shall be offered for sale at public auction to the  
 13 highest bidder, in the manner and upon the terms provided, for original sales, and,  
 14 if the lands are not then sold, the lands shall be subject to private entry thereafter.

15 (2) (a) Every ~~such~~ tract of forfeited lands may be redeemed by the former  
 16 purchaser ~~thereof,~~ or the former purchaser's assigns or legal representatives, at any  
 17 time before the June 30th next following the date of ~~such~~ the resale of the forfeited  
 18 tract, upon presenting by doing all of the following:

strike comma

19 1. Presenting to the board satisfactory proof, which shall be filed and preserved  
 20 by it the board, that ~~such~~ the tract was, at the time of the resale, in whole or in part  
 21 under cultivation or adjoining a tract partly cultivated, belonging to the former  
 22 purchaser, or the former purchaser's assigns or legal representatives, and used in  
 23 connection ~~therewith,~~ and upon depositing with the adjoining tract.

↑ score comma

↑ score comma

→ **\*\*\*\* NOTE:** In subd. 1.03. I added scoring to a comma that appears plain in the rough draft but is not part of the current text of the statute. CJS

1           2. Depositing with the secretary of administration, for the use of the purchaser  
 2 at such the resale of the forfeited tract the amount paid by the the resale purchaser  
 3 for such land the tract, together with 25% of the amount of such the taxes, interest,  
 4 and costs, in addition thereto to the purchase price, and every

5           (b) Every certificate of sale issued upon any such resale of forfeited lands shall  
 6 be subject to the right of redemption under par. (a) whether it be or not the right of  
 7 redemption is expressed in such the certificate or not. ~~And no.~~ No patent shall be  
 8 issued on any such resale of a forfeited tract until the expiration of such the  
 9 redemption period under par. (a).

10           (3) Upon such a redemption under sub. (2), the board shall ~~cancel such~~ do all  
 11 of the following:

12           (a) Cancel the certificate, and shall make of sale issued to the resale purchaser.

13           (b) Make and deliver to the party so redeeming the forfeited lands a certificate  
 14 thereof, and shall also record the same of the redemption.

15           (c) Record the certificate of the redemption in a book ~~to be kept in its~~ the board's  
 16 office for that purpose.

NOTE: Subdivides long provisions and inserts <sup>several</sup> specific references.

→ ~~\*\*\*\*~~ NOTE: I made ~~several~~ technical changes. CJS

✓ SECTION 102. 24.34 of the statutes is amended to read:

18           **24.34 Void sales.** In case of the event that the sale of any public lands are made  
 19 by mistake, or not in accordance with law, or <sup>are</sup> obtained by fraud, and ~~in cases where~~  
 20 or in the event that the state had no title to such the lands sold, or ~~its~~ the state's title  
 21 has failed, such the sale of the lands shall be void and no contract, certificate of  
 22 purchase, or patent issued ~~thereon~~ on the lands sold shall be of any effect, but the  
 23 person named as vendee, or that person's successor in interest, ~~as the case may be,~~  
 24 may furnish to the board such any proof as shall that will satisfy it the board of the

1 facts. ~~Thereupon it~~ Except as provided in s. 24.341, upon receipt of satisfactory proof  
 2 of the facts asserted by the vendee, the board shall order all amounts, either of  
 3 principal or interest, paid for the lands described in the contract, certificate, or  
 4 patent, together with the interest thereon on the amounts so paid from the time of  
 5 each such payment, at the rate of ~~6%~~ <sup>6 percent</sup> per year, simple interest, to be refunded and  
 6 paid out of the state treasury, from the fund to which it has been credited, to the  
 7 person entitled thereto; ~~provided that to the refund.~~ Notwithstanding anything  
 8 contained in this section, no money shall be paid to any person participating in any  
 9 such fraud in obtaining the land, as provided in this section.

NOTE: Divides long sentence and inserts specific references.

→ ~~\*\*\*\*~~ NOTE: See my changes. I added "are" to  
 ✓ SECTION 103. 24.341 of the statutes is amended to read:

*make the structure  
of the phrases  
clearer, and  
adjusted "6%"  
to conform to  
current  
style.  
CJS*

11 **24.341 Offset to refund on void sales.** Whenever any claim shall be is made  
 12 for a refund on a void land sale under s. 24.34, the board ~~of commissioners of public~~  
 13 ~~lands shall make an investigation and determination, and offset the value of the use~~  
 14 ~~of said the land, property removed therefrom~~ from the land, and the damage or injury  
 15 ~~thereto to the land~~ by such the claimant, together with interest ~~thereon~~ on those  
 16 amounts, against the amounts actually paid to the state and to any other persons on  
 17 account of the purchase, possession, use, damage, or injury to ~~such the~~ the lands by said  
 18 the claimants. The refund or payment to be made under s. 24.34 shall in no case be  
 19 more than the excess, if any, of the amounts paid out by ~~such the~~ the claimant, with  
 20 interest, over ~~such the~~ the offset determined under this section.

NOTE: Inserts specific references and replaces the passive voice with the active.  
 "Board" is defined in s. 24.01 as the board of commissioners of public lands.

✓ SECTION 104. 24.35 of the statutes is amended to read:

22 **24.35 Annulment of certificates and patents.** Whenever the board shall  
 23 have has erroneously or improperly issued any certificate or patent for any public

\*\*\*\* NOTE: See my change to the NOTE. Also, in the  
 statutory text, ~~it~~ would it be better to score in  
 "that value" on lines 15 and 16, rather than "those  
 amounts", ~~since~~ since "value" is the word that  
 was used previously? CJS

*in the  
sentence*

board

1 lands, whereby wrong or injustice has been or may be done, including cases where  
 2 in which the state had no title to the lands, or its title has failed, it the state may, upon  
 3 the written application of the purchaser, or the purchaser's successor in interest,  
 4 revoke and annul such the certificate or patent by its order, which, with such the  
 5 application, shall be filed and recorded in its the board's office. A certified copy of  
 6 such the board's order may be recorded in the office of the register of deeds for the  
 7 county where such the lands lie, and ~~thereupon such~~ upon the recording of the order,  
 8 the certificate or patent shall be ~~absolutely null and void~~. When such the board's  
 9 order is so recorded there shall be paid out of the state treasury, from the fund to  
 10 which it has been credited, to the purchaser, or the purchaser's successor in interest,  
 11 the amounts in the manner and as provided in s. 24.34.

Also, see my change to the NOTE, CS

NOTE: Inserts specific references and replaces the passive voice with the active.

→ \*\*\* NOTE: See my change. "Board" is the antecedent of "it". CJS

✓ SECTION 105. 24.355 of the statutes is amended to read:

13 **24.355 Limitation of actions.** All claims under s. 24.34 or 24.35 shall become  
 14 be barred, unless application ~~therefor~~ be for a payment refund is made within 5 years  
 15 from the time of such the payment, or, in cases where in which the state never had  
 16 title, from the time when the invalidity of the title of the state was established.

NOTE: Inserts specific references and replaces the passive voice with the active.

→ \*\*\* NOTE: See my change to the NOTE. CJS

✓ SECTION 106. 24.36 of the statutes is amended to read:

18 **24.36 Lost certificates and patents.** Whenever any duplicate certificate of  
 19 sale ~~shall have~~ has been lost or destroyed before the patent ~~shall issue~~ has been  
 20 issued, or whenever any patent ~~shall have~~ has been lost or destroyed, the board, upon  
 21 satisfactory proof of the fact, established by affidavit ~~to be~~ filed with ~~it~~ the board, may  
 22 issue a certified copy of the original certificate of sale or of the record in its the board's  
 23 office of such of the patent, or a quitclaim deed in place of such the missing patent,

1 to the person entitled thereto to the copy of the certificate or record of the patent, or  
 2 quit claim deed, which shall have the same force and effect as the original duplicate  
 3 certificate or patent. ~~Its~~ The board's certificate to such the copy and quitclaim deed  
 4 shall recite the loss or destruction of the original.

5 ~~NOTE: Inserts specific references and replaces the passive voice with the active.~~  
 5 ✓ ~~NOTE: See my changes.~~ NOTE: See my changes. I adjusted "quit claim" consistent with the spelling elsewhere in this statute and in the statutes generally. Also, I see my change to [redacted] CS

6 **24.37 Ejectment.** If any person shall ~~hold~~ holds or ~~continue~~ continues in  
 7 possession of any public lands without written permission from the board, or  
 8 contrary to the conditions or covenants of any lease or written agreement, or after  
 9 ~~such~~ the lands have been forfeited to the state, that person shall be liable to an action  
 10 by the state or any purchaser from the state for an unlawful detainer or other proper  
 11 action to recover possession of ~~such~~ the lands, with damages for the detention of the  
 12 same the lands.

13 ~~NOTE: Inserts specific references and replaces the passive voice with the active.~~  
 13 ✓ ~~NOTE: See my change to NOTE.~~ NOTE: See my change to NOTE. Also, I don't understand why a comma is scored in before "with damages!!" CS

14 **24.38 Boundaries.** The lines, boundaries, and descriptions of the swamp  
 15 lands as exhibited by the plats and field notes of the United States survey are  
 16 adopted and ~~shall be~~ deemed conclusively to be the true lines, boundaries, and  
 17 descriptions thereof of those swamp lands.

18 ~~NOTE: Inserts specific references and replaces the passive voice with the active.~~  
 18 ✓ ~~NOTE: See my change to NOTE.~~ NOTE: See my change to NOTE. CS

19 **24.39 (title) Leases, etc of public lands.** score period

20 ~~NOTE: Deletes disfavored term~~  
 20 ✓ ~~NOTE: See my technical change.~~ NOTE: See my technical change. CS

21 36.29 (7) The board may not accept any gift, grant or bequest of a building or  
 22 structure that is constructed for the benefit of the system or any institution unless

etc. include struck period

SECTION 110

See 4-star notes following the treatment of s. 16.85 (intro.). Under JTK's approach to the restructuring of s. 16.85, it would not be necessary to treat this statute. CJS

1 acceptance is first approved by the building commission, or unless the plans and  
2 specifications for the building or structure are reviewed and approved by the  
3 department of administration and the building or structure is inspected as provided  
4 in s. 16.85 (12) (1g) (i).

NOTE: Section 16.85 (12) is renumbered s. 16.85 (1g) (i) by this bill.

→ \*\*\*\* NOTE: A

✓ SECTION 111. 41.41 (7) (g) of the statutes is amended to read:

6 41.41 (7) (g) Subject to ss. 13.48 (10), 16.85 (1) (1g) (a) and 20.924 (1), plan,  
7 design, construct, and maintain facilities in the Kickapoo valley reserve for purposes  
8 consistent with the management of the reserve under sub. (3).

NOTE: Section 16.85 (1) is renumbered 16.85 (1g) (a) by this bill.

→ \*\*\*\* NOTE: A

✓ SECTION 112. 45.014 (title) of the statutes is amended to read:

10 45.014 (title) ~~Wisconsin veterans museum~~ **Veterans Museum.**

NOTE: Changes capitalization consistent with the treatment of this section by 2001 Wis. Act 103 as already reflected in the printed volumes.

← STET: leave as typed

✓ SECTION 113. 59.70 (23) of the statutes is amended to read:

12 59.70 (23) COUNTY NATURAL BEAUTY COUNCILS. The board may create a county  
13 natural beauty council as a committee of the board, composed of such board  
14 members, public members and governmental personnel as the board designates.  
15 The council shall advise governmental bodies and citizens in the county on matters  
16 affecting the preservation and enhancement of the county's natural beauty, and aid  
17 and facilitate the aims and objectives of the natural beauty council, as stated in s.

18 144.76 (3), 1973 Stats. <sup>l.c.</sup>

NOTE: This provision was created as s. 59.70 (59) by ch. 574, Laws of 1965. The objectives of the state natural beauty council were stated in s. 144.76 (3), as created by ch. 757, laws of 1965. The name of the the state natural beauty council was changed to the Wisconsin citizens environmental council by ch. 224, Laws of 1975. Section 144.76 was repealed and recreated by ch. 29, Laws of 1977. Chapter 29, Laws of 1977 changed the objectives of the citizens environmental council, but did not affect s. 59.07 (59).

✓ SECTION 114. 73.10 (2) (b) 1. b. of the statutes is amended to read:

07

1977

INSERT  
RRR

1           73.10 (2) (b) 1. b. That the statements, notes, and schedules under subd. 1. a.  
2 conform to generally accepted accounting principles promulgated by the  
3 ~~governmental accounting standards board~~ Governmental Accounting Standards  
4 Board or its successor bodies.

NOTE: Conforms capitalization to current style.

5        X SECTION 115. 77.52 (2) (a) 10. of the statutes is amended to read:

6           77.52 (2) (a) 10. Except for services provided by veterinarians and except for  
7 installing or applying tangible personal property ~~which~~ that <sup>5</sup> subject to par.(ag), when  
8 installed or applied, will constitute an addition or capital improvement of real  
9 property, the repair, service, alteration, fitting, cleaning, painting, coating, towing,  
10 inspection, and maintenance of all items of tangible personal property unless, at the  
11 time of such the repair, service, alteration, fitting, cleaning, painting, coating,  
12 towing, inspection, or maintenance, a sale in this state of the type of property  
13 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected, or  
14 maintained would have been exempt to the customer from sales taxation under this  
15 subchapter, other than the exempt sale of a motor vehicle or truck body to a  
16 nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51  
17 (14r). ~~For purposes of this paragraph, the following items shall be considered to have~~  
18 ~~retained their character as tangible personal property, regardless of the extent to~~  
19 ~~which any such item is fastened to, connected with or built into real property:~~  
20 ~~furnaces, boilers, stoves, ovens, including associated hoods and exhaust systems,~~  
21 ~~heaters, air conditioners, humidifiers, dehumidifiers, refrigerators, coolers, freezers,~~  
22 ~~water pumps, water heaters, water conditioners and softeners, clothes washers,~~  
23 ~~clothes dryers, dishwashers, garbage disposal units, radios and radio antennas,~~  
24 ~~incinerators, television receivers and antennas, record players, tape players,~~

1 ~~jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs,~~  
2 ~~bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps,~~  
3 ~~electronic dust collectors, grills and rotisseries, bar equipment, intercoms,~~  
4 ~~recreational, sporting, gymnasium and athletic goods and equipment including by~~  
5 ~~way of illustration but not of limitation bowling alleys, golf practice equipment, pool~~  
6 ~~tables, punching bags, ski tows and swimming pools; equipment in offices, business~~  
7 ~~facilities, schools, and hospitals but not in residential facilities including personal~~  
8 ~~residences, apartments, long-term care facilities, as defined under s. 16.009 (1) (em),~~  
9 ~~state institutions, as defined under s. 101.123 (1) (i), Type 1 secured correctional~~  
10 ~~facilities, as defined in s. 938.02 (19), or similar facilities including, by way of~~  
11 ~~illustration but not of limitation, lamps, chandeliers, and fans, venetian blinds,~~  
12 ~~canvas awnings, office and business machines, ice and milk dispensers,~~  
13 ~~beverage-making equipment, vending machines, soda fountains, steam warmers~~  
14 ~~and tables, compressors, condensing units and evaporative condensers, pneumatic~~  
15 ~~conveying systems; laundry, dry cleaning, and pressing machines, power tools,~~  
16 ~~burglar alarm and fire alarm fixtures, electric clocks and electric signs. “Service”~~  
17 ~~does not include services performed by veterinarians. The tax imposed under this~~  
18 ~~subsection applies to the repair, service, alteration, fitting, cleaning, painting,~~  
19 ~~coating, towing, inspection, or maintenance of items listed in this subdivision par.~~  
20 ~~(ag), regardless of whether the installation or application of tangible personal~~  
21 ~~property related to the items is an addition to or a capital improvement of real~~  
22 ~~property, except that the tax imposed under this subsection does not apply to the~~  
23 ~~original installation or the complete replacement of an item listed in this subdivision~~  
24 ~~par. (ag), if such the installation or replacement is a real property construction~~  
25 ~~activity under s. 77.51 (2).~~

NOTE: Subdivides a long provision by deleting a list to be converted to tabular form in a newly created separate paragraph and otherwise rearranging text for improved readability and conformity with current style. See the next section of this bill.

1 ✓ **SECTION 116.** 77.52 (2) (ag) of the statutes is created to read:

2 77.52 (2) (ag) For purposes of par. (a) 10., the following items shall be  
3 considered to have retained their character as tangible personal property, regardless  
4 of the extent to which the item is fastened to, connected with, or built into real  
5 property:

6 1. Furnaces.

7 2. Boilers.

8 3. Stoves.

9 4. Ovens, including associated hoods and exhaust systems.

10 5. Heaters.

11 6. Air conditioners.

12 7. Humidifiers.

13 8. Dehumidifiers.

14 9. Refrigerators.

15 10. Coolers.

16 11. Freezers.

17 12. Water pumps.

18 13. Water heaters.

19 14. Water conditioners and softeners.

20 15. Clothes washers.

21 16. Clothes dryers.

22 17. Dishwashers.

23 18. Garbage disposal units.

- 1 19. Radios and radio antennas.
- 2 20. Incinerators.
- 3 21. Television receivers and antennas.
- 4 22. Record players.
- 5 23. Tape players.
- 6 24. Jukeboxes.
- 7 25. Vacuum cleaners.
- 8 26. Furniture and furnishings.
- 9 27. Carpeting and rugs.
- 10 28. Bathroom fixtures.
- 11 29. Sinks.
- 12 30. Awnings.
- 13 31. Blinds.
- 14 32. Gas and electric logs.
- 15 33. Heat lamps.
- 16 34. Electronic dust collectors.
- 17 35. grills and rotisseries.
- 18 36. Bar equipment.
- 19 37. Intercoms.
- 20 38. Recreational, sporting, gymnasium, and athletic goods and equipment  
21 including, by way of illustration but not of limitation, all of the following:
  - 22 a. Bowling alleys.
  - 23 b. Golf practice equipment.
  - 24 c. Pool tables.
  - 25 d. Punching bags.

1 e. Ski tows.

2 f. Swimming pools.

3 39. Equipment in offices, business facilities, schools, and hospitals but not in  
4 residential facilities including personal residences, apartments, long-term care  
5 facilities, as defined under s. 16.009 (1) (em), state institutions, as defined under s.  
6 101.123 (1) (i), Type 1 secured correctional facilities, as defined in s. 938.02 (19), or  
7 similar facilities including, by way of illustration but not of limitation, all of the  
8 following:

9 a. Lamps.

10 b. Chandeliers.

11 c. Fans.

12 d. Venetian blinds.

13 e. Canvas awnings.

14 f. Office and business machines.

15 g. Ice and milk dispensers.

16 f. Beverage-making equipment.

17 g. Vending machines.

18 f. Soda fountains.

19 g. Steam warmers and tables.

20 h. Compressors.

21 i. Condensing units and evaporative condensers.

22 j. Pneumatic conveying systems.

23 (k) Laundry, dry cleaning, and pressing machines.

24 (l) Power tools.

25 (m) Burglar alarm and fire alarm fixtures.

40.  
41.  
42.

**SECTION 116**

1 n. Electric clocks.

2 o. Electric signs.

\*\*\*\* NOTE: See my changes.  
The items that I have renumbered as subdivisions 40. to 44. are not, in current law, part of the ~~sublist~~ <sup>sublist</sup> of "equipment in offices, business facilities, etc." (proposed subdivision 39.). That ~~sublist~~ <sup>sublist</sup> is set off by semi-colons, and the items I have renumbered come after the ~~sublist~~ <sup>sublist</sup>.

NOTE: List is moved from s. 77.52 (2) (a) 10. and divided into tabular form for improved readability and conformity with current style.

renumbered 77.54 (14) (f) (intro.) and

3 SECTION 117. 77.54 (14) (f) of the statutes is amended to read:

4 77.54 (14) (f) <sup>(intro.)</sup> Furnished without charge to any of the following if the medicine

5 may not be dispensed without a prescription:

6 1. A physician,

7 2. A surgeon,

8 3. A nurse anesthetist,

9 4. An advanced practice nurse,

10 5. An osteopath,

11 6. A dentist who is licensed under ch. 447,

12 7. A podiatrist who is licensed under ch. 448, or,

13 8. An optometrist who is licensed under ch. 449 if the medicine may not be  
14 dispensed without a prescription.

NOTE: Subdivides a long provision by placing a list in tabular form and reorders text to accommodate the numbering of the subdivided list.

\*\*\*\* NOTE: See my technical changes. CJS

15 x SECTION 118. 77.54 (20) (bg) 1. of the statutes is renumbered 77.54 (20) (bg) 1.

16 a. and amended to read:

17 77.54 (20) (bg) 1. a. "Meal" includes, but is not limited to, a diversified selection  
18 of food, food products or beverages that are customarily consumed as a breakfast,  
19 lunch or dinner, that may not easily be consumed without an article of tableware and  
20 that may not conveniently be consumed while standing or walking; except that  
21 "meal".

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1           b. “Meal” does not include frozen items that are sold to a consumer, items that  
2 are customarily heated or cooked after the retail sale and before they are consumed,  
3 or a diversified selection of food, food products, and beverages that is packaged  
4 together by a person other than the retailer before the sale to the consumer.

NOTE: Subdivides provision.

is subd. a

→ ~~AAAA~~ NOTE: I added several serial commas. CJS

5           x SECTION 119. 77.54 (20) (bg) 2. of the statutes is renumbered 77.54 (20) (bg) 2.  
6 a. and amended to read:

7           77.54 (20) (bg) 2. a. “Sandwich” means food that consists of a filling; such as  
8 meat, cheese, or a savory mixture; that is placed on a slice, or between 2 slices; of a  
9 variety of bread or something that takes the place of bread; such as a roll, croissant,  
10 or bagel.

11           b. “Sandwich” includes, but is not limited to, burritos, tacos, enchiladas,  
12 chimichangas, pita sandwiches, gyros, and pocket sandwiches.

13           c. “Sandwich” does not include hors d’oeuvres, canapes, egg rolls, cookies,  
14 cakes, pies, and similar desserts and pastries, and food that is sold frozen.

NOTE: Subdivides provision, inserts serial commas, and otherwise modifies punctuation for improved readability and conformity with current style.

→ \*\*\* NOTE: I added several commas in subd. a. CJS

to set off qualifying material and so clarify sentence structure

15           ✓ SECTION 120. 84.30 (10m) of the statutes is amended to read:

16           84.30 (10m) ANNUAL PERMIT FEE REQUIREMENT. The department may  
17 promulgate a rule requiring persons specified in the rule to pay annual permit fees  
18 for signs. If the department establishes an annual permit fee under this subsection,  
19 failure to pay the fee within 2 months after the date on which payment is due is  
20 evidence that the sign has been abandoned for the purposes of s. TRANS Trans  
21 201.10 (2) (f), Wis. Adm. Code.

NOTE: Corrects capitalization, as already reflected in the printed volumes.

The rule shall specify that no permit fee may be charged for an off-premises advertising sign that is owned by a nonprofit organization

STET: leave as typed

PLAIN in the rough draft

→ \*\*\* NOTE: I added a sentence that is present in current law but that was absent from the statute text as cited. CJS

SECTION 121

and

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SECTION 121. 108.02 (15) (k) (intro.), 2., 6., 7., 10., 14., 15., 16., 19. (intro.) and 19.b. of the statutes are amended to read:

108.02 (15) (k) "Employment" as applied to work for a given employer other than a government unit or nonprofit organization, except as such the employer duly elects otherwise with the department's approval, does not include service:

2. As a domestic in the employ of an individual in such the individual's private home, or as a domestic in the employ of a local college club or of a local chapter of a college fraternity or sorority, unless performed for an individual, club, or chapter which that is an employer subject to this chapter under sub. (13) (d) or (i);

6. By an individual for a person as an insurance agent or an insurance solicitor, if all such of the service performed by such the individual for such person is performed for remuneration solely by way of commissions;

7. By an individual for a person as a real estate agent or as a real estate salesperson, if all such of the service performed by such the individual for such person is performed for remuneration solely by way of commission;

10. For an employer who would otherwise be subject to this chapter solely because of sub. (13) (f), if and while the employer, with written notice to and approval by the department, duly covers under the unemployment insurance law of another jurisdiction all services for such the employer which that would otherwise be covered under this chapter;

14. By an individual for an employer which that is engaged in the processing of fresh perishable fruits or vegetables within a given calendar year if the individual has been employed by the employer solely within the active processing season or seasons, as determined by the department, of the establishment in which the individual has been employed by the employer, and the individual's base period

\*\*\* NOTE: I made technical changes here and in action phrase. CJS

\*\*\* NOTE:

\*\*\* NOTE:

for a specific person. CJS

JTK suggests that striking through "for such person" may be a substantive change, because "these provisions are drawn from federal language". Note too that "all of the service performed by the individual" may be different from all of the service performed by the individual

1 wages with the employer are less than the wages required to start a benefit year  
2 under s. 108.04 (4) (a), unless the individual was paid wages of \$200 or more for  
3 services performed in employment or other work covered by the unemployment  
4 insurance law of any state or the federal government, other than work performed for  
5 the processing employer, during the 4 most recently completed quarters preceding  
6 the individual's first week of employment by the processing employer within that  
7 year;

8 15. By an individual as a court reporter if the individual receives wages on a  
9 per diem basis; or

10 16. By an individual whose remuneration consists solely of commissions,  
11 overrides, bonuses, or differentials directly related to sales or other output derived  
12 from in-person sales to or solicitation of orders from ultimate consumers, primarily  
13 in the home; or

14 19. (intro.) Performed by an individual for a seasonal employer if the individual  
15 received written notice from the seasonal employer prior to performing any service  
16 for the employer that such the service is potentially excludable under this  
17 subdivision unless:

18 b. The individual has been paid or is treated as having been paid wages or other  
19 remuneration of \$500 or more during his or her base period for services performed  
20 for at least one employer other than the seasonal employer which that is subject to  
21 the unemployment insurance law of any state or the federal government; or

NOTE: Deletes unnecessary "or" in two places, replaces "such" with "the" as appropriate, deletes "duly" as it has no substantive effect, and deletes unnecessary language in subd. 6. for uniformity with subd. 7.

22

**SECTION 122.** 118.02 (14) of the statutes is renumbered 118.02 (9g).

NOTE: Places subsection in chronological order within list, consistent with the remainder of the section.

\*\*\*\* NOTE: Last part of <sup>(CS)</sup> NOTE may need to be adjusted, depending on what is done with subds. 6. and 7. ~~Also~~ Also, it is not quite accurate to say "for uniformity with subd. 7." since ~~the~~ the uniformity is really ~~with~~ with ~~changes~~ changes made in subd. 7. (CS)

1 SECTION 123. 118.02 (15) of the statutes is renumbered 118.02 (7r).

NOTE: Places subsection in chronological order within list, consistent with the remainder of the section.

2 SECTION 124. 118.02 (16) of the statutes is renumbered 118.02 (7g).

NOTE: Places subsection in chronological order within list, consistent with the remainder of the section.

3 SECTION 125. 118.02 (17) of the statutes is renumbered 118.02 (6m).

NOTE: Places subsection in chronological order within list, consistent with the remainder of the section.

4 SECTION 126. 118.02 (17m) of the statutes is renumbered 118.02 (5m).

NOTE: Places subsection in chronological order within list, consistent with the remainder of the section.

5 SECTION 127. 118.02 (17r) of the statutes is renumbered 118.02 (9r).

NOTE: Places subsection in chronological order within list, consistent with the remainder of the section.

6 SECTION 128. 233.03 (13) of the statutes is amended to read:

7 233.03 (13) Construct or improve facilities that are on state-owned land, if  
8 approval requirements under s. 16.85 (14) (1g) (k) are met and if the state agency  
9 having authority to approve construction or improvement projects on the land  
10 approves the project.

See 4-star notes following the treatment of s. 16.85 (intro.). Under JTK's approach to the restructuring of s. 16.85, it would not be necessary to treat this statute. CJS

NOTE: Section 16.85 (14) is renumbered s. 16.85 (1g) (k) by this bill.

11 SECTION 129. 233.04 (7) (d) of the statutes is amended to read:

12 233.04 (7) (d) A provision that specifies an amount and that exempts any  
13 construction or improvement project on state-owned land that costs less than the  
14 amount from review and approval under s. 16.85 (14) (1g) (k).

NOTE: Section 16.85 (14) is renumbered s. 16.85 (1g) (k) by this bill.

15 SECTION 130. 343.06 (1) (c) of the statutes is amended to read:

16 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a  
17 school program or high school equivalency program and is not a habitual truant as  
18 defined in s. 118.16 (1) (a), has graduated from high school or been granted a

1 declaration of high school graduation equivalency, or is enrolled in a home-based  
 2 private educational program, as defined in s. 115.001 (3g), and has satisfactorily  
 3 completed a course in driver education in public schools approved by the department  
 4 of public instruction, or in technical colleges approved by the technical college system  
 5 board, or in nonpublic and private schools ~~which~~ that meet the minimum standards  
 6 set by the department of public instruction, or has satisfactorily completed a  
 7 substantially equivalent course in driver training approved by the department and  
 8 given by a school licensed by the department under s. 343.61, or has satisfactorily  
 9 completed a substantially equivalent course in driver education or training approved  
 10 by another state and has attained the age of 16, except as provided in s. 343.07 (1)  
 11 (1r). The department shall not issue a license to any person under the age of 18  
 12 authorizing the operation of "Class M" vehicles unless the person has successfully  
 13 completed a basic rider course approved by the department. The department may,  
 14 by rule, exempt certain persons from the basic rider course requirement of this  
 15 paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the  
 16 driver education, basic rider or driver training course requirement. The secretary  
 17 shall prescribe rules for licensing of schools and instructors to qualify under this  
 18 paragraph. The driver education course shall be made available to every eligible  
 19 student in the state. Except as provided under s. 343.16 (1) (c) and (2) (cm) to (e), no  
 20 operator's license may be issued unless a driver's examination has been  
 21 administered by the department.

NOTE: Section 343.07 (1) is renumbered 343.07 (1r) by this bill.

→ ~~\*\*\*\*~~ **NOTE:** See ~~the~~ note under treatment of s. 343.07 (1).  
 22 ✓ **SECTION 131.** 343.06 (1) (cm) of the statutes is amended to read:

23 343.06 (1) (cm) To operate "Class D" vehicles to any person under 18 years of  
 24 age, unless the person has accumulated at least 30 hours of behind-the-wheel

CJS

1 driving experience, at least 10 hours of which were during hours of darkness. Each  
 2 hour of behind-the-wheel driving experience while accompanied by a qualified  
 3 instructor, as defined in s. 343.07 (5) (1g), shall be considered to be 2 hours of  
 4 behind-the-wheel driving experience, except that no more than 5 hours of  
 5 behind-the-wheel driving experience while accompanied by a qualified instructor  
 6 may be counted in this manner. This paragraph does not apply to applicants for a  
 7 restricted license under s. 343.08 or a special restricted operator's license under s.  
 8 343.135. The department may promulgate rules that waive the requirement of  
 9 accumulating at least 30 hours of behind-the-wheel experience for qualified  
 10 applicants who are licensed by another jurisdiction to operate "Class D" vehicles.

NOTE: Section 343.07 (5) is renumbered 343.07 (1g) by this bill.

11 → ~~\*\*\*~~ NOTE: See note under treatment of s. 343.07 (5). CJS  
 ✓ SECTION 132. 343.07 (1) of the statutes is renumbered 343.07 (1r).

NOTE: Accommodates the renumbering of s. 343.07 (5) by this bill.

12 → ~~\*\*\*~~ NOTE: Per ARG, this should be renumbered (1g) so that it continues to precede current-law sub.(1m). CJS  
 ✓ SECTION 133. 343.07 (5) of the statutes is renumbered 343.07 (1g).

NOTE: Moves a definition to the beginning of the section in conformity with current style.

13 → ~~\*\*\*~~ NOTE: Per ARG, this should be renumbered (1c) instead of (1g) so that (1g) can be used for the renumbering of s. 343.07 (1). CJS  
 ✓ SECTION 134. 343.085 (2m) (a) 1. b. of the statutes is amended to read:

14 343.085 (2m) (a) 1. b. A person who meets the requirements under s. 343.07  
 15 (1) (1r) (a).

NOTE: Section 343.07 (1) is renumbered 343.07 (1r) by this bill.

16 → ~~\*\*\*~~ NOTE: See note under treatment of s. 343.07 (1). CJS  
 ✓ SECTION 135. 343.085 (2m) (a) 2. of the statutes is amended to read:

17 343.085 (2m) (a) 2. Between the hours of 12 midnight and 5 a.m., unless the  
 18 licensee's parent or guardian, or a person who meets the requirements under s.  
 19 343.07 (1) (1r) (a), occupies the seat beside the licensee, or unless the licensee is  
 20 traveling between his or her place of residence, school, and place of employment.

NOTE: Section 343.07 (1) is renumbered 343.07 (1r) by this bill.

→ ~~\*\*\*~~ NOTE: See note under treatment of s. 343.07 (1). CJS

1     ✓ **SECTION 136.** 344.52 (1) of the statutes is renumbered 344.52(1r) and amended  
2     to read:

3           344.52 (1r) Whenever any motor vehicle rented for compensation outside this  
4     state is operated in this state, the lessor of such the motor vehicle is directly liable  
5     for all damages to persons or property caused by the negligent operation of such the  
6     rented vehicle unless, at the time when such the damage or injury occurs, the  
7     operation of the rented vehicle is effectively covered by a policy of insurance ~~which~~  
8     that provides coverage at least in the amounts specified in s. 344.01 (2) (d) for  
9     property damage, personal injury, or death suffered by any person on account of the  
10    negligent operation of such the rented vehicle. The amount of liability imposed upon  
11    the lessor by this section in the absence of insurance coverage shall not exceed the  
12    limits set forth in s. 344.01 (2) (d) with respect to the acceptable limits of liability  
13    when furnishing proof of financial responsibility. The fact that the rented vehicle is  
14    operated in this state contrary to any understanding or agreement with the lessor  
15    is not a defense to any liability imposed by this section.

NOTE: Renumbers provision to accommodate the renumbering of s. 344.52 (3) by  
this bill. Disfavored terms are replaced, specific references added, and serial commas  
inserted for improved readability and conformity with current style.

16    ✗ **SECTION 137.** 344.52 (3) of the statutes is renumbered 344.52 (1g).

NOTE: Renumbers definition to beginning of section in conformity with current  
style.

17    ✓ **SECTION 138.** 441.001 (4) (b) of the statutes is amended to read:

18           441.11 (4) (b) The execution of procedures and techniques in the treatment of  
19    the sick under the general or special supervision or direction of a physician,  
20    podiatrist licensed under ch. 448, dentist licensed under ch. 447, or optometrist  
21    licensed under ch. 449, or under an order of a person who is licensed to practice  
22    medicine, podiatry, dentistry, or optometry in another state if the person making the

1 order prepared the order after examining the patient in that other state and directs  
2 that the order be carried out in this state.

NOTE: Inserts serial comma consistent with current style.

3 ✓ **SECTION 139.** 758.13 (1) of the statutes is renumbered 758.13 (1) (a) (intro.) and  
4 amended to read:

5 758.13 (1) (a) (intro.) There is created a judicial council of 21 members as  
6 follows: a

7 1. One supreme court justice designated by the supreme court; ~~a.~~

8 2. One court of appeals judge designated by the court of appeals; ~~the.~~

9 3. The director of state courts or his or her designee; ~~4.~~

10 4. Four circuit judges designated by the judicial conference; ~~the.~~

11 5. The chairpersons of the senate and the assembly committees dealing with  
12 judicial affairs or a member of each such committee designated by the respective  
13 chairperson; ~~the.~~

14 6. The attorney general or his or her designee; ~~the.~~

15 7. The revisor of statutes or an assistant designated by the revisor; ~~the.~~

16 8. The deans of the law schools of the University of Wisconsin and Marquette  
17 University or a member of the respective law school faculties designated by the  
18 deans; ~~the.~~

19 9. The state public defender or his or her designee; ~~the.~~

20 10. The president-elect of the ~~state bar~~ State Bar of Wisconsin or a member of  
21 the board of governors of the state bar designated by the president-elect ~~and~~ ~~3.~~

22 11. Three additional members ~~thereof~~ of the state bar selected by the state bar  
23 to serve 3-year terms; ~~one.~~

24 12. One district attorney appointed by the governor; ~~and~~ ~~2.~~



SECTION 141

1 ~~7. Any applicable drug abuse program improvement surcharge imposed by s.~~  
2 ~~961.41 (5), any.~~

3 ~~8. Any applicable consumer protection assessment imposed by s. 100.261, any.~~

4 ~~9. Any applicable domestic abuse assessment imposed by s. 971.37 (1m) (c) 1.~~  
5 ~~or 973.055, any.~~

6 ~~10. Any applicable driver improvement surcharge imposed by s. 346.655, any.~~

7 ~~11. Any applicable truck driver education assessment imposed by s. 349.04,~~  
8 ~~any.~~

9 ~~12. Any applicable enforcement assessment imposed by s. 253.06 (4) (c), any.~~

10 ~~13. Any applicable weapons assessment imposed by s. 167.31, any.~~

11 ~~14. Any applicable uninsured employer assessment imposed by s. 102.85 (4),~~  
12 ~~any.~~

13 ~~15. Any applicable environmental assessment imposed by s. 299.93, any.~~

14 ~~16. Any applicable wild animal protection assessment imposed by s. 29.983,~~  
15 ~~any.~~

16 ~~17. Any applicable natural resources assessment imposed by s. 29.987, and any.~~

17 ~~18. Any applicable natural resources restitution payment imposed by s. 29.989~~  
18 ~~or 169.46 (2) to be made within a period not to exceed 60 days.~~

19 ~~(b) If no such permission to delay payment is embodied in the sentence, the fine,~~  
20 ~~the penalty assessment, the jail assessment, the crime victim and witness assistance~~  
21 ~~surcharge, the crime laboratories and drug law enforcement assessment, any~~  
22 ~~applicable deoxyribonucleic acid analysis surcharge, any applicable drug abuse~~  
23 ~~program improvement surcharge, any applicable consumer protection assessment,~~  
24 ~~any applicable domestic abuse assessment, any applicable driver improvement~~  
25 ~~surcharge, any applicable truck driver education assessment, any applicable~~

1 ~~enforcement assessment, any applicable weapons assessment, any applicable~~  
2 ~~uninsured employer assessment, any applicable environmental assessment, any~~  
3 ~~applicable wild animal protection assessment, any applicable natural resources~~  
4 ~~assessment, and any applicable natural resources restitution payment under par. (a)~~  
5 ~~shall be payable immediately.~~

NOTE: Subdivides a long provision by placing a list in tabular form and amends par.  
(b) to eliminate the necessity of repeating the list.

6 **SECTION 142.** 973.05 (2) of the statutes is renumbered 973.05 (2) (intro.)  
7 amended to read:

8 973.05 (2) (intro.) When a defendant is sentenced to pay a fine and is also placed  
9 on probation, the court may make the payment of the fine, ~~the penalty and any~~  
10 ~~assessment, the jail assessment, the crime victim and witness assistance surcharge,~~  
11 ~~the crime laboratories and drug law enforcement assessment, any applicable~~  
12 ~~deoxyribonucleic acid analysis surcharge, any applicable drug abuse program~~  
13 ~~improvement surcharge, any applicable consumer protection assessment, any~~  
14 ~~applicable domestic abuse assessment, any applicable uninsured employer~~  
15 ~~assessment, any applicable driver improvement surcharge, any applicable truck~~  
16 ~~driver education assessment, any applicable enforcement assessment under s.~~  
17 ~~253.06 (4) (c), any applicable weapons assessment, any applicable environmental~~  
18 ~~assessment, any applicable wild animal protection assessment, any applicable~~  
19 ~~natural resources assessment, and any applicable natural resources restitution~~  
20 ~~payments, surcharge or restitution payment listed in sub. (1) (a) condition of~~  
21 ~~probation. When the payments are payment of any fine, assessment, surcharge, or~~  
22 ~~restitution payment listed ins sub. (1) (a) is made a condition of probation by the~~

1 court, payments ~~thereon~~ on the fine, assessments, surcharges and restitution  
2 payments shall be applied first to in the following order:

3 (a) To payment of the penalty assessment until paid in full, ~~shall then be~~  
4 ~~applied to the.~~

5 (b) To payment of the jail assessment until paid in full, ~~shall then be applied~~  
6 ~~to the.~~

7 (c) To payment of part A of the crime victim and witness assistance surcharge  
8 ~~until paid in full, shall then be applied to.~~

9 (d) To payment of part B of the crime victim and witness assistance surcharge  
10 ~~until paid in full, shall then be applied to.~~

11 (e) To payment of the crime laboratories and drug law enforcement assessment  
12 ~~until paid in full, shall then be applied to.~~

13 (f) To payment of the deoxyribonucleic acid analysis surcharge until paid in full,  
14 ~~shall then be applied to.~~

15 (g) To payment of the drug abuse improvement surcharge until paid in full,  
16 ~~shall then be applied to.~~

17 (h) To payment of the driver improvement surcharge until paid in full, ~~shall~~  
18 ~~then be applied to.~~

19 (i) To payment of the truck driver education assessment if applicable until paid  
20 ~~in full, shall then be applied to.~~

21 (j) To payment of the domestic abuse assessment until paid in full, ~~shall then~~  
22 ~~be applied to.~~

23 (k) To payment of the consumer protection assessment until paid in full, ~~shall~~  
24 ~~then be applied to.~~

1       ~~(l) To payment of the natural resources assessment if applicable until paid in~~  
2       ~~full, shall then be applied to.~~

3       ~~(m) To payment of the natural resources restitution payment until paid in full,~~  
4       ~~shall then be applied to the.~~

5       ~~(n) To payment of the environmental assessment if applicable until paid in full,~~  
6       ~~shall then be applied to the.~~

7       ~~(o) To payment of the wild animal protection assessment if applicable until paid~~  
8       ~~in full, shall then be applied to.~~

9       ~~(p) To payment of the weapons assessment until paid in full, shall then be~~  
10       ~~applied to.~~

11       ~~(q) To payment of the uninsured employer assessment until paid in full, shall~~  
12       ~~then be applied to.~~

13       ~~(r) To payment of the enforcement assessment under s. 253.06 (4) (e), if~~  
14       ~~applicable, until paid in full, and shall then be applied to.~~

15       ~~(s) To payment of the fine.~~

NOTE: Deletes repeated text and subdivides list, making terminology internally consistent.

(END)

INS P1 ins X

16

# INS BBB

④ SEC. #. RN; S.58 (1) (title); S.58 (1b) (title)

④ +AAA NOTE: I have added this bill <sup>(CS)</sup> SECTION

~~\_\_\_\_\_~~ as part of my technical corrections  
to bill <sup>(CS)</sup> SECTIONS 3 and 4 (as numbered in

the rough draft. ~~\_\_\_\_\_~~ Do you want to

add <sup>(CS)</sup> a revisor's note to this new  
SECTION? CJS

④ \*\*\*\*\* NOTE: JTK recommends a different approach:

④ <sup>(CS)</sup> Section #10. <sup>(hard no.)</sup> 5.60 (3) (intro.) (except 5.60 (3) (title)) of the statutes is renumbered 5.60 (3) (ag).

④ <sup>(CS)</sup> Section 11. <sup>(hard no.)</sup> 5.60 (3) (a) of the statutes is renumbered 5.60 (3) (am) and amended to read:

④ <sup>(B)</sup> 5.60 (3) (am) No party designation shall appear on the official ballot for city offices.

④ Note that the proposed revision and JTK's recommended approach differ substantively. CJS

LPS:  
use  
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type-  
this  
material  
is  
part  
of  
the  
note.

✓

INS QQQ

(as numbered in the rough draft)

bill

① NOTE: JTK recommends deleting SECTIONS 62 to 71 and substituting the following:

① SEC. 62. 16.85(8) and (11) of the statutes are renumbered 16.8511 (1) and (2).

① SEC. 63. 16.8511 (title) is created to read:

① 16.8511 (title) Secretary of administration; powers, duties.

① JTK explains: "The problem is with s. 16.85 (8) and (11), stats. This solution [i.e., JTK's solution] is simpler and more direct. Renumbering everything else creates an inconvenience for users and begins the subchapter in an illogical way."

① NOTE: If you adopt JTK's approach, no x-ref's will need to be adjusted, because s. 16.85 (8) and (11) are not x-ref'd anywhere. CJS

① NOTE: I did not edit SECTIONS 62 to 71 yet, except to make sure that the material treated in them was related to the proposed restructuring of s. 16.85. CJS

LPS: use 10-pt type - this material is part of the note.

(as numbered in the rough draft)

39-13

\*\*\*\*NOTE: Bruce, I'd be hesitant to modify  
this the way you have. Current language seems  
to require <sup>that</sup> each contract ~~to~~ include a  
provision reserving to the  
provision reserving to the people the right of  
access, etc. Your modification <sup>appears to</sup> eliminate  
that requirement. PG

PG

# INSERT RRR

- ⑨ \*\*\*NOTE: MES suggests that "as stated in" be changed to "which shall be the aims and objectives stated in". It is not clear, ~~otherwise~~<sup>otherwise</sup> what "as stated in" is meant to modify — for example, does it modify "The council shall advise"? CJS
- ⑨ \*\*\*NOTE: See my changes to the NOTE. Also, the second sentence in the note is ~~is~~ inaccurate. The objectives of the council were originally stated in s. 109.13(3), which was created by ch. 575, Laws of 1965. Section 109.13(3) was <sup>subsequently</sup> renumbered s. 144.76(3) by ch. 211, Laws of 1967. CJS
- ⑨ \*\*\*NOTE: In the statutory text, why not say "the <sup>Ⓢ</sup> aims and objectives of the <sup>Ⓢ</sup> natural beauty council <sup>Ⓢ</sup> Wisconsin <sup>Ⓢ</sup> environmental council described in s. 144.76 <sup>Ⓢ</sup>(2), 1975 <sup>Ⓢ</sup> stats."? The <sup>Ⓢ</sup> NOTE <sup>Ⓢ</sup> does not explain the choice not to do this. Should the <sup>Ⓢ</sup> NOTE <sup>Ⓢ</sup> mention the fact that ch. 224, Laws of 1975, which changed the name of the council, did not affect s. 59.70(59)? CJS

2005  
2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

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.....  
this document is: 0952/P1insX

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INS P1ins X

OK'd by MGD  
SA ✓  
X-108sv

LPS:  
check  
component

\*\*\*NOTE: Delete the amendment of 973.05 (1)  
\*\*\*NOTE: Replace the amendment of 973.05 (2) with the following:

139

- 1 → ✓ SECTION 1. 973.05 (2m) of the statutes, as affected by 2003 Wisconsin Act 140,
- 2 is renumbered 973.05 (2m) (intro.) and amended to read:
- 3 973.05 (2m) (intro.) Payments under this section shall be applied first to in the
- 4 following order:
- 5 (a) To payment of the penalty surcharge until paid in full, shall then be applied
- 6 to the.
- 7 (b) To payment of the jail surcharge until paid in full, shall then be applied to
- 8 the.
- 9 (c) To payment of part A of the crime victim and witness assistance surcharge
- 10 until paid in full, shall then be applied to.
- 11 (d) To payment of part B of the crime victim and witness assistance surcharge
- 12 until paid in full, shall then be applied to.
- 13 (e) To payment of the crime laboratories and drug law enforcement surcharge
- 14 until paid in full, shall then be applied to.
- 15 (f) To payment of the deoxyribonucleic acid analysis surcharge until paid in full,
- 16 shall then be applied to.
- 17 (g) To payment of the drug abuse improvement surcharge until paid in full,
- 18 shall then be applied to.
- 19 (h) To payment of the driver improvement surcharge until paid in full, shall
- 20 then be applied to.

program ← PLAIN

\*\*\* Note: I added the word "program", which is part of the current law version of this statute. CJS

\*\*\*\* NOTE: MGD suggests striking out "if applicable" in each item in the list in which it appears. The problem is that this phrase is not present in some items in the list in which it should be for proper parallelism. To compensate for the removal of the phrase from the items, MGD suggests adding to

LRB  
.....

1 (i) To payment of the truck driver education surcharge if applicable until paid

2 in full, shall then be applied to.

the intro. the phrase "as applicable" immediately before the words "in the following order".

3 (j) To payment of the domestic abuse surcharge until paid in full, shall then be

4 applied to.

5 (k) To payment of the consumer protection surcharge until paid in full, shall

6 then be applied to.

7 (L) To payment of the natural resources surcharge if applicable until paid in

8 full, shall then be applied to.

9 (m) To payment of the natural resources restitution surcharge until paid in full,

10 shall then be applied to the.

11 (n) To payment of the environmental surcharge if applicable until paid in full,

12 shall then be applied to the.

13 (o) To payment of the wild animal protection surcharge if applicable until paid

14 in full, shall then be applied to.

15 (p) To payment of the weapons surcharge until paid in full, shall then be applied

16 to.

17 (q) To payment of the uninsured employer surcharge until paid in full, shall

18 then be applied to.

19 (r) To payment of the enforcement surcharge under s. 253.06 (4) (c), if

20 applicable, until paid in full, and shall then be applied to.

21 (s) To payment of the fine and the costs and fees imposed under ch. 814.

NOTE: Subdivides list.

\*\*\*\* NOTE: changed the reference in the action phrase to Act 139. CJS

<END>

\*\*\*\* NOTE: In proposed par. (r), why has the x-ref been struck out? "Enforcement surcharge" is not the complete name of the surcharge. Without the x-ref it will be unclear which surcharge is meant. Also, why has "if applicable" been struck out? It is not struck out in other paragraphs where it appears. CJS

2005  
2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

0952/plins  
LRB-3603/plins  
BEM:.....

LPS: Please PWF  
all sections containing amended text

SAV X-ref ✓

1 insert 58-13 ||

2 ✓ SECTION 1. 48.685 (5) (bm) 4. of the statutes, as affected by 2004 Wisconsin Act  
3 109, is amended to read: 322

4 48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 125.075 (1),  
5 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12), 940.09, 940.19 (2), (4), (5),  
6 or (6), 940.20, 940.203, 940.205, 940.207, or ~~940.225~~ [s. 940.25], a violation of s.  
7 346.63 (1), (2), (5), or (6) that is a felony under s. 346.65 (2) (e) (am) 5. or (f), (2j) (d),  
8 or (3m), or an offense under ch. 961 that is a felony, if committed not more than 5  
9 years before the date of the investigation under sub. (2) (am).

NOTE: NOTE: The bracketed language indicates the correct cross-reference. Corrective legislation is pending. NOTE:  
History: 1997 a. 27, 237, 281; 1999 a. 9, 32, 56, 185, 186; 2001 a. 109.

NOTE: Changes cross-reference to accommodate renumbering by SECTION 4 of this

bill.

\*\*\* NOTE: changed ~~action~~ phrase ~~and~~ text of bill because of prior treatment by 2003 Wis Act 32. cts  
use a.r. 4

10  
11 insert 71-17

12 ✓ SECTION 2. 346.65 (2) (intro.) of the statutes is renumbered 346.65 (2) (am)  
13 (intro.).

NOTE: Renumbers provision to conform with current style that requires each statutory unit that follows an introduction to form a complete sentence when read with the introduction.

14 ✓ SECTION 3. 346.65 (2) (a) to (d) of the statutes are renumbered 346.65 (2) (am)  
15 1. to 4., and 346.65 (2) (am) 1., as renumbered, is amended to read:

16 346.65 (2) (am) 1. Shall forfeit not less than \$150 nor more than \$300, except  
17 as provided in pars. (b) to subs. 2. to 5. and par. (f). ✓

History: 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Renumbers provision to conform with current style that requires each statutory unit that follows an introduction to form a complete sentence when read with the introduction. Changes cross-reference to accommodate renumbering.

5

*create a.r. 4*

1 ✓ SECTION 4. 346.65 (2) (e) of the statutes, as affected by 2001 Wisconsin Act 109,  
2 is renumbered 346.65 (2) (am) 5.

→ ~~\*\*\*NOTE~~: *Do you want to add a note? CJS*

3 ✓ SECTION 5. 346.65 (2) (f) of the statutes is amended to read:

4 346.65 (2) (f) If there was a minor passenger under 16 years of age in the motor  
5 vehicle at the time of the violation that gave rise to the conviction under s. 346.63 (1),  
6 the applicable minimum and maximum forfeitures, fines, or imprisonment under  
7 par. (a), (b), (c), (d) or (e) (am) for the conviction are doubled. An offense under s.  
8 346.63 (1) that subjects a person to a penalty under par. (c), (d) or (e) (am) 3., 4., or  
9 5. when there is a minor passenger under 16 years of age in the motor vehicle is a  
10 felony and the place of imprisonment shall be determined under s. 973.02.

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Renumbers provision to conform with current style that requires each statutory unit that follows an introduction to form a complete sentence when read with the introduction. Changes cross-reference to accommodate renumbering.

→ ~~\*\*\*NOTE~~: *See my changes to note. CJS*

*CS*  
by SECTIONS  
\* and \*  
use a.r. 3      use a.r. 4

11 ✓ SECTION 6. 346.65 (2) (g) of the statutes is amended to read:

12 346.65 (2) (g) 1. If a person convicted had an alcohol concentration of 0.17 to  
13 0.199, the applicable minimum and maximum fines under pars. (c) to (e) par. (am)  
14 3. to 5. are doubled.

15 2. If a person convicted had an alcohol concentration of 0.20 to 0.249, the  
16 applicable minimum and maximum fines under pars. (c) to (e) par. (am) 3. to 5. are  
17 tripled.

18 3. If a person convicted had an alcohol concentration of 0.25 or above, the  
19 applicable minimum and maximum fines under pars. (c) to (e) par. (am) 3. to 5. are  
20 quadrupled.

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

*S*

*S* - CS  
\* and \*  
use a.r. 3      use a.r. 4

1 ✓ SECTION 7. 346.65 (2c) of the statutes is amended to read:

2 346.65 (2c) In sub. (2) (b) to (e) (am) 2., 3., 4., or 5., the time period shall be  
3 measured from the dates of the refusals or violations that resulted in the revocation  
4 or convictions. If a person has a suspension, revocation, or conviction for any offense  
5 under a local ordinance or a state statute of another state that would be counted  
6 under s. 343.307 (1), that suspension, revocation, or conviction shall count as a prior  
7 suspension, revocation, or conviction under sub. (2) (b) to (e) (am) 2., 3., 4., or 5.

→ **\*\*\* NOTE:** See my changes (a. ~~or~~ "or" to "and").  
**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

8 ✓ SECTION 8. 346.65 (2e) of the statutes is amended to read:

9 346.65 (2e) If the court determines that a person does not have the ability to  
10 pay the costs and fine or forfeiture imposed under sub. (2) (a), (b), (c), (d), (e) (am),  
11 (f), or (g), the court may reduce the costs, fine, and forfeiture imposed and order the  
12 person to pay, toward the cost of the assessment and driver safety plan imposed  
13 under s. 343.30 (1q) (c), the difference between the amount of the reduced costs and  
14 fine or forfeiture and the amount of costs and fine or forfeiture imposed under sub.  
15 (2) (a), (b), (c), (d), (e) (am), (f), or (g).

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

16 ✓ SECTION 9. 346.65 (2g) (a) of the statutes is amended to read:

17 346.65 (2g) (a) In addition to the authority of the court under s. 973.05 (3) (a)  
18 to provide that a defendant perform community service work for a public agency or  
19 a nonprofit charitable organization in lieu of part or all of a fine imposed under sub.  
20 (2) (b) to (am) 2., 3., 4., and 5., (f), and (g) and except as provided in par. (ag), the court  
21 may provide that a defendant perform community service work for a public agency

and

and

cs

\* and \*  
ar. 3  
ar. 4

cs

*[Handwritten signature]*

1 or a nonprofit charitable organization in lieu of part or all of a forfeiture under sub.  
2 (2) ~~(a)~~ (am) 1. or may require a person who is subject to sub. (2) to perform community  
3 service work for a public agency or a nonprofit charitable organization in addition  
4 to the penalties specified under sub. (2).

History: 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

5 ✓ SECTION 10. 346.65 (2g) (ag) of the statutes is amended to read:

6 346.65 (2g) (ag) If the court determines that a person does not have the ability  
7 to pay a fine imposed under sub. (2) ~~(b)~~ (am) 2., 3., 4., or 5., (f), or (g), the court shall  
8 require the defendant to perform community service work for a public agency or a  
9 nonprofit charitable organization in lieu of paying the fine imposed or, if the amount  
10 of the fine was reduced under sub. (2e), in lieu of paying the remaining amount of the  
11 fine. Each hour of community service performed in compliance with an order under  
12 this paragraph shall reduce the amount of the fine owed by an amount determined  
13 by the court.

History: 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

14 ✓ SECTION 11. 346.65 (2g) (am) of the statutes is amended to read:

15 346.65 (2g) (am) Notwithstanding s. 973.05 (3) (b), an order under par. (a) or  
16 (ag) may ~~only~~ only apply if agreed to by the organization or agency. The court shall  
17 ensure that the defendant is provided a written statement of the terms of the  
18 community service order and that the community service order is monitored. Any  
19 organization or agency acting in good faith to which a defendant is assigned pursuant  
20 to an order under this subsection has immunity from any civil liability in excess of  
21 \$25,000 for acts or omissions by or impacting on the defendant. The issuance or

Handwritten notes and markings: "CS" at the top right, a circled "5" with an arrow pointing to "SECTION" in the first note, a circled "5" with an arrow pointing to "SECTION" in the second note, and a circled "5" with an arrow pointing to "SECTION" in the third note. A large bracket on the right side spans from the first note down to the third note, with "use 2+7" written above it. Inside the bracket, there are handwritten notes: "\* and \*" with arrows pointing to "SECTION" in the first note, "a.r. 3" with an arrow pointing to "SECTION" in the second note, and "a.r. 4" with an arrow pointing to "SECTION" in the third note. There are also circled "CS" and "5" markings near the bottom right of the page.

1 possibility of the issuance of a community service order under this subsection does  
2 not entitle an indigent defendant who is subject to sub. (2) ~~(a)~~ (am) 1. to  
3 representation by counsel under ch. 977.

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill. Corrects placement of adverb.

4 ✓ SECTION 12. 346.65 (2g) (d) of the statutes is amended to read:

5 346.65 (2g) (d) With respect to imprisonment under sub. (2) ~~(b)~~ (am) 2., the  
6 court shall ensure that the person is imprisoned for not less than 5 days or ordered  
7 to perform not less than 30 days of community service work under s. 973.03 (3) (a).

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

8 ✓ SECTION 13. 346.65 (2i) of the statutes is amended to read:

9 346.65 (2i) In addition to the authority of the court under sub. (2g) and s. 973.05  
10 (3) (a), the court may order a defendant subject to sub. (2), or a defendant subject to  
11 s. 973.05 (3) (a) who violated s. 346.63 (2), 940.09 (1), or 940.25, to visit a site that  
12 demonstrates the adverse effects of substance abuse or of operating a vehicle while  
13 under the influence of an intoxicant or other drug, including an alcoholism treatment  
14 facility approved under s. 51.45 or an emergency room of a general hospital in lieu  
15 of part or all of any forfeiture imposed or in addition to any penalty imposed. The  
16 court may order the defendant to pay a reasonable fee, based on the person's ability  
17 to pay, to offset the costs of establishing, maintaining, and monitoring the visits  
18 ordered under this subsection. The court may order a visit to the site only if agreed  
19 to by the person responsible for the site. If the opportunities available to visit sites  
20 under this subsection are fewer than the number of defendants eligible for a visit,  
21 the court shall, when making an order under this subsection, give preference to

1 defendants who were under 21 years of age at the time of the offense. The court shall  
 2 ensure that the visit is monitored. A visit to a site may be ordered for a specific time  
 3 and a specific day to allow the defendant to observe victims of vehicle accidents  
 4 involving intoxicated drivers. If it appears to the court that the defendant has not  
 5 complied with the court order to visit a site or to pay a reasonable fee, the court may  
 6 order the defendant to show cause why he or she should not be held in contempt of  
 7 court. Any organization or agency acting in good faith to which a defendant is  
 8 assigned pursuant to an order under this subsection has immunity from any civil  
 9 liability in excess of \$25,000 for acts or omissions by or impacting on the defendant.  
 10 The issuance or possibility of the issuance of an order under this subsection does not  
 11 entitle an indigent defendant who is subject to sub. (2) ~~(a)~~ (am) 1. to representation  
 12 by counsel under ch. 977.

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

*air 3*

13 ✓ SECTION 14. 346.65 (2j) (intro.) of the statutes is renumbered 346.65 (2j) (am)  
 14 (intro.).

NOTE: Renumbers provision to conform with current style that requires each statutory unit that follows an introduction to form a complete sentence when read with the introduction.

15 ✓ SECTION 15. 346.65 (2j) (a), (b) and (c) of the statutes are renumbered 346.65  
 16 (2j) (am) 1., 2. and 3., and 346.65 (2j) (am) 1., as renumbered, is amended to read:

17 346.65 (2j) (am) 1. Shall forfeit not less than \$150 nor more than \$300 except  
 18 as provided in par. (b), (c) (am) 2. or 3. or (d).

*par.*

*e subd.*

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Renumbers provision to conform with current style that requires each statutory unit that follows an introduction to form a complete sentence when read with the introduction. Changes cross-references to accommodate renumbering.

\*\*\* NOTE: See my changes. CJS

19 ✓ SECTION 16. 346.65 (2j) (d) of the statutes is amended to read:

1           346.65 (2j) (d) If there was a minor passenger under 16 years of age in the  
 2 commercial motor vehicle at the time of the violation that gave rise to the conviction  
 3 under s. 346.63 (5), the applicable minimum and maximum forfeitures, fines, or  
 4 imprisonment under par. (a), (b) or (e) (am) 1., 2., or 3. for the conviction are doubled.  
 5 An offense under s. 346.63 (5) that subjects a person to a penalty under par. (e) (am)  
 6 3. when there is a minor passenger under 16 years of age in the commercial motor  
 7 vehicle is a felony and the place of imprisonment shall be determined under s. 973.02.

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

8           ✓ SECTION 17. 346.65 (7) of the statutes is amended to read:

9           346.65 (7) A person convicted under sub. (2) (b), (c), (d) or (e) (am) 2., 3., 4., or  
 10 5. or (2j) (b) or (e) (am) 2. or 3. shall be required to remain in the county jail for not  
 11 less than a 48-consecutive-hour period.

**History:** 1971 c. 278; 1973 c. 218; 1977 c. 193; 1979 c. 221; 1981 c. 20; 1985 a. 80, 337; 1987 a. 3, 27, 398, 399; 1989 a. 105, 176, 271; 1991 a. 39, 251, 277, 315; 1993 a. 198, 317, 475; 1995 a. 44, 338, 359, 425; 1997 a. 27, 135, 199, 237, 277, 283, 295; 1999 a. 32, 109; 2001 a. 16 ss. 3443k, 4060gm, 4060hw, 4060hy; 2001 a. 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

12           insert 77-16

14           ✓ SECTION 18. 973.09 (1) (d) 1. of the statutes is amended to read:

15           973.09 (1) (d) 1. A violation under s. 346.63 (1) that subjects the person to a  
 16 mandatory minimum period of imprisonment under s. 346.65 (2) (b) or (e) (am) 2. or  
 17 3.

**History:** 1971 c. 298; 1979 c. 119, 189, 238, 355, 356; 1981 c. 50, 88, 326, 352, 391; 1983 a. 27, 104, 254, 346, 519, 538; 1985 a. 150; 1987 a. 347, 398, 403, 412; 1989 a. 31, 121, 188; 1991 a. 39; 1993 a. 48, 486; 1995 a. 24, 224, 281; 1997 a. 27, 41, 289; 1999 a. 9, 58, 69, 186; 2001 a. 16, 104, 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

18           ✓ SECTION 19. 973.09 (1) (d) 3. of the statutes is amended to read:

Handwritten notes: A circled '5' with an arrow pointing to 'SECTION' in the first note. A circled '\*' with an arrow pointing to 'SECTION' in the second note. 'a.r. 15' written next to the circled '\*'. A checkmark is above the 'SECTION 17' text.

Handwritten notes: A circled '5' with 'CS' next to it. A large oval containing three asterisks '\*, \*, and \*'. Arrows point from the asterisks to 'a.r. 3', 'a.r. 4', and 'a.r. 15' respectively.

Handwritten note: A circled '5' with an arrow pointing to 'SECTION' in the third note.

Handwritten notes: A circled '\*' with an arrow pointing to 'SECTION' in the fourth note. 'a.r. 3' written below the circled '\*'. A checkmark is above the 'SECTION 19' text.

1            973.09 (1) (d) 3. A violation under s. 346.63 (5) that subjects the person to a  
2            mandatory minimum period of imprisonment under s. 346.65 (2j) ~~(e)~~ (am) 3., if the  
3            person has a total of 3 or fewer convictions, suspensions or revocations counted under  
4            s. 343.307 (2).

**History:** 1971 c. 298; 1979 c. 119, 189, 238, 355, 356; 1981 c. 50, 88, 326, 352, 391; 1983 a. 27, 104, 254, 346, 519, 538; 1985 a. 150; 1987 a. 347, 398, 403, 412; 1989 a. 31, 121, 188; 1991 a. 39; 1993 a. 48, 486; 1995 a. 24, 224, 281; 1997 a. 27, 41, 289; 1999 a. 9, 58, 69, 186; 2001 a. 16, 104, 109; 2003 a. 33.

NOTE: Changes cross-reference to accommodate renumbering by SECTION of this bill.

6  
ar 15