



2019 ASSEMBLY BILL 878

February 11, 2020 - Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Rules.

1 **AN ACT; relating to:** revising various provisions of the statutes for the purpose
2 of making corrections and reconciling conflicts (Correction Bill).

Analysis by the Legislative Reference Bureau

This correction bill, prepared by the Legislative Reference Bureau under s.
13.92 (1) (bm) 1. and 2. and (2) (i) and (L), stats., is explained in the NOTES in the body
of the bill.

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

3 **SECTION 1.** 15.197 (4) (c) (title) of the statutes is created to read:
4 15.197 (4) (c) (title) *Functions.*

NOTE: The other paragraphs in s. 15.197 (4) have titles.

5 **SECTION 2.** 16.03 (3) (title) of the statutes is created to read:
6 16.03 (3) (title) AGENCY COOPERATION.

NOTE: The other subsections in s. 16.03 have titles.

7 **SECTION 3.** 16.997 (2) (b) of the statutes, as affected by 2019 Wisconsin Act 9,
8 is amended to read:

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1 16.997 (2) (b) Establish eligibility requirements for an educational agency to
2 participate in the program established under sub. (1) and to receive additional
3 telecommunications access under s. 16.998, including a requirement that a charter
4 school sponsor use data lines to benefit pupils attending the charter school and a
5 requirement that Internet access to material that is harmful to children, as defined
6 in s. 948.11 (1) (b), is blocked on the computers of juvenile correctional facilities that
7 are served by data ~~links~~ lines subsidized under this section.

NOTE: Corrects the term used for consistency in s. 16.997. Section 16.997 otherwise
uses the term "data line" instead of "data link."

8 **SECTION 4.** 20.485 (2) (yn) of the statutes, as affected by 2019 Wisconsin Act 9,
9 is amended to read:

10 20.485 (2) (yn) *Veterans trust fund loans and expenses.* Biennially, the amounts
11 in the schedule for the purpose of providing loans under s. 45.42 and for the payment
12 of expenses and other payments as a consequence of being a mortgagee or owner
13 under home improvement loans made under s. 45.79 (7) (c), 1997 stats., or under s.
14 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.356, 2003 stats., s. 45.80, 1989
15 stats., and s. 45.42. All moneys received under s. 45.42 (8) (~~b~~) for the purpose of
16 providing loans under the personal loan program under s. 45.42 shall be credited to
17 this appropriation account. All payments of interest and repayments of principal for
18 loans made under s. 45.351 (2), 1995 stats., s. 45.352, 1971 stats., s. 45.356, 2003
19 stats., s. 45.79 (7) (c), 1997 stats., s. 45.80, 1989 stats., and s. 45.42 shall revert to the
20 veterans trust fund.

NOTE: Fixes erroneous cross-reference. 2019 Wis. Act 9 renumbered s. 45.42 (8)
(b) to s. 45.42 (8).

21 **SECTION 5.** 20.485 (2) (yo) of the statutes, as affected by 2019 Wisconsin Act 9,
22 is amended to read:

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1 20.485 (2) (yo) *Debt payment*. A sum sufficient for the payment of obligations
2 incurred for moneys received under s. 45.42 (8) (b).

NOTE: Fixes erroneous cross-reference. 2019 Wis. Act 9 renumbered s. 45.42 (8)
(b) to s. 45.42 (8).

3 **SECTION 6.** 20.866 (2) (zn) 1. of the statutes, as affected by 2019 Wisconsin Act
4 9, is amended to read:

5 20.866 (2) (zn) 1. From the capital improvement fund, a sum sufficient for the
6 department of veterans affairs for loans to veterans under s. 45.37 (6) (a), 2017 stats.
7 The state may contract public debt in an amount not to exceed \$2,127,540,000 for this
8 purpose.

NOTE: Inserts correct cross-reference. 2019 Wis. Act 9 repealed s. 45.37.

9 **SECTION 7.** 23.0957 (2) (title) of the statutes is repealed.

NOTE: The other subsections in s. 23.0957 do not have titles.

10 **SECTION 8.** 25.17 (1) (x) of the statutes is repealed.

NOTE: Repeals obsolete reference. Section 25.17 (1) gives the State of Wisconsin
Investment Board authority to manage the various segregated funds including, under
par. (x), the "Unemployment Administration Fund." 1985 Wis. Act 29 eliminated that
fund and transferred its appropriations to the general fund but did not remove the
reference to that fund in s. 25.17 (1) (x).

11 **SECTION 9.** 25.36 (1) of the statutes, as affected by 2019 Wisconsin Act 9, is
12 amended to read:

13 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
14 by law shall constitute the veterans trust fund which shall be used for the veterans
15 programs under ss. 20.485 (2) (m), (tm), (u), and (z), and (5) (mn), (v), (vo), and (zm),
16 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1m), 45.41, 45.42, 45.43, and 45.82 and
17 administered by the department of veterans affairs, including all moneys received
18 from the federal government for the benefit of veterans or their dependents, and for
19 the veteran grant jobs pilot program under s. 38.31 administered by the technical

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1 college system board; all moneys paid as interest on and repayment of loans under
2 the post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing
3 funds as they existed prior to July 1, 1961; all moneys paid as interest on and
4 repayment of loans under this fund; all moneys paid as expenses for, interest on, and
5 repayment of veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all
6 moneys paid as expenses for, interest on, and repayment of veterans personal loans;
7 the net proceeds from the sale of mortgaged properties related to veterans personal
8 loans; all mortgages issued with the proceeds of the 1981 veterans home loan revenue
9 bond issuance purchased with moneys in the veterans trust fund; all moneys
10 received from the state investment board under s. 45.42 (8) ~~(b)~~; and all gifts of money
11 received by the board of veterans affairs for the purposes of this fund.

NOTE: Fixes erroneous cross-reference. 2019 Wis. Act 9 renumbered s. 45.42 (8)
(b) to s. 45.42 (8).

12 **SECTION 10.** 25.75 (3) (e) (title) of the statutes is created to read:

13 25.75 (3) (e) (title) *Offset of expenses.*

NOTE: The other paragraphs in s. 25.75 (3) have titles.

14 **SECTION 11.** 29.519 (1b) (title) of the statutes is created to read:

15 29.519 (1b) (title) DEFINITION.

NOTE: The other subsections in s. 29.519 have titles.

16 **SECTION 12.** 29.564 (2) of the statutes is amended to read:

17 29.564 (2) All moneys collected under sub. (1), less the amount retained as
18 authorized under sub. (1m), shall be deposited into the account under s. 20.370 ~~(9)~~
19 ~~(4)~~ (ks).

NOTE: Inserts correct cross-reference. 2019 Wis. Act 9 renumbered s. 20.370 (9)
(ks) to s. 20.370 (4) (ks).

20 **SECTION 13.** 29.889 (7) (bm) (title) of the statutes is created to read:

21 29.889 (7) (bm) (title) *Multiple counties.*

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NOTE: The other paragraphs in s. 29.889 (7) have titles.

1 **SECTION 14.** 30.123 (5) (title) of the statutes is created to read:

2 30.123 **(5)** (title) CONDITION.

NOTE: The other subsections in s. 30.123 have titles.

3 **SECTION 15.** 30.52 (3m) (b) of the statutes is amended to read:

4 30.52 **(3m)** (b) All moneys collected under par. (a), less the amount retained as
5 authorized under par. (am), shall be deposited into the account under s. 20.370 ~~(9)~~
6 (4) (ks).

NOTE: Inserts correct cross-reference. 2019 Wis. Act 9 renumbered s. 20.370 (9)
(ks) to s. 20.370 (4) (ks).

7 **SECTION 16.** 46.275 (3r) (b) of the statutes is amended to read:

8 46.275 **(3r)** (b) If the department relocates a person under this subsection, it
9 shall comply with the requirements imposed on counties under sub. (3) (c) ~~to (e)~~ and
10 (d).

NOTE: Fixes erroneous cross-reference. 2019 Wis. Act 9 repealed s. 46.275 (3) (e).

11 **SECTION 17.** 46.277 (3) (a) of the statutes, as affected by 2019 Wisconsin Act 9,
12 is amended to read:

13 46.277 **(3)** (a) Section 46.275 (3) (a) ~~and, (c) to (e), and (d)~~ and (d) applies to county
14 participation in this program, except that services provided in the program shall
15 substitute for care provided a person in a skilled nursing facility or intermediate care
16 facility who meets the level of care requirements for medical assistance
17 reimbursement to that facility rather than for care provided at a state center for the
18 developmentally disabled. The number of persons who receive services provided by
19 the program under this paragraph may not exceed the number of nursing home beds,
20 other than beds specified in sub. (5g) (b), that are delicensed as part of a plan
21 submitted by the facility and approved by the department.

NOTE: Fixes erroneous cross-reference. 2019 Wis. Act 9 repealed s. 46.275 (3) (e).

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1 **SECTION 18.** 46.278 (4) (a) of the statutes, as affected by 2019 Wisconsin Act 9,
2 is amended to read:

3 46.278 (4) (a) Section 46.275 (3) (a) and, (c) to (e), and (d) applies to county
4 participation in a program, except that services provided in the program shall
5 substitute for care provided a person in an intermediate care facility for persons with
6 an intellectual disability or in a brain injury rehabilitation facility who meets the
7 intermediate care facility for persons with an intellectual disability or brain injury
8 rehabilitation facility level of care requirements for medical assistance
9 reimbursement to that facility rather than for care provided at a state center for the
10 developmentally disabled.

NOTE: Fixes erroneous cross-reference. 2019 Wis. Act 9 repealed s. 46.275 (3) (e).

11 **SECTION 19.** 48.345 (10) (title), (12) (title) and (13) (title) of the statutes are
12 repealed.

NOTE: The other subsections in s. 48.345 do not have titles.

13 **SECTION 20.** 48.357 (2m) (bv) (title) of the statutes is created to read:
14 48.357 (2m) (bv) (title) *Children subject to certain dispositional orders.*

NOTE: The other paragraphs in s. 48.357 (2m) have titles.

15 **SECTION 21.** 48.42 (4) (c) (title) of the statutes is created to read:
16 48.42 (4) (c) (title) *Notice; additional information.*

NOTE: The other paragraphs in s. 48.42 (4) have titles.

17 **SECTION 22.** 48.434 (1) (title) of the statutes is repealed.

NOTE: The other subsections in s. 48.434 do not have titles.

18 **SECTION 23.** 49.265 (1) (c) of the statutes is amended to read:

19 49.265 (1) (c) "Poverty line" means the nonfarm federal poverty line for the
20 continental United States, as defined by the federal department of labor under in 42
21 USC 9902 (2).

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NOTE: Removes reference to the U.S. Department of Labor. Since the enactment of P.L. 97-35 in 1981, the Omnibus Budget Reconciliation Act of 1981, the federal poverty line has been defined at 42 USC 9902 (2). 42 USC 9902 (2) establishes a process for determining the federal poverty line that does not involve any action by the U.S. Department of Labor.

1 **SECTION 24.** 49.688 (1) (b) of the statutes is amended to read:

2 49.688 (1) (b) “Poverty line” means the nonfarm federal poverty line for the
3 continental United States, as defined by the federal department of labor under in 42
4 USC 9902 (2).

NOTE: Removes reference to the U.S. Department of Labor. Since the enactment of P.L. 97-35 in 1981, the Omnibus Budget Reconciliation Act of 1981, the federal poverty line has been defined at 42 USC 9902 (2). 42 USC 9902 (2) establishes a process for determining the federal poverty line that does not involve any action by the U.S. Department of Labor.

5 **SECTION 25.** 59.60 (2) (ae) of the statutes, as created by 2019 Wisconsin Act 42,
6 is amended to read:

7 59.60 (2) (ae) “Budget period” means 2 consecutive fiscal years covered by a
8 biennial budget adopted by a county that has acted under sub. (3s), or one fiscal year
9 covered by an annual budget for any other county that has not acted to adopt a
10 biennial budget under sub. (3s).

NOTE: Inserts language so that both meanings of the term “budget period” describe a period of time.

11 **SECTION 26.** 59.60 (6) (title) of the statutes is created to read:

12 59.60 (6) (title) HEARINGS ON ESTIMATES; SUBMISSION TO BOARD.

NOTE: The other subsections in s. 59.60 have titles.

13 **SECTION 27.** 65.02 (5m) of the statutes, as created by 2019 Wisconsin Act 42,
14 is amended to read:

15 65.02 (5m) BUDGET PERIOD. In ss. 65.01 to 65.20, “budget period” means 2
16 consecutive fiscal years covered by a biennial budget adopted by a city that has acted
17 under s. ~~62.025~~ 65.025, or one fiscal year covered by an annual budget for any other
18 city that has not acted to adopt a biennial budget under s. 65.025.

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NOTE: Inserts correct cross-reference. 2019 Wis. Act 42 created s. 65.025 relating to biennial budget procedures for cities. Also inserts language so that both meanings of the term "budget period" describe a period of time.

1 **SECTION 28.** 65.90 (5) (a) of the statutes, as affected by 2019 Wisconsin Act 42,
2 is renumbered 65.90 (5) (ar) and amended to read:

3 65.90 (5) (ar) Except as provided in pars. (b) and (c) and except for alterations
4 made pursuant to a hearing under sub. (4), the amount of tax to be levied or certified,
5 the amounts of the various appropriations and the purposes for such appropriations
6 stated in a budget required under sub. (1) or authorized under sub. (1m) may not be
7 changed unless authorized by a vote of two-thirds of the members-elect of the
8 governing body of the municipality. Any municipality, except a town, ~~which that~~
9 makes changes under this paragraph shall publish either a class 1 notice of the
10 changes, under ch. 985, within 15 days after any change is made or post a notice of
11 the changes on the municipality's website within 15 days after any change is made.
12 Failure to give notice shall preclude any changes in the proposed budget and
13 alterations thereto made under sub. (4).

14 (ag) In this subsection, "members-elect" has the meaning given in s. 66.10015
15 (1) (bs).

NOTE: Moves a definition to a new paragraph for clarity. 2019 Wis. Act 42 added a definition of "members-elect" to the end of s. 65.90 (5) (a) that applies to all the paragraphs of s. 65.90 (5).

16 **SECTION 29.** 65.90 (5) (b) of the statutes, as affected by 2019 Wisconsin Act 42,
17 is amended to read:

18 65.90 (5) (b) A county board may authorize its standing committees to transfer
19 funds between budgeted items of an individual county office or department, if such
20 budgeted items have been separately appropriated, and to supplement the
21 appropriations for a particular office, department, or activity by transfers from the

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1 contingent fund. Such committee transfers shall not exceed the amount set up in the
2 contingent fund as adopted in the annual budget, nor aggregate in the case of an
3 individual office, department, or activity in excess of 10 percent of the funds
4 originally provided for such office, department, or activity in such annual budget.
5 The publication provisions of par. (a) (ar) shall apply to all committee transfers from
6 the contingent fund.

NOTE: Inserts correct cross-reference to accommodate the renumbering of s. 65.90
(5) (a) to s. 65.90 (5) (ar) in SECTION 28.

7 **SECTION 30.** 65.90 (6) (intro.) of the statutes, as affected by 2019 Wisconsin Act
8 42, is amended to read:

9 65.90 (6) (intro.) As part of the annual budget required under sub. (1) or the
10 biennial budget authorized under sub. (1m), the governing body of any municipality
11 and of any county having a population of 750,000 or more may establish and
12 maintain, and levy a tax for, a liability reserve fund for the purpose of paying liability
13 claims against the municipality or premiums on insurance to pay such claims. The
14 governing body may allow amounts appropriated to the fund to accumulate from
15 year to year. The annual taxes levied for this purpose may not exceed the level
16 necessary to collect the amount recommended by an actuary, in accordance with
17 generally accepted actuarial principles, that will be sufficient to pay any insurance
18 premiums and the uninsured portion of claims that are anticipated to be made based
19 on occurrences during the year in which the tax is collected. Payment of claims and
20 premiums may either be made directly from the reserve account or appropriations
21 may be made from the reserve account to an operating account for such payments.
22 No other transfers may be made from the fund except in accordance with the
23 procedure specified in sub. (5) ~~(a)~~ (ar) and unless:

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NOTE: Inserts correct cross-reference to accommodate the renumbering of s. 65.90 (5) (a) to s. 65.90 (5) (ar) in SECTION 28.

1 **SECTION 31.** 66.0137 (5) (c) 1m. of the statutes, as created by 2019 Wisconsin
2 Act 19, is amended to read:

3 66.0137 **(5)** (c) 1m. Except as provided in subds. 2. and 3., if a political
4 subdivision, the state, the Board of Regents, or Marquette University provides for
5 the payment of premiums for hospital, surgical, and other health insurance for its
6 law enforcement officers or emergency medical services practitioners, it shall
7 continue to pay such premiums for the surviving spouse and dependent children of
8 the law enforcement officer or emergency medical services practitioner who dies
9 while in the line of duty.

NOTE: Strikes unnecessary word. The term “dies in the line of duty” is defined in s. 66.0137 (1) (af). The word “while” is deleted to use the defined term consistently in the section.

10 **SECTION 32.** 66.0414 (1) (d) of the statutes, as created by 2019 Wisconsin Act
11 14, is amended to read:

12 66.0414 **(1)** (d) “Applicable codes” means the state electrical wiring code, as
13 defined in s. 101.80 (4), the state plumbing code ~~specified in s. 145.13~~ promulgated
14 under s. 145.02 (2) (a), the fire prevention code under ch. SPS 314, Wis. Adm. Code,
15 the Wisconsin commercial building code under chs. SPS 361 to 366, Wis. Adm. Code,
16 the Wisconsin uniform dwelling code under chs. SPS 320 to 325, Wis. Adm. Code, and
17 local amendments to those codes enacted solely to address imminent threats of
18 destruction of property or injury to persons.

NOTE: Inserts correct cross-reference. 2017 Wis. Act 331 repealed s. 145.13 and provided that the plumbing code is promulgated by the Department of Safety and Professional Services under s. 145.02 (2) (a).

19 **SECTION 33.** 66.0901 (9) (b) (title) of the statutes is repealed.

NOTE: The other paragraph in s. 66.0901 (9) does not have a title.

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1 **SECTION 34.** 66.10015 (4) (title) of the statutes is created to read:

2 66.10015 (4) (title) MERGING.

 NOTE: The other subsections in s. 66.10015 have titles.

3 **SECTION 35.** 66.1015 (3) (title) of the statutes is repealed.

 NOTE: The other subsections in s. 66.1015 do not have titles.

4 **SECTION 36.** 70.11 (39m) (title) of the statutes is created to read:

5 70.11 (39m) (title) CASH REGISTERS AND FAX MACHINES.

 NOTE: The other subsections in s. 70.11 have titles.

6 **SECTION 37.** 70.995 (1) (title) and (2) (title) of the statutes are repealed.

 NOTE: The other subsections in s. 70.995 do not have titles.

7 **SECTION 38.** 71.05 (13) (a) (title) of the statutes is repealed.

 NOTE: The other paragraph in s. 71.05 (13) does not have a title.

8 **SECTION 39.** 71.25 (9) (e) (title) and (f) (title) of the statutes are repealed.

 NOTE: The other paragraphs in s. 71.25 (9) do not have titles.

9 **SECTION 40.** 84.075 (3) of the statutes is amended to read:

10 84.075 (3) The department shall at least semiannually, or more often if
11 required by the department of administration, report to the department of
12 administration the total amount of money it has paid to contractors, subcontractors,
13 and vendors that are minority businesses and that are disabled veteran-owned
14 businesses under ss. 84.01 (13), 84.06, and 84.07 and the number of contacts with
15 minority businesses and disabled veteran-owned businesses in connection with
16 proposed purchases and contracts. In its reports, the department shall include only
17 amounts paid to businesses certified by the department of ~~safety and professional~~
18 ~~services~~ administration as minority businesses or disabled veteran-owned
19 businesses.

 NOTE: Inserts correct agency. Under ss. 16.283 (3) and 16.287 (2), the Department of Administration certifies disabled veteran-owned businesses and minority businesses.

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1 **SECTION 41.** 108.02 (13) (k) of the statutes, as affected by 2019 Wisconsin Act
2 9, is amended to read:

3 108.02 **(13)** (k) “Employer” does not include a county department, an aging
4 unit, or, under s. 46.2785, a private agency that serves as a fiscal agent or contracts
5 with a fiscal intermediary to serve as a fiscal agent under s. ~~46.27 (5)~~ (i), 46.272 (7)
6 (e), or 47.035 as to any individual performing services for a person receiving
7 long-term support services under s. 46.272 (7) (b), 46.275, 46.277, 46.278, 46.2785,
8 46.286, 46.495, 51.42, or 51.437 or personal assistance services under s. 47.02 (6) (c).

NOTE: Removes extraneous cross-reference. 2019 Wis. Act 9 repealed s. 46.27.

9 **SECTION 42.** 139.75 (4) (c) of the statutes, as affected by 2019 Wisconsin Act 9,
10 is amended to read:

11 139.75 **(4)** (c) Any person engaged in the business of selling tobacco products
12 or vapor products outside this state who ships or transports tobacco products or
13 vapor products to retailers in this state to be sold by those retailers.

NOTE: Inserts missing phrase. 2019 Wis. Act 9 added the phrase “or vapor products” after “tobacco products” throughout subch. III of ch. 139 but did not add the phrase after the second instance of “tobacco products” in s. 139.75 (4) (c). Drafting records indicate that the change was intended.

14 **SECTION 43.** 146.343 (1) (intro.) and (a) of the statutes are consolidated,
15 renumbered 146.343 (1) and amended to read:

16 146.343 **(1)** In this section: (a) ~~“Hospital”~~, “hospital” has the meaning given in
17 s. 50.33 (2).

NOTE: Removes extraneous definitions. Section 146.343 (1) (b), (c), and (d) provide definitions of “nurse,” “nurse-midwife,” and “physician” in s. 146.343, but these terms do not otherwise appear in s. 146.343.

18 **SECTION 44.** 146.343 (1) (b), (c) and (d) of the statutes are repealed.

NOTE: Removes extraneous definitions. Section 146.343 (1) (b), (c), and (d) provide definitions of “nurse,” “nurse-midwife,” and “physician” in s. 146.343, but these terms do not otherwise appear in s. 146.343.

19 **SECTION 45.** 167.33 (3) (am) (title) of the statutes is created to read:

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1 167.33 (3) (am) (title) *Exemption*.

NOTE: The other paragraphs in s. 167.33 (3) have titles.

2 **SECTION 46.** 180.1604 (1) of the statutes is amended to read:

3 180.1604 (1) If a corporation does not within a reasonable time allow a
4 shareholder to inspect and copy any record described in s. 180.1602 (1) (1m) or (2),
5 the shareholder who complies with s. 180.1602 (1m) or (2), as applicable, may apply
6 to the circuit court for the county where the corporation's principal office or, if none
7 in this state, its registered office is located for an order to permit inspection and
8 copying of the records demanded.

NOTE: Inserts correct cross-reference. 1995 Wis. Act 400 renumbered s. 180.1602 (1) to s. 180.1602 (1m) and failed to change the first cross-reference in this subsection to s. 180.1602 (1m).

9 **SECTION 47.** 196.491 (3m) (a) (intro.) of the statutes is amended to read:

10 196.491 (3m) (a) *Commission approval required*. (intro.) Except as provided
11 in par. (e) 1., an affiliated interest of a public utility may not own, control or operate
12 a wholesale merchant plant without the approval of the commission. The
13 commission shall grant its approval only if each of the following is satisfied:

NOTE: Fixes cross-reference to accommodate the renumbering of s. 196.491 (3m) (e) 1. to s. 196.491 (3m) (e) in this bill. See SECTION 51 of this bill.

14 **SECTION 48.** 196.491 (3m) (c) 1. (intro.) and a. of the statutes are consolidated,
15 renumbered 196.491 (3m) (c) 1. and amended to read:

16 196.491 (3m) (c) 1. In this paragraph: a. ~~“Electric, “electric sale”~~ means a sale
17 of electricity that is generated at a wholesale merchant plant that is owned, operated,
18 or controlled by an affiliated interest.

NOTE: Corrects statutory numbering to accommodate the repeal of s. 196.491 (3m) (c) 1. b. in this bill. Adds comma consistent with current style. See the following SECTION of this bill.

19 **SECTION 49.** 196.491 (3m) (c) 1. b. of the statutes is repealed.

NOTE: Removes extraneous definition. Section 196.491 (3m) (c) 1. b. provides a definition of “firm sale” in s. 196.491 (3m) (c), but that term does not otherwise appear

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in s. 196.491 (3m) (c) as a result of the repeal of s. 196.491 (3m) (c) 3. by 2019 Wis. Act. 9 and the repeal of s. 196.491 (3m) (e) 2. by this bill. See the previous SECTION and SECTION 52 of this bill.

1 **SECTION 50.** 196.491 (3m) (e) (title) of the statutes is repealed and recreated
2 to read:

3 196.491 **(3m)** (e) (title) *Exemption.*

NOTE: Changes the title of this paragraph from plural to singular to accommodate the repeal of s. 196.491 (3m) (e) 2. in this bill. See SECTION 52 of this bill.

4 **SECTION 51.** 196.491 (3m) (e) 1. of the statutes is renumbered 196.491 (3m) (e).

NOTE: Corrects statutory numbering to accommodate the repeal of s. 196.491 (3m) (e) 2. in this bill. See SECTION 52 of this bill.

5 **SECTION 52.** 196.491 (3m) (e) 2. of the statutes is repealed.

NOTE: Removes extraneous language. This subdivision provides an exemption to the requirement under s. 196.491 (3m) (c) 3., which was repealed by 2019 Wis. Act. 9. See also SECTION 51 of this bill.

6 **SECTION 53.** 196.795 (6m) (c) of the statutes is amended to read:

7 196.795 **(6m)** (c) *Wholesale merchant plants.* The assets of a wholesale
8 merchant plant shall not be included in the sum of the assets of a public utility
9 affiliate under par. (b) 1. a., b., or c. and shall not be included in a nonutility affiliate's
10 total assets under par. (b) 2. a. if the requirements specified in s. 196.491 (3m) (a) 1.
11 and 2. are satisfied or if the wholesale merchant plant qualifies for the exemption
12 under s. 196.491 (3m) (e) 1.

NOTE: Fixes cross-reference to accommodate the renumbering of s. 196.491 (3m) (e) 1. to s. 196.491 (3m) (e) in this bill. Adds comma consistent with current style. See SECTION 51 of this bill.

13 **SECTION 54.** 218.05 (15) (title) of the statutes is created to read:

14 218.05 **(15)** (title) PENALTY.

NOTE: The other subsections in s. 218.05 have titles.

15 **SECTION 55.** 218.22 (4) (title) of the statutes is repealed.

NOTE: The other subsections in s. 218.22 do not have titles.

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1 **SECTION 56.** 234.907 (2) (cm) of the statutes, as affected by 2019 Wisconsin Act
2 62, is amended to read:

3 234.907 (2) (cm) The total guarantee amount of all loans to the borrower that
4 are guaranteed under this section and that are made for working capital or an item
5 necessary to, or used to, commercially harvest whitefish from Lake Superior will not
6 exceed \$100,000. This subsection ~~paragraph~~ does not apply to a loan guaranteed
7 under sub. (4).

NOTE: Inserts correct cross-reference.

8 **SECTION 57.** 250.20 (1) (j) of the statutes is amended to read:

9 250.20 (1) (j) “Poverty line” means the nonfarm federal poverty line for the
10 continental United States, as defined by the federal department of labor under in 42
11 USC 9902 (2).

NOTE: Removes reference to the U.S. Department of Labor. Since the enactment of P.L. 97-35 in 1981, the Omnibus Budget Reconciliation Act of 1981, the federal poverty line has been defined at 42 USC 9902 (2). 42 USC 9902 (2) establishes a process for determining the federal poverty line that does not involve any action by the U.S. Department of Labor.

12 **SECTION 58.** 255.06 (1) (e) of the statutes is amended to read:

13 255.06 (1) (e) “Poverty line” means the nonfarm federal poverty line for the
14 continental United States, as defined by the federal department of labor under in 42
15 USC 9902 (2).

NOTE: Removes reference to the U.S. Department of Labor. Since the enactment of P.L. 97-35 in 1981, the Omnibus Budget Reconciliation Act of 1981, the federal poverty line has been defined at 42 USC 9902 (2). 42 USC 9902 (2) establishes a process for determining the federal poverty line that does not involve any action by the U.S. Department of Labor.

16 **SECTION 59.** 301.19 (4) of the statutes, as created by 2019 Wisconsin Act 8, is
17 amended to read:

18 301.19 (4) Unless the governor has declared a state of emergency under s.
19 323.10, the department of ~~corrections~~ may not expand the capacity of, or

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1 substantially modify the structure or physical security of, a juvenile correctional
2 facility established under s. 301.16 (1w) without prior approval by the governing
3 body of the city, village, or town in which the juvenile correctional facility is located.

NOTE: Section 301.01 (1) defines “department” for all of ch. 301 to mean “the department of corrections.” This change strikes unnecessary words to consistently use the defined term.

4 **SECTION 60.** 341.14 (8v) (title) and (8w) (title) of the statutes are repealed.

NOTE: The other subsections in s. 341.14 do not have titles.

5 **SECTION 61.** 343.301 (3) (b) of the statutes is amended to read:

6 343.301 (3) (b) If the court finds that the person who is subject to an order under
7 sub. (1g) has a household income that is at or below 150 percent of the nonfarm
8 federal poverty line for the continental United States, as defined by the federal
9 ~~department of labor under~~ in 42 USC 9902 (2), the court shall limit the person’s
10 liability under par. (a) to one-half of the cost of equipping each motor vehicle with
11 an ignition interlock device and one-half of the cost per day per vehicle of
12 maintaining the ignition interlock device.

NOTE: Removes reference to the U.S. Department of Labor. Since the enactment of P.L. 97-35 in 1981, the Omnibus Budget Reconciliation Act of 1981, the federal poverty line has been defined at 42 USC 9902 (2). 42 USC 9902 (2) establishes a process for determining the federal poverty line that does not involve any action by the U.S. Department of Labor.

13 **SECTION 62.** 345.05 (1) (c) of the statutes is amended to read:

14 345.05 (1) (c) “Municipality” means any county, city, village, town, school
15 district ~~as enumerated in s. 67.01 (5)~~, sewer district, drainage district, commission
16 formed by a contract under s. 66.0301 (2), and, without restriction because of failure
17 of enumeration, any other political subdivision of the state.

NOTE: Strikes unnecessary phrase. 1985 Wis. Act 225 removed the enumeration of types of school districts in s. 67.01 (5), making the phrase “as enumerated in s. 67.01 (5)” unnecessary.

18 **SECTION 63.** 440.032 (1) (d) of the statutes is repealed.

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NOTE: Removes extraneous definition. Section 440.032 (1) (d) provides a definition of “Wisconsin interpreting and transliterating assessment” in s. 440.032, but that term does not otherwise appear in s. 440.032.

1 **SECTION 64.** 440.032 (3m) of the statutes, as created by 2019 Wisconsin Act 17,
2 is amended to read:

3 440.032 **(3m)** EXAM ADMINISTRATION IN WISCONSIN. The department of health
4 services shall administer in this state the performance examinations of the Board for
5 Evaluation of Interpreters or its successor, unless the department of safety and
6 professional services approves another administrator of the examinations.

NOTE: Inserts the full name of the intended department to avoid ambiguity.

7 **SECTION 65.** 632.866 (3) (b) (intro.) of the statutes, as created by 2019 Wisconsin
8 Act 12, is amended to read:

9 632.866 **(3)** (b) (intro.) An insurer, pharmacy benefit manager, or utilization
10 review organization shall grant an exception to the step therapy protocol if the
11 prescribing provider submits complete, clinically relevant written documentation
12 supporting a step therapy protocol exception request and any of the following are
13 satisfied:

NOTE: Inserts missing word. The term “step therapy protocol” is defined in s. 632.866 (1) (e). “Protocol” is inserted after “step therapy” so that the defined term is used consistently in the section.

14 **SECTION 66.** 632.866 (3) (f) of the statutes, as created by 2019 Wisconsin Act
15 12, is amended to read:

16 632.866 **(3)** (f) An insurer, pharmacy benefit manager, or utilization review
17 organization shall grant or deny a request for any exception to the step therapy
18 protocol within 3 business days of receipt of the complete, clinically relevant written
19 documentation required under par. (b) to support a step therapy protocol exception
20 request under par. (b) or the receipt of a request to appeal a previous decision that
21 includes the complete, clinically relevant written documentation supporting a step

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1 therapy protocol exception request. In exigent circumstances, an insurer, pharmacy
2 benefit manager, or utilization review organization shall grant or deny a request for
3 an exception to the step therapy protocol by the end of the next business day after
4 receipt of the complete, clinically relevant written documentation supporting a step
5 therapy protocol exception request under par. (b). If the insurer, pharmacy benefit
6 manager, or utilization review organization does not grant or deny a request or an
7 appeal under the time specified under this paragraph, the exception is considered
8 granted.

NOTE: Inserts missing word in three locations. The term “step therapy protocol”
is defined in s. 632.866 (1) (e). “Protocol” is inserted after “step therapy” so that the
defined term is used consistently in the section.

9 **SECTION 67.** 938.31 (5) (title) of the statutes is created to read:

10 938.31 (5) (title) INDIAN JUVENILES.

NOTE: The other subsections in s. 938.31 have titles.

11 **SECTION 68.** 990.01 (21m) of the statutes, as affected by 2019 Wisconsin Act 50,
12 is amended to read:

13 990.01 (21m) MOTORCYCLE. “Motorcycle” is a motor vehicle as defined has the
14 meaning given in s. 340.01 (32).

NOTE: Section 340.01 (32) defines the term “motorcycle,” not “motor vehicle.” This
SECTION clarifies that the term “motorcycle” in s. 990.01 (21m), as renumbered from s.
990.01 (43m) by 2019 Wis. Act 50, eff. 5-1-20, has the same meaning as in s. 340.01 (32).

15 **SECTION 69.** 2019 Wisconsin Act 8, section 33 is amended by replacing “938.34
16 (4m) (intro.) of the statutes, as affected by 2017 Wisconsin Act 185, section 62, is
17 repealed and recreated to read:” with “938.34 (4m) (intro.) of the statutes, as affected
18 by 2017 Wisconsin Act 185, section 62, and 2019 Wisconsin Act (this act), is
19 repealed and recreated to read:”.

NOTE: Section 938.34 (4m) (intro.) was also affected by 2019 Wis. Act 8.

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1 **SECTION 70.** 2019 Wisconsin Act 8, section 55 is amended by replacing “or
2 938.357 (3) or (4)” with “or 938.357 (3) or (4)”.

NOTE: The “(3) or” was erroneously underscored. The underscored language was current law. No change was intended.

3 **SECTION 71.** 2019 Wisconsin Act 8, section 71 is amended by replacing “301.01
4 (1n) (by SECTION 35), 301.20, 938.02 (4) (by SECTION 50), 938.34 (2) (a) (by SECTION 57)
5 and (b) (by SECTION 59) and (4m) (intro.) (by SECTION 62), 938.48 (3) (by SECTION 78)”
6 with “301.01 (1n) (by SECTION 35), ~~301.03 (10) (d) (by SECTION 38)~~, 301.20, 938.02 (4)
7 (by SECTION 50), 938.34 (2) (a) (by SECTION 57) and (b) (by SECTION 59) and (4m) (intro.)
8 (by SECTION 62), ~~938.357 (4) (am) (by SECTION 70)~~, 938.48 (3) (by SECTION 78)”.

NOTE: “301.03 (10) (d) (by SECTION 38)” and “938.357 (4) (am) (by SECTION 70)” were removed from 2017 Wis. Act 185, section 112 (1), by 2019 Wis. Act 8, section 71, without being stricken. The change was intended.

9 **SECTION 72.** 2019 Wisconsin Act 9, section 9437 (5f) is amended by replacing
10 “s. 78.12 (4) (a) 2., 3., and 4. and (5)” with “s. 78.12 (4) (a) 2. and 3.”.

NOTE: Removes erroneous references in the effective date section of the act. Section 78.12 (4) (a) 4. and (5) were not affected by 2019 Wis. Act 9.

11 **SECTION 73. Renumbering and cross-reference changes under s. 13.92**
12 **(1) (bm) 2., stats.** Each statute listed in column A was renumbered to the statute
13 number in column B, and cross-references to the renumbered statute were changed
14 in the statutes listed in column C to agree with the renumbered statute, under
15 section 13.92 (1) (bm) 2. of the statutes:

NOTE: Confirms renumbering and corresponding cross-reference changes under s. 13.92 (1) (bm) 2.

A Statute Renumbered	B New Statute Number	C Statutes in Which Cross-References are Changed
16.287 (1) (e) 1. (intro.), a., and b.	16.287 (1) (e) (intro.), 1m., and 2.	84.076 (1) (c)

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46.041 (1) (intro.), (a), and (b)	46.041 (intro.), (1m), and (2)	none
65.90 (1m) (a) 1., 2., 3., and 4., as created by 2019 Wis. Act 42 (See also the entry for 65.90 (1m) (c) in SECTION 74 of this bill.)	65.90 (1m) (am), (b), (c), and (d)	65.90 (1m) (c), as renumbered from 65.90 (1m) (a) 3.
66.0420 (8) (am) 2. (intro.) and a. (See also the entry for 66.0420 (8) (am) 2. (intro.) and a. in SECTION 74 of this bill.)	66.0420 (8) (am) 2. (the 2 provisions are consolidated and modified as necessary under s. 35.17)	none
66.1105 (6) (dm) 3. (intro.) and b. (See also the entry for 66.1105 (6) (dm) 3. (intro.) and b. in SECTION 74 of this bill.)	66.1105 (6) (dm) 3. (the 2 provisions are consolidated and modified as necessary under s. 35.17)	66.1105 (6) (dm) 1m. and 5.
125.51 (4) (x) 2. (intro.) and a. (See also the entry for 125.51 (4) (x) 2. (intro.) and a. in SECTION 74 of this bill.)	125.51 (4) (x) 2. (the 2 provisions are consolidated and modified as necessary under s. 35.17)	125.51 (3) (e) 2. and (4) (x) 3. and 4.
224.72 (4) (a) (intro.), 2., and 4.	224.72 (4) (intro.), (am), and (b)	224.725 (4) (a)

1 **SECTION 74. Corrections of obvious nonsubstantive errors under s.**
2 **35.17 (2), stats.** In the sections of the statutes listed in column A, the text shown
3 in column B was changed to the text shown in column C to correct obvious
4 nonsubstantive errors under s. 35.17 (2) of the statutes:

NOTE: Confirms correction of obvious nonsubstantive errors in the statutes under s. 35.17 (2).

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A Statute Affected	B Erroneous Text	C Corrected Text
11.1401 (2)	a individual	an individual
14.017 (2)	subch. I of ch. 14	this subchapter
16.308 (2) (title)	[omitted]	PURPOSE; ALLOCATION.
20.115 (7) (qf), as affected by 2019 Wisconsin Act 9	producer led [in 2 places]	producer-led
20.505 (1) (km)	s. 20.505 (8) (hm)	sub. (8) (hm)
20.505 (8) (hm) 18r.	s. 20.505 (1) (km) [in 2 places]	sub. (1) (km)
20.866 (1) (u), as affected by 2019 Wisconsin Act 9	(cr), (cw), (cx), (cs), (g)	(cr), (cs), (cw), (cx), (g)
23.0917 (5g) (c) 2. c.	subds. 2. a. and b.	subd. 2. a. and b.
24.66 (1) (title)	[omitted]	FOR ALL MUNICIPALITIES.
48.983 (6) (a) (title)	[omitted]	<i>Home visitation program criteria.</i>
48.9875 (2) (intro.), as created by 2019 Wis. Act 22	admission to a shelter facility or transitional living program, if all of the following apply	admission to a shelter facility or transitional living program if all of the following apply
48.9875 (2) (c) (intro.), as created by 2019 Wis. Act 22	an unaccompanied youth as defined under 42 USC 11434a (6)	an unaccompanied youth, as defined under 42 USC 11434a (6)
49.45 (61) (b), as created by 2019 Wis. Act 56	any benefit that is a covered benefit under s. 49.46 (2), that is delivered	any benefit that is a covered benefit under s. 49.46 (2) and that is delivered

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49.45 (61) (c) 3. a., as created by 2019 Wis. Act 56	Telehealth services as defined under	Telehealth services, as defined under
50.06 (7), as affected by 2019 Wisconsin Act 9	may request that a functional screening	may request a functional screening
59.60 (3s) (b), as created by 2019 Wis. Act 42	the board must adopt a resolution . . . such an action takes effect, and may not be reconsidered	the board shall adopt a resolution . . . such an action takes effect and may not be reconsidered
65.025 (2), as created by 2019 Wis. Act 42	the common council must adopt a resolution . . . such an action takes effect, and may not be reconsidered	the common council shall adopt a resolution . . . such an action takes effect and may not be reconsidered
65.025 (5), as created by 2019 Wis. Act 42	members-elect, as that term is defined in s. 59.001 (2m)	members-elect, as defined in s. 59.001 (2m)
65.90 (1m) (c), as created by 2019 Wis. Act 42 and as renumbered from 65.90 (1m) (a) 3. under s. 13.92 (1) (bm) 2. (See also the entry for 65.90 (1m) (a) in SECTION 73 of this bill.)	the municipality must adopt a resolution	the municipality shall adopt a resolution
66.0414 (1) (d), as created by 2019 Wisconsin Act 14	ch. SPS 314, Wis. adm. code, the Wisconsin commercial building code under chs. SPS 361 to 366, the Wisconsin uniform dwelling code under chs. SPS 320 to 325, and	ch. SPS 314, Wis. Adm. Code, the Wisconsin commercial building code under chs. SPS 361 to 366, Wis. Adm. Code, the Wisconsin uniform dwelling code under chs. SPS 320 to 325, Wis. Adm. Code, and

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<p>66.0414 (1) (z) 2. (intro.), as created by 2019 Wisconsin Act 14</p>	<p>“Wireless facilities”</p>	<p>“Wireless facility”</p>
<p>66.0414 (3) (c) 4. (intro.), as created by 2019 Wisconsin Act 14</p>	<p>aesthetics requirements</p>	<p>aesthetic requirements</p>
<p>66.0414 (3) (c) 4. a., as created by 2019 Wisconsin Act 14</p>	<p>aesthetics requirements</p>	<p>aesthetic requirements</p>
<p>66.0420 (8) (am) 2. (intro.) and a. (See also the entry for 66.0420 (8) (am) 2. (intro.) and a. in SECTION 73 of this bill.)</p>	<p>2. It is a defense to an alleged violation of subd. 1. based on income if the video service provider has met the following:</p> <p>a. No later than 3 years after the date on which the video service provider began providing video service under this section, at least 30 percent of the households with access to the video service provider’s video service are low-income households.</p>	<p>2. It is a defense to an alleged violation of subd. 1. based on income if, no later than 3 years after the date on which the video service provider began providing video service under this section, at least 30 percent of the households with access to the video service provider’s video service are low-income households.</p>

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66.1105 (6) (dm) 3. (intro.) and b. (See also the entry for 66.1105 (6) (dm) 3. (intro.) and b. in SECTION 73 of this bill.)	3. This paragraph applies only to the following cities: b. A city with a population of at least 50,000 that was incorporated in 1853 and that is in a county which has a population of at least 140,000 and that contains a portion of the Fox River and Lake Winnebago.	3. This paragraph applies only to a city with a population of at least 50,000 that was incorporated in 1853 and that is in a county which has a population of at least 140,000 and that contains a portion of the Fox River and Lake Winnebago.
77.52 (3m) (a), as created by 2019 Wisconsin Act 10	sale, license, lease or rental	sale, license, lease, or rental
93.59 (title)	Producer led	Producer-led
93.59 (1)	producer led [in 2 places]	producer-led
93.59 (2) (a)	producer led	producer-led
93.59 (3)	producer led	producer-led
115.28 (7g) (a) 1.	s. 115.28 (7) [in 2 places]	sub. (7)
115.28 (7g) (b)	s. 115.28 (7)	sub. (7)
115.28 (7g) (c)	s. 115.28 (7)	sub. (7)
118.40 (3) (f) 1.	sub. (2r) (b) a. to h.	sub. (2r) (b) 1. a. to h.
118.60 (2) (ag) 4.	sub. (2) (a) 7. b.	par. (a) 7. b
118.60 (3) (ar) 3.	s. 118.60 (3) (a) 1m. to 5.	par. (a) 1m. to 5.
118.60 (3) (c)	sub. (3) (ar) 4.	par. (ar) 4.
118.60 (10) (a) 3.	s. 118.60 (4) or (4m)	sub. (4) or (4m)
119.23 (2) (ag) 1. c.	s. 119.23 (2) (a) 3.	par. (a) 3.
119.23 (2) (ag) 4.	sub. (2) (a) 7. bg.	par. (a) 7. bg.

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119.23 (6m) (b)	s. 118.30 (1t)	s. 118.30 (1s)
121.91 (3) (a) 1.	s. 67.05 (6a) 2. a.	s. 67.05 (6a) (a) 2. a.
125.51 (4) (x) 2. (intro.) and a. (See also the entry for 125.51 (4) (x) 2. (intro.) and a. in SECTION 73 of this bill.)	2. The legislature hereby enumerates the following areas, with the geographic boundaries described in this subdivision, as capital improvement areas: a. The geographic area composed of all land within the Tax Incremental District Number 3 within the city of Oconomowoc in Waukesha County that lies south of Valley Road and east of STH 67 or that lies south of I 94 and west of STH 67.	2. The legislature hereby enumerates, as a capital improvement area, the geographic area composed of all land within the Tax Incremental District Number 3 within the city of Oconomowoc in Waukesha County that lies south of Valley Road and east of STH 67 or that lies south of I 94 and west of STH 67.
Chapter 139 (title)	BEVERAGE, CONTROLLED SUBSTANCES	BEVERAGE
168.105 (1) (b), as created by 2019 Wis. Act 64	device stating, "Passenger	device stating "Passenger
234.43 (2) (c), as affected by 2019 Wisconsin Act 9	2017 stats;	2017 stats.;
253.06 (10) (a) 1., as created by 2019 Wisconsin Act 9	has a need	have a need
341.09 (1) (c)	subs. (2m) (a) 1. b.	sub. (2m) (a) 1. b.
346.28 (2), as affected by 2019 Wisconsin Act 11	riders of electric scooter	riders of electric scooters

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440.032 (3) (c) (intro.), as created by 2019 Wisconsin Act 17	under 440.03 (9) (a)	under s. 440.03 (9) (a)
614.78 (2) (a), as created by 2019 Wis. Act 66	subject to the approval by the commissioner	subject to approval by the commissioner
614.79 (3), as created by 2019 Wis. Act 66	a deficiency under s. 614.19. (3) (b),	a deficiency under s. 614.19 (3) (b),
632.697, as affected by 2019 Wisconsin Act 9	s. 46.27 (7g), 2017 stats., 49.496, 49.682, or 49.849	s. 46.27 (7g), 2017 stats., or s. 49.496, 49.682, or 49.849
632.866 (3) (a), as created by 2019 Wisconsin Act 12	clear, readily accessible and convenient	clear, readily accessible, and convenient
655.275 (2), as affected by 2019 Wis. Act 66	the chairperson who shall be a physician, vice chairperson and secretary of the council	the chairperson, who shall be a physician, the vice chairperson, and the secretary of the council
701.0508 (1) (b) 1., as affected by 2019 Wisconsin Act 9	s. 46.27 (7g), 2017 stats., 49.496, 49.682, or 49.849	s. 46.27 (7g), 2017 stats., or s. 49.496, 49.682, or 49.849
709.03 (form) D5.	exterior ponding, overflows, or backups;	exterior ponding, overflows, or backups;
766.55 (2) (bm), as affected by 2019 Wisconsin Act 9	s. 46.27 (7g), 2017 stats., 49.496, 49.682, or 49.849	s. 46.27 (7g), 2017 stats., or s. 49.496, 49.682, or 49.849
859.02 (2) (a), as affected by 2019 Wisconsin Act 9	s. 46.27 (7g), 2017 stats., 49.496, 49.682, or 49.849	s. 46.27 (7g), 2017 stats., or s. 49.496, 49.682, or 49.849
867.03 (2g) (b), as affected by 2019 Wisconsin Act 9	s. 46.27 (7g), 2017 stats., 49.496, 49.682, or 49.849	s. 46.27 (7g), 2017 stats., or s. 49.496, 49.682, or 49.849
893.33 (4r), as affected by 2019 Wisconsin Act 9	ss. 46.27 (7g), 2017 stats., 49.496, 49.682, and 49.849	s. 46.27 (7g), 2017 stats., and ss. 49.496, 49.682, and 49.849

