

## 1999 ASSEMBLY BILL 967

1     **AN ACT relating to:** repealing, consolidating, renumbering, amending and  
2           revising various provisions of the statutes for the purpose of correcting errors,  
3           supplying omissions, correcting and clarifying references, eliminating defects,  
4           anachronisms, conflicts, ambiguities and obsolete provisions, reconciling  
5           conflicts and repelling unintended repeals (Revisor's Correction Bill).

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*Analysis by the Legislative Reference Bureau*

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

6           **SECTION 1.** 13.58 (5) (a) 1. of the statutes is amended to read:  
7           13.58 (5) (a) 1. Review information management and technology systems,  
8           plans, practices and policies of state and local units of government, including their  
9           responsiveness to the needs of state and local units of government for delivery of  
10          high-quality services on an efficient, effective and economical basis, their data

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1 security and integrity, their protection of the personal privacy of individuals who are  
2 subjects of data-bases databases of state and local governmental agencies and their  
3 provision of access to public records under s. 19.35 (1).

NOTE: Corrects spelling.

4 **SECTION 2.** 13.62 (4m) of the statutes, as created by 1999 Wisconsin Act 9, is  
5 amended to read:

6 13.62 (4m) “Budget bill subject” means a subject specified by the board ~~which~~  
7 that is included in the executive budget bill or bills introduced under s. 16.47.

NOTE: Replaces “which” with “that” to correct grammar.

8 **SECTION 3.** 13.93 (2) (h) of the statutes is amended to read:

9 13.93 (2) (h) Approve specifications and scheduling for computer data-bases  
10 databases containing the Wisconsin statutes and for the printing of the Wisconsin  
11 statutes as prescribed in ss. 16.971 (6) and 35.56 (5).

NOTE: Corrects spelling.

12 **SECTION 4.** 13.95 (1) (g) of the statutes is amended to read:

13 13.95 (1) (g) In connection with the duties enumerated in this subsection, have  
14 access to any computerized data-bases databases of state agencies ~~which~~ that are  
15 required to aid the bureau in the performance of its duties, except that any statutory  
16 requirements regarding privacy of individuals’ records shall be observed in  
17 providing such access.

NOTE: Corrects spelling. Changes “which” to “that” to correct grammar.

18 **SECTION 5.** 15.105 (27) of the statutes, as created by 1999 Wisconsin Act 9, is  
19 amended to read:

20 15.105 (27) CENSUS EDUCATION BOARD. There is created a census education  
21 board ~~which~~ that is attached to the department of administration under s. 15.03. The  
22 board shall consist of 2 senators and 2 representatives to the assembly who shall be

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1 appointed in the same manner as members of standing committees of the legislature  
2 are appointed.

NOTE: Replaces “which” with “that” to correct grammar.

3 **SECTION 6.** 16.40 (20) of the statutes, as created by 1999 Wisconsin Act 24, is  
4 renumbered 16.40 (22).

NOTE: 1999 Wis. Act 9 also created a provision numbered s. 16.40 (20).

5 **SECTION 7.** 16.965 (1) (b) of the statutes, as created by 1999 Wisconsin Act 9,  
6 is amended to read:

7 16.965 (1) (b) “Smart growth area” means an area that will enable the  
8 development and redevelopment of lands with existing infrastructure and  
9 municipal, state and utility services, where practicable, or that will encourage  
10 efficient development patterns that are both contiguous to existing development and  
11 at densities which that have relatively low municipal, state governmental and utility  
12 costs.

NOTE: Replaces “which” with “that” to correct grammar.

13 **SECTION 8.** 16.971 (6) of the statutes is amended to read:

14 16.971 (6) Notwithstanding subs. (1m) and (2), the revisor of statutes shall  
15 approve the specifications for preparation and schedule for delivery of computer data  
16 ~~bases~~ databases containing the Wisconsin statutes.

NOTE: Corrects spelling.

17 **SECTION 9.** 16.974 (3) of the statutes is amended to read:

18 16.974 (3) Facilitate the implementation of statewide initiatives, including  
19 development and maintenance of policies and programs to protect the privacy of  
20 individuals who are the subjects of information contained in the ~~data-bases~~  
21 databases of agencies, and of technical standards and sharing of applications among  
22 agencies and any participating local governmental units or entities in the private  
23 sector.

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NOTE: Corrects spelling.

1           **SECTION 10.** 18.57 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is  
2 amended to read:

3           **18.57 (1)** A separate and distinct fund shall be established in the state treasury  
4 or in an account maintained by a trustee ~~(9)~~-(j) appointed for that purpose by the  
5 authorizing resolution with respect to each revenue-producing enterprise or  
6 program the income from which is to be applied to the payment of any enterprise  
7 obligation. A separate and distinct fund shall be established in the state treasury  
8 or in an account maintained by a trustee appointed for that purpose by the  
9 authorizing resolution with respect to any special fund that is created by the  
10 imposition of fees, penalties or excise taxes and is applied to the payment of special  
11 fund obligations. All moneys resulting from the issuance of evidences of revenue  
12 obligation shall be credited to the appropriate fund or applied for refunding or note  
13 renewal purposes, except that moneys which represent premium or accrued interest  
14 received on the issuance of evidences shall be credited to the appropriate redemption  
15 fund.

NOTE: 1999 Wis. Act 9 deleted “(9) (j)” without showing it as stricken. The change  
was intended.

16           **SECTION 11.** 20.115 (7) (b) of the statutes, as created by 1999 Wisconsin Act 9,  
17 is amended to read:

18           **20.115 (7) (b)** *Principal repayment and interest, conservation reserve*  
19 *enhancement.* A sum sufficient to reimburse s. 20.866 (1) ~~(a)~~ (u) for the principal and  
20 interest costs incurred in financing the conservation reserve enhancement program  
21 under s. 20.866 (2) (wf) and to make the payments determined by the building  
22 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
23 obligations incurred in financing those projects.

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NOTE: Corrects cross-reference. There is no s. 20.866 (1) (a). Section 20.866 (1) (u) provides for reimbursements of principal and interest under s. 20.115 (7) (b).

1       **SECTION 12.** 20.143 (3) (t) of the statutes, as created by 1999 Wisconsin Act 9,

2       is amended to read:

3           20.143 **(3)** (t) *Petroleum inspection fund — revenue obligation repayment.*

4       From the petroleum inspection fund, a sum sufficient to repay the fund in the state  
5       treasury created under s. 18.57 (1), or the separate and distinct fund outside the state  
6       treasury under s. 18.562 (3) and ~~(5) (e)~~, the amount needed to retire revenue  
7       obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m).

NOTE: There is no s. 18.562 (5) (e). Section 18.562 (3) provides for a separate redemption fund; s. 18.562 (5) relates to authorizing resolutions.

8       **SECTION 13.** 20.255 (1) (b) of the statutes, as affected by 1999 Wisconsin Act 9,

9       is amended to read:

10           20.255 **(1)** (b) *General program operations; School for the Deaf and Center for*  
11       *the Blind and Visually Impaired.* The amounts in the schedule for the operation and  
12       maintenance of the Wisconsin School for the Deaf and the Wisconsin Center for the  
13       Blind and Visually Impaired, including the matching of federal funds, but not  
14       including expenses financed under par. (js).

NOTE: 1999 Wis. Act 9 deleted “including” without showing it as stricken. The change was not intended.

15       **SECTION 14.** 20.255 (3) (q) of the statutes, as created by 1999 Wisconsin Act 9,

16       is amended to read:

17           20.255 **(3)** (q) *Periodical and reference information ~~data bases~~ databases.* From  
18       the universal service fund, the amounts in the schedule to contract for periodical and  
19       reference information ~~data bases~~ databases under s. 115.28 (26).

NOTE: Corrects spelling.

20       **SECTION 15.** 20.292 (1) (ep) of the statutes, as created by 1999 Wisconsin Act

21       9, is amended to read:

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1           20.292 (1) (ep) *Grants to students.* The amounts in the schedule for grants to  
2 students under s. ~~38.30~~ 38.305.

NOTE: Section 38.30, as created by 1999 Wis. Act 9, is renumbered to s. 38.305 by  
this bill.

3           **SECTION 16.** 20.370 (1) (fs) of the statutes, as affected by 1999 Wisconsin Act  
4 9, is amended to read:

5           20.370 (1) (fs) *Endangered resources — voluntary payments; sales, leases and*  
6 *fees.* As a continuing appropriation, from moneys received as amounts designated  
7 under ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under ss. 71.10  
8 (5) (h) 4. and 71.30 (10) (h) 3., all moneys received from the sale or lease of resources  
9 derived from the land in the state natural areas system and all moneys received from  
10 fees collected under ss. 23.27 (3) (b), 29.563 (10) and 341.14 (6r) (b) 5., for the purposes  
11 of the endangered resources program, as defined under ss. 71.10 (5) (a) 2. and 71.30  
12 (10) (a) 2. Three percent of the moneys certified under ss. 71.10 (5) (h) 4. and 71.30  
13 (10) (h) 3. in each fiscal year ~~to~~ and 3% of the fees received under s. 341.14 (6r) (b)  
14 5. in each fiscal year shall be allocated for wildlife damage control and payment of  
15 claims for damage associated with endangered or threatened species, except that  
16 this combined allocation may not exceed \$100,000 per fiscal year.

NOTE: 1999 Wis. Act 9 deleted “to” without showing it as stricken. The change was  
intended.

17           **SECTION 17.** 20.370 (5) (cq) of the statutes, as affected by 1999 Wisconsin Act  
18 9, section 319g, is amended to read:

19           20.370 (5) (cq) *Recreation aids — recreational boating and other projects.* As  
20 a continuing appropriation, the amounts in the schedule for recreational boating  
21 aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the  
22 Southeastern Wisconsin Fox River commission under 1997 Wisconsin Act 237,  
23 section 9136 (2), and under 1999 Wisconsin Act 9, section 9136 (10z), for the Portage

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1 levee system and the Portage canal under s. 31.309, for development of a state park  
2 under s. 23.198, for activities relating to aquatic nuisance species under s. 30.1255  
3 (4) and for the engineering and environmental study under s. 31.307.

NOTE: 1999 Wis. Act 9 inserted the underscored language without showing it as  
underscored. The change was intended.

4 **SECTION 18.** 20.370 (6) (br) of the statutes, as affected by 1999 Wisconsin Act  
5 9, is amended to read:

6 20.370 **(6)** (br) *Environmental aids — waste reduction and recycling*  
7 *demonstration grants.* From the recycling fund, as a continuing appropriation, the  
8 amounts in the schedule for waste reduction and recycling demonstration grants  
9 under s. 287.25 and the grants required under 1999 Wisconsin Act 9, section 9136  
10 (9) and ~~(9c)~~ (9cm).

NOTE: 1999 Wis. Act 9 section 9136 (9) and (9cm) relate to the Wheelchair Recycling  
Project. 1999 Wis. Act 9 section 9136 (9c) relates to an Oconto County Boat landing.  
Drafting records indicate that subs. (9c) and (9cm) were both originally numbered (9c),  
requiring the renumbering of one. This provision was not changed to reflect the  
renumbering to (9cm).

11 **SECTION 19.** 20.395 (1) (hq) of the statutes, as affected by 1999 Wisconsin Act  
12 9, is repealed.

NOTE: By its terms, this paragraph does not apply after 12–31–99.

13 **SECTION 20.** 20.435 (8) (mm) of the statutes, as created by 1999 Wisconsin Act  
14 9, is amended to read:

15 20.435 **(8)** (mm) *Reimbursements from federal government.* All moneys  
16 received from the federal government, other than moneys described under ss. ~~46.40~~  
17 ~~(1)–(bm)~~, 46.45 (2), 46.46, 49.45 (6u) and 49.49, that are intended to reimburse the  
18 state for expenditures in previous fiscal years from general purpose revenue  
19 appropriations whose purpose includes a requirement to match or secure federal  
20 funds and that exceeded in those fiscal years the estimates reflected in the intentions  
21 of the legislature and governor, as expressed by them in the budget determinations,

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1 and the joint committee on finance, as expressed by the committee in any  
2 determinations, and the estimates approved for expenditure by the secretary of  
3 administration under s. 16.50 (2), for the purpose of paying federal disallowances,  
4 federal sanctions or penalties and the costs of any corrective action affecting the  
5 department of health and family services. Notwithstanding s. 20.001 (3) (c), at the  
6 end of each fiscal year, the amount determined by the department of administration  
7 under s. 16.54 (12) (d) shall lapse to the general fund.

NOTE: There is no s. 46.40 (1) (bm). Drafting records indicate that a draft creating  
s. 46.40 (1) (bm) was not included in 1999 Wis. Act 9 as enacted.

8 **SECTION 21.** 20.505 (1) (ng) of the statutes, as created by 1999 Wisconsin Act  
9 24, is amended to read:

10 20.505 (1) (ng) *Sale of forest products; funds for public schools and public roads.*  
11 All moneys received from the sale of forest products at Fort McCoy under 10 USC  
12 2665 for distribution to Monroe County and to the school districts located in Monroe  
13 County under s. 16.40 ~~(20)~~ (22).

NOTE: Section 16.40 (20), as created by 1999 Wis. Act 24, is renumbered s. 16.40 (22)  
by this bill.

14 **SECTION 22.** 23.0917 (1) (b) of the statutes, as created by 1999 Wisconsin Act  
15 9, is amended to read:

16 23.0917 (1) (b) “Baraboo Hills” means the area that is within the boundaries  
17 of the Baraboo Range National Natural Landmark.

NOTE: Inserts missing article.

18 **SECTION 23.** 23.0917 (1) (c) of the statutes, as created by 1999 Wisconsin Act  
19 9, is amended to read:

20 23.0917 (1) (c) “Department land” means an area of land that is owned by the  
21 state, that is under the jurisdiction of the department and that is used for one of the  
22 purposes specified in s. 23.09 ~~(2d)~~ (2) (d).



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NOTE: Corrects cross-reference. There is no s. 23.09 (2d). Section 23.09 (2) (d) relates to purposes for lands acquired by the department of natural resources.

1       **SECTION 24.** 23.198 (1) (a) of the statutes, as created by 1999 Wisconsin Act 9,

2       is amended to read:

3           23.198 (1) (a) From the appropriation under s. 20.866 (2) (ta), the department  
4       shall provide up to \$1,500,000 for the development of a state park ~~which~~ that will  
5       provide access to Lake Michigan in the city of Milwaukee. For purposes of s. 23.0917,  
6       moneys provided under this paragraph shall be treated as moneys obligated under  
7       the subprogram for property development and local assistance.

NOTE: Replaces “which” with “that” to correct grammar.

8       **SECTION 25.** 23.32 (3) (a) 3. of the statutes is amended to read:

9           23.32 (3) (a) 3. For each copy of a digital wetland ~~data base~~ database covering  
10       one township, \$15.

NOTE: Corrects spelling.

11       **SECTION 26.** 25.187 (2) (c) 3. b. of the statutes, as created by 1999 Wisconsin  
12       Act 9, is amended to read:

13           25.187 (2) (c) 3. b. Annually, no later than June 15, certify to the department  
14       of administration and to the joint committee on finance the total market value of the  
15       assets of the funds on April 30 ~~no later than June 15~~.

NOTE: Reorders text for improved clarity and readability.

16       **SECTION 27.** 25.47 (6) of the statutes, as created by 1999 Wisconsin Act 9, is  
17       amended to read:

18           25.47 (6) The net proceeds of revenue obligations issued under s. 101.143 (9m)  
19       that are transferred from a separate and distinct fund outside the state treasury, in  
20       an account maintained by a trustee, under s. 18.562 (3) ~~and (5) (e)~~.

NOTE: There is no s. 18.562 (5) (e). Section 18.562 (3) provides for a separate redemption fund; s. 18.562 (5) relates to authorizing resolutions.

21       **SECTION 28.** 26.37 (2) of the statutes is amended to read:

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1           26.37 (2) The department of natural resources may not expend moneys from  
2 the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the  
3 department of natural resources and the department of commerce first submit to the  
4 joint committee on finance the plan required under sub. (1). If the cochairpersons  
5 of the joint committee on finance do not notify the department of natural resources  
6 within 14 working days after the date of the departments' submittal of the plan that  
7 the committee has scheduled a meeting to review the plan, the plan may be  
8 implemented and moneys may be expended as proposed by the department of  
9 natural resources. If, within 14 days after the date of the departments' submittal of  
10 the plan, the cochairpersons of the committee notify the department of natural  
11 resources that the committee has scheduled a meeting to review the plan, moneys  
12 may be expended only after the plan has been approved by the committee.

NOTE: Section 20.370 (5) (ax) and (6) (bt) were repealed eff. 6-30-98 by 1995 Wis.  
Act 27.

13           **SECTION 29.** 29.229 (5m) (c) of the statutes, as affected by 1999 Wisconsin Act  
14 9, is amended to read:

15           29.229 (5m) (c) The band is requested to enact tribal laws or ordinances that  
16 deny an application to issue or renew, suspend if already issued or otherwise  
17 withhold or restrict an approval issued under this section if the applicant for or the  
18 holder of the approval fails to provide the information required under tribal laws or  
19 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a  
20 subpoena or warrant issued by the department of workforce development or a county  
21 child support agency under s. 59.53 (5) and related to paternity or child support  
22 proceedings or if the department of workforce development certifies that the  
23 applicant for or the holder of the approval has failed to pay court-ordered payments  
24 of child or family support, maintenance, birth expenses, medical expenses or other

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1 expenses related to the support of a child or former spouse. The band is also  
2 requested to enact tribal laws or ordinance ordinances that invalidate an approval  
3 issued under this subsection if issued in reliance upon a statement made or  
4 subscribed under oath or affirmation under tribal laws or ordinances enacted under  
5 par. (b) that is false.

NOTE: The singular is replaced with the plural for correct sentence agreement.

6 **SECTION 30.** 30.20 (1) (d) of the statutes, as created by 1999 Wisconsin Act 9,  
7 is amended to read:

8 30.20 (1) (d) The drainage board for the Duck Creek Drainage District may,  
9 without a permit under sub. (2) (c), remove material from a drain that the board  
10 operates in the Duck Creek Drainage District if the removal is required, under rules  
11 promulgated by the department of agriculture, trade and consumer protection, in  
12 order to conform the drain to specifications imposed by the department of  
13 agriculture, trade and consumer protection after consulting with the department of  
14 natural resources.

NOTE: Inserts commas to correct grammar.

15 **SECTION 31.** 30.77 (3) (dm) 2g. of the statutes, as created by 1999 Wisconsin Act  
16 9, is amended to read:

17 30.77 (3) (dm) 2g. If a local entity or ~~an~~ a boating organization objects to an  
18 ordinance enacted under par. (a) that applies to a river or stream, or to an ordinance  
19 enacted under par. (b), on the grounds that all or a portion of the ordinance is not  
20 necessary for public health, safety, welfare or the public's interest in preserving the  
21 state's natural resources, the procedure under subd 2r. shall apply.

NOTE: Inserts correct article.

22 **SECTION 32.** 31.385 (4) (a) of the statutes, as created by 1999 Wisconsin Act 9,  
23 is amended to read:

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1           31.385 (4) (a) The department shall maintain an inventory of all dams in the  
2 state that require a dam safety project under this section. The inventory shall list  
3 the dam safety projects in the chronological order in which they are required to be  
4 undertaken. For each dam safety project on the inventory, the department shall  
5 include a statement of which parts of the dam safety project are required to protect  
6 the rights held by the public in the navigable waters contained by the dam.

NOTE: Inserts missing article.

7           **SECTION 33.** 38.28 (1m) (a) 1. of the statutes, as affected by 1999 Wisconsin Act  
8 9, is amended to read:

9           38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a  
10 technical college district, including debt service charges for district bonds and  
11 promissory notes for building programs or capital equipment, but excluding all  
12 expenditures relating to auxiliary enterprises and community service programs, all  
13 expenditures funded by or reimbursed with federal revenues, all receipts under sub.  
14 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and 146.55 (5), all  
15 receipts from grants awarded under ss. 16.004 (14), 38.04 (8) and (20), 38.14 (11),  
16 38.26, 38.27, ~~38.30~~ 38.305, 38.31, 38.33 and 38.38, all fees collected under s. 38.24  
17 and driver education and chauffeur training aids.

NOTE: Section 38.30, as created by 1999 Wis. Act 9, is renumbered s. 38.305 by this  
bill.

18           **SECTION 34.** 38.30 of the statutes, as created by 1999 Wisconsin Act 9, is  
19 renumbered 38.305.

NOTE: Confirms renumbering by the revisor. A previously existing section is  
numbered s. 38.30.

20           **SECTION 35.** 39.435 (6) of the statutes, as affected by 1999 Wisconsin Act 9, is  
21 amended to read:

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1           39.435 (6) The board may not make a grant under this section to a person if  
2 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),  
3 unless the person provides to the board a payment agreement that has been  
4 approved by the county child support agency under s. 59.53 (5) and that is consistent  
5 with rules promulgated under s. 49.858 (2) (a).

NOTE: Deletes word inadvertently retained by 1999 Wis. Act 9.

6           **SECTION 36.** 39.51 (1) (title) and (intro.) of the statutes are renumbered 45.54  
7 (1) (title) and (intro.).

NOTE: The remainder of s. 39.51 (1) was renumbered to s. 45.54 by 1999 Wis. Act  
9, which did not create a new (intro.) at s. 45.54 and therefore requires the renumbering  
by this provision.

8           **SECTION 37.** 43.03 (9) of the statutes is amended to read:

9           43.03 (9) Develop and maintain a computer ~~data base~~ database containing  
10 bibliographic and library holding information for all types of library materials owned  
11 by libraries throughout the state to serve as a resource sharing tool and assist  
12 libraries in developing computerized bibliographic ~~data bases~~ databases.

NOTE: Corrects spelling.

13           **SECTION 38.** 43.05 (11) of the statutes is amended to read:

14           43.05 (11) Maintain a reference and loan library to supplement the collections  
15 of all types of libraries in this state by providing specialized materials not  
16 appropriately held and information sources not provided by local libraries or readily  
17 available from other area or state-level resource providers. The library shall provide  
18 specialized information services to state agency libraries and state employes,  
19 institution libraries, public library systems, public libraries, school libraries and  
20 other types of libraries according to policies developed by the division. Library and  
21 information services may include development of collections of specialized materials,  
22 interlibrary loan services, reference services, provision of ~~data base~~ database search

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1 services and maintenance of a statewide ~~data-base~~ database of library materials.  
2 The library may contract with state agencies and libraries to provide library material  
3 cataloging and processing services.

NOTE: Corrects spelling.

4 **SECTION 39.** 45.37 (3) (title) of the statutes, as affected by 1999 Wisconsin Act  
5 9, is repealed and recreated to read:

6 45.37 (3) (title) EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS.

NOTE: 1999 Wis. Act 9, s. 983, repealed s. 45.37 (3) (b) (title), but that title was  
erroneously shown as the title of s. 45.37 (3) in Act 9, s. 984. This provision confirms that  
no change to s. 45.37 (3) (title) was intended.

7 **SECTION 40.** 46.2805 (9) of the statutes, as created by 1999 Wisconsin Act 9, is  
8 amended to read:

9 46.2805 (9) “Older person” means a person who is aged at least 65 years of age.

NOTE: Inserts standard terminology.

10 **SECTION 41.** 46.286 (1) (a) 2. (intro.) of the statutes, as created by 1999  
11 Wisconsin Act 9, is amended to read:

12 46.286 (1) (a) 2. (intro.) The person has a condition that is expected to last at  
13 least 90 days or result in death within 12 months after the date of application and,  
14 on the date that the family care benefit became available in the person’s county of  
15 residence, the person was a resident in a nursing home or had been receiving for at  
16 least 60 days, under a written plan of care, long-term care services, as specified by  
17 the department, ~~which~~ that were funded under any of the following:

NOTE: Replaces “which” with “that” to correct grammar.

18 **SECTION 42.** 46.286 (3) (a) 3. of the statutes, as created by 1999 Wisconsin Act  
19 9, is amended to read:

20 46.286 (3) (a) 3. Is functionally eligible at the intermediate level and is  
21 determined by an agency under s. 46.90 (2) or specified in s. ~~55.05~~ 55.01 (1t) to be in  
22 need of protective services under s. 55.05 or protective placement under s. 55.06.

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NOTE: Corrects cross-reference. There is no s. 55.05 (1t). Section 55.01 (1t) relates to county protective service agencies.

1       **SECTION 43.** 46.2895 (4) (b) of the statutes, as created by 1999 Wisconsin Act  
2       9, is amended to read:

3           46.2895 (4) (b) Adopt bylaws and policies and procedures for the regulation of  
4       its affairs and the conduct of its business. The bylaws, policies and procedures shall  
5       be consistent with ss. ~~46.2085~~ 46.2805 to 46.2895 and, if the family care district  
6       contracts with the department under par. (d), with the terms of that contract.

NOTE: Corrects cross-reference consistent with s. 46.2895 (4) (intro.). There is no s. 46.2085.

7       **SECTION 44.** 46.40 (9) (c) (title) of the statutes, as created by 1999 Wisconsin  
8       Act 9, is amended to read:

9           46.40 (9) (c) (title) *Adjustment for medical assistance ~~by-in~~ buy-in program.*

NOTE: Corrects spelling.

10       **SECTION 45.** 48.685 (4m) (b) (intro.) of the statutes, as affected by 1997  
11       Wisconsin Act 27 and 1999 Wisconsin Act 9, sections 1163d and 1173j, is amended  
12       to read:

13           48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in  
14       sub. (5), an entity may not employ or contract with a ~~has, or~~ caregiver or permit a  
15       nonclient resident to reside at the entity ~~has, or,~~ if the entity knows or should have  
16       known any of the following:

NOTE: 1999 Wis. Act 9 deleted “has, or” without showing it as stricken. The change was intended.

17       **SECTION 46.** 48.685 (6) (b) 1. of the statutes, as affected by 1999 Wisconsin Act  
18       9, is amended to read:

19           48.685 (6) (b) 1. For caregivers who are licensed by the department, for persons  
20       under 18 years of age, but not under 12 years of age, who are caregivers of a day care  
21       center that is licensed under s. 48.65 or established or contracted for under s. 120.13



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1     ~~(4)~~ (14) or of a day care provider that is certified under s. 48.651, for persons who are  
2     nonclient residents of an entity that is licensed by the department, and for other  
3     persons specified by the department by rule, the entity shall send the background  
4     information form to the department.

NOTE: Corrects cross-reference. Section 120.13 (4) relates to on-farm training  
programs for veterans; sub. (14) relates to day care.

5     **SECTION 47.** 49.029 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is  
6     amended to read:

7             49.029 **(2)** AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the  
8     appropriation under s. 20.435 ~~(5)~~ (4) (kb), the department shall distribute a relief  
9     block grant to each eligible tribal governing body in an amount and in a manner  
10    determined in accordance with rules promulgated by the department. The  
11    department shall promulgate the rules after consulting with all tribal governing  
12    bodies eligible for a relief block grant. In promulgating rules under this section, the  
13    department shall consider each tribe's economic circumstances and need for health  
14    care services.

NOTE: 1999 Wis. Act 9 deleted "(5)" without showing it as stricken and inserted "(4)"  
without showing it as underscored. The change was intended.

15    **SECTION 48.** 49.195 (3n) (L) of the statutes, as created by 1999 Wisconsin Act  
16    9, is amended to read:

17             49.195 **(3n)** (L) If no appeal or other proceeding for review permitted by law is  
18    pending and the time for taking an appeal or petitioning for review has expired, the  
19    department shall make a demand to the debtor for payment of the debt ~~which~~ that  
20    is subject to levy and give notice that the department may pursue legal action for  
21    collection of the debt against the debtor. The department shall make the demand for  
22    payment and give the notice at least 10 days prior to the levy, personally or by any  
23    type of mail service ~~which~~ that requires a signature of acceptance, at the address of



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1 the debtor as it appears on the records of the department. The demand for payment  
2 and notice shall include a statement of the amount of the debt, including interest and  
3 penalties, and the name of the debtor who is liable for the debt. The debtor's refusal  
4 or failure to accept or receive the notice does not prevent the department from  
5 making the levy. Notice prior to levy is not required for a subsequent levy on any debt  
6 of the same debtor within one year of the date of service of the original levy.

NOTE: Replaces "which" with "that" to correct grammar.

7 **SECTION 49.** 49.195 (3n) (m) 1. of the statutes, as created by 1999 Wisconsin Act  
8 9, is amended to read:

9 49.195 (3n) (m) 1. The department shall serve the levy upon the debtor and 3rd  
10 party by personal service or by any type of mail service which that requires a  
11 signature of acceptance.

NOTE: Replaces "which" with "that" to correct grammar.

12 **SECTION 50.** 49.195 (3n) (s) of the statutes, as affected by 1999 Wisconsin Act  
13 9, is amended to read:

14 49.195 (3n) (s) Any debtor who is subject to a levy proceeding made by the  
15 department has the right to appeal the levy proceeding under ch. ~~227.44~~ 227. The  
16 appeal is limited to questions of prior payment of the debt that the department is  
17 proceeding against, and mistaken identity of the debtor. The levy is not stayed  
18 pending an appeal in any case where property is secured through the levy.

NOTE: Deletes unnecessary comma and corrects cross-reference. Section 227.44 is  
not the only ch. 227 section applicable to appeals.

19 **SECTION 51.** 49.45 (39) (b) (title) of the statutes is created to read:

20 49.45 (39) (b) (title) *School medical services.*

NOTE: 1999 Wis. Act 9 renumbered s. 49.45 (39) (b) (title) to s. 49.45 (39) (b) 1. (title),  
leaving par. (b) without a (title), inconsistent with current style.

21 **SECTION 52.** 49.453 (4) (a) 1. a. (intro.) of the statutes, as created by 1999  
22 Wisconsin Act 9, is renumbered 49.453 (4) (a) 1. (intro.).

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NOTE: Corrects numbering.

1           **SECTION 53.** 49.472 (1) (c) of the statutes, as created by 1999 Wisconsin Act 9,  
2 is amended to read:

3           49.472 **(1)** (c) “Independence account” means an account approved by the  
4 department that consists solely of savings, and dividends or other gains derived from  
5 those savings, from income earned from paid employment after the initial date ~~that~~  
6 on which an individual began receiving medical assistance under this section.

NOTE: Inserts standard terminology.

7           **SECTION 54.** 50.034 (5p) of the statutes, as created by 1999 Wisconsin Act 9, is  
8 amended to read:

9           50.034 **(5p)** APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary  
10 has certified under s. 46.281 (3) that a resource center is available for the residential  
11 care apartment complex and for specified groups of eligible individuals that include  
12 those ~~person~~ persons seeking admission to or the residents of the residential care  
13 apartment complex.

NOTE: Corrects word form.

14           **SECTION 55.** 50.065 (4m) (b) (intro.) of the statutes, as affected by 1997  
15 Wisconsin Act 27 and 1999 Wisconsin Act 9, sections 1521m and 1521zi, is amended  
16 to read:

17           50.065 **(4m)** (b) (intro.) Notwithstanding s. 111.335, and except as provided in  
18 sub. (5), an entity may not employ or contract with a ~~has, or~~ caregiver or permit to  
19 reside at the entity a ~~has, or~~ nonclient resident, if the entity knows or should have  
20 known any of the following:

NOTE: 1999 Wis. Act 9 deleted “has, or” without showing it as stricken. The change  
was intended.

21           **SECTION 56.** 59.69 (3) (b) of the statutes, as affected by 1999 Wisconsin Act 9,  
22 is amended to read:

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1           59.69 (3) (b) The development plan shall include the master plan, if any, of any  
2 city or village, which that was adopted under s. 62.23 (2) or (3) and the official map,  
3 if any, of such city or village, which that was adopted under s. 62.23 (6) in the county,  
4 without change.

NOTE: Replaces “which” with “that” to correct grammar.

5           **SECTION 57.** 66.0295 (4) (b) 2. of the statutes, as created by 1999 Wisconsin Act  
6 9, is amended to read:

7           66.0295 (4) (b) 2. Every local governmental unit that is adjacent to the local  
8 governmental unit which that is the subject of the plan that is adopted or amended  
9 as described in par. (b) (intro.).

NOTE: Replaces “which” with “that” to correct grammar.

10          **SECTION 58.** 66.431 (5r) (d) 5. of the statutes, as created by 1999 Wisconsin Act  
11 9, is amended to read:

12          66.431 (5r) (d) 5. ‘Approval of outstanding debt.’ All outstanding bonds of the  
13 authority issued under this subsection have been reviewed and approved by the  
14 secretary of administration. In determining whether to approve outstanding bonds  
15 under this subdivision, the secretary may consider any factor which that the  
16 secretary determines to have a bearing on whether the state moral obligation pledge  
17 under par. (j) should be granted with respect to an issuance of bonds.

NOTE: Replaces “which” with “that” to correct grammar.

18          **SECTION 59.** 66.462 (2) of the statutes, as affected by 1999 Wisconsin Act 9,  
19 section 1634a, is renumbered 66.462 (2) (a).

NOTE: 1999 Wis. Act 9 created 66.462 (2) (b) requiring the renumbering of s. 66.462  
(2) for internal consistency.

20          **SECTION 60.** 69.05 (4) of the statutes is amended to read:

21          69.05 (4) Preserve, amend and certify vital records under this subchapter by  
22 photographic, electronic or other means as directed by the state registrar, except that

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1 a local registrar may destroy birth certificates on file for more than 365 days if the  
2 state registrar determines that the local registrar has access through the state  
3 registrar's computer ~~data base~~ database to the information necessary to issue  
4 certified copies under s. 69.21 (1) (b) 2.

NOTE: Corrects spelling.

5 **SECTION 61.** 69.21 (1) (b) 3. of the statutes is amended to read:

6 69.21 (1) (b) 3. A local registrar may issue a copy of a birth or death certificate  
7 under par. (a) through the state registrar's computer ~~data base~~ database if the event  
8 ~~which~~ that is the subject of the birth or death occurred in the local registrar's  
9 registration district or if the registrant resided in the local registrar's registration  
10 district when the event occurred.

NOTE: Corrects spelling. Replaces "which" with "that" to correct grammar.

11 **SECTION 62.** 70.11 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is  
12 amended to read:

13 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.  
14 Property owned by any county, city, village, town, school district, technical college  
15 district, public inland lake protection and rehabilitation district, metropolitan  
16 sewerage district, municipal water district created under s. 198.22, joint local water  
17 authority created under s. 66.0735, family care district under s. 46.2895 or town  
18 sanitary district; lands belonging to cities of any other state used for public parks;  
19 land tax-deeded to any county or city before January 2; but any residence located  
20 upon property owned by the county for park purposes ~~which~~ that is rented out by the  
21 county for a nonpark purpose shall not be exempt from taxation. Except as to land  
22 acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after  
23 August 17, 1961, to any such governmental unit or for its benefit while the grantor  
24 or others for his or her benefit are permitted to occupy the land or part thereof in

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1 consideration for the conveyance. Leasing the property exempt under this  
2 subsection, regardless of the lessee and the use of the leasehold income, does not  
3 render that property taxable.

NOTE: The underscored comma was inserted by 1999 Wis. Act 9 without being shown as underscored. The change was intended. Replaces “which” with “that” to correct grammar.

4 **SECTION 63.** 71.14 (3m) (a) (intro.) of the statutes, as created by 1999 Wisconsin  
5 Act 9, is amended to read:

6 71.14 **(3m)** (a) (intro.) Subject to par. (b) and except as provided in sub. (2) and  
7 s. 71.04 (1) (b) 2., only the following trusts, or portions of trusts, ~~which~~ that become  
8 irrevocable on or after October 29, 1999, are resident of this state:

NOTE: Replaces “which” with “that” to correct grammar.

9 **SECTION 64.** 73.03 (28m) of the statutes is amended to read:

10 73.03 **(28m)** To enter into contracts for ~~data-base~~ database and data processing  
11 services for audits of occasional sales of motor vehicles.

NOTE: Corrects spelling.

12 **SECTION 65.** 79.10 (10) (c) of the statutes, as created by 1999 Wisconsin Act 5,  
13 is amended to read:

14 79.10 **(10)** (c) If a person who is certified under par. (a) to claim the credit under  
15 sub. (9) (bm) becomes ineligible for the credit under sub. (9) (bm), that person shall,  
16 within 30 days of becoming ineligible, notify the treasurer of the county in which the  
17 property is located or, if the property is located in a city that collects taxes under s.  
18 74.87, ~~with~~ the treasurer of the city in which the property is located.

NOTE: Deletes unnecessary word.

19 **SECTION 66.** 84.30 (3) (c) 1. and 2. of the statutes, as affected by 1999 Wisconsin  
20 Act 9, are amended to read:

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1           84.30 (3) (c) 1. Signs ~~which~~ that contain, include or are illuminated by any  
2 flashing, intermittent or moving light or lights are prohibited, except electronic signs  
3 permitted by rule of the department.

4           2. Signs ~~which~~ that are not effectively shielded as to prevent beams or rays of  
5 light from being directed at any portion of the traveled ways of the interstate or  
6 federal-aid primary highway and ~~which~~ that are of such intensity or brilliance as to  
7 cause glare or to impair the vision of the driver of any motor vehicle, or ~~which~~ that  
8 otherwise interfere with any driver's operation of a motor vehicle, are prohibited.

NOTE: Replaces "which" with "that" to correct grammar.

9           **SECTION 67.** 85.105 of the statutes is amended to read:

10           **85.105 Sale of motor vehicle records.** Notwithstanding s. 343.24 (2m), the  
11 department may contract with a person to periodically furnish that person with any  
12 records on computer tape or other electronic media that contain information from  
13 files of motor vehicle accidents or uniform traffic citations and ~~which~~ that were  
14 produced for or developed by the department for purposes related to maintenance of  
15 the operating record file ~~data-base~~ database. The department and the person  
16 desiring to contract with the department shall make a good faith effort to negotiate  
17 the purchase price for the records to be provided under this section.

NOTE: Corrects spelling. Replaces "which" with "that" to correct grammar.

18           **SECTION 68.** 85.12 (1) of the statutes is amended to read:

19           85.12 (1) The department shall administer a statewide public safety radio  
20 management program. From the appropriations under s. 20.395 (5) (dk) and (dq),  
21 the department may provide statewide tower site management, public safety  
22 frequency management, public safety ~~data-base~~ database administration and  
23 planning services related to statewide public safety radio management.

NOTE: Corrects spelling.

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1           **SECTION 69.** 85.53 (3) of the statutes, as affected by 1999 Wisconsin Act 9, is  
2 amended to read:

3           **85.53 (3)** Grants under this section shall be paid from the appropriation under  
4 s. 20.395 (5) (jr). The amount of a grant may not exceed 80% of the amount expended  
5 by an eligible applicant for services related to the program.

NOTE: 1999 Wis. Act 9 deleted the underscored period without showing it as  
stricken. No change was intended.

6           **SECTION 70.** 92.14 (4) (title) of the statutes is repealed.

NOTE: All of the other parts of s. 92.14 (4) were either repealed or renumbered by  
1999 Wis. Act 9.

7           **SECTION 71.** 97.42 (12) (title) of the statutes is created to read:

8           **97.42 (12)** (title) SUBSTANTIAL OR REPEATED VIOLATIONS.

NOTE: The other subsections in s. 97.42 have titles.

9           **SECTION 72.** 101.143 (1) (hm) of the statutes is amended to read:

10           **101.143 (1)** (hm) “Terminal” means a petroleum product storage system that  
11 is itself connected to a pipeline facility, as defined in ~~49 USC Appendix 2001 (4)~~ 60101  
12 (18) or is one of a number of connected petroleum product storage systems at least  
13 one of which is connected to a pipeline facility, as defined in ~~49 USC Appendix 2001~~  
14 ~~(4)~~ 60101 (18).

NOTE: 49 USC Appendix 2001 (4) was codified as 49 USC 60101 (18).

15           **SECTION 73.** 101.143 (11) (intro.) of the statutes, as created by 1999 Wisconsin  
16 Act 9, is amended to read:

17           **101.143 (11)** REPORTS. (intro.) No later than each January 1 and July 1, the  
18 department of commerce and the department of natural resources shall submit ~~the~~  
19 to the governor, to the joint legislative audit committee, to the joint committee on  
20 finance and to the appropriate standing committees of the legislature, under s.  
21 13.172 (3), a report on the program under this section. The departments shall  
22 include all of the following information in the report:



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NOTE: Inserts correct word.

1           **SECTION 74.** 101.9204 (1) (g) of the statutes, as created by 1999 Wisconsin Act  
2 9, is amended to read:

3           101.9204 (1) (g) If the mobile home is a used mobile home ~~which~~ that was last  
4 previously titled in another jurisdiction, the applicant shall furnish any certificate  
5 of ownership issued by the other jurisdiction and a statement, in the form prescribed  
6 by the the department, pertaining to the title history and ownership of the mobile  
7 home, ~~such statement to be in the form that the department prescribes.~~

NOTE: Replaces “which” with “that” to correct grammar. Moves and rephrases  
clause for improved clarity and readability.

8           **SECTION 75.** 101.9205 (2) (c) of the statutes, as created by 1999 Wisconsin Act  
9 9, is amended to read:

10           101.9205 (2) (c) In any other manner ~~which~~ that the department determines  
11 to be desirable.

NOTE: Replaces “which” with “that” to correct grammar.

12           **SECTION 76.** 101.9206 (1) (e) of the statutes, as created by 1999 Wisconsin Act  
13 9, is amended to read:

14           101.9206 (1) (e) Any other data ~~which~~ that the department considers pertinent  
15 and desirable.

NOTE: Replaces “which” with “that” to correct grammar.

16           **SECTION 77.** 101.9206 (3) (b) 2. of the statutes, as affected by 1999 Wisconsin  
17 Acts 9 and 53, is amended to read:

18           101.9206 (3) (b) 2. The applicant has filed with the department a bond in the  
19 form prescribed by the department and executed by the applicant, and either  
20 accompanied by the deposit of cash with the department or also executed by a person  
21 authorized to conduct a surety business in this state. The bond shall be in an amount  
22 equal to 1.5 times the value of the manufactured home as determined by the



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1 department and conditioned to indemnify any prior owner and secured party and any  
2 subsequent purchaser of the manufactured home or person acquiring any security  
3 interest in it, and their respective successors in interest, against any expense, loss  
4 or damage, including reasonable attorney fees, by reason of the issuance of the  
5 certificate of title ~~of~~ for the manufactured home or on account of any defect in or  
6 undisclosed security interest upon the right, title and interest of the applicant in and  
7 to the manufactured home. Any such interested person has a right of action to  
8 recover on the bond for any breach of its conditions, but the aggregate liability of the  
9 surety to all persons shall not exceed the amount of the bond. The bond, and any  
10 deposit accompanying it, shall be returned at the end of 5 years or prior thereto if,  
11 apart from this section, a nondistinctive certificate of title could then be issued for  
12 the manufactured home.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout  
ch. 101.

13 **SECTION 78.** 101.9208 (1) (b) of the statutes, as created by 1999 Wisconsin Act  
14 9, is amended to read:

15 101.9208 (1) (b) Upon filing an application under ~~sub. (1) par. (a)~~ or ~~(4) (d)~~  
16 before the first day of the 2nd month beginning after September 1, 2000, an  
17 environmental impact fee of \$5, by the person filing the application. Upon filing an  
18 application under ~~sub. (1) par. (a)~~ or ~~(4) (d)~~ on or after September 1, 2000, an  
19 environmental impact fee of \$6, by the person filing the application. All moneys  
20 collected under this subsection shall be credited to the environmental fund for  
21 environmental management.

NOTE: Corrects cross-references.

22 **SECTION 79.** 101.9208 (1) (h) of the statutes, as created by 1999 Wisconsin Act  
23 9, is amended to read:

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1           101.9208 (1) (h) For processing applications for certificates of title ~~which~~ that  
2 have a special handling request for fast service, a fee established by the department  
3 by rule, which fee shall approximate the cost to the department for providing this  
4 special handling service to persons so requesting.

NOTE: Replaces “which” with “that” to correct grammar.

5           **SECTION 80.** 101.921 (1) (a) of the statutes, as affected by 1999 Wisconsin Acts  
6 9 and 53, is amended to read:

7           **101.921 Transfer to or from dealer.** (1) (a) Except as provided in par. (b),  
8 if a manufactured home dealer acquires a manufactured home and holds it for resale  
9 or accepts a manufactured home for sale on consignment, the manufactured home  
10 dealer may not submit to the department the certificate of title or application for  
11 certificate of title naming the manufactured home dealer as owner of the  
12 manufactured home. Upon transferring the manufactured home to another person,  
13 the manufactured home dealer shall immediately give the transferee, on a form  
14 prescribed by the department, a receipt for all title, security interest and sales tax  
15 moneys paid to the manufactured home dealer for transmittal to the department  
16 when required. The manufactured home dealer shall promptly execute the  
17 assignment and warranty of title, showing the name and address of the transferee  
18 and of any secured party holding a security interest created or reserved at the time  
19 of the resale or sale on consignment, in the spaces provided therefor on the certificate  
20 or as the department prescribes. Within 7 business days following the sale or  
21 transfer, the manufactured home dealer shall mail or deliver the certificate or  
22 application for certificate to the department with the transferee’s application for a  
23 new certificate. A nonresident who purchases a manufactured home from a  
24 manufactured home dealer in this state may not, unless otherwise authorized by rule

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1 of the department, apply for a certificate of title issued for the manufactured home  
2 in this state unless the manufactured home dealer determines that a certificate of  
3 title is necessary to protect the interests of a secured party. The manufactured home  
4 dealer is responsible for determining whether a certificate of title and perfection of  
5 security interest is required. The manufactured home dealer is liable for any  
6 damages incurred by the department or any secured party for the manufactured  
7 home dealer's failure to perfect a security interest ~~which~~ that the manufactured  
8 home dealer had knowledge of at the time of sale.

NOTE: Replaces "which" with "that" to correct grammar.

9 **SECTION 81.** 101.9211 (4) (b) 1. (intro.) of the statutes, as affected by 1999  
10 Wisconsin Acts 9 and 53, is amended to read:

11 101.9211 **(4)** (b) 1. (intro.) The department shall transfer the decedent's  
12 interest in any manufactured home to his or her surviving spouse upon receipt of the  
13 title executed by the surviving spouse and a statement by the spouse ~~which shall~~  
14 state that states all of the following:

NOTE: Replaces "which" with "that" and replaces the passive voice with active voice  
to correct grammar.

15 **SECTION 82.** 101.9212 (3) of the statutes, as affected by 1999 Wisconsin Acts  
16 9 and 53, is amended to read:

17 101.9212 **(3)** The department shall retain for 5 years a record of every  
18 surrendered certificate of title, the record to be maintained so as to permit the tracing  
19 of title ~~of~~ for the manufactured home designated therein.

NOTE: Replaces "of" with "for" in order to make terminology consistent throughout  
ch. 101.

20 **SECTION 83.** 101.9213 (7) of the statutes, as affected by 1999 Wisconsin Acts  
21 9 and 53, is amended to read:

**ASSEMBLY BILL 967****SECTION 83**

1           101.9213 (7) If a manufactured home is subject to a security interest when  
2 brought into this state, s. 409.103 (1), (2) and (3) states the rules which that apply  
3 to determine the validity and perfection of the security interest in this state.

Note: Replaces “which” with “that” to correct grammar.

4           **SECTION 84.** 101.9216 (1) of the statutes, as affected by 1999 Wisconsin Acts  
5 9 and 53, is amended to read:

6           101.9216 (1) Within one month, or within 10 days following written demand  
7 by the debtor, after there is no outstanding obligation and no commitment to make  
8 advances, incur obligations or otherwise give value, secured by the security interest  
9 in a manufactured home under any security agreement between the owner and the  
10 secured party, the secured party shall execute and deliver to the owner, as the  
11 department prescribes, a release of the security interest in the form and manner  
12 prescribed by the department and a notice to the owner stating in no less than  
13 10–point boldface type the owner’s obligation under sub. (2). If the secured party  
14 fails to execute and deliver the release and notice of the owner’s obligation as  
15 required by this subsection, the secured party is liable to the owner for \$25 and for  
16 any loss caused to the owner by the failure.

NOTE: Inserts commas to correct grammar.

17           **SECTION 85.** 101.9217 (3) of the statutes, as created by 1999 Wisconsin Act 9,  
18 is amended to read:

19           101.9217 (3) Any secured party who fails to disclose information under sub. (1)  
20 shall be liable for any loss caused to the owner thereby by the failure to disclose  
21 information.

NOTE: Inserts missing article. Inserts the specific reference for clarity.

22           **SECTION 86.** 101.9218 (1) of the statutes, as affected by 1999 Wisconsin Acts  
23 9 and 53, is amended to read:

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1           101.9218 **(1)** METHOD OF PERFECTING EXCLUSIVE. Except as provided in sub. (2),  
2           the method provided in ss. 101.921 to 101.9217 of perfecting and giving notice of  
3           security interests subject to ss. 101.921 to 101.9217 is exclusive. Security interests  
4           subject to ss. 101.921 to 101.9217 are exempt from the provisions of law ~~which~~ that  
5           otherwise require or relate to the filing of instruments creating or evidencing  
6           security interests.

NOTE: Replaces “which” with “that” to correct grammar.

7           **SECTION 87.** 101.9219 (3) (b) of the statutes, as affected by 1999 Wisconsin Acts  
8           9 and 53, is amended to read:

9           101.9219 **(3)** (b) The applicant has filed with the department a bond in the form  
10          prescribed by the department and executed by the applicant, and either  
11          accompanied by the deposit of cash with the department or also executed by a person  
12          authorized to conduct a surety business in this state. The bond shall be in an amount  
13          equal to 1.5 times the value of the manufactured home as determined by the  
14          department and conditioned to indemnify any prior owner and secured party and any  
15          subsequent purchaser of the manufactured home or person acquiring any security  
16          interest in it, and their respective successors in interest, against any expense, loss  
17          or damage, including reasonable attorney fees, by reason of the issuance of the  
18          certificate of title ~~of~~ for the manufactured home or on account of any defect in or  
19          undisclosed security interest upon the right, title and interest of the applicant in and  
20          to the manufactured home. Any such interested person has a right of action to  
21          recover on the bond for any breach of its conditions, but the aggregate liability of the  
22          surety to all persons shall not exceed the amount of the bond. The bond, and any  
23          deposit accompanying it, shall be returned at the end of 5 years or prior thereto if,  
24          apart from this section, a nondistinctive certificate of title could then be issued for

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1 the manufactured home, or if the currently valid certificate of title for the  
2 manufactured home is surrendered to the department, unless the department has  
3 been notified of the pendency of an action to recover on the bond.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout  
ch. 101.

4 **SECTION 88.** 101.922 (4) of the statutes, as created by 1999 Wisconsin Act 9, is  
5 amended to read:

6 101.922 (4) The department may seize and impound any certificate of title  
7 ~~which~~ that has been suspended or revoked.

NOTE: Replaces “which” with “that” to correct grammar.

8 **SECTION 89.** 101.9222 (2) (b) of the statutes, as affected by 1999 Wisconsin Acts  
9 and 53, is amended to read:

10 101.9222 (2) (b) The department ~~of commerce~~ issues a certificate of title ~~of~~ for  
11 the manufactured home under this chapter.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout  
ch. 101. Deletes unnecessary “of commerce”; “department” is defined in s. 101.01 (1m)  
as being the Department of Commerce.

12 **SECTION 90.** 101.9222 (3) of the statutes, as affected by 1999 Wisconsin Acts  
13 and 53, is amended to read:

14 101.9222 (3) If the department is not satisfied that there are no undisclosed  
15 security interests, created before July 1, 2000, in a previously certificated  
16 manufactured home, the department shall, unless the applicant fulfills the  
17 requirements of s. 101.9219 (3), issue a distinctive certificate of title ~~of~~ for the  
18 manufactured home containing the legend “This manufactured home may be subject  
19 to an undisclosed security interest” and any other information that the department  
20 prescribes.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout  
ch. 101.

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1           **SECTION 91.** 101.951 (6) (k) of the statutes, as created by 1999 Wisconsin Act  
2 9, is amended to read:

3           101.951 **(6)** (k) Having indulged in any unconscionable practice relating to ~~said~~  
4 the business of selling manufactured homes to a consumer or to the retail market.

NOTE: Inserts the specific reference for clarity.

5           **SECTION 92.** 101.953 (1) (intro.) and (a) to (d) of the statutes, as affected by 1999  
6 Wisconsin Acts 9 and 53, are amended to read:

7           101.953 **(1)** (intro.) A one-year written warranty is required for every new  
8 manufactured home sold, or leased to another, by a manufactured home  
9 manufacturer, manufactured home dealer or manufactured home salesperson in this  
10 state, and for every new manufactured home sold by any person who induces a  
11 resident of the state to enter into the transaction by personal solicitation in this state  
12 or by mail or telephone solicitation directed to the particular consumer in this state.  
13 The warranty shall state contain all of the following:

14           (a) That A statement that the manufactured home meets those standards  
15 prescribed by law or administrative rule of the department of administration or of  
16 the department of commerce, ~~which~~ that are in effect at the time of the manufacture  
17 of the manufactured home.

18           (b) That A statement that the manufactured home is free from defects in  
19 material and workmanship and is reasonably fit for human habitation if it receives  
20 reasonable care and maintenance as defined by rule of the department.

21           (c) 1. That A statement that the manufactured home manufacturer and  
22 manufactured home dealer shall take corrective action for defects ~~which~~ that become  
23 evident within one year from the delivery date and as to which the manufactured  
24 home owner has given notice to the manufacturer or dealer not later than one year

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1 and 10 days after the delivery date and at the address set forth in the warranty; and  
2 that the manufactured home manufacturer and manufactured home dealer shall  
3 make the appropriate adjustments and repairs, within 30 days after notification of  
4 the defect, at the site of the manufactured home without charge to the manufactured  
5 home owner. If the manufactured home dealer makes the adjustment, the  
6 manufactured home manufacturer shall fully reimburse the dealer.

7 2. If a repair, replacement, substitution or alteration is made under the  
8 warranty and it is discovered, before or after expiration of the warranty period, a  
9 statement that the repair, replacement, substitution or alteration has not restored  
10 the manufactured home to the condition in which it was warranted except for  
11 reasonable wear and tear, such failure shall be considered a violation of the warranty  
12 and the manufactured home shall be restored to the condition in which it was  
13 warranted to be at the time of the sale except for reasonable wear and tear, at no cost  
14 to the purchaser or the purchaser's assignee notwithstanding that the additional  
15 repair may occur after the expiration of the warranty period.

16 (d) ~~That~~ A statement that if during any period of time after notification of a  
17 defect the manufactured home is uninhabitable, as defined by rule of the  
18 department, that period of time shall not be considered part of the one-year  
19 warranty period.

NOTE: Corrects sentence agreement problem. Replaces "which" with "that" to  
correct grammar.

20 **SECTION 93.** 101.965 (3) of the statutes, as affected by 1999 Wisconsin Acts 9  
21 and 53, is amended to read:

22 101.965 (3) Nothing in this subchapter prohibits the bringing of a civil action  
23 against a manufactured home manufacturer, manufactured home dealer or  
24 manufactured home salesperson by an aggrieved consumer. If judgment is rendered



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1 for the consumer based on an act or omission by the manufactured home  
2 manufacturer, manufactured home dealer or manufactured home salesperson,  
3 ~~which~~ that constituted a violation of this subchapter, the plaintiff shall recover  
4 actual and proper attorney fees in addition to costs otherwise recoverable.

NOTE: Replaces “which” with “that” to correct grammar.

5 **SECTION 94.** 102.16 (2) (c) of the statutes is amended to read:

6 102.16 (2) (c) After a fee dispute is submitted to the department, the insurer  
7 or self-insured employer that is a party to the dispute shall provide to the  
8 department information on that fee and information on fees charged by other health  
9 service providers for comparable services. The insurer or self-insured employer  
10 shall obtain the information on comparable fees from a ~~data-base~~ database that is  
11 certified by the department under par. (h). Except as provided in par. (e) 1., if the  
12 insurer or self-insured employer does not provide the information required under  
13 this paragraph, the department shall determine that the disputed fee is reasonable  
14 and order that it be paid. If the insurer or self-insured employer provides the  
15 information required under this paragraph, the department shall use that  
16 information to determine the reasonableness of the disputed fee.

NOTE: Corrects spelling.

17 **SECTION 95.** 102.16 (2) (d) of the statutes, as affected by 1999 Wisconsin Act 14,  
18 is amended to read:

19 102.16 (2) (d) For fee disputes that are submitted to the department before  
20 July 1, 2002, the department shall analyze the information provided to the  
21 department under par. (c) according to the criteria provided in this paragraph to  
22 determine the reasonableness of the disputed fee. The department shall determine  
23 that a disputed fee is reasonable and order that the disputed fee be paid if that fee  
24 is at or below the mean fee for the health service procedure for which the disputed

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1 fee was charged, plus 1.5 standard deviations from that mean, as shown by data from  
2 a ~~data-base~~ database that is certified by the department under par. (h). The  
3 department shall determine that a disputed fee is unreasonable and order that a  
4 reasonable fee be paid if the disputed fee is above the mean fee for the health service  
5 procedure for which the disputed fee was charged, plus 1.5 standard deviations from  
6 that mean, as shown by data from a ~~data-base~~ database that is certified by the  
7 department under par. (h), unless the health service provider proves to the  
8 satisfaction of the department that a higher fee is justified because the service  
9 provided in the disputed case was more difficult or more complicated to provide than  
10 in the usual case.

NOTE: Corrects spelling.

11 **SECTION 96.** 102.16 (2) (e) 1. and 2. of the statutes are amended to read:

12 102.16 **(2)** (e) 1. Subject to subd. 2., if an insurer or self-insured employer that  
13 disputes the reasonableness of a fee charged by a health service provider cannot  
14 provide information on fees charged by other health service providers for comparable  
15 services because the ~~data-base~~ database to which the insurer or self-insured  
16 employer subscribes is not able to provide accurate information for the health service  
17 procedure at issue, the department may use any other information that the  
18 department considers to be reliable and relevant to the disputed fee to determine the  
19 reasonableness of the disputed fee.

20 2. Notwithstanding subd. 1., the department may use only a hospital radiology  
21 ~~data-base~~ database that has been certified by the department under par. (h) to  
22 determine the reasonableness of a hospital fee for radiology services.

NOTE: Corrects spelling.

23 **SECTION 97.** 102.16 (2) (h) of the statutes is amended to read:

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1           102.16 (2) (h) The department shall promulgate rules establishing procedures  
2 and requirements for the fee dispute resolution process under this subsection,  
3 including rules specifying the standards that health service fee ~~data bases~~ databases  
4 must meet for certification under this paragraph. Using those standards, the  
5 department shall certify ~~data bases~~ databases of the health service fees that various  
6 health service providers charge. In certifying ~~data bases~~ databases under this  
7 paragraph, the department shall certify at least one ~~data base~~ database of hospital  
8 fees for radiology services, including diagnostic and interventional radiology,  
9 diagnostic ultrasound and nuclear medicine.

NOTE: Corrects spelling.

10           **SECTION 98.** 103.92 (2) (b) 2m. of the statutes, as created by 1999 Wisconsin Act  
11 9, is renumbered 103.92 (1) (b) 2m.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). There was no  
preexisting s. 103.92 (2) (b). The subject matter of this provision fits within s. 103.92 (1)  
(b).

12           **SECTION 99.** 108.05 (1) (j) (intro.) of the statutes, as affected by 1999 Wisconsin  
13 Act 15, is amended to read:

14           108.05 (1) (j) (intro.) Each eligible employe shall be paid benefits for each week  
15 of total unemployment ~~which~~ that commences on or after January 3, 1999, and  
16 before April 2, 2000, at the weekly benefit rate specified in this paragraph. Unless  
17 sub. (1m) applies, the weekly benefit rate shall equal 4% of the employe's base period  
18 wages ~~which~~ that were paid during that quarter of the employe's base period in which  
19 the employe was paid the highest total wages, rounded down to the nearest whole  
20 dollar, except that if that amount is less than the minimum amount shown in the  
21 following schedule, no benefits are payable to the employe and if that amount is more  
22 than the maximum amount shown in the following schedule, the employe's weekly  
23 benefit rate shall be the maximum amount shown in the following schedule and

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1 except that if the employe's benefits are exhausted during any week under s. 108.06  
2 (1), the employe shall be paid the remaining amount of benefits payable to the  
3 employe in lieu of the amount shown in the following schedule: [See Figure 108.05  
4 (1) (j) following]

NOTE: Replaces "which" with "that" to correct grammar.

5 **SECTION 100.** 108.05 (1) (k) (intro.) and (L) (intro.) of the statutes, as created  
6 by 1999 Wisconsin Act 15, are amended to read:

7 108.05 (1) (k) (intro.) Each eligible employe shall be paid benefits for each week  
8 of total unemployment ~~which~~ that commences on or after April 2, 2000, and before  
9 October 1, 2000, at the weekly benefit rate specified in this paragraph. Unless sub.  
10 (1m) applies, the weekly benefit rate shall equal 4% of the employe's base period  
11 wages ~~which~~ that were paid during that quarter of the employe's base period in which  
12 the employe was paid the highest total wages, rounded down to the nearest whole  
13 dollar, except that if that amount is less than the minimum amount shown in the  
14 following schedule, no benefits are payable to the employe and if that amount is more  
15 than the maximum amount shown in the following schedule, the employe's weekly  
16 benefit rate shall be the maximum amount shown in the following schedule and  
17 except that if the employe's benefits are exhausted during any week under s. 108.06  
18 (1), the employe shall be paid the remaining amount of benefits payable to the  
19 employe in lieu of the amount shown in the following schedule: [See Figure 108.05  
20 (1) (k) following]

21 (L) (intro.) Each eligible employe shall be paid benefits for each week of total  
22 unemployment ~~which~~ that commences on or after October 1, 2000, at the weekly  
23 benefit rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit  
24 rate shall equal 4% of the employe's base period wages ~~which~~ that were paid during

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1 that quarter of the employe's base period in which the employe was paid the highest  
2 total wages, rounded down to the nearest whole dollar, except that if that amount is  
3 less than the minimum amount shown in the following schedule, no benefits are  
4 payable to the employe and if that amount is more than the maximum amount shown  
5 in the following schedule, the employe's weekly benefit rate shall be the maximum  
6 amount shown in the following schedule and except that if the employe's benefits are  
7 exhausted during any week under s. 108.06 (1), the employe shall be paid the  
8 remaining amount of benefits payable to the employe in lieu of the amount shown  
9 in the following schedule: [See Figure 108.05 (1) (L) following]

NOTE: Replaces "which" with "that" to correct grammar.

10 **SECTION 101.** 115.28 (26) of the statutes, as created by 1999 Wisconsin Act 9,  
11 is amended to read:

12 115.28 (26) PERIODICAL AND REFERENCE INFORMATION ~~DATA-BASES~~ DATABASES.  
13 Contract with one or more persons to provide statewide access, through the Internet,  
14 to periodical and reference information ~~data-bases~~ databases.

NOTE: Corrects spelling.

15 **SECTION 102.** 115.435 (1) (intro.) of the statutes, as created by 1999 Wisconsin  
16 Act 9, is amended to read:

17 115.435 (1) (intro.) A school district that satisfies all of the following criteria  
18 may apply to the department by October 15 of each school year for a grant to  
19 supplement aid under s. 121.08.:

NOTE: Corrects punctuation.

20 **SECTION 103.** 115.51 (4) of the statutes, as created by 1999 Wisconsin Act 9, is  
21 amended to read:

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1           115.51 (4) “Visually impaired” means loss of vision, or blindness, as described  
2 in the rule promulgated by the state superintendent to define “visual impairments”  
3 for the purposes of s. 115.76 (5) (a) 4.

NOTE: Inserts commas to correct grammar.

4           **SECTION 104.** The treatment of 115.995 of the statutes by 1999 Wisconsin Act  
5 9 is not repealed by 1999 Wisconsin Act 19. Both treatments stand.

NOTE: There is no conflict of substance.

6           **SECTION 105.** 115.995 (1) of the statutes, as created by 1999 Wisconsin Act 9,  
7 is amended to read:

8           115.995 (1) From the appropriation under s. 20.255 (2) (cc), divide  
9 proportionally, based upon costs reported under s. 115.993, an annual payment of  
10 \$250,000 among school districts whose enrollments in the previous school year were  
11 at least 15% limited-English speaking proficient pupils. Aid paid under this  
12 subsection does not reduce aid paid under sub. (2).

NOTE: Amends terminology consistent with the amendment of s. 115.995 by 1999  
Wis. Act 19.

13           **SECTION 106.** 118.28 of the statutes is amended to read:

14           **118.28 Community action agencies.** The school board of a school district  
15 may appropriate funds for promoting and assisting any community action agency  
16 under s. 49.37, 1997 stats.

NOTE: Section 49.37 was repealed eff. 10-29-99 by 1999 Wis. Act 9.

17           **SECTION 107.** The amendment of 118.30 (2) (b) 2. of the statutes by 1999  
18 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 19. Both treatments stand.

NOTE: There is no conflict of substance.

19           **SECTION 108.** 118.33 (1) (f) 1. of the statutes, as affected by 1999 Wisconsin Act  
20 9, is amended to read:

21           118.33 (1) (f) 1. By September 1, 2002, each school board operating high school  
22 grades shall develop a written policy specifying criteria for granting a high school

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1 diploma that are in addition to the requirements under par. (a). The criteria shall  
2 include the pupil's score on the examination administered under s. 118.30 ~~(1g)~~ (1m)  
3 (d), the pupil's academic performance, the recommendations of teachers. Except as  
4 provided in subd. 2., the criteria apply to pupils enrolled in charter schools located  
5 in the school district.

NOTE: Corrects cross-reference. There is no s. 118.30 (1g) (d). The graduation test  
is administered under s. 118.30 (1m) (d).

6 **SECTION 109.** 121.08 (4) (c) 3. of the statutes, as created by 1999 Wisconsin Act  
7 9, is amended to read:

8 121.08 **(4)** (c) 3. Multiply the amount of state aid that the school district is  
9 eligible to be paid from the appropriation under s. ~~20.225~~ 20.255 (2) (ac), calculated  
10 as if the reduction under par. (a) had not occurred, by the quotient under subd. 2.

NOTE: Corrects cross-reference consistent with the remainder of s. 121.08 (4).

11 **SECTION 110.** 125.51 (3) (bs) 2. of the statutes, as created by 1999 Wisconsin  
12 Act 9, is amended to read:

13 125.51 **(3)** (bs) 2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and  
14 (9), a "Class B" license authorizes a person operating a coliseum to furnish the holder  
15 of a coliseum suite who has attained the legal drinking age with a selection of  
16 intoxicating liquor in the coliseum suite that is not part of the "Class B" premises.  
17 Intoxicating liquor furnished under this subdivision shall be furnished in original  
18 packages or containers and stored in a cabinet, refrigerator or other secure storage  
19 place. The cabinet, refrigerator or other secure storage place or the coliseum suite  
20 must be capable of being locked. The cabinet, refrigerator or other secure storage  
21 place or the coliseum ~~suit~~ suite shall be locked, or the intoxicating liquor shall be  
22 removed from the coliseum ~~suit~~ suite, when the coliseum ~~suit~~ suite is not occupied  
23 and when intoxicating liquor is not being furnished under this subdivision.

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1 Intoxicating liquor may be furnished at the time the holder of the coliseum suite  
2 occupies the coliseum suite, but for purposes of this chapter, the sale of intoxicating  
3 liquor furnished under this subdivision is considered to occur at the time and place  
4 that the holder pays for the intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the  
5 holder of a coliseum suite may pay for the intoxicating liquor at any time if he or she  
6 pays in accordance with an agreement with the person operating the coliseum or  
7 with the concessionaire. An individual who stocks or accepts payment for alcohol  
8 beverages under this subdivision shall be the licensee, the agent named in the license  
9 if the licensee is a corporation or limited liability company or the holder of a  
10 manager's or operator's license or be supervised by one of those individuals.

NOTE: Corrects spelling.

11 **SECTION 111.** 146.70 (3) (a) 2. of the statutes is amended to read:

12 146.70 (3) (a) 2. "Costs" means the costs incurred by a service supplier after  
13 August 1, 1987, in installing and maintaining the trunking and central office  
14 equipment used only to operate a basic or sophisticated system and the ~~data base~~  
15 database used only to operate a sophisticated system.

NOTE: Corrects spelling.

16 **SECTION 112.** 146.70 (3) (b) 3. a. of the statutes is amended to read:

17 146.70 (3) (b) 3. a. The amount of nonrecurring charges service users in the  
18 county will pay for all nonrecurring services related to providing the trunking and  
19 central office equipment used only to operate a basic or sophisticated system  
20 established in that county and the ~~data base~~ database used only to operate that  
21 sophisticated system.

NOTE: Corrects spelling.

22 **SECTION 113.** 146.70 (3) (j) of the statutes is amended to read:



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1           146.70 (3) (j) A service supplier providing telephone service in a county, upon  
2 request of that county, shall provide the county information on its capability and an  
3 estimate of its costs to install and maintain trunking and central office equipment  
4 to operate a basic or sophisticated system in that county and the ~~data base~~ database  
5 required to operate a sophisticated system.

NOTE: Corrects spelling.

6           **SECTION 114.** 146.70 (10) (b) of the statutes is amended to read:

7           146.70 (10) (b) Any person who discloses or uses, for any purpose not related  
8 to the operation of a basic or sophisticated system, any information contained in the  
9 ~~data base~~ database of that system shall be fined not more than \$10,000 for each  
10 occurrence.

NOTE: Corrects spelling.

11           **SECTION 115.** 153.45 (6) of the statutes, as created by 1999 Wisconsin Act 9, is  
12 amended to read:

13           153.45 (6) The department may not sell or distribute ~~data bases~~ databases of  
14 information, from health care providers who are not hospitals or ambulatory surgery  
15 centers, that are able to be linked with public use data files, unless first approved by  
16 the independent review board.

NOTE: Corrects spelling.

17           **SECTION 116.** 153.50 (1) (b) 2. d. and f. of the statutes, as created by 1999  
18 Wisconsin Act 9, are amended to read:

19           153.50 (1) (b) 2. d. First date of the patient's same or similar illness, if any.  
20           f. Dates of receipt by the patient of medical service.

NOTE: Inserts missing articles.

21           **SECTION 117.** 153.50 (4) (a) 1. of the statutes, as affected by 1999 Wisconsin Act  
22 9, section 2280kr, is amended to read:

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1           153.50 (4) (a) 1. An agent of the department who is responsible for the  
2 patient-identifiable data in the department, in order to store the data and ensure the  
3 accuracy of the information in the ~~data-base~~ database of the department.

NOTE: Corrects spelling.

4           **SECTION 118.** 153.50 (4) (a) 2. of the statutes, as affected by 1999 Wisconsin Act  
5 9, section 2280kr, is amended to read:

6           153.50 (4) (a) 2. A health care provider or the agent of a health care provider,  
7 to ensure the accuracy of the information in the ~~data-base~~ database of the  
8 department.

NOTE: Corrects spelling.

9           **SECTION 119.** 153.50 (4) (a) 3. of the statutes, as affected by 1999 Wisconsin Act  
10 9, is amended to read:

11           153.50 (4) (a) 3. The department, for purposes of epidemiological investigation  
12 or to eliminate the need for duplicative ~~data-bases~~ databases.

13           **SECTION 120.** 153.50 (4) (a) 4. of the statutes, as affected by 1999 Wisconsin Act  
14 9, is amended to read:

15           153.50 (4) (a) 4. An entity that is required by federal or state statute to obtain  
16 patient-identifiable data for purposes of epidemiological investigation or to  
17 eliminate the need for duplicative ~~data-bases~~ databases.

NOTE: Corrects spelling.

18           **SECTION 121.** 153.60 (1) of the statutes, as affected by 1999 Wisconsin Act 9,  
19 is amended to read:

20           153.60 (1) The department shall, by the first October 1 after the  
21 commencement of each fiscal year, estimate the total amount of expenditures under  
22 this chapter for the department and the board for that fiscal year for data collection,  
23 ~~data-base~~ database development and maintenance, generation of data files and

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1 standard reports, orientation and training provided under s. 153.05 (9) and  
2 maintaining the board. The department shall assess the estimated total amount for  
3 that fiscal year less the estimated total amount to be received for purposes of  
4 administration of this chapter under s. 20.435 (4) (hi) during the fiscal year, the  
5 unencumbered balance of the amount received for purposes of administration of this  
6 chapter under s. 20.435 (4) (hi) from the prior fiscal year and the amount in the  
7 appropriation account under s. 20.435 (1) (dg), 1997 stats., for the fiscal year, to  
8 health care providers who are in a class of health care providers from whom the  
9 department collects data under this chapter in a manner specified by the department  
10 by rule. The department shall obtain approval from the board for the amounts of  
11 assessments for health care providers other than hospitals and ambulatory surgery  
12 centers. The department shall work together with the department of regulation and  
13 licensing to develop a mechanism for collecting assessments from health care  
14 providers other than hospitals and ambulatory surgery centers. No health care  
15 provider that is not a facility may be assessed under this subsection an amount that  
16 exceeds \$75 per fiscal year. Each hospital shall pay the assessment on or before  
17 December 1. All payments of assessments shall be deposited in the appropriation  
18 under s. 20.435 (4) (hg).

NOTE: Corrects spelling. Section 20.435 (1) (dg) was repealed eff. 7-1-99 by 1997  
Wis. Act 237.

19 **SECTION 122.** 166.20 (1) (fm) of the statutes is amended to read:  
20 166.20 (1) (fm) “Hazardous material” has the meaning given in 49 USC  
21 ~~Appendix 1802 (4)~~ 5102 (2).

NOTE: 49 USC Appendix 1802 (4) was codified as 49 USC 5102 (2).

22 **SECTION 123.** 196.207 (6) (a) 3. of the statutes is amended to read:

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1           196.207 **(6)** (a) 3. Intentionally disclose the unpublished telephone line  
2 identification through a computer data-base database, on-line bulletin board or  
3 other similar mechanism.

NOTE: Corrects spelling.

4           **SECTION 124.** 196.218 (5) (a) 5m. of the statutes, as created by 1999 Wisconsin  
5 Act 9, is amended to read:

6           196.218 **(5)** (a) 5m. To provide statewide access, through the Internet, to  
7 periodical reference information data-bases databases.

NOTE: Corrects spelling.

8           **SECTION 125.** 196.86 (2) of the statutes, as created by 1999 Wisconsin Act 9, is  
9 amended to read:

10           196.86 **(2)** If the department of natural resources makes a notification to the  
11 commission under s. 285.48 (2), the commission shall assess against electric public  
12 utility affiliates a total of \$2,400,000, or a decreased amount specified in a notice by  
13 the department of natural resources under s. 285.48 (3) (d) 3., in each fiscal year of  
14 the 10-year period that commences on July 1 of the fiscal year ending before the  
15 initial compliance date. An assessment in a fiscal year against an electric public  
16 utility affiliate under this subsection shall be in an amount that is proportionate to  
17 the electric public utility affiliate's heat throughput ratio for the prior fiscal year.

NOTE: Inserts missing article.

18           **SECTION 126.** 218.11 (7) (b) of the statutes, as affected by 1999 Wisconsin Act  
19 9, is amended to read:

20           218.11 **(7)** (b) No license may be suspended or revoked except after a hearing  
21 thereon. The department shall give the licensee at least 5 days' notice of the time and  
22 place of such hearing. The order suspending or revoking such license shall not be  
23 effective until after 10 days' written notice thereof to the licensee, after such hearing

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1 has been had; except that the department, when in its opinion the best interest of the  
2 public or the trade demands it, may suspend a license upon not less than 24 hours'  
3 notice of hearing and with not less than 24 hours' notice of the suspension of the  
4 license. Matters involving suspensions and revocations shall be heard and decided  
5 upon by the division of hearings and appeals. This paragraph does not apply to  
6 licenses that are suspended or revoked under sub. (6m).

NOTE: 1999 Wis. Act 9 deleted "or revoked" without showing it as stricken. No  
change was intended.

7 **SECTION 127.** 224.985 (2) (a) of the statutes, as created by 1999 Wisconsin Act  
8 9, is amended to read:

9 224.985 (2) (a) Financial statements, including the balance sheet, the  
10 statement of income or loss, the statement of changes in capital accounts and the  
11 statement of changes in financial position of the licensee. The licensee shall ensure  
12 that the financial statements have been audited by an independent certified public  
13 account accountant and prepared in accordance with generally accepted account  
14 principles.

NOTE: Corrects spelling.

15 **SECTION 128.** 227.43 (5) of the statutes is repealed.

NOTE: Section 227.43 (5) was renumbered s. 227.43 (4) (b) and amended by 1995  
Wis. Act 370, but the prior sub. (5) was inadvertently retained in the printed statutes.

16 **SECTION 129.** 243.10 (1) of the statutes is amended to read:

17 243.10 (1) FORM. The following is the form for the Wisconsin basic power of  
18 attorney for finances and property:

19 **WISCONSIN BASIC POWER OF ATTORNEY**

20 **FOR FINANCES AND PROPERTY**

21 NOTICE: THIS IS AN IMPORTANT DOCUMENT. BEFORE SIGNING THIS  
22 DOCUMENT, YOU SHOULD KNOW THESE IMPORTANT FACTS. BY SIGNING

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1 THIS DOCUMENT, YOU ARE NOT GIVING UP ANY POWERS OR RIGHTS TO  
2 CONTROL YOUR FINANCES AND PROPERTY YOURSELF. IN ADDITION TO  
3 YOUR OWN POWERS AND RIGHTS, YOU ARE GIVING ANOTHER PERSON,  
4 YOUR AGENT, BROAD POWERS TO HANDLE YOUR FINANCES AND  
5 PROPERTY. THIS BASIC POWER OF ATTORNEY FOR FINANCES AND  
6 PROPERTY MAY GIVE THE PERSON WHOM YOU DESIGNATE (YOUR  
7 “AGENT”) BROAD POWERS TO HANDLE YOUR FINANCES AND PROPERTY,  
8 WHICH MAY INCLUDE POWERS TO ENCUMBER, SELL OR OTHERWISE  
9 DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE  
10 NOTICE TO YOU OR APPROVAL BY YOU. THE POWERS WILL EXIST AFTER  
11 YOU BECOME DISABLED, OR INCAPACITATED, IF YOU CHOOSE THAT  
12 PROVISION. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE  
13 MEDICAL OR OTHER HEALTH CARE DECISIONS FOR YOU. IF YOU OWN  
14 COMPLEX OR SPECIAL ASSETS SUCH AS A BUSINESS, OR IF THERE IS  
15 ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU  
16 SHOULD ASK A LAWYER TO EXPLAIN THIS FORM TO YOU BEFORE YOU  
17 SIGN IT.

18 IF YOU WISH TO CHANGE YOUR BASIC POWER OF ATTORNEY FOR  
19 FINANCES AND PROPERTY, YOU MUST COMPLETE A NEW DOCUMENT  
20 AND REVOKE THIS ONE. YOU MAY REVOKE THIS DOCUMENT AT ANY TIME  
21 BY DESTROYING IT, BY DIRECTING ANOTHER PERSON TO DESTROY IT IN  
22 YOUR PRESENCE OR BY SIGNING A WRITTEN AND DATED STATEMENT  
23 EXPRESSING YOUR INTENT TO REVOKE THIS DOCUMENT. IF YOU  
24 REVOKE THIS DOCUMENT, YOU SHOULD NOTIFY YOUR AGENT AND ANY  
25 OTHER PERSON TO WHOM YOU HAVE GIVEN A COPY OF THE FORM. YOU

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1 ALSO SHOULD NOTIFY ALL PARTIES HAVING CUSTODY OF YOUR ASSETS.  
2 THESE PARTIES HAVE NO RESPONSIBILITY TO YOU UNLESS YOU  
3 ACTUALLY NOTIFY THEM OF THE REVOCATION. IF YOUR AGENT IS YOUR  
4 SPOUSE AND YOUR MARRIAGE IS ANNULLED, OR YOU ARE DIVORCED  
5 AFTER SIGNING THIS DOCUMENT, THIS DOCUMENT IS INVALID.

6 SINCE SOME 3RD PARTIES OR SOME TRANSACTIONS MAY NOT  
7 PERMIT USE OF THIS DOCUMENT, IT IS ADVISABLE TO CHECK IN  
8 ADVANCE, IF POSSIBLE, FOR ANY SPECIAL REQUIREMENTS THAT MAY BE  
9 IMPOSED.

10 YOU SHOULD SIGN THIS FORM ONLY IF THE AGENT YOU NAME IS  
11 RELIABLE, TRUSTWORTHY AND COMPETENT TO MANAGE YOUR AFFAIRS.

12 I .... (insert your name and address) appoint .... (insert the name and address  
13 of the person appointed) as my agent to act for me in any lawful way with respect to  
14 the powers initialed below. If the person appointed is unable or unwilling to act as  
15 my agent, I appoint .... (insert name and address of alternate person appointed) to  
16 act for me in any lawful way with respect to the powers initialed below.

17 TO GRANT ONE OR MORE OF THE FOLLOWING POWERS, INITIAL THE  
18 LINE IN FRONT OF EACH POWER YOU ARE GRANTING.

19 TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF IT.  
20 YOU MAY, BUT NEED NOT, CROSS OUT EACH POWER WITHHELD.

**21 HANDLING MY MONEY AND PROPERTY**

22 *Initials*

23 \_\_\_\_\_ 1. *PAYMENTS OF BILLS:* My agent may make payments that are  
24 necessary or appropriate in connection with the administration of my affairs.

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1           \_\_\_\_ 2. *BANKING*: My agent may conduct business with financial  
2 institutions, including endorsing all checks and drafts made payable to my order and  
3 collecting the proceeds; signing in my name checks or orders on all accounts in my  
4 name or for my benefit; withdrawing funds from accounts in my name; opening  
5 accounts in my name; and entering into and removing articles from my safe deposit  
6 box.

7           \_\_\_\_ 3. *INSURANCE*: My agent may obtain insurance of all types, as  
8 considered necessary or appropriate, settle and adjust insurance claims and borrow  
9 from insurers and 3rd parties using insurance policies as collateral.

10          \_\_\_\_ 4. *ACCOUNTS*: My agent may ask for, collect and receive money,  
11 dividends, interest, legacies and property due or that may become due and owing to  
12 me and give receipt for those payments.

13          \_\_\_\_ 5. *REAL ESTATE*: My agent may manage real property; sell, convey and  
14 mortgage realty for prices and on terms as considered advisable; foreclose mortgages  
15 and take title to property in my name; and execute deeds, mortgages, releases,  
16 satisfactions and other instruments relating to realty.

17          \_\_\_\_ 6. *BORROWING*: My agent may borrow money and encumber my assets  
18 for loans as considered necessary.

19          \_\_\_\_ 7. *SECURITIES*: My agent may buy, sell, pledge and exchange securities  
20 of all kinds in my name; sign and deliver in my name transfers and assignments of  
21 securities; and consent in my name to reorganizations, mergers or exchange of  
22 securities for new securities.

23          \_\_\_\_ 8. *INCOME TAXES*: My agent may make and sign tax returns; represent  
24 me in all income tax matters before any federal, state, or local tax collecting agency;



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1 and receive confidential information and perform any acts that I may perform,  
2 including receiving refund checks and the signing of returns.

3 \_\_\_\_\_ 9. *TRUSTS*: My agent may transfer at any time any of my property to  
4 a living trust that has been established by me before the execution of this document.

**PROFESSIONAL AND TECHNICAL ASSISTANCE***Initials*

6  
7 \_\_\_\_\_ 10. *LEGAL ACTIONS*: My agent may retain attorneys on my behalf;  
8 appear for me in all actions and proceedings to which I may be a party; commence  
9 actions and proceedings in my name; and sign in my name all documents or pleadings  
10 of every description.

11 \_\_\_\_\_ 11. *PROFESSIONAL ASSISTANCE*: My agent may hire accountants,  
12 attorneys, clerks, workers and others for the management, preservation and  
13 protection of my property and estate.

**GENERAL AUTHORITY***Initials*

15  
16 \_\_\_\_\_ 12. *GENERAL*: My agent may do any act or thing that I could do in my  
17 own proper person if personally present, including managing or selling tangible  
18 assets, disclaiming a probate or nonprobate inheritance and providing support for  
19 a minor child or dependent adult. The specifically enumerated powers of the basic  
20 power of attorney for finances and property are not a limitation of this intended  
21 broad general power except that my agent may not take any action prohibited by law  
22 and my agent under this document may not:

23 a. Make medical or health care decisions for me.

24 b. Make, modify or revoke a will for me.

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1 c. Other than a burial trust agreement under section 445.125, Wisconsin  
2 Statutes, enter into a trust agreement on my behalf or amend or revoke a trust  
3 agreement, entered into by me.

4 d. Change any beneficiary designation of any life insurance policy, qualified  
5 retirement plan, individual retirement account or payable on death account or the  
6 like whether directly or by canceling and replacing the policy or rollover to another  
7 plan or account.

8 e. Forgive debts owed to me or disclaim or waive benefits payable to me, except  
9 a probate or nonprobate inheritance.

10 f. Appoint a substitute or successor agent for me.

11 g. Make gifts.

**COMPENSATION TO AGENT FROM PRINCIPAL'S FUNDS**

12 *Initials*

13 \_\_\_\_\_ 13. *COMPENSATION*. My agent may receive compensation only in an  
14 amount not greater than that usual for the services to be performed if expressly  
15 authorized in the special instructions portion of this document.

16 accounting

17 *Initials*

18 \_\_\_\_\_ 14. *ACCOUNTING*. My agent shall render an accounting (monthly)  
19 (quarterly) (annually) (CIRCLE ONE) to me or to ... (insert name and address)  
20 during my lifetime and a final accounting to the personal representative of my estate,  
21 if any is appointed, after my death.

**NOMINATION OF GUARDIAN**

22 *Initials*

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1            \_\_\_\_ 15. *GUARDIAN*: If necessary, I nominate .... (name) of .... (address) as  
2 guardian of my person and I nominate .... (name) of .... (address) as guardian of my  
3 estate.

**SPECIAL INSTRUCTIONS**

4  
5            *Initials*

6            \_\_\_\_ 16. *SPECIAL INSTRUCTIONS*:

7            ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS  
8 REGARDING THE POWERS GRANTED TO YOUR AGENT.

9            .....  
10           .....  
11           .....  
12           .....  
13           .....  
14           .....  
15           .....  
16           .....  
17           .....

18           TO ESTABLISH WHEN, AND FOR HOW LONG, THE BASIC POWER OF  
19 ATTORNEY FOR FINANCES AND PROPERTY IS IN EFFECT, YOU MUST  
20 INITIAL ONLY ONE OF THE FOLLOWING 3 OPTIONS. IF YOU DO NOT  
21 INITIAL ONE, OR IF YOU INITIAL MORE THAN ONE, THIS BASIC POWER OF  
22 ATTORNEY FOR FINANCES AND PROPERTY WILL NOT TAKE EFFECT.

23           *Initials*

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1           \_\_\_\_\_ This basic power of attorney for finances and property becomes effective  
2 when I sign it and will continue in effect as a durable power of attorney under section  
3 243.07, Wisconsin Statutes, if I become disabled or incapacitated.

4           \_\_\_\_\_ This basic power of attorney for finances and property becomes effective  
5 only when both of the following apply:

- 6           a. I have signed it; and
- 7           b. I become disabled or incapacitated.

8           \_\_\_\_\_ This basic power of attorney for finances and property becomes effective  
9 when I sign it BUT WILL CEASE TO BE EFFECTIVE IF I BECOME DISABLED  
10 OR INCAPACITATED.

11           I agree that any 3rd party who receives a copy of this document may act under  
12 it. Revocation of this basic power of attorney is not effective as to a 3rd party until  
13 the 3rd party learns of the revocation. I agree to reimburse the 3rd party for any loss  
14 resulting from claims that arise against the 3rd party because of reliance on this  
15 basic power of attorney.

16           Signed this .... day of ....., (year)

17           .....

18           (Your Signature)

19           .....

20           (Your Social Security Number)

21           By signing as a witness, I am acknowledging the signature of the principal who  
22 signed in my presence and the presence of the other witness, and the fact that he or  
23 she has stated that this power of attorney reflects his or her wishes and is being  
24 executed voluntarily. I believe him or her to be of sound mind and capable of creating  
25 this power of attorney. I am not related to him or her by blood or marriage, and, to

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1 the best of my knowledge, I am not entitled to any portion of his or her estate under  
2 his or her will.

3 **Witness: ....** **Witness: ....**

4 Dated: .... Dated: ...

5 By Signature: .... By Signature: ....

6 Print Name: .... Print Name: ....

7 Address: .... Address: ....

8 State of ....

9 County of ....

10 This document was acknowledged before me on .... (date) by .... (name of  
11 principal).

12 .....

13 (Signature of Notarial Officer)

14 (Seal, if any)

15 (Title)

16 [My commission is permanent or expires: .... ]

17 BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, THE AGENT  
18 ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES AND  
19 LIABILITIES OF AN AGENT.

20 .....

21 (Name of Agent)

22 .....

23 (Signature of Agent)

24 This document was drafted by .... (signature of person preparing the  
25 document).

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NOTE: Drafting records for 1997 Wis. Act 253 indicate that the witness portion of this form was not properly formatted in double columns and that “Witness” was to be a heading and was not to be followed by dot leaders. “By” is changed to “Signature” for clarity.

1       **SECTION 130.** 251.02 (1) of the statutes, as affected by 1999 Wisconsin Act 9,  
2 is amended to read:

3           251.02 (1) In counties with a population of less than 500,000, the county board  
4 shall establish a county health department that meets the requirements of this  
5 chapter. The county health department shall serve all areas of the county that are  
6 not served by a city health department that was established prior to  
7 January 1, 1994, by a town or village health department established under sub. (3m)  
8 or by a multiple municipal local health department established under sub. (3r). No  
9 city health department may be established after January 1, 1994, but a city–county  
10 health department may be established after that date.

NOTE: Conforms the language in this subsection with the language of s. 251.02 (3r).

11       **SECTION 131.** 251.04 (1) of the statutes, as affected by 1999 Wisconsin Act 9,  
12 is amended to read:

13           251.04 (1) A city or county board of health shall govern each local health  
14 department other than a local health department as authorized in s. 251.02 (3m) and  
15 (3r) and a city or county board of health or a board of health for a local health  
16 department as authorized in s. 251.02 (3m) and (3r) shall assure the enforcement of  
17 state public health statutes and public health rules of the department as prescribed  
18 for a Level I local health department. A local board of health may contract or  
19 subcontract to provide public health services. The contractor’s staff shall meet the  
20 appropriate qualifications for positions in a Level I local health department.

NOTE: 1999 Wis. Act 9 inserted the underscored language without showing it as underscored. The change was intended.

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1           **SECTION 132.** 251.125 of the statutes, as affected by 1999 Wisconsin Act 9, is  
2 amended to read:

3           **251.125 Village health department, how financed.** If a village health  
4 department is established under s. 251.02 (2) or (3m) or if a multiple municipal local  
5 health department is established under s. ~~251.01~~ 251.02 (3r) by the governing body  
6 of a village in concert with the governing body of another village or a city or town, the  
7 village board shall appropriate funds for the operation of the department.

NOTE: Corrects cross-reference. There is no s. 251.01 (3r). Section 251.02 (3r)  
relates to the establishment of local health departments.

8           **SECTION 133.** 252.08 (title) of the statutes is repealed.

NOTE: The remainder of s. 252.08 was renumbered or repealed by 1999 Wis. Act 9.

9           **SECTION 134.** 253.115 (1) (a) of the statutes, as created by 1999 Wisconsin Act  
10 9, is amended to read:

11           253.115 (1) (a) “Hearing loss” means an inability in one or both ears to detect  
12 sounds at 30 decibels hearing level or greater in the frequency region of 500 to 4,000  
13 hertz, ~~which~~ that affects speech recognition and auditory comprehension.

NOTE: Replaces “, which” with “that” to correct grammar.

14           **SECTION 135.** 254.916 (3) (a) (intro.) of the statutes, as created by 1999  
15 Wisconsin Act 9, is renumbered 254.916 (3) (intro.).

NOTE: Corrects numbering.

16           **SECTION 136.** 254.916 (11) of the statutes, as created by 1999 Wisconsin Act 9,  
17 is amended to read:

18           254.916 (11) The department shall hold a hearing under ch. 227 if any  
19 interested person, in lieu of proceeding under ch. 68, appeals to the department  
20 alleging that the person making an investigation of the appellant has a financial  
21 interest in a regulated cigarette and tobacco product retailer, tobacco vending

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1 machine operator, tobacco vending machine premises or tobacco vending machine  
2 which that may interfere with his or her ability to properly take that action.

NOTE: Replaces “which” with “that” to correct grammar.

3 **SECTION 137.** 281.68 (1r) (a) of the statutes, as affected by 1999 Wisconsin Act  
4 9, is amended to read:

5 281.68 (1r) (a) Prevent pollution from entering into lakes or into natural lake  
6 ecosystems.

NOTE: 1999 Wis. Act 9 inserted “or” without showing it as underscored. The change  
was intended.

7 **SECTION 138.** 281.69 (6) of the statutes, as affected by 1999 Wisconsin Act 9,  
8 is amended to read:

9 281.69 (6) LAKE CLASSIFICATION TECHNICAL ASSISTANCE CONTRACTS. A nonprofit  
10 corporation receiving a lake classification technical assistance contract shall use the  
11 grant money provided under the contract to provide educational and technical  
12 assistance to local units of government and lake management organizations that will  
13 participate in a lake classification project.

NOTE: 1999 Wisconsin Act 9 amended this section by replacing “technical  
assistance grant” with “technical assistance contract” but did not make the corresponding  
change to the later use of the term “grant”. Act 9 also omitted the phrase “use the grant  
to” without showing it as stricken. This bill restores the unintentionally omitted  
language and amends the subsection to reflect the term change.

14 **SECTION 139.** 289.645 (4) (c) of the statutes, as created by 1999 Wisconsin Act  
15 9, is amended to read:

16 289.645 (4) (c) Waste generated by an organization described in par. (b) which  
17 that is commingled with waste generated by a person other than an organization  
18 described in par. (b) is subject to the fee.

NOTE: Replaces “which” with “that” to correct grammar.

19 **SECTION 140.** 292.15 (2) (at) 3. of the statutes, as created by 1999 Wisconsin Act  
20 9, is amended to read:



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1           292.15 (2) (at) 3. The voluntary party obtains and maintains insurance to cover  
2 the costs of complying with s. 292.11 (3) with respect to a hazardous substance  
3 discharges that occurred before the investigation under subd. 1. is completed and  
4 that are discovered in the course of conducting a cleanup of the property, the  
5 insurance complies with rules promulgated by the department and the insurance  
6 names the voluntary party and this state as insureds.

NOTE: Deletes unnecessary "a."

7           **SECTION 141.** 292.15 (2) (c) of the statutes, as affected by 1999 Wisconsin Act  
8 9, is amended to read:

9           292.15 (2) (c) *Prohibition on action.* The department of justice may not  
10 commence an action under 42 USC 9607 against any voluntary party meeting the  
11 criteria of this subsection to recover costs for which the voluntary party is exempt  
12 under pars. (a), ~~(ae)~~ (ae), (ag), (am), (at) and (b).

NOTE: Corrects cross-reference. There is no s. 292.15 (2) (ac). Section 292.15 (2)  
(ae) relates to exemptions for voluntary parties.

13           **SECTION 142.** 292.15 (3) of the statutes, as affected by 1999 Wisconsin Act 9,  
14 is amended to read:

15           292.15 (3) **SUCCESSORS AND ASSIGNS.** An exemption provided in sub. (2) applies  
16 to any successor or assignee of the voluntary party if the successor or assignee  
17 complies with the provisions of sub. (2) (a) 4. and 5. or (ae) 3m., 4. and 5. and, if  
18 applicable, sub. (2) (ag) 4. or (am) as though the successor or assignee were the  
19 voluntary party except that the exemption in sub. (2) does not apply if the successor  
20 or assignee knows that a certificate under sub. (2) (a) 3., (ae) 3., (ag) ~~12.~~ 2. or (am)  
21 was obtained by any of the means or under any of the circumstances specified in sub.  
22 (2) (a) 6.

NOTE: Corrects cross-reference. There is no s. 292.15 (2) (ag) 12. Section 292.15  
(2) (ag) 2. relates to certificates of completion.

**ASSEMBLY BILL 967****SECTION 143**

1           **SECTION 143.** 292.65 (8) (e) 3am. of the statutes, as created by 1999 Wisconsin  
2 Act 9, is renumbered 292.65 (8) (e) 3. am.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act  
9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

3           **SECTION 144.** 292.65 (8) (e) 3ar. of the statutes, as created by 1999 Wisconsin  
4 Act 9, is renumbered 292.65 (8) (e) 3. ar.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act  
9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

5           **SECTION 145.** 292.65 (8m) of the statutes, as created by 1999 Wisconsin Act 9,  
6 is amended to read:

7           **292.65 (8m) REIMBURSEMENT OF INSURANCE PROCEEDS.** If, after the owner or  
8 operator receives an award under this section, the owner or operator receives  
9 payment from an insurance company arising out of a claim for payment of any  
10 eligible costs, the owner or operator shall pay to the department the amount by which  
11 the insurance payment exceeds the sum of the deductible and the amount by which  
12 the amount calculated under ~~par. sub. (8)~~ (e) exceeds the maximum award under ~~par.~~  
13 sub. (8) (f), but not more than the amount of the award received. The amounts  
14 collected by the department under this subsection shall be deposited in the dry  
15 cleaner environmental response fund.

NOTE: Corrects cross-references. Section 292.65 (8m) is not separated into  
paragraphs. Section 292.15 (8) (e) relates to calculation of the deductible and sub. (8) (f)  
provides the maximum award.

16           **SECTION 146.** 301.08 (1) (b) 4. of the statutes, as created by 1999 Wisconsin Act  
17 9, is amended to read:

18           **301.08 (1) (b) 4.** Contract with not more than 5 counties or with not more than  
19 5 consortia of counties for the operation of not more than 5 secured group homes for  
20 the placement of juveniles who have been convicted under s. 938.183 or adjudicated  
21 delinquent under s. ~~983.183~~ 938.183 or 938.34 (4m). The contract shall specify that

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1 the county or counties operating a secured group home must comply with all rules  
2 of the department that are applicable to the treatment of juveniles who are placed  
3 in a secured correctional facility.

NOTE: Corrects cross-reference consistent with the remainder of s. 301.08 (1) (b).  
There is no s. 983.183.

4 **SECTION 147.** 342.12 (3) (b) of the statutes is amended to read:

5 342.12 (3) (b) The applicant has filed with the department a bond in the form  
6 prescribed by the department and executed by the applicant, and either  
7 accompanied by the deposit of cash with the department or also executed by a person  
8 authorized to conduct a surety business in this state. The bond shall be in an amount  
9 equal to one and one-half times the value of the vehicle as determined by the  
10 department and conditioned to indemnify any prior owner and secured party and any  
11 subsequent purchaser of the vehicle or person acquiring any security interest in it,  
12 and their respective successors in interest, against any expense, loss or damage,  
13 including reasonable attorney fees, by reason of the issuance of the certificate of title  
14 of for the vehicle or on account of any defect in or undisclosed security interest upon  
15 the right, title and interest of the applicant in and to the vehicle. Any such interested  
16 person has a right of action to recover on the bond for any breach of its conditions,  
17 but the aggregate liability of the surety to all persons shall not exceed the amount  
18 of the bond. The bond, and any deposit accompanying it, shall be returned at the end  
19 of 5 years or prior thereto if, apart from this section, a nondistinctive certificate of  
20 title could then be issued for the vehicle, or if the vehicle is no longer registered in  
21 this state and the currently valid certificate of title is surrendered to the department,  
22 unless the department has been notified of the pendency of an action to recover on  
23 the bond.

**ASSEMBLY BILL 967****SECTION 147**

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout ch. 342.

1 **SECTION 148.** 342.282 (2) of the statutes is amended to read:

2 342.282 (2) The department issues a certificate of title of for the vehicle under  
3 this chapter.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout ch. 342.

4 **SECTION 149.** 342.283 of the statutes is amended to read:

5 **342.283 Distinctive certificate.** If the department is not satisfied that there  
6 are no undisclosed security interests, created before June 1, 1966, in a previously  
7 certificated vehicle, it shall, unless the applicant fulfills the requirements of s. 342.12  
8 (3), issue a distinctive certificate of title of for the vehicle containing the legend “This  
9 vehicle may be subject to an undisclosed security interest” and any other information  
10 the department prescribes.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout ch. 342.

11 **SECTION 150.** 343.085 (2m) (a) 2. of the statutes, as created by 1999 Wisconsin  
12 Act 9, is amended to read:

13 343.085 (2m) (a) 2. Between the hours of 12 midnight and 5 a.m., unless the  
14 licensee’s parent or guardian, or a person who meets the requirements under s.  
15 343.07 (1) (a), occupies the seat beside the licensee, or unless the licensee is traveling  
16 between his or her place of residence, school ~~or~~ and place of employment.

NOTE: Corrects sentence agreement problem.

17 **SECTION 151.** The treatment of 343.085 (3) of the statutes by 1997 Wisconsin  
18 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

19 **SECTION 152.** The treatment of 343.085 (5) of the statutes by 1997 Wisconsin  
20 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

21 **SECTION 153.** 343.24 (2m) of the statutes is amended to read:

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1           343.24 **(2m)** If the department, in maintaining a computerized operating  
2 record system, makes copies of its operating record file ~~data-base~~ database, or a  
3 portion thereof, on computer tape or other electronic media, copies of the tape or  
4 media may be furnished to any person on request. The department may also furnish  
5 to any person upon request records on computer tape or other electronic media that  
6 contain information from files of uniform traffic citations or motor vehicle accidents  
7 and ~~which~~ that were produced for or developed by the department for purposes  
8 related to maintenance of the operating record file ~~data-base~~ database. The  
9 department shall charge a fee of \$3 for each file of vehicle operators' records  
10 contained in the tape or media. The department shall charge a fee of not more than  
11 \$3 for each file of uniform traffic citations or motor vehicle accidents contained in the  
12 tape or media. Nothing in this subsection requires the department to produce  
13 records of particular files or data in a particular format except as those records or  
14 data are made by the department for its purposes.

NOTE: Corrects spelling. Replaces "which" with "that" to correct grammar.

15           **SECTION 154.** The treatment of 343.32 (2) (c) of the statutes by 1997 Wisconsin  
16 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

17           **SECTION 155.** The treatment of 345.47 (1) (b) of the statutes by 1997 Wisconsin  
18 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

19           **SECTION 156.** 348.26 (1m) of the statutes is amended to read:

20           348.26 **(1m)** TELEPHONE CALL-IN PROCEDURE. The department shall develop and  
21 implement a telephone call-in procedure for permits issued under this section. The  
22 telephone call-in procedure for permits may not be utilized until permit information

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1 is computerized to ensure inquiry capability into the ~~data base~~ database for  
2 enforcement purposes.

NOTE: Corrects spelling.

3 **SECTION 157.** 409.302 (1) (g) and (h) of the statutes are amended to read:

4 409.302 **(1)** (g) An assignment for the benefit of all the creditors of the  
5 transferor, and subsequent transfers by the assignee thereunder; or

6 (h) A security interest in investment property which is perfected without filing  
7 under s. 409.115 or 409.116; ~~or~~

NOTE: Amends the structure of s. 409.302 (1) to reflect the renumbering of s.  
409.302 (1) (i) to s. 409.302 (3) (e) by 1999 Wis. Act 9.

8 **SECTION 158.** 409.313 (4) (c) and (d) of the statutes are amended to read:

9 409.313 **(4)** (c) The fixtures are readily removable factory or office machines or  
10 readily removable replacements of domestic appliances which are consumer goods,  
11 and before the goods become fixtures the security interest is perfected by any method  
12 permitted by this chapter; ~~or~~

13 (d) The conflicting interest is a lien on the real estate obtained by legal or  
14 equitable proceedings after the security interest was perfected by any method  
15 permitted by this chapter; or

NOTE: Amends the structure of s. 409.313 (4) to reflect the creation of s. 409.313 (4)  
(e) by 1999 Wis. Act 9.

16 **SECTION 159.** 441.50 (1) (n) of the statutes, as created by 1999 Wisconsin Act  
17 22, is amended to read:

18 441.50 **(1)** (n) “State practice laws” means those individual ~~party’s state~~ party  
19 state’s laws and regulations that govern the practice of nursing, define the scope of  
20 nursing practice, and create the methods and grounds for imposing discipline. “State  
21 practice laws” does not include the initial qualifications for licensure or

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1 requirements necessary to obtain and retain a license, except for qualifications or  
2 requirements of the home state.

NOTE: Corrects spelling.

3 **SECTION 160.** 441.50 (7) (a) and (e) of the statutes, as created by 1999 Wisconsin  
4 Act 22, are amended to read:

5 441.50 (7) (a) All party states shall participate in a cooperative effort to create  
6 a coordinated ~~data base~~ database of all licensed registered nurses and licensed  
7 practical/vocational nurses. This system will include information on the licensure  
8 and disciplinary history of each nurse, as contributed by party states, to assist in the  
9 coordination of nurse licensure and enforcement efforts.

10 (e) Any personally identifiable information obtained by a party states' state's  
11 licensing board from the coordinated licensure information system may not be  
12 shared with nonparty states or disclosed to other entities or individuals except to the  
13 extent permitted by the laws of the party state contributing the information.

NOTE: Corrects spelling.

14 **SECTION 161.** 448.951 of the statutes, as created by 1999 Wisconsin Act 9, is  
15 amended to read:

16 **448.951 Use of title.** Except as provided in s. 448.952, no person may  
17 designate himself or herself as an athletic trainer or use or assume the title “athletic  
18 trainer”, “licensed athletic trainer”, “certified athletic trainer” or “registered athletic  
19 trainer” or append to the person’s name any other title, letters or designation ~~which~~  
20 that represents or may tend to represent the person as an athletic trainer unless the  
21 person is licensed under this subchapter.

NOTE: Replaces “which” with “that” to correct grammar.

22 **SECTION 162.** 448.953 (4) (b) of the statutes, as created by 1999 Wisconsin Act  
23 9, is amended to read:



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1           448.953 **(4)** (b) If a person who is issued a temporary license under par. (a)  
2 satisfies the requirements under sub. (1) (f) and (h) before the temporary license  
3 expires, the affiliated credentialing ~~credentialing~~ board shall issue the person a  
4 license under sub. (1).

NOTE: Deletes repeated word.

5           **SECTION 163.** 560.035 of the statutes is amended to read:

6           **560.035 ~~Data base~~ Database of women's businesses.** The department  
7 shall develop, maintain and keep current a computer ~~data base~~ database of  
8 businesses in the state that are owned by women, containing demographic statistics  
9 and information on the types of industries represented, sales volume and growth  
10 rates, generation of jobs by both new and existing businesses and any other relevant  
11 characteristics.

NOTE: Corrects spelling.

12           **SECTION 164.** 565.30 (5m) (a) (title) of the statutes, as affected by 1999  
13 Wisconsin Act 9, section 3025pa, is renumbered 565.30 (5m) (title).

NOTE: Section 565.30 (5m) (title) was improperly shown as having been  
renumbered to s. 565.30 (5m) (a) (title) by 1999 Wis. Act 9.

14           **SECTION 165.** 703.16 (4) of the statutes is amended to read:

15           **703.16 (4) ASSESSMENTS CONSTITUTE LIEN.** All assessments, until paid, together  
16 with interest on them and actual costs of collection, constitute a lien on the units on  
17 which they are assessed, if a statement of lien is filed within 2 years after the date  
18 the assessment becomes due. The lien is effective against a unit at the time the  
19 assessment became due regardless of when within the 2-year period it is filed. A  
20 statement of condominium lien is filed in the land records of the clerk of circuit court  
21 of the county where the unit is located, stating the description of the unit, the name  
22 of the record owner, the amount due and the period for which the assessment was  
23 due. The clerk of circuit court shall index the statement of condominium lien under



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1 the name of the record owner in the judgment and lien docket. The statement of  
2 condominium lien shall be signed and verified by an officer or agent of the association  
3 as specified in the bylaws and then may be filed. On full payment of the assessment  
4 for which the lien is claimed, the unit owner shall be entitled to a ~~fileable~~ satisfaction  
5 of the lien that may be filed with the clerk of circuit court.

NOTE: Corrects spelling. Under s. 35.17, "On questions of orthography the current edition of Webster's new international dictionary shall be taken as the standard." The dictionary does not contain "fileable".

6 **SECTION 166.** 707.37 (2) (b) of the statutes is amended to read:

7 707.37 (2) (b) A statement of time-share lien shall be filed in the land records  
8 of the office of the clerk of circuit court of the county where the time-share property  
9 is located, stating the description of the time-share property and the time share, the  
10 name of the time-share owner, the amount due and the period for which the  
11 assessment for time-share expenses was due. The clerk of circuit court shall index  
12 the statement of time-share lien under the name of the time-share owner in the  
13 judgment and lien docket. The statement of time-share lien shall be signed and  
14 verified by an officer or agent of the association as specified in the bylaws or, if there  
15 is no association, a representative of the time-share owners. On full payment of the  
16 assessment for which the lien is claimed, the time-share owner shall be entitled to  
17 a ~~fileable~~ satisfaction of the lien that may be filed with the clerk of circuit court.

NOTE: Corrects spelling. Under s. 35.17, "On questions of orthography the current edition of Webster's new international dictionary shall be taken as the standard." The dictionary does not contain "fileable".

18 **SECTION 167.** 767.47 (1m) (intro.) of the statutes is amended to read:

19 767.47 (1m) (intro.) If the child was born in this state, the petitioner shall  
20 present a certified copy of the child's birth certificate or a printed copy of the record  
21 from the birth ~~data base~~ database of the state registrar to the court, so that the court

**ASSEMBLY BILL 967****SECTION 167**

1 is aware of whether a name has been inserted on the birth certificate as the father  
2 of the child, at the earliest possible of the following:

NOTE: Corrects spelling.

3 **SECTION 168.** 779.155 (5) (a) of the statutes is amended to read:

4 779.155 (5) (a) For the purpose of administering this section, sworn statements  
5 of the contractor setting forth the unpaid lien claims that have been or may be filed  
6 ~~or filable~~ under s. 779.15 may be accepted by the proper officer, board, department  
7 or commission, unless the judgment creditor or other interested person gives written  
8 notice that an action is pending to determine whether specified lien claims were  
9 incurred in performing the public work and the amount thereof, or to determine  
10 priorities in which event payments shall await the result of the action.

NOTE: Corrects spelling. Under s. 35.17, “On questions of orthography the current  
edition of Webster’s new international dictionary shall be taken as the standard.” The  
dictionary does not contain “filable”.

11 **SECTION 169.** The treatment of 800.09 (1) (c) of the statutes by 1997 Wisconsin  
12 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

13 **SECTION 170.** The treatment of 800.095 (4) (b) 4. of the statutes by 1997  
14 Wisconsin Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

15 **SECTION 171.** 880.75 (1) (f), (2) and (3) of the statutes are amended to read:

16 880.75 (1) (f) ~~“Third-party”~~ “Third party” is a person other than a bank, broker,  
17 transfer agent or issuer who with respect to a security held by a minor effects a  
18 transaction otherwise than directly with the minor.

19 **(2) SECURITY TRANSACTIONS INVOLVING MINORS; LIABILITY.** A bank, broker, issuer,  
20 ~~third-party~~ third party or transfer agent incurs no liability by reason of his or her  
21 treating a minor as having capacity to transfer a security, to receive or to empower  
22 others to receive dividends, interest, principal, or other payments or distributions,

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1 to vote or give consent in person or by proxy, or to make elections or exercise rights  
2 relating to the security, unless prior to acting in the transaction the bank, broker,  
3 issuer, ~~third-party~~ third party or transfer agent had received written notice in the  
4 office acting in the transaction that the specific security is held by a minor or unless  
5 an individual conducting the transaction for the bank, broker, issuer, ~~third-party~~  
6 third party or transfer agent had actual knowledge of the minority of the holder of  
7 the security. Except as otherwise provided in this section, such a bank, broker, issuer,  
8 ~~third-party~~ third party or transfer agent may assume without inquiry that the  
9 holder of a security is not a minor.

10 **(3) ACTS OF MINORS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE.** A minor, who  
11 has transferred a security, received or empowered others to receive dividends,  
12 interest, principal, or other payments or distributions, voted or given consent in  
13 person or by proxy, or made an election or exercised rights relating to the security,  
14 has no right thereafter, as against a bank, broker, issuer, ~~third-party~~ third party or  
15 transfer agent to disaffirm or avoid the transaction, unless prior to acting in the  
16 transaction the bank, broker, issuer, ~~third-party~~ third party or transfer agent  
17 against whom the transaction is sought to be disaffirmed or avoided had received  
18 notice in the office acting in the transaction that the specific security is held by a  
19 minor or unless an individual conducting the transaction for the bank, broker, issuer,  
20 ~~third-party~~ third party or transfer agent had actual knowledge of the minority of the  
21 holder.

NOTE: Inserts correct word form.

22 **SECTION 172.** 880.76 (2) of the statutes is amended to read:

23 880.76 **(2)** SECURITY TRANSACTIONS INVOLVING INCOMPETENT OR SPENDTHRIFT;  
24 LIABILITY. A bank, broker, issuer, ~~third-party~~ third party or transfer agent incurs no

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1 liability by reason of his or her treating an incompetent or spendthrift as having  
2 capacity to transfer a security, to receive or to empower others to receive dividends,  
3 interest, principal, or other payments or distributions, to vote or give consent in  
4 person or by proxy, or to make elections or exercise rights relating to the security,  
5 unless prior to acting in the transaction the bank, broker, issuer, ~~third-party~~ third  
6 party or transfer agent had received written notice in the office acting in the  
7 transaction that the specific security is held by a person who has been adjudicated  
8 an incompetent or a spendthrift or unless an individual conducting the transaction  
9 for the bank, broker, issuer, ~~third-party~~ third party or transfer agent had actual  
10 knowledge that the holder of the security is a person who has been adjudicated an  
11 incompetent or a spendthrift, or actual knowledge of filing of lis pendens as provided  
12 in s. 880.215. Except as otherwise provided in this section, such a bank, broker,  
13 issuer, ~~third-party~~ third party or transfer agent may assume without inquiry that  
14 the holder of a security is not an incompetent or spendthrift.

NOTE: Inserts correct word form.

15 **SECTION 173.** 880.76 (3) of the statutes is amended to read:

16 **880.76 (3)** ACTS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE. An incompetent  
17 or spendthrift, who has transferred a security, received or empowered others to  
18 receive dividends, interest, principal, or other payments or distributions, voted or  
19 given consent in person or by proxy, or made an election or exercised rights relating  
20 to the security, has no right thereafter, as against a bank, broker, issuer, ~~third-party~~  
21 third party or transfer agent to disaffirm or avoid the transaction, unless prior to  
22 acting in the transaction the bank, broker, issuer, ~~third-party~~ third party or transfer  
23 agent against whom the transaction is sought to be disaffirmed or avoided had  
24 received notice in the office acting in the transaction that the specific security is held

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1 by a person who has been adjudicated an incompetent or a spendthrift or unless an  
2 individual conducting the transaction for the bank, broker, issuer, ~~third-party~~ third  
3 party or transfer agent had actual knowledge that the holder is a person who has  
4 been adjudicated an incompetent or a spendthrift, or actual knowledge of filing of lis  
5 pendens as provided in s. 880.215.

NOTE: SECTIONS 172 and 173 insert correct word form.

6 **SECTION 174.** 895.46 (6) of the statutes is amended to read:

7 895.46 (6) The protection afforded by this section applies to any criminal action  
8 under s. 291.97 (2) or 293.87 (2) or under 7 USC 136L (b), 15 USC 2616 (b), 33 USC  
9 1319 (c), 42 USC 2284, 6928 (d) and (e), 6973 (b), 6992 (b) and (c), 7413 (c), 9603 (b),  
10 9606 (b) and 11045 (b) or 49 USC ~~appendix 1809 (b)~~ 5124 that is commenced against  
11 a state officer or state employe who is proceeded against in his or her official capacity  
12 or as an individual because of acts committed in the storage, transportation,  
13 treatment or disposal of hazardous substances, as defined in s. 289.01 (11), if that  
14 officer or employe is found to be acting within the scope of his or her employment and  
15 if the attorney general determines that the state officer or state employe acted in  
16 good faith. Regardless of the determination made by the attorney general, the  
17 protection afforded by this section applies if the state officer or agent is not found  
18 guilty of the criminal action commenced under this subsection. This protection  
19 includes the payment of reasonable attorney fees in defending the action and costs  
20 or fines arising out of the action.

NOTE: 49 USC Appendix 1809 (b) was codified as 49 USC 5124.

21 **SECTION 175.** 895.58 (1) (d) of the statutes, as created by 1999 Wisconsin Act  
22 9, is amended to read:

**ASSEMBLY BILL 967****SECTION 175**

1           895.58 (1) (d) “Special waste” means any solid waste ~~which~~ that is  
2 characterized for beneficial use in public works projects by the department of natural  
3 resources.

NOTE: Replaces “which” with “that” to correct grammar.

4           **SECTION 176.** 938.34 (8) of the statutes, as affected by 1997 Wisconsin Act 84  
5 and 1999 Wisconsin Act 9, is amended to read:

6           938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that  
7 this disposition is in the best interest of the juvenile and in aid of rehabilitation. The  
8 maximum forfeiture that the court may impose under this subsection for a violation  
9 by a juvenile is the maximum amount of the fine that may be imposed on an adult  
10 for committing that violation or, if the violation is applicable only to a person under  
11 18 years of age, \$100. Any such order shall include a finding that the juvenile alone  
12 is financially able to pay the forfeiture and shall allow up to 12 months for payment.  
13 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order  
14 other alternatives under this section, in accordance with the conditions specified in  
15 this chapter; or the court may suspend any license issued under ch. 29 for not less  
16 than 30 days nor more than 5 years, or, unless the forfeiture was imposed for  
17 violating an ordinance unrelated to the juvenile’s operation of a motor vehicle, may  
18 suspend the juvenile’s operating privilege, as defined in s. 340.01 (40), for not more  
19 than 2 years. If the court suspends any license under this subsection, the clerk of the  
20 court shall immediately take possession of the suspended license and forward it to  
21 the department which issued the license, together with a notice of suspension clearly  
22 stating that the suspension is for failure to pay a forfeiture imposed by the court. If  
23 the forfeiture is paid during the period of suspension, the suspension shall be reduced  
24 to the time period which has already elapsed and the court shall immediately notify

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1 the department which shall then return the license to the juvenile. Any recovery  
2 under this subsection shall be reduced by the amount recovered as a forfeiture for  
3 the same act under s. 938.45 (1r) (b).

NOTE: The second underscored comma was inserted by 1999 Wis. Act 9 without  
being shown as underscored. The change was intended. The first underscored comma  
is inserted to correct grammar.

4 **SECTION 177.** 938.343 (2) of the statutes, as affected by 1997 Wisconsin Act 84  
5 and 1999 Wisconsin Act 9, is amended to read:

6 938.343 (2) Impose a forfeiture not to exceed the maximum forfeiture that may  
7 be imposed on an adult for committing that violation or, if the violation is only  
8 applicable to a person under 18 years of age, \$50. Any such order shall include a  
9 finding that the juvenile alone is financially able to pay and shall allow up to 12  
10 months for the payment. If a juvenile fails to pay the forfeiture, the court may  
11 suspend any license issued under ch. 29 or, unless the forfeiture was imposed for  
12 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may  
13 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less  
14 than 2 years. The court shall immediately take possession of the suspended license  
15 and forward it to the department which issued the license, together with the notice  
16 of suspension clearly stating that the suspension is for failure to pay a forfeiture  
17 imposed by the court. If the forfeiture is paid during the period of suspension, the  
18 court shall immediately notify the department, which will thereupon return the  
19 license to the person. Any recovery under this subsection shall be reduced by the  
20 amount recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

NOTE: The underscored comma is inserted to correct grammar.

21 **SECTION 178.** 945.03 (2m) (intro.) of the statutes, as created by 1999 Wisconsin  
22 Act 9, is amended to read:



**ASSEMBLY BILL 967****SECTION 178**

1           945.03 **(2m)** (intro.) If the violation of sub. (1m) involves the possession,  
2 operation, ~~set-up~~ setup, collection of proceeds, participation in earnings or  
3 maintenance of, or involves acting as the custodian of anything of value bet or offered  
4 to be bet on, not more than 5 video gambling machines on premises for which a  
5 Class “B” or “Class B” license or permit has been issued under ch. 125, the person  
6 may be penalized as follows:

NOTE: Inserts correct word form.

7           **SECTION 179.** 945.04 (2m) (intro.) of the statutes, as created by 1999 Wisconsin  
8 Act 9, is amended to read:

9           945.04 **(2m)** If the violation of sub. (1m) involves the ~~set-up~~ setup or use of not  
10 more than 5 video gambling machines on premises for which a Class “B” or “Class B”  
11 license or permit has been issued under ch. 125, the person may be penalized as  
12 follows:

NOTE: Inserts correct word form.

13           **SECTION 180.** 968.02 (1) of the statutes is amended to read:

14           968.02 **(1)** Except as otherwise provided in this section, a complaint charging  
15 a person with an offense shall be issued only by a district attorney of the county  
16 where the crime is alleged to have been committed. A complaint is issued when it  
17 is approved for filing by the district attorney. The approval shall be in the form of  
18 a written ~~indorsement~~ endorsement on the complaint.

NOTE: Inserts preferred spelling.

19           **SECTION 181.** 968.20 (1) of the statutes is amended to read:

20           968.20 **(1)** Any person claiming the right to possession of property seized  
21 pursuant to a search warrant or seized without a search warrant may apply for its  
22 return to the circuit court for the county in which the property was seized or where  
23 the search warrant was returned. The court shall order such notice as it deems



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1 adequate to be given the district attorney and all persons who have or may have an  
2 interest in the property and shall hold a hearing to hear all claims to its true  
3 ownership. If the right to possession is proved to the court's satisfaction, it shall  
4 order the property, other than contraband or property covered under sub. (1m) or (1r)  
5 or s. 173.12 or 173.21 (4) (b), returned if:

NOTE: Section 173.21 (4) is not divided into multiple paragraphs.

6 **SECTION 182.** 972.11 (5) (b) 2. e. of the statutes is amended to read:

7 972.11 (5) (b) 2. e. A statement setting forth the allele frequency and genotype  
8 data for the appropriate ~~data-base~~ database used.

NOTE: Corrects spelling.

9 **SECTION 183.** 973.032 (2) (b) of the statutes, as affected by 1999 Wisconsin Act  
10 9, is amended to read:

11 973.032 (2) (b) Notwithstanding par. (a), a the court may not sentence a person  
12 under sub. (1) if he or she is convicted of a felony punishable by life imprisonment  
13 or has at any time been convicted, adjudicated delinquent or found not guilty or not  
14 responsible by reason of insanity or mental disease, defect or illness for committing  
15 a violent offense, as defined in s. 301.048 (2) (bm).

NOTE: 1999 Wis. Act 9 deleted "the" and inserted "a" without striking and  
underscoring. The change was unintended.

16 **SECTION 184.** 973.055 (1) (a) 1. of the statutes is amended to read:

17 973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified  
18 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,  
19 940.225, 940.23, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44, 940.45,  
20 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01, 947.012 or  
21 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20, ~~940.201~~,  
22 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01, 947.012 or 947.0125; and

NOTE: Corrects cross-reference order.

**ASSEMBLY BILL 967****SECTION 185**

1           **SECTION 185.** 1999 Wisconsin Act 9, section 1172g is amended by replacing “for  
2 all persons ~~specified in sub. (2) (ag) (intro.) employees or contractors~~ who are  
3 caregivers of the entity” with “for all persons ~~specified in sub. (2) (ag) (intro.)~~ who are  
4 ~~employees or contractors~~ caregivers of the entity”.

NOTE: Existing text, “who are” was shown as underscored and in the wrong location within the paragraph.

5           **SECTION 186.** 1999 Wisconsin Act 9, section 2127 is amended by replacing  
6 “121.004 (7) (a) (intro.)” with “121.004 (7) (a)” in 2 places.

NOTE: Section 121.004 (7) (a) is amended. Section 121.004 (7) (a) does not have an (intro.).

7           **SECTION 187.** 1999 Wisconsin Act 9, section 2554j is amended by replacing  
8 “254.48 of the statutes is created to read:” with “254.48 and 254.49 of the statutes are  
9 created to read:”

NOTE: Section 254.49 was created by 1999 Wis. act 9, but its creation was not noted in an action phrase in the Act.

10           **SECTION 188.** 1999 Wisconsin Act 9, section 2637 is amended by replacing  
11 “292.65 (8) (e) 3a.” with “292.65 (8) (e) 3. a.” in 2 places.

NOTE: Inserts period to correct statute citation. There is no s. 292.65 (8) (e) 3a. 1999 Wis. Act 9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

12           **SECTION 189.** 1999 Wisconsin Act 9, section 2640 is amended by replacing  
13 “292.65 (8) (e) 3b.” with “292.65 (8) (e) 3. b.” in 2 places.

NOTE: Inserts period to correct statute citation. There is no s. 292.65 (8) (e) 3b. 1999 Wis. Act 9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

14           **SECTION 190.** 1999 Wisconsin Act 9, section 2641 is amended by replacing  
15 “292.65 (8) (e) 3c.” with “292.65 (8) (e) 3. c.” in 2 places.

NOTE: Inserts period to correct statute citation. There is no s. 292.65 (8) (e) 3c. 1999 Wis. Act 9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

16           **SECTION 191.** 1999 Wisconsin Act 9, section 3025pj is amended by replacing  
17 “565.30 (5t) of the statutes is amended to read:” with “565.30 (5t) (intro.) of the  
18 statutes is amended to read:”.

NOTE: 1999 Wisconsin Act 9 only amends s. 565.30 (5t) (intro.), not s. 565.30 (5t) in its entirety.

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1           **SECTION 192.** 1999 Wisconsin Act 9, section 9150 (7c) is amended to read:  
2           [1999 Wisconsin Act 9], section 9150 (7c) HARTFORD HERITAGE AUTO MUSEUM.  
3           Notwithstanding section ~~86.91~~ 86.19 (1) of the statutes, as affected by this act, the  
4           department of transportation shall erect directional signs along USH 41 near the  
5           interchange with STH 60 for the Hartford Heritage Auto Museum located in  
6           Hartford in Washington County. The department may not charge any fee related to  
7           signs erected under this subsection.

NOTE: Corrects transposed number. There is no s. 86.91. Drafting records indicate  
a cross-reference to s. 86.19 was intended.

8           **SECTION 193. Terminology changes.**

9           (1) Wherever “employe”, “employees”, “employe’s” or “employees” appear in the  
10          statutes, “employee”, “employees”, “employee’s” or “employees” are substituted.

11          (2) Notwithstanding subsection (1), any person may use either spelling of these  
12          terms for any official purpose.

13          **SECTION 194. Effective dates.** This act takes effect on the day after  
14          publication, except as follows:

15          (1) The treatment of section 565.30 (5m) (a) (title) of the statutes takes effect  
16          on May 1, 2000.

17          (2) The treatment of sections 448.951, 448.953 (4) (b) and 895.48 (1m) (intro.)  
18          of the statutes takes effect on November 1, 2000.

19          (3) The treatment of sections 938.34 (8) and 938.343 (2) of the statutes takes  
20          effect on the date stated in the notice published by the secretary of transportation  
21          in the Wisconsin Administrative Register under section 85.515 of the statutes, or on  
22          May 1, 2001, whichever is earlier.

23          (4) The treatment of section 39.435 (6) of the statutes takes effect on the date  
24          stated in the notice published by the Department of Workforce Development in the

**ASSEMBLY BILL 967****SECTION 194**

1 Wisconsin Administrative Register under section 49.854 (2) (e) of the statutes by  
2 1999 Wisconsin Act 9.

3 (5) The treatment of sections 101.9204 (1) (g), 101.9205 (2) (c), 101.9206 (1) (e)  
4 and (3) (b) 2., 101.9208 (1) (b) and (h), 101.921 (1) (a), 101.9211 (4) (b) 1. (intro.),  
5 101.9212 (3), 101.9213 (7), 101.9216 (1), 101.9217 (3), 101.9218, 101.9219 (3) (b),  
6 101.922 (4), 101.9222 (2) (b) and (3), 101.951 (6) (k), 101.953 (1) (intro.) and (a) to (d),  
7 101.965 (3), 218.11 (7) (b) and 224.985 (2) (a) of the statutes takes effect on  
8 July 1, 2000.

9 (6) The treatment of section 343.085 (2m) (a) 2. of the statutes and SECTION 193  
10 of this act take effect on September 1, 2000.

11 (END)