

1           **SECTION 86.** 101.9218 (1) of the statutes, as affected by 1999 Wisconsin Acts  
2 9 and 53, is amended to read:

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

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

9           **SECTION 87.** 101.9219 (3) (b) of the statutes, as affected by 1999 Wisconsin Acts  
10 9 and 53, is amended to read:

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

1 deposit accompanying it, shall be returned at the end of 5 years or prior thereto if,  
2 apart from this section, a nondistinctive certificate of title could then be issued for  
3 the manufactured home, or if the currently valid certificate of title for the  
4 manufactured home is surrendered to the department, unless the department has  
5 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.

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

8 101.922 (4) The department may seize and impound any certificate of title  
9 ~~which~~ that has been suspended or revoked.

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

10 **SECTION 89.** 101.9222 (2) (b) of the statutes, as affected by 1999 Wisconsin Acts  
11 9 and 53, is amended to read:

12 101.9222 (2) (b) The department ~~of commerce~~ issues a certificate of title ~~of~~ for  
13 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.

14 **SECTION 90.** 101.9222 (3) of the statutes, as affected by 1999 Wisconsin Acts  
15 9 and 53, is amended to read:

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

1 to an undisclosed security interest” and any other information that the department  
2 prescribes.

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

3 **SECTION 91.** 101.951 (6) (k) of the statutes, as created by 1999 Wisconsin Act  
4 9, is amended to read:

5 101.951 (6) (k) Having indulged in any unconscionable practice relating to said  
6 the business of selling ~~any~~ <sup>manufactured</sup> homes to a consumer or to the retail market.

NOTE: Inserts the specific reference for clarity.

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

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

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

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

1           (c) 1. ~~That~~ A statement that the manufactured home manufacturer and  
2           manufactured home dealer shall take corrective action for defects ~~which~~ that become  
3           evident within one year from the delivery date and as to which the manufactured  
4           home owner has given notice to the manufacturer or dealer not later than one year  
5           and 10 days after the delivery date and at the address set forth in the warranty; and  
6           that the manufactured home manufacturer and manufactured home dealer shall  
7           make the appropriate adjustments and repairs, within 30 days after notification of  
8           the defect, at the site of the manufactured home without charge to the manufactured  
9           home owner. If the manufactured home dealer makes the adjustment, the  
10          manufactured home manufacturer shall fully reimburse the dealer.

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

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

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

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

3           101.965 (3) Nothing in this subchapter prohibits the bringing of a civil action  
4 against a manufactured home manufacturer, manufactured home dealer or  
5 manufactured home salesperson by an aggrieved consumer. If judgment is rendered  
6 for the consumer based on an act or omission by the manufactured home  
7 manufacturer, manufactured home dealer or manufactured home salesperson,  
8 ~~which~~ that constituted a violation of this subchapter, the plaintiff shall recover  
9 actual and proper attorney fees in addition to costs otherwise recoverable.

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

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

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

NOTE: Corrects spelling.

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

1           102.16 (2) (d) For fee disputes that are submitted to the department before  
2 July 1, 2002, the department shall analyze the information provided to the  
3 department under par. (c) according to the criteria provided in this paragraph to  
4 determine the reasonableness of the disputed fee. The department shall determine  
5 that a disputed fee is reasonable and order that the disputed fee be paid if that fee  
6 is at or below the mean fee for the health service procedure for which the disputed  
7 fee was charged, plus 1.5 standard deviations from that mean, as shown by data from  
8 a ~~data-base~~ database that is certified by the department under par. (h). The  
9 department shall determine that a disputed fee is unreasonable and order that a  
10 reasonable fee be paid if the disputed fee is above the mean fee for the health service  
11 procedure for which the disputed fee was charged, plus 1.5 standard deviations from  
12 that mean, as shown by data from a ~~data-base~~ database that is certified by the  
13 department under par. (h), unless the health service provider proves to the  
14 satisfaction of the department that a higher fee is justified because the service  
15 provided in the disputed case was more difficult or more complicated to provide than  
16 in the usual case.

NOTE: Corrects spelling.

17           **SECTION 96.** 102.16 (2) (e) 1. and 2. of the statutes are amended to read:  
18           102.16 (2) (e) 1. Subject to subd. 2., if an insurer or self-insured employer that  
19 disputes the reasonableness of a fee charged by a health service provider cannot  
20 provide information on fees charged by other health service providers for comparable  
21 services because the ~~data-base~~ database to which the insurer or self-insured  
22 employer subscribes is not able to provide accurate information for the health service  
23 procedure at issue, the department may use any other information that the

1 department considers to be reliable and relevant to the disputed fee to determine the  
2 reasonableness of the disputed fee.

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

NOTE: Corrects spelling.

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

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

NOTE: Corrects spelling.

16 **SECTION 98.** 103.92 (2) (b) 2m. of the statutes, as created by 1999 Wisconsin Act  
17 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).

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

20 108.05 (1) (j) (intro.) Each eligible employe shall be paid benefits for each week  
21 of total unemployment ~~which~~ that commences on or after January 3, 1999, and  
22 before April 2, 2000, at the weekly benefit rate specified in this paragraph. Unless

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

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

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

14 108.05 (1) (k) (intro.) Each eligible employe shall be paid benefits for each week  
15 of total unemployment ~~which~~ that commences on or after April 2, 2000, and before  
16 October 1, 2000, at the weekly benefit rate specified in this paragraph. Unless sub.  
17 (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  
24 except that if the employe's benefits are exhausted during any week under s. 108.06



1 (1), the employe shall be paid the remaining amount of benefits payable to the  
2 employe in lieu of the amount shown in the following schedule: [See Figure 108.05  
3 (1) (k) following]

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

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

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

19 115.28 (26) PERIODICAL AND REFERENCE INFORMATION ~~DATA-BASES~~ DATABASES.  
20 Contract with one or more persons to provide statewide access, through the Internet,  
21 to periodical and reference information ~~data-bases~~ databases.

NOTE: Corrects spelling.

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

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

NOTE: Corrects punctuation.

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

6           115.51 (4) “Visually impaired” means loss of vision, or blindness, as described  
7 in the rule promulgated by the state superintendent to define “visual impairments”  
8 for the purposes of s. 115.76 (5) (a) 4.

NOTE: Inserts commas to correct grammar.

9           **SECTION 104.** The treatment of 115.995 of the statutes by 1999 Wisconsin Act  
10 9 is not repealed by 1999 Wisconsin Act 19. Both treatments stand.

NOTE: There is no conflict of substance.

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

13           115.995 (1) From the appropriation under s. 20.255 (2) (cc), divide  
14 proportionally, based upon costs reported under s. 115.993, an annual payment of  
15 \$250,000 among school districts whose enrollments in the previous school year were  
16 at least 15% limited-English speaking proficient pupils. Aid paid under this  
17 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.

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

19           **118.28 Community action agencies.** The school board of a school district  
20 may appropriate funds for promoting and assisting any community action agency  
21 under s. 49.37, 1997 stats.

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

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

NOTE: There is no conflict of substance.

3           **SECTION 108.** 118.33 (1) (f) 1. of the statutes, as affected by 1999 Wisconsin Act  
4 9, is amended to read:

5           118.33 (1) (f) 1. By September 1, 2002, each school board operating high school  
6 grades shall develop a written policy specifying criteria for granting a high school  
7 diploma that are in addition to the requirements under par. (a). The criteria shall  
8 include the pupil's score on the examination administered under s. 118.30 ~~(1g)~~ (1m)  
9 (d), the pupil's academic performance, the recommendations of teachers. Except as  
10 provided in subd. 2., the criteria apply to pupils enrolled in charter schools located  
11 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).

12           **SECTION 109.** 121.08 (4) (c) 3. of the statutes, as created by 1999 Wisconsin Act  
13 9, is amended to read:

14           121.08 (4) (c) 3. Multiply the amount of state aid that the school district is  
15 eligible to be paid from the appropriation under s. ~~20.225~~ 20.255 (2) (ac), calculated  
16 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).

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

19           125.51 (3) (bs) 2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and  
20 (9), a "Class B" license authorizes a person operating a coliseum to furnish the holder  
21 of a coliseum suite who has attained the legal drinking age with a selection of  
22 intoxicating liquor in the coliseum suite that is not part of the "Class B" premises.

1 Intoxicating liquor furnished under this subdivision shall be furnished in original  
2 packages or containers and stored in a cabinet, refrigerator or other secure storage  
3 place. The cabinet, refrigerator or other secure storage place or the coliseum suite  
4 must be capable of being locked. The cabinet, refrigerator or other secure storage  
5 place or the coliseum ~~suit~~ suite shall be locked, or the intoxicating liquor shall be  
6 removed from the coliseum ~~suit~~ suite, when the coliseum ~~suit~~ suite is not occupied  
7 and when intoxicating liquor is not being furnished under this subdivision.  
8 Intoxicating liquor may be furnished at the time the holder of the coliseum suite  
9 occupies the coliseum suite, but for purposes of this chapter, the sale of intoxicating  
10 liquor furnished under this subdivision is considered to occur at the time and place  
11 that the holder pays for the intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the  
12 holder of a coliseum suite may pay for the intoxicating liquor at any time if he or she  
13 pays in accordance with an agreement with the person operating the coliseum or  
14 with the concessionaire. An individual who stocks or accepts payment for alcohol  
15 beverages under this subdivision shall be the licensee, the agent named in the license  
16 if the licensee is a corporation or limited liability company or the holder of a  
17 manager's or operator's license or be supervised by one of those individuals.

NOTE: Corrects spelling.

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

19 146.70 (3) (a) 2. "Costs" means the costs incurred by a service supplier after  
20 August 1, 1987, in installing and maintaining the trunking and central office  
21 equipment used only to operate a basic or sophisticated system and the ~~data base~~  
22 database used only to operate a sophisticated system.

NOTE: Corrects spelling.

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

1           146.70 (3) (b) 3. a. The amount of nonrecurring charges service users in the  
2 county will pay for all nonrecurring services related to providing the trunking and  
3 central office equipment used only to operate a basic or sophisticated system  
4 established in that county and the ~~data-base~~ database used only to operate that  
5 sophisticated system.

NOTE: Corrects spelling.

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

7           146.70 (3) (j) A service supplier providing telephone service in a county, upon  
8 request of that county, shall provide the county information on its capability and an  
9 estimate of its costs to install and maintain trunking and central office equipment  
10 to operate a basic or sophisticated system in that county and the ~~data-base~~ database  
11 required to operate a sophisticated system.

NOTE: Corrects spelling.

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

13           146.70 (10) (b) Any person who discloses or uses, for any purpose not related  
14 to the operation of a basic or sophisticated system, any information contained in the  
15 ~~data-base~~ database of that system shall be fined not more than \$10,000 for each  
16 occurrence.

NOTE: Corrects spelling.

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

19           153.45 (6) The department may not sell or distribute ~~data-bases~~ databases of  
20 information, from health care providers who are not hospitals or ambulatory surgery  
21 centers, that are able to be linked with public use data files, unless first approved by  
22 the independent review board.

NOTE: Corrects spelling.

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

3           153.50 (1) (b) 2. d. First date of the patient's same or similar illness, if any.  
4           f. Dates of receipt by the patient of medical service.

NOTE: Inserts missing articles.

5           **SECTION 117.** 153.50 (4) (a) 1. of the statutes, as affected by 1999 Wisconsin Act  
6 9, section 2280kr, is amended to read:

7           153.50 (4) (a) 1. An agent of the department who is responsible for the  
8 patient-identifiable data in the department, in order to store the data and ensure the  
9 accuracy of the information in the ~~data-base~~ database of the department.

NOTE: Corrects spelling.

10           **SECTION 118.** 153.50 (4) (a) 2. of the statutes, as affected by 1999 Wisconsin Act  
11 9, section 2280kr, is amended to read:

12           153.50 (4) (a) 2. A health care provider or the agent of a health care provider,  
13 to ensure the accuracy of the information in the ~~data-base~~ database of the  
14 department.

NOTE: Corrects spelling.

15           **SECTION 119.** 153.50 (4) (a) 3. of the statutes, as affected by 1999 Wisconsin Act  
16 9, is amended to read:

17           153.50 (4) (a) 3. The department, for purposes of epidemiological investigation  
18 or to eliminate the need for duplicative ~~data-bases~~ databases.

19           **SECTION 120.** 153.50 (4) (a) 4. of the statutes, as affected by 1999 Wisconsin Act  
20 9, is amended to read:

1           153.50 (4) (a) 4. An entity that is required by federal or state statute to obtain  
2 patient-identifiable data for purposes of epidemiological investigation or to  
3 eliminate the need for duplicative ~~data bases~~ databases.

NOTE: Corrects spelling.

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

6           153.60 (1) The department shall, by the first October 1 after the  
7 commencement of each fiscal year, estimate the total amount of expenditures under  
8 this chapter for the department and the board for that fiscal year for data collection,  
9 ~~data-base~~ database development and maintenance, generation of data files and  
10 standard reports, orientation and training provided under s. 153.05 (9) and  
11 maintaining the board. The department shall assess the estimated total amount for  
12 that fiscal year less the estimated total amount to be received for purposes of  
13 administration of this chapter under s. 20.435 (4) (hi) during the fiscal year, the  
14 unencumbered balance of the amount received for purposes of administration of this  
15 chapter under s. 20.435 (4) (hi) from the prior fiscal year and the amount in the  
16 appropriation account under s. 20.435 (1) (dg), 1997 stats., for the fiscal year, to  
17 health care providers who are in a class of health care providers from whom the  
18 department collects data under this chapter in a manner specified by the department  
19 by rule. The department shall obtain approval from the board for the amounts of  
20 assessments for health care providers other than hospitals and ambulatory surgery  
21 centers. The department shall work together with the department of regulation and  
22 licensing to develop a mechanism for collecting assessments from health care  
23 providers other than hospitals and ambulatory surgery centers. No health care  
24 provider that is not a facility may be assessed under this subsection an amount that

1 exceeds \$75 per fiscal year. Each hospital shall pay the assessment on or before  
2 December 1. All payments of assessments shall be deposited in the appropriation  
3 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.

4 **SECTION 122.** 166.20 (1) (fm) of the statutes is amended to read:

5 166.20 (1) (fm) “Hazardous material” has the meaning given in 49 USC  
6 ~~Appendix 1802 (4)~~ 5102 (2).

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

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

8 196.207 (6) (a) 3. Intentionally disclose the unpublished telephone line  
9 identification through a computer data base database, on-line bulletin board or  
10 other similar mechanism.

NOTE: Corrects spelling.

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

13 196.218 (5) (a) 5m. To provide statewide access, through the Internet, to  
14 periodical reference information ~~data bases~~ databases.

NOTE: Corrects spelling.

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

17 196.86 (2) If the department of natural resources makes a notification to the  
18 commission under s. 285.48 (2), the commission shall assess against electric public  
19 utility affiliates a total of \$2,400,000, or a decreased amount specified in a notice by  
20 the department of natural resources under s. 285.48 (3) (d) 3., in each fiscal year of  
21 the 10-year period that commences on July 1 of the fiscal year ending before the



1 initial compliance date. An assessment in a fiscal year against an electric public  
2 utility affiliate under this subsection shall be in an amount that is proportionate to  
3 the electric public utility affiliate's heat throughput ratio for the prior fiscal year.

NOTE: Inserts missing article.

4 **SECTION 126.** 218.11 (7) (b) of the statutes, as affected by 1999 Wisconsin Act  
5 9, is amended to read:

6 218.11 (7) (b) No license may be suspended or revoked except after a hearing  
7 thereon. The department shall give the licensee at least 5 days' notice of the time and  
8 place of such hearing. The order suspending or revoking such license shall not be  
9 effective until after 10 days' written notice thereof to the licensee, after such hearing  
10 has been had; except that the department, when in its opinion the best interest of the  
11 public or the trade demands it, may suspend a license upon not less than 24 hours'  
12 notice of hearing and with not less than 24 hours' notice of the suspension of the  
13 license. Matters involving suspensions and revocations shall be heard and decided  
14 upon by the division of hearings and appeals. This paragraph does not apply to  
15 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.

16 **SECTION 127.** 224.985 (2) (a) of the statutes, as created by 1999 Wisconsin Act  
17 9, is amended to read:

18 224.985 (2) (a) Financial statements, including the balance sheet, the  
19 statement of income or loss, the statement of changes in capital accounts and the  
20 statement of changes in financial position of the licensee. The licensee shall ensure  
21 that the financial statements have been audited by an independent certified public  
22 ~~account~~ accountant and prepared in accordance with generally accepted account  
23 principles.

NOTE: Corrects spelling.

1       **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.

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

3       243.10 (1) FORM. The following is the form for the Wisconsin basic power of  
4 attorney for finances and property:

5                               **WISCONSIN BASIC POWER OF ATTORNEY**

6                                       **FOR FINANCES AND PROPERTY**

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

1 SHOULD ASK A LAWYER TO EXPLAIN THIS FORM TO YOU BEFORE YOU  
2 SIGN IT.

3 IF YOU WISH TO CHANGE YOUR BASIC POWER OF ATTORNEY FOR  
4 FINANCES AND PROPERTY, YOU MUST COMPLETE A NEW DOCUMENT  
5 AND REVOKE THIS ONE. YOU MAY REVOKE THIS DOCUMENT AT ANY TIME  
6 BY DESTROYING IT, BY DIRECTING ANOTHER PERSON TO DESTROY IT IN  
7 YOUR PRESENCE OR BY SIGNING A WRITTEN AND DATED STATEMENT  
8 EXPRESSING YOUR INTENT TO REVOKE THIS DOCUMENT. IF YOU  
9 REVOKE THIS DOCUMENT, YOU SHOULD NOTIFY YOUR AGENT AND ANY  
10 OTHER PERSON TO WHOM YOU HAVE GIVEN A COPY OF THE FORM. YOU  
11 ALSO SHOULD NOTIFY ALL PARTIES HAVING CUSTODY OF YOUR ASSETS.  
12 THESE PARTIES HAVE NO RESPONSIBILITY TO YOU UNLESS YOU  
13 ACTUALLY NOTIFY THEM OF THE REVOCATION. IF YOUR AGENT IS YOUR  
14 SPOUSE AND YOUR MARRIAGE IS ANNULLED, OR YOU ARE DIVORCED  
15 AFTER SIGNING THIS DOCUMENT, THIS DOCUMENT IS INVALID.

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

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

22 I .... (insert your name and address) appoint .... (insert the name and address  
23 of the person appointed) as my agent to act for me in any lawful way with respect to  
24 the powers initialed below. If the person appointed is unable or unwilling to act as

1 my agent, I appoint .... (insert name and address of alternate person appointed) to  
2 act for me in any lawful way with respect to the powers initialed below.

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

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

7 **HANDLING MY MONEY AND PROPERTY**

8 *Initials*

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

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

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

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

23 \_\_\_\_\_ 5. *REAL ESTATE*: My agent may manage real property; sell, convey and  
24 mortgage realty for prices and on terms as considered advisable; foreclose mortgages

1 and take title to property in my name; and execute deeds, mortgages, releases,  
2 satisfactions and other instruments relating to realty.

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

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

9 \_\_\_\_\_ 8. *INCOME TAXES*: My agent may make and sign tax returns; represent  
10 me in all income tax matters before any federal, state, or local tax collecting agency;  
11 and receive confidential information and perform any acts that I may perform,  
12 including receiving refund checks and the signing of returns.

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

### 15 **PROFESSIONAL AND TECHNICAL ASSISTANCE**

16 *Initials*

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

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

### 24 **GENERAL AUTHORITY**

25 *Initials*

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

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

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

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

13           d. Change any beneficiary designation of any life insurance policy, qualified  
14 retirement plan, individual retirement account or payable on death account or the  
15 like whether directly or by canceling and replacing the policy or rollover to another  
16 plan or account.

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

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

20           g. Make gifts.

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

#### 22           *Initials*

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

1 accounting

2 *Initials*

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

7 **NOMINATION OF GUARDIAN**

8 *Initials*

9 \_\_\_\_\_ 15. *GUARDIAN:* If necessary, I nominate .... (name) of .... (address) as  
10 guardian of my person and I nominate .... (name) of .... (address) as guardian of my  
11 estate.

12 **SPECIAL INSTRUCTIONS**

13 *Initials*

14 \_\_\_\_\_ 16. *SPECIAL INSTRUCTIONS:*  
15 ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS  
16 REGARDING THE POWERS GRANTED TO YOUR AGENT.

- 17 .....
- 18 .....
- 19 .....
- 20 .....
- 21 .....
- 22 .....
- 23 .....
- 24 .....
- 25 .....

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

6 *Initials*

7 \_\_\_\_\_ This basic power of attorney for finances and property becomes effective  
8 when I sign it and will continue in effect as a durable power of attorney under section  
9 243.07, Wisconsin Statutes, if I become disabled or incapacitated.

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

- 12 a. I have signed it; and  
13 b. I become disabled or incapacitated.

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

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

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

23

24

25

.....  
(Your Signature)



1  
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....

(Your Social Security Number)

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

**Witness: ....**

**Witness: ....**

Dated: ....

Dated: ...

By Signature: ....

By Signature: ....

Print Name: ....

Print Name: ....

Address: ....

Address: ....

State of ....

County of ....

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

....

(Signature of Notarial Officer)

(Seal, if any)

(Title)

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

1 BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, THE AGENT  
2 ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES AND  
3 LIABILITIES OF AN AGENT.

4 .....

5 (Name of Agent)

6 .....

7 (Signature of Agent)

8 This document was drafted by .... (signature of person preparing the  
9 document).

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.

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

12 251.02 (1) In counties with a population of less than 500,000, the county board  
13 shall establish a county health department that meets the requirements of this  
14 chapter. The county health department shall serve all areas of the county that are  
15 not served by a city health department that was established prior to  
16 January 1, 1994, by a town or village health department established under sub. (3m)  
17 or by a multiple municipal local health department established under sub. (3r). No  
18 city health department may be established after January 1, 1994, but a city-county  
19 health department may be established after that date.

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

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

1           251.04 (1) A city or county board of health shall govern each local health  
2 department other than a local health department as authorized in s. 251.02 (3m) and  
3 (3r) and a city or county board of health or a board of health for a local health  
4 department as authorized in s. 251.02 (3m) and (3r) shall assure the enforcement of  
5 state public health statutes and public health rules of the department as prescribed  
6 for a Level I local health department. A local board of health may contract or  
7 subcontract to provide public health services. The contractor's staff shall meet the  
8 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.

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

11           **251.125 Village health department, how financed.** If a village health  
12 department is established under s. 251.02 (2) or (3m) or if a multiple municipal local  
13 health department is established under s. 251.01 251.02 (3r) by the governing body  
14 of a village in concert with the governing body of another village or a city or town, the  
15 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.

16           **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.

17           **SECTION 134.** 253.115 (1) (a) of the statutes, as created by 1999 Wisconsin Act  
18 9, is amended to read:

19           253.115 (1) (a) "Hearing loss" means an inability in one or both ears to detect  
20 sounds at 30 decibels hearing level or greater in the frequency region of 500 to 4,000  
21 hertz, ~~which~~ that affects speech recognition and auditory comprehension.

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

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

NOTE: Corrects numbering.

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

5           254.916 (11) The department shall hold a hearing under ch. 227 if any  
6 interested person, in lieu of proceeding under ch. 68, appeals to the department  
7 alleging that the person making an investigation of the appellant has a financial  
8 interest in a regulated cigarette and tobacco product retailer, tobacco vending  
9 machine operator, tobacco vending machine premises or tobacco vending machine  
10 ~~which~~ that may interfere with his or her ability to properly take that action.

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

11           **SECTION 137.** 281.68 (1r) (a) of the statutes, as affected by 1999 Wisconsin Act  
12 9, is amended to read:

13           281.68 (1r) (a) Prevent pollution from entering into lakes or into natural lake  
14 ecosystems.

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

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

17           281.69 (6) LAKE CLASSIFICATION TECHNICAL ASSISTANCE CONTRACTS. A nonprofit  
18 corporation receiving a lake classification technical assistance contract shall use the  
19 grant money provided under the contract to provide educational and technical  
20 assistance to local units of government and lake management organizations that will  
21 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.

1           **SECTION 139.** 289.645 (4) (c) of the statutes, as created by 1999 Wisconsin Act  
2 9, is amended to read:

3           289.645 (4) (c) Waste generated by an organization described in par. (b) ~~which~~  
4 that is commingled with waste generated by a person other than an organization  
5 described in par. (b) is subject to the fee.

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

6           **SECTION 140.** 292.15 (2) (at) 3. of the statutes, as created by 1999 Wisconsin Act  
7 9, is amended to read:

8           292.15 (2) (at) 3. The voluntary party obtains and maintains insurance to cover  
9 the costs of complying with s. 292.11 (3) with respect to a hazardous substance  
10 discharges that occurred before the investigation under subd. 1. is completed and  
11 that are discovered in the course of conducting a cleanup of the property, the  
12 insurance complies with rules promulgated by the department and the insurance  
13 names the voluntary party and this state as insureds.

NOTE: Deletes unnecessary “a.”

14           **SECTION 141.** 292.15 (2) (c) of the statutes, as affected by 1999 Wisconsin Act  
15 9, is amended to read:

16           292.15 (2) (c) *Prohibition on action.* The department of justice may not  
17 commence an action under 42 USC 9607 against any voluntary party meeting the  
18 criteria of this subsection to recover costs for which the voluntary party is exempt  
19 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.

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

3           292.15 (3) **SUCCESSORS AND ASSIGNS.** An exemption provided in sub. (2) applies  
4 to any successor or assignee of the voluntary party if the successor or assignee  
5 complies with the provisions of sub. (2) (a) 4. and 5. or (ac) 3m., 4. and 5. and, if  
6 applicable, sub. (2) (ag) 4. or (am) as though the successor or assignee were the  
7 voluntary party except that the exemption in sub. (2) does not apply if the successor  
8 or assignee knows that a certificate under sub. (2) (a) 3., (ae) 3., (ag) ~~12.~~ 2. or (am)  
9 was obtained by any of the means or under any of the circumstances specified in sub.  
10 (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.

11           **SECTION 143.** 292.65 (8) (e) 3am. of the statutes, as created by 1999 Wisconsin  
12 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.

13           **SECTION 144.** 292.65 (8) (e) 3ar. of the statutes, as created by 1999 Wisconsin  
14 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.

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

17           292.65 (8m) **REIMBURSEMENT OF INSURANCE PROCEEDS.** If, after the owner or  
18 operator receives an award under this section, the owner or operator receives  
19 payment from an insurance company arising out of a claim for payment of any  
20 eligible costs, the owner or operator shall pay to the department the amount by which  
21 the insurance payment exceeds the sum of the deductible and the amount by which

1 the amount calculated under ~~par. sub. (8) (e)~~ exceeds the maximum award under ~~par.~~  
2 ~~sub. (8) (f)~~, but not more than the amount of the award received. The amounts  
3 collected by the department under this subsection shall be deposited in the dry  
4 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.

5 **SECTION 146.** 301.08 (1) (b) 4. of the statutes, as created by 1999 Wisconsin Act  
6 9, is amended to read:

7 301.08 (1) (b) 4. Contract with not more than 5 counties or with not more than  
8 5 consortia of counties for the operation of not more than 5 secured group homes for  
9 the placement of juveniles who have been convicted under s. 938.183 or adjudicated  
10 delinquent under s. ~~938.183~~ 938.183 or 938.34 (4m). The contract shall specify that  
11 the county or counties operating a secured group home must comply with all rules  
12 of the department that are applicable to the treatment of juveniles who are placed  
13 in a secured correctional facility.

NOTE: Corrects cross-reference consistent with the remainder of s. 301.08 (1) (b).  
There is no s. 938.183.

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

15 342.12 (3) (b) The applicant has filed with the department a bond in the form  
16 prescribed by the department and executed by the applicant, and either  
17 accompanied by the deposit of cash with the department or also executed by a person  
18 authorized to conduct a surety business in this state. The bond shall be in an amount  
19 equal to one and one-half times the value of the vehicle as determined by the  
20 department and conditioned to indemnify any prior owner and secured party and any  
21 subsequent purchaser of the vehicle or person acquiring any security interest in it,  
22 and their respective successors in interest, against any expense, loss or damage,

1 including reasonable attorney fees, by reason of the issuance of the certificate of title  
2 ~~of~~ for the vehicle or on account of any defect in or undisclosed security interest upon  
3 the right, title and interest of the applicant in and to the vehicle. Any such interested  
4 person has a right of action to recover on the bond for any breach of its conditions,  
5 but the aggregate liability of the surety to all persons shall not exceed the amount  
6 of the bond. The bond, and any deposit accompanying it, shall be returned at the end  
7 of 5 years or prior thereto if, apart from this section, a nondistinctive certificate of  
8 title could then be issued for the vehicle, or if the vehicle is no longer registered in  
9 this state and the currently valid certificate of title is surrendered to the department,  
10 unless the department has been notified of the pendency of an action to recover on  
11 the bond.

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

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

13 342.282 (2) The department issues a certificate of title ~~of~~ for the vehicle under  
14 this chapter.

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

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

16 **342.283 Distinctive certificate.** If the department is not satisfied that there  
17 are no undisclosed security interests, created before June 1, 1966, in a previously  
18 certificated vehicle, it shall, unless the applicant fulfills the requirements of s. 342.12  
19 (3), issue a distinctive certificate of title ~~of~~ for the vehicle containing the legend “This  
20 vehicle may be subject to an undisclosed security interest” and any other information  
21 the department prescribes.

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



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

3           343.085 (2m) (a) 2. Between the hours of 12 midnight and 5 a.m., unless the  
4 licensee's parent or guardian, or a person who meets the requirements under s.  
5 343.07 (1) (a), occupies the seat beside the licensee, or unless the licensee is traveling  
6 between his or her place of residence, school ~~or~~ and place of employment.

NOTE: Corrects sentence agreement problem.

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

NOTE: There are no conflicts of substance.

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

NOTE: There are no conflicts of substance.

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

12           343.24 (2m) If the department, in maintaining a computerized operating  
13 record system, makes copies of its operating record file ~~data base~~ database, or a  
14 portion thereof, on computer tape or other electronic media, copies of the tape or  
15 media may be furnished to any person on request. The department may also furnish  
16 to any person upon request records on computer tape or other electronic media that  
17 contain information from files of uniform traffic citations or motor vehicle accidents  
18 and ~~which~~ that were produced for or developed by the department for purposes  
19 related to maintenance of the operating record file ~~data base~~ database. The  
20 department shall charge a fee of \$3 for each file of vehicle operators' records  
21 contained in the tape or media. The department shall charge a fee of not more than  
22 \$3 for each file of uniform traffic citations or motor vehicle accidents contained in the

1 tape or media. Nothing in this subsection requires the department to produce  
2 records of particular files or data in a particular format except as those records or  
3 data are made by the department for its purposes.

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

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

NOTE: There are no conflicts of substance.

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

NOTE: There are no conflicts of substance.

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

9 348.26 (1m) TELEPHONE CALL-IN PROCEDURE. The department shall develop and  
10 implement a telephone call-in procedure for permits issued under this section. The  
11 telephone call-in procedure for permits may not be utilized until permit information  
12 is computerized to ensure inquiry capability into the data-base database for  
13 enforcement purposes.

NOTE: Corrects spelling.

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

15 409.302 (1) (g) An assignment for the benefit of all the creditors of the  
16 transferor, and subsequent transfers by the assignee thereunder; or

17 (h) A security interest in investment property which is perfected without filing  
18 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.

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

20 409.313 (4) (c) The fixtures are readily removable factory or office machines or  
21 readily removable replacements of domestic appliances which are consumer goods,

1 and before the goods become fixtures the security interest is perfected by any method  
2 permitted by this chapter; ~~or~~

3 (d) The conflicting interest is a lien on the real estate obtained by legal or  
4 equitable proceedings after the security interest was perfected by any method  
5 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.

6 **SECTION 159.** 441.50 (1) (n) of the statutes, as created by 1999 Wisconsin Act  
7 22, is amended to read:

8 441.50 (1) (n) "State practice laws" means those individual ~~party's state~~ party  
9 state's laws and regulations that govern the practice of nursing, define the scope of  
10 nursing practice, and create the methods and grounds for imposing discipline. "State  
11 practice laws" does not include the initial qualifications for licensure or  
12 requirements necessary to obtain and retain a license, except for qualifications or  
13 requirements of the home state.

NOTE: Corrects spelling.

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

16 441.50 (7) (a) All party states shall participate in a cooperative effort to create  
17 a coordinated ~~data base~~ database of all licensed registered nurses and licensed  
18 practical/vocational nurses. This system will include information on the licensure  
19 and disciplinary history of each nurse, as contributed by party states, to assist in the  
20 coordination of nurse licensure and enforcement efforts.

21 (e) Any personally identifiable information obtained by a party ~~states'~~ state's  
22 licensing board from the coordinated licensure information system may not be

1 shared with nonparty states or disclosed to other entities or individuals except to the  
2 extent permitted by the laws of the party state contributing the information.

NOTE: Corrects spelling.

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

5 **448.951 Use of title.** Except as provided in s. 448.952, no person may  
6 designate himself or herself as an athletic trainer or use or assume the title “athletic  
7 trainer”, “licensed athletic trainer”, “certified athletic trainer” or “registered athletic  
8 trainer” or append to the person’s name any other title, letters or designation ~~which~~  
9 that represents or may tend to represent the person as an athletic trainer unless the  
10 person is licensed under this subchapter.

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

11 **SECTION 162.** 448.953 (4) (b) of the statutes, as created by 1999 Wisconsin Act  
12 9, is amended to read:

13 **448.953 (4) (b)** If a person who is issued a temporary license under par. (a)  
14 satisfies the requirements under sub. (1) (f) and (h) before the temporary license  
15 expires, the affiliated credentialing ~~credentialing~~ board shall issue the person a  
16 license under sub. (1).

NOTE: Deletes repeated word.

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

18 **560.035 ~~Data base~~ Database of women’s businesses.** The department  
19 shall develop, maintain and keep current a computer ~~data base~~ database of  
20 businesses in the state that are owned by women, containing demographic statistics  
21 and information on the types of industries represented, sales volume and growth

1 rates, generation of jobs by both new and existing businesses and any other relevant  
2 characteristics.

NOTE: Corrects spelling.

3 **SECTION 164.** 565.30 (5m) (a) (title) of the statutes, as affected by 1999  
4 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.

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

6 703.16 (4) ASSESSMENTS CONSTITUTE LIEN. All assessments, until paid, together  
7 with interest on them and actual costs of collection, constitute a lien on the units on  
8 which they are assessed, if a statement of lien is filed within 2 years after the date  
9 the assessment becomes due. The lien is effective against a unit at the time the  
10 assessment became due regardless of when within the 2-year period it is filed. A  
11 statement of condominium lien is filed in the land records of the clerk of circuit court  
12 of the county where the unit is located, stating the description of the unit, the name  
13 of the record owner, the amount due and the period for which the assessment was  
14 due. The clerk of circuit court shall index the statement of condominium lien under  
15 the name of the record owner in the judgment and lien docket. The statement of  
16 condominium lien shall be signed and verified by an officer or agent of the association  
17 as specified in the bylaws and then may be filed. On full payment of the assessment  
18 for which the lien is claimed, the unit owner shall be entitled to a fileable satisfaction  
19 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".

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

1           707.37 (2) (b) A statement of time-share lien shall be filed in the land records  
2 of the office of the clerk of circuit court of the county where the time-share property  
3 is located, stating the description of the time-share property and the time share, the  
4 name of the time-share owner, the amount due and the period for which the  
5 assessment for time-share expenses was due. The clerk of circuit court shall index  
6 the statement of time-share lien under the name of the time-share owner in the  
7 judgment and lien docket. The statement of time-share lien shall be signed and  
8 verified by an officer or agent of the association as specified in the bylaws or, if there  
9 is no association, a representative of the time-share owners. On full payment of the  
10 assessment for which the lien is claimed, the time-share owner shall be entitled to  
11 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".

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

13           767.47 (1m) (intro.) If the child was born in this state, the petitioner shall  
14 present a certified copy of the child's birth certificate or a printed copy of the record  
15 from the birth ~~data base~~ database of the state registrar to the court, so that the court  
16 is aware of whether a name has been inserted on the birth certificate as the father  
17 of the child, at the earliest possible of the following:

NOTE: Corrects spelling.

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

19           779.155 (5) (a) For the purpose of administering this section, sworn statements  
20 of the contractor setting forth the unpaid lien claims that have been or may be filed  
21 ~~er fileable~~ under s. 779.15 may be accepted by the proper officer, board, department  
22 or commission, unless the judgment creditor or other interested person gives written

1 notice that an action is pending to determine whether specified lien claims were  
2 incurred in performing the public work and the amount thereof, or to determine  
3 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".

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

NOTE: There are no conflicts of substance.

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

NOTE: There are no conflicts of substance.

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

9 880.75 (1) (f) ~~"Third party"~~ "Third party" is a person other than a bank, broker,  
10 transfer agent or issuer who with respect to a security held by a minor effects a  
11 transaction otherwise than directly with the minor.

12 **(2) SECURITY TRANSACTIONS INVOLVING MINORS; LIABILITY.** A bank, broker, issuer,  
13 ~~third party~~ third party or transfer agent incurs no liability by reason of his or her  
14 treating a minor as having capacity to transfer a security, to receive or to empower  
15 others to receive dividends, interest, principal, or other payments or distributions,  
16 to vote or give consent in person or by proxy, or to make elections or exercise rights  
17 relating to the security, unless prior to acting in the transaction the bank, broker,  
18 issuer, ~~third party~~ third party or transfer agent had received written notice in the  
19 office acting in the transaction that the specific security is held by a minor or unless  
20 an individual conducting the transaction for the bank, broker, issuer, ~~third party~~  
21 third party or transfer agent had actual knowledge of the minority of the holder of  
22 the security. Except as otherwise provided in this section, such a bank, broker, issuer,

1 ~~third-party~~ third party or transfer agent may assume without inquiry that the  
2 holder of a security is not a minor.

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

NOTE: Inserts correct word form.

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

16 880.76 (2) SECURITY TRANSACTIONS INVOLVING INCOMPETENT OR SPENDTHRIFT;  
17 LIABILITY. A bank, broker, issuer, ~~third-party~~ third party or transfer agent incurs no  
18 liability by reason of his or her treating an incompetent or spendthrift as having  
19 capacity to transfer a security, to receive or to empower others to receive dividends,  
20 interest, principal, or other payments or distributions, to vote or give consent in  
21 person or by proxy, or to make elections or exercise rights relating to the security,  
22 unless prior to acting in the transaction the bank, broker, issuer, ~~third-party~~ third  
23 party or transfer agent had received written notice in the office acting in the  
24 transaction that the specific security is held by a person who has been adjudicated



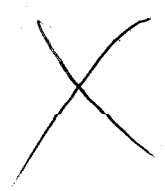
1 an incompetent or a spendthrift or unless an individual conducting the transaction  
 2 for the bank, broker, issuer, ~~third-party~~ third party or transfer agent had actual  
 3 knowledge that the holder of the security is a person who has been adjudicated an  
 4 incompetent or a spendthrift, or actual knowledge of filing of lis pendens as provided  
 5 in s. 880.215. Except as otherwise provided in this section, such a bank, broker,  
 6 issuer, ~~third-party~~ third party or transfer agent may assume without inquiry that  
 7 the holder of a security is not an incompetent or spendthrift.

*NOTE: Insert correct word form.*  
 8 **SECTION 173.** 880.76 (3) of the statutes is amended to read:

9 **880.76 (3) ACTS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE.** An incompetent  
 10 or spendthrift, who has transferred a security, received or empowered others to  
 11 receive dividends, interest, principal, or other payments or distributions, voted or  
 12 given consent in person or by proxy, or made an election or exercised rights relating  
 13 to the security, has no right thereafter, as against a bank, broker, issuer, ~~third-party~~  
 14 third party or transfer agent to disaffirm or avoid the transaction, unless prior to  
 15 acting in the transaction the bank, broker, issuer, ~~third-party~~ third party or transfer  
 16 agent against whom the transaction is sought to be disaffirmed or avoided had  
 17 received notice in the office acting in the transaction that the specific security is held  
 18 by a person who has been adjudicated an incompetent or a spendthrift or unless an  
 19 individual conducting the transaction for the bank, broker, issuer, ~~third-party~~ third  
 20 party or transfer agent had actual knowledge that the holder is a person who has  
 21 been adjudicated an incompetent or a spendthrift, or actual knowledge of filing of lis  
 22 pendens as provided in s. 880.215.

NOTE: SECTIONS 172 and 173 insert correct word form.

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



1           895.46 (6) The protection afforded by this section applies to any criminal action  
2 under s. 291.97 (2) or 293.87 (2) or under 7 USC 136L (b), 15 USC 2616 (b), 33 USC  
3 1319 (c), 42 USC 2284, 6928 (d) and (e), 6973 (b), 6992 (b) and (c), 7413 (c), 9603 (b),  
4 9606 (b) and 11045 (b) or 49 USC ~~appendix 1809 (b)~~ 5124 that is commenced against  
5 a state officer or state employe who is proceeded against in his or her official capacity  
6 or as an individual because of acts committed in the storage, transportation,  
7 treatment or disposal of hazardous substances, as defined in s. 289.01 (11), if that  
8 officer or employe is found to be acting within the scope of his or her employment and  
9 if the attorney general determines that the state officer or state employe acted in  
10 good faith. Regardless of the determination made by the attorney general, the  
11 protection afforded by this section applies if the state officer or agent is not found  
12 guilty of the criminal action commenced under this subsection. This protection  
13 includes the payment of reasonable attorney fees in defending the action and costs  
14 or fines arising out of the action.

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

15           **SECTION 175.** 895.58 (1) (d) of the statutes, as created by 1999 Wisconsin Act  
16 9, is amended to read:

17           895.58 (1) (d) “Special waste” means any solid waste ~~which~~ that is  
18 characterized for beneficial use in public works projects by the department of natural  
19 resources.

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

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

22           938.34 (8) **FORFEITURE.** Impose a forfeiture based upon a determination that  
23 this disposition is in the best interest of the juvenile and in aid of rehabilitation. The

1 maximum forfeiture that the court may impose under this subsection for a violation  
2 by a juvenile is the maximum amount of the fine that may be imposed on an adult  
3 for committing that violation or, if the violation is applicable only to a person under  
4 18 years of age, \$100. Any such order shall include a finding that the juvenile alone  
5 is financially able to pay the forfeiture and shall allow up to 12 months for payment.  
6 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order  
7 other alternatives under this section, in accordance with the conditions specified in  
8 this chapter; or the court may suspend any license issued under ch. 29 for not less  
9 than 30 days nor more than 5 years, or, unless the forfeiture was imposed for  
10 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may  
11 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not more  
12 than 2 years. If the court suspends any license under this subsection, the clerk of the  
13 court shall immediately take possession of the suspended license and forward it to  
14 the department which issued the license, together with a notice of suspension clearly  
15 stating that the suspension is for failure to pay a forfeiture imposed by the court. If  
16 the forfeiture is paid during the period of suspension, the suspension shall be reduced  
17 to the time period which has already elapsed and the court shall immediately notify  
18 the department which shall then return the license to the juvenile. Any recovery  
19 under this subsection shall be reduced by the amount recovered as a forfeiture for  
20 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.

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

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

NOTE: The underscored comma is inserted to correct grammar.

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

18           945.03 (2m) (intro.) If the violation of sub. (1m) involves the possession,  
19 operation, ~~set up~~ setup, collection of proceeds, participation in earnings or  
20 maintenance of, or involves acting as the custodian of anything of value bet or offered  
21 to be bet on, not more than 5 video gambling machines on premises for which a  
22 Class "B" or "Class B" license or permit has been issued under ch. 125, the person  
23 may be penalized as follows:

NOTE: Inserts correct word form.

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

3           945.04 (2m) If the violation of sub. (1m) involves the ~~set-up~~ setup or use of not  
4 more than 5 video gambling machines on premises for which a Class “B” or “Class B”  
5 license or permit has been issued under ch. 125, the person may be penalized as  
6 follows:

NOTE: Inserts correct word form.

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

8           968.02 (1) Except as otherwise provided in this section, a complaint charging  
9 a person with an offense shall be issued only by a district attorney of the county  
10 where the crime is alleged to have been committed. A complaint is issued when it  
11 is approved for filing by the district attorney. The approval shall be in the form of  
12 a written ~~indorsement~~ endorsement on the complaint.

NOTE: Inserts preferred spelling.

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

14           968.20 (1) Any person claiming the right to possession of property seized  
15 pursuant to a search warrant or seized without a search warrant may apply for its  
16 return to the circuit court for the county in which the property was seized or where  
17 the search warrant was returned. The court shall order such notice as it deems  
18 adequate to be given the district attorney and all persons who have or may have an  
19 interest in the property and shall hold a hearing to hear all claims to its true  
20 ownership. If the right to possession is proved to the court's satisfaction, it shall  
21 order the property, other than contraband or property covered under sub. (1m) or (1r)  
22 or s. 173.12 or 173.21 (4) ~~(b)~~, returned if:

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

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

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

NOTE: Corrects spelling.

4           **SECTION 183.** 973.032 (2) (b) of the statutes, as affected by 1999 Wisconsin Act  
5 9, is amended to read:

6           973.032 (2) (b) Notwithstanding par. (a), a the court may not sentence a person  
7 under sub. (1) if he or she is convicted of a felony punishable by life imprisonment  
8 or has at any time been convicted, adjudicated delinquent or found not guilty or not  
9 responsible by reason of insanity or mental disease, defect or illness for committing  
10 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.

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

12           973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified  
13 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,  
14 940.225, 940.23, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44, 940.45,  
15 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01, 947.012 or  
16 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20, 940.201,  
17 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01, 947.012 or 947.0125; and

NOTE: Corrects cross-reference order.

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

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

1           **SECTION 186.** 1999 Wisconsin Act 9, section 2127 is amended by replacing  
2           “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.).

3           **SECTION 187.** 1999 Wisconsin Act 9, section 2554j is amended by replacing  
4           “254.48 of the statutes is created to read:” with “254.48 and 254.49 of the statutes are  
5           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.

6           **SECTION 188.** 1999 Wisconsin Act 9, section 2637 is amended by replacing  
7           “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.

8           **SECTION 189.** 1999 Wisconsin Act 9, section 2640 is amended by replacing  
9           “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.

10          **SECTION 190.** 1999 Wisconsin Act 9, section 2641 is amended by replacing  
11          “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.

12          **SECTION 191.** 1999 Wisconsin Act 9, section 3025pj is amended by replacing  
13          “565.30 (5t) of the statutes is amended to read:” with “565.30 (5t) (intro.) of the  
14          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.

15          **SECTION 192.** 1999 Wisconsin Act 9, section 9150 (7c) is amended to read:  
16          [1999 Wisconsin Act 9], section 9150 (7c) HARTFORD HERITAGE AUTO MUSEUM.  
17          Notwithstanding section ~~86.91~~ 86.19 (1) of the statutes, as affected by this act, the  
18          department of transportation shall erect directional signs along USH 41 near the

1 interchange with STH 60 for the Hartford Heritage Auto Museum located in  
2 Hartford in Washington County. The department may not charge any fee related to  
3 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.

4 **SECTION 193. Terminology changes.**

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

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

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

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

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

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

19 (4) The treatment of section 39.435 (6) of the statutes takes effect on the date  
20 stated in the notice published by the Department of Workforce Development in the  
21 Wisconsin Administrative Register under section 49.854 (2) (e) of the statutes by  
22 1999 Wisconsin Act 9.





## Gretschmann, Karen

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**From:** Pirlot, R.J.  
**Sent:** Friday, April 28, 2000 4:14 PM  
**To:** Gretschmann, Karen  
**Subject:** FW:

### R.J. Pirlot

Policy Director and Legal Counsel  
Office of Assembly Speaker Scott R. Jensen

Direct: 608-261-9482  
Fax: 608-266-5123

-----Original Message-----

**From:** Munson, Bruce  
**Sent:** Friday, April 28, 2000 3:53 PM  
**To:** Pirlot, R.J.  
**Cc:** Smith, Irma  
**Subject:** RE:

That I don't have. Irma, would it be possible for you to e-mail LRB-4908/1 to R.J.?

-----Original Message-----

**From:** Pirlot, R.J.  
**Sent:** Friday, April 28, 2000 3:50 PM  
**To:** Munson, Bruce  
**Subject:**

Bruce,

Would you also email me a copy of 4908?

### R.J. Pirlot

Policy Director and Legal Counsel  
Office of Assembly Speaker Scott R. Jensen

Direct: 608-261-9482  
Fax: 608-266-5123

**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 04/26/2000

To: Revisor of Statutes

Relating to LRB drafting number: LRB-4908

**Topic**

Revisor's bill

**Subject(s)**

Legislature - miscellaneous

1. **JACKET** the draft for introduction \_\_\_\_\_

in the **Senate** \_\_\_\_ or the **Assembly**  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Attorney Peter J. Dykman, General Counsel  
Telephone: (608) 266-7098