

**2001 DRAFTING REQUEST**

**Bill**

Received: 11/08/2000

Received By: dykmapj

Wanted: As time permits

Identical to LRB:

For: Revisor of Statutes

By/Representing: Bruce Munson

This file may be shown to any legislator: NO

Drafter: dykmapj

May Contact:

Addl. Drafters:

Subject: State Government - miscellaneous

Extra Copies:

Submit via email: NO

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Revisor's Correction Bill

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dykmapj 11/08/2000	hhagen 11/21/2000		_____			
/P1	hhagen 08/31/2001		martykr 11/22/2000	_____	lrb_docadmin 11/22/2000		
/P2			rschluct 08/31/2001	_____	lrb_docadmin 08/31/2001		
/P3				_____	lrb_docadmin 09/12/2001		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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			09/13/2001	_____	09/13/2001	09/20/2001	

FE Sent For:

↳ none needed

<END>

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Pre Topic:

Please e-mail the /1  
to Kathy Annen (Leg. Council)

No specific pre topic given

Topic:

Please send the /1  
via page to Bruce Munson  
@ Revisor's office.

Revisor's Correction Bill

Instructions:

See Attached

Thanks,  
CmH

**Drafting History:**

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/P3					lrb_docadmin 09/12/2001		

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

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lrb\_docadmin  
09/12/2001

FE Sent For:

9/13  
Self  
9/13  
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/P2			rschluet 08/31/2001	_____	lrb_pa		

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Alt. Drafters:

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Extra Copies:

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/P1		1028/30/01 hml	martykr 11/22/2000		lrb_docadmin 11/22/2000		

FE Sent For:

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8-31-1

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May Contact:

Alt. Drafters:

Subject: **State Government - miscellaneous**

Extra Copies: *Heather  
Cathlene*

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**Instructions:**

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1?	dykmapj	11/13/00 hnh (PI)	<i>[Signature]</i> 11/21	<i>RS</i> <i>[Signature]</i> 11/22			

FE Sent For:

<END>

*PA's - please submit  
one single-sided copy,  
plus the original rough  
~~copy~~ copy to the  
revisor's office.*

**Barman, Mike**

---

**From:** Hagen, Heather  
**Sent:** Wednesday, September 05, 2001 8:23 AM  
**To:** Hoesly, Bruce  
**Cc:** Barman, Mike  
**Subject:** RE: 0953

Hey there. All we have on our end for 0953 is the electronic /P1 and the marked up /P2.

I will copy Mike Barman on this so he can send the marked up copy over to your office, the new PAs might not have understood the instructions.

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

**From:** Hoesly, Bruce  
**Sent:** Tuesday, September 04, 2001 7:55 AM  
**To:** Hagen, Heather  
**Cc:** Munson, Bruce  
**Subject:** RE: 0953

We got a 0953/p2. We were under the impression it was back to your for a p3. We got back none of our marked up copy so we don't know what changes have or haven't been made. Can you double check to see if the p2 is the latest version and can you please send us all of the versions we have marked up. We will return when we are done. We always need to get our marked up previous versions back with each new version. Can you pass that on to whoever does the sending?

Thanks.

**Bruce Hoesly**

Bruce Hoesly  
Deputy Revisor of Statutes

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

**From:** Hagen, Heather  
**Sent:** Friday, August 31, 2001 12:26 PM  
**To:** Munson, Bruce  
**Cc:** Hoesly, Bruce  
**Subject:** 0953

Hi Bruce. 0953 was finished up yesterday and is in typing today.

Now the budget is over, I will start on any new bills that were put into the RSB to LRB cabinet since June.

What date is the LRC meeting scheduled for? If it's a couple of weeks out, we should be able to have a preliminary version of any new drafts through. Let me know.

\*\*\*\*\*

Heather Hagen  
Legislative Editor



1P3

TODAY

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Please retrieve from hold

LRS - please don't sort draft



don't send out

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).

**Analysis by the Legislative Reference Bureau**

This revisor's correction bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, serial commas are added throughout this bill. Also, "which" is replaced with "that" where grammatically correct.

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

6 SECTION 1. The treatment of 6.28 (1) of the statutes by 1999 Wisconsin Act 49  
7 is not repealed by 1999 Wisconsin Act 182. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 6.28 (1) reads:

- (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29 and 6.55
- (2), registration in person for any election shall close at 5 p.m. on the 2nd Wednesday

preceding the election. Registrations made by mail under s. 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later than the 2nd Wednesday preceding the election. An application for registration in person or by mail may be accepted for placement on the registration list after the specified deadline, if the municipal clerk determines that the registration list can be revised to incorporate the registration in time for the election. All applications for registration corrections and additions may be made throughout the year at the office of the city board of election commissioners, at the office of the municipal clerk, at the office of any register of deeds or at other locations provided by the board of election commissioners or the common council in cities over 500,000 population or by either or both the municipal clerk, or the common council, village or town board in all other municipalities and may also be made during the school year at any high school by qualified persons under sub. (2) (a). Other registration locations may include but are not limited to fire houses, police stations, public libraries, institutions of higher education, supermarkets, community centers, plants and factories, banks, savings and loan associations and savings banks. Special registration deputies shall be appointed for all locations. An elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality where the elector resides.

1           **SECTION 2.** The treatment of 6.45 (1m) of the statutes by 1999 Wisconsin Act 49,  
2 section 7, is not repealed by 1999 Wisconsin Act 182, section 85. Both treatments  
3 stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 6.45 (1m) reads:

(1m) The registration list and any supplemental lists which are prepared at polling places or other registration locations under s. 6.55, shall be open to public inspection. Under the regulations prescribed by the municipal clerk, any person may copy the registration list at the office of the clerk. A registration list maintained at a polling place may be examined by any person who is observing the proceedings under s. 7.41 when such use does not interfere with the conduct of the election. This subsection does not apply to information that is confidential under s. 6.47.

4           **SECTION 3.** The treatment of 6.79 (1) of the statutes by 1999 Wisconsin Act 49  
5 is not repealed by 1999 Wisconsin Act 182. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 6.79 (1) reads:

(1) MUNICIPALITIES WITHOUT REGISTRATION. Except as provided in sub. (6) (a), where there is no registration, before being permitted to vote, each person shall state his or her full name and address. The officials shall enter each name and address on a poll list in the same order as the votes are cast. If the residence of the elector does not have a number, the election officials shall, in the appropriate space, enter "none". Alternatively, the municipal clerk may maintain a poll list consisting of the full name and address of electors compiled from previous elections. Whenever an elector appears to vote, the officials shall verify the correctness of the elector's name and address, and shall enter a serial number next to the name of the elector in the order that the votes are cast, beginning with the number one. If the name and address of an elector do not appear on the prepared poll list, the officials shall enter the name, address and serial number of the elector at the bottom of the list. The officials may require any elector to provide identification, including acceptable proof of residence, or to have another elector corroborate his or her information in accordance with the procedure specified in s. 6.55 (2) (b) before permitting the elector

to vote. An elector who presents an identification card under sub. (6) (a) is not required to provide separate identification. The officials shall maintain a separate list of those persons voting under ss. 6.15 and 6.24.

1           **SECTION 4.** The treatment of 6.79 (2) of the statutes by 1999 Wisconsin Act 49  
2 is not repealed by 1999 Wisconsin Act 182. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 6.79 (2) reads:

(2) **MUNICIPALITIES WITH REGISTRATION.** Except as provided in sub. (6) (b), where there is registration, each person, before receiving a voting number, shall state his or her full name and address. Upon the prepared registration list, after the name of each elector, the officials shall enter the serial number of the vote as it is polled, beginning with number one. Each elector shall receive a slip bearing the same serial number. A separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or 6.55 (2) or (3) and electors who are reassigned from another polling place under s. 5.25 (5) (b). Each such elector shall have his or her full name, address and serial number likewise entered and shall be given a slip bearing such number.

3           **SECTION 5.** The treatment of 6.79 (5) of the statutes by 1999 Wisconsin Act 49  
4 is not repealed by 1999 Wisconsin Act 182. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 6.79 (5) reads:

(5) **POLL LIST FORMAT.** Poll lists shall be kept on forms or in an electronic format prescribed by the board to be substantially similar to the standard registration list forms used in municipalities where registration is required and shall require, for each person offering to vote, the entry of the person's full name and address, except as otherwise required under sub. (6) (a).

5           **SECTION 6.** The treatment of 6.87 (2) of the statutes by 1999 Wisconsin Act 49  
6 is not repealed by 1999 Wisconsin Act 182. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 6.87 (2) reads:

(2) Except as authorized under sub. (3) (d), the municipal clerk shall place the ballot in an unsealed envelope furnished by the clerk. The envelope shall have the name, official title and post-office address of the clerk upon its face. The other side of the envelope shall have a printed certificate in substantially the following form:

[STATE OF ....

County of ....]

or

[(name of foreign country and city or other jurisdictional unit)]

I, ....., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, that I am a resident of the [.... ward of the] (town) (village) of ....., or of the .... aldermanic district in the city of ....., residing at .... in said city, the county of ....., state of Wisconsin, and am entitled to vote in the (ward) (election district) at the election to be held on ....; that I am not voting at any other location in this election; that I am unable or unwilling to appear at the polling place in the (ward) (election district) on election day or have changed my residence within the state from one ward or election district to another

within 10 days before the election. An elector who provides an identification serial number issued under s. 6.47 (3) need not provide a street address. I certify that I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her) presence and in the presence of no other person marked the ballot and enclosed and sealed the same in this envelope in such a manner that no one but myself and any person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance, could know how I voted.

Signed ....

Identification serial number, if any: ....

The witness shall execute the following:

I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false statements, certify that the above statements are true and the voting procedure was executed as there stated. I am not a candidate for any office on the enclosed ballot (except in the case of an incumbent municipal clerk). I did not solicit or advise the elector to vote for or against any candidate or measure.

....(Name)

....(Address)

1 SECTION 7. The treatment of 6.88 (3) (a) of the statutes by 1999 Wisconsin Act  
2 49 is not repealed by 1999 Wisconsin Act 182. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 6.88 (3) (a) reads:

(a) Any time between the opening and closing of the polls on election day, the inspectors shall open the carrier envelope only, and announce the name of the absent elector or the identification serial number of the absent elector if the elector has a confidential listing under s. 6.47 (2). When the inspectors find that the certification has been properly executed, the applicant is a qualified elector of the ward or election district, and the applicant has not voted in the election, they shall enter an indication on the poll or registration list next to the applicant's name indicating an absentee ballot is cast by the elector. They shall then open the envelope containing the ballot in a manner so as not to deface or destroy the certification thereon. The inspectors shall take out the ballot without unfolding it or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been endorsed by the issuing clerk. The inspectors shall deposit the ballot into the proper ballot box and enter the absent elector's name or voting number after his or her name on the poll or registration list the same as if the elector had been present and voted in person.

3 SECTION 8. The treatment of 7.08 (1) (c) of the statutes by 1999 Wisconsin Act  
4 49 is not repealed by 1999 Wisconsin Act 182. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 7.08 (1) (c) reads:

(c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1), 6.40 (1) (b), 6.47 (1) (a) 2. and (3), 6.55 (2) and (3), 6.79 (5) and 6.86 (2) and (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

1 SECTION 9. 13.101 (13) (intro.) of the statutes is renumbered 13.101 (13) (a).

NOTE: Corrects transcription error. This provision was created as s. 13.101 (13) (a), by 1995 Wis. Act 27, but the (a) was inadvertently dropped.

2 SECTION 10. 13.94 (4) (a) 1. of the statutes, as affected by 1999 Wisconsin Acts  
3 65 and 167, is amended to read:

*Fixed In Budget ✓*

4 13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
5 credentialing board, commission, independent agency, council, or office in the  
6 executive branch of state government; all bodies created by the legislature in the  
7 legislative or judicial branch of state government; any public body corporate and  
8 politic created by the legislature including specifically a professional baseball park  
9 district, a local professional football stadium district, a local cultural arts district,  
10 and a family care district created under s. 46.2895; every Wisconsin works agency  
11 under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch.  
12 49; technical college district boards; development zones designated under s. 560.71;  
13 every county department under s. 51.42 or 51.437; every nonprofit corporation or  
14 cooperative to which moneys are specifically appropriated by state law; and every  
15 corporation, institution, association, or other organization ~~which~~ that receives more  
16 than 50% of its annual budget from appropriations made by state law, including  
17 subgrantee or subcontractor recipients of such funds.

NOTE: The stricken language was inserted by 1999 Wis. Act 167 without being shown as underscored. No change was intended.

18 SECTION 11. 14.64 (2) (a) of the statutes is amended to read:

19 14.64 (2) (a) Except as provided in s. ~~16.25~~ 16.255, establish and administer a  
20 college savings program that allows an individual, trust, legal guardian, or entity  
21 described under 26 USC 529 (e) (1) (C) to establish a college savings account to cover  
22 tuition, fees, and the costs of room and board, books, supplies, and equipment

1 required for the enrollment or attendance of a beneficiary at an eligible educational  
2 institution, as defined under 26 USC 529.

NOTE: Section 16.25, as created by 1999 Wis. Act 44, is renumbered to s. 16.255 by  
this bill.

3 **SECTION 12.** 15.107 (6) of the statutes is repealed.

NOTE: By its terms, this provision has no application after December 30, 2000.

4 **SECTION 13.** 16.25 of the statutes, as created by 1999 Wisconsin Act 44, is  
5 renumbered 16.255.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act  
105 also created a provision numbered s. 16.25.

6 **SECTION 14.** 16.70 (14) of the statutes, as affected by 1999 Wisconsin Acts 65  
7 and 167, is amended to read:

8 16.70 (14) "State" does not include a district created under subch. II, III or IV,  
9 or V of ch. 229.

NOTE: Reconciles the treatment of this provision by Acts 65 and 167.

10 **SECTION 15.** 16.75 (8) (a) 2. (intro.) and c. of the statutes are consolidated,  
11 renumbered 16.75 (8) (a) 2. and amended to read:

12 16.75 (8) (a) 2. Each agency and authority other than the University of  
13 Wisconsin Hospitals and Clinics Authority shall ensure that the average recycled or  
14 recovered content of all paper purchased by the agency or authority measured as a  
15 proportion, by weight, of the fiber content of paper products purchased in a fiscal  
16 year, is not less than the following: c. ~~By 1995-96, 40% of all purchased paper.~~

NOTE: With the next section of this bill, obsolete transition provisions are removed.

17 **SECTION 16.** 16.75 (8) (a) 2. a. and b. of the statutes are repealed.

NOTE: See the note to the previous section of this bill.

18 **SECTION 17.** 20.115 (1) (c) of the statutes is amended to read:

19 20.115 (1) (c) *Automobile repair regulation.* The amounts in the schedule for  
20 the enforcement of ch. ~~Ag ATCP~~ 132, Wis. adm. code Adm. Code.

NOTE: Inserts correct citation.

1 SECTION 18. 20.292 (1) (gt) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 2000.

2 SECTION 19. 23.09 (2dm) (b) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 2000.

3 SECTION 20. 23.09 (2p) (c) 1. of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 2000.

4 SECTION 21. 23.092 (5) (b) 1. of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 2000.

5 SECTION 22. 23.094 (4) (b) 1. of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 2000.

6 SECTION 23. The treatment of 25.50 (1) (d) of the statutes by 1999 Wisconsin Act  
7 65 is not repealed by 1999 Wisconsin Act 167. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 25.50 (1) (d) reads:

(d) "Local government" means any county, town, village, city, power district, sewerage district, drainage district, town sanitary district, public inland lake protection and rehabilitation district, local professional baseball park district created under subch. III of ch. 229, family care district under s. 46.2895, local professional football stadium district created under subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229, public library system, school district or technical college district in this state, any commission, committee, board or officer of any governmental subdivision of this state, any court of this state, other than the court of appeals or the supreme court, or any authority created under s. 231.02, 233.02 or 234.02.

8 SECTION 24. 29.867 (3g) of the statutes is amended to read:

9 29.867 (3g) <sup>B</sup> When the payment under sub. (3g) (3) has been made, the licensee  
10 shall become the owner of all game birds or animals of the species licensed and of all  
11 of their offspring actually produced and remaining on the licensed premises, subject  
12 to the jurisdiction of the department over all game.

NOTE: Inserts correct cross-reference.

13 SECTION 25. 30.277 (1m) (b) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 2000.

1           **SECTION 26.** 36.27 (1) (b) of the statutes, as created by 1999 Wisconsin Act 9,  
2 is renumbered 36.27 (1) (bm).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act 154 also created a provision numbered s. 36.27 (1) (b).

3           **SECTION 27.** 38.42 of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 2000.

4           **SECTION 28.** 40.02 (25) (b) 1m. of the statutes is amended to read:

5           40.02 (25) (b) 1m. Any teacher who is a participating employee and who is  
6 employed by the university for an expected duration of not less than 6 months on at  
7 least a one-third full-time employment basis.

NOTE: Replaces punctuation for internal consistency in accordance with current style.

8           **SECTION 29.** The treatment<sup>(5)</sup> of 40.51 (8) of the statutes by 1999 Wisconsin Acts  
9 95 and 115 <sup>are</sup> is not repealed by 1999 Wisconsin Act 155. All treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 40.58 (8) reads:

(8) Every health care coverage plan offered by the state under sub. (6) shall comply with ss. ~~631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8) and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to (5), 632.895 (5m) and (8) to (14) and 632.896.~~

10           **SECTION 30.** The treatment<sup>(5)</sup> of 40.58 (8m) of the statutes by 1999 Wisconsin Acts  
11 95 and 115 <sup>are</sup> is not repealed by 1999 Wisconsin Act 155. All treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 40.58 (8m) reads:

(8m) Every health care coverage plan offered by the group insurance board under sub. (7) shall comply with ss. ~~631.95, 632.746 (1) to (8) and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855 and 632.895 (11) to (14).~~

12           **SECTION 31.** 45.396 (7) (a) (intro.) of the statutes is amended to read:

13           45.396 (7) (a) (intro.) No veteran may receive a grant under this section if the  
14 department determines, after disregarding any payment described under s. 45.85,  
15 1997 stats. that the income of the veteran and his or her spouse exceeds \$500 for each  
16 dependent in excess of 2 dependents plus whichever of the following applies:

NOTE: Section 45.85 was repealed by 1999 Wis. Act 63.

1           **SECTION 32.** 45.397 (2) (a) of the statutes, as affected by 1999 Wisconsin Acts  
2 63 and 108, is amended to read:

3           45.397 (2) (a) The veteran is enrolled in a training course in a technical college  
4 under ch. 38 or in a proprietary school in the state approved by the educational  
5 approval board under s. 45.54 ~~39.51~~, other than a proprietary school offering a  
6 4-year degree ~~four-year degrees~~ or 4-year programs program, or is engaged in a  
7 structured on-the-job training program that meets program requirements  
8 promulgated by the department by rule.

The stricken "39.51" was inserted by 1999 Wis. Act 63, and "45.54" was inserted by 1999 Wis. Act 108. Section 39.51 was renumbered to s. 45.54 by 1999 Wis. Act 9. The stricken "four-year degrees" was inserted by 1999 Wis. Act 108, but rendered surplusage by the interaction of the treatment of this provision by Acts 63 and 108.

9           **SECTION 33.** The treatment of 48.363 (1) (b) of the statutes by 1999 Wisconsin  
10 Act 103, section 18, is not repealed by 1999 Wisconsin Act 149, section 21. Both  
11 treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 48.363 (1) (b) reads:

(b) If a hearing is held, the court shall notify the child, the child's parent, guardian and legal custodian, all parties bound by the dispositional order, the child's foster parent, treatment foster parent or other physical custodian described in s. 48.62 (2), the child's court-appointed special advocate, the district attorney or corporation counsel in the county in which the dispositional order was entered, and, if the child is the expectant mother of an unborn child under s. 48.133, the unborn child by the unborn child's guardian ad litem; or shall notify the adult expectant mother, the unborn child through the unborn child's guardian ad litem, all parties bound by the dispositional order and the district attorney or corporation counsel in the county in which the dispositional order was entered, at least 3 days prior to the hearing. A copy of the request or proposal shall be attached to the notice. If all parties consent, the court may proceed immediately with the hearing. No revision may extend the effective period of the original order.

12           **SECTION 34.** 48.48 (3) of the statutes is amended to read:

13           48.48 (3) To accept guardianship of children when appointed by the court, and  
14 to provide special treatment and or care when directed by the court. A court may not

1 direct the department to administer psychotropic medications to children who  
2 receive special treatment or care under this subsection.

NOTE: Conforms terminology to the remainder of ch. 48. "Special treatment or care"  
is a defined term.

3 SECTION 35. 48.48 (17) (a) 2. of the statutes is amended to read:

4 48.48 (17) (a) 2. Accept legal custody of children transferred to it by the court  
5 under s. 48.355, to accept supervision over expectant mothers of unborn children who  
6 are placed under its supervision under s. 48.355, and to provide special treatment  
7 and or care for children and expectant mothers if ordered by the court and if  
8 providing special treatment and or care is not the responsibility of the county  
9 department under s. 46.215, 51.42, or 51.437. A court may not order the department  
10 to administer psychotropic medications to children and expectant mothers who  
11 receive special treatment or care under this subdivision.

NOTE: Conforms terminology to the remainder of ch. 48. "Special treatment or care"  
is a defined term.

12 SECTION 36. ~~48.57 (1) (b)~~ of the statutes is amended to read:

13 48.57 (1) (b) To accept legal custody of children transferred to it by the court  
14 under s. 48.355, to accept supervision over expectant mothers of unborn children who  
15 are placed under its supervision under s. 48.355, and to provide special treatment  
16 and or care for children and expectant mothers if ordered by the court. A court may  
17 not order a county department to administer psychotropic medications to children  
18 and expectant mothers who receive special treatment or care under this paragraph.

NOTE: Conforms terminology to the remainder of ch. 48. "Special treatment or care"  
is a defined term.

19 SECTION 37. The treatment of 48.57 (3m) (a) 2. of the statutes by 1999 Wisconsin  
20 Act 133, section 2, is not repealed by 1999 Wisconsin Act 162, section 3. Both  
21 treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 48.57 (3m) (a) 2. reads:

2. "Kinship care relative" means a stepparent, brother, sister, stepbrother, stepsister, first cousin, nephew, niece, aunt, uncle or any person of a preceding generation as denoted by the prefix of grand, great or great-great, whether by blood, marriage or legal adoption, or the spouse of any person named in this paragraph, even if the marriage is terminated by death or divorce.

1           **SECTION 38.** The treatment of 48.57 (3n) (a) 2. of the statutes by 1999 Wisconsin  
2 Act 133, section 5, is not repealed by 1999 Wisconsin Act 162, section 4. Both  
3 treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 48.57 (3n) (a) 2. reads:

2. "Long-term kinship care relative" means a stepparent, brother, sister, stepbrother, stepsister, first cousin, nephew, niece, aunt, uncle or any person of a preceding generation as denoted by the prefix of grand, great or great-great, whether by blood, marriage or legal adoption, or the spouse of any person named in this paragraph, even if the marriage is terminated by death or divorce.

4           **SECTION 39.** 48.78 (2) (ag) of the statutes is amended to read:  
5           48.78 (2) (ag) Paragraph (a) does not prohibit an agency from making available  
6 for inspection or disclosing the contents of a record, upon the request of the parent,  
7 ~~guardian, or legal custodian of the child who is the subject of the record or upon the~~  
8 request of the child, if 14 years of age or over, to the parent, guardian, legal custodian,  
9 or child, unless the agency determines that inspection of these records the record by  
10 the child, parent, guardian, or legal custodian would result in imminent danger to  
11 anyone.

NOTE: Corrects sentence agreement.

12           **SECTION 40.** 48.78 (2) (aj) of the statutes is amended to read:  
13           48.78 (2) (aj) Paragraph (a) does not prohibit an agency from making available  
14 for inspection or disclosing the contents of a record, upon the request of a parent,  
15 guardian, or legal custodian of a child expectant mother of an unborn child who is  
16 the subject of the record, upon the request of an expectant mother of an unborn child  
17 who is the subject of the record, if 14 years of age or over, or upon the request of an

1 unborn child by the unborn child's guardian ad litem to the parent, guardian, legal  
2 custodian, expectant mother, or unborn child by the unborn child's guardian ad  
3 litem, unless the agency determines that inspection of ~~these records~~ the record by the  
4 parent, guardian, legal custodian, expectant mother, or unborn child by the unborn  
5 child's guardian ad litem would result in imminent danger to anyone.

NOTE: Corrects sentence agreement.

6 **SECTION 41.** 48.78 (2) (am) of the statutes is amended to read:

7 48.78 (2) (am) Paragraph (a) does not prohibit an agency from making  
8 available for inspection or disclosing the contents of a record, upon the written  
9 permission of the parent, guardian, or legal custodian of the child who is the subject  
10 of the record or upon the written permission of the child, if 14 years of age or over,  
11 to the person named in the permission if the parent, guardian, legal custodian, or  
12 child specifically identifies the record in the written permission, unless the agency  
13 determines that inspection of ~~these records~~ the record by the person named in the  
14 permission would result in imminent danger to anyone.

NOTE: Corrects sentence agreement.

15 **SECTION 42.** 48.78 (2) (ap) of the statutes is amended to read:

16 48.78 (2) (ap) Paragraph (a) does not prohibit an agency from making available  
17 for inspection or disclosing the contents of a record, upon the written permission of  
18 the parent, guardian, or legal custodian of a child expectant mother of an unborn  
19 child who is the subject of the record, or of an expectant mother of an unborn child  
20 who is the subject of the record, if 14 years of age or over, and of the unborn child by  
21 the unborn child's guardian ad litem, to the person named in the permission if the  
22 parent, guardian, legal custodian, or expectant mother, and unborn child by the  
23 unborn child's guardian ad litem, specifically identify the record in the written

1 permission, unless the agency determines that inspection of these records the record  
2 by the person named in the permission would result in imminent danger to anyone.

NOTE: Corrects sentence agreement.

3 **SECTION 43.** The treatment of 48.981 (2) of the statutes by 1999 Wisconsin Act  
4 56 is not repealed by 1999 Wisconsin Act 149. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 48.981 (2) reads:

(2) PERSONS REQUIRED TO REPORT. A physician, coroner, medical examiner, nurse, dentist, chiropractor, optometrist, acupuncturist, other medical or mental health professional, social worker, marriage and family therapist, professional counselor, public assistance worker, including a financial and employment planner, as defined in s. 49.141 (1) (d), school teacher, administrator or counselor, mediator under s. 767.11, child care worker in a day care center or child caring institution, day care provider, alcohol or other drug abuse counselor, member of the treatment staff employed by or working under contract with a county department under s. 46.23, 51.42 or 51.437, physical therapist, occupational therapist, dietitian, speech-language pathologist, audiologist, emergency medical technician, first responder or police or law enforcement officer having reasonable cause to suspect that a child seen in the course of professional duties has been abused or neglected or having reason to believe that a child seen in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur shall, except as provided under sub. (2m), report as provided in sub. (3). A court-appointed special advocate having reasonable cause to suspect that a child seen in the course of the court-appointed special advocate's activities under s. 48.236 (3) has been abused or neglected or having reason to believe that a child seen in the course of those activities has been threatened with abuse and neglect and that abuse or neglect of the child will occur shall, except as provided in sub. (2m), report as provided in sub. (3). Any other person, including an attorney, having reason to suspect that a child has been abused or neglected or reason to believe that a child has been threatened with abuse or neglect and that abuse or neglect of the child will occur may make such a report. Any person, including an attorney having reason to suspect that an unborn child has been abused or reason to believe that an unborn child is at substantial risk of abuse may report as provided in sub. (3). No person making a report under this subsection may be discharged from employment for so doing.

5 **SECTION 44.** 49.45 (6m) (i) 1. of the statutes is amended to read:

6 49.45 (6m) (i) 1. On or after October 1, 1981, medical assistance payment for  
7 inpatient nursing care may only be provided for persons receiving skilled,  
8 intermediate, or limited levels of nursing care as these levels are defined under s.

9 HSS HFS 132.13, Wis. adm. code Adm. Code.

NOTE: Inserts correct citation.

1           **SECTION 45.** 51.20 (9) (a) 1. of the statutes, as affected by 1999 Wisconsin Act  
2 83, section 111, and 1999 Wisconsin Act 162, section 5, is amended to read:

3           51.20 (9) (a) 1. If the court finds after the hearing that there is probable cause  
4 to believe the allegations under sub. (1), it shall appoint 2 licensed physicians  
5 specializing in psychiatry, or one licensed physician and one licensed psychologist,  
6 or 2 licensed physicians one of whom shall have specialized training in psychiatry,  
7 if available, or 2 physicians, to personally examine the subject individual. The  
8 examiners shall have the specialized knowledge determined by the court to be  
9 appropriate to the needs of the subject individual. The examiners may not be related  
10 to the subject individual by blood ~~or~~ marriage, or adoption and may not have any  
11 interest in his or her property.

NOTE: Reconciles the treatment of this provision by 1999 Wis. Acts 83 and 162. Act 83 divided s. 51.20 (9) (a) into subdivisions 1. to 5. and moved the last sentence of s. 51.20 (9) (a) 1. from what is now s. 51.20 (9) (a) 3. Act 162 amended s. 51.20 (9) (a) as it existed prior to 1999 Act 83, amending the last sentence of subd. 1. in its previous location. This bill section applies the Act 162 treatment to that sentence as it exists after Act 83. See also the next section of this bill.

12           **SECTION 46.** 51.20 (9) (a) 3. of the statutes, as affected by 1999 Wisconsin Act  
13 83, section 111, and 1999 Wisconsin Act 162, section 5, is amended to read:

14           51.20 (9) (a) 3. If requested by the subject individual, the individual's attorney,  
15 or any other interested party with court permission, the individual has a right at his  
16 or her own expense or, if indigent and with approval of the court hearing the petition,  
17 at the reasonable expense of the individual's county of legal residence, to secure an  
18 additional medical or psychological examination and to offer the evaluator's personal  
19 testimony as evidence at the hearing. ~~, or adoption~~

NOTE: Reconciles the treatment of this provision by 1999 Wis. Acts 83 and 162. See the note to the previous section of this bill.

1           **SECTION 47.** 51.30 (4) (b) 25. of the statutes, as created by 1999 Wisconsin Act  
2 109, is renumbered 51.30 (4) (b) 26.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act  
78 also created a provision numbered s. 51.30 (4) (b) 25.

3           **SECTION 48.** 51.42 (3) (d) of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 1, 2000.

4           **SECTION 49.** 66.1103 (2) (k) 22. of the statutes is repealed.

NOTE: By its terms, this provision has no application after May 1, 2000.

5           **SECTION 50.** 70.11 (36) (a) (title) of the statutes, as affected by 1999 Wisconsin  
6 Act 167, is renumbered 70.11 (36) (title).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act  
167 renumbered s. 70.11 (36) (title) to 70.11 (36) (a) (title), leaving sub. (36) without a title.  
The change was unintended.

7           **SECTION 51.** The treatment of 71.26 (1) (bm) of the statutes, as affected by 1999  
8 Wisconsin Acts 65 and 167, is amended to read:

9 ~~71.26 (1) (bm) *Certain local districts.* Income of a local exposition district~~  
10 ~~created under subch. II of ch. 229, a local professional baseball park district created~~  
11 ~~under subch. III of ch. 229 or, a local professional football stadium district created~~  
12 ~~under subch. IV of ch. 229, or a local cultural arts district created under subch. V of~~  
13 ~~ch. 229.~~

NOTE: Reconciles the treatment of this provision by Acts 65 and 167.

14           **SECTION 52.** 71.26 (1m) (g) of the statutes, as affected by 1999 Wisconsin Acts  
15 65 and 167, is amended to read:

16           **71.26 (1m) (g)** Those issued under s. ~~66.066~~ 66.0621 by a local professional  
17 ~~baseball park district or, a local professional football stadium district, or a local~~  
18 ~~cultural arts district.~~

NOTE: Reconciles the treatment of this provision by Acts 65 and 167.

1           **SECTION 53.** 71.36 (1m) of the statutes, as affected by 1999 Wisconsin Act 65,  
2 1999 Wisconsin Act 150, section 672, and 1999 Wisconsin Act 167, is amended to  
3 read:

4           **71.36 (1m)** A tax-option corporation may deduct from its net income all  
5 amounts included in the Wisconsin adjusted gross income of its shareholders, the  
6 capital gain deduction under s. 71.05 (6) (b) 9. and all amounts not taxable to  
7 nonresident shareholders under ss. 71.04 (1) and (4) to (9) and 71.362. For purposes  
8 of this subsection, interest on federal obligations, obligations issued under s. 66.0621  
9 by a local professional baseball park district or, a local professional football stadium  
10 district, or a local cultural arts district, obligations issued under ss. 66.1201, 66.1333,  
11 and 66.1335, obligations issued under s. 234.65 to fund an economic development  
12 loan to finance construction, renovation or development of property that would be  
13 exempt under s. 70.11 (36) and obligations issued under subch. II of ch. 229 is not  
14 included in shareholders' income. The proportionate share of the net loss of a  
15 ~~tax-option corporation~~ shall be attributed and made available to shareholders on a  
16 Wisconsin basis but subject to the limitation and carry-over rules as prescribed by  
17 section 1366 (d) of the ~~internal revenue code~~ Internal Revenue Code. Net operating  
18 losses of the corporation to the extent attributed or made available to a shareholder  
19 may not be used by the corporation for further tax benefit. For purposes of computing  
20 the Wisconsin adjusted gross income of shareholders, tax-option items shall be  
21 reported by the shareholders and those tax-option items, including capital gains and  
22 losses, shall retain the character they would have if attributed to the corporation,  
23 including their character as business income. In computing the tax liability of a  
24 shareholder, no credit against gross tax that would be available to the tax-option  
25 corporation if it were a nontax-option corporation may be claimed.

NOTE: Reconciles the treatment of this provision by Acts 65 and 167.

1 SECTION 54. 71.45 (1t) (g) of the statutes, as affected by 1999 Wisconsin Act 65,  
2 150, section 672, and 167, is amended to read:

3 71.45 (1t) (g) Those issued under s. 66.0621 by a local professional baseball  
4 park district or a local professional football stadium district, or a local cultural arts  
5 district.

NOTE: Reconciles the treatment of this provision by Acts 65 and 167.

6 SECTION 55. The treatment of 74.53 (1) (b) of the statutes by 1999 Wisconsin Act  
7 68 is not repealed by 1999 Wisconsin Act 150. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 74.53 (1) (b) reads:

(b) The cost of razing and removing property and restoring the site to a dust-free and erosion-free condition incurred under s. 66.0413 (1) (br) 2., (f), (g) or (i), (2) (d) or (4) or of filling an excavation incurred under s. 66.0427 if the person owned the property when the property was razed and removed and the site restored or the excavation was filled, or if the person owned the property while the order to raze the property was recorded in the register of deeds office.

8 SECTION 56. 77.64 of the statutes is repealed.

NOTE: By its terms, this provision has no application after December 31, 2000.

9 SECTION 57. 80.13 (1m) (b) 1. of the statutes is amended to read:  
10 80.13 (1m) (b) 1. The the owner or lessee is the owner of a private way or road,  
11 whose width shall be stated in the affidavit, that leads from the described real estate  
12 to a public highway but the way or road is too narrow to afford the owner or lessee  
13 reasonable access from the described real estate to the public highway; and

NOTE: Corrects punctuation error in 1999 Wis. Act 97, section 18. The correct punctuation is shown in the published statutes.

14 SECTION 58. 80.13 (3) (a) of the statutes is amended to read:

15 80.13 (3) (a) The town board shall meet at the time and place stated in the notice  
16 given under sub. (1) and shall in their discretion lay out a highway of not less than  
17 33 feet nor more than 49.5 feet in width from the public highway to the real estate

B

1 described in the affidavit under sub. ~~(1)~~ (1m) (a) or (b) either by either laying out a  
2 new highway across the surrounding land or by adding enough land to the width of  
3 the existing way or road described in the affidavit under sub. ~~(1)~~ (1m) (b) to make it  
4 not less than 33 feet nor more than 49.5 feet in width.

NOTE: Inserts correct cross-reference. There is no s. 80.13 (a) or (b). Section 80.13 (1m) relates to affidavits. Corrects sentence for parallel structure.

5 SECTION 59. 85.20 (4s) of the statutes is amended to read:

6 85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed  
7 between the department and eligible applicants under this section shall provide that  
8 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the  
9 state's fiscal year shall be provided from the following fiscal year's appropriation  
10 under s. 20.395 (1) ~~(hq)~~, (hr), (hs), (ht), or (hu).

NOTE: Section 20.395 (1) (hq) was repealed by 1999 Wis. Act 185.

11 SECTION 60. The treatment of 101.9204 (1) (g) of the statutes by 1999 Wisconsin  
12 Act 53 is not repealed by 1999 Wisconsin Act 185. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 101.9204 (1) (g) reads:

(g) If the manufactured home is a used manufactured home that was last previously titled in another jurisdiction, the applicant shall furnish any certificate of ownership issued by the other jurisdiction and a statement, in the form prescribed by the the department, pertaining to the title history and ownership of the manufactured home.

13 SECTION 61. 101.9219 (3) (a) of the statutes is amended to read:

14 101.9219 (3) (a) The applicant is a manufactured home dealer licensed under  
15 s. 101.951 and is financially responsible as substantiated by the last financial  
16 statement on file with the department, a finance company licensed under ~~s.~~ <sup>ss.</sup> 138.09  
17 or ~~218.01~~ <sup>ss.</sup> 218.0101 to 218.0163, a bank organized under the laws of this state, or  
18 a national bank located in this state.

NOTE: Inserts correct cross-reference.

Strike

*treatment -19-*

*Stet. please leave in but make green changes*

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SECTION 62. 111.93 (3) of the statutes, as affected by ~~1999 Wisconsin Acts 101 and 125~~ *2001 Wisconsin Act 16* is amended to read:

111.93 (3) Except as provided in ss. ~~40.05, 40.80 (3), 111.91 (1) (cm), 230.35 (2d), 230.35 and (3) (e) 6., and 230.88 (2) (b),~~ *7.33(4) - plain text* if a collective bargaining agreement exists between the employer and a labor organization representing employees in a collective bargaining unit, the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, as well as rules and policies of the board of regents of the University of Wisconsin System, related to wages, fringe benefits, hours, and conditions of employment whether or not the matters contained in those statutes, rules, and policies are set forth in the collective bargaining agreement.

NOTE: ~~Reconciles the treatment of this provision by 1999 Wis. Acts 101 and 125.~~ *fixes a cross-reference error.*

SECTION 63. The treatment of 118.33 (1) (f) 1. of the statutes by 1999 Wisconsin Act 84 is not repealed by 1999 Wisconsin Act 185. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 118.33 (1) (f) 1. reads:

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

SECTION 64. The treatment of 120.06 (6) (b) 1. of the statutes by 1999 Wisconsin Act 83, section 193, is not repealed by 1999 Wisconsin Act 182, section 216. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 120.06 (6) (b) 1. reads:

1. No later than the 4th Tuesday in November prior to the spring election, the school district clerk shall publish a type A notice of the school district election under s. 10.01 (2) (a).

SECTION 65. 120.13 (1) (b) 2m. of the statutes is amended to read:

1 120.13 (1) (b) 2m. In subdivision 2. c. and d., conduct that endangers a person  
2 or property includes making a threat to the health or safety of a person or making  
3 a threat to damage a property.

NOTE: The stricken language was inserted by 1999 Wis. Act 83 without being shown as underscored. The change was not intended.

4 SECTION 66. 120.13 (37) of the statutes is amended to read:

5 120.13 (37) AWARDING HIGH SCHOOL DIPLOMAS TO VETERANS. Notwithstanding s.  
6 118.33 (1), award a high school diploma to a person who is at least 65 years old,  
7 attended high school in the school district, left high school before receiving a high  
8 school diploma to join the U.S. armed forces during a war period under s. 45.35 (5)  
9 (e), and served on active duty under honorable conditions in the U.S. armed forces  
10 or in forces incorporated as part of the U.S. armed forces. A school board may award  
11 a high school diploma to a person who received a high school equivalency diploma  
12 under s. 115.29 (4) after serving on active duty if the person meets the other  
13 conditions of this paragraph subsection.

NOTE: Inserts correct cross-reference.

125.33 (2) (L) 1.)  
← as affected by  
2001 Wis Act  
16)

14 SECTION 67. 125.33 (2) (L) of the statutes is amended to read:

15 125.33 (2) (L) (1.) Purchase advertising for a fair consideration from a bona fide  
16 national or statewide trade association which that derives its principle principal  
17 income from membership dues of Class "B" licensees.

NOTE: Corrects spelling and grammar.

18 SECTION 68. 125.33 (2s) of the statutes is amended to read:

19 125.33 (2s) EXCEPTION FOR RETAIL TRADE ASSOCIATION CONTRIBUTIONS.  
20 Notwithstanding the prohibitions in sub. (1), a brewer that produces 350,000 or more  
21 barrels of fermented malt beverages annually may contribute money or other things

1 of value to a bona fide national or statewide trade association ~~which that~~ derives its  
2 ~~principle~~ principal income from membership dues of Class "B" licensees.

NOTE: Corrects spelling and grammar.

3 **SECTION 69.** The treatment of 146.34 (1) (j) of the statutes by 1999 Wisconsin  
4 Act 32 is not repealed by 1999 Wisconsin Act 162. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 146.34 (1) (j)  
reads:

(j) "Relative" means a parent, grandparent, stepparent, brother, sister, first cousin,  
nephew or niece; or uncle or aunt within the 3rd degree of kinship as computed under s.  
990.001 (16). This relationship may be by blood, marriage or adoption.

5 **SECTION 70.** 146.36 of the statutes is repealed.

NOTE: By its terms, this provision has no application after December 30, 2000.

6 **SECTION 71.** The treatment of 146.81 (4) of the statutes by 1999 Wisconsin Act  
7 151 is not repealed by 1999 Wisconsin Act 188. Both treatments stand. (?)

NOTE: There is no conflict of substance. As merged by the Revisor, s. 146.81 (4)  
reads:

(4) "Patient health care records" means all records related to the health of a patient  
prepared by or under the supervision of a health care provider, including the records  
required under s. 146.82 (2) (d) and (3) (c), but not those records subject to s. 51.30, reports  
collected under s. 69.186, records of tests administered under s. 252.15 (2) (a) 7., 343.305,  
938.296 (4) or (5) or 968.38 (4) or (5), fetal monitor tracings, as defined under s. 146.817  
(1), or a pupil's physical health records maintained by a school under s. 118.125. "Patient  
health care records" also includes health summary forms prepared under s. 302.388 (2).

8 **SECTION 72.** 146.82 (2) (a) 20. of the statutes, as created by 1999 Wisconsin Act  
9 151, is renumbered 146.82 (2) (a) 21.

NOTE: Confirms renumbering by the revisor under 13.93 (1) (b). 1999 Wis. Act 78  
also created a provision numbered s. 146.82 (2) (a) 20.

10 **SECTION 73.** 146.997 (4) (a) of the statutes is amended to read:

11 146.997 (4) (a) Subject to par. (b), any employee of a health care facility or  
12 health care provider who is subjected to disciplinary action, or who is threatened  
13 with disciplinary action, in violation of sub. (3) may file a complaint with the  
14 department under s. ~~106.06~~ 106.54 (6). If the department finds that a violation of

1 sub. (3) has been committed, the department may take such action under s. 111.39  
2 as will effectuate the purpose of this section.

NOTE: Inserts correct cross-reference. Section 106.06 was renumbered to s. 106.54  
by 1999 Wis. Act 82.

3 SECTION 74. 149.10 (3j) (a) of the statutes is amended to read:

4 149.10 (3j) (a) An employee welfare plan, as defined in section 3 (1) of the  
5 federal Employee Retirement Income Security Act of 1974, to the extent that the  
6 employee welfare plan provides medical care, including items and services paid for  
7 as medical care, to employees or to their dependents, as defined under the terms of  
8 the employee welfare plan, directly or through insurance, reimbursement, or  
9 otherwise.

NOTE: Corrects title to federal act.

10 SECTION 75. 178.30 (1) (b) (intro.) of the statutes is amended to read:

11 178.30 (1) (b) (intro.) By any transaction ~~which~~ that would bind the  
12 partnership if dissolution had not taken place, provided the other party to the  
13 transaction;

NOTE: Inserts missing colon. The correction is reflected in the printed statutes.

14 SECTION 76. 192.32 (1) (b) of the statutes is amended to read:

15 192.32 (1) (b) To prevent any person from driving across any railroad from one  
16 part of that person's land to another part thereof, ~~or~~.

NOTE: The stricken ", or" was shown as underscored in 1997 Wis. Act 254. It was  
preexisting text that was intended to be deleted and should have been shown as stricken.

17 SECTION 77. 196.025 (4) (a) 2. of the statutes is amended to read:

18 196.025 (4) (a) 2. Employ technologicis such as combined heat and power  
19 systems, fuel cells, microturbines, ~~or photovoltaic~~ photovoltaic systems that may  
20 be situated in, on, or next to buildings or other electric load centers.

NOTE: Corrects spelling. The correct spelling is reflected in the published statutes.

1           **SECTION 78.** 218.0145 (1) (intro.) of the statutes is amended to read:

2           218.0145 (1) (intro.) No manufacturer, wholesaler, or distributor, and no officer,  
3 agent, or representative of a manufacturer, wholesaler, or distributor, shall induce  
4 or coerce, or attempt to induce or coerce, any retail motor vehicle dealer or  
5 prospective retail motor vehicle dealer in this state to sell, assign, or transfer any  
6 retail instalment sales contract, obtained by the dealer in connection with the sale  
7 by the dealer in this state of motor vehicles manufactured or sold by the  
8 manufacturer, wholesaler, or distributor, to a specified sales finance company or  
9 class of sales finance companies, or to any other specified person, by any of the  
10 following acts or means:

NOTE: Inserts comma to correct grammar.

11           **SECTION 79.** 218.0161 of the statutes, as affected by 1999 Wisconsin Act 31,  
12 section 281, and 1999 Wisconsin Act 138, section 2, is amended to read:

13           **218.0161 Penalties.** Except for s. 218.0116 (1) (a), (b), (cm), (d), (f), (fm), (g),  
14 (jm), (m), (o), and (om), and except for violations for s. 218.0114 (1), ~~218.0117 (3)~~,  
15 218.0119, or 218.0147, any person violating ss. 218.0101 to 218.0163 may be required  
16 to forfeit not less than \$25 nor more than \$500 for each violation.

NOTE: 1999 Wis. Act 138 repealed s. 218.01 (3a), which was renumbered to s. 218.0117 by 1999 Wis. Act 31. Act 138 struck the cross reference to s. 218.01 (3a) in this s. 218.01 (3a) (c), but that was replaced by the cross-reference to s. 218.0117 (3) by Act 31. The cross-reference to s. 218.0117 (3) is stricken to effectuate the change made by Act 138.

17           **SECTION 80.** 218.11 (7) (a) of the statutes is amended to read:

18           218.11 (7) (a) The department may without notice deny the application for a  
19 license within 60 days after receipt thereof by written notice to the applicant, stating  
20 the grounds for such denial. Within 30 days after such notice, the applicant may  
21 petition the division of hearings and appeals, as defined in s. ~~218.01 (1) (gm)~~ 218.0101

1 (9), to conduct a hearing to review the denial, and a hearing shall be scheduled with  
2 reasonable promptness. This paragraph does not apply to denials of applications for  
3 licenses under sub. (6m).

NOTE: Inserts correct cross-reference. Section 218.01 (1) (gm) was renumbered to  
s. 218.0101 (9) by 1999 Wis. Act 31.

4 SECTION 81. The treatment of 227.01 (13) (t) of the statutes by 1999 Wisconsin  
5 Act 70 is not repealed by 1999 Wisconsin Act 167. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 227.01 (13)  
(t) reads:

(t) Ascertains and determines prevailing wage rates under ss. 66.0903, 103.49,  
103.50 and 229.8275, except that any action or inaction which ascertains and determines  
prevailing wage rates under ss. 66.0903, 103.49, 103.50 and 229.8275 is subject to judicial  
review under s. 227.40.

6 SECTION 82. 227.53 (1) (a) 3. of the statutes is amended to read:

7 227.53 (1) (a) 3. If the petitioner is a resident, the proceedings shall be held in  
8 the circuit court for the county where the petitioner resides, except that if the  
9 petitioner is an agency, the proceedings shall be in the circuit court for the county  
10 ~~where the respondent resides and except as provided in ss. 73.0301 (2) (b) 2., 77.59~~  
11 (6) (b), 182.70 (6), and 182.71 (5) (g). The proceedings shall be in the circuit court for  
12 Dane County if the petitioner is a nonresident. If all parties stipulate and the court  
13 to which the parties desire to transfer the proceedings agrees, the proceedings may  
14 be held in the county designated by the parties. If 2 or more petitions for review of  
15 the same decision are filed in different counties, the circuit judge for the county in  
16 which a petition for review of the decision was first filed shall determine the venue  
17 for judicial review of the decision, and shall order transfer or consolidation where  
18 appropriate.

NOTE: Adds a provision that falls within the listed exception. Section 73.0301 (2)  
(b) 2. provides for "judicial review under ss. 227.52 to 227.60, except that the review shall  
be in the circuit court for Dane County."

19 SECTION 83. 229.821 (1) of the statutes is amended to read:

1           229.821 (1) "Bond" means any bond, note, or other obligation issued under s.  
2   ~~66.066~~ 66.0621 by a district.

NOTE: Inserts correct cross-reference. Section 66.066 was renumbered to s.  
66.0621 by 1999 Wis. Act 150.

3           **SECTION 84.** 229.824 (5) of the statutes is amended to read:

4           229.824 (5) Employ personnel, and fix and regulate their compensation; and  
5 provide, either directly or subject to an agreement under s. ~~66.30~~ 66.0301 as a  
6 participant in a benefit plan of another governmental entity, any employee benefits,  
7 including an employee pension plan.

NOTE: Inserts correct cross-reference. Section 66.30 was renumbered to s. 66.0301  
by 1999 Wis. Act 150.

8           **SECTION 85.** 229.824 (6) of the statutes is amended to read:

9           229.824 (6) Purchase insurance, establish and administer a plan of  
10 self-insurance or, subject to an agreement with another governmental entity under  
11 s. ~~66.30~~ 66.0301, participate in a governmental plan of insurance or self-insurance.

NOTE: Inserts correct cross-reference. Section 66.30 was renumbered to s. 66.0301  
by 1999 Wis. Act 150.

12          **SECTION 86.** 229.824 (8) of the statutes is amended to read:

13          229.824 (8) Subject to s. 229.8245, issue revenue bonds under s. ~~66.066~~  
14 66.0621, subject to ss. 229.829 to 229.834, and enter into agreements related to the  
15 issuance of bonds, including liquidity and credit facilities, remarketing agreements,  
16 insurance policies, guaranty agreements, letter of credit or reimbursement  
17 agreements, indexing agreements, interest exchange agreements, and currency  
18 exchange agreements.

NOTE: Inserts correct cross-reference. Section 66.066 was renumbered to s.  
66.0621 by 1999 Wis. Act 150.

19          **SECTION 87.** 229.8275 (1) of the statutes, as created by 1999 Wisconsin Act 167,  
20 is amended to read:

1           229.8275 (1) Not to permit any employee working on the football stadium  
2 facilities who would be entitled to receive the prevailing wage rate under s. ~~66.293~~  
3 66.0903 and who would not be required or permitted to work more than the  
4 prevailing hours of labor, if the football stadium facilities were a project of public  
5 works subject to s. ~~66.293~~ 66.0903, to be paid less than the prevailing wage rate or  
6 to be required or permitted to work more than the prevailing hours of labor, except  
7 as permitted under s. ~~66.293~~ 66.0903 (4) (a).

NOTE: Inserts correct cross-reference. Section 66.293 was renumbered to s.  
66.0903 by 1999 Wis. Act 150.

8           **SECTION 88.** 229.8275 (2) of the statutes is amended to read:

9           229.8275 (2) To require any contractor, subcontractor, or agent thereof  
10 performing work on the football stadium facilities to keep and permit inspection of  
11 records in the same manner as a contractor, subcontractor, or agent thereof  
12 performing work on a project of public works that is subject to s. ~~66.293~~ 66.0903 is  
13 required to keep and permit inspection of records under s. ~~66.293~~ 66.0903 (10).

NOTE: Inserts correct cross-reference. Section 66.293 was renumbered to s.  
66.0903 by 1999 Wis. Act 150.

14           **SECTION 89.** 229.8275 (3) of the statutes is amended to read:

15           229.8275 (3) Otherwise to comply with s. ~~66.293~~ 66.0903 in the same manner  
16 as a local governmental unit contracting for the erection, construction, remodeling,  
17 repairing, or demolition of a project of public works is required to comply with s.  
18 ~~66.293~~ 66.0903 and to require any contractor, subcontractor, or agent thereof  
19 performing work on the football stadium facilities to comply with s. ~~66.293~~ 66.0903  
20 in the same manner as a contractor, subcontractor, or agent thereof performing work  
21 on a project of public works that is subject to s. ~~66.293~~ 66.0903 is required to comply  
22 with s. ~~66.293~~ 66.0903.

NOTE: Inserts correct cross-reference. Section 66.293 was renumbered to s. 66.0903 by 1999 Wis. Act 150. Adds serial commas consistent with current style.

1           **SECTION 90.** 229.830 (1) (intro.) of the statutes is amended to read:

2           229.830 (1) DESIGNATION OF SPECIAL DEBT SERVICE RESERVE FUNDS. (intro.) A  
3           district may designate one or more accounts in funds created under s. ~~66.066 (2)~~  
4           66.0621 (4) (e) as special debt service reserve funds, if, prior to each issuance of bonds  
5           to be secured by each special debt service reserve fund, the secretary of  
6           administration determines that all of the following conditions are met with respect  
7           to the bonds:

NOTE: Inserts correct cross-reference. Section 66.066 (2) was renumbered to s. 66.0621 (4) by 1999 Wis. Act 150.

8           **SECTION 91.** 230.45 (1) (L) of the statutes is amended to read:

9           230.45 (1) (L) Receive complaints under s. 146.997 (4) ~~(a)~~ (b) of disciplinary  
10          action taken in violation of s. 146.997 (3) and, except as provided in sub. (1m), process  
11          the complaints in the same manner that employment discrimination complaints are  
12          processed under s. 111.39.

NOTE: Inserts correct cross-reference. The personnel commission receives complaints under s. 146.997 (4) (b).

13          ~~**SECTION 92.** 231.03 (6) (e) of the statutes is repealed.~~

NOTE: By its terms, this provision has no application after May 1, 2000.

14          **SECTION 93.** 231.03 (6) (f) of the statutes is repealed.

NOTE: By its terms, this provision has no application after May 1, 2000.

15          **SECTION 94.** The treatment of 242.01 (11) of the statutes by 1999 Wisconsin Act  
16          32 is not repealed by 1999 Wisconsin Act 162. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 242.01 (11) reads:

(11) "Relative" means an individual related by blood within the 3rd degree of kinship as computed under s. 990.001 (16), a spouse or an individual related to a spouse within the 3rd degree as so computed, and includes an individual in an adoptive relationship within the 3rd degree.

1 SECTION 95. The treatment of 243.10 (1) (form) of the statutes by 1999  
2 Wisconsin Act 162 is not repealed by 1999 Wisconsin Act 185. Both treatments stand.

NOTE: There is no conflict of substance.

3 SECTION 96. The treatment of 252.15 (1) (eg) of the statutes by 1999 Wisconsin  
4 Acts 32 is not repealed by 1999 Wisconsin Act 162. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 252.15 (1) (eg) reads:

(eg) "Relative" means a spouse, parent, grandparent, stepparent, brother, sister, first cousin, nephew or niece; or uncle or aunt within the 3rd degree of kinship as computed under s. 990.001 (16). This relationship may be by blood, marriage or adoption.

5 SECTION 97. 252.16 (1) (ar) of the statutes is amended to read:

6 252.16 (1) (ar) "~~Dependent~~" ~~has the meaning given in s. 635.02 (3c)~~ means a  
7 spouse, an unmarried child under the age of 19 years, an unmarried child who is a  
8 full-time student under the age of 21 years and who is financially dependent upon  
9 the parent, or an unmarried child of any age who is medically certified as disabled  
10 and who is dependent upon the parent.

NOTE: Section 635.02 (3c) was repealed by 1997 Wis. Act 27. The definition from 635.02 (3c), 1995 stats., replaces the obsolete cross-reference.

11 SECTION 98. 253.12 (2) (d) of the statutes is amended to read:

12 253.12 (2) (d) The department may not require a person specified under par.  
13 (a) 1. ~~to 3.~~ or 2. to report the name of an infant or child for whom a report is made  
14 under par. (a) if the parent or guardian of the infant or child refuses to consent in  
15 writing to the release of the name or address of the infant or child.

NOTE: There is no s. 253.12 (2) (a) 3.

16 SECTION 99. 281.37 (5) of the statutes, as ~~re~~<sup>affected</sup> numbered by 2001 Wis. Act 6, is  
17 amended to read:

18 281.37 (5) REPORT TO LEGISLATURE. No later than January 31, 2003, and no  
19 later than January 31 of each subsequent odd-numbered year, the department shall

1 submit to the legislature under s. 13.172 (2) a report that provides an analysis of the  
2 impact of the implementation of this section on wetland resources and on the  
3 issuance of permits or other approvals under ss. 59.692, 61.351, 62.231, 87.30, 281.11  
4 to 281.47 or 281.49 to 281.85 or ch. 30, 31, 283, 289, 291, 292, 293, 295, or 299.

NOTE: Inserts commas.

5 **SECTION 100.** 287.31 (4) (d) of the statutes is repealed.

NOTE: By its terms, this provision has no application after December 31, 2000.

6 **SECTION 101.** The treatment of 289.33 (3) (d) of the statutes by 1999 Wisconsin  
7 Act 83 is not repealed by 1999 Wisconsin Act 150. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 289.33 (3) (d) reads:

(d) "Local approval" includes any requirement for a permit, license, authorization, approval, variance or exception or any restriction, condition of approval or other restriction, regulation, requirement or prohibition imposed by a charter ordinance, general ordinance, zoning ordinance, resolution or regulation by a town, city, village, county or special purpose district, including without limitation because of enumeration any ordinance, resolution or regulation adopted under s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), (10) and (11), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34, 61.35, 61.351, 61.354, 62.11, 62.23, 62.231, 62.234, 66.0101, 66.0415, 87.30, 91.73, 196.58, 200.11 (8), 236.45, 281.43 or 349.16 or subch. VIII of ch. 60.

8 ~~**SECTION 102.** The treatment of 301.45 (2) (e) 5. of the statutes by 1999~~  
9 ~~Wisconsin Act 89 is not repealed by 1999 Wisconsin Act 156. Both treatments stand.~~

NOTE: There is no conflict of substance. As merged by the Revisor, s. 301.45 (2) (e) 5. reads:

5. If subd. 1., 1m., 2., 2m., 2t., 3. or 4. does not apply, within 10 days after the person is sentenced or receives a disposition.

10 **SECTION 103.** 301.45 (4) (intro.) of the statutes is amended to read:

1           301.45 (4) UPDATED INFORMATION. (intro.) In addition to the requirements  
2 under sub. (3), a person who is covered under sub. ~~(1)~~ (1g) shall update information  
3 under sub. (2) (a) as follows:

NOTE: Inserts correct cross-reference. Section 301.45 (1) was renumbered to s.  
301.45 (1g) by 1999 Wis. Act 89.

4           **SECTION 104.** 301.45 (4r) of the statutes is amended to read:

5           301.45 (4r) RESTRICTION ON CERTAIN REGISTRANTS ESTABLISHING OR CHANGING  
6 RESIDENCE. No person covered under sub. ~~(1)~~ (1g) who is on parole or extended  
7 supervision may establish a residence or change his or her residence unless he or she  
8 has complied with all of the applicable requirements of subs. (2) (e), (3) (b) and (4)  
9 (b).

NOTE: Inserts correct cross-reference. Section 301.45 (1) was renumbered to s.  
301.45 (1g) by 1999 Wis. Act 89.

10           **SECTION 105.** The treatment of 341.14 (6r) (b) 1. of the statutes by 1999  
11 Wisconsin Act 80 is not repealed by 1999 Wisconsin Act 167. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 341.14 (6r) (b)  
1. reads:

1. Upon application to register an automobile or motor home, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, by any person who is a resident of this state and a member of an authorized special group, the department shall issue to the person special plates whose colors and design shall indicate that the vehicle is owned by a person who is a member of the applicable special group. The department may not issue any special group plates under par. (f) 55. until 6 months after the department has received information sufficient for the department to determine that any approvals required for use of any logo, trademark, trade name or other commercial symbol designating the professional football team have been obtained.

12           **SECTION 106.** 341.51 (6) (b) of the statutes is amended to read:

13           341.51 (6) (b) Notwithstanding sub. (1), a motor vehicle salvage pool licensed  
14 as a wholesaler under ~~s. 218.01~~ ss. 218.0101 to 218.0163 may, but need not, apply for  
15 registration under this section.

NOTE: Inserts correct cross-reference. Section 218.01 was renumbered to ss.  
218.0101 to 218.0163 by 1999 Wis. Act 31.

1           **SECTION 107.** 343.06 (2) of the statutes is amended to read:

2           343.06 (2) The department shall not issue a commercial driver license,  
3 including a renewal, occupational, or reinstated license, to any person during any  
4 period of disqualification under s. 343.315 or 49 CFR 383.51 or the law of another  
5 jurisdiction in substantial conformity therewith, as the result of one or more  
6 disqualifying offenses committed on or after July 1, 1987. Any person who is known  
7 to the department to be subject to disqualification under s. 343.315 (1) (a) as  
8 described in s. 343.44 (1) (d) shall be disqualified by the department as provided in  
9 s. 343.315.

NOTE: The underscored language was deleted by 1999 Wis. Act 140 without being shown as stricken, and the stricken language was inserted without being shown as underscored. No change was intended.

10           **SECTION 108.** The treatment of 343.23 (2) (b) of the statutes by 1999 Wisconsin  
11 Act 32 is not repealed by 1999 Wisconsin Act 109. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 343.23 (2) (b) reads:

(b) The information specified in par. (a) must be filed by the department so that the complete operator's record is available for the use of the secretary in determining whether operating privileges of such person shall be suspended, revoked, canceled or withheld in the interest of public safety. The record of suspensions, revocations and convictions that would be counted under s. 343.307 (2) shall be maintained permanently. The record of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that 5 years after a licensee transfers residency to another state such record may be transferred to another state of licensure of the licensee if that state accepts responsibility for maintaining a permanent record of convictions for disqualifying offenses. Such reports and records may be cumulative beyond the period for which a license is granted, but the secretary, in exercising the power of suspension granted under s. 343.32 (2) may consider only those reports and records entered during the 4-year period immediately preceding the exercise of such power of suspension.

12           **SECTION 109.** The treatment of 343.30 (1q) (b) 1. of the statutes by 1997  
13 Wisconsin Act 84 is not repealed by 1999 Wisconsin Act 109. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 343.30 (1q) (b) 1. reads:

1. Except as provided in subds. 3. and 4., the court shall revoke the person's operating privilege under this paragraph according to the number of previous suspensions, revocations or convictions that would be counted under s. 343.307 (1). Suspensions, revocations and convictions arising out of the same incident shall be counted as one. If a person has a conviction, suspension or revocation for any offense that is counted under s. 343.307 (1), that conviction, suspension or revocation shall count as a prior conviction, suspension or revocation under this subdivision.

1           **SECTION 110.** The treatment of 343.31 (3) (bm) 1. of the statutes by 1997  
2           Wisconsin Act 84 is not repealed by 1999 Wisconsin Act 109. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 343.31 (3) (bm)  
1. reads:

1. Except as provided in subds. 3. and 4., the department shall revoke the person's operating privilege under this paragraph according to the number of previous suspensions, revocations or convictions that would be counted under s. 343.307 (1). Suspensions, revocations and convictions arising out of the same incident shall be counted as one. If a person has a conviction, suspension or revocation for any offense that is counted under s. 343.307 (1), that conviction, suspension or revocation shall count as a prior conviction, suspension or revocation under this subdivision.

3           **SECTION 111.** The treatment of 343.315 (4) of the statutes by 1999 Wisconsin Act  
4           85 is not repealed by 1999 Wisconsin Act 140. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 343.315 (4)  
reads:

(4) **NOTIFICATION AND COMMENCEMENT.** The department shall send the notice of disqualification by 1st class mail to a person's last-known residence address. A period of disqualification ordered under this section commences on the date on which the notice is sent under this subsection. This subsection does not apply to disqualifications under sub. (2) (g).

5           **SECTION 112.** 455.02 (2m) (L) of the statutes is amended to read:

6           455.02 (2m) (L) A mental health professional who has met all of the  
7           qualifications under s. HSS HFS 61.96, Wis. adm. code, for employment as a mental  
8           health professional in an outpatient psychotherapy clinic certified by the  
9           department of health and family services under s. HSS HFS 61.95, Wis. adm. code,  
10          if the person is performing activities that are a part of the duties for which he or she  
11          is employed by such a certified outpatient psychotherapy clinic and is performing  
12          those activities solely within the confines of or under the jurisdiction of the clinic by  
13          which he or she is employed.

NOTE: Inserts correct citation.

1 SECTION 113. 562.05 (8m) 1. and 2. of the statutes are renumbered 562.05 (8m)  
2 (a) and (b).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Confirms numbering to current style.

3 SECTION 114. 607.03 of the statutes is amended to read:

4 **607.03 Nature of fund.** Unless expressly provided otherwise, the life fund is  
5 subject as an insurer to chs. 600 to 646, except for chs. 610 to 618, 645, and 646, and  
6 is subject to all other laws applicable to insurers issuing life insurance, specifically  
7 including of the soldiers' and sailors' civil relief act of 1940 (~~P.L. 861-76th congress~~)  
8 76-861, and amendments thereto or reenactments thereof. Any policy entitled to  
9 benefits under that act shall be deemed amended to conform thereto. This ~~subsection~~  
10 section shall remain in force concurrently with that act of congress and amendments  
11 thereto or reenactments thereof.

NOTE: Corrects citation form.

12 SECTION 115. The treatment of 615.03 (1) (c) of the statutes by 1999 Wisconsin  
13 Act ~~32~~ is not repealed by 1999 Wisconsin Act 162. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 615.03 (1) (c) reads:

(c) A natural person who issues such an annuity to a relative by blood, marriage or adoption within the 3rd degree of kinship as computed according to s. 990.001 (16).

14 SECTION 116. 628.02 (3) of the statutes is amended to read:  
15 **628.02 (3) INSURANCE BROKER.** An intermediary is an insurance broker if the  
16 intermediary acts in the procuring of insurance on behalf of an applicant for  
17 insurance ~~of~~ or an insured, and does not act on behalf of the insurer except by  
18 collecting premiums or performing other ministerial acts.

NOTE: Corrects an error in transcribing Laws of 1975, ch. 371, which created this provision.

1 SECTION 117. The treatment of 631.07 (3) (am) of the statutes by 1999  
2 Wisconsin Act 85, section 119, is not repealed by 1999 Wisconsin Act 162, section  
3 23. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 631.07 (3) (am) reads:

(am) *Insurance for persons in international public service.* The commissioner may promulgate rules permitting issuance of insurance for a limited term on the life or health of a person serving outside the continental United States in the public service of the United States, provided the policyholder is closely related by blood, marriage or adoption to the person whose life or health is insured.

4 SECTION 118. 632.745 (10) (a) of the statutes is amended to read:

5 632.745 (10) (a) An employee welfare plan, as defined in section 3 (1) of the  
6 federal Employee Retirement Income Security Act of 1974, to the extent that the  
7 employee welfare plan provides medical care, including items and services paid for  
8 as medical care, to employees or to their dependents, as defined under the terms of  
9 the employee welfare plan, directly or through insurance, reimbursement, or  
10 otherwise.

NOTE: Corrects title to federal act.

11 SECTION 119. 753.06 (1) (a) of the statutes is amended to read:

12 753.06 (1) (a) Milwaukee County. The circuit has ~~46 branches. Commencing~~  
13 ~~August 1, 1999, the circuit has 47 branches.~~

NOTE: Deletes obsolete transition provision.

14 SECTION 120. 753.06 (3) (a) of the statutes is amended to read:

15 753.06 (3) (a) Jefferson County. The circuit has ~~3 branches. Commencing~~  
16 ~~August 1, 1999, the circuit has 4 branches.~~

NOTE: Deletes obsolete transition provision.

17 SECTION 121. 753.06 (4) (b) of the statutes is amended to read:

18 753.06 (4) (b) Fond du Lac County. The circuit has ~~4 branches. Commencing~~  
19 ~~August 1, 1999, the circuit has 5 branches.~~

NOTE: Deletes obsolete transition provision.

1 SECTION 122. 753.06 (8) (e) of the statutes is amended to read:

2 753.06 (8) (e) Oconto County. The circuit has ~~one branch. Commencing August~~  
3 ~~1, 1998, the circuit has 2 branches.~~

NOTE: Deletes obsolete transition provision.

4 SECTION 123. 753.06 (8) (g) of the statutes is amended to read:

5 753.06 (8) (g) Waupaca County. The circuit has ~~2 branches. Commencing~~  
6 ~~August 1, 2000, the circuit has 3 branches.~~

NOTE: Deletes obsolete transition provision.

7 SECTION 124. 753.06 (9) (g) of the statutes is amended to read:

8 753.06 (9) (g) Marathon County. The circuit has ~~4 branches. Commencing~~  
9 ~~August 1, 1999, the circuit has 5 branches.~~

NOTE: Deletes obsolete transition provision.

10 SECTION 125. 767.267 (1) of the statutes is amended to read:

11 767.267 (1) If the court or the family court commissioner determines that  
12 income withholding under s. 767.265 is inapplicable, ineffective, or insufficient to  
13 ensure payment under an order or stipulation specified in s. 767.265 (1), or that  
14 income withholding under s. 767.25 (4m) (c) is inapplicable, ineffective, or  
15 insufficient to ensure payment of a child's health care expenses, including payment  
16 of health insurance premiums, ordered under s. 767.25 (4m) ~~or 767.51 (3m)~~, the court  
17 or family court commissioner may require the payer to identify or establish a deposit  
18 account, owned in whole or in part by the payer, that allows for periodic transfers of  
19 funds and to file with the financial institution at which the account is located an  
20 authorization for transfer from the account to the department or its designee,  
21 whichever is appropriate. The authorization shall be provided on a standard form  
22 approved by the court and shall specify the frequency and the amount of transfer,

1 sufficient to meet the payer's obligation under the order or stipulation, as required  
2 by the court or family court commissioner. The authorization shall include the  
3 payer's consent for the financial institution or an officer, employee, or agent of the  
4 financial institution to disclose information to the court, family court commissioner,  
5 county child support agency under s. 59.53 (5), department, or department's designee  
6 regarding the account for which the payer has executed the authorization for  
7 transfer.

NOTE: 1999 Wis. Act 9 repealed s. 767.51 (3m), eff. 5-1-00.

8 SECTION 126. 767.50 (1) of the statutes is amended to read:

9 767.50 (1) The trial shall be divided into 2 parts. The first part shall deal with  
10 the determination of paternity. The 2nd part shall deal with child support, legal  
11 custody, periods of physical placement, and related issues. At the first part of the  
12 trial, the main issue shall be whether the alleged or presumed father is or is not the  
13 father of the mother's child, but if the child was born to the mother while she was the  
14 lawful wife of a specified man there shall first be determined, as provided in s. 891.39,  
15 the prior issue of whether the husband was not the father of the child. The first part  
16 of the trial shall be by jury only if the defendant verbally requests a jury trial either  
17 at the initial appearance or pretrial hearing or requests a jury trial in writing prior  
18 to the pretrial hearing. The court may direct, and if requested by either party, before  
19 the introduction of any testimony in the party's behalf, shall direct the jury, in cases  
20 where there is a jury, to find a special verdict as to any of the issues specified in this  
21 section except that the court shall make all the findings enumerated in s. 767.51 (2)  
22 to (5) (4). If the mother is dead, becomes insane, cannot be found within the  
23 jurisdiction, or fails to commence or pursue the action, the proceeding does not abate  
24 if any of the persons under s. 767.45 (1) makes a motion to continue. The testimony

1 of the mother taken at the pretrial hearing may in any such case be read in evidence  
2 if it is competent, relevant, and material. The issues of child support, custody and  
3 visitation, and related issues shall be determined by the court either immediately  
4 after the first part of the trial or at a later hearing before the court.

NOTE: 1999 Wis. Act 9 repealed s. 767.51 (4g) to (5).

5 SECTION 127. 779.155 (5) (a) of the statutes is amended to read:

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

NOTE: 1999 Wis. Act 185 inserted the underscored text without showing it as  
underscored. The change was intended.

13 SECTION 128. The treatment of 788.01 of the statutes by 1997 Wisconsin Act 237  
14 is not repealed by 1997 Wisconsin Act 254. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 788.01 reads:

788.01 Arbitration clauses in contracts enforceable. A provision in any  
written contract to settle by arbitration a controversy thereafter arising out of the  
contract, or out of the refusal to perform the whole or any part of the contract, or an  
agreement in writing between 2 or more persons to submit to arbitration any controversy  
existing between them at the time of the agreement to submit, shall be valid, irrevocable  
and enforceable except upon such grounds as exist at law or in equity for the revocation  
of any contract. This chapter shall not apply to contracts between employers and  
employees, or between employers and associations of employees, except as provided in s.  
111.10, nor to agreements to arbitrate disputes under s. 101.143 (6s) or 230.44 (4) (bm).

15 SECTION 129. 812.44 (4) (form) paragraph 2. of the statutes is amended to read:

16 812.44 (4) (form) paragraph 2. You receive aid to families with dependent  
17 children, relief funded by a relief block grant under ch. 49, relief provided by counties  
18 under section ~~59.07 (154)~~ 59.53 (21) of the Wisconsin Statutes, medical assistance,

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1 supplemental security income, food stamps, or veterans benefits based on need  
2 under 38 USC 501 to 562 or section 45.351 (1) of the Wisconsin Statutes, or have  
3 received these benefits within the past 6 months.

NOTE: Section 59.07 (154) was renumbered to s. 59.53 (21) by 1995 Wis. Act 201.

4 SECTION 130. 812.44 (5) (form) paragraph 2. of the statutes is amended to read:  
5 812.44 (4) (form) paragraph 2. I receive, am eligible for, or have within 6  
6 months received, aid to families with dependent children, relief funded by a relief  
7 block grant under ch. 49, relief provided by counties under section ~~59.07 (154)~~ 59.53  
8 (21) of the Wisconsin Statutes, medical assistance, supplemental security income,  
9 food stamps, or veterans benefits based on need under 38 USC 501 to 562 or section  
10 45.351 (1) of the Wisconsin Statutes.

NOTE: Section 59.07 (154) was renumbered to s. 59.53 (21) by 1995 Wis. Act 201.

11 SECTION 131. 938.30 (6) (c) of the statutes is amended to read:  
12 ~~938.30 (6) (c) If the court orders the juvenile's parent to provide a statement~~  
13 ~~of income, assets, debts, and living expenses to the court or if the court orders the~~  
14 ~~juvenile's parent to provide that statement to the designated agency under s. 938.33~~  
15 ~~(1) and that designated agency is not the county department, the court shall also~~  
16 ~~order the child's juvenile's parent to provide that statement to the county department~~  
17 ~~at least 5 days before the scheduled date of the dispositional hearing or as otherwise~~  
18 ~~ordered by the court. The county department shall provide, without charge, to the~~  
19 ~~parent a form on which to provide that statement, and the parent shall provide that~~  
20 ~~statement on that form. The county department shall use the information provided~~  
21 ~~in the statement to determine whether the department may claim federal foster care~~  
22 ~~and adoption assistance reimbursement under 42 USC 670 to 679a for the cost of~~  
23 ~~providing care for the juvenile.~~

NOTE: Replaces "child" with juvenile for internal consistency with the remainder of the paragraph and ch. 938.

1           **SECTION 132.** 938.31 (7) (c) of the statutes is amended to read:

2           938.31 (7) (c) If the court orders the juvenile's parent to provide a statement  
3 of income, assets, debts, and living expenses to the court or if the court orders the  
4 juvenile's parent to provide that statement to the designated agency under s. 938.33  
5 (1) and that designated agency is not the county department, the court shall also  
6 order the ~~child's~~ juvenile's parent to provide that statement to the county department  
7 at least 5 days before the scheduled date of the dispositional hearing or as otherwise  
8 ordered by the court. The county department shall provide, without charge, to the  
9 parent a form on which to provide that statement, and the parent shall provide that  
10 statement on that form. The county department shall use the information provided  
11 in the statement to determine whether the department may claim federal foster care  
12 and adoption assistance reimbursement under 42 USC 670 to 679a for the cost of  
13 providing care for the juvenile.

NOTE: Replaces "child" with juvenile for internal consistency with the remainder of the paragraph and ch. 938.

14           ~~SECTION 133.~~ 938.343 (2) of the statutes, as affected by 1999 Wisconsin Act 185,  
15 is amended to read:

16           938.343 (2) Impose a forfeiture not to exceed the maximum forfeiture that may  
17 be imposed on an adult for committing that violation or, if the violation is only  
18 applicable to a person under 18 years of age, \$50. Any such order shall include a  
19 finding that the juvenile alone is financially able to pay and shall allow up to 12  
20 months for the payment. If a juvenile fails to pay the forfeiture, the court may  
21 suspend any license issued under ch. 29 or, unless the forfeiture was imposed for  
22 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may

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1 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less  
2 more than 2 years. The court shall immediately take possession of the suspended  
3 license and forward it to the department ~~which~~ that issued the license, together with  
4 the notice of suspension clearly stating that the suspension is for failure to pay a  
5 forfeiture imposed by the court. If the forfeiture is paid during the period of  
6 suspension, the court shall immediately notify the department, which will thereupon  
7 return the license to the person. Any recovery under this subsection shall be reduced  
8 by the amount recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

NOTE: 1999 Wis. Act 185 inserted the stricken language without showing it as  
underscored and deleted the underscored language without showing it as stricken. No  
change was intended.

9 SECTION 134. 938.363 (1) (c) of the statutes is amended to read:

10 938.363 (1) (c) If the proposed revision is for a change in the amount of child  
11 support to be paid by a parent, the court shall order the juvenile's parent to provide  
12 a statement of income, assets, debts, and living expenses to the court and the person  
13 or agency primarily responsible for implementing the dispositional order by a date  
14 specified by the court. The clerk of court shall provide, without charge, to any parent  
15 ordered to provide a statement of income, assets, debts, and living expenses a  
16 document setting forth the percentage standard established by the department of  
17 workforce development under s. 49.22 (9) and listing the factors that a court may  
18 consider under s. ~~46.10~~ 301.12 (14) (c).

NOTE: Inserts cross-reference. 1997 Wis. Act 237 changed the remainder of the  
cross-references to s. 46.10 (14) (c) to 301.12 (14) (c). The two statutes are parallel  
provisions, but s. 301.12 relates to the department of corrections, which administers ch.  
938, while s. 46.10 relates to the department of health and family services and its  
administration of ch. 48.

19 SECTION 135. 938.363 (2) of the statutes is amended to read:

1           938.363 (2) If the court revises a dispositional order with respect to the amount  
2 of child support to be paid by a parent for the care and maintenance of the parent's  
3 minor juvenile who has been placed by a court order under this chapter in a  
4 residential, nonmedical facility, the court shall determine the liability of the parent  
5 in the manner provided in s. ~~46.10~~ 301.12 (14).

NOTE: Inserts cross-reference. 1997 Wis. Act 237 changed the remainder of the cross-references to s. 46.10 (14) to 301.12 (14). The two statutes are parallel provisions, but s. 301.12 relates to the department of corrections, which administers ch. 938, while s. 46.10 relates to the department of health and family services and its administration of ch. 48.

6           **SECTION 136.** 938.48 (3) of the statutes is amended to read:

7           938.48 (3) Accept supervision over juveniles transferred to it by the court under  
8 s. 938.183, 938.34 (4h), (4m), or (4n) or 938.357 (4), and provide special treatment and  
9 or care when directed by the court. Except as provided in s. 938.505 (2), a court may  
10 not direct the department to administer psychotropic medications to juveniles who  
11 receive special treatment or care under this subsection.

NOTE: Conforms terminology to the remainder of ch. 938 "Special treatment or care" is a defined term.

12           **SECTION 137.** 938.57 (1) (b) of the statutes is amended to read:

13           938.57 (1) (b) Accept legal custody or supervision of juveniles transferred to it  
14 by the court under s. 938.355 and provide special treatment and or care if ordered  
15 by the court. Except as provided in s. 938.505 (2), a court may not order a county  
16 department to administer psychotropic medications to juveniles who receive special  
17 treatment or care under this paragraph.

NOTE: Conforms terminology to the remainder of ch. 938. "Special treatment or care" is a defined term.

18           **SECTION 138.** 938.78 (2) (ag) of the statutes is amended to read:

19           938.78 (2) (ag) Paragraph (a) does not prohibit an agency from making  
20 available for inspection or disclosing the contents of a record, upon the request of the

1 parent, guardian, or legal custodian of the juvenile who is the subject of the record  
2 or upon the request of the juvenile, if 14 years of age or over, to the parent, guardian,  
3 legal custodian, or juvenile, unless the agency finds that inspection of ~~these records~~  
4 the record by the juvenile, parent, guardian, or legal custodian would result in  
5 imminent danger to anyone.

NOTE: Corrects sentence agreement.

6 **SECTION 139.** 938.78 (2) (am) of the statutes is amended to read:

7 938.78 (2) (am) Paragraph (a) does not prohibit an agency from making  
8 available for inspection or disclosing the contents of a record, upon the written  
9 permission of the parent, guardian, or legal custodian of the juvenile who is the  
10 subject of the record or upon the written permission of the juvenile, if 14 years of age  
11 or over, to the person named in the permission if the parent, guardian, legal  
12 custodian, or juvenile specifically identifies the record in the written permission,  
13 unless the agency determines that inspection of ~~these records~~ the record by the  
14 person named in the permission would result in imminent danger to anyone.

NOTE: Corrects sentence agreement.

15 **SECTION 140.** 979.01 (1) of the statutes is renumbered 979.01 (1) (intro.) and  
16 amended to read:

17 979.01 (1) (intro.) All physicians, authorities of hospitals, sanatoriums, public  
18 and private institutions, convalescent homes, authorities of any institution of a like  
19 nature, and other persons having knowledge of the death of any person who has died  
20 under any of the following circumstances, shall immediately report the death to the  
21 sheriff, police chief, ~~and~~ <sup>or</sup> medical examiner or coroner of the county where the death  
22 took place.;

NOTE: This provision provides for the reporting deaths under the "following circumstances" and should have been punctuated and numbered as an (intro.) by the amendment made by 1999 Wis. Act 85. The paragraphs shown in the printed volumes

following sub. (1g) were not renumbered and should follow this introduction provision.  
See also the next 2 sections of this bill.

1 SECTION 141. 979.01 (1g) (intro.) of the statutes is renumbered 979.01 (1g) and  
2 amended to read:

3 979.01 (1g) A sheriff or police chief shall, immediately upon notification of a  
4 death under sub. (1), ~~notify the coroner or the medical examiner, and the coroner or~~  
5 ~~medical examiner of the county where death took place,~~ if the crime, injury, or event  
6 occurred in another county, ~~shall immediately~~ report all of the following the death  
7 to the coroner or medical examiner of that county: *plain text*

*insert second Comm*

*plain text*

NOTE: This subsection was a part of sub. (1) prior to 1999 Wis. Act 85. The paragraphs shown in the printed volumes following sub. (1g) were not renumbered and should follow sub. (1). This sub. (1g) should not have been drafted and punctuated as an (intro.) See also the previous section and next section of this bill.

8 SECTION 142. 979.01 (1g) (a) to (i) of the statutes are renumbered 979.01 (1) (a)  
9 to (i).

NOTE: See the previous 2 sections of this bill.

10 SECTION 143. 979.01 (1m) of the statutes is amended to read:

11 979.01 (1m) The coroner or medical examiner receiving notification under sub.  
12 (1) or (1g) shall immediately notify the district attorney.

NOTE: This provision includes a cross-reference change made necessary by the amendment of s. 979.01 (1) by 1999 Wisconsin Act 85.

13 SECTION 144. 979.01 (1r) of the statutes is amended to read:

14 979.01 (1r) If the coroner or medical examiner is notified of a death under sub.  
15 (1) or (1g) and determines that his or her notification of the death was not required  
16 under sub. (1) or (1g), he or she shall notify the director of the historical society under  
17 s. 157.70 (3).

NOTE: This provision includes a cross-reference change made necessary by the amendment of s. 979.01 (1) by 1999 Wisconsin Act 85.

1 SECTION 145. 1999 Wisconsin Act 97, section 27, is amended by replacing "shall  
2 be served at least" with "shall be served at least".

NOTE: 1999 Wis. Act 97 showed "at" as underscored, but it was previously existing.  
No change was intended.

3 SECTION 146. 1999 Wisconsin Act 143, section 6, is amended by replacing  
4 "343.44 (2) (b) of the statutes, as affected by 1997 Wisconsin Act 84, is amended to  
5 read:" with "343.44 (2) (b) (intro.) of the statutes, as affected by 1997 Wisconsin Act  
6 84, is amended to read:".

NOTE: 1999 Wis. Act 143 only affected the (intro.) to s. 343.44 (2) (b).

7 SECTION 147. 1999 Wisconsin Act 185, section 159, is amended by replacing  
8 "441.50 (1) (n)" with "441.50 (2) (n)" in 2 places.

NOTE: Inserts correct statute citation.

9 SECTION 148. 1999 Wisconsin Act 185, section 181, is amended by replacing  
10 "968.20 (1) of the statutes is amended to read:" with "968.20 (1) (intro.) of the statutes  
11 is amended to read:". 

NOTE: Only the (intro.) to s. 968.20 (1) was amended.

12 SECTION 149. 1999 Wisconsin Act 186, section 44, is amended by replacing  
13 "66.0603 (1) of the statutes, as affected by 1999 Wisconsin Act 65, sections 16 and 17,  
14 and 1999 Wisconsin Act 150, section 92, is renumbered 66.0603 (1m)." with "66.0603  
15 (1) of the statutes, as affected by 1999 Wisconsin Act 65, sections 16 and 17, and 1999  
16 Wisconsin Act 150, section 93, is renumbered 66.0603 (1m)."

NOTE: Inserts correct section number from 1999 Wis. Act 150 (ab 710).

17 (END)