

2001 ASSEMBLY BILL 935

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

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

6 **SECTION 1.** 2.01 (27) of the statutes is amended to read:
7 2.01 **(27)** JACKSON: Beginning at the southeast corner of township 20, of range
8 one east of the meridian aforesaid; running thence north on the range line to the
9 township line between townships 22 and 23; thence west on said township line to the
10 southwest corner of township 23, of range 3 west; thence north on the range line to

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1 the northwest corner of said township 23, of range 3 west; thence west on the
2 township line to the range line between ranges 4 and 5 west; thence north on said
3 range line to the township line between townships 24 and 25; thence west on said
4 township line to the range line between ranges 6 and 7 west; thence south on said
5 range line to the township line between townships 18 and 19; thence east on said
6 township line to the southwest corner of section 34, of township 19, of range 5 west;
7 thence north on the west lines of sections 34, 27, 22, and 15 of township 19 north,
8 range 5 west, to the most southerly intersection with the ~~centerline~~ center line of the
9 Black River; thence in a northeasterly direction along said ~~centerline~~ center line of
10 the Black River to its intersection with the north line of section 6, township 19 north,
11 range 4 west; thence east on the township line between townships 19 and 20 to the
12 place of beginning.

NOTE: Corrects spelling.

13 **SECTION 2.** 2.01 (41) of the statutes is amended to read:

14 2.01 (41) MONROE: Beginning at the southeast corner of township 15, of range
15 one east of the meridian aforesaid; running thence north on the range line to the
16 township line between townships 19 and 20; thence west on said township line to the
17 ~~centerline~~ center line of the Black River where it intersects with the north line of
18 section 6, township 19 north, range 4 west; thence in a southwesterly direction along
19 said ~~centerline~~ center line of the Black River to its most southerly intersection with
20 the west line of section 15, township 19 north, range 5 west; thence south on the west
21 lines of sections 15, 22, 27, and 34 of township 19 north, range 5 west to the southwest
22 corner of said section 34, being a point on the township line between townships 18
23 and 19; thence east on said township line to the range line between ranges 4 and 5
24 west; thence south on said range line to the township line between townships 14 and

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1 15; thence east on said township line to the southwest corner of the southeast quarter
2 of the southwest quarter of section 34, township 15, of range 2 west; thence north to
3 the northwest corner of said southeast quarter of the southwest quarter; thence east
4 one mile to the northeast corner of the southwest quarter of the southwest quarter
5 of section 35, township 15, of range 2 west; thence south to the southeast corner of
6 said southwest quarter of the southwest quarter; thence east on the township line
7 to the place of beginning.

NOTE: Corrects spelling.

8 **SECTION 3.** 4.003 (2) and (3) of the statutes are amended to read:

9 4.003 (2) If the bound is a street, it follows the ~~centerline~~ center line of such ~~the~~
10 street or the ~~centerline~~ center line of such ~~the~~ street extended.

11 (3) If the bound is a railroad right-of-way, it follows the ~~centerline~~ center line
12 of such ~~the~~ railroad right-of-way.

NOTE: Corrects spelling and replaces disfavored term.

13 **SECTION 4.** 5.54 of the statutes, as affected by 2001 Wisconsin Act 16, is
14 amended to read:

15 **5.54 Notice to electors.** Every ballot, except a voting machine ballot, shall
16 bear substantially the following information on the face: "NOTICE TO ELECTORS: This
17 ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee
18 ballot, the ballot must bear the initials of the municipal clerk or deputy clerk."

NOTE: 2001 Wis. Act 16 deleted the underscored material without showing it as
stricken. No change was intended.

19 **SECTION 5.** 6.15 (3) (b) of the statutes, as affected by 2001 Wisconsin Act 16, is
20 amended to read:

21 6.15 (3) (b) *Election day.* An eligible elector may appear at the polling place for
22 the ward or election district where he or she resides and make application for a ballot

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1 under sub. (2). In such case, the inspector or special registration deputy shall
2 perform the duties of the municipal clerk. The elector shall provide identification.
3 If the elector is qualified, he or she shall be permitted to vote. The elector shall mark
4 the ballot and, unless the ballot is utilized with an electronic voting system, the
5 elector shall fold the ballot, and shall deposit the ballot into the ballot box or give it
6 to the inspector. The inspector shall deposit it directly into the ballot box. Voting
7 machines or ballots utilized with electronic voting systems may only be used by
8 electors voting under this section if they permit voting for president and vice
9 president only.

NOTE: 2001 Wis. Act 16 inserted the underscored language without showing it as
underscored. The change was intended.

10 **SECTION 6.** 7.31 (5) of the statutes, as created by 2001 Wisconsin Act 16, is
11 amended to read:

12 7.31 (5) The board shall conduct regular training and administer examinations
13 to ensure that individuals who are certified by the board under this section are
14 knowledgeable concerning their authority and responsibilities. The board shall pay
15 all costs required to conduct the training and to administer the examinations from
16 the appropriation under s. 20.510 (1) ~~(b)~~ (bm).

NOTE: Inserts the correct cross-reference.

17 **SECTION 7.** 7.33 (4) and (5) of the statutes, as affected by 2001 Wisconsin Act
18 16, are amended to read:

19 7.33 (4) Except as otherwise provided in this subsection, each local
20 governmental unit, as defined in s. ~~16.97~~ 22.01 (7), may, and each state agency shall,
21 upon proper application under sub. (3), permit each of its employees to serve as an
22 election official without loss of fringe benefits or seniority privileges earned for
23 scheduled working hours during the period specified in sub. (3), without loss of pay

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1 for scheduled working hours during the period specified in sub. (3) except as provided
2 in sub. (5), and without any other penalty. For employees who are included in a
3 collective bargaining unit for which a representative is recognized or certified under
4 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
5 collective bargaining agreement.

6 **(5)** Any employee of a local governmental unit, as defined in s. 16.97 22.01 (7),
7 or state agency who obtains a paid leave of absence under sub. (4) in order to serve
8 as an election official under s. 7.30 shall certify in writing to the head of the local
9 governmental unit or state agency by which he or she is employed the amount of
10 compensation that the employee receives for such service. Upon receipt of the
11 certification, the head of the local governmental unit or state agency shall deduct
12 that amount from the employee's pay earned for scheduled working hours during the
13 period specified in sub. (2) when the employee is on a paid leave of absence.

NOTE: Section 16.97 (7) was renumbered to s. 22.01 (7) by 2001 Wis. Act 16.

14 **SECTION 8.** 15.157 (8) (c) of the statutes is amended to read:

15 15.157 **(8)** (c) A representative of the Wisconsin ~~health~~ Health and educational
16 ~~facilities authority~~ Educational Facilities Authority.

NOTE: Capitalizes authority title consistent with current style.

17 **SECTION 9.** 15.215 (1) of the statutes, as created by 2001 Wisconsin Act 16, is
18 amended to read:

19 15.215 **(1)** INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an
20 information technology management board ~~which~~ that is attached to the department
21 of electronic government under s. 15.03. The board shall consist of the governor, the
22 cochairpersons of the joint committee on information policy and technology or a
23 member of the legislature from the same house as a cochairperson designated by that

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1 cochairperson, one member of the minority party in each house of the legislature,
2 appointed in the same manner as members of standing committees are appointed,
3 the secretary of administration, 2 heads of departments or independent agencies
4 appointed to serve at the pleasure of the governor, 2 other members appointed to
5 serve for 4-year terms, and the chief information officer.

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

6 **SECTION 10.** 16.008 (2) of the statutes, as affected by 2001 Wisconsin Act 16,
7 is amended to read:

8 16.008 (2) The state shall pay for extraordinary police services provided
9 directly to state facilities, as defined in s. 70.119 (3) (e), in response to a request of
10 a state officer or agency responsible for the operation and preservation of such
11 facilities. The University of Wisconsin Hospitals and Clinics Authority shall pay for
12 extraordinary police services provided to facilities of the authority described in s.
13 70.11 (38). The Fox River Navigational System Authority shall pay for extraordinary
14 police services provided to the navigational system, as defined in s. 237.01 (4) (5).
15 Municipalities or counties ~~which~~ that provide extraordinary police services to state
16 facilities may submit claims to the claims board for actual additional costs related
17 to wage and disability payments, pensions and worker’s compensation payments,
18 damage to equipment and clothing, replacement of expendable supplies, medical and
19 transportation expense, and other necessary expenses. The clerk of the municipality
20 or county submitting a claim shall also transmit an itemized statement of charges
21 and a statement ~~which~~ that identifies the facility served and the person who
22 requested the services. The board shall obtain a review of the claim and
23 recommendations from the agency responsible for the facility prior to proceeding
24 under s. 16.007 (3), (5), and (6).

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NOTE: Inserts correct cross-reference. Section 237.01 (4) is renumbered to s. 237.01 (5) by this bill.

1 **SECTION 11.** 16.63 (3m) 1. and 2. of the statutes, as created by 2001 Wisconsin
2 Act 16, are renumbered 16.63 (3m) (a) and (b), and 16.63 (3m) (b), as renumbered,
3 is amended to read:

4 **16.63 (3m) (b)** The secretary shall submit a report to the joint committee on
5 finance that includes all of the information provided to the secretary by the
6 purchaser under ~~subd. 1. par. (a).~~

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) to conform the numbering of this provision with current style.

7 **SECTION 12.** 16.63 (4) (a) and (b) 1. of the statutes, as created by 2001 Wisconsin
8 Act 16, are amended to read:

9 **16.63 (4) (a)** Tobacco settlement revenues may not be deemed considered
10 proceeds of any property which that is not tobacco settlement revenues.

11 (b) 1. If this state or the Wisconsin ~~health~~ Health and ~~educational facilities~~
12 ~~authority~~ Educational Facilities Authority is the debtor in the transaction, the
13 proper place to file the required financing statement to perfect the security interest
14 is the department of financial institutions.

NOTE: Replaces disfavored term, replaces “which” with “that” to improve grammar, and capitalizes authority title consistent with current style.

15 **SECTION 13.** 16.78 (1) of the statutes, as affected by 2001 Wisconsin Act 16, is
16 amended to read:

17 **16.78 (1)** Every agency other than the board of regents of the University of
18 Wisconsin System ~~and or~~ or an agency making purchases under s. 16.74 shall make all
19 purchases of materials, supplies, equipment, and contractual services relating to
20 information technology or telecommunications from the department of electronic
21 government, unless the department of electronic government requires the agency to

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1 purchase the materials, supplies, equipment, or contractual services pursuant to a
2 master contract established under s. 22.05 (2) (h), or grants written authorization to
3 the agency to procure the materials, supplies, equipment, or contractual services
4 under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or
5 contractual services from another agency or to provide the materials, supplies,
6 equipment, or contractual services to itself. The board of regents of the University
7 of Wisconsin System may make purchases of materials, supplies, equipment, and
8 contractual services relating to information technology or telecommunications from
9 the department of electronic government.

NOTE: 2001 Wis. Act 16 inserted the stricken language without showing it as
underscored and deleted the underscored language without showing it as stricken. No
change was intended.

10 **SECTION 14.** 16.847 (8) of the statutes, as affected by 2001 Wisconsin Act 16,
11 is amended to read:

12 16.847 (8) REPAYMENT AGREEMENTS. The department may annually transfer
13 repayments under agreements to obtain loans from the energy efficiency fund under
14 s. 16.847 (6), 1999 stats., from the appropriations specified in the agreements to the
15 general fund. The amount of each annual repayment shall equal the amount of
16 annual savings in utility expenses realized as a result of the energy efficiency project
17 that was funded by a loan. The department shall determine the amount of annual
18 savings in utility expenses realized by as a result of an energy efficiency project.

NOTE: 2001 Wis. Act 16 deleted the stricken “by” without showing it as stricken.
The change was intended.

19 **SECTION 15.** 19.42 (10) (h) of the statutes is amended to read:

20 19.42 (10) (h) The members and employees of the Wisconsin ~~housing~~ Housing
21 and ~~economic development authority~~ Economic Development Authority, except
22 clerical employees.

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1 **SECTION 16.** 19.42 (13) (g) of the statutes is amended to read:

2 19.42 **(13)** (g) The members and employees of the Wisconsin ~~housing~~ Housing
3 and ~~economic development authority~~ Economic Development Authority, except
4 clerical employees.

NOTE: Capitalizes authority title consistent with current style.

5 **SECTION 17.** 20.395 (3) (eq) of the statutes, as affected by 2001 Wisconsin Act
6 16, is amended to read:

7 20.395 **(3)** (eq) *Highway maintenance, repair, and traffic operations, state*
8 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of
9 roadside improvements under s. 84.04, state trunk highways under s. 84.07, and
10 bridges that are not on the state trunk highway system under s. 84.10; for permit
11 issuance and other highway operations, including the installation, replacement,
12 rehabilitation, or maintenance of highway signs, traffic control signals, highway
13 lighting, pavement markings, and intelligent transportation systems, under ss.
14 84.04, 84.07, 84.10, and 348.25 to 348.27 and ch. 349; and for the disadvantaged
15 business demonstration and training program under s. 84.076. This paragraph does
16 not apply to special maintenance activities under s. 84.04 on roadside improvements.

NOTE: 2001 Wis. Act 16 deleted the underscored language without showing it as
stricken. The deletion was not intended.

17 **SECTION 18.** 20.440 (intro.) of the statutes is amended to read:

18 **20.440 Health and educational facilities authority** Educational
19 Facilities Authority. (intro.) There is appropriated to the Wisconsin ~~health~~ Health
20 and ~~educational facilities authority~~ Educational Facilities Authority for the
21 following program:

NOTE: Capitalizes authority title consistent with current style.

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1 **SECTION 19.** 20.445 (3) (dz) of the statutes, as affected by 2001 Wisconsin Act
2 16, section 737, is amended to read:

3 20.445 (3) (dz) *Wisconsin works and other public assistance administration and*
4 *benefits.* The amounts in the schedule, less the amounts withheld under s. 49.143
5 (3), for administration and benefit payments under Wisconsin works under ss.
6 49.141 to 49.161, the learnfare program under s. 49.26, the work experience and job
7 search program under s. 49.36, and the food stamp program under s. 49.124; for
8 payments to counties and tribal governing bodies under s. 49.33 (8); for hospital
9 paternity incentive payments under s. 69.14 (1) (cm); for job training services under
10 the workforce attachment and advancement program under s. 49.173; and for
11 funeral expenses under s. 49.30. Payments may be made from this appropriation to
12 counties for fraud investigation and error reduction under s. 49.197 (1m) and (4).
13 Moneys appropriated under this paragraph may be used to match federal funds
14 received under par. (md). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
15 department may transfer funds between fiscal years under this paragraph.
16 Notwithstanding ss. 20.001 (3) and 20.002 (1), the department of health and family
17 services shall credit or deposit into this appropriation account funds for the purposes
18 of this appropriation that the department transfers from the appropriation account
19 under s. 20.435 (7) (bc). All funds allocated by the department but not encumbered
20 by December 31 of each year lapse to the general fund on the next January 1 unless
21 transferred to the next calendar year by the joint committee on finance.

NOTE: 2001 Wis. Act 16 inserted the underscored semicolon without showing it as
underscored. The change was intended.

22 **SECTION 20.** 20.490 (intro.) of the statutes is amended to read:

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1 **20.490 Wisconsin housing Housing and economic development**
2 **authority Economic Development Authority.** (intro.) There is appropriated
3 from the general fund, except where otherwise indicated, to the Wisconsin housing
4 Housing and economic development authority Economic Development Authority for
5 the following programs:

NOTE: Capitalizes authority title consistent with current style.

6 **SECTION 21.** 20.505 (6) (i) of the statutes is amended to read:

7 20.505 **(6)** (i) *Gifts and grants.* All moneys received from gifts and grants, other
8 than moneys received for and ~~deposited in~~ credited to the appropriation accounts
9 under pars. (k) to ~~(pe)~~ (p), to carry out the purposes for which made and received.

NOTE: Section 20.505 (6) (pa), (pb), and (pc) were repealed by 2001 Wis. Act 16.

10 **SECTION 22.** 20.530 (1) (ja) of the statutes, as affected by 2001 Wisconsin Act
11 16, section 812b, is amended to read:

12 20.530 **(1)** (ja) *Justice information systems.* The amounts in the schedule for
13 the development and operation of automated justice information systems under s.
14 ~~16.971~~ 22.03 (9). Two-ninths of the moneys received under s. 814.635 (1) shall be
15 credited to this appropriation account.

NOTE: Inserts correct cross-reference. Section 16.971 (9) was renumbered to s.
22.03 (9) by 2001 Wis. Act 16.

16 **SECTION 23.** 22.03 (6) of the statutes, as affected by 2001 Wisconsin Act 16,
17 section 358m, is amended to read:

18 22.03 **(6)** Notwithstanding ~~subs. (1m) and sub.~~ (2), the revisor of statutes shall
19 approve the specifications for preparation and schedule for delivery of computer
20 databases containing the Wisconsin statutes.

NOTE: Removes cross-reference to s. 22.03 (1m), which does not exist.

21 **SECTION 24.** 23.09 (2dm) (a) of the statutes is renumbered 23.09 (2dm).

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NOTE: Section 23.09 (2dm) (b) was repealed by 2001 Wis. Act 38. There are no other paragraphs in s. 23.09 (2dm).

1 **SECTION 25.** 23.09 (2p) (c) 2. of the statutes is renumbered 23.09 (2p) (c).

NOTE: Section 23.09 (2p) (c) 1. was repealed by 2001 Wis. Act 38. There are no other subdivisions in s. 23.09 (2p) (c).

2 **SECTION 26.** 23.092 (5) (b) 2. of the statutes is renumbered 23.092 (5) (b).

NOTE: Section 23.092 (5) (b) 1. was repealed by 2001 Wis. Act 38. There are no other subdivisions in s. 23.092 (5) (b).

3 **SECTION 27.** 23.094 (4) (b) 2. of the statutes is renumbered 23.094 (4) (b).

NOTE: Section 23.094 (4) (b) 1. was repealed by 2001 Wis. Act 38. There are no other subdivisions in s. 23.094 (4) (b).

4 **SECTION 28.** 23.113 of the statutes, as created by 2001 Wisconsin Act 16, is
5 amended to read:

6 **23.113 Designation of chief state forester.** The secretary shall designate
7 the administrator of the division of forestry in the department as the chief state
8 forester. The chief state forester shall be a professional forester as recognized by the
9 society Society of American foresters Foresters.

NOTE: Capitalizes organization title consistent with current style.

10 **SECTION 29.** 23.322 of the statutes is amended to read:

11 **23.322 Fees for computer accessible water resource management**
12 **information.** The department may charge a fee for providing any information that
13 ~~that~~ it maintains in a format that may be accessed by computer concerning the
14 waters of this state, including maps and other water resource management
15 information.

NOTE: Deletes repeated word.

16 **SECTION 30.** 24.63 (2r) of the statutes, as created by 2001 Wisconsin Act 16, is
17 amended to read:

18 **24.63 (2r) FEDERATED PUBLIC LIBRARY SYSTEM LOANS.** A state trust fund loan to
19 a federated public library system may be made for any term, not exceeding 20 years,

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1 that is agreed upon between the federated public library system and the board and
2 may be made for a total amount that, together will with all other indebtedness of the
3 federated public library system, does not exceed the federated public library system's
4 allowable indebtedness under s. 43.17 (9) (b).

NOTE: Inserts correct word.

5 **SECTION 31.** 24.715 (4) of the statutes, as created by 2001 Wisconsin Act 16, is
6 amended to read:

7 24.715 (4) FAILURE TO MAKE PAYMENT. If the system board fails to remit the
8 amounts due under sub. (3), the state superintendent, upon certification of
9 delinquency by the board, shall deduct the amount due, including any penalty, from
10 any aid payments due the system, shall remit such amount to the state treasurer
11 and, no later than June 15, shall notify the system board and the board to that effect.

NOTE: Inserts commas to improve grammar.

12 **SECTION 32.** 25.14 (1) (a) 15. of the statutes, as created by 2001 Wisconsin Act
13 16, is renumbered 25.14 (1) (a) 15g.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2001 Wis. Act
7 also created a provision numbered s. 25.14 (1) (a) 15.

14 **SECTION 33.** 25.17 (2) (c) of the statutes is amended to read:

15 25.17 (2) (c) Invest the state housing authority State Housing Authority
16 reserve fund as directed by the Wisconsin housing Housing and economic
17 development authority Economic Development Authority in housing rehabilitation
18 loan program bonds of the authority including subordinated bonds which that may
19 also be special obligations of the authority. In making such the investment, the board
20 shall accept such the terms and conditions as the authority specifies and is relieved
21 of any obligations relative to prudent investment of the fund, including those set
22 forth under ch. 881.

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NOTE: Capitalizes authority titles consistent with current style.

1 **SECTION 34.** 25.18 (1) (p) 1. of the statutes, as created by 2001 Wisconsin Act
2 16, is amended to read:

3 25.18 **(1)** (p) 1. Evidences of indebtedness, including subordinated obligations,
4 that are secured by tobacco settlement revenues, as defined in s. 16.63 (1) (c), and
5 that are issued by a corporation or company established under s. 16.63 (3) or 231.215
6 or by the Wisconsin ~~health and educational facilities authority~~ Health and
7 Educational Facilities Authority.

NOTE: Capitalizes authority title consistent with current style.

8 **SECTION 35.** 30.265 of the statutes, as created by 2001 Wisconsin Act 16, is
9 amended to read:

10 **30.265 Adopt a river program.** The department shall establish ~~and~~ an adopt
11 a river program to encourage program volunteers to clean up a specified portion of
12 a lake, river, wetland, or ravine. The department shall supply to the volunteers
13 educational support and necessary supplies. The department shall keep records of
14 information related to the program, including the pounds of rubbish collected, the
15 number of volunteer hours provided, and descriptions of the debris found. The
16 department shall publicly recognize volunteers who participate in the program.

NOTE: Inserts correct word.

17 **SECTION 36.** 30.52 (1) (c) (title) of the statutes, as affected by 2001 Wisconsin
18 Act 16, is amended to read:

19 30.52 **(1)** (c) (title) *Application for ~~duplicates~~ duplicate.*

NOTE: 2001 Wis. Act 16 replaced “duplicates” with “duplicate” without showing the
change. The change was intended.

20 **SECTION 37.** The treatments of 36.09 (1) (e) of the statutes by 1997 Wisconsin
21 Acts 27 and 237 are not repealed by 1999 Wisconsin Act 42. All treatments stand.

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NOTE: There is no conflict of substance. As merged, effective 9-1-03, s. 36.09 (1) (e) reads:

(e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each college campus; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer; and the requisite number of officers, other than the vice presidents, associate vice presidents and assistant vice presidents of the system; faculty; academic staff and other employees and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice president and assistant vice president of the system. No sectarian or partisan tests or any tests based upon race, religion, national origin or sex shall ever be allowed or exercised in the appointment of the employees of the system.

1 **SECTION 38.** 40.02 (54) (b) of the statutes is amended to read:

2 40.02 (54) (b) The Wisconsin ~~housing~~ Housing and economic development
3 authority Economic Development Authority.

NOTE: Capitalizes authority title consistent with current style.

4 **SECTION 39.** 40.02 (54) (c) of the statutes is amended to read:

5 40.02 (54) (c) The Wisconsin health Health and educational facilities authority
6 Educational Facilities Authority.

NOTE: Capitalizes authority title consistent with current style.

7 **SECTION 40.** 40.22 (2) (c) of the statutes is amended to read:

8 40.22 (2) (c) The employee is excluded from participation by s. ~~40.02 (54) (a) or~~
9 40.21 (3) or (4).

NOTE: Section 40.02 (54) (a) was repealed by 2001 Wis. Act 16.

10 **SECTION 41.** The treatments of 40.51 (8m) of the statutes by 1999 Wisconsin
11 Acts 95 and 115 are not repealed by 1999 Wisconsin Act 155. All treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 40.51 (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 42.** 44.70 (1m) of the statutes is amended to read:

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1 44.70 **(1m)** “Data line” means a data circuit that provides direct access to the
2 internet Internet.

NOTE: Capitalizes “internet” consistent with current style.

3 **SECTION 43.** 44.71 (2) (bm) of the statutes is renumbered 44.71 (3) and amended
4 to read:

5 44.71 **(3)** POWERS. The board may contract with the Wisconsin advanced
6 telecommunications foundation Advanced Telecommunications Foundation to
7 provide administrative services to the foundation.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2001 Wis. Act
16 renumbered s. 44.71 (2) (a) to be s. 44.71 (2) without taking s. 44.71 (2) (bm) into
consideration. Capitalizes foundation title consistent with current style.

8 **SECTION 44.** 44.72 (2) (b) 2. of the statutes, as affected by 2001 Wisconsin Act
9 16, is amended to read:

10 44.72 **(2)** (b) 2. From the appropriations under s. 20.275 (1) (f), (im), (jm), (js),
11 and (mp), annually the board shall pay \$5,000 to each eligible school district and
12 \$5,000 to the department of corrections for each eligible correctional facility. The
13 department of corrections shall allocate funds received under this subsection among
14 the eligible secured correctional facilities as it ~~deems~~ considers appropriate. The
15 board shall distribute the balance in the appropriation to eligible school districts and
16 to charter school sponsors in proportion to the weighted membership of each school
17 district and in proportion to the number of pupils attending each charter school on
18 the 3rd Friday of September. The weighted membership for a school district shall
19 be determined by dividing the statewide average equalized valuation per member by
20 the school district’s equalized valuation per member and multiplying the result by
21 the school district’s membership, as defined in s. 121.004 (5).

NOTE: Replaces disfavored term.

22 **SECTION 45.** 45.71 (1m) of the statutes is amended to read:

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1 45.71 (1m) “Authority” means the Wisconsin ~~housing~~ Housing and economic
2 development authority Economic Development Authority.

NOTE: Capitalizes authority title consistent with current style.

3 **SECTION 46.** 46.28 (1) (a) of the statutes is amended to read:

4 46.28 (1) (a) “Authority” means the Wisconsin ~~housing~~ Housing and economic
5 development authority Economic Development Authority created under ch. 234.

NOTE: Capitalizes authority title consistent with current style.

6 **SECTION 47.** 48.78 (2) (aj) of the statutes, as affected by 2001 Wisconsin Act 38,
7 is amended to read:

8 48.78 (2) (aj) Paragraph (a) does not prohibit an agency from making available
9 for inspection or disclosing the contents of a record, upon the request of a parent,
10 guardian, or legal custodian of a child expectant mother of an unborn child who is
11 the subject of the record, upon the request of an expectant mother of an unborn child
12 who is the subject of the record, if 14 years of age or over, or upon the request of an
13 unborn child by the unborn child’s guardian ad litem to the parent, guardian, legal
14 custodian, expectant mother, or unborn child by the unborn child’s guardian ad
15 litem, unless the agency determines that inspection of the record by the parent,
16 guardian, legal custodian, expectant mother, or unborn child by the unborn child’s
17 guardian ad litem would result in imminent danger to anyone.

NOTE: The underscored comma after “mother” was inserted by 2001 Wis. Act 38
without being underscored. The change was intended.

18 **SECTION 48.** 49.175 (1) (e) of the statutes, as affected by 2001 Wisconsin Act 16,
19 is amended to read:

20 49.175 (1) (e) *Contracts for 2000 and 2001.* For contracts under s. 49.143
21 having a term that begins on January 1, 2000, and ends on December 31, 2001,
22 \$20,136,800 in fiscal year 2001–02.

ASSEMBLY BILL 935**SECTION 48**

NOTE: 2001 Wis. Act 16 inserted the underscored language without showing it as underscored. The change was intended.

1 **SECTION 49.** 49.175 (1) (zh) 1. and 2. (title) of the statutes are repealed.

NOTE: 2001 Wis. Act 16, section 1711b, states that it amends s. 49.175 (1) (zh), but it treats only s. 49.175 (1) (zh) 2. Drafting records indicate that s. 49.175 (1) (zh) 1. and 2. (title) were intended to be repealed, as s. 49.175 (1) (zh) 1. is obsolete, and that subd. 2. was to be renumbered to par. (zh), rendering the subd. 2. title unnecessary. See also the treatment of 2001 Wis. Act 16, s. 1711b by SECTION 131 of this bill.

2 **SECTION 50.** 49.45 (2) (a) 3. of the statutes, as affected by 2001 Wisconsin Act
3 16, is amended to read:

4 49.45 **(2)** (a) 3. Determine the eligibility of persons for medical assistance,
5 rehabilitative, and social services under ss. 49.46, 49.468, and 49.47 and rules and
6 policies adopted by the department and shall, under a contract under s. 49.33 (2) ~~(a)~~,
7 designate this function to the county department under s. 46.215, 46.22, or 46.23 or
8 a tribal governing body.

NOTE: Corrects cross-reference. Effective July 1, 2002, s. 49.33 (2) is repealed and recreated and no longer is divided into paragraphs, although the subject matter remains the same.

9 **SECTION 51.** 49.45 (2) (a) 12. a. of the statutes, as affected by 2001 Wisconsin
10 Act 16, is amended to read:

11 49.45**(2)** (a) 12. a. Decertify a provider from or restrict a provider's participation
12 in the medical assistance program, if after giving reasonable notice and opportunity
13 for hearing the department finds that the provider has violated a federal statute or
14 regulation or a state statute or administrative rule and the violation is, by statute,
15 regulation, or rule, grounds for decertification or restriction. The department shall
16 suspend the provider pending the hearing under this subdivision if the department
17 includes in its decertification notice findings that the provider's continued
18 participation in the medical assistance program pending hearing is likely to lead to
19 the irretrievable loss of public funds and is unnecessary to provide adequate access

ASSEMBLY BILL 935**SECTION 51**

1 to services to medical assistance recipients. As soon as practicable after the hearing,
2 the department shall issue a written decision. No payment may be made under the
3 medical assistance program with respect to any service or item furnished by the
4 provider subsequent to decertification or during the period of suspension.

NOTE: Inserts commas for improved grammar.

5 **SECTION 52.** 49.45 (2) (a) 24. of the statutes, as created by 2001 Wisconsin Act
6 16, is renumbered 49.45 (2) (a) 24m.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). A provision
numbered s. 49.45 (2) (a) 24. existed prior to 2001 Wisconsin Act 16.

7 **SECTION 53.** 49.45 (2) (b) 9. of the statutes, as created by 2001 Wisconsin Act
8 16, is amended to read:

9 49.45 (2) (b) 9. After providing reasonable notice and opportunity for a hearing,
10 charge an assessment to a provider that repeatedly has been subject to recoveries
11 under par. (a) 10. a. because of the provider's failure to follow identical or similar
12 billing procedures or to follow other identical or similar program requirements. The
13 assessment shall be used to defray in part the costs of audits and investigations by
14 the department under sub. (3) (g) and may not exceed \$1,000 or 200% of the amount
15 of any such repeated recovery made, whichever is greater. The provider shall pay the
16 assessment to the department within 10 days after receipt of notice of the assessment
17 or the final decision after administrative hearing, whichever is later. The
18 department may recover any part of an assessment not timely paid by offsetting the
19 assessment against any medical assistance payment owed to the provider and may
20 refer any such unpaid assessments not collected in this manner to the attorney
21 general, who may proceed with collection under this subdivision. Failure to timely
22 pay in any manner an assessment charged under this subdivision, other than an
23 assessment that is offset against any medical assistance payment owed to the

ASSEMBLY BILL 935**SECTION 53**

1 provider, is grounds for decertification under ~~subd. par. (a)~~ 12. A provider's payment
2 of an assessment does not relieve the provider of any other legal liability incurred in
3 connection with the recovery for which the assessment is charged, but is not evidence
4 of violation of a statute or rule. The department shall credit all assessments received
5 under this subdivision to the appropriation account under s. 20.435 (4) (iL). The
6 department shall promulgate rules to implement this subdivision.

NOTE: Inserts correct cross-reference. There is no s. 49.45 (2) (b) 12. Section 49.45
(2) (a) 12. relates to decertification. Removes unneeded "such."

7 **SECTION 54.** 49.473 (3) (intro.) of the statutes, as created by 2001 Wisconsin Act
8 16, is amended to read:

9 49.473 (3) (intro.) Prior to applying to the department or a county department
10 for medical assistance, a woman is eligible for medical assistance as provided under
11 sub. (5) beginning on the date on which a qualified entity determines, on the basis
12 of preliminary information, that the ~~women~~ woman meets the requirements
13 specified in sub. (2) and ending on one of the following dates:

NOTE: Inserts correct word form.

14 **SECTION 55.** 51.13 (4) (g) (intro.) of the statutes, as affected by 2001 Wisconsin
15 Act 16, is amended to read:

16 51.13 (4) (g) (intro.) If the court finds that the minor is in need of psychiatric
17 services or services for developmental disability, alcoholism, or drug abuse in an
18 inpatient facility, that the inpatient facility to which the minor is admitted offers
19 therapy or treatment that is appropriate for the minor's needs and that is the least
20 restrictive therapy or treatment consistent with the minor's needs, and, in the case
21 of a minor aged 14 years of age or older, who is being admitted for the primary
22 purpose of treatment for mental illness or developmental disability, that the
23 application is voluntary on the part of the minor, the court shall permit voluntary

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1 admission. If the court finds that the therapy or treatment in the inpatient facility
2 to which the minor is admitted is not appropriate or is not the least restrictive
3 therapy or treatment consistent with the minor's needs, the court may order
4 placement in or transfer to another more appropriate or less restrictive inpatient
5 facility, except that the court may not permit or order placement in or transfer to the
6 northern or southern centers for the developmentally disabled of a minor unless the
7 department gives approval for the placement or transfer, and if the order of the court
8 is approved by all of the following if applicable:

NOTE: 2001 Wis. Act 16 deleted the stricken comma without showing it as stricken.
The change was intended. Inserts "years of age" and removes "aged" for internal
consistency.

9 **SECTION 56.** 51.13 (4) (g) 1. of the statutes is amended to read:

10 51.13 (4) (g) 1. The minor if he or she is aged 14 years of age or older and is being
11 admitted for the primary purpose of treatment for mental illness or developmental
12 disability.

NOTE: Inserts "years of age" and removes "aged" for internal consistency.

13 **SECTION 57.** 51.61 (6) of the statutes, as affected by 2001 Wisconsin Act 16, is
14 amended to read:

15 51.61 (6) Subject to the rights of patients provided under this chapter, the
16 department, county departments under s. 51.42 or 51.437, and any agency providing
17 services under an agreement with the department or those county departments have
18 the right to use customary and usual treatment techniques and procedures in a
19 reasonable and appropriate manner in the treatment of patients who are receiving
20 services under the mental health system, for the purpose of ameliorating the
21 conditions for which the patients were admitted to the system. The written,
22 informed consent of any patient shall first be obtained, unless the person has been

ASSEMBLY BILL 935**SECTION 57**

1 found not competent to refuse medication and treatment under s. 51.61 (1) (g) or the
2 person is a minor 14 years of age or older who is receiving services for alcoholism or
3 drug abuse or a minor under 14 years of age who is receiving services for mental
4 illness, developmental disability, alcoholism, or drug abuse. In the case of a minor,
5 the written, informed consent of the parent or guardian is required, except as
6 provided under an order issued under s. 51.13 (1) (c) or 51.14 (3) (h) or (4) (g). If the
7 minor is 14 years of age or older and is receiving services for mental illness or
8 developmental disability, the written, informed consent of the minor and the minor's
9 parent or guardian is required. A refusal of either a minor 14 years of age or older
10 or the minor's parent or guardian to provide written, informed consent for admission
11 to an approved inpatient treatment facility is reviewable under s. 51.13 (1) (c) 1. and
12 a refusal of either a minor 14 years of age or older or the minor's parent or guardian
13 to provide written, informed consent for outpatient mental health treatment is
14 reviewable under s. 51.14.

NOTE: Inserts "of age" for improved clarity and internal consistency.

15 **SECTION 58.** 59.52 (11) (c) of the statutes, as affected by 2001 Wisconsin Act 16,
16 is amended to read:

17 59.52 (11) (c) *Employee insurance.* Provide for individual or group hospital,
18 surgical and life insurance for county officers and employees and for payment of
19 premiums for such county officers and employees. A county with at least 100
20 employees may elect to provide health care benefits on a self-insured basis to its
21 officers and employees. A county and one or more cities, villages, towns, or other
22 counties, that together have at least 100 employees, may jointly provide health care
23 benefits to their officers and employees on a self-insured basis. Counties ~~which~~ that
24 elect to provide health care benefits on a self-insured basis to their officers and

ASSEMBLY BILL 935**SECTION 58**

1 employees shall be subject to the requirements set forth under s. 120.13 (2) (c) to (e)
2 and (g).

NOTE: Deletes commas, inserts a specific reference, and replaces “which” with
“that” to improve grammar.

3 **SECTION 59.** The treatment of 59.72 (3) of the statutes by 1997 Wisconsin Act
4 27 is not repealed by 2001 Wisconsin Act 16. Both treatments stand.

NOTE: There is no conflict of substance. As merged, effective 9–1–03, s. 59.72 (3)
reads:

(3) LAND INFORMATION OFFICE. The board may establish a separate county land
information office or may direct that an office be established within an existing
department, board, commission, agency, institution, authority or office. If the board
establishes a county land information office, the office shall coordinate land information
projects within the county, between the county and local governmental units, between the
state and local governmental units and among local governmental units, the federal
government and the private sector. If the board establishes a land information office, the
board shall, within 2 years after the land information office is established, develop a
countywide plan for land records modernization.

5 **SECTION 60.** 66.1015 (2) (intro.) of the statutes is amended to read:

6 66.1015 **(2)** (intro.) This section does not prohibit a city, village, town, county,
7 or housing authority or the Wisconsin housing Housing and economic development
8 authority Economic Development Authority from doing any of the following:

NOTE: Capitalizes title consistent with current style.

9 **SECTION 61.** 66.1105 (5) (bg) of the statutes, as created by 2001 Wisconsin Act
10 11, is renumbered 66.1105 (5) (bj).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2001 Wis. Act
5 also created an s. 66.1105 (5) (bg).

11 **SECTION 62.** 66.1107 (2) (a) of the statutes is amended to read:

12 66.1107 **(2)** (a) Holding of a public hearing by the planning commission or by
13 the local governing body at which interested parties are afforded a reasonable
14 opportunity to express their views on the proposed designation and boundaries of a
15 reinvestment neighborhood or area. Notice of the hearing shall be published as a
16 class 2 notice, under ch. 985. Before publication, a copy of the notice shall be sent

ASSEMBLY BILL 935**SECTION 62**

1 by 1st class mail to the Wisconsin housing Housing and economic development
2 authority Economic Development Authority, and a copy shall be posted in each school
3 building and in at least 3 other places of public assembly within the reinvestment
4 neighborhood or area proposed to be designated.

NOTE: Capitalizes authority title consistent with current style.

5 **SECTION 63.** 66.1201 (16) (a) of the statutes is amended to read:

6 66.1201 **(16)** (a) In this subsection, “government” includes the Wisconsin
7 housing Housing and economic development authority Economic Development
8 Authority.

NOTE: Capitalizes authority title consistent with current style.

9 **SECTION 64.** 66.1205 (3) of the statutes is amended to read:

10 66.1205 **(3)** Subsection (1) (a) and (c) does not apply in the case of housing
11 projects to the financing of which the Wisconsin housing Housing and economic
12 development authority Economic Development Authority is a party, as to which ch.
13 234 shall be controlling.

NOTE: Capitalizes authority title consistent with current style.

14 **SECTION 65.** 66.1213 (7) (b) of the statutes is amended to read:

15 66.1213 **(7)** (b) As set down by the Wisconsin housing Housing and economic
16 development authority Economic Development Authority in accordance with ch. 234
17 in the case of housing projects to the financing of which it is a party.

NOTE: Capitalizes authority title consistent with current style.

18 **SECTION 66.** 71.05 (1) (c) 1. of the statutes is amended to read:

19 71.05 **(1)** (c) 1. The Wisconsin housing Housing and economic development
20 authority Economic Development Authority under s. 234.65, if the bonds are used
21 to fund an economic development loan to finance construction, renovation, or
22 development of property that would be exempt under s. 70.11 (36).

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NOTE: Capitalizes authority title consistent with current style.

1 **SECTION 67.** 71.05 (1) (c) 2. of the statutes is amended to read:

2 71.05 (1) (c) 2. The Wisconsin housing Housing and economic development
3 authority Economic Development Authority, if the bonds are to fund a loan under s.
4 234.935, 1997 stats.

NOTE: Capitalizes authority title consistent with current style.

5 **SECTION 68.** 73.03 (35) of the statutes, as affected by 2001 Wisconsin Act 16,
6 is amended to read:

7 73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),
8 (2dj), (2dL), (2dm), (2dr), (2ds),₁ or (2dx), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm),
9 (~~1dL~~), (1ds), (1dx), or (4) (am),₁ or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds),
10 (1dx), or (4) (am) if granting the full amount claimed would violate a requirement
11 under s. 560.785 or would bring the total of the credits granted to that claimant under
12 all of those subsections over the limit for that claimant under s. 560.768, 560.795 (2)
13 (b),₁ or 560.797 (5) (b).

NOTE: 2001 Wis. Act 16 inserted the underscored comma after “560.795 (2) (b)”
without showing it as underscored. The change was intended. Reorders subsection
cross-reference to be in correct numeric order.

14 **SECTION 69.** 77.52 (2) (a) 10. of the statutes, as affected by 2001 Wisconsin Act
15 16, section 2245, is amended to read:

16 77.52 (2) (a) 10. Except for installing or applying tangible personal property
17 which, when installed or applied, will constitute an addition or capital improvement
18 of real property, the repair, service, alteration, fitting, cleaning, painting, coating,
19 towing, inspection,₁ and maintenance of all items of tangible personal property
20 unless, at the time of such repair, service, alteration, fitting, cleaning, painting,
21 coating, towing, inspection,₁ or maintenance, a sale in this state of the type of property
22 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected,₁ or

ASSEMBLY BILL 935**SECTION 69**

1 maintained would have been exempt to the customer from sales taxation under this
2 subchapter, other than the exempt sale of a motor vehicle or truck body to a
3 nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51
4 (14r). For purposes of this paragraph, the following items shall be deemed
5 considered to have retained their character as tangible personal property, regardless
6 of the extent to which any such item is fastened to, connected with, or built into real
7 property: furnaces, boilers, stoves, ovens, including associated hoods and exhaust
8 systems, heaters, air conditioners, humidifiers, dehumidifiers, refrigerators,
9 coolers, freezers, water pumps, water heaters, water conditioners and softeners,
10 clothes washers, clothes dryers, dishwashers, garbage disposal units, radios and
11 radio antennas, incinerators, television receivers and antennas, record players, tape
12 players, jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs,
13 bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps,
14 electronic dust collectors, grills and rotisseries, bar equipment, intercoms,
15 recreational, sporting, gymnasium and athletic goods and equipment including by
16 way of illustration but not of limitation bowling alleys, golf practice equipment, pool
17 tables, punching bags, ski tows, and swimming pools; equipment in offices, business
18 facilities, schools, and hospitals but not in residential facilities including personal
19 residences, apartments, long-term care facilities, as defined under s. 16.009 (1) (em),
20 state institutions, as defined under s. 101.123 (1) (i), or similar facilities, including,
21 by way of illustration but not of limitation, lamps, chandeliers, and fans, venetian
22 blinds, canvas awnings, office and business machines, ice and milk dispensers,
23 beverage-making equipment, vending machines, soda fountains, steam warmers
24 and tables, compressors, condensing units and evaporative condensers, pneumatic
25 conveying systems; laundry, dry cleaning, and pressing machines, power tools,

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1 burglar alarm and fire alarm fixtures, electric clocks, and electric signs. “Service”
2 does not include services performed by veterinarians. The tax imposed under this
3 subsection applies to the repair, service, alteration, fitting, cleaning, painting,
4 coating, towing, inspection, or maintenance of items listed in this subdivision,
5 regardless of whether the installation or application of tangible personal property
6 related to the items is an addition to or a capital improvement of real property, except
7 that the tax imposed under this subsection does not apply to the original installation
8 or the complete replacement of an item listed in this subdivision, if such installation
9 or replacement is a real property construction activity under s. 77.51 (2).

NOTE: 2001 Wis. Act 16 inserted the stricken comma without showing it as
underscored. No change was intended. The underscored commas are added to improve
grammar. Replaces disfavored term.

10 **SECTION 70.** 77.52 (2) (a) 10. of the statutes, as affected by 2001 Wisconsin Act
11 16, section 2245d, is amended to read:

12 77.52 (2) (a) 10. Except for installing or applying tangible personal property
13 which, when installed or applied, will constitute an addition or capital improvement
14 of real property, the repair, service, alteration, fitting, cleaning, painting, coating,
15 towing, inspection, and maintenance of all items of tangible personal property
16 unless, at the time of such repair, service, alteration, fitting, cleaning, painting,
17 coating, towing, inspection, or maintenance, a sale in this state of the type of property
18 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected, or
19 maintained would have been exempt to the customer from sales taxation under this
20 subchapter, other than the exempt sale of a motor vehicle or truck body to a
21 nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51
22 (14r). For purposes of this paragraph, the following items shall be deemed
23 considered to have retained their character as tangible personal property, regardless

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1 of the extent to which any such item is fastened to, connected with, or built into real
2 property: furnaces, boilers, stoves, ovens, including associated hoods and exhaust
3 systems, heaters, air conditioners, humidifiers, dehumidifiers, refrigerators,
4 coolers, freezers, water pumps, water heaters, water conditioners and softeners,
5 clothes washers, clothes dryers, dishwashers, garbage disposal units, radios and
6 radio antennas, incinerators, television receivers and antennas, record players, tape
7 players, jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs,
8 bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps,
9 electronic dust collectors, grills and rotisseries, bar equipment, intercoms,
10 recreational, sporting, gymnasium and athletic goods and equipment including by
11 way of illustration but not of limitation bowling alleys, golf practice equipment, pool
12 tables, punching bags, ski tows, and swimming pools; equipment in offices, business
13 facilities, schools and hospitals but not in residential facilities including personal
14 residences, apartments, long-term care facilities, as defined under s. 16.009 (1) (em),
15 state institutions, as defined under s. 101.123 (1) (i), Type 1 secured correctional
16 facilities, as defined in s. 938.02 (19), or similar facilities, including, by way of
17 illustration but not of limitation, lamps, chandeliers, and fans, venetian blinds,
18 canvas awnings, office and business machines, ice and milk dispensers,
19 beverage-making equipment, vending machines, soda fountains, steam warmers
20 and tables, compressors, condensing units and evaporative condensers, pneumatic
21 conveying systems; laundry, dry cleaning, and pressing machines, power tools,
22 burglar alarm and fire alarm fixtures, electric clocks and electric signs. “Service”
23 does not include services performed by veterinarians. The tax imposed under this
24 subsection applies to the repair, service, alteration, fitting, cleaning, painting,
25 coating, towing, inspection, or maintenance of items listed in this subdivision,

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1 regardless of whether the installation or application of tangible personal property
2 related to the items is an addition to or a capital improvement of real property, except
3 that the tax imposed under this subsection does not apply to the original installation
4 or the complete replacement of an item listed in this subdivision, if such installation
5 or replacement is a real property construction activity under s. 77.51 (2).

NOTE: 2001 Wis. Act 16 inserted the stricken comma without showing it as
underscored. No change was intended. The underscored commas are added for improved
grammar. Replaces disfavored term.

6 **SECTION 71.** 84.072 (4) of the statutes, as created by 2001 Wisconsin Act 16, is
7 amended to read:

8 **84.072 (4) REQUIREMENTS OF CERTIFIED BUSINESSES.** A business certified as a
9 disadvantaged business shall, within 30 days after a change in the business's size,
10 disadvantaged status, ownership, or control that could preclude its certification as
11 a disadvantaged business under 49 CFR 26, notify the department of such that
12 change by sworn and notarized statement. A business certified as a disadvantaged
13 business shall submit annually to the department a sworn, notarized statement
14 attesting that there have been no changes to the business's size, disadvantaged
15 status, ownership, or control, or its gross receipts, that would preclude its
16 certification as a disadvantaged business under 49 CFR 26. The notice shall include
17 a statement that the business meets the size and gross receipts criteria for
18 certification, and shall include documentary evidence supporting that statement.
19 The department shall remove the certification of any disadvantaged business that
20 fails to provide the statement within 13 months after certification under this section,
21 or within 13 months after it last submitted to the department the information
22 required under this subsection, whichever is later.

NOTE: Replaces disfavored term and inserts article and "its" to improve grammar
and clarity.

ASSEMBLY BILL 935**SECTION 72**

1 **SECTION 72.** 84.1040 of the statutes, as created by 2001 Wisconsin Act 16, is
2 renumbered 84.1037.

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). In the Wisconsin statutory numbering system, ss. 84.104 and 84.1040 are equivalent. Section 84.104 was previously existing.

3 **SECTION 73.** 85.25 (2) (a) of the statutes is amended to read:

4 85.25 **(2)** (a) “Business development organization” means the Wisconsin
5 ~~housing~~ Housing and ~~economic development authority~~ Economic Development
6 Authority under s. 234.02 or any private organization which ~~that~~ prepares business
7 and loan plans for and provides other financial, management, and technical
8 assistance to disadvantaged businesses.

NOTE: Capitalizes authority title consistent with current style.

9 **SECTION 74.** 93.23 (1) (i) of the statutes is amended to read:

10 93.23 **(1)** (i) Incorporated dairy or livestock associations, upon substantial
11 compliance with pars. (a) to ~~(h)~~ (g), shall be entitled to the state aid therein provided
12 for upon premiums paid for dairy products or livestock or upon articles pertaining
13 to the production or manufacture of such products or the raising of such livestock,
14 in any county in which no annual fair is held by any organized agricultural society,
15 association, or board. State aid shall be paid to but one such dairy or livestock
16 association in any one county. All moneys received by any such association shall be
17 paid out by it for the premiums provided for in this subsection substantially as
18 provided in sub. (2).

NOTE: Section 93.23 (1) (h) was repealed by 2001 Wis. Act 16.

19 **SECTION 75.** 106.215 (10) (g) 3. of the statutes, as affected by 2001 Wisconsin
20 Act 16, is amended to read:

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1 106.215 (10) (g) 3. The education voucher is valid for 4 years after the date of
2 issuance for the payment of tuition and required program activity fees at any
3 institution of higher education, as defined in 20 USC 1002, that accepts the voucher,
4 ~~and the.~~ The board shall authorize payment to the institution of face value of the
5 voucher upon presentment.

NOTE: 2001 Wis. Act 16 inserted the stricken comma without showing it as
underscored. The inserted comma is replaced with a period and the sentence divided to
improve sentence structure and readability.

6 **SECTION 76.** 111.815 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
7 is amended to read:

8 111.815 (1) In the furtherance of this subchapter, the state shall be considered
9 as a single employer and employment relations policies and practices throughout the
10 state service shall be as consistent as practicable. The department shall negotiate
11 and administer collective bargaining agreements. To coordinate the employer
12 position in the negotiation of agreements, the department shall maintain close
13 liaison with the legislature relative to the negotiation of agreements and the fiscal
14 ramifications ~~thereof~~ of those agreements. Except with respect to the collective
15 bargaining units specified in s. 111.825 (1m) and (2) (f), the department is responsible
16 for the employer functions of the executive branch under this subchapter, and shall
17 coordinate its collective bargaining activities with operating state agencies on
18 matters of agency concern. The legislative branch shall act upon those portions of
19 tentative agreements negotiated by the department ~~which~~ that require legislative
20 action. With respect to the collective bargaining units specified in s. 111.825 (1m),
21 the University of Wisconsin Hospitals and Clinics Board is responsible for the
22 employer functions under this subchapter. With respect to the collective bargaining
23 unit specified in s. 111.825 (2) (f), the governing board of the charter school

ASSEMBLY BILL 935**SECTION 76**

1 established by contract under s. 118.40 (2r) (cm) ~~4~~ is responsible for the employer
2 functions under this subchapter.

NOTE: Section 118.40 (2r) (cm) is not subdivided. Inserts a specific reference.

3 **SECTION 77.** 115.882 of the statutes is amended to read:

4 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
5 shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement
6 from the ~~appropriations~~ appropriation under s. 20.255 (2) (b) ~~and (br)~~ under ss.
7 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be reimbursed at a rate
8 set to distribute the full amount appropriated for reimbursement for ~~such~~ the costs,
9 not to exceed 100%.

NOTE: Section 20.255 (2) (br) was repealed by 2001 Wis. Act 16. Replaces disfavored term.

10 **SECTION 78.** 118.02 (17) of the statutes, as created by 2001 Wisconsin Act 20,
11 is renumbered 118.02 (17m).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2001 Wis. Act 16 also created a provision numbered s. 118.02 (17).

12 **SECTION 79.** The treatment of 118.51 (3) (a) 1. of the statutes by 1999 Wisconsin
13 Act 117 is not repealed by 1999 Wisconsin Act 118. Both treatments stand.

NOTE: There is no conflict of substance. As merged, s. 118.51 (3) (a) 1. reads:

1. The parent of a pupil who wishes to attend a public school in a nonresident school district under this section shall submit an application, on a form provided by the department under sub. (15) (a), to the school board of the nonresident school district that the pupil wishes to attend, not earlier than the first Monday in February and not later than the 3rd Friday following the first Monday in February of the school year immediately preceding the school year in which the pupil wishes to attend. Applications may be submitted to no more than 3 nonresident school boards in any school year. On the 4th Monday in February, the nonresident school board shall send a copy of the application to the pupil's resident school board and the department. The application may include a request to attend a specific school or program offered by the nonresident school district.

14 **SECTION 80.** 119.82 (1) (a) 3. of the statutes is amended to read:

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1 119.82 (1) (a) 3. Has been or is being sanctioned under s. 49.26 (1) (h) or is
2 subject to the monthly attendance requirement under s. ~~HSS 201.195~~ DWD 11.195
3 (4) (b) 2., Wis. adm. code Adm. Code.

NOTE: Inserts correct citation and changes capitalization consistent with current style.

4 **SECTION 81.** 121.105 (2) (b) of the statutes is amended to read:

5 121.105 (2) (b) A school district is eligible to receive additional aid under par.
6 (a) ~~(a)~~ (am) only if additional aid does not result in a state aid payment greater than the
7 school district's shared cost.

NOTE: Section 121.105 (2) (a) was renumbered to s. 121.105 (2) (am) by 2001 Wis. Act 16.

8 **SECTION 82.** 126.16 (7) (e) 1. of the statutes, as created by 2001 Wisconsin Act
9 16, is amended to read:

10 126.16 (7) (e) 1. Issue a summary order under s. ~~126.55~~ 126.85 (2) that prohibits
11 the grain dealer from procuring producer grain or requires the grain dealer to pay
12 cash on delivery for all producer grain.

NOTE: Inserts correct cross-reference. Section 126.55 (2) defines "cash payment." Section 126.85 (2) relates to summary orders.

13 **SECTION 83.** 180.0103 (7m) of the statutes is amended to read:

14 180.0103 (7m) "Electronic transmission" or "electronically transmitted"
15 means ~~internet~~ Internet transmission, telephonic transmission, electronic mail
16 transmission, transmission of a telegram, cablegram, or datagram, or any other form
17 or process of communication that does not directly involve the physical transfer of
18 paper and that is suitable for the retention, retrieval, and reproduction of
19 information by the recipient.

NOTE: Capitalizes "internet" consistent with current style.

20 **SECTION 84.** 196.485 (1m) (b) of the statutes is amended to read:

ASSEMBLY BILL 935**SECTION 84**

1 196.485 **(1m)** (b) After beginning operations, the transmission company shall,
2 except for transmission service provided by an electric utility that has not
3 transferred its transmission facilities to the ~~the~~ transmission company, have the
4 exclusive duty to provide transmission service in those areas in which transmission
5 facilities have been contributed. The duty under this paragraph shall terminate on
6 the date, as determined by the commission under sub. (2) (d), that the Midwest
7 independent system operator begins operations.

NOTE: Deletes repeated word.

8 **SECTION 85.** 227.15 (1) (title) of the statutes is amended to read:

9 227.15 **(1)** (title) ~~SUBMISSION~~ SUBMITTAL TO LEGISLATIVE COUNCIL STAFF.

NOTE: Makes title consistent with the terminology used throughout the remainder
of ch. 227.

10 **SECTION 86.** 230.36 (1m) (b) 5. b. of the statutes is amended to read:

11 230.36 **(1m)** (b) 5. b. Surveying or inspecting within the ~~right of way~~
12 right-of-way of highways on which traffic is maintained.

NOTE: Corrects spelling.

13 **SECTION 87.** 231.01 (1) of the statutes is amended to read:

14 231.01 **(1)** “Authority” means the Wisconsin health Health and educational
15 ~~facilities authority~~ Educational Facilities Authority.

NOTE: Capitalizes authority title consistent with current style.

16 **SECTION 88.** 234.01 (1) of the statutes is amended to read:

17 234.01 **(1)** “Authority” means the Wisconsin housing Housing and economic
18 ~~development authority~~ Economic Development Authority.

NOTE: Capitalizes authority title consistent with current style.

19 **SECTION 89.** 234.02 (title) of the statutes is amended to read:

ASSEMBLY BILL 935**SECTION 89**

1 **234.02** (title) ~~Wisconsin housing~~ Housing and economic development
2 ~~authority~~ Economic Development Authority: **creation; membership;**
3 **appointment and tenure; meetings; officers.**

NOTE: Capitalizes authority title consistent with current style.

4 **SECTION 90.** 234.02 (1) of the statutes is amended to read:

5 **234.02 (1)** There is created a public body corporate and politic to be known as
6 the “~~Wisconsin housing~~ Housing and economic development authority”. Economic
7 Development Authority.” The members of the authority shall be the secretary of
8 commerce or his or her designee and the secretary of administration or his or her
9 designee, and 6 public members nominated by the governor, and with the advice and
10 consent of the senate appointed, for staggered 4-year terms commencing on the
11 dates their predecessors’ terms expire. In addition, one senator of each party and one
12 representative to the assembly of each party appointed as are the members of
13 standing committees in their respective houses shall serve as members of the
14 authority. A member of the authority shall receive no compensation for services but
15 shall be reimbursed for necessary expenses, including travel expenses, incurred in
16 the discharge of duties. Subject to the bylaws of the authority respecting
17 resignations, each member shall hold office until a successor has been appointed and
18 has qualified. A certificate of appointment or reappointment of any member shall
19 be filed with the authority and the certificate shall be conclusive evidence of the due
20 and proper appointment.

NOTE: Capitalizes authority title consistent with current style.

21 **SECTION 91.** 234.98 of the statutes is amended to read:

22 **234.98 Transferred assets.** The assets and liabilities transferred from the
23 ~~community development finance authority~~ Community Development Finance

ASSEMBLY BILL 935**SECTION 91**

1 Authority under 1987 Wisconsin Act 399, section 3011 (2) (a) shall be separate from
2 all other assets and liabilities of the Wisconsin housing Housing and economic
3 development authority Economic Development Authority. The outstanding
4 obligations or liabilities of the ~~community development finance authority~~
5 Community Development Finance Authority shall be paid only from the assets
6 transferred to the Wisconsin housing Housing and economic development authority
7 Economic Development Authority from the ~~community development finance~~
8 ~~authority~~ Community Development Finance Authority under 1987 Wisconsin Act
9 399, section 3011 (2) (a).

NOTE: Capitalizes authority title consistent with current style.

10 **SECTION 92.** 236.20 (2) (c) of the statutes is amended to read:

11 236.20 (2) (c) The length and bearing of the exterior boundaries, the boundary
12 lines of all blocks, public grounds, streets, and alleys, and all lot lines, except that
13 when the lines in any tier of lots are parallel it shall be sufficient to mark the bearings
14 of the outer lines on one tier thereof. Easements not parallel to a boundary or lot line
15 shall be shown by ~~centerline~~ center line distance, bearing, and width or by easement
16 boundary bearings and distances. Where easement lines are parallel to boundary
17 or lot lines, the boundary or lot line distances and bearings are controlling. Where
18 the exterior boundary lines show bearings or lengths ~~which~~ that vary from those
19 recorded in abutting plats or certified surveys there shall be the following note placed
20 along ~~such~~ the lines, “recorded as (show recorded bearing or length or both)”—.”

NOTE: Corrects spelling, replaces and deletes disfavored terms, and moves
quotation mark for conformity with current style.

21 **SECTION 93.** 237.01 (4) of the statutes, as affected by 2001 Wisconsin Act 16,
22 section 1337, is renumbered 237.01 (5).

ASSEMBLY BILL 935**SECTION 93**

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2001 Wis. Act 16, s. 3128, created a provision that was also numbered s. 237.01 (4).

1 **SECTION 94.** 237.10 (1) of the statutes, as created by 2001 Wisconsin Act 16, is
2 amended to read:

3 237.10 (1) Upon entering into the lease under s. 237.06, the authority shall
4 maintain the sea lamprey barrier at the Rapide Croche lock according to
5 specifications of the department of natural resources in order to prevent sea
6 lampreys and other aquatic nuisance species from moving upstream.

NOTE: Inserts missing word consistent with s. 237.10 (2).

7 **SECTION 95.** 237.11 (2) and (3) of the statutes, as created by 2001 Wisconsin Act
8 16, are amended to read:

9 237.11 (2) If an employee of the authority declares an intention to run for
10 partisan political office, the employee shall be placed on a leave of absence for the
11 duration of the election campaign and if elected shall no longer be employed by the
12 authority on assuming the duties and responsibilities of such office.

13 (3) An employee of the authority may be granted, by the chief executive officer,
14 a leave of absence to participate in partisan political campaigning.

NOTE: Inserts commas to improve grammar.

15 **SECTION 96.** 247.03 (2) (c) of the statutes, as created by 2001 Wisconsin Act 16,
16 is amended to read:

17 247.03 (2) (c) The executive secretary of the arts board, as a nonvoting member.

NOTE: Inserts comma to improve grammar.

18 **SECTION 97.** 251.11 (2) of the statutes, as affected by 2001 Wisconsin Act 16,
19 is amended to read:

20 251.11 (2) The local board of health of a multiple county health department
21 established under s. 251.02 (3) shall, under this section, determine the compensation

ASSEMBLY BILL 935**SECTION 97**

1 for the employees of the multiple county health departments department. The local
2 board of health of a city–county health department established under s. 251.02 (1m)
3 shall, under this section, determine the compensation for the employees of the
4 city–county health department.

NOTE: 2001 Wis. Act 16 inserted the underscored “the” without showing it as underscored. The change was intended. Replaces the plural with the singular for proper sentence agreement.

5 **SECTION 98.** 281.58 (9) (e) of the statutes, as affected by 2001 Wisconsin Act 16,
6 is amended to read:

7 281.58 (9) (e) If the department of natural resources and the department of
8 administration determine that the governor’s recommendation, as set forth in the
9 executive budget bill, for the amount under s. 281.59 (3e) (b), the amount available
10 under s. 20.866 (2) (tc), or the amount available under s. 281.59 (4) (f) for a biennium
11 is insufficient to provide funding for all projects for which applications will be
12 approved during that biennium, the department shall inform municipalities that, if
13 the governor’s recommendations are approved, clean water fund program assistance
14 during a fiscal year of that biennium will ~~only~~ be available only to municipalities that
15 submit financial assistance applications by the June 30 preceding that fiscal year.

NOTE: 2001 Wis. Act 16 inserted the underscored comma without showing it as underscored. The change was intended. Corrects adverb placement.

16 **SECTION 99.** 343.301 (1) (b) 2. of the statutes, as affected by 2001 Wisconsin Act
17 16, section 3420m, is amended to read:

18 343.301 (1) (b) 2. The court shall order the operating privilege restriction and
19 the installation of an ignition interlock device under par. (a) 2. for a period of not less
20 than one year nor more than the maximum operating privilege revocation period
21 permitted for the refusal or violation, beginning ~~on the first day of the operating~~

ASSEMBLY BILL 935**SECTION 99**

1 ~~privilege revocation period~~ one year after the operating privilege revocation period
2 begins.

NOTE: 2001 Wis. Act 16, s. 3420m, inserted the stricken language without showing it as underscored and deleted the underscored language without showing it as stricken. No change was intended.

3 **SECTION 100.** 343.305 (10) (b) 4. of the statutes, as affected by 2001 Wisconsin
4 Act 16, is amended to read:

5 343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions
6 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
7 convictions, suspensions, and revocations counted under s. 343.307 (2) ~~within a~~
8 ~~10-year period~~, equals 3 or more, the court shall revoke the person's operating
9 privilege for 3 years. After the first ~~90~~ 120 days of the revocation period or, if the total
10 number of convictions, suspensions, and revocations counted under this subdivision
11 within any 5-year period equals 2 or more, after one year of the revocation period has
12 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she
13 has completed the assessment and is complying with the driver safety plan.

NOTE: 2001 Wis. Act 16 inserted the stricken language without showing it as underscored and deleted the underscored language without showing it as stricken. No change was intended.

14 **SECTION 101.** 346.655 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
15 is amended to read:

16 346.655 (1) If a court imposes a fine or a forfeiture for a violation of s. 346.63
17 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25,
18 or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver
19 improvement surcharge in an amount of \$355 in addition to the fine or forfeiture,
20 penalty assessment, jail assessment, ~~crimes~~ crime laboratories and drug law

ASSEMBLY BILL 935**SECTION 101**

1 enforcement assessment, and, if required by s. 349.04, truck driver education
2 assessment.

NOTE: 2001 Wis. Act 16 inserted the stricken language without showing it as
underscored and deleted the underscored language without showing it as stricken. No
change was intended.

3 **SECTION 102.** 347.145 (2) of the statutes is amended to read:

4 347.145 (2) A motor bus may be equipped with amber lights ~~which~~ that shine
5 with a steady beam or ~~which~~ that pulse during deceleration, braking, or standing and
6 idling. The lights shall be mounted symmetrically with respect to the vertical
7 ~~centerline~~ center line of the motor bus in a horizontal alignment on the rear of the
8 motor bus. The lights may be mounted no higher than the lower edge of the rear
9 window, or no higher than 72 inches if the motor bus does not have a rear window.

NOTE: Corrects spelling. Replaces “which” with “that” and inserts a comma to
improve grammar.

10 **SECTION 103.** 347.24 (1) (am) of the statutes is amended to read:

11 347.24 (1) (am) No person may operate on a highway during hours of darkness
12 any implement of husbandry that extends 4 feet or more to the left of the ~~centerline~~
13 center line of its towing vehicle unless ~~such~~ the implement is equipped with an amber
14 reflector meeting the visibility requirements of s. 347.19 and mounted on the left
15 side, facing forward, so as to mark the extreme width of the implement to drivers of
16 oncoming vehicles.

NOTE: Corrects spelling and replaces disfavored term.

17 **SECTION 105.** 350.1395 (4) (b) of the statutes, as affected by 2001 Wisconsin Act
18 14, is amended to read:

19 350.1395 (4) (b) The department may not promulgate a rule under this
20 subsection without first consulting with each rail authority in this state, that has
21 furnished the department with the information required under s. 350.138 (2m), an

ASSEMBLY BILL 935**SECTION 105**

1 established snowmobile association that represents snowmobile clubs, as defined in
2 s. 350.138 (1) (e), in this state, and the office of the commissioner of railroads.

NOTE: Deletes unnecessary comma.

3 **SECTION 105.** 409.704 (3) 1. and 2. of the statutes, as created by 2001 Wisconsin
4 Act 10, are renumbered 409.704 (3) (a) and (b).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) to conform the
numbering of this provision with current style.

5 **SECTION 106.** 442.087 (2) of the statutes, as created by 2001 Wisconsin Act 16,
6 is amended to read:

7 442.087 (2) RENEWAL OF FIRM LICENSES. After January 1, 2005, the department
8 may not renew the license of a firm unless, at least once every 3 years, the firm
9 undergoes the peer review that is specified in the rules promulgated under sub. (3)
10 and that is conducted by a person, approved by the examining board under the rules,
11 who is not affiliated with the firm or members of the firm undergoing review.

NOTE: Adds commas to improve grammar and clarity.

12 **SECTION 107.** 455.02 (2m) (h) of the statutes is amended to read:

13 455.02 (2m) (h) A person who has a doctoral degree in psychology and who has
14 met the examining board's requirements for predoctoral supervised experience
15 under s. Psy 2.09 (2), Wis. adm. code Adm. Code, while employed as a psychology
16 resident by a clinic certified by the department of health and family services.

NOTE: Changes capitalization consistent with current style.

17 **SECTION 108.** 455.02 (2m) (L) of the statutes, as affected by 2001 Wisconsin Act
18 38, is amended to read:

19 455.02 (2m) (L) A mental health professional who has met all of the
20 qualifications under s. HFS 61.96, Wis. adm. code Adm. Code, for employment as a
21 mental health professional in an outpatient psychotherapy clinic certified by the

ASSEMBLY BILL 935**SECTION 108**

1 department of health and family services under s. HFS 61.95, Wis. adm. code Adm.
2 Code, if the person is performing activities that are a part of the duties for which he
3 or she is employed by such a certified outpatient psychotherapy clinic and is
4 performing those activities solely within the confines of or under the jurisdiction of
5 the clinic by which he or she is employed.

NOTE: Changes capitalization consistent with current style.

6 **SECTION 109.** 560.03 (17) of the statutes is amended to read:

7 560.03 (17) Assist new businesses and small businesses receiving economic
8 development loans under s. 234.65 (1) (a) or the assistance of the Wisconsin ~~housing~~
9 Housing and economic development authority Economic Development Authority in
10 locating sources of venture capital and in obtaining the state and federal licenses and
11 permits necessary for business operations.

NOTE: Capitalizes authority title consistent with current style.

12 **SECTION 110.** 560.034 (5) (b) of the statutes is amended to read:

13 560.034 (5) (b) Under sub. (3), to the Wisconsin ~~housing~~ Housing and economic
14 ~~development authority~~ Economic Development Authority.

NOTE: Capitalizes authority title consistent with current style.

15 **SECTION 111.** 560.795 (2) (a) of the statutes, as affected by 2001 Wisconsin Act
16 16, is amended to read:

17 560.795 (2) (a) Except as provided in par. (d), the designation of each area under
18 sub. (1) (a), (b), and (c), ~~and (e)~~ as a development opportunity zone shall be effective
19 for 36 months, with the designation of the areas under sub. (1) (a) and (b) beginning
20 on April 23, 1994, and the designation of the area under sub. (1) (c) beginning on
21 April 28, 1995. Except as provided in par. (d), the designation of each area under sub.
22 (1) (d), (e), and (f) as a development opportunity zone shall be effective for 84 months,

ASSEMBLY BILL 935**SECTION 111**

1 with the designation of the area under sub. (1) (d) beginning on January 1, 2000, and
2 the designations of the areas under sub. (1) (e) and (f) beginning on September 1,
3 2001.

NOTE: 2001 Wis. Act 16 inserted the stricken language without showing it as
underscored. No change was intended.

4 **SECTION 112.** 560.798 (4) (a) 2. of the statutes, as created by 2001 Wisconsin
5 Act 16, is amended to read:

6 560.798 (4) (a) 2. A ~~business'~~ business's certification and the limit on the
7 amount of tax benefits that the business may claim.

NOTE: Corrects the possessive form of a singular noun.

8 **SECTION 113.** 560.798 (4) (a) 3. of the statutes, as created by 2001 Wisconsin
9 Act 16, is amended to read:

10 560.798 (4) (a) 3. The revocation of a ~~business'~~ business's certification.

NOTE: Corrects the possessive form of a singular noun.

11 **SECTION 114.** 560.798 (5) (f) of the statutes, as created by 2001 Wisconsin Act
12 16, is amended to read:

13 560.798 (5) (f) Reasons for revoking a ~~business'~~ business's certification.

NOTE: Corrects the possessive form of a singular noun.

14 **SECTION 115.** 560.96 (4) (a) 2. of the statutes, as created by 2001 Wisconsin Act
15 16, is amended to read:

16 560.96 (4) (a) 2. A ~~business'~~ business's certification and the limit on the amount
17 of tax credits that the business may claim.

NOTE: Corrects the possessive form of a singular noun.

18 **SECTION 116.** 560.96 (4) (a) 3. of the statutes, as created by 2001 Wisconsin Act
19 16, is amended to read:

20 560.96 (4) (a) 3. The extension or revocation of a ~~business'~~ business's
21 certification.

ASSEMBLY BILL 935**SECTION 116**

NOTE: Corrects the possessive form of a singular noun.

1 **SECTION 117.** 560.96 (5) (b) (intro.) of the statutes, as created by 2001 Wisconsin
2 Act 16, is amended to read:

3 560.96 (5) (b) (intro.) A ~~business'~~ business's eligibility for certification,
4 including definitions for all of the following:

NOTE: Corrects the possessive form of a singular noun.

5 **SECTION 118.** 560.96 (5) (e) of the statutes, as created by 2001 Wisconsin Act
6 16, is amended to read:

7 560.96 (5) (e) Standards for extending a ~~business'~~ business's certification,
8 including what measures, in addition to job creation, the department will use to
9 determine the growth of a specific business and how the department will establish
10 baselines against which to measure growth.

NOTE: Corrects the possessive form of a singular noun.

11 **SECTION 119.** 560.96 (5) (h) of the statutes, as created by 2001 Wisconsin Act
12 16, is amended to read:

13 560.96 (5) (h) Reasons for revoking a ~~business'~~ business's certification.

NOTE: Corrects the possessive form of a singular noun.

14 **SECTION 120.** 600.01 (1) (b) 7. of the statutes is amended to read:

15 600.01 (1) (b) 7. Guarantees of the Wisconsin ~~health~~ Health and ~~educational~~
16 ~~facilities authority~~ Educational Facilities Authority under s. 231.35.

17 **SECTION 121.** 706.11 (1) (c) 2. of the statutes is amended to read:

18 706.11 (1) (c) 2. The Wisconsin ~~health~~ Health and ~~educational facilities~~
19 ~~authority~~ Educational Facilities Authority created under ch. 231, the Wisconsin
20 ~~housing~~ Housing and ~~economic development authority~~ Economic Development
21 Authority created under ch. 234, or any other authority created by state law.

NOTE: Capitalizes authority title consistent with current style.

ASSEMBLY BILL 935**SECTION 122**

1 **SECTION 122.** 944.21 (9) of the statutes, as affected by 2001 Wisconsin Act 16,
2 is amended to read:

3 944.21 **(9)** In determining whether material is obscene under sub. (2) (c) 1. and
4 3., a judge or jury shall examine individual pictures, recordings of images, or
5 passages in the context of the work in which they appear.

NOTE: 2001 Wis. Act 16 inserted the underscored comma without showing it as
underscored. The change was intended.

6 **SECTION 123.** 948.11 (2) (b) (intro.) of the statutes, as affected by 2001
7 Wisconsin Act 16, is amended to read:

8 948.11 **(2)** (b) (intro.) Whoever, with knowledge of the character and content of
9 the material, possesses harmful material with the intent to sell, rent, exhibit, play,
10 distribute, or loan the material to a child is guilty of a Class A misdemeanor if any
11 of the following applies:

NOTE: 2001 Wis. Act 16 inserted the underscored comma without showing it as
underscored. The change was intended.

12 **SECTION 124.** 973.09 (4) (c) of the statutes, as affected by 2001 Wisconsin Act
13 16, is amended to read:

14 973.09 **(4)** (c) While subject to this subsection, the probationer is subject to s.
15 303.08 (1), (3) to (6), (8) to (12), and (14) or to s. 303.10, whichever is applicable, to
16 all the rules of the facility to which the probationer is confined, and to the discipline
17 of the department, if confined to a facility under par. (b), or the sheriff.

NOTE: 2001 Wis. Act 16 inserted the underscored "or" without showing it as
underscored. The change was intended.

18 **SECTION 125.** 979.10 (4) of the statutes is amended to read:

19 979.10 **(4)** Whoever accepts, receives, or takes any corpse of a deceased person
20 with intent to destroy the corpse by means of cremation, or who cremates or aids and
21 assists in the cremation of any corpse of a deceased person without having presented

ASSEMBLY BILL 935**SECTION 125**

1 the certificate permit specified in sub. (1) shall be fined not more than \$10,000 or
2 imprisoned not more than 9 months or both.

NOTE: Makes terminology consistent with that in s. 979.10 (1). 1985 Wis. Act 315 repealed and recreated s. 979.10 (1). Prior to 1985 Wis. Act 315, s. 979.10 (1) required a “certificate of burial permit.” 1985 Wis. Act 315 changed s. 979.10 (1) to require “cremation permit,” but did not amend s. 979.10 (4) to reflect the change.

3 **SECTION 126.** 2001 Wisconsin Act 16, section 458 is amended by replacing
4 “grants under ~~s. and ss. 560.13 and 560.139 (1) (c), and for the grant under 1999~~
5 Wisconsin Act 9” with “grants under ~~s. ss. 560.13 and 560.139 (1) (c), for the grant~~
6 under 1999 Wisconsin Act 9”.

NOTE: Confirms that “and” was preexisting language and was neither added nor deleted by 2001 Wisconsin Act 16, section 458.

7 **SECTION 127.** 2001 Wisconsin Act 16, section 737am is amended by replacing
8 “under ~~s. 49.33 (8); and for payments to, and Wisconsin works agencies;~~” with “under
9 ~~s. 49.33 (8), and Wisconsin works agencies;~~”.

NOTE: The “; and for payments to” shown as stricken in 2001 Wis. Act 16, section 737m was not preexisting text and was inadvertently inserted. The semicolon shown as plain text in s. 737m, was inserted into s. 20.445 (3) (dz) by Act 16, s. 737, without being shown as underscored. The s. 737 treatment is corrected elsewhere in this bill and is shown as underscored here to confirm its correct location after the treatment by Act 16, section 737m.

10 **SECTION 128.** 2001 Wisconsin Act 16, section 1066g is amended by replacing
11 “registration and that contains” with “registration and that contains”.

NOTE: Confirms that “that” was preexisting language and was not added by 2001 Wisconsin Act 16, section 1066g.

12 **SECTION 129.** 2001 Wisconsin Act 16, section 1478 is amended by replacing
13 “45.79 (5) (b) 1. Persons Veterans receiving loans” with “45.79 (5) (b) *Organization*
14 *fees. Persons Veterans* receiving loans”.

NOTE: 2001 Wisconsin Act 16, section 1478, inadvertently showed “1.” instead of the paragraph title. Section 45.79 (5) (b) is not divided into subdivisions.

ASSEMBLY BILL 935**SECTION 130**

1 **SECTION 130.** 2001 Wisconsin Act 16, section 1509g is amended by replacing
2 “46.278 (6) (e) 1. of the statutes is amended to read:” with “46.278 (6) (e) 1. (intro.)
3 of the statutes is amended to read:”.

 NOTE: Confirms that 2001 Wisconsin Act 16, section 1509g affects only the intro.
to s. 46.278 (6) (e) 1.

4 **SECTION 131.** 2001 Wisconsin Act 16, section 1711b is amended by replacing
5 “49.175 (1) (zh) of the statutes is amended to read:” with “49.175 (1) (zh) 2. of the
6 statutes is renumbered 49.175 (1) (zh) and amended to read:”.

 NOTE: 2001 Wis. Act 16, section 1711b, states that it amends s. 49.175 (1) (zh), but
it treats only s. 49.175 (1) (zh) (title) and 2. Drafting records indicate that s. 49.175 (1)
(zh) 1. and 2. (title) were intended to be repealed, as s. 49.175 (1) (zh) 1. is obsolete, and
that subd. 2. was to be renumbered to par. (zh), rendering the subdivision title
unnecessary. See also the treatment of s. 49.175 (1) (zh) 1. and 2. (title) by this bill.

7 **SECTION 132.** 2001 Wisconsin Act 16, section 1773 is amended by replacing
8 “services for ~~minor~~ minors provided” with “services for minors provided”.

 NOTE: Confirms that “minors” was preexisting language and was neither added nor
deleted by 2001 Wisconsin Act 16, section 1773.

9 **SECTION 133.** 2001 Wisconsin Act 16, section 2178 is amended by replacing “a
10 ~~person under sub. (2dj) (am) 1.,~~” with “a ~~person under sub. (1dj) (am) 1.,~~”.

 NOTE: Confirms that the preexisting reference to “(1dj)” was intended to be
removed by 2001 Wis. Act 16, section 2178 and that there was no reference to “(2dj)”.

11 **SECTION 134.** 2001 Wisconsin Act 16, section 2192 is amended by replacing “a
12 ~~person under sub. (2dj) (am) 1.,~~” with “a ~~person under sub. (1dj) (am) 1.,~~”.

 NOTE: Confirms that the preexisting reference to “(1dj)” was intended to be
removed by 2001 Wis. Act 16, section 2192 and that there was no reference to “(2dj)”.

13 **SECTION 135.** 2001 Wisconsin Act 16, section 2539nw is amended by replacing
14 “101.9212 (1) and (2) of the statutes are amended to read:” with “101.9212 (1) of the
15 statutes is amended to read:”.

 NOTE: 2001 Wis. Act 16, section 2539nw, states that it amends s. 101.9212 (1) and
(2), but it treats only sub. (1).

ASSEMBLY BILL 935**SECTION 136**

1 **SECTION 136.** 2001 Wisconsin Act 16, section 2812v is amended by replacing
2 “125.58 (4) of the statutes is renumbered 125.48 (4) (a) (intro.) and amended to read:”
3 with “125.58 (4) of the statutes is renumbered 125.58 (4) (a) (intro.) and amended to
4 read:”.

NOTE: 2001 Wis. Act 16, section 2812v, states that it renumbers s. 125.58 (4) to
125.48 (4) (a) (intro.) although the actual treatment shows s. 125.58 as the section
number. There is no s. 125.48 and no change of section number was intended.

5 **SECTION 137.** 2001 Wisconsin Act 16, section 2853 is amended by replacing “s.
6 20.245 (3) (1) (a)” with “s. 20.245 (3) (1) (a)”.

NOTE: Confirms that “(a)” was preexisting language and was neither added nor
deleted by 2001 Wis. Act 16, section 2853.

7 **SECTION 138.** 2001 Wisconsin Act 16, section 3958 is amended by replacing
8 “~~visual representation reproduction of the child~~” with “~~visual representation or~~
9 ~~reproduction of the child~~”.

NOTE: Confirms that the preexisting “or” that was deleted and not shown as
stricken by 2001 Wis. Act 16, section 3958 was intended to be removed.

10 **SECTION 139.** 2001 Wisconsin Act 16, section 4032m is amended by replacing
11 “\$64,000” with “\$64,400”.

NOTE: Confirms that the preexisting “\$64,400” was the amount stricken by 2001
Wis. Act 16, section 4032m.

12 **SECTION 140.** 2001 Wisconsin Act 16, section 9123 (16rr) is amended by
13 replacing “section 49.45 (2) (a) 24.” with “section 49.45 (2) (a) 24m.”.

NOTE: SECTION 52 of this bill renumbers s. 49.45 (2) (a) 24.

14 **SECTION 141.** 2001 Wisconsin Act 16, section 9401 (2q) is amended to read:
15 [2001 Wisconsin Act 16] section 9401 (2q) DEPARTMENT OF ELECTRONIC
16 GOVERNMENT. The treatment of section 20.505 (1) (ka) (by SECTION 813b) of the
17 statutes takes effect on September 1, ~~2007~~ 2003.

NOTE: 2001 Wis. Act 16 repealed s. 20.505 (1) (is), effective 9-1-01. Section 813b
amended s. 20.505 (1) (ka), as amended by 1999 Wis. Act 9, solely to remove
cross-references to the repealed s. 20.505 (1) (is). The effective date of the amendment
of 20.505 (1) (ka) by 1999 Wis. Act 9 is September 1, 2003, not September 1, 2007.

