



## 2001 ASSEMBLY BILL 935

May 1, 2002 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Rules.

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

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***Analysis by the Legislative Reference Bureau***

This revisor’s correction bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, serial commas are added throughout this bill.

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***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

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

NOTE: Corrects spelling.

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

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

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1 west; thence south on said range line to the township line between townships 14 and  
2 15; thence east on said township line to the southwest corner of the southeast quarter  
3 of the southwest quarter of section 34, township 15, of range 2 west; thence north to  
4 the northwest corner of said southeast quarter of the southwest quarter; thence east  
5 one mile to the northeast corner of the southwest quarter of the southwest quarter  
6 of section 35, township 15, of range 2 west; thence south to the southeast corner of  
7 said southwest quarter of the southwest quarter; thence east on the township line  
8 to the place of beginning.

NOTE: Corrects spelling.

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

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

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

NOTE: Corrects spelling and replaces disfavored term.

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

16 **5.54 Notice to electors.** Every ballot, except a voting machine ballot, shall  
17 bear substantially the following information on the face: "NOTICE TO ELECTORS: This  
18 ballot may be invalid unless initialed by 2 election inspectors. If cast as an absentee  
19 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.

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

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1           6.15 (3) (b) *Election day*. An eligible elector may appear at the polling place for  
2 the ward or election district where he or she resides and make application for a ballot  
3 under sub. (2). In such case, the inspector or special registration deputy shall  
4 perform the duties of the municipal clerk. The elector shall provide identification.  
5 If the elector is qualified, he or she shall be permitted to vote. The elector shall mark  
6 the ballot and, unless the ballot is utilized with an electronic voting system, the  
7 elector shall fold the ballot, and shall deposit the ballot into the ballot box or give it  
8 to the inspector. The inspector shall deposit it directly into the ballot box. Voting  
9 machines or ballots utilized with electronic voting systems may only be used by  
10 electors voting under this section if they permit voting for president and vice  
11 president only.

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

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

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

NOTE: Inserts the correct cross-reference.

19           **SECTION 7.** 7.33 (4) and (5) of the statutes, as affected by 2001 Wisconsin Act  
20 16, are amended to read:

21           7.33 (4) Except as otherwise provided in this subsection, each local  
22 governmental unit, as defined in s. 16.97 22.01 (7), may, and each state agency shall,  
23 upon proper application under sub. (3), permit each of its employees to serve as an

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

8 **(5)** Any employee of a local governmental unit, as defined in s. ~~16.97~~ 22.01 (7),  
9 or state agency who obtains a paid leave of absence under sub. (4) in order to serve  
10 as an election official under s. 7.30 shall certify in writing to the head of the local  
11 governmental unit or state agency by which he or she is employed the amount of  
12 compensation that the employee receives for such service. Upon receipt of the  
13 certification, the head of the local governmental unit or state agency shall deduct  
14 that amount from the employee's pay earned for scheduled working hours during the  
15 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.

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

17 15.157 **(8)** (c) A representative of the Wisconsin health Health and educational  
18 ~~facilities authority~~ Educational Facilities Authority.

NOTE: Capitalizes authority title consistent with current style.

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

21 15.215 **(1)** INFORMATION TECHNOLOGY MANAGEMENT BOARD. There is created an  
22 information technology management board ~~which~~ that is attached to the department  
23 of electronic government under s. 15.03. The board shall consist of the governor, the

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1 cochairpersons of the joint committee on information policy and technology or a  
2 member of the legislature from the same house as a cochairperson designated by that  
3 cochairperson, one member of the minority party in each house of the legislature,  
4 appointed in the same manner as members of standing committees are appointed,  
5 the secretary of administration, 2 heads of departments or independent agencies  
6 appointed to serve at the pleasure of the governor, 2 other members appointed to  
7 serve for 4-year terms, and the chief information officer.

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

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

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

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1 recommendations from the agency responsible for the facility prior to proceeding  
2 under s. 16.007 (3), (5), and (6).

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

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

6 16.63 (3m) (b) The secretary shall submit a report to the joint committee on  
7 finance that includes all of the information provided to the secretary by the  
8 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.

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

11 16.63 (4) (a) Tobacco settlement revenues may not be ~~deemed~~ considered  
12 proceeds of any property ~~which~~ that is not tobacco settlement revenues.

13 (b) 1. If this state or the Wisconsin ~~health~~ Health and educational facilities  
14 ~~authority~~ Educational Facilities Authority is the debtor in the transaction, the  
15 proper place to file the required financing statement to perfect the security interest  
16 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.

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

19 16.78 (1) Every agency other than the board of regents of the University of  
20 Wisconsin System ~~and~~ or an agency making purchases under s. 16.74 shall make all  
21 purchases of materials, supplies, equipment, and contractual services relating to

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1 information technology or telecommunications from the department of electronic  
2 government, unless the department of electronic government requires the agency to  
3 purchase the materials, supplies, equipment, or contractual services pursuant to a  
4 master contract established under s. 22.05 (2) (h), or grants written authorization to  
5 the agency to procure the materials, supplies, equipment, or contractual services  
6 under s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or  
7 contractual services from another agency or to provide the materials, supplies,  
8 equipment, or contractual services to itself. The board of regents of the University  
9 of Wisconsin System may make purchases of materials, supplies, equipment, and  
10 contractual services relating to information technology or telecommunications from  
11 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.

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

14 16.847 (8) REPAYMENT AGREEMENTS. The department may annually transfer  
15 repayments under agreements to obtain loans from the energy efficiency fund under  
16 s. 16.847 (6), 1999 stats., from the appropriations specified in the agreements to the  
17 general fund. The amount of each annual repayment shall equal the amount of  
18 annual savings in utility expenses realized as a result of the energy efficiency project  
19 that was funded by a loan. The department shall determine the amount of annual  
20 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.

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

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1           19.42 (10) (h) The members and employees of the Wisconsin ~~housing~~ Housing  
2           and ~~economic development authority~~ Economic Development Authority, except  
3           clerical employees.

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

5           19.42 (13) (g) The members and employees of the Wisconsin ~~housing~~ Housing  
6           and ~~economic development authority~~ Economic Development Authority, except  
7           clerical employees.

NOTE: Capitalizes authority title consistent with current style.

8           **SECTION 17.** 20.395 (3) (eq) of the statutes, as affected by 2001 Wisconsin Act  
9           16, is amended to read:

10           20.395 (3) (eq) *Highway maintenance, repair, and traffic operations, state*  
11           *funds.* Biennially, the amounts in the schedule for the maintenance and repair of  
12           roadside improvements under s. 84.04, state trunk highways under s. 84.07, and  
13           bridges that are not on the state trunk highway system under s. 84.10; for permit  
14           issuance and other highway operations, including the installation, replacement,  
15           rehabilitation, or maintenance of highway signs, traffic control signals, highway  
16           lighting, pavement markings, and intelligent transportation systems, under ss.  
17           84.04, 84.07, 84.10, and 348.25 to 348.27 and ch. 349; and for the disadvantaged  
18           business demonstration and training program under s. 84.076. This paragraph does  
19           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.

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

21           **20.440** ~~Health and educational facilities authority~~ Educational  
22           Facilities Authority. (intro.) There is appropriated to the Wisconsin ~~health~~ Health

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1 and ~~educational facilities authority~~ Educational Facilities Authority for the  
2 following program:

NOTE: Capitalizes authority title consistent with current style.

3 **SECTION 19.** 20.445 (3) (dz) of the statutes, as affected by 2001 Wisconsin Act  
4 16, section 737, is amended to read:

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

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

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

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

NOTE: Capitalizes authority title consistent with current style.

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

8       20.505 (6) (i) *Gifts and grants.* All moneys received from gifts and grants, other  
9 than moneys received for and ~~deposited in~~ credited to the appropriation accounts  
10 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.

11       **SECTION 22.** 20.530 (1) (ja) of the statutes, as affected by 2001 Wisconsin Act  
12 16, section 812b, is amended to read:

13       20.530 (1) (ja) *Justice information systems.* The amounts in the schedule for  
14 the development and operation of automated justice information systems under s.  
15 16.971 22.03 (9). Two-ninths of the moneys received under s. 814.635 (1) shall be  
16 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.

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

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

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

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

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

2       **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).

3       **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).

4       **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).

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

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

NOTE: Capitalizes organization title consistent with current style.

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

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

NOTE: Deletes repeated word.

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

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1           24.63 (2r) FEDERATED PUBLIC LIBRARY SYSTEM LOANS. A state trust fund loan to  
2 a federated public library system may be made for any term, not exceeding 20 years,  
3 that is agreed upon between the federated public library system and the board and  
4 may be made for a total amount that, together ~~will~~ with all other indebtedness of the  
5 federated public library system, does not exceed the federated public library system's  
6 allowable indebtedness under s. 43.17 (9) (b).

NOTE: Inserts correct word.

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

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

NOTE: Inserts commas to improve grammar.

14           **SECTION 32.** 25.14 (1) (a) 15. of the statutes, as created by 2001 Wisconsin Act  
15 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.

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

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

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1 of any obligations relative to prudent investment of the fund, including those set  
2 forth under ch. 881.

NOTE: Capitalizes authority titles consistent with current style.

3 **SECTION 34.** 25.18 (1) (p) 1. of the statutes, as created by 2001 Wisconsin Act  
4 16, is amended to read:

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

NOTE: Capitalizes authority title consistent with current style.

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

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

NOTE: Inserts correct word.

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

21 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.

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

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.

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

4           40.02 (54) (b) The Wisconsin housing Housing and economic development  
5 authority Economic Development Authority.

NOTE: Capitalizes authority title consistent with current style.

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

7           40.02 (54) (c) The Wisconsin health Health and educational facilities authority  
8 Educational Facilities Authority.

NOTE: Capitalizes authority title consistent with current style.

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

10           40.22 (2) (c) The employee is excluded from participation by s. ~~40.02 (54) (a) or~~  
11 40.21 (3) or (4).

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

12           **SECTION 41.** The treatments of 40.51 (8m) of the statutes by 1999 Wisconsin  
13 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).

**ASSEMBLY BILL 935****SECTION 42**

1           **SECTION 42.** 44.70 (1m) of the statutes is amended to read:

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

NOTE: Capitalizes “internet” consistent with current style.

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

6           44.71 **(3)** POWERS. The board may contract with the Wisconsin ~~advanced~~  
7 ~~telecommunications foundation~~ Advanced Telecommunications Foundation to  
8 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.

9           **SECTION 44.** 44.72 (2) (b) 2. of the statutes, as affected by 2001 Wisconsin Act  
10 16, is amended to read:

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

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NOTE: Replaces disfavored term.

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

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

NOTE: Capitalizes authority title consistent with current style.

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

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

NOTE: Capitalizes authority title consistent with current style.

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

9           48.78 (2) (aj) Paragraph (a) does not prohibit an agency from making available  
10           for inspection or disclosing the contents of a record, upon the request of a parent,  
11           guardian, or legal custodian of a child expectant mother of an unborn child who is  
12           the subject of the record, upon the request of an expectant mother of an unborn child  
13           who is the subject of the record, if 14 years of age or over, or upon the request of an  
14           unborn child by the unborn child’s guardian ad litem to the parent, guardian, legal  
15           custodian, expectant mother, or unborn child by the unborn child’s guardian ad  
16           litem, unless the agency determines that inspection of the record by the parent,  
17           guardian, legal custodian, expectant mother, or unborn child by the unborn child’s  
18           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.

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

**ASSEMBLY BILL 935****SECTION 48**

1           49.175 (1) (e) *Contracts for 2000 and 2001*. For contracts under s. 49.143  
2 having a term that begins on January 1, 2000, and ends on December 31, 2001,  
3 \$20,136,800 in fiscal year 2001-02.

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

4           **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.

5           **SECTION 50.** 49.45 (2) (a) 3. of the statutes, as affected by 2001 Wisconsin Act  
6 16, is amended to read:

7           49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance,  
8 rehabilitative, and social services under ss. 49.46, 49.468, and 49.47 and rules and  
9 policies adopted by the department and shall, under a contract under s. 49.33 (2) (a),  
10 designate this function to the county department under s. 46.215, 46.22, or 46.23 or  
11 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.

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

14           49.45(2) (a) 12. a. Decertify a provider from or restrict a provider's participation  
15 in the medical assistance program, if after giving reasonable notice and opportunity  
16 for hearing the department finds that the provider has violated a federal statute or  
17 regulation or a state statute or administrative rule and the violation is, by statute,  
18 regulation, or rule, grounds for decertification or restriction. The department shall  
19 suspend the provider pending the hearing under this subdivision if the department

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1 includes in its decertification notice findings that the provider's continued  
2 participation in the medical assistance program pending hearing is likely to lead to  
3 the irretrievable loss of public funds and is unnecessary to provide adequate access  
4 to services to medical assistance recipients. As soon as practicable after the hearing,  
5 the department shall issue a written decision. No payment may be made under the  
6 medical assistance program with respect to any service or item furnished by the  
7 provider subsequent to decertification or during the period of suspension.

NOTE: Inserts commas for improved grammar.

8 **SECTION 52.** 49.45 (2) (a) 24. of the statutes, as created by 2001 Wisconsin Act  
9 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.

10 **SECTION 53.** 49.45 (2) (b) 9. of the statutes, as created by 2001 Wisconsin Act  
11 16, is amended to read:

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

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1 general, who may proceed with collection under this subdivision. Failure to timely  
2 pay in any manner an assessment charged under this subdivision, other than an  
3 assessment that is offset against any medical assistance payment owed to the  
4 provider, is grounds for decertification under ~~subd. par. (a)~~ 12. A provider's payment  
5 of an assessment does not relieve the provider of any other legal liability incurred in  
6 connection with the recovery for which the assessment is charged, but is not evidence  
7 of violation of a statute or rule. The department shall credit all assessments received  
8 under this subdivision to the appropriation account under s. 20.435 (4) (iL). The  
9 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."

10 **SECTION 54.** 49.473 (3) (intro.) of the statutes, as created by 2001 Wisconsin Act  
11 16, is amended to read:

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

NOTE: Inserts correct word form.

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

19 51.13 (4) (g) (intro.) If the court finds that the minor is in need of psychiatric  
20 services or services for developmental disability, alcoholism, or drug abuse in an  
21 inpatient facility, that the inpatient facility to which the minor is admitted offers  
22 therapy or treatment that is appropriate for the minor's needs and that is the least  
23 restrictive therapy or treatment consistent with the minor's needs, and, in the case

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1 of a minor aged 14 years of age or older, who is being admitted for the primary  
2 purpose of treatment for mental illness or developmental disability, that the  
3 application is voluntary on the part of the minor, the court shall permit voluntary  
4 admission. If the court finds that the therapy or treatment in the inpatient facility  
5 to which the minor is admitted is not appropriate or is not the least restrictive  
6 therapy or treatment consistent with the minor's needs, the court may order  
7 placement in or transfer to another more appropriate or less restrictive inpatient  
8 facility, except that the court may not permit or order placement in or transfer to the  
9 northern or southern centers for the developmentally disabled of a minor unless the  
10 department gives approval for the placement or transfer, and if the order of the court  
11 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.

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

13 51.13 (4) (g) 1. The minor if he or she is aged 14 years of age or older and is being  
14 admitted for the primary purpose of treatment for mental illness or developmental  
15 disability.

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

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

18 51.61 (6) Subject to the rights of patients provided under this chapter, the  
19 department, county departments under s. 51.42 or 51.437, and any agency providing  
20 services under an agreement with the department or those county departments have  
21 the right to use customary and usual treatment techniques and procedures in a  
22 reasonable and appropriate manner in the treatment of patients who are receiving

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1 services under the mental health system, for the purpose of ameliorating the  
2 conditions for which the patients were admitted to the system. The written,  
3 informed consent of any patient shall first be obtained, unless the person has been  
4 found not competent to refuse medication and treatment under s. 51.61 (1) (g) or the  
5 person is a minor 14 years of age or older who is receiving services for alcoholism or  
6 drug abuse or a minor under 14 years of age who is receiving services for mental  
7 illness, developmental disability, alcoholism, or drug abuse. In the case of a minor,  
8 the written, informed consent of the parent or guardian is required, except as  
9 provided under an order issued under s. 51.13 (1) (c) or 51.14 (3) (h) or (4) (g). If the  
10 minor is 14 years of age or older and is receiving services for mental illness or  
11 developmental disability, the written, informed consent of the minor and the minor's  
12 parent or guardian is required. A refusal of either a minor 14 years of age or older  
13 or the minor's parent or guardian to provide written, informed consent for admission  
14 to an approved inpatient treatment facility is reviewable under s. 51.13 (1) (c) 1. and  
15 a refusal of either a minor 14 years of age or older or the minor's parent or guardian  
16 to provide written, informed consent for outpatient mental health treatment is  
17 reviewable under s. 51.14.

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

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

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

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1 counties, that together have at least 100 employees, may jointly provide health care  
2 benefits to their officers and employees on a self-insured basis. Counties ~~which~~ that  
3 elect to provide health care benefits on a self-insured basis to their officers and  
4 employees shall be subject to the requirements set forth under s. 120.13 (2) (c) to (e)  
5 and (g).

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

6 **SECTION 59.** The treatment of 59.72 (3) of the statutes by 1997 Wisconsin Act  
7 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.

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

9 66.1015 (2) (intro.) This section does not prohibit a city, village, town, county,  
10 or housing authority or the Wisconsin housing Housing and ~~economic development~~  
11 ~~authority~~ Economic Development Authority from doing any of the following:

NOTE: Capitalizes title consistent with current style.

12 **SECTION 61.** 66.1105 (5) (bg) of the statutes, as created by 2001 Wisconsin Act  
13 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).

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

15 66.1107 (2) (a) Holding of a public hearing by the planning commission or by  
16 the local governing body at which interested parties are afforded a reasonable

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1 opportunity to express their views on the proposed designation and boundaries of a  
2 reinvestment neighborhood or area. Notice of the hearing shall be published as a  
3 class 2 notice, under ch. 985. Before publication, a copy of the notice shall be sent  
4 by 1st class mail to the Wisconsin ~~housing~~ Housing and ~~economic development~~  
5 ~~authority~~ Economic Development Authority, and a copy shall be posted in each school  
6 building and in at least 3 other places of public assembly within the reinvestment  
7 neighborhood or area proposed to be designated.

NOTE: Capitalizes authority title consistent with current style.

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

9 66.1201 (16) (a) In this subsection, “government” includes the Wisconsin  
10 ~~housing~~ Housing and ~~economic development authority~~ Economic Development  
11 Authority.

NOTE: Capitalizes authority title consistent with current style.

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

13 66.1205 (3) Subsection (1) (a) and (c) does not apply in the case of housing  
14 projects to the financing of which the Wisconsin ~~housing~~ Housing and ~~economic~~  
15 ~~development authority~~ Economic Development Authority is a party, as to which ch.  
16 234 shall be controlling.

NOTE: Capitalizes authority title consistent with current style.

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

18 66.1213 (7) (b) As set down by the Wisconsin ~~housing~~ Housing and ~~economic~~  
19 ~~development authority~~ Economic Development Authority in accordance with ch. 234  
20 in the case of housing projects to the financing of which it is a party.

NOTE: Capitalizes authority title consistent with current style.

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

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

NOTE: Capitalizes authority title consistent with current style.

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

6           71.05 (1) (c) 2. The Wisconsin housing ~~Housing~~ and economic development  
7 authority Economic Development Authority, if the bonds are to fund a loan under s.  
8 234.935, 1997 stats.

NOTE: Capitalizes authority title consistent with current style.

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

11           73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),  
12 (2dj), (2dL), (2dm), (2dr), (2ds), or (2dx), 71.28 (1dd), (1de), (1di), (1dj), ~~(1dL)~~, (1dm),  
13 ~~(1dL)~~, (1ds), (1dx), or (4) (am), or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds),  
14 (1dx), or (4) (am) if granting the full amount claimed would violate a requirement  
15 under s. 560.785 or would bring the total of the credits granted to that claimant under  
16 all of those subsections over the limit for that claimant under s. 560.768, 560.795 (2)  
17 (b), 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.

18           **SECTION 69.** 77.52 (2) (a) 10. of the statutes, as affected by 2001 Wisconsin Act  
19 16, section 2245, is amended to read:

20           77.52 (2) (a) 10. Except for installing or applying tangible personal property  
21 which, when installed or applied, will constitute an addition or capital improvement  
22 of real property, the repair, service, alteration, fitting, cleaning, painting, coating,

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

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1 blinds, canvas awnings, office and business machines, ice and milk dispensers,  
2 beverage-making equipment, vending machines, soda fountains, steam warmers  
3 and tables, compressors, condensing units and evaporative condensers, pneumatic  
4 conveying systems; laundry, dry cleaning, and pressing machines, power tools,  
5 burglar alarm and fire alarm fixtures, electric clocks, and electric signs. "Service"  
6 does not include services performed by veterinarians. The tax imposed under this  
7 subsection applies to the repair, service, alteration, fitting, cleaning, painting,  
8 coating, towing, inspection, or maintenance of items listed in this subdivision,  
9 regardless of whether the installation or application of tangible personal property  
10 related to the items is an addition to or a capital improvement of real property, except  
11 that the tax imposed under this subsection does not apply to the original installation  
12 or the complete replacement of an item listed in this subdivision, if such installation  
13 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.

14 **SECTION 70.** 77.52 (2) (a) 10. of the statutes, as affected by 2001 Wisconsin Act  
15 16, section 2245d, 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, 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, or maintenance, a sale in this state of the type of property  
22 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected, or  
23 maintained would have been exempt to the customer from sales taxation under this

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1 subchapter, other than the exempt sale of a motor vehicle or truck body to a  
2 nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51  
3 (14r). For purposes of this paragraph, the following items shall be deemed  
4 considered to have retained their character as tangible personal property, regardless  
5 of the extent to which any such item is fastened to, connected with, or built into real  
6 property: furnaces, boilers, stoves, ovens, including associated hoods and exhaust  
7 systems, heaters, air conditioners, humidifiers, dehumidifiers, refrigerators,  
8 coolers, freezers, water pumps, water heaters, water conditioners and softeners,  
9 clothes washers, clothes dryers, dishwashers, garbage disposal units, radios and  
10 radio antennas, incinerators, television receivers and antennas, record players, tape  
11 players, jukeboxes, vacuum cleaners, furniture and furnishings, carpeting and rugs,  
12 bathroom fixtures, sinks, awnings, blinds, gas and electric logs, heat lamps,  
13 electronic dust collectors, grills and rotisseries, bar equipment, intercoms,  
14 recreational, sporting, gymnasium and athletic goods and equipment including by  
15 way of illustration but not of limitation bowling alleys, golf practice equipment, pool  
16 tables, punching bags, ski tows, and swimming pools; equipment in offices, business  
17 facilities, schools and hospitals but not in residential facilities including personal  
18 residences, apartments, long-term care facilities, as defined under s. 16.009 (1) (em),  
19 state institutions, as defined under s. 101.123 (1) (i), Type 1 secured correctional  
20 facilities, as defined in s. 938.02 (19), or similar facilities, including, by way of  
21 illustration but not of limitation, lamps, chandeliers, and fans, venetian blinds,  
22 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 for improved  
grammar. Replaces disfavored term.

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

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

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1 fails to provide the statement within 13 months after certification under this section,  
2 or within 13 months after it last submitted to the department the information  
3 required under this subsection, whichever is later.

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

4 **SECTION 72.** 84.1040 of the statutes, as created by 2001 Wisconsin Act 16, is  
5 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.

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

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

NOTE: Capitalizes authority title consistent with current style.

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

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

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

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

3           106.215 **(10)** (g) 3. The education voucher is valid for 4 years after the date of  
4 issuance for the payment of tuition and required program activity fees at any  
5 institution of higher education, as defined in 20 USC 1002, that accepts the voucher,  
6 ~~and the.~~ The board shall authorize payment to the institution of face value of the  
7 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.

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

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

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1 the University of Wisconsin Hospitals and Clinics Board is responsible for the  
2 employer functions under this subchapter. With respect to the collective bargaining  
3 unit specified in s. 111.825 (2) (f), the governing board of the charter school  
4 established by contract under s. 118.40 (2r) (cm) ~~1.~~ is responsible for the employer  
5 functions under this subchapter.

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

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

7 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)  
8 shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement  
9 from the ~~appropriations~~ appropriation under s. 20.255 (2) (b) and ~~(br)~~ under ss.  
10 115.88 (1m) to (3), (6) and (8), 115.93, and 118.255 (4) shall be reimbursed at a rate  
11 set to distribute the full amount appropriated for reimbursement for such the costs,  
12 not to exceed 100%.

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

13 **SECTION 78.** 118.02 (17) of the statutes, as created by 2001 Wisconsin Act 20,  
14 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).

15 **SECTION 79.** The treatment of 118.51 (3) (a) 1. of the statutes by 1999 Wisconsin  
16 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.

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

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

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

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

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

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

9           **SECTION 82.** 126.16 (7) (e) 1. of the statutes, as created by 2001 Wisconsin Act  
10 16, is amended to read:

11           126.16 (7) (e) 1. Issue a summary order under s. ~~126.55~~ 126.85 (2) that prohibits  
12 the grain dealer from procuring producer grain or requires the grain dealer to pay  
13 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.

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

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

NOTE: Capitalizes "internet" consistent with current style.

**ASSEMBLY BILL 935****SECTION 84**

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

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

NOTE: Deletes repeated word.

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

10          227.15 **(1)** (title) ~~SUBMISSION~~ SUBMITTAL TO LEGISLATIVE COUNCIL STAFF.

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

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

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

NOTE: Corrects spelling.

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

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

NOTE: Capitalizes authority title consistent with current style.

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

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

NOTE: Capitalizes authority title consistent with current style.

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

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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

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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).

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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

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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~~

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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

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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 104.** 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

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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

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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,

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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.

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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.

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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.

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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.

