

**2003 DRAFTING REQUEST**

**Bill**

Received: **02/19/2003**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Revisor of Statutes**

By/Representing: **Bruce Munson**

This file may be shown to any legislator: **NO**

Drafter: **smiller**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Revisor's Correction Bill

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 03/05/2003	chanaman 03/05/2003		_____			
/P1			chaskett 03/07/2003	_____	lemery 03/07/2003		
/P2	chanaman 06/17/2003	chanaman 03/14/2003 csicilia 06/24/2003	jfrantze 03/17/2003	_____			
/P3		csicilia	pgreensl	_____	lemery		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Indexed</u>	<u>Requited</u>
/1		06/26/2003	06/24/2003	_____	06/24/2003		
			pgreensl 06/26/2003	_____	amentkow 06/26/2003	mbarman 03/05/2004	

FE Sent For:

<END>

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			06/26/2003	_____	06/26/2003		

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/P1			chaskett 03/07/2003	_____	lemery 03/07/2003		
/P2	chanaman 06/17/2003	chanaman 03/14/2003 csicilia 06/24/2003	jfrantze 03/17/2003	_____			
/P3			pgreensl	<i>[Handwritten Signature]</i>	lemery		

*6/24/03*

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

06/24/2003 \_\_\_\_\_ 06/24/2003

FE Sent For:

1 ps 6/28  
03

<END>



### 2003 DRAFTING REQUEST

#### Bill

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**Topic:**

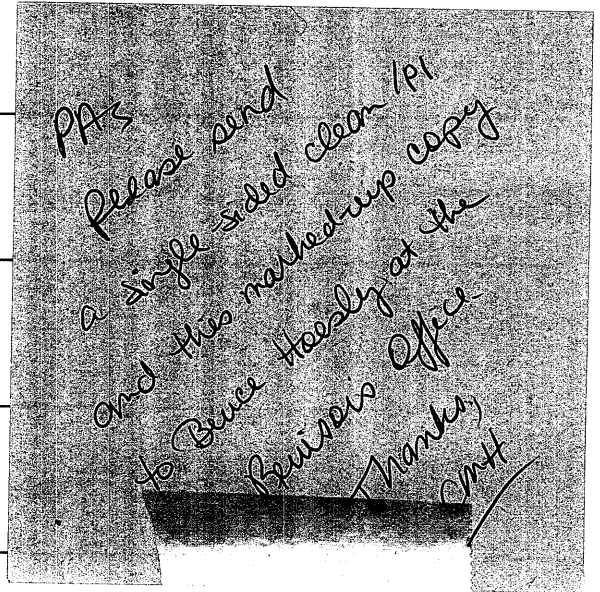
Revisor's Correction Bill

**Instructions:**

See Attached

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/?	chanaman 03/05/2003	chanaman 03/05/2003	<i>81</i> chaskett 316	<i>pg/cor</i> <del>3/6</del>			



FE Sent For:

<END>



Hoesly, Bruce

From: Hanaman, Cathlene  
Sent: Friday, March 07, 2003 2:11 PM  
To: Hoesly, Bruce  
Subject: -2088 questions

*OK 3-12-03*

The page and line numbers refer to the marked-up /p1:

1. Did you want to put something about series commas in the analysis? *yes.* I cannot remember if you were still doing that.
2. Page 7, note after Section 12, yeah it's gone already, but shouldn't the cross-reference in (mu) be 2001 Wisconsin Act 109? *al*
3. Page 9, line 13, I added a scored comma (section 114b deleted it, although it was scored in in section 113x). OK? *AR*  
Also please check what I wrote in the Note. *good*
4. See minor changes to notes on page 10. I just added auto-references to Section numbers and changed "s. 48.981 (2) (a) 1. to 22." to "1. to 29." OK? Sorry about the little mess. *OK*
5. Page 10, line 11, act 103 did create 22m. Shouldn't this act then just create an effective date for it? Or am I missing something? This is confusing so I am probably missing something. *Actually I was missing something. See pg 11 line 9 - like 9 - now. I think it will make sense.*
6. Page 11, line 2, I added a scored "in"--see note also. OK? *good* *It does make sense to me anyway. The repeal of the as get ineffective Amend. A 905.2 is the key.*
7. Page 15, lines 2 and 17, shouldn't "livestock market" now be "animal market"--since the term was amended? *That seems right. Can you check with the act 56 drafter to confirm?*
8. On page 18, lines 6 and 7, the "as created by..." phrase is no longer necessary, so I added sentence to the Note. Feel free to rewrite it in the style of the revisor (my sentence is just a placeholder). *OK*
9. Page 19, line 15, I like the "be" because it repeats the auxiliary verb in parallel format and because it clarifies that the verb refers back to "shall" and not back to "are" ("shall be transferred and shall be entered" versus "are invested and entered"). *OK its gone*
9. I am sorry, but we had to remove the parenthetical statements from the action phrases because they will screw up the sections affected list--and that list is difficult to manage as is. Do you want to add something to the notes? See my additions. *You Gotta do what yo gotta do, I guess. Looks good!*

*In 2088/? - Put back the "as affected by" where the paper clips are. These are actually mergers that also require an additional modification. I'm sure nobody else in the world knows that. But that's how we know.*



PLEASE RETURN ORIGINAL TO LRB

State of Wisconsin  
2003 - 2004 LEGISLATURE

MONDAY IF POSSIBLE  
3-11-03

LRB-2088/1

BEM:.....

cmh

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LRS-  
DON'T SORT  
DRAFT

don't sort  
cat

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

*Analysis by the Legislative Reference Bureau*

This revisor's correction bill is explained in the NOTES provided by the revisor of statutes in the body of the bill.

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

6 SECTION 1. 1.10 (1m) of the statutes is amended to read:  
7 1.10 (1m) The Wisconsin state ballad is "Oh Wisconsin, Land of My Dreams,"  
8 music written by Shari A. Sarazin and lyrics written by Emma Erma Barrett, the  
9 words to which are as follows: "Oh Wisconsin, land of beauty, with your hillsides and

1 your plains, with your jackpine and your birch tree, and your oak of mighty frame.  
 2 Land of rivers, lakes and valleys, land of warmth and winter snows, land of birds and  
 3 beasts and humanity, oh Wisconsin, I love you so. Oh Wisconsin, land of my dreams.  
 4 Oh Wisconsin, you're all I'll ever need. A little heaven here on earth could you be?  
 5 Oh Wisconsin, land of my dreams. In the summer, golden grain fields; in the winter,  
 6 drift of white snow; in the springtime, robins singing; in the autumn, flaming colors  
 7 show. Oh I wonder who could wander, or who could want to drift for long, away from  
 8 all your beauty, all your sunshine, all your sweet song? Oh Wisconsin, land of my  
 9 dreams. Oh Wisconsin, you're all I'll ever need. A little heaven here on earth could  
 10 you be? Oh Wisconsin, land of my dreams. And when it's time, let my spirit run free  
 11 in Wisconsin: land of my dreams." 2

NOTE: Corrects error in transcribing 2001 Wis. Act 16.

**SECTION 2.** 6.18 (form) of the statutes is amended to read:

13 **6.18** (form) This form shall be returned to the municipal clerk's office.  
 14 Application must be received in sufficient time for ballots to be mailed and returned  
 15 prior to any presidential election at which applicant wishes to vote. Complete all  
 16 statements in full.

17 **APPLICATION FOR PRESIDENTIAL**  
 18 **ELECTOR'S ~~ABSENT~~ ABSENTEE BALLOT.**

19 (To be voted at the Presidential Election  
 20 on November ....., .... (year)

21 I, .... hereby swear or affirm that I am a citizen of the United States, formerly  
 22 residing at .... in the .... ward .... aldermanic district (city, town, village) of ....., County  
 23 of .... for 10 days prior to leaving the State of Wisconsin. I, .... do solemnly swear or  
 24 affirm that I do not qualify to register or vote under the laws of the State of ....(State

1 you now reside in) where I am presently residing. A citizen must be a resident of:  
2 State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time),  
3 in order to be eligible to register or vote therein. I further swear or affirm that my  
4 legal residence was established in the State of ....(the State where you now reside)  
5 on .... Month .... Day .... Year.

6 Signed ....

7 Address ....(Present address)

8 ....(City) ....(State)

9 Subscribed and sworn to before me this .... day of .... .... (year)

10 ....(Notary Public, or other officer authorized to administer oaths.)

11 ....(County)

12 My Commission expires

13 MAIL BALLOT TO:

14 NAME ....

15 ADDRESS ....

16 CITY .... STATE .... ZIP CODE ....

17 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
18 under this section may be fined not more than \$1,000 or imprisoned for not more than  
19 6 months, or both. Whoever intentionally votes more than once in an election may  
20 be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months  
21 or both.

22 ....(Municipal Clerk)

23 ....(Municipality)

NOTE: Inserts correct word form.

24 ~~SECTION 3.~~ 9.01 (1) (b) 12. of the statutes is amended to read:

1           9.01 (1) (b) 12. Except as authorized in s. 6.47 (8), the board of canvassers shall  
 2 not permit access to the name of any elector who has obtained a confidential listing  
 3 under s. 6.47 (2) during the ~~reconveys~~ reconvass.

NOTE: Corrects transcription error that appeared in the 1999-2000 statutes. The correct word is published in the 2001-02 statutes.

4           ~~SECTION 4.~~ 11.05 (1) (b) of the statutes, as ~~affected~~ <sup>created</sup> by 2001 Wisconsin Act 109,  
 5 is amended to read:

6           11.05 (1) (b) Every political group subject to registration under s. 11.23 ~~which~~  
 7 that makes or accepts contributions, incurs obligations, or makes disbursements in  
 8 a calendar year in an aggregate amount in excess of \$100 shall file a statement with  
 9 the appropriate filing officer giving the information required by sub. (3).

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

10           ~~SECTION 5.~~ 11.20 (2s) of the statutes, as ~~affected~~ <sup>created</sup> by 2001 Wisconsin Act 109, is  
 11 amended to read:

12           11.20 (2s) A registrant ~~which~~ that is required to file reports under s. 11.12 (6)  
 13 (am) shall file the reports by the date required under s. 11.12 (6) (am).

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

14           ~~SECTION 6.~~ 11.20 (2t) of the statutes, as ~~affected~~ <sup>created</sup> by 2001 Wisconsin Act 109, is  
 15 amended to read:

16           11.20 (2t) A registrant ~~which~~ that is required to file reports under s. 11.12 (6)  
 17 (c) shall file the reports by the date required under s. 11.12 (6) (c).

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

18           ~~SECTION 7.~~ 11.50 (2s) (b) of the statutes, as ~~affected~~ <sup>created</sup> by 2001 Wisconsin Act 109,  
 19 is amended to read:

20           11.50 (2s) (b) Within each political party account, 45% of the moneys  
 21 designated for crediting to the account under s. 71.10 (3) (a) ~~(a)~~ (am) shall be retained

1 by the board for use in making grants to eligible candidates of that party under sub.  
2 (4), and 55% of the moneys received shall be disbursed by the board to the eligible  
3 political party for use by the party in making contributions to eligible candidates of  
4 that party authorized under par. (f).

NOTE: Inserts correct cross-reference. 2001 Wis. Act 109 renumbered s. 71.10 (3)  
(a) to s. 71.10 (3) (am).

5 —SECTION 8. 11.60 (4) of the statutes, as affected by 2001 Wisconsin Act 109, is  
6 amended to read:

7 11.60 (4) Actions under this section arising out of an election for state office or  
8 a statewide referendum may be brought by the board or by the district attorney of  
9 the county where the violation is alleged to have occurred, except as specified in s.  
10 11.38. Actions under this section arising out of an election for local office or a local  
11 referendum may be brought by the district attorney of the county where the violation  
12 is alleged to have occurred. Actions under this section arising out of an election for  
13 county office or a county referendum may be brought by the county board of election  
14 commissioners of the county wherein the violation is alleged to have occurred. In  
15 addition, whenever a candidate or personal campaign committee or agent of a  
16 candidate is alleged to have violated this chapter, action may be brought by the  
17 district attorney of any county any part of which is contained within the jurisdiction  
18 or district in which the candidate seeks election. If a violation concerns a district  
19 attorney or circuit judge or candidate for such offices, the action shall be brought by  
20 the attorney general. If a violation concerns the attorney general or a candidate for  
21 such office, the governor may appoint special counsel under s. 14.11 (2) to bring suit  
22 in behalf of the state. The counsel shall be independent of the attorney general and  
23 need not be a state employee at the time of appointment.

NOTE: The underscored "a" was deleted by 2001 Wis. Act 109 without being stricken. The deletion was not intended.

1 —SECTION 9. 13.525 (6) of the statutes is amended to read:

2 13.525 (6) COMMITTEE POWERS AND PROCEDURES. The committee may hold  
3 hearings as needed to elicit information for making a report under sub. (5) (b) ~~or (5m)~~  
4 ~~(a) or for developing proposed legislation under sub. (5m) (a).~~ The committee shall  
5 meet at the call of its cochairpersons. All actions of the committee require the  
6 approval of a majority of all of its members.

NOTE: There is no s. 13.525 (5m).

7 —SECTION 10. 16.385 (3) (e) 7. of the statutes is amended to read:

8 16.385 (3) (e) 7. By October 1 of each year ~~and after consulting with the~~  
9 ~~department of administration~~, allocate funds budgeted but not spent and any funds  
10 remaining from previous fiscal years to heating assistance under sub. (6) or to the  
11 weatherization assistance program under s. 16.39.

NOTE: 1995 Wis. Act 27 renumbered s. 49.80 to s. 16.385, transferring the administration of the low-income energy assistance program from the department of health and family services to the department of administration rendering the requirement to consult with the department of administration, deleted above, without effect.

12 —SECTION 11. 16.84 (2) of the statutes is amended to read:

13 16.84 (2) Appoint such number of police officers as is necessary to safeguard  
14 all public property placed by law in the department's charge, and provide, by  
15 agreement with any other state agency, police and security services at buildings and  
16 facilities owned, controlled, or occupied by the other state agency. The governor or  
17 the department may, to the extent it is necessary, authorize police officers employed  
18 by the department to safeguard state officers, state employees, or other persons. A  
19 police officer who is employed by the department and who is performing duties that  
20 are within the scope of his or her employment as a police officer has the powers of a

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-2088/p1ins2  
BEM:.....

INS. 7-11

SECTION 1. 20.285 (1) (c) of the statutes is amended to read:

20.285 (1) (c) *Energy costs.* The amounts in the schedule to pay for utilities and for fuel, heat, and air conditioning, and to pay costs incurred under ss. 16.858 and 16.895, including all operating costs recommended by the department of administration that result from the installation of pollution abatement equipment in state-owned or operated heating, cooling, or power plants, by or on behalf of the board of regents, and including the cost of purchasing electricity, steam, and chilled water generated by the cogeneration facility constructed pursuant to an agreement under 2001 Wisconsin Act 109, section 9156 (2z) (b) (g).

NOTE: Corrects cross-reference. 2001 Wisconsin Act 109, section 9156 (2z) (g) was numbered 9156 (2z) (b) in the original draft.

end of insert

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1 peace officer under s. ~~59.24~~ 59.28, except that the officer has the arrest powers of a  
 2 law enforcement officer under s. 968.07 regardless of whether the violation is  
 3 punishable by forfeiture or criminal penalty. The officer may exercise the powers of  
 4 a peace officer and the arrest powers of a law enforcement officer while located  
 5 anywhere within this state. Nothing in this subsection limits or impairs the duty of  
 6 the chief and each police officer of the police force of the municipality in which the  
 7 property is located to arrest and take before the proper court or magistrate persons  
 8 found in a state of intoxication or engaged in any disturbance of the peace or violating  
 9 any state law in the municipality in which the property is located, as required by s.  
 10 62.09 (13).

INS 7-11

NOTE: Section 16.84 (2) was amended by 1995 Wis. Act 174 to add the  
 cross-reference to s. 59.24. 1995 Wis. Act 201 renumbered s. 59.24 to s. 59.28 without  
 taking Act 174 into account.

11 **SECTION 12.** The treatment of 20.370 (1) (mu) of the statutes by 2001 Wisconsin  
 12 Act 56 is not repealed by 2001 Wisconsin Act 109, section 36d. Both treatments  
 13 stand.

**NOTE:** There is no conflict of substance. As merged by the revisor s. 20.370 (1)  
 (mu) reads:

(mu) *General program operations — state funds.* The amounts in the schedule for  
 general program operations that do not relate to the management and protection of the  
 state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203, 30.277, and 90.21, subch.  
 VI of ch. 77 and chs. 26, 28, 29, and 169, to provide funding under 2001 Wisconsin Act 109,  
 section 9137 (1w), and for transfers to the appropriation account under s. 20.285 (1) (kf).

14 **SECTION 13.** The treatment of 20.370 (1) (mu) of the statutes by 2001 Wisconsin  
 15 Act 56 is not repealed by 2001 Wisconsin Act 109, section 36db. Both treatments  
 16 stand.

**NOTE:** There is no conflict of substance. As merged by the revisor s. 20.370 (1)  
 (mu) reads:

(mu) *General program operations — state funds.* The amounts in the schedule for  
 general program operations that do not relate to the management and protection of the  
 state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203, 30.277, and 90.21, subch.  
 VI of ch. 77 and chs. 26, 28, 29, and 169 and for transfers to the appropriation account  
 under s. 20.285 (1) (kf).

*[Handwritten signature]*

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SECTION 14. 25.61 of the statutes is amended to read:

**25.61 VendorNet fund.** There is created a separate nonlapsible trust fund designated as the VendorNet fund consisting of all revenues accruing to the state from ~~fees~~ assessed under ~~ss.~~ <sup>s.</sup> 16.701 and 16.702 (1) and from gifts, grants, and bequests made for the purposes of ~~ss.~~ <sup>s.</sup> 16.701 and 16.702 (1) and moneys transferred to the fund from other funds.

<sup>c></sup>  
NOTE: There is no s. 16.702 (1).

SECTION 15. 26.145 (2m) of the statutes is amended to read:

**26.145 (2m) EFFECT OF OTHER FINANCIAL ASSISTANCE.** The department may consider any cost ~~which~~ that has been or will be paid or reimbursed from moneys received under another federal or state financial assistance program as an ineligible cost for the purposes of calculating the amount of a grant under sub. (1), except that the department shall consider any cost that has been or will be paid or reimbursed from moneys received under s. 101.573 (3) as an eligible cost for the purposes of calculating the amount of a grant under sub. (1).

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

SECTION 16. 29.182 (4m) of the statutes is amended to read:

**29.182 (4m) LIMITATION OF ONE LICENSE.** A person may be issued, or transferred under ~~par.~~ sub. (4) (g), only one resident elk hunting license in his or her lifetime, and the resident elk hunting license shall be valid for only one elk hunting season. The issuance, or transfer under ~~par.~~ sub. (4) (g), of the license to the person is subject to s. 29.024 (2g).

<sup>re</sup>  
NOTE: Inserts correct cross-reference. There is no s. 29.182 (4m) (g).

SECTION 17. The treatment of 29.347 (2) of the statutes by 2001 Wisconsin Act 56 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

*cs*  
NOTE: There is no conflict of substance. As merged by the revisor s. 29.347 (2) reads:

~~29.347~~ (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s. 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler of the deer a current validated deer carcass tag which is authorized for use on the type of deer killed. Any person who kills an elk shall immediately attach to the ear or antler of the elk a current validated elk carcass tag. Except as provided under sub. (2m) or s. 29.89 (6), no person may possess, control, store, or transport a deer carcass unless it is tagged as required under this subsection. Except as provided under sub. (2m), no person may possess, control, store, or transport an elk carcass unless it is tagged as required under this subsection. A person who kills a deer or elk shall register the deer or elk in the manner required by the department. The carcass tag may not be removed before registration. The removal of a carcass tag from a deer or elk before registration renders the deer or elk untagged.

SECTION 18. 45.43 (1) (a) of the statutes is amended to read:

45.43 (1) (a) Except as provided under par. (b), the county board shall elect a county veterans' service officer who shall be a Wisconsin resident who served on active duty, other than active duty for training, under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and who meets at least one of the conditions listed in s. ~~45.35 (5)~~ 45.001 (4) (a) 1. a. to d. and at least one of the conditions listed in s. ~~45.35 (5)~~ 45.001 (4) (a) 2. a. to c.

NOTE: Section 45.35 (5) was renumbered to 45.001 (4) by 2001 Wis. Act 103.

SECTION 19. 48.685 (5) (bm) 4. of the statutes, as affected by 2001 Wisconsin Act 109, section 114b, is amended to read:

48.685 (5) (bm) 4. A violation of s. 940.19 (3), 1999 stats., or of s. 125.075 (1), 125.085 (3) (a) 2., 125.105 (2) (b), 125.66 (3), 125.68 (12), 940.09, 940.19 (2), (4), (5), or (6), 940.20, 940.203, 940.205, 940.207, or ~~940.025~~ 940.25, a violation of s. 346.63 (1), (2), (5), or (6) that is a felony under s. 346.65 (2) (e) or (f), (2j) (d) or (3m), or an offense under ch. 961 that is a felony, if committed not more than 5 years before the date of the investigation under sub. (2) (am).

NOTE: Inserts correct cross-reference. 2001 Wis. Act 109, s. 113x, created the cross-reference as s. 940.25. 2001 Wis. Act 109, s. 114b, changed it to s. 940.025 without strikes and underscores. No change was intended. There is no s. 940.025.

*change*  
*change was intended.*  
*114b, deleted it without strikes and underscores.*  
*Inserts comma that 2001 Wis. Act 109, section 113x, inserted. 2001 Wis. Act 109, section*

*create auto-ref 20a*

**SECTION 20.** 48.981 (2) (a) (intro.) of the statutes is amended to read:

48.981 (2) (a) (intro.) ~~, group home, as described in s. 48.625 (1m),~~ Any of the following persons who has reasonable cause to suspect that a child seen by the person in the course of professional duties has been abused or neglected or who has reason to believe that a child seen by the person in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur shall, except as provided under sub. (2m), report as provided in sub. (3):

NOTE: The stricken language was inserted into s. 48.981 (2) by 2001 Wis. Acts 69 and 70. 2001 Wis. Act 103, a revisor's revision bill, renumbered s. 48.981 (2) to be s. 48.981 (2) (a) (intro.), and deleted previously existing text from s. 48.981 (2) (a) (intro.) and recreated it as s. 48.981 (2) (a) 1. to 22., but the treatment of s. 48.981 (2) (a) by Acts 69 and 70 was not taken into account by Act 103. See also the next 2 sections of this bill.

*stet.*  
*as renumbered,*  
*use auto-ref 22a*  
*Sections 21 and 22*  
*CS*  
*use auto-ref 21a*

**SECTION 21.** 48.981 (2) (a) 18. of the statutes is amended to read:

48.981 (2) (a) 18. A child-care worker in a day care center, group home, as described in s. 48.625 (1m), or residential care center for children and youth.

NOTE: The underscored language was inserted into s. 48.981 (2) by 2001 Wis. Act 69. 2001 Wis. Act 103, a revisor's revision bill, renumbered s. 48.981 (2) to be s. 48.981 (2) (a) (intro.), deleted the plain text shown above from s. 48.981 (2) (a) (intro.) and recreated it as s. 48.981 (2) (a) 18., but the treatment of s. 48.981 (2) (a) by Act 69 was not taken into account by Act 103. See also the previous section of this bill.

*stet*  
*as renumbered,*  
*SECTION 20*  
*use auto-ref 20a*  
*CS*  
*as renumbered,*

**SECTION 22.** 48.981 (2) (a) 22m. of the statutes is created to read:

48.981 (2) (a) 22m. A physical therapist assistant.

NOTE: 2001 Wis. Act 70 created the term "physical therapist assistant" and provides for the licensing of physical therapist assistants effective 4-1-04. 2001 Wis. Act 103, a revisor's revision bill, renumbered s. 48.981 (2) to be s. 48.981 (2) (a) (intro.) and deleted affected professions from s. 48.981 (2) (a) (intro.) and recreated them in a list as s. 48.981 (2) (a) 1. to 22., but the treatment of s. 48.981 (2) (a) by Act 70 was not taken into account by Act 103. See also section 4 of this bill.

*SECTION 20*  
*use auto-ref 20a*  
*CS*  
*as renumbered,*  
*SECTION 19*  
*use auto-ref 34-16 (pg. 34)*

**SECTION 23.** 49.175 (1) (z) of the statutes is amended to read:

49.175 (1) (z) *Community youth grant.* For a competitive grant program administered by the department to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for

*in*

1 needy families under 42 USC 601 et seq., \$7,829,700 in fiscal year 2001-02 and  
2 \$300,000 fiscal year 2002-03.

NOTE: 2001 Wis. act 109 deleted the underscored comma without showing it as stricken. The deletion was unintended. *Inserts missing word.*

3 ~~SECTION 24.~~ 49.175 (1) (zh) 2. of the statutes is renumbered 49.175 (1) (zh).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Eliminates unnecessary subdivision designation. This provision is not subdivided.

4 ~~SECTION 25.~~ 49.45 (7) <sup>(a)</sup> of the statutes is amended to read:

5 49.45 (7) ~~PERSONAL FUNDS~~. (a) A recipient who is a patient in a public medical  
6 institution or an accommodated person and has a monthly income exceeding the  
7 payment rates established under 42 USC 1382 (e) may retain \$45 unearned income  
8 or the amount of any pension paid under 38 USC 3203 (f) 5503 (d), whichever is  
9 greater, per month for personal needs. Except as provided in s. 49.455 (4) (a), the  
10 recipient shall apply income in excess of \$45 or the amount of any pension paid under  
11 38 USC 3203 (f) 5503 (d), whichever is greater, less any amount deducted under rules  
12 promulgated by the department, toward the cost of care in the facility.

<sup>CS</sup>  
NOTE: Inserts the correct cross-reference.

13 ~~SECTION 26.~~ 49.45 (49) (a) (intro.) of the statutes is amended to read:

14 49.45 (49) (a) (intro.) The secretary shall exercise his or her authority under  
15 s. 15.04 (1) (c) to create a prescription drug prior authorization committee to advise  
16 the department on issues related to prior authorization decisions made concerning  
17 ~~prescription~~ prescription drugs on behalf of medical assistance recipients. The  
18 secretary shall appoint as members at least all of the following:

NOTE: Corrects spelling.

19 ~~SECTION 27.~~ 59.40 (3) (b) of the statutes is amended to read:

20 59.40 (3) (b) Except as provided in par. (c), the clerk may invest any funds that  
21 are paid into his or her office and are being held for repayment. The investments

1 shall be made in suitably protected accounts in the manner specified in s. 66.0603

2 ~~(1)~~ <sup>✓</sup>(1m) and all income that may accrue shall be paid into the county general fund.

NOTE: Inserts the correct cross-reference. Section 66.0603 <sup>✓</sup>(1) was renumbered s. 66.0603 (1m) by 1999 Wis. Act 186.

3 SECTION 28. 66.0143 (2) <sup>✓</sup>(c) of the statutes is amended to read:

4 66.0143 (2) (c) The political subdivision shall specify in its request for a waiver  
5 its reason for requesting the waiver. Upon receipt of a request for a waiver, the  
6 department of revenue shall forward the request to the administrative agency which  
7 that is responsible for administrating the state mandate. The agency shall  
8 determine whether to grant the waiver and shall notify the political subdivision and  
9 the department of revenue of its decision in writing. If no agency is responsible for  
10 administrating the state mandate, the department of revenue shall determine  
11 whether to grant the waiver and shall notify the political subdivision of its decision  
12 in writing.

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

13 ~~SECTION 29.~~ 66.0719 (2) of the statutes is amended to read:

14 66.0719 (2) If a special assessment is levied for any public improvement, any  
15 amount collected on that special assessment or received from the county shall be  
16 deposited in the general fund of the local governmental unit if the payment for the  
17 improvement was made out of its general fund, deposited in the funds and accounts  
18 of a public utility established under s. 66.0621 (2) <sup>✓</sup>(4) (c) if the improvement was paid  
19 out of the proceeds of revenue obligations of the local governmental unit <sup>2</sup>or deposited  
20 in the debt service fund required for the payment of bonds or notes issued under ch.  
21 67 if the improvement was paid out of the proceeds of the bonds or notes. That special  
22 assessment, when delinquent, shall be returned in trust for collection and the local  
23 governmental unit has the same rights as provided in s. 66.0713 (3) <sup>✓</sup>67.16 (2) (c).

5. <sup>CS</sup>  
 NOTE: Corrects cross-references. 1999 Wis. Act 150 renumbered s. 66.066 (2) (c) to 66.0621 (4) (c), but the cross-reference in this provision was not amended correctly. 1999 Wis. Act 150 renumbered s. 66.54 (9) (c) to s. 67.16 (2) (c) but changed the cross-reference to s. 66.54 (9) (c) in this provision to s. 66.0713 (2) (c). ✓

1        ~~SECTION 30.~~ 66.0821 (4) (a) of the statutes is amended to read:

2            66.0821 (4) (a) The governing body of the municipality may establish sewerage  
 3 service charges in an amount to meet all or part of the requirements for the  
 4 construction, reconstruction, improvement, extension, operation, maintenance,  
 5 repair and depreciation of the sewerage system, and for the payment of all or part  
 6 of the principal and interest of any indebtedness incurred for those purposes,  
 7 including the replacement of funds advanced by or paid from the general fund of the  
 8 municipality. Service charges made by a metropolitan sewerage district to any town,  
 9 village or city shall be levied by the town, village or city against the individual sewer  
 10 system users within the corporate limits of the municipality, and the municipality  
 11 shall collect the charges and promptly remit them to the metropolitan sewerage  
 12 district. Delinquent charges shall be collected in accordance with sub. (4) (e) (d).

NOTE: Inserts correct cross-reference. 1999 Wis. Act 150 renumbered both s. 66.076 (5) (b) and (7) to be s. 66.0821 (4) (c). 2001 Wis. Act 30 renumbered s. 66.0821 (4) (c), as renumbered from s. 66.076 (7), to be s. 66.0821 (4) (d). Prior to 1999 Wis. Act 150, the cross-reference amended here was to s. 66.076 (7).

13        ~~SECTION 31.~~ 71.05 (6) (a) 10. of the statutes is amended to read:

14            71.05 (6) (a) 10. For the taxable year, for a person who is not "actively engaged  
 15 in farming", as that term is used in 7 CFR 1497.201 ~~1400.201~~, combined net losses,  
 16 exclusive of net gains from the sale or exchange of capital or business assets and  
 17 exclusive of net profits, from businesses, from rents, from partnerships, from limited  
 18 liability companies, from S corporations, from estates or from trusts, under section  
 19 165 of the ~~internal revenue code~~, <sup>Internal Revenue Code</sup> except losses allowable under sections 1211 and  
 20 1231 of the ~~internal revenue code~~, <sup>Internal Revenue Code</sup> otherwise includable in calculating Wisconsin

Internal Revenue Code

**SECTION 31**

Internal Revenue Code

1 income if those losses are incurred in the operation of a farming business, as defined  
 2 in section 464 (e) 1. of the ~~internal revenue code~~ to the extent that those combined  
 3 net losses exceed \$20,000 if nonfarm Wisconsin adjusted gross income exceeds  
 4 \$55,000 but does not exceed \$75,000, exceed \$17,500 if nonfarm Wisconsin adjusted  
 5 gross income exceeds \$75,000 but does not exceed \$100,000, exceed \$15,000 if  
 6 nonfarm Wisconsin adjusted gross income exceeds \$100,000 but does not exceed  
 7 \$150,000, exceed \$12,500 if nonfarm Wisconsin adjusted gross income exceeds  
 8 \$150,000 but does not exceed \$200,000, exceed \$10,000 if nonfarm Wisconsin  
 9 adjusted gross income exceeds \$200,000 but does not exceed \$250,000, exceed \$7,500  
 10 if nonfarm Wisconsin adjusted gross income exceeds \$250,000 but does not exceed  
 11 \$300,000, exceed \$5,000 if nonfarm Wisconsin adjusted gross income exceeds  
 12 \$300,000 but does not exceed \$600,000<sup>2</sup> and exceed \$0 if nonfarm adjusted gross  
 13 income exceeds \$600,000, except that the amounts applicable to married persons  
 14 filing separately are 50% of the amounts specified in this subdivision.

NOTE: Inserts the correct cross-reference. The relevant federal regulation was recodified.

15 ~~SECTION 32.~~ 71.10 (7) (c) 1. of the statutes is renumbered 71.10 (7) (c).

NOTE: Removes unnecessary subdivision number. Section 71.10 (7) (c) is not subdivided.

16 ~~SECTION 33.~~ 77.52 (13) of the statutes is amended to read:

17 <sup>er</sup> 77.52 (13) For the purpose of the proper administration of this section and to  
 18 prevent evasion of the sales tax it shall be presumed that all receipts are subject to  
 19 the tax until the contrary is established. The burden of proving that a sale of tangible  
 20 personal property or services is not a taxable sale at retail is upon the person who  
 21 makes the sale unless that person takes from the purchaser a certificate to the effect  
 22 that the property or service is purchased for resale or is otherwise exempt; except


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SECTION 1. 77.524 (1) (into.) of the statutes is amended to read:

77.524 (1) (into.) In this subsection section:

NOTE: The definitions in this subsection apply to the whole section. ✓

1 that no certificate is required for sales of cattle, sheep, goats, and pigs that are sold  
2 at a livestock market, as defined in s. 95.68 (1) ~~(e)~~ <sup>✓</sup>(ag), and no certificate is required  
3 for sales of commodities, as defined in 7 USC 2, that are consigned for sale in a  
4 warehouse in or from which the commodity is deliverable on a contract for future  
5 delivery subject to the rules of a commodity market regulated by the U.S. commodity  
6 futures trading commission if upon the sale the commodity is not removed from the  
7 warehouse.

NOTE: Section 95.68 (1) (e) was renumbered to 95.68 (1) (ag) by 2001 Wis. Act 56. ✓

8 ~~SECTION 34.~~ 77.53 (10) of the statutes is amended to read:

9 77.53 (10) For the purpose of the proper administration of this section and to  
10 prevent evasion of the use tax and the duty to collect the use tax, it is presumed that  
11 tangible personal property or taxable services sold by any person for delivery in this  
12 state is sold for storage, use, or other consumption in this state until the contrary is  
13 established. The burden of proving the contrary is upon the person who makes the  
14 sale unless that person takes from the purchaser a certificate to the effect that the  
15 property or taxable service is purchased for resale, or otherwise exempt from the tax;  
16 except that no certificate is required for sales of cattle, sheep, goats, and pigs that are  
17 sold at a livestock market, as defined in s. 95.68 (1) ~~(e)~~ <sup>✓</sup>(ag), and no certificate is  
18 required for sales of commodities, as defined in 7 USC 2, that are consigned for sale  
19 in a warehouse in or from which the commodity is deliverable on a contract for future  
20 delivery subject to the rules of a commodity market regulated by the U.S. commodity  
21 futures trading commission if upon the sale the commodity is not removed from the  
22 warehouse.

NOTE: Section 95.68 (1) (e) was renumbered to 95.68 (1) (ag) by 2001 Wis. Act 56. ✓

1 — SECTION 35. 95.22 (1) (a), (b) and (c) of the statutes, as affected by 2001  
2 Wisconsin Act 109, are renumbered 95.22 (1), (2) and (3).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2001 Wis. Act 109 renumbered s. 95.22 without taking into account the treatment of that section by 2001 Wis. Act 56. This section restores the numbering by Act 56.

3 — SECTION 36. 95.22 (2) of the statutes, as created by 2001 Wisconsin Act 109, is  
4 renumbered 95.22 (4).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2001 Wis. Act 109 renumbered s. 95.22 without taking into account the treatment of that section by 2001 Wis. Act 56. This section makes the numbering of the subsection created by Act 109 consistent with the numbering by Act 56.

5 — SECTION 37. 99.02 (2) (c) of the statutes is amended to read:

6 99.02 (2) (c) A person who operates a warehouse storing only grain, as defined  
7 under s. ~~127.01 (18)~~ 126.01 (13).

NOTE: Section ~~127.01~~ was repealed by 2001 Wis. Act 16. The definition of "grain" now appears at s. 126.01 (13).

8 — SECTION 38. 101.563 (2) (b) 1. of the statutes is amended to read:

9 101.563 (2) (b) 1. 'Payments from calendar year 2001 dues.' Notwithstanding  
10 s. ~~101.575~~ 101.573 (3) (a), by the 30th day following July 30, 2002, the department  
11 shall compile the fire department dues paid by all insurers under s. 601.93 and the  
12 dues paid by the state fire fund under s. 101.573 (1) and funds remaining under s.  
13 101.573 (3) (b), subtract the total amount due to be paid under par. (a), withhold 0.5%,  
14 and certify to the state treasurer the proper amount to be paid from the appropriation  
15 under s. 20.143 (3) (L) to each city, village, and town entitled to a proportionate share  
16 of fire department dues as provided under sub. (1) (b) and s. 101.575. If the  
17 department has previously certified an amount to the state treasurer under s. ~~101.57~~  
18 101.573 (3) (a) during calendar year 2002, the department shall recertify the amount  
19 in the manner provided under this subdivision. On or before August 1, 2002, the  
20 state treasurer shall pay the amounts certified or recertified by the department

1 under this subdivision to each city, village, and town entitled to a proportionate share  
2 of fire department dues as provided under sub. (1) and s. 101.575. The state  
3 treasurer may combine any payment due under this subdivision with any amount  
4 due to be paid on or before August 1, 2002, to the same city, village, or town under  
5 par. (a).

NOTE: Inserts correct cross-reference, consistent with the remainder of s. 101.563,  
as created by 2001 Wis. Act 109. ↩

6 **SECTION 39.** 101.563 (2) (b) 3. of the statutes is amended to read:

7 101.563 (2) (b) 3. Payments to correct errors. The amounts withheld under  
8 subds. 1. and 2. shall be disbursed to correct errors of the department or the  
9 commissioner of insurance. The department shall certify to the state treasurer the  
10 amount that must be disbursed to correct an error and the state treasurer shall pay  
11 the amount to the specified city, village, or town. The balance of the amount withheld  
12 in a calendar year under ~~subds.~~ <sup>subd.</sup> 1. or 2., as applicable, ~~which~~ that is not disbursed  
13 under this subdivision shall be included in the total compiled by the department  
14 under subd. 2. for the next calendar year, except that amounts withheld under subd.  
15 2. from fire department dues collected for calendar year 2004 that are not disbursed  
16 under this subdivision shall be included in the total compiled by the department  
17 under s. 101.573 (3) (a) for the next calendar year. If errors in payments exceed the  
18 amount withheld, adjustments shall be made in the distribution for the next year.

NOTE: The other subdivisions in s. 101.563 have titles. Replaces "which" with "that"  
to correct grammar.

(2) (b)

19 **SECTION 40.** 101.951 (6) (m) of the statutes is amended to read:

20 101.951 (6) (m) Having sold a retail installment contract to a sales <sup>✓</sup>finance  
21 company, as defined in s. ~~218.01 (1) (v)~~ 218.0101 (34) (a), that is not licensed under  
22 ~~s. 218.01~~ ss. 218.0101 to 218.0163.

**NOTE:** Corrects cross-references. 1999 Wis. Act 31 renumbered s. 218.01 to ss. 218.0101 to 218.0163, specifically renumbering s. 218.01 (1) (v) to s. 218.0101 (34) (a).

1 **SECTION 41.** The treatment of 115.88 (8) of the statutes by 1999 Wisconsin Act  
2 9 is not repealed by 2001 Wisconsin Act 117. Both treatments stand.

**NOTE:** There is no conflict of substance. As merged by the revisor s. 115.88 (8) reads:

(8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in a public special education program located in another state and the state superintendent is satisfied that the program in which the child is enrolled complies with this subchapter, the state superintendent shall certify to the department of administration in favor of the school district in which the child resides or the school district attended by the child under s. 118.51 or 121.84 (1) (a) or (4) a sum equal to the amount expended by the school district during the preceding year for the additional costs associated with the child's special education program as costs eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

3 **SECTION 42.** 121.05 (1) (a) 11. of the statutes is amended to read:

4 121.05 (1) (a) 11. Pupils residing in the school district but attending a public  
5 school in another school district under s. 118.51 or, 121.84 (4), or 121.85 (3) (a).

**NOTE:** Corrects punctuation required by a merger of 2 1999 acts by the revisor under s. 13.93 (2) (c).

6 **SECTION 43.** 126.62 (2) 1. and 2. of the statutes, as created by 2001 Wisconsin  
7 Act 16, are renumbered 126.62 (2) (a) and (b).

**NOTE:** Confirms renumbering by the revisor under s. 13.93 (1) (b) to conform numbering to current style. 2001 Wis. Act 16 created s. 126.62 (2) 1. and 2. instead of s. 126.62 (2) (a) and (b).

8 **SECTION 44.** 180.1708 (5) of the statutes is amended to read:

9 180.1708 (5) MERGERS. Sections 180.1101 and 180.1103 to 180.1107 180.1106  
10 apply to a merger, and ss. 180.1301 to 180.1331 apply to dissenters' rights arising  
11 from a merger, for which a plan of merger is approved by the board of directors on  
12 or after January 1, 1991.

**NOTE:** 2001 Wis. Act 44 repealed s. 180.1107.

13 **SECTION 45.** 180.1805 (5) of the statutes is amended to read:

1 180.1805 (5) By merger or share exchange that becomes effective under ss.  
2 180.1101 to ~~180.1107~~ 180.1106 or a share exchange of existing shares for other shares  
3 of a different class or series in the corporation.

NOTE: 2001 Wis. Act 44 repealed s. 180.1107.

4 ~~SECTION 46.~~ The treatment of 185.981 (4t) of the statutes by 1999 Wisconsin  
5 Act 95 is not repealed by 1999 Wisconsin Act 115. Both treatments stand.

CS NOTE: There is no conflict of substance. As merged by the revisor s. 185.983 (4t)  
reads:

(4t) A sickness care plan operated by a cooperative association is subject to ss.  
252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85, 632.853, 632.855,  
632.87 (2m), (3), (4) and (5), 632.895 (10) to (14) and 632.897 (10) and chs. 149 and 155.

6 ~~SECTION 47.~~ The treatment of 185.983 (1) (intro.) of the statutes by 1999  
7 Wisconsin Act 95 is not repealed by 1999 Wisconsin Act 115. Both treatments stand.

CS NOTE: There is no conflict of substance. As merged by the revisor s. 185.983 (1)  
(intro.) reads:

(1) Every such voluntary nonprofit sickness care plan shall be exempt from chs.  
600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43,  
601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93, 631.95, 632.72 (2),  
632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853, 632.855, 632.87 (2m), (3),  
(4) and (5), 632.895 (5) and (9) to (14), 632.896 and 632.897 (10) and chs. 609, 630, 635,  
645 and 646, but the sponsoring association shall:

8 ~~SECTION 48.~~ 186.35 (12) (intro.) of the statutes is amended to read:

9 186.35 (12) COMPUTATIONS. (intro.) Except as provided in sub. (12m), each  
10 member credit union's fractional share of ~~liquidating distributions under sub. (11)~~  
11 ~~and special assessments under sub. (5) (d) 2.~~ shall be calculated as follows:

CS NOTE: Section 186.35 (11) was repealed by 1995 Wis. Act 151.

12 ~~SECTION 49.~~ 223.05 (1) (b) of the statutes is amended to read:

13 223.05 (1) (b) Every security in which trust funds or property are invested shall  
14 immediately upon the receipt of the security by the bank, be transferred to the bank  
15 in its fiduciary capacity for the particular trust or fund by name and be entered in  
16 the proper records as belonging to the particular trust whose funds have been

1 invested in the security. Any change in the investment of trust funds or property  
 2 shall be fully specified in the account of the particular trust to which it belongs, so  
 3 that all trust funds and property shall be readily identified at any time by any person.

NOTE: Deletes unnecessary word.

4 **SECTION 50.** 287.11 (4) (a) 4. of the statutes is amended to read:

5 287.11 (4) (a) 4. Specify a procedure to be used by the department to determine  
 6 whether a responsible unit has achieved the goals under ~~par. (a)~~ subd. 1.

NOTE: Inserts <sup>a graph</sup> correct cross-reference. Subdivision 4. refers to goals, which are set  
 under subd. 1. Par. (a) cannot be a proper cross-reference as subd. 4. is part of par. (a).

7 **SECTION 51.** 301.03 (19) of the statutes is amended to read:

8 301.03 (19) Work to minimize, to the greatest extent possible, the residential  
 9 population density of sex offenders, as defined in s. 302.116 (1) (b), who are on  
 10 probation, parole, or extended supervision or placed on supervised release under s.  
 11 980.06 (2) (c), 1997 stats., or s. 980.08 (5).

NOTE: Corrects citation form.

12 **SECTION 52.** 302.01 (10) of the statutes, as affected by 2001 Wisconsin Acts 16  
 13 and 103, is amended to read:

14 302.01 (10) The penitentiary at the village of Sturtevant in Racine County is  
 15 named "Racine Correctional Institution."

16 **(10m)** The medium security correctional institution near Black River Falls is  
 17 named "Jackson Correctional Institution."

NOTE: Confirms the numbering of sub. (10m) by the revisor under s. 13.93 (1) (b).

18 **SECTION 53.** 303.065 (1) (b) 1. of the statutes is amended to read:

19 303.065 (1) (b) 1. A person serving a life sentence, other than a life sentence  
 20 specified in subd. 2., may be considered for work release only after he or she has  
 21 reached parole eligibility under s. 304.06 (1) (b) or 973.014 (1) (a) or (b), whichever

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1 is applicable, or he or she has reached his or her extended supervision eligibility date  
2 under s. 302.114 (9) (a) <sup>✓</sup>(am) or 973.014 (1g) (a) 1. or 2., whichever is applicable.

NOTE: Inserts the correct cross-reference. 2001 Wis. Act 109 renumbered s.  
302.114 (9) (a) to s. 302.114 (9) (am).

3 ~~SECTION 54.~~ 340.01 <sup>✓</sup>(18p) of the statutes is amended to read:

4 340.01 (18p) "Flood damaged vehicle" means any motor vehicle that is not  
5 precluded from subsequent registration or titling and ~~which~~ that is damaged by flood  
6 to the extent that the estimated or actual cost, whichever is greater, of repairing the  
7 vehicle exceeds 70% of its fair market value.

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

8 ~~SECTION 55.~~ 340.01 <sup>✓</sup>(20m) of the statutes is amended to read:

9 340.01 (20m) "Hail-damaged vehicle" means a vehicle less than 7 years old  
10 that is not precluded from subsequent registration and titling and ~~which~~ that is  
11 damaged solely by hail to the extent that the estimated or actual cost, whichever is  
12 greater, of repairing the vehicle exceeds 70% of its fair market value.

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

13 ~~SECTION 56.~~ 340.01 <sup>✓</sup>(55g) of the statutes is amended to read:

14 340.01 (55g) "Salvage vehicle" means a vehicle less than 7 years old that is not  
15 precluded from subsequent registration and titling and ~~which~~ that is damaged by  
16 collision or other occurrence to the extent that the estimated or actual cost,  
17 whichever is greater, of repairing the vehicle exceeds 70% of its fair market value.  
18 The term does not include a hail-damaged vehicle unless the vehicle is repaired with  
19 any replacement part, as defined in s. 632.38 (1) (e).

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

20 ~~SECTION 57.~~ 341.26 <sup>✓</sup>(3m) of the statutes is amended to read:



1           341.26 (3m) FOREST PRODUCTS VEHICLES. In recognition of the relationship of  
2 the basic economy of the state to the forest products industry, there shall be paid to  
3 the department for the annual registration of a road tractor, motor truck, or truck  
4 tractor used exclusively in connection with the transportation of raw forest products,  
5 as defined in s. 26.05 (1), or equipment that is owned or leased by the owner of the  
6 road tractor, motor truck, or truck tractor and used exclusively in the production of  
7 raw forest products, a fee determined in accordance with sub. (3) (g) on the basis of  
8 maximum gross weight, except that a trailer used exclusively in connection with the  
9 transportation of raw forest products or equipment that is owned or leased by the  
10 owner of the trailer and used exclusively in the production of raw forest products may  
11 be registered upon payment of a fee ~~which~~ that is 25% of the fee prescribed by s.  
12 341.25 (2) for a motor truck having the same gross weight. The maximum gross  
13 weight of each vehicle registered under this subsection shall be computed in the  
14 manner specified in s. 341.25 for the same type of vehicle, except that a person who  
15 owns and operates more truck tractors than semitrailers registered by him or her  
16 within this state and used exclusively as provided in this subsection may register  
17 such an excess truck tractor at a fee specified under sub. (3) (g) determined on the  
18 basis of the weight of the truck tractor only.

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

19        SECTION 58. 341.266 (2) (a) of the statutes is amended to read:

20           341.266 (2) (a) Any person who is the owner of a special interest vehicle ~~which~~  
21 that is 20 or more years old at the time of making application for registration or  
22 transfer of title of the vehicle and who, unless the owner is an historical society that  
23 is exempt from federal income taxes, owns, has registered in this state, and uses for  
24 regular transportation at least one vehicle that has regular registration plates may

1 upon application register the vehicle as a special interest vehicle upon payment of  
2 a fee under par. (b).

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

3 ~~SECTION 59.~~ 341.268 (1) (b) 2. of the statutes is amended to read:

4 341.268 (1) (b) 2. A motorcycle that is a reproduction of a vehicle originally  
5 made by another manufacturer and ~~which~~ that consists of a reproduction body that  
6 is combined with a new, used, or replica frame and drivetrain.

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

7 ~~SECTION 60.~~ 341.268 (1) (e) of the statutes is amended to read:

8 341.268 (1) (e) “Replica vehicle” means a motor vehicle, other than a  
9 motorcycle, that is a reproduction of a vehicle originally made by another  
10 manufacturer and ~~which~~ that consists of a reproduction body that is combined with  
11 a new, used, or replica frame and drivetrain.

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

12 ~~SECTION 61.~~ 341.65 (1) (b) of the statutes is amended to read:

13 341.65 (1) (b) “Unregistered motor vehicle” means any motor vehicle that is not  
14 currently registered and ~~which~~ that is located upon a highway for such time and  
15 under such circumstances as to cause the motor vehicle to reasonably appear to have  
16 been unregistered for not less than 30 days.

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

17 ~~SECTION 62.~~ 345.05 (1) (c) of the statutes is amended to read:

18 345.05 (1) (c) “Municipality” means any county, city, village, town, school  
19 district, ~~sewer district~~ (as enumerated in s. 67.01 (5)), sewer district, drainage  
20 district, commission formed by a contract under s. 66.0301 (2) and, without  
21 restriction because of failure of enumeration, any other political subdivision of the  
22 state.

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SECTION 1. 350.12 (3) (cm) of the statutes is amended to read:

350.12 (3) (cm) Subsection (3h) does not ~~net~~ apply to commercial snowmobile certificates, reflectorized plates, or registration certificates issued for antique snowmobiles under par. (b).

NOTE: Deletes repeated word.

NOTE: The phrase “(as enumerated in s. 67.01 (5))” was erroneously deleted by 1999 Wis. Act 85, a nonsubstantive revisor’s revision bill, then reinserted by 2001 Wis. Act 30 in the wrong location, also a revisor’s bill. Parentheses are deleted in conformity with current style.

1 ~~SECTION 63.~~ 346.82 (1) of the statutes is amended to read:

2 346.82 (1) Any person violating ss. 346.77, 346.79 (1) to (3), or 346.80 to 346.805  
3 may be required to forfeit not more than \$20. ~~(1) Any person violating ss. 346.77,~~  
4 ~~346.79 (1) to (3) or 346.80 to 346.804 may be required to forfeit not more than \$20.~~

NOTE: 2001 Wis. Act 90 amended s. 346.82 (1). As the result of an error in transcribing Act 90, the previously existing version of s. 346.82 (1) was retained in the printed text along with the current text.

5 ~~SECTION 64.~~ 409.102 (1) (ns) of the statutes is amended to read:

6 409.102 (1) (ns) “New debtor” means a person that becomes bound as a debtor  
7 under s. 409.203 (4) by a security agreement previously entered into by another  
8 person.

NOTE: Inserts missing article.

9 ~~SECTION 65.~~ 409.102 (1) (os) of the statutes is amended to read:

10 409.102 (1) (os) “Original debtor”, <sup>2</sup>except as used in s. 409.310 (3), means a  
11 person that, as a debtor, entered into a security agreement to which a new debtor has  
12 become bound under s. 409.203 (4).

NOTE: Inserts missing article

*and corrects punctuation to conform with current style*

13 ~~SECTION 66.~~ 441.001 (2m) (title) of the statutes is created to read:

14 441.001 (2m) (title) <sup>✓</sup>NURSING.

NOTE: The other subsections in s. 441.001 have titles.

15 ~~SECTION 67.~~ 441.15 (2) (c) of the statutes is amended to read:

16 441.15 (2) (c) Except as provided in sub. (5) (a), the person has in effect the  
17 malpractice liability insurance required under the rules promulgated under sub. (5)  
18 (b) (bm).

NOTE: Inserts correct cross-reference. There is no s. 441.15 (5) (b). Section <sup>✓</sup>(s.) 441.15 (5) (bm) authorizes the promulgation of rules.

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1 ~~SECTION 68.~~ 441.15 (3) (a) 3. of the statutes is amended to read:

2 441.15 (3) (a) 3. If applicable, submits evidence satisfactory to the board that  
3 he or she has in effect the malpractice liability insurance required under the rules  
4 promulgated under sub. (5) (b) (bm).

NOTE: Inserts correct cross-reference. There is no s. 441.15 (5) (b). Section (s.)  
441.15 (5) (bm) authorizes the promulgation of rules.

5 ~~SECTION 69.~~ 441.15 (3) (b) of the statutes is amended to read:

6 441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08  
7 (2) (a), a person issued a license under par. (a) and practicing nurse-midwifery shall  
8 submit to the board on furnished forms a statement giving his or her name,  
9 residence, and other information that the board requires by rule, with the applicable  
10 renewal fee specified under s. 440.08 (2) (a). If applicable, the person shall also  
11 submit evidence satisfactory to the board that he or she has in effect the malpractice  
12 liability insurance required under the rules promulgated under sub. (5) (b) (bm).

NOTE: Inserts correct cross-reference. There is no s. 441.15 (5) (b). Section (s.)  
441.15 (5) (bm) authorizes the promulgation of rules.

13 ~~SECTION 70.~~ The second 441.50 (7) (e) of the statutes created by 1999 Wisconsin  
14 Act 22 is renumbered 441.50 (7) (g).

NOTE: Confirms the renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis.  
Act 22 created 2 provisions numbered s. 441.50 (7) (e).

15 ~~SECTION 71.~~ The treatment of 551.02 (3) (d) of the statutes by 2001 Wisconsin  
16 Act 102 is not repealed by 2001 Wisconsin Act 103. Both treatments stand.

(NOTE) There is no conflict of substance. As merged by the revisor s. 551.02 (3) (d)  
reads:

(d) A personal representative, guardian, conservator, or pledgee.

17 ~~SECTION 72.~~ 611.72 (1) of the statutes is amended to read:

18 611.72 (1) GENERAL. Subject to this section, ss. 180.1101, 180.1103 to 180.1107  
19 180.1106, 180.1706, 180.1707 and 180.1708 (5) apply to the merger of a domestic

(3)

1 stock insurance corporation or its parent insurance holding corporation, except that  
2 papers required by those sections to be filed with the department of financial  
3 institutions shall instead be filed with the commissioner.

NOTE: 2001 Wis. Act 44 repealed s. 180.1107.

4 SECTION 73. ~~The treatment of~~ 813.12 (2) (a) of the statutes ~~(as affected by 2001~~  
5 ~~Wisconsin Acts 61 and 109)~~ is amended to read:

6 813.12 (2) (a) No action under this section may be commenced by complaint and  
7 summons. An action under this section may be commenced only by a petition  
8 described under sub. (5) (a). The action commences with service of the petition upon  
9 the respondent if a copy of the petition is filed before service or promptly after service.  
10 If the judge or a circuit court commissioner extends the time for a hearing under sub.  
11 (3) (c) and the petitioner files an affidavit with the court stating that personal service  
12 by the sheriff or a private server under s. 801.11 (1) (a) or (b) was unsuccessful  
13 because the respondent is avoiding service by concealment or otherwise, the judge  
14 or family circuit court commissioner shall inform the petitioner that he or she may  
15 serve the respondent by publication of a summary of the petition as a class 1 notice,  
16 under ch. 985, and by mailing or sending a facsimile if the respondent's post-office  
17 address or facsimile number is known or can with due diligence be ascertained. The  
18 mailing or sending of a facsimile may be omitted if the post-office address or  
19 facsimile number cannot be ascertained with due diligence. A summary of the  
20 petition published as a class 1 notice shall include the name of the respondent and  
21 of the petitioner, notice of the temporary restraining order, and notice of the date,  
22 time, and place of the hearing regarding the injunction.

NOTE: 2001 Wis. Act 61 replaced "family court commissioner" with "circuit court commissioner" throughout the statutes.

1        ~~SECTION 74.~~ The treatment of 813.12 (3) (a) (intro.) of the statutes by 2001  
2        Wisconsin Act 61 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

CS (NOTE: There is no conflict of substance. As merged by the revisor s. 813.12 (3) (a)  
(intro.) reads: (intro.)

(a) A judge or circuit court commissioner shall issue a temporary restraining order ordering the respondent to refrain from committing acts of domestic abuse against the petitioner, to avoid the petitioner's residence, except as provided in par. (am), or any other location temporarily occupied by the petitioner or both, or to avoid contacting or causing any person other than a party's attorney or a law enforcement officer to contact the petitioner unless the petitioner consents in writing, or any combination of these remedies requested in the petition, or any other appropriate remedy not inconsistent with the remedies requested in the petition, if all of the following occur:

3        ~~SECTION 75.~~ The treatment of 813.12 (3) (a) 2. of the statutes by 2001 Wisconsin  
4        Act 61 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

(NOTE: There is no conflict of substance. As merged by the revisor s. 813.12 (3) (a)  
2. reads:

2. The judge or circuit court commissioner finds reasonable grounds to believe that the respondent has engaged in, or based on prior conduct of the petitioner and the respondent may engage in, domestic abuse of the petitioner.

5        ~~SECTION 76.~~ 813.12 (3) (aj) of the statutes, as affected by 2001 Wisconsin Act  
6        61, section 263, and 2001 Wisconsin Act 109, section 519m, is amended to read:

7        813.12 (3) (aj) In determining whether to issue a temporary restraining order,  
8        the judge or circuit court commissioner shall consider the potential danger posed to  
9        the petitioner and the pattern of abusive conduct of the respondent but may not base  
10       his or her decision solely on the length of time since the last domestic abuse or the  
11       length of time since the relationship ended. The judge or circuit court commissioner  
12       may grant only the remedies requested or approved by the petitioner. The judge or  
13       family circuit court commissioner may not dismiss or deny granting a temporary  
14       restraining order because of the existence of a pending action or of any other court  
15       order that bars contact between the parties, nor due to the necessity of verifying the  
16       terms of an existing court order.

NOTE: 2001 Wis. Act 61 replaced "family court commissioner" with "circuit court commissioner" throughout the statutes.

1 SECTION 77. The treatment of 813.12 (3) (c) of the statutes by 2001 Wisconsin  
2 Act 61 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 813.12 (3) (c)  
reads:

(c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (4). The temporary restraining order is not voided if the respondent is admitted into a dwelling that the order directs him or her to avoid. A judge or circuit court commissioner shall hold a hearing on issuance of an injunction within 14 days after the temporary restraining order is issued, unless the time is extended upon the written consent of the parties or extended once for 14 days upon a finding that the respondent has not been served with a copy of the temporary restraining order although the petitioner has exercised due diligence.

3 SECTION 78. The treatment of 813.12 (4) (a) (intro.) of the statutes by 2001  
4 Wisconsin Act 61 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 813.12 (4) (a) (intro.) reads:

(a) A judge or circuit court commissioner may grant an injunction ordering the respondent to refrain from committing acts of domestic abuse against the petitioner, to avoid the petitioner's residence, except as provided in par. (am), or any other location temporarily occupied by the petitioner or both, or to avoid contacting or causing any person other than a party's attorney or a law enforcement officer to contact the petitioner unless the petitioner consents to that contact in writing, or any combination of these remedies requested in the petition, or any other appropriate remedy not inconsistent with the remedies requested in the petition, if all of the following occur:

5 SECTION 79. The treatment of 813.12 (4) (a) 3. of the statutes by 2001 Wisconsin  
6 Act 61 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 813.12 (4) (a) 3. reads:

3. After hearing, the judge or circuit court commissioner finds reasonable grounds to believe that the respondent has engaged in, or based upon prior conduct of the petitioner and the respondent may engage in, domestic abuse of the petitioner.

7 SECTION 80. 813.12 (4) (aj) of the statutes, as affected by 2001 Wisconsin Act  
8 61, section 268, and 2001 Wisconsin Act 109, section 519ms, is amended to read:

9 813.12 (4) (aj) In determining whether to issue an injunction, the judge or  
10 circuit court commissioner shall consider the potential danger posed to the petitioner  
11 and the pattern of abusive conduct of the respondent but may not base his or her  
12 decision solely on the length of time since the last domestic abuse or the length of time



1 since the relationship ended. The judge or circuit court commissioner may grant only  
2 the remedies requested by the petitioner. The judge or family circuit court  
3 commissioner may not dismiss or deny granting an injunction because of the  
4 existence of a pending action or of any other court order that bars contact between  
5 the parties, nor due to the necessity of verifying the terms of an existing court order.

NOTE: 2001 Wis. Act 61 replaced “family court commissioner” with “circuit court commissioner” throughout the statutes.

6 ~~SECTION 81.~~ 938.34 (3) (b) of the statutes is amended to read:

7 938.34 (3) (b) The home of a person who is not required to be licensed if  
8 placement is for less than 30 days, except that the court may not designate the ~~name~~  
9 home of a person who is not required to be licensed as the juvenile’s placement if the  
10 person has been convicted under s. 940.01 of the first-degree intentional homicide,  
11 or under s. 940.05 of the 2nd-degree intentional homicide, of a parent of the juvenile,  
12 and the conviction has not been reversed, set aside or vacated, unless the court  
13 determines by clear and convincing evidence that the placement would be in the best  
14 interests of the juvenile. The court shall consider the wishes of the juvenile in  
15 making that determination.

NOTE: Replaces incorrect word inserted by 1999 Wis. Act 9, consistent with s.  
938.34 (3) (a) and the parallel provisions in s. 48.345<sup>✓</sup>(3) (a) and (b).

16 ~~SECTION 82.~~ 938.38 (5m) (b) of the statutes is amended to read:

17 938.38 (5m) (b) Not less than 30 days before the date of the hearing, the court  
18 shall notify the juvenile; the juvenile’s parent, guardian, and legal custodian; the  
19 juvenile’s foster parent or treatment foster parent, the operator of the facility in  
20 which the juvenile is living, or the relative with whom the juvenile is living; the  
21 juvenile’s counsel, and the juvenile’s guardian ad litem; ~~or the relative with whom~~

1 the juvenile is living; the agency that prepared the permanency plan; and the person  
2 representing the interests of the public of the date, time, and place of the hearing.

NOTE: Moves text incorrectly placed in 2001 Wis. Act 109, consistent with the  
parallel provision in s. 48.38 (5m) (b), as created by s. 102<sup>rm</sup> of Act 109. *Section*

3 ~~SECTION 83.~~ The treatment of 938.78 (3) of the statutes by 2001 Wisconsin Act  
4 59 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

*CS* NOTE: There is no conflict of substance. As merged by the revisor s. 938.78 (3)  
reads:

(3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s. 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats., or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s. 943.23 (1m) or (1r), 1999 stats., or s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.60, 948.605, or 948.61 or any crime specified in ch. 940 has escaped from a secured correctional facility, residential care center for children and youth, secured group home, inpatient facility, as defined in s. 51.01 (10), secure detention facility, or juvenile portion of a county jail, or from the custody of a peace officer or a guard of such a facility, center, or jail, or has been allowed to leave a secured correctional facility, residential care center for children and youth, secured group home, inpatient facility, secure detention facility, or juvenile portion of a county jail for a specified time period and is absent from the facility, center, home, or jail for more than 12 hours after the expiration of the specified period, the department or county department having supervision over the juvenile may release the juvenile's name and any information about the juvenile that is necessary for the protection of the public or to secure the juvenile's return to the facility, center, home, or jail. The department of corrections shall promulgate rules establishing guidelines for the release of the juvenile's name or information about the juvenile to the public.

5 ~~SECTION 84.~~ The treatment of 939.32 (1) (intro.) of the statutes by 2001  
6 Wisconsin Act 91 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

*CS* NOTE: There is no conflict of substance. As merged by the revisor s. 939.32 (1)  
(intro.) reads:

(1) GENERALLY. <sup>(intro.)</sup> Whoever attempts to commit a felony or a crime specified in s. 940.19, 940.195, 943.20, or 943.74 may be fined or imprisoned or both as provided under sub. (1g), except:

7 ~~SECTION 85.~~ 943.76 (1) (a) of the statutes is amended to read:

8 943.76 (1) (a) "Livestock" means cattle, horses, swine, sheep, goats,  
9 farm-raised deer, as defined in s. 95.001 (1) (a) (ag), poultry, and other animals used  
10 or to be used in the production of food, fiber, or other commercial products.

NOTE: Inserts the correct cross-reference. 2001 Wis. Act 56 renumbered s. 95.001  
(1) (a) to s. 95.001 (1) (ag).

1 ~~SECTION 86.~~ 943.76 (1) (c) of the statutes is amended to read:

2 943.76 (1) (c) “Reckless conduct” means conduct ~~which~~ that creates a  
3 substantial risk of an animal’s death or a substantial risk of bodily harm to an animal  
4 if the actor is aware of that risk.

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

5 ~~SECTION 87.~~ The treatment of 946.82 (4) of the statutes by 2001 Wisconsin Act  
6 105 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

~~NOTE:~~ There is no conflict of substance. As merged by the revisor s. 946.82 (4)  
reads:

(4) “Racketeering activity” means any activity specified in 18 USC 1961 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637, 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09, 943.01 (2), (2d), or (2g), 943.011, 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (bf) to (e), 943.201, 943.23 (1g), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c), 943.60, 943.70, 943.76, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05, 948.08, 948.12, and 948.30.

7 ~~SECTION 88.~~ 948.075 (1) of the statutes, as affected by 2001 Wisconsin Act 109,  
8 section 904n, is amended to read:

9 948.075 (1) Whoever uses a computerized communication system to  
10 communicate with an individual who the actor believes or has reason to believe has  
11 not attained the age of 16 years with intent to have sexual contact or sexual  
12 intercourse with the individual in violation of s. 948.02 (1) or (2) is guilty of a Class  
13 D felony.

NOTE: Inserts missing word.

14 ~~SECTION 89.~~ The treatment of 948.13 (1) (a) of the statutes by 2001 Wisconsin  
15 Act 97 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

~~NOTE:~~ There is no conflict of substance. As merged by the revisor s. 948.13 (1) (a)  
reads:

*IPS - please check spacing*

(a) A crime under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim is under 18 years of age at the time of the offense, or a crime under s. 948.02 (1) or (2), 948.025 (1), 948.05 (1) or (1m), 948.06, 948.07 (1), (2), (3), or (4), or 948.075.

1 ~~SECTION 90.~~ The treatment of 948.13 (2) (a) of the statutes by 2001 Wisconsin  
2 Act 97 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

(C) NOTE: There is no conflict of substance. As merged by the revisor s. 948.13 (2) (a) reads:

(a) Except as provided in pars. (b) and (c), whoever has been convicted of a serious child sex offense and subsequently engages in an occupation or participates in a volunteer position that requires him or her to work or interact primarily and directly with children under 16 years of age is guilty of a Class F felony.

3 ~~SECTION 91.~~ 948.22 (7) (b) (intro.) of the statutes is amended to read:

4 948.22 (7) (b) (intro.) In addition to or instead of imposing a penalty authorized  
5 for a Class E I felony or a Class A misdemeanor, whichever is appropriate, the court  
6 shall:

NOTE: 2001 Wis. Act 109 changed the classification of violation of s. 948.22 (2) from a Class E felony to a Class I felony without changing the corresponding reference in s. 948.22 (7).

7 ~~SECTION 92.~~ 973.017 (4) (a) 4. of the statutes is amended to read:

8 (4) (intro.) "Significantly exposed" means sustaining a contact which that carries a  
9 potential for transmission of a sexually transmitted disease or HIV by one or more  
10 of the following:

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

11 ~~SECTION 93.~~ The treatment of 973.034 of the statutes by 2001 Wisconsin Act  
12 97 is not repealed by 2001 Wisconsin Act 109. Both treatments stand.

(C) NOTE: There is no conflict of substance. As merged by the revisor s. 948.13 (1) (a) reads:

**973.034 Sentencing; restriction on child sex offender working with children.** Whenever a court imposes a sentence or places a defendant on probation regarding a conviction under s. 940.22 (2) or 940.225 (2) (c) or (cm), if the victim is under 18 years of age at the time of the offense, or a conviction under s. 948.02 (1) or (2), 948.025 (1), 948.05 (1) or (1m), 948.06, 948.07 (1), (2), (3), or (4), or 948.075, the court shall inform the defendant of the requirements and penalties under s. 948.13.

13 ~~SECTION 94.~~ 973.20 (1r) of the statutes is amended to read:

1           973.20 (1r) When imposing sentence or ordering probation for any crime, other  
2 than a crime involving conduct that constitutes domestic abuse under s. 813.12 (1)  
3 (a) (am) or 968.075 (1) (a), for which the defendant was convicted, the court, in  
4 addition to any other penalty authorized by law, shall order the defendant to make  
5 full or partial restitution under this section to any victim of a crime considered at  
6 sentencing or, if the victim is deceased, to his or her estate, unless the court finds  
7 substantial reason not to do so and states the reason on the record. When imposing  
8 sentence or ordering probation for a crime involving conduct that constitutes  
9 domestic abuse under s. 813.12 (1) (a) (am) or 968.075 (1) (a) for which the defendant  
10 was convicted or that was considered at sentencing, the court, in addition to any  
11 other penalty authorized by law, shall order the defendant to make full or partial  
12 restitution under this section to any victim of a crime or, if the victim is deceased, to  
13 his or her estate, unless the court finds that imposing full or partial restitution will  
14 create an undue hardship on the defendant or victim and describes the undue  
15 hardship on the record. Restitution ordered under this section is a condition of  
16 probation, extended supervision<sup>(2)</sup> or parole served by the defendant for a crime for  
17 which the defendant was convicted. After the termination of probation, extended  
18 supervision<sup>(2)</sup> or parole, or if the defendant is not placed on probation, extended  
19 supervision<sup>(2)</sup> or parole, restitution ordered under this section is enforceable in the  
20 same manner as a judgment in a civil action by the victim named in the order to  
21 receive restitution or enforced under ch. 785.

NOTE: Inserts correct cross-reference. 2001 Wis. Act 109 renumbered s. 813.12 (1)  
(a) to s. 813.12 (1) (am).

22       SECTION 95. 973.30 (1) (d) of the statutes is amended to read:

1 973.30 (1) (d) Provide information to the legislature, state agencies, and the  
2 public regarding the costs to and other needs of the department which that result  
3 from sentencing practices.

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

4 SECTION 96. 2001 Wisconsin Act 16, section 2245d (amending s. 77.52 (2) (a)  
5 10, as affected by 2001 Wis. Act 16, s. 2245d) is amended by replacing "facilities,  
6 schools and hospitals" with "facilities, schools, and hospitals".

NOTE: The comma following "schools" was inserted into s. 77.52 (2) (a) 10. by 2001 Wisconsin Act 16, section 2245, but was not included in the treatment of the same provision by section 2245d.

SECTION 97. 2001 Wisconsin Act 52, section 13 (1) is amended to read:

8 **2001 Wisconsin Act 52, section 13 (1)** Using the procedure under section  
9 227.24 of the statutes, the board of nursing may promulgate the rules required under  
10 section 441.15 (5) (b) (bm) of the statutes, as created by this act, for the period before  
11 permanent rules become effective, but not to exceed the period authorized under  
12 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a)  
13 and (2) (b) of the statutes, the board of nursing need not provide evidence of the  
14 necessity of preservation of the public peace, health, safety, or welfare in  
15 promulgating rules under this subsection.

NOTE: Inserts correct cross-reference. There is no s. 441.15 (5) (b).

16 SECTION 98. 2001 Wisconsin Act 70, section 2 (affecting s. 48.981 (2)) is  
17 repealed.

NOTE: This section is replaced by the creation of s. 48.981 (2) (a) 22m. by this bill.  
See also the note to the creation of s. 48.981 (2) (a) 22m. by this bill.

~~DELETE THIS NOTE AND NOTE BELOW WHEN DONE~~

NOTE: LRB EDITOR: PLEASE INSERT THE SECTION NUMBER FOR THE REPEAL OF 2001 Act 70, s. 2 IN THE NOTE FOR 48.981 (2) (a) 22m.

under SECTION 22 of this bill (c) this sec. Section 22 of this bill

*of the statutes*  
*part of section number in not bold*

*(c) in Section 22 of this bill*  
*use auto-ref 22a*  
*Section 22 of this bill*

1 **SECTION 99.** 2001 Wisconsin Act 75, section 7 (affecting s. 134.66) is amended  
 2 by replacing “134.66 (5) A county, town, village” with “134.66 (5) LOCAL ORDINANCE. A  
 3 county, town, village”

NOTE: The title to 134.66 (5) was not shown in the treatment by 2001 Wis. Act 75,  
 § 7. The deletion was not intended.

section

4 **SECTION 100.** 2001 Wisconsin Act 102, section 29 (affecting s. 71.08 (12)(a))  
 5 is amended by replacing “property in this state shall be” with “property in this state  
 6 shall be a”.

from s. 71.08 (12)(a) 1.

NOTE: The word “a” was deleted without striking. The deletion was intended.

7 **SECTION 101.** 2001 Wisconsin Act 103, section 115 (amending s. 48.358 (2)) is  
 8 amended by replacing “by gift, purchase, or condemnation” with “by gift, purchase,  
 9 or condemnation”.

NOTE: The underscored comma was inserted without being underscored. The  
 insertion was intended.

in s. 48.358 (2)

10 **SECTION 102.** 2001 Wisconsin Act 103, section 261 (amending s. 302.02 (1m))  
 11 (h) is amended by replacing “committed within the county” with “committed within  
 12 that the county”.

In s. 302.02 (1m) (h),

NOTE: The underscored “the” was inserted without being underscored and the  
 stricken “that” was deleted without being shown as stricken. The insertion and deletion  
 were intended.

13 **SECTION 103.** 2001 Wisconsin Act 103, section 265 (amending s. 341.14 (6)(a))  
 14 is amended by replacing “Panama, Somalia, or a Middle East crisis” with “Panama,  
 15 Somalia, or a Middle East crisis”.

NOTE: The underscored comma was inserted without being underscored. The  
 insertion was intended.

in s. 341.14 (6)(a)

16 **SECTION 104.** 2001 Wisconsin Act 104, section 70 (amending s. 77.52 (2)(a) 10,  
 17 as affected by 2001 Wis. Act 16, s. 2245d) is amended by replacing “facilities, schools  
 18 and hospitals” with “facilities, schools, and hospitals”.

NOTE: The comma following “schools” was inserted into s. 77.52 (2)(a) 10. by 2001  
 Wisconsin Act 16, section 2245, but was not included in the treatment of the same

provision by section 2245d of that act. 2001 Wis. Act 104, section 70, amended s. 77.52 (2) (a) 10. by 2001 Wisconsin Act 16, section 2245d. This bill corrects the treatment by Act 16 s. 2245d to include the comma. This section confirms that the comma is retained.

1 SECTION 105. 2001 Wisconsin Act 107, section 44 (amending s. 93.07 (21)) is  
2 amended by replacing "be be filled out" with "be filled out".

NOTE: The word "be" was incorrectly repeated in stricken text.

3 SECTION 106. 2001 Wisconsin Act 107, section 58 (amending s. 132.16 (2)) is  
4 amended by replacing "the organization's current and future" with "the  
5 organization's current and future".

NOTE: The word "the" was incorrectly underscored. It was preexisting.

6 SECTION 107. 2001 Wisconsin Act 107, section 82 (affecting s. 445.08 (4) (a))  
7 is amended by replacing "Proof of compliance" with "Proof of compliance".

NOTE: "Proof" was inserted by 2001 Wis. Act 107 without being underscored. The insertion was intended.

8 SECTION 108. 2001 Wisconsin Act 109, section 1ue (affecting s. 11.26 (17) (a))  
9 is amended by replacing "subs. (1), (1m), (2), (2m), (9), (9m), and (10)" with "subs. (1), (1m),  
10 (2), (2m), (9), (9m), and (10)".

NOTE: The comma following "(2m)" was inserted without being underscored. The insertion was intended.

11 SECTION 109. 2001 Wisconsin Act 109, section 1uet (affecting s. 11.31 (2)) is  
12 amended by replacing "or s. 11.50 (2) (i)" with "or s. 11.50 (2) (i)".

NOTE: Confirms that "or" was preexisting language and was not added by 2001 Wis. Act 109, section 1uet.

13 SECTION 110. 2001 Wisconsin Act 109, section 102em (affecting s. 48.357 (2r))  
14 is amended by replacing "hearing relating to the child" with "hearing, relating to the  
15 child".

NOTE: The stricken comma was deleted without being stricken. The deletion was intended.

from s. 48.357 (2r)



1 ~~SECTION 111.~~ 2001 Wisconsin Act 109, section 206 (affecting s. 71.34 (1g) (g))  
2 is amended by replacing "71.34 (1g) (g) of the statutes, as affected by 2001 Wisconsin  
3 Act 16, is repealed" with "71.34 (1g) (g) of the statutes is repealed".

NOTE: <sup>Section</sup> ~~Chapter~~ 71.34 (1g) (g) was not affected by 2001 Wisconsin Act 16.

4 ~~SECTION 112.~~ **Effective dates.** This act takes effect on the day after  
5 publication except as follows:

6 (1) The treatment of <sup>section</sup> 48.981 (2) (a) 22m. of the statutes takes effect on April 1,  
7 2004.

8 (2) The treatments of <sup>in sections</sup> 11.05 (1) (b), 11.20 (2s) <sup>and</sup> ~~11.20~~ (2t), 11.50 (2s) (b), and 11.60  
9 (4) of the statutes take effect on July 1, 2003, <sup>on</sup> or the day after publication, whichever  
10 occurs later.

11 (END)

15