

2003 DRAFTING REQUEST

Bill

Received: **04/15/2004**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Revisor of Statutes**

By/Representing: **Bruce**

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

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**

Extra Copies: **Rachel Letzing - LC**

Submit via email: **YES**

Requester's email: **nicholas.zavos@legis.state.wi.us**

Carbon copy (CC:) to: **bruce.hoesly@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Revisor's correction bill

Instructions:

See Attached--03 rb 14

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 04/15/2004	chanaman 04/20/2004					
/P1		csicilia 04/21/2004	rschluet 04/20/2004		sbasford 04/21/2004		
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/P3		csicilia 05/06/2004	jfrantze 04/29/2004	_____	sbasford 04/29/2004		
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/1			jfrantze 05/06/2004	_____	mbarman 05/06/2004	Inorthro 05/11/2004	

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<END>

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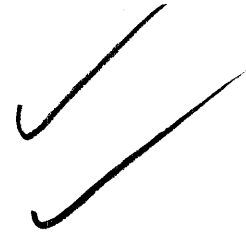
Extra Copies: **Rachel Letzing - LC**

Per Chris S.

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Jacket for Senate per Nick Zavos

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/P2		csicilia 04/22/2004	jfrantze 04/22/2004	_____	sbasford 04/22/2004		

Handwritten initials and numbers:
JCS/6
5/6

Handwritten note:
PA's please see special instructions for revisors bills CJS

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1 gjs
5/6
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PA's:
Please RUSH
~~one~~ rough copy
and one single-
sided typed
copy to
Bruce Hoesly
at RSB.

Thanks
CJS

/P4 cjs 5/5/04 [Handwritten initials]

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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04/29/2004

jfrantze _____
04/22/2004 _____

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jfrantze _____
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*DAs -
Please send one
single-spaced typed
copy together with
the rough copy
to Bruce Hoesly
at RSB.
Thanks
CJS*

*6/29
4/29*

04/21/2004

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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*/P3 cjs
4/28/04*

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			rschluet 04/21/2004	_____			

P2 cjs 4/22/04
[Signature] 4/22
[Signature] 4/22

*PA's RUSH
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 and rough copy
 spaced one single-
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 Hoesly at
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 Thanks
 cjs*

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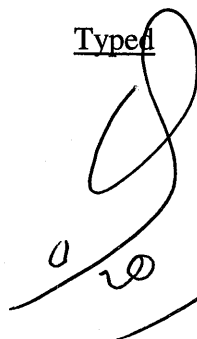
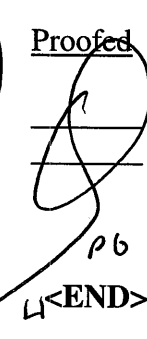
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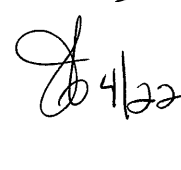

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/?	chanaman 04/15/2004	lrb_editor					

FE Sent For:

 4/22
 4/22

PAS: **RUSH**
please rough copy
and one single-
sided typed
copy to
Bruce Hoesly
at RSB.
Thanks!
CJS

Please return to LRB when you have completed review

this is my markup on 03 rb 14

2003 - 2004 LEGISLATURE

LRB-4512/0 e P1

BEM
yjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisor's Bill
Do NOT GEN CAT
Do NOT SORT

1 AN ACT (...) relating to: (???) INS REL

Analysis by the Legislative Reference Bureau

INS ANAL

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

2

(END)

INS BILL

NOTE: This /P1 version contains 03 rb 14, CJS

and rb 14 supp 1

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

This is 4812/Plins CJS

LRB

.....

INS REL

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

Analysis by the Legislative Reference Bureau

INS ANAL

This revisor's revision 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, commas after the last item in a series are added throughout this bill. "Which" is replaced by "that" where grammatically correct.

before

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

6
7
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9
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15

SECTION 1. 30.209 (1) (title) of the statutes is created to read:
30.209 (1) (title) DEFINITION.

NOTE: The other subsections in this section have titles.

SECTION 2. 83.08 (4) of the statutes, as affected by 2003 Wisconsin Act 212, is amended to read:

83.08 (4) Subject to s. 84.09 (3) (c) and to the approval of the department, the county board is authorized and empowered to sell at public sale, or to sell at private sale for fair market value to an owner of adjacent property, property, owned by the county in fee for highway purposes, when the county board shall determine that such property is no longer necessary for the county's use for highway purposes. The funds derived from such sale shall be deposited in the county highway fund and the expense

INS BILL



1 incurred in connection with the sale shall be paid from that fund. However, approval
 2 of the department is not required where county funds only have been used.

NOTE: 2003 Wis. Act 212 deleted ^{the} ~~he~~ underscored comma without showing it as stricken. No change was intended.

3 **SECTION 3.** The treatment of 84.09 (5) of the statutes by 2003 Wisconsin Act 33
 4 is not repealed by 2003 Wisconsin Act 211. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 84.09 (5) reads:

(5) Subject to the approval of the governor, the department may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the department when the department determines that the property is no longer necessary for the state's use for transportation purposes and, if real property, the real property is not the subject of a petition under s. 560.9810 (2). The department shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the same should be sold, together with an application for the governor's approval of the sale. The governor shall thereupon make such investigation as he or she may deem necessary and approve or disapprove the application. Upon such approval and receipt of the full purchase price, the department shall by appropriate deed or other instrument transfer the property to the purchaser. The approval of the governor is not required for public or private sale of property having a fair market value at the time of sale of not more than \$15,000 for the transfer of surplus state real property to the department of administration under s. 560.9810 or for the transfer of surplus state personal property to the department of tourism under sub. (5s). The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from such fund.

5 **SECTION 4.** The treatment of 84.09 (5r) of the statutes by 2003 Wisconsin Act
 6 33 is not repealed by 2003 Wisconsin Act 211. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 84.09 (5r) reads:

(5r) In lieu of the sale or conveyance of property under sub. (5) or (5m), the department may, subject to the approval of the governor, donate real property that is adjacent to the veterans memorial site located at The Highground in Clark County and owned by the state and under the jurisdiction of the department to the Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans memorial site located at The Highground in Clark County for the purpose of a memorial hall specified in s. 70.11 (9). The department may donate property under this subsection only when the department determines that the property is no longer necessary for the state's use for transportation purposes and is not the subject of a petition under s. 560.9810 (2) and is transferred with a restriction that the donee may not subsequently transfer the real property to any person except to this state, which shall not be charged for any improvements thereon. Such restriction shall be recorded in the office of the register of deeds in the county in which the property is located. The department shall present to the governor a full and complete report of the property to be donated, the reason for the donation, and the minimum price for which the property could likely be sold under sub. (5), together with an application for the governor's approval of the donation. The governor shall thereupon make such investigation as he or she considers necessary and



approve or disapprove the application. Upon such approval, the department shall by appropriate deed or other instrument transfer the property to the donee. The approval of the governor is not required for donation of property having a fair market value at the time of donation of not more than \$15,000. Any expense incurred by the department in connection with the donation shall be paid from the transportation fund.

1 SECTION 5. 84.1026⁽¹⁾ of the statutes, as created by 2003 Wisconsin Act 218, is
2 amended to read:

3 PLAIN 84.1026 Wisconsin Law Enforcement Officers Highway, (1) The
4 department shall designate and, subject to sub. (2), mark the route of USH 151,
5 commencing at the ~~Wisconsin-Illinois~~ Wisconsin-Iowa border and proceeding
6 easterly to Manitowoc, as the "Wisconsin Law Enforcement Officers Highway" to
7 commemorate and honor all law enforcement officers of this state for their dedicated
8 public service in defending and protecting life, health, and property.

NOTE: ^{The Wisconsin part of U.S.} Highway 151 starts at the Iowa-Wisconsin border, crossing the Mississippi River at Dubuque, Iowa.

*** NOTE: See my technical changes. CJS

9 SECTION 6. The treatment of 218.0114 (1) of the statutes by 2003 Wisconsin Act
10 215 is not repealed by 2003 Wisconsin Act 216. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, eff 11-1-04, s. 218.0114 (1) reads:

(1) No motor vehicle dealer, motor vehicle wholesaler, motor vehicle salesperson, motor vehicle buyer, or sales finance company may engage in business as a motor vehicle dealer, motor vehicle wholesaler, motor vehicle salesperson, motor vehicle buyer, or sales finance company in this state without a license therefor as provided in ss. 218.0101 to 218.0163. If any motor vehicle dealer acts as a motor vehicle salesperson, he or she shall secure a motor vehicle salesperson's license in addition to a motor vehicle dealer license. Every motor vehicle dealer shall be responsible for the licensing of every motor vehicle salesperson or motor vehicle buyer in his or her employ. Any person violating this subsection may be required to forfeit not less than \$500 nor more than \$5,000.

11 SECTION 7. 255.055 of the statutes, as created by 2003 Wisconsin Act 175, is
12 renumbered 255.056.

NOTE: 2003 Wis. Act 176 also created a provision numbered s. 255.055.

13 SECTION 8. 285.60 (1) (a) 1. of the statutes, as affected by 2003 Wisconsin Acts
14 118 and ~~2003 Wisconsin Act~~ (ab 516) is amended to read:

Diagram showing handwritten annotations: "parenstays" with arrows pointing to "(ab 516)", "Assembly Bill" with an arrow pointing to "(ab 516)", and "Δ...Δ" with arrows pointing to "2003 Wisconsin Act".

*** NOTE: I added -4-
a comma from the AB-516 treatment. Also,
see my proposed effective date provision for
this material. CJS

LRB
.....

1 285.60 (1) (a) 1. Except as provided in sub. (2g), (5m), ~~or~~ (6), or (6m), no person
2 may commence construction, reconstruction, replacement, or modification of a
3 stationary source unless the person has a construction permit from the department.

NOTE: Deletes "or" rendered unnecessary by the treatment by 2003 Wis. Act 516) and inserts serial comma. (AD) Assembly Bill

4 SECTION 9. 346.495 (1) (b) of the statutes, as created by 2003 Wisconsin Act 209,
5 is amended to read:

6 346.495 (1) (b) If a court imposes a forfeiture under s. 346.49 (2r) with respect
7 to a violation of s. 346.44 or 346.45, the court shall also impose a railroad crossing
8 improvement assessment surcharge equal to 50% of the amount of the forfeiture.

NOTE: Inserts the correct term consistent with 2003 Wis. Act 139

9 SECTION 10. The treatment of 814.61 (7) (b) of the statutes by 2003 Wisconsin
10 Act 33 is not repealed by 2003 Wisconsin Act 165. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, eff. 7-1-04, s. 814.61 (7) (b) reads:

(b) Upon the filing of any petition, motion, or order to show cause by either party under s. 767.325 or 767.327, \$50. No fee may be collected under this paragraph for filing a petition, motion, or order to show cause for the revision of a judgment or order for legal custody or physical placement if both parties have stipulated to the revision of the judgment or order. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 25% to the secretary of administration for deposit in the general fund, retain 25% for the use of the county, and deposit 50% in a separate account to be used by the county exclusively for the purposes specified in s. 767.11.

11 SECTION 11. The treatment of 973.055 (1) (intro.) of the statutes by 2003
12 Wisconsin Act 139 is not repealed by 2003 Wisconsin Act 225. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, eff. 7-1-04, s. 973.055 (1) (intro.) reads:

(1) (intro.) If a court imposes a sentence on an adult person or places an adult person on probation, regardless of whether any fine is imposed, the court shall impose a domestic abuse surcharge under ch. 814 of \$75 for each offense if:

13 SECTION 12. 2003 Wisconsin Act 176, section 10 is amended by replacing
14 "20.250 (2) (g) of the statutes is created to read:" with "20.250 (2) of the statutes is
15 created to read:"

*** NOTE: I removed the delayed effective date in the note; The Act 139 and Act 225 treatments will both have taken effect before this bill is introduced. CJS

5.20.250
 5.20.250
 Wis.

✓ NOTE: 2003 Wisconsin Act 176, section 1, affecting s. 20.250 (2) (g), creates all of sub. (2), not just sub. (2) (g). ✓

① SECTION 13. 2003 Wisconsin Act 228, section 30 is amended by replacing
 2 "March 31 and before the expiration date" with "March 31 before the expiration date
 3 and".

*** NOTE: This correction is made by SB 564, section 140 (LRB-4493) - is it necessary to make it again here? CJS
 NOTE: The stricken "and" was shown in the wrong location.

SECTION 14. Effective date. This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 255.055 of the statutes takes effect on July 1, 2005. ✓

LPS: please check + fix components

end INS BILL

9 (2) The treatment of section 285.60(1)(a)1. takes effect on the day after publication or on the day after publication of 2003 Wisconsin Act (Assembly Bill 516), whichever ~~is~~ is later.

Please return to LRB when you have completed review

stays



State of Wisconsin 2003 - 2004 LEGISLATURE

LRB-4512/P1
BEM:cjs:rs

this is an intermediate document I used to show how to insert suppt into rb14

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisors' Bill
Do NOT Gen Cat
Do NOT Sort

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 revision 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, commas before the last item in a series are added throughout this bill. "Which" is replaced by "that" where grammatically correct.

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

***NOTE: This /P1 version contains 03 rb 14 and rb 14 supp 1. CJS

6 SECTION 1. 30.209 (1) (title) of the statutes is created to read:
7 30.209 (1) (title) DEFINITION.

NOTE: The other subsections in this section have titles.

INS A

INS B



1 **SECTION 2.** 83.08 (4) of the statutes, as affected by 2003 Wisconsin Act 212, is
2 amended to read:

3 83.08 (4) Subject to s. 84.09 (3) (c) and to the approval of the department, the
4 county board is authorized and empowered to sell at public sale, or to sell at private
5 sale for fair market value to an owner of adjacent property, property, owned by the
6 county in fee for highway purposes, when the county board shall determine that such
7 property is no longer necessary for the county's use for highway purposes. The funds
8 derived from such sale shall be deposited in the county highway fund and the expense
9 incurred in connection with the sale shall be paid from that fund. However, approval
10 of the department is not required where county funds only have been used.

NOTE: 2003 Wis. Act 212 deleted the underscored comma without showing it as
stricken. No change was intended.

11 **SECTION 3.** The treatment of 84.09 (5) of the statutes by 2003 Wisconsin Act 33
12 is not repealed by 2003 Wisconsin Act 211. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 84.09 (5) reads:

(5) Subject to the approval of the governor, the department may sell at public or
private sale property of whatever nature owned by the state and under the jurisdiction
of the department when the department determines that the property is no longer
necessary for the state's use for transportation purposes and, if real property, the real
property is not the subject of a petition under s. 560.9810 (2). The department shall
present to the governor a full and complete report of the property to be sold, the reason
for the sale, and the minimum price for which the same should be sold, together with an
application for the governor's approval of the sale. The governor shall thereupon make
such investigation as he or she may deem necessary and approve or disapprove the
application. Upon such approval and receipt of the full purchase price, the department
shall by appropriate deed or other instrument transfer the property to the purchaser. The
approval of the governor is not required for public or private sale of property having a fair
market value at the time of sale of not more than \$15,000, for the transfer of surplus state
real property to the department of administration under s. 560.9810, or for the transfer
of surplus state personal property to the department of tourism under sub. (5s). The
funds derived from sales under this subsection shall be deposited in the transportation
fund, and the expense incurred by the department in connection with the sale shall be
paid from such fund.

13 **SECTION 4.** The treatment of 84.09 (5r) of the statutes by 2003 Wisconsin Act
14 33 is not repealed by 2003 Wisconsin Act 211. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 84.09 (5r) reads:

(5r) In lieu of the sale or conveyance of property under sub. (5) or (5m), the department may, subject to the approval of the governor, donate real property that is adjacent to the veterans memorial site located at The Highground in Clark County and owned by the state and under the jurisdiction of the department to the Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans memorial site located at The Highground in Clark County for the purpose of a memorial hall specified in s. 70.11 (9). The department may donate property under this subsection only when the department determines that the property is no longer necessary for the state's use for transportation purposes and is not the subject of a petition under s. 560.9810 (2) and is transferred with a restriction that the donee may not subsequently transfer the real property to any person except to this state, which shall not be charged for any improvements thereon. Such restriction shall be recorded in the office of the register of deeds in the county in which the property is located. The department shall present to the governor a full and complete report of the property to be donated, the reason for the donation, and the minimum price for which the property could likely be sold under sub. (5), together with an application for the governor's approval of the donation. The governor shall thereupon make such investigation as he or she considers necessary and approve or disapprove the application. Upon such approval, the department shall by appropriate deed or other instrument transfer the property to the donee. The approval of the governor is not required for donation of property having a fair market value at the time of donation of not more than \$15,000. Any expense incurred by the department in connection with the donation shall be paid from the transportation fund.

1 **SECTION 5.** 84.1026 (1) of the statutes, as created by 2003 Wisconsin Act 218,
2 is amended to read:

3 84.1026 (1) The department shall designate and, subject to sub. (2), mark the
4 route of USH 151, commencing at the ~~Wisconsin-Illinois~~ Wisconsin-Iowa border and
5 proceeding easterly to Manitowoc, as the "Wisconsin Law Enforcement Officers
6 Highway" to commemorate and honor all law enforcement officers of this state for
7 their dedicated public service in defending and protecting life, health, and property.

NOTE: The Wisconsin part of U.S. Highway 151 starts at the Iowa-Wisconsin border, crossing the Mississippi River at Dubuque, Iowa.

***NOTE: See my technical changes. CJS

8 **SECTION 6.** The treatment of 218.0114 (1) of the statutes by 2003 Wisconsin Act
9 215 is not repealed by 2003 Wisconsin Act 216. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 11-1-04, s. 218.0114 (1) reads:

(1) No motor vehicle dealer, motor vehicle wholesaler, motor vehicle salesperson, motor vehicle buyer, or sales finance company may engage in business as a motor vehicle dealer, motor vehicle wholesaler, motor vehicle salesperson, motor vehicle buyer, or sales finance company in this state without a license therefor as provided in ss. 218.0101 to

218.0163. If any motor vehicle dealer acts as a motor vehicle salesperson, he or she shall secure a motor vehicle salesperson's license in addition to a motor vehicle dealer license. Every motor vehicle dealer shall be responsible for the licensing of every motor vehicle salesperson or motor vehicle buyer in his or her employ. Any person violating this subsection may be required to forfeit not less than \$500 nor more than \$5,000.

1 SECTION 7. 255.055 of the statutes, as created by 2003 Wisconsin Act 175, is
2 renumbered 255.056.

NOTE: 2003 Wis. Act 176 also created a provision numbered s. 255.055.

3 SECTION 8. 285.60 (1) (a) 1. of the statutes, as affected by 2003 Wisconsin Acts
4 118 and (Assembly Bill 516), is amended to read:

5 285.60 (1) (a) 1. Except as provided in sub. (2g), (5m), or (6), or (6m), no person
6 may commence construction, reconstruction, replacement, or modification of a
7 stationary source unless the person has a construction permit from the department.

NOTE: Deletes "or" rendered unnecessary by the treatment by 2003 Wis. Act (Assembly Bill 516) and inserts serial comma.

***NOTE: I added a comma from the AB-516 treatment. Also, see my proposed effective date provision for this material. CJS

INS
C

8 SECTION 9. 346.495 (1) (b) of the statutes, as created by 2003 Wisconsin Act 209,
9 is amended to read:

10 346.495 (1) (b) If a court imposes a forfeiture under s. 346.49 (2r) with respect
11 to a violation of s. 346.44 or 346.45, the court shall also impose a railroad crossing
12 improvement assessment surchage equal to 50% of the amount of the forfeiture.

NOTE: Inserts the correct term consistent with 2003 Wis. Act 139.

13 SECTION 10. The treatment of 814.61 (7) (b) of the statutes by 2003 Wisconsin
14 Act 33 is not repealed by 2003 Wisconsin Act 165. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 7-1-04, s. 814.61 (7) (b) reads:

(b) Upon the filing of any petition, motion, or order to show cause by either party under s. 767.325 or 767.327, \$50. No fee may be collected under this paragraph for filing a petition, motion, or order to show cause for the revision of a judgment or order for legal custody or physical placement if both parties have stipulated to the revision of the judgment or order. Of the fees received by the clerk under this paragraph, the county treasurer shall pay 25% to the secretary of administration for deposit in the general fund, retain 25% for the use of the county, and deposit 50% in a separate account to be used by the county exclusively for the purposes specified in s. 767.11.

INS
D

1 **SECTION 11.** The treatment of 973.055 (1) (intro.) of the statutes by 2003
2 Wisconsin Act 139 is not repealed by 2003 Wisconsin Act 225. Both treatments stand.

 NOTE: There is no conflict of substance. As merged by the revisor, s. 973.055 (1) (intro.) reads: ✓

 (1) (intro) If a court imposes a sentence on an adult person or places an adult person on probation, regardless of whether any fine is imposed, the court shall impose a domestic abuse surcharge under ch. 814 of \$75 for each offense if:

 ****NOTE: I removed the delayed effective date in the note; the Act 139 and Act 225 treatments will both have taken effect before this bill is introduced. CJS

3 **SECTION 12.** 2003 Wisconsin Act 176, section 1 is amended by replacing “20.250
4 (2) (g) of the statutes is created to read:” with “20.250 (2) of the statutes is created
5 to read:”.

 NOTE: 2003 Wis. Act 176, section 1, creates all of s. 20.250 (2), not just s. 20.250 (2) (g). ✓

6 **SECTION 13.** 2003 Wisconsin Act 228, section 30 is amended by replacing
7 “March 31 ~~and~~ before the expiration date” with “March 31 before the expiration date
8 ~~and~~”.

 ****NOTE: This correction is made by SB 564, section 140 (LRB-4493) — is it necessary to make it again here? CJS ✓

 NOTE: The stricken “and” was shown in the wrong location.

9 **SECTION 14. Effective dates.** This act takes effect on the day after publication,
10 except as follows:

 (1) The treatment of sections 255.055 of the statutes takes effect on July 1, 2005.

 (2) The treatment of section 285.60 (1) (a) 1. of the statutes takes effect on the day after publication or on the day after publication of 2003 Wisconsin Act (Assembly Bill 516), whichever is later.

(END)

INS
E

Please return to LRB when you

4512/P1ins2CJS

have completed review

2003-2004 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRB

This is my markup on rb 14 supp 1

INSA

1 SECTION 1. The treatment of 5.05 (11) of the statutes by 2003 Wisconsin Act 265
2 is not repealed by 2003 Wisconsin Act 266. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 5.05 (11) reads:

(11) AIDS TO COUNTIES AND MUNICIPALITIES. From the appropriations under s. 20.510 (1) (t) and (x), the board may provide financial assistance to eligible counties and municipalities for election administration costs in accordance with the plan adopted under sub. (10). As a condition precedent to receipt of assistance under this subsection, the board shall enter into an agreement with the county or municipality receiving the assistance specifying the intended use of the assistance and shall ensure compliance with the terms of the agreement. Each agreement shall provide that if the federal government objects to the use of any assistance moneys provided to the county or municipality under the agreement, the county or municipality shall repay the amount of the assistance provided to the board.

3 SECTION 2. 82.16 (title) of the statutes, as affected by 2003 Wisconsin Act 214,
4 section 94, is amended to read:

5 82.16 (title) Highway orders; presumptions; limitation of actions.

NOTE: After the treatment by 2003 Wis. Act 214, s. 82.16 contains no reference to limitations of actions.

6 SECTION 3. 341.05 (27) of the statutes, as created by 2003 Wisconsin Act 237,
7 is renumbered 341.05 (28).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2003 Wis. Act 192 also created a provision numbered s. 341.05 (27).

8 SECTION 4. 940.32 (3m) of the statutes, as created by 2003 Wisconsin Act 222,
9 is amended to read:

10 940.32 (3m) A prosecutor need not need show that a victim received or will
11 receive treatment from a mental health professional in order to prove that the victim
12 suffered serious emotional distress under sub. (2) (c) or (2e) (c).

NOTE: Deletes unnecessary word.

13 SECTION 5. 943.21 (3) (am) (intro.) of the statutes is amended to read:
14 943.21 (3) (am) (intro.) Whoever violates sub. (1) (1m) (a), (b) or (c):

**** NOTE: I removed the section reference from the action phrase, following standard style for this situation, and added it to the note. CJS instead

INS B

INS C

INS D

section 94

as affected by 2003 Wisconsin Act 80

PLAIN

***NOTE: Please review my changes to action phrase, ~~and~~ text, and note. CJS

INS
D
Cont

NOTE: Inserts correct cross-reference. 2003 Wis. Act 252 renumbered s. 943.21 (1) to s. 943.21 (1m). Inserts serial comma.

1 SECTION 6. 943.21 (3) (bm) of the statutes is amended to read: as created by 2003 Wisconsin Act 80
2 943.21 (3) (bm) Whoever violates sub. (1) (1m) (d) is subject to a Class D
3 forfeiture.

NOTE: Inserts correct cross-reference. 2003 Wis. Act 252 renumbered s. 943.21 (1) to s. 943.21 (1m).

4 SECTION 7. 943.21 (3m) (a) 2. of the statutes, as created by 2003 Wisconsin Act 80, is amended to read:
5

6 943.21 (3m) (a) 2. "Repeat offense" means a violation of sub. (1) (1m) (d) that
7 occurs after a person has been found by a court to have violated sub. (1) (1m) (d).

NOTE: Inserts correct cross-reference. 2003 Wis. Act 252 renumbered s. 943.21 (1) to s. 943.21 (1m).

8 SECTION 8. 943.21 (3m) (c) of the statutes, as created by 2003 Wisconsin Act 80,
9 is amended to read:

10 943.21 (3m) (c) *Driver's license suspension; 3rd offense.* Subject to par. (d), if
11 a person violates sub. (1) (1m) (d) after having been found by a court to have
12 committed an offense that constitutes a repeat offense, the court, in addition to
13 imposing any penalty under sub. (3) (bm), shall suspend the person's operating
14 privilege for not more than 6 months.

NOTE: Inserts correct cross-reference. 2003 Wis. Act 252 renumbered s. 943.21 (1) to s. 943.21 (1m).

15 SECTION 9. 943.21 (3m) (e) of the statutes, as created by 2003 Wisconsin Act 80,
16 is amended to read:

17 943.21 (3m) (d) *Driver's license suspension; 4th offense.* If a person violates
18 sub. (1) (1m) (d) after having his or her operating privilege suspended under par. (c),
19 the court, in addition to imposing any penalty under sub. (3) (bm), shall suspend the
20 person's operating privilege for one year.



INS
D cont.

NOTE: Inserts correct cross-reference. 2003 Wis. Act 252 renumbered s. 943.21 (1) to s. 943.21 (1m).

NOTE: See my change in action phrase. CJS

1 SECTION 10. 943.212 (4) (b) of the statutes, as created by 2003 Wisconsin Act
2 80, is amended to read:

3 943.212 (4) (b) This subsection does not apply to an action based on acts that
4 constitute a violation of s. 943.21 (1) (1m) (d).

NOTE: Inserts correct cross-reference. 2003 Wis. Act 252 renumbered s. 943.21 (1) to s. 943.21 (1m).

5 SECTION 11. 2003 Wisconsin Act 239, section 1j is amended by replacing
6 "169.09 (2) of the statutes is created to read:" with "169.09 (2) (b) of the statutes is
7 created to read:".

NOTE: This provision only created s. 169.09 (2) (b). Section 169.09 (2) was previously existing.

INS
E