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State of Wisconsin  
2003 - 2004 LEGISLATURE

*[Handwritten signature]*  
4-29-04

LRB-4512/PB

BEM:cjs:jf

1P4

**THUR AM**

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

*Revisor's bill*  
*Do NOT Gen cat*  
*Do NOT sort*

**INSERTS**

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:** See my 4-star note after the treatment of s. 82.16 (title). CJS

6 **SECTION 1.** The treatment of 5.05 (11) of the statutes by 2003 Wisconsin Act 265  
7 is not repealed by 2003 Wisconsin Act 266.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.

INS  
A

1 SECTION 2. 6.36 (2) (c) 2. of the statutes, as affected by 2003 Wisconsin Act 265,  
2 section 59b, is amended to read:

3 6.36 (2) (c) 2. If the registration list is prepared for use an at an election for  
4 national office, the list shall contain, next to the name of each elector, an indication  
5 of whether identification is required for the elector to be permitted to vote.  
6 Identification is required if the elector is not a military elector or an overseas elector  
7 and the elector registers by mail and has not previously voted in an election for  
8 national office in this state.

NOTE: The order of "at" and "an" was reversed by 2003 Wis. Act 265, section 59b, without strikes and underscores. No change was intended.

9 SECTION 3. 6.79 (2) (a) of the statutes, as affected by 2003 Wisconsin Act 265,  
10 section 95g, is amended to read:

11 6.79 (2) (a) Except as provided in sub. (6) (b), where there is registration, each  
12 person, before receiving a voting number, shall state his or her full name and  
13 address. Upon the prepared registration list, after the name of each elector, the  
14 officials shall enter the serial number of the vote as it is polled, beginning with  
15 number one. Each elector shall receive a slip bearing the same serial number. A  
16 separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or  
17 6.55 (2) or (3) and electors who are reassigned from another polling place under s.  
18 5.25 (5) (b). Each such elector shall have his or her full name, address and serial  
19 number likewise entered and shall be given a slip bearing such number.

INS B

NOTE: Section 6.79 (6) (b) is renumbered s. 6.79 (6) by 2003 Wis. Act 265.

1 SECTION 4. 20.370 (6) (eg) of the statutes, as created by 2003 Wisconsin Act 314,  
2 is renumbered 20.370 (6) (eh).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2003 Wis. Act 310 also creates a provision numbered s. 20.370 (6) (eg).

INS C

3 SECTION 5. 30.209 (1) (title) of the statutes is created to read:  
4 30.209 (1) (title) DEFINITION.

NOTE: The other subsections in this section have titles.

INS D

5 SECTION 6. 33.30 (2m) (a) of the statutes, as created by 2003 Wisconsin Act 275,  
6 is amended to read:

7 33.30 (2m) (a) The proposed annual budget required under sub. s. 33.29 (1) (g).

NOTE: Inserts correct cross-reference. There is no s. 33.30 (1) (g). Section 33.29 (1) (g), as created by 2003 Wis. Act 275, requires the proposed annual budgets.

INS E

8 SECTION 7. 66.0217 (14) of the statutes, as created by 2003 Wisconsin Act 171,  
9 is renumbered 66.0217 (15).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2003 Wis. Act 317 also created a provision numbered s. 66.0217 (14).

10 SECTION 8. The treatment of 66.0223 of the statutes by 2003 Wisconsin Act 171  
11 is not repealed by 2003 Wisconsin Act 317. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 66.0223 (1), as renumbered from s. 66.0223 by 2003 Wis. Act 317, reads:

(1) In addition to other methods provided by law and subject to sub. (2) and ss. 59.692 (7) and 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of 7 certified copies of the ordinance in the office of the secretary of state, together with 7 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of administration, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Sections 66.0203 (8) (c) and 66.0217 (11) apply to annexations under this section.

INS X

1 SECTION 9. 66.1001 (5) of the statutes, as created by 2003 Wisconsin Act 307,  
2 is renumbered 66.1001 (6).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2003 Wis. Act 233 also created a provision numbered s. 66.1001 (5).

3 SECTION 10. 77.89 (2) (b) (title) of the statutes, as affected by 2003 Wisconsin  
4 Act 228, section 65, is repealed.


NOTE: Allows for consistency between s. 77.89 (2) (a) and (b). The renumbering by 2003 Wis. Act 228 of s. 77.89 (2) to s. 77.89 (2) (a) and s. 77.89 (3) to s. 77.89 (2) (b) resulted in s. 77.89 (2) (a) not having a title and s. 77.89 (2) (b) having a title.

INS  
TMS

5 SECTION 11. 82.16 (title) of the statutes, as affected by 2003 Wisconsin Act 214,  
6 is amended to read:

7 **82.16 (title) Highway orders; presumptions; limitation of actions.**

NOTE: After the treatment by 2003 Wis. Act 214, section 94, s. 82.16 contains no reference to limitations of actions.

\*\*\*\*NOTE: I added a delayed eff. date prov. for this bill section. Please review. CJS 

8 SECTION 12. 83.08 (4) of the statutes, as affected by 2003 Wisconsin Act 212,  
9 is amended to read:

10 83.08 (4) Subject to s. 84.09 (3) (c) and to the approval of the department, the  
11 county board is authorized and empowered to sell at public sale, or to sell at private  
12 sale for fair market value to an owner of adjacent property, property, owned by the  
13 county in fee for highway purposes, when the county board shall determine that such  
14 property is no longer necessary for the county's use for highway purposes. The funds  
15 derived from such sale shall be deposited in the county highway fund and the expense  
16 incurred in connection with the sale shall be paid from that fund. However, approval  
17 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.

18 SECTION 13. The treatment of 84.09 (5) of the statutes by 2003 Wisconsin Act  
19 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 (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.

1        ~~+~~ SECTION 14. The treatment of 84.09 (5r) of the statutes by 2003 Wisconsin Act  
2        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.

3        ~~+~~ SECTION 15. 84.1026 (1) of the statutes, as created by 2003 Wisconsin Act 218,  
4        is amended to read:

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

6 **SECTION 16.** 85.21 (3m) (bm) of the statutes, as created by 2003 Wisconsin Act  
7 297, is amended to read:

8 85.21 (3m) (bm) Notwithstanding par. (b) 4. and 5. 7., a specialized  
9 transportation service that is operated by a county or that contracts with a county  
10 for services under this section may employ as an operator of a human service vehicle  
11 any person holding a valid school bus endorsement under s. 343.12 that was issued  
12 or renewed within 4 years prior to employment.

NOTE: Corrects cross-reference, consistent with s. 85.21 (3m) (dm), as created by 2003 Wis. Act 297.

INS  
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13 **SECTION 17.** The treatments of 165.755 (1) (b) of the statutes by 2003 Wisconsin  
14 Acts 30 and 139 are not repealed by 2003 Wisconsin Act 268. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 165.755 (1) (b) reads:

(b) A court may not impose the crime laboratories and drug law enforcement surcharge under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5) (b), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of a state law or municipal or county ordinance involving a nonmoving traffic violation or a safety belt use violation under s. 347.48 (2m).

15 **SECTION 18.** 196.204 (5) (ar) 2. of the statutes, as created by 2003 Wisconsin Act  
16 278, is amended to read:

17 196.204 (5) (ar) 2. For purposes of subd. 1., the total service long-run  
18 incremental cost of a local government telecommunications utility shall take into

1 account, by imputation or allocation, equivalent charges for all taxes, pole rentals,  
2 rights-of-way, licenses, and similar costs that are incurred by nongovernmental  
3 telecommunications utilities. This subdivision does not apply to a local government  
4 telecommunications utility that is subject to the exemption under s. 66.0422 (3m)  
5 (3n). This subdivision also does not apply to a telecommunications service, relevant  
6 group of services, or basic network function if all of the following conditions apply:

NOTE: Inserts the correct cross-reference. Separate adopted amendments to 2003 Senate Bill 272, which was enacted as 2003 Wis. Act 278, created different provisions numbered s. 66.0422 (3m). In enrolling the amendments, s. 66.0422 (3m), created in Assembly Amendment 7, was renumbered s. 66.0422 (3n), but the cross-reference to s. 66.0422 (3m) inserted by Assembly Amendment 7 in s. 196.204 (5) (ar) 2. was not changed accordingly.

7 ~~SECTION 19.~~ The treatment of 218.0114 (1) of the statutes by 2003 Wisconsin  
8 Act 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.

9 ~~SECTION 20.~~ 255.055 of the statutes, as created by 2003 Wisconsin Act 175, is  
10 renumbered 255.056.

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

INS  
H

11 ~~SECTION 21.~~ The treatments of 302.46 (1) (a) of the statutes by 2003 Wisconsin  
12 Acts 30 and 139 are not repealed by 2003 Wisconsin Act 268. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 302.46 (1) (a) reads:

(a) On or after October 1, 1987, if a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time

of the violation, or for a violation of state laws or municipal or county ordinances involving nonmoving traffic violations or safety belt use violations under s. 347.48 (2m), the court, in addition, shall impose a jail surcharge under ch. 814 in an amount of 1% of the fine or forfeiture imposed or \$10, whichever is greater. If multiple offenses are involved, the court shall determine the jail surcharge on the basis of each fine or forfeiture. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the jail surcharge in proportion to the suspension.

1       + SECTION 22. 341.05 (27) of the statutes, as created by 2003 Wisconsin Act 237,  
2 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).

3       + SECTION 23. The treatment of 343.12 (2) (intro.) of the statutes by 2003  
4 Wisconsin Act 33 is not repealed by 2003 Wisconsin Act 280. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 9-30-05, s. 343.12 (2) (intro.), reads:

(2) (intro.) Except as provided in sub. (2m), the department shall issue or, except as provided in par. (h), renew a school bus endorsement to a person only if such person meets all of the following requirements:

5       + SECTION 24. The treatment of 343.12 (4) (b) of the statutes by 2003 Wisconsin  
6 Act 33 is not repealed by 2003 Wisconsin Act 280. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 9-30-05, s. 343.12 (4) (b) reads:

(b) The department shall, by rule, establish standards for the employment by an employer of a person under par. (a) as an operator of a school bus in this state. The rules may require the person to meet the qualifications contained in sub. (2), (2m), or (3) and any rules of the department applicable to residents, except that the rules shall require the person to meet the qualifications contained in sub. (2) (dm) and (em). The rules shall also require the employer to perform the actions specified in s. 121.555 (3) (a) 1. and 3.

7       + SECTION 25. 346.495 (1) (b) of the statutes, as created by 2003 Wisconsin Act  
8 209, is amended to read:

9           346.495 (1) (b) If a court imposes a forfeiture under s. 346.49 (2r) with respect  
10 to a violation of s. 346.44 or 346.45, the court shall also impose a railroad crossing  
11 improvement assessment surcharge equal to 50% of the amount of the forfeiture.

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

12       + SECTION 26. 346.923 (1) (intro.), (a), (f) and (h) of the statutes, as created by  
13 2003 Wisconsin Act 297, are renumbered 346.923 (intro.), (1), (6) and (8).



NOTE: Section 346.923 was created with only one subsection.

1       + SECTION 27. 346.95 (4) of the statutes, as affected by 2003 Wisconsin Act 297,  
2 is amended to read:

3           346.95 (4) Any person violating s. 346.923 ~~(1) or (2)~~, 346.925, or 346.94 (8) or  
4 (8m) may be required to forfeit not more than \$20 for the first offense and not more  
5 than \$50 for each subsequent offense.

NOTE: 2003 Wis. Act 297 created s. 346.923 with only one subsection, sub. (1), which  
is renumbered to s. 346.923 by the previous section of this bill.

6       + SECTION 28. The treatment of 440.05 (intro.) of the statutes, as affected by 2003  
7 Wisconsin Acts 270 and 285, is amended to read:

8           **440.05 Standard fees.** (intro.) The following standard fees apply to all initial  
9 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 444.03, 444.11,  
10 447.04 (2) (c) 2., 449.17, and 449.18,;

NOTE: Deletes comma inserted by 2003 Wis. Act 285 but rendered unnecessary by  
2003 Wis. Act 270.

11       + SECTION 29. The treatment of 440.05 (intro.) of the statutes by 2003 Wisconsin  
12 Act 150 is not repealed by 2003 Wisconsin Act .... (this act). Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 10-1-04,  
s. 440.05 (intro.) reads:

**440.05 Standard fees.** (intro.) The following standard fees apply to all initial  
credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 440.9935, 444.03,  
444.11, 447.04 (2) (c) 2., 449.17, and 449.18:

13       + SECTION 30. The treatment of 440.08 (2) (a) (intro.) of the statutes, as affected  
14 by 2003 Wisconsin Acts 270 and 285, is amended to read:

15           440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,  
16 444.03, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, and 449.18,, the renewal dates and  
17 renewal fees for credentials are as follows:

NOTE: Deletes comma inserted by 2003 Wis. Act 285 but rendered unnecessary by  
2003 Wis. Act 270.

1 SECTION 31. 440.23 (1) of the statutes, as affected by 2003 Wisconsin Acts 270  
2 and 285, is amended to read:

3 440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)  
4 or (6), 440.08, 444.03, or 444.11, by check or debit or credit card and the check is not  
5 paid by the financial institution upon which the check is drawn or if the demand for  
6 payment under the debit or credit card transaction is not paid by the financial  
7 institution upon which demand is made, the department may cancel the credential  
8 on or after the 60th day after the department receives the notice from the financial  
9 institution, subject to sub. (2).

NOTE: Deletes comma inserted by 2003 Wis. Act 285 but rendered unnecessary by  
2003 Wis. Act 270.

10 SECTION 32. The treatments of 757.05 (1) (a) of the statutes by 2003 Wisconsin  
11 Acts 30 and 139 are not repealed by 2003 Wisconsin Act 268. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 757.05 (1) (a)  
reads:

(a) Whenever a court imposes a fine or forfeiture for a violation of state law or for  
a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a),  
(am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s. 23.33 (4c) (a) 2., 30.681  
(1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had  
a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation,  
or for a violation of state laws or municipal or county ordinances involving nonmoving  
traffic violations or safety belt use violations under s. 347.48 (2m), there shall be imposed  
in addition a penalty surcharge under ch. 814 in an amount of 24% of the fine or forfeiture  
imposed. If multiple offenses are involved, the penalty surcharge shall be based upon the  
total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or  
in part, the penalty surcharge shall be reduced in proportion to the suspension.

12 SECTION 33. The treatment of 814.61 (7) (b) of the statutes by 2003 Wisconsin  
13 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.

1       + SECTION 34. The treatment of 814.63 (1) (c) of the statutes by 2003 Wisconsin  
2 Act 30 is not repealed by 2003 Wisconsin Act 268. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 814.63 (1) (c) reads:

(c) This subsection does not apply to an action for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of a safety belt use violation under s. 347.48 (2m).

3       + SECTION 35. 940.32 (3m) of the statutes, as created by 2003 Wisconsin Act 222,  
4 is amended to read:

5           940.32 (3m) A prosecutor need not need show that a victim received or will  
6 receive treatment from a mental health professional in order to prove that the victim  
7 suffered serious emotional distress under sub. (2) (c) or (2e) (c).

NOTE: Deletes unnecessary word.

8       + SECTION 36. 943.21 (3) (am) (intro.) of the statutes, as affected by 2003  
9 Wisconsin Act 80, is amended to read:

10           943.21 (3) (am) (intro.) Whoever violates sub. ~~(1)~~ (1m) (a), (b), or (c):

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

11       + SECTION 37. 943.21 (3) (bm) of the statutes, as created by 2003 Wisconsin Act  
12 80, is amended to read:

13           943.21 (3) (bm) Whoever violates sub. ~~(1)~~ (1m) (d) is subject to a Class D  
14 forfeiture.

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

15       + SECTION 38. 943.21 (3m) (a) 2. of the statutes, as created by 2003 Wisconsin Act  
16 80, is amended to read:

1 943.21 (3m) (a) 2. "Repeat offense" means a violation of sub. ~~(1)~~ (1m) (d) that  
2 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).

3 ~~+~~ SECTION 39. 943.21 (3m) (c) of the statutes, as created by 2003 Wisconsin Act  
4 80, is amended to read:

5 943.21 (3m) (c) *Driver's license suspension; 3rd offense.* Subject to par. (d), if  
6 a person violates sub. ~~(1)~~ (1m) (d) after having been found by a court to have  
7 committed an offense that constitutes a repeat offense, the court, in addition to  
8 imposing any penalty under sub. (3) (bm), shall suspend the person's operating  
9 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).

10 ~~+~~ SECTION 40. 943.21 (3m) (d) of the statutes, as created by 2003 Wisconsin Act  
11 80, is amended to read:

12 943.21 (3m) (d) *Driver's license suspension; 4th offense.* If a person violates sub.  
13 ~~(1)~~ (1m) (d) after having his or her operating privilege suspended under par. (c), the  
14 court, in addition to imposing any penalty under sub. (3) (bm), shall suspend the  
15 person's operating privilege for one year.

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

16 ~~+~~ SECTION 41. 943.212 (4) (b) of the statutes, as created by 2003 Wisconsin Act  
17 80, is amended to read:

18 943.212 (4) (b) This subsection does not apply to an action based on acts that  
19 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).

INS I →

1       + SECTION 42. 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:

3       + SECTION 43. 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 44. 2003 Wisconsin Act 239, section 1j is amended by replacing  
7       "169.09 (2) of the statutes is created to read:" with "169.09 (2) (b) of the statutes is  
8       created to read:".

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

9       + SECTION 45. Effective dates. This act takes effect on the day after publication,  
10       except as follows:

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

12       + (2) The treatment of (section) 196.204 (5) (ar) 2. of the statutes takes effect on  
13       July 1, 2004.

sections 66.0419 (3m) (a) 3. & 66.0422 (3d) (a) and

14       + (3) The treatment of sections 85.21 (3m) (bm), 346.923 (1) (intro.), (a), (f), and  
15       (h), and 346.95 (4) of the statutes takes effect on September 1, 2004.

16       + (4) The treatment of section 6.36 (2) (c) 2. of the statutes takes effect on January  
17       1, 2006.

INS  
J



INS X

SECTION 1. 66.0419 (3m) (a) 3. of the statutes, as created by 2003 Wisconsin Act 278, is amended to read:

66.0419 (3m) (a) 3. The provision of broadband service by the cable television system, if the requirements of s. 66.0422 (3d) (a) 1., 2., (b), or 3. (c) are satisfied.

NOTE: Section 66.0422 (3d) (a) is renumbered s. 66.0422 (3d) by this bill.

SECTION 2. 66.0422 (3d) (a) of the statutes, as created by 2003 Wisconsin Act 278, is renumbered 66.0422 (3d), and 66.0422 (3d) (b) and (c), as renumbered, are amended to read:

66.0422 (3d) (b) The local government determines that a person who responded to a written request under subd. 1. par. (a) that the person currently provides broadband service to the area did not actually provide broadband service to the area and no other person makes the response to the local government described in subd. 1. par. (a).

(c) The local government determines that a person who responded to a written request under subd. 1. par. (a) that the person intended to provide broadband service to the area within 9 months did not actually provide broadband service to the area within 9 months and no other person makes the response to the local government described in subd. 1. par. (a).

NOTE: Section 66.0422 (3d) has no other paragraphs.

NOTE: CHRIS ADD THESE TO THE EFFECTIVE DATE SECTION FOR 7-1-04.

\*\*\*  
NOTE:  
See my  
change  
in text  
CJS

\*\*\*  
NOTE:  
See my  
change  
in text.  
CJS

INS A

Δ.....Δ

d

1 SECTION 1. 6.18 (form) of the statutes, as affected by 2003 Wisconsin Act  
2 (Senate Bill 558), is amended to read:

3 6.18 (form) This form shall be returned to the municipal clerk's office.  
4 Application must be received in sufficient time for ballots to be mailed and returned  
5 prior to any presidential election at which applicant wishes to vote. Complete all  
6 statements in full.

7 APPLICATION FOR PRESIDENTIAL  
8 ELECTOR'S ABSENTEE BALLOT.

9 (To be voted at the Presidential Election  
10 on November ....., .... (year)

11 I, .... hereby swear or affirm that I am a citizen of the United States, formerly  
12 residing at .... in the .... ward .... aldermanic district (city, town, village) of ....., County  
13 of .... for 10 days prior to leaving the State of Wisconsin. I, .... do solemnly swear or  
14 affirm that I do not qualify to register or vote under the laws of the State of ....(State  
15 you now reside in) where I am presently residing. A citizen must be a resident of:  
16 State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time),  
17 in order to be eligible to register or vote therein. I further swear or affirm that my  
18 legal residence was established in the State of ....(the State where you now reside)  
19 on .... Month .... Day .... Year.

20 Signed ....

21 Address ....(Present address)

22 ....(City) ....(State)





1 Subscribed and sworn to before me this .... day of .... (year)  
 2 ....(Notary Public, or other officer authorized to administer oaths.)  
 3 ....(County)

4 My Commission expires

5 MAIL BALLOT TO:

6 NAME ....

7 ADDRESS ....

8 CITY .... STATE .... ZIP CODE ....

*to state  
 treatment  
 by 2003 Act 33*

9 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
 10 under this section may be fined not more than \$1,000 or imprisoned for not more than  
 11 6 months, or both. Whoever intentionally votes more than once in an election may  
 12 be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months  
 13 or both.

14 ....(Municipal Clerk)

15 ....(Municipality)

NOTE: The stricken comma was inserted by 2003 Wis. Act (SB 558) without underscoring. No change was intended.

*end  
 INSA*

16 **SECTION 2.** The treatment of 16.385 (3) (e) 7. of the statutes by 2003 Wisconsin  
 17 Act 33 is not repealed by 2003 Wisconsin Act (Senate Bill 558). Both treatments  
 18 stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 16.27 (3) (e) 7. reads:

7. By October 1 of each year, allocate funds budgeted but not spent and any funds remaining from previous fiscal years to heating assistance under sub. (6) or to the weatherization assistance program under s. 16.26.

*as renumbered from s. 16.385 (3)(e) 7. by 2003 Act 33*

**INS B**

19 **SECTION 3.** 20.115 (2) (j) (title) of the statutes, as affected by 2003 Wisconsin  
 20 Act (Senate Bill 564), is amended to read:

21 20.115 (2) (j) (title) *Dog licenses, rabies control, and related services.*

\*\*\* NOTE: See my change to note. CJS

\*\*\* NOTE: Should the prior treatment by 2001 Wis Act 109 also be referenced in the action phrase? (It was not ref'd in the SB558 treatment) CJS

NOTE: The underscored comma was deleted by 2003 Wis. Act (SB 564) without being shown as stricken. No change was intended.

end INS B

1 SECTION 4. The treatment of 20.435 (1) (gm) of the statutes by 2003 Wisconsin  
2 Act (Senate Bill 557) is not repealed by 2003 Wisconsin Act (Senate Bill 564).  
3 Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 20.435 (1) (gm) reads:

(gm) *Licensing, review and certifying activities; fees; supplies and services.* The amounts in the schedule for the purposes specified in ss. 146.50 (8), 250.05 (6), 252.23, 252.24, 252.245, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, and 255.08 (2) and ch. 69, for the purchase and distribution of medical supplies and to analyze and provide data under s. 250.04. All moneys received under ss. 146.50 (5) (f) and (8) (d), 250.04 (3m), 250.05 (6), 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178, 254.181, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, and 255.08 (2) (b) and ch. 69 and as reimbursement for medical supplies shall be credited to this appropriation account.

INS C

scribble

4  
\*\*\*\*\* NOTE:  
I added  
commas  
that 6  
were  
scored in  
by the  
SB 557  
treatment.  
Please review.  
CJS

SECTION 5. The treatment of 30.12 (3) (a) 6. of the statutes by 2003 Wisconsin Act 118 is not repealed by 2003 Wisconsin Act (Senate Bill 558). Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 30.12 (3) (a) 6. reads:

6. Place a permanent boat shelter adjacent to the owner's property for the purpose of storing or protecting watercraft and associated materials, except that no general or individual permit may be issued for a permanent boat shelter that is constructed after May 3, 1988, if the property on which the permanent boat shelter is to be located also contains a boathouse within 75 feet of the ordinary high-water mark or if there is a boathouse over navigable waters adjacent to the owner's property.

INS D

7 SECTION 6. The treatment of 49.175 (1) (z) of the statutes by 2003 Wisconsin Act  
8 33 is not repealed by 2003 Wisconsin Act (Senate Bill 558). Both treatments  
9 stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 49.175 (1) (z) reads:

(z) *Grants to the Boys and Girls Clubs of America.* For grants to the Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., \$300,000 in each fiscal year.

INS E

10 SECTION 7. 60.85 (7) (a) of the statutes, as affected by 2003 Wisconsin Act  
11 (Senate Bill 564), is amended to read:



Δ . . . Δ

1           60.85 (7) (a) Any person who operates for profit and is paid project costs under  
 2 sub. (1) (h) 1. a., d., i., and j. in connection with the project plan for a tax incremental  
 3 district shall notify the department of workforce development and the local  
 4 workforce development board established under 29 USC 2832 of any positions to be  
 5 filled in the county in which the town ~~which~~ that created the tax incremental district  
 6 is located during the period commencing with the date the person first performs work  
 7 on the project and ending one year after receipt of its final payment of project costs.  
 8 The person shall provide this notice at least 2 weeks prior to advertising the position.

NOTE: Inserts serial comma and replaces "which" with "that" in conformity with current style. ✓

end  
INSE

9           **SECTION 8.** The treatment of 79.035 (2) (a) 1. of the statutes by 2003 Wisconsin  
 10 Act 164 is not repealed by 2003 Wisconsin Act (Senate Bill 557). Both treatments  
 11 stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 79.035 (2) (a) 1. reads:

1. Except as provided under ss. 79.02 (3) (e) and 79.043 (2) and (3), for the distribution in 2004, each county and municipality will receive a payment that is equal to the amount of the payments the county or municipality would have received in 2003 under ss. 79.03, 79.058, and 79.06, if not for the reductions under s. 79.02 (3) (c) 3., less the amount of the reduction under subd. 2.

12           **SECTION 9.** The treatment of 101.563 (2) (b) 1. of the statutes by 2003 Wisconsin  
 13 Act 33 is not repealed by 2003 Wisconsin Act (Senate Bill 558). Both treatments  
 14 stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 7-1-04, s. 101.563 (2) (b) 1. reads:

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

INS  
F

INS  
G

am )  
(S.)

\*\*\* NOTE: Act 64 cited the text of the statute incorrectly, in that it showed ~~that Act 33~~ that Act 33 had not scored in. Does Act 64 need to be addressed in a revisor's bill? CJS

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



1 SECTION 10. The treatment of 101.563 (2) (b) 3. of the statutes by 2003  
2 Wisconsin Act 33 is not repealed by 2003 Wisconsin Act (Senate Bill 558). Both  
3 treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 7-1-04, s. 101.563 (2) (b) 3. reads:

3. 'Payments to correct errors.' The amounts withheld under subds. 1. and 2. shall be disbursed to correct errors of the department or the commissioner of insurance. The department shall certify to the secretary of administration the amount that must be disbursed to correct an error and the secretary of administration shall pay the amount to the specified city, village, or town. The balance of the amount withheld in a calendar year under subd. 1. or 2., as applicable, that is not disbursed under this subdivision shall be included in the total compiled by the department under subd. 2. for the next calendar year, except that amounts withheld under subd. 2. from fire department dues collected for calendar year 2004 that are not disbursed under this subdivision shall be included in the total compiled by the department under s. 101.573 (3) (a) for the next calendar year. If errors in payments exceed the amount withheld, adjustments shall be made in the distribution for the next year.

end INS G

4 SECTION 11. 299.83 (6) (a) 1. of the statutes, as created by 2003 Wisconsin Act  
5 276, is amended to read:

6 299.83 (6) (a) 1. Describe the involvement of interested persons in developing  
7 the proposal for maintaining and improving the applicant's superior environmental  
8 performance, identify the interested persons, and describe the interests that those  
9 ~~person~~ persons have in the applicant's participation in the program.

NOTE: Corrects spelling.

10 SECTION 12. 961.41 (1m) (hm) (intro.) of the statutes is amended to read:

11 961.41 (1m) (hm) (intro.) *Certain other schedule I controlled substances and*  
12 *ketamine.* If the person violates this subsection with respect to  
13 gamma-hydroxybutyric acid, gamma-butyrolactone,  
14 3,4-methylenedioxymethamphetamine,  
4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,

as affected by 2001 Wisconsin Act 1095

INS H

INS I



1 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,  
 2 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine,  
 3 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is  
 4 subject to the following penalties if the amount possessed, with intent to  
 5 manufacture, distribute, or deliver is:

NOTE: Inserts commas between 2 separate substances as indicated by s. 961.14 (4) (am), which states "3,4-methylenedioxymethamphetamine, commonly known as "MDMA" and s. 961.14 (4) (wg), which states, 4-bromo-2,5-dimethoxy-beta-phenylethylamine, commonly known as "2C-B" or "Nexus."

LPS: fix font sizes

\*\*\* NOTE: See my change to action phrase

6 SECTION 13. 961.41 (2) (bm) of the statutes, as affected by 2003 Wisconsin Act  
 7 (Senate Bill 562) is amended to read:

8 961.41 (2) (bm) *Counterfeit of phencyclidine and certain other drugs.* If a person  
 9 violates this subsection with respect to a counterfeit substance that is a counterfeit  
 10 of phencyclidine, methamphetamine, lysergic acid diethylamide,  
 11 gamma-hydroxybutyric acid, gamma-butyrolactone,  
 12 3,4-methylenedioxymethamphetamine

LPS: please check to make sure the letter "e" is scored but the comma is plain

13 ~~4-bromo-2,5-dimethoxy-beta-phenylethylamine~~  
 14 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine, or  
 15 ketamine, the person is subject to the applicable fine and imprisonment for  
 16 manufacture, distribution, delivery, or possession with intent to manufacture,  
 17 distribute, or deliver, of the genuine controlled substance under sub. (1) or (1m).

NOTE: Inserts a comma between 2 separate substances as indicated by s. 961.14 (4) (am), which states "3,4-methylenedioxymethamphetamine, commonly known as "MDMA" and s. 961.14 (4) (wg), which states, 4-bromo-2,5-dimethoxy-beta-phenylethylamine, commonly known as "2C-B" or "Nexus," and deletes hyphen to correct error in transcribing 2001 Wis. Act 16.

LPS: fix font size

end INSI

18

SECTION 14. 2003 Wisconsin Act 214, section 36, is amended by replacing

19

"82.10 (4) (a) (intro.) The town" with "82.10 (4) (a) (intro.) At The town".

INS J

37



37

NOTE: "At" was deleted from the renumbering and amendment of s. 80.05 (2)(a) by 2003 ~~Wisconsin~~ Act 214, section 36, without being shown as stricken. The change was intended.

Wis.

end  
INSJ

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\*\*\*\*\* NOTE: See my change  
to bill section number cite. CJS



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-4512/P1

BEM:cjs:jf

NOW

5/6/04

stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisor's bill  
Do NOT Gen Cat  
Do NOT Sort

LPS: remove  
all 4-star  
notes

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:*

6 SECTION 1. The treatment of 5.05 (11) of the statutes by 2003 Wisconsin Act 265  
7 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

SECTION 1

2001 Wisconsin Act 109 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.

1 SECTION 2. 6.18 (form) of the statutes, as affected by 2003 Wisconsin Act ...  
2 (Senate Bill 558), is amended to read:

3 6.18 (form) This form shall be returned to the municipal clerk's office.  
4 Application must be received in sufficient time for ballots to be mailed and returned  
5 prior to any presidential election at which applicant wishes to vote. Complete all  
6 statements in full.

7 APPLICATION FOR PRESIDENTIAL  
8 ELECTOR'S ABSENTEE BALLOT.

9 (To be voted at the Presidential Election  
10 on November ...., .... (year)

11 I, .... hereby swear or affirm that I am a citizen of the United States, formerly  
12 residing at .... in the .... ward .... aldermanic district (city, town, village) of ...., County  
13 of .... for 10 days prior to leaving the State of Wisconsin. I, .... do solemnly swear or  
14 affirm that I do not qualify to register or vote under the laws of the State of ....(State  
15 you now reside in) where I am presently residing. A citizen must be a resident of:  
16 State ....(Insert time) County ....(Insert time) City, Town or Village ....(Insert time),  
17 in order to be eligible to register or vote therein. I further swear or affirm that my  
18 legal residence was established in the State of ....(the State where you now reside)  
19 on .... Month .... Day .... Year.

20 Signed ....

21 Address ....(Present address)



1           ....(City) ....(State)

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

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

4           ....(County)

5           My Commission expires

6           MAIL BALLOT TO:

7           NAME ....

8           ADDRESS ....

9           CITY .... STATE .... ZIP CODE ....

10           *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit  
11 under this section may be fined not more than \$1,000 or imprisoned for not more than  
12 6 months, or both. Whoever intentionally votes more than once in an election may  
13 be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months  
14 or both.

15           ....(Municipal Clerk)

16           ....(Municipality)

NOTE: The stricken comma was inserted by 2003 Wis. Act .... (SB 558) without underscoring. No change was intended.

\*\*\*NOTE: Should the prior treatment by 2001 Wis Act 109 also be referenced in the action phrase? (It was not ref'd in the SB558 treatment.) CJS

17           **SECTION 3.** 6.36 (2) (c) 2. of the statutes, as affected by 2003 Wisconsin Act 265,  
18 section 59b, is amended to read:

19           6.36 (2) (c) 2. If the registration list is prepared for use ~~an~~ at an election for  
20 national office, the list shall contain, next to the name of each elector, an indication  
21 of whether identification is required for the elector to be permitted to vote.  
22 Identification is required if the elector is not a military elector or an overseas elector

X

*[Handwritten signature]*

X

1 and the elector registers by mail and has not previously voted in an election for  
2 national office in this state.

NOTE: The order of "at" and "an" was reversed by 2003 Wis. Act 265, section 59b,  
without strikes and underscores. No change was intended.

3 ~~SECTION 4.~~ 6.79 (2) (a) of the statutes, as affected by 2003 Wisconsin Act 265,  
4 section 95g, is amended to read:

5 6.79 (2) (a) Except as provided in sub. (6) (b), where there is registration, each  
6 person, before receiving a voting number, shall state his or her full name and  
7 address. Upon the prepared registration list, after the name of each elector, the  
8 officials shall enter the serial number of the vote as it is polled, beginning with  
9 number one. Each elector shall receive a slip bearing the same serial number. A  
10 separate list shall be maintained for electors who are voting under s. 6.15, 6.29 or  
11 6.55 (2) or (3) and electors who are reassigned from another polling place under s.  
12 5.25 (5) (b). Each such elector shall have his or her full name, address and serial  
13 number likewise entered and shall be given a slip bearing such number.

NOTE: Section 6.79 (6) (b) is renumbered s. 6.79 (6) by 2003 Wis. Act 265.

14 ~~SECTION 5.~~ The treatment of 16.385 (3) (e) 7. of the statutes by 2003 Wisconsin  
15 Act 33 is not repealed by 2003 Wisconsin Act .... (Senate Bill 558). Both treatments  
16 stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 16.27 (3) (e)  
7., as renumbered from s. 16.385 (3) (e) 7. by 2003 Wis Act 33, reads:

7. By October 1 of each year, allocate funds budgeted but not spent and any funds  
remaining from previous fiscal years to heating assistance under sub. (6) or to the  
weatherization assistance program under s. 16.26.

\*\*\*NOTE: See my change to note. CJS

17 ~~SECTION 6.~~ 20.115 (2) (j) (title) of the statutes, as affected by 2003 Wisconsin  
18 Act .... (Senate Bill 564), is amended to read:

19 20.115 (2) (j) (title) *Dog licenses, rabies control, and related services.*

NOTE: The underscored comma was deleted by 2003 Wis. Act .... (SB 564) without being shown as stricken. No change was intended.


1        — SECTION 7. 20.370 (6) (eg) of the statutes, as created by 2003 Wisconsin Act 314,  
2 is renumbered 20.370 (6) (eh).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2003 Wis. Act 310 also creates a provision numbered s. 20.370 (6) (eg).

3        — SECTION 8. The treatment of 20.435 (1) (gm) of the statutes by 2003 Wisconsin  
4 Act .... (Senate Bill 557) is not repealed by 2003 Wisconsin Act .... (Senate Bill 564).  
5 Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 20.435 (1) (gm) reads:

(gm) *Licensing, review and certifying activities; fees; supplies and services.* The amounts in the schedule for the purposes specified in ss. 146.50 (8), 250.05 (6), 252.23, 252.24, 252.245, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, and 255.08 (2) and ch. 69, for the purchase and distribution of medical supplies and to analyze and provide data under s. 250.04. All moneys received under ss. 146.50 (5) (f) and (8) (d), 250.04 (3m), 250.05 (6), 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178, 254.181, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.88, and 255.08 (2) (b) and ch. 69 and as reimbursement for medical supplies shall be credited to this appropriation account.

X \*\*\*\*NOTE: I added commas that were scored in by the SB 557 treatment. Please review. CJS 

6        — SECTION 9. The treatment of 30.12 (3) (a) 6. of the statutes by 2003 Wisconsin  
7 Act 118 is not repealed by 2003 Wisconsin Act .... (Senate Bill 558). Both treatments  
8 stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 30.12 (3) (a) 6. reads:

6. Place a permanent boat shelter adjacent to the owner's property for the purpose of storing or protecting watercraft and associated materials, except that no general or individual permit may be issued for a permanent boat shelter that is constructed after May 3, 1988, if the property on which the permanent boat shelter is to be located also contains a boathouse within 75 feet of the ordinary high-water mark or if there is a boathouse over navigable waters adjacent to the owner's property.

9        — SECTION 10. 30.209 (1) (title) of the statutes is created to read:  
10        30.209 (1) (title) DEFINITION.

NOTE: The other subsections in this section have titles.



1        **SECTION 11.** 33.30 (2m) (a) of the statutes, as created by 2003 Wisconsin Act  
2 275, is amended to read:

3        **33.30 (2m) (a)** The proposed annual budget required under ~~sub. s. 33.29~~ (1) (g).

NOTE: Inserts correct cross-reference. There is no s. 33.30 (1) (g). Section 33.29 (1) (g), as created by 2003 Wis. Act 275, requires the proposed annual budgets.

4        **SECTION 12.** The treatment of 49.175 (1) (z) of the statutes by 2003 Wisconsin  
5 Act 33 is not repealed by 2003 Wisconsin Act .... (Senate Bill 558). Both treatments  
6 stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 49.175 (1) (z) reads:

(z) *Grants to the Boys and Girls Clubs of America.* For grants to the Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that improve social, academic, and employment skills of youth who are eligible to receive temporary assistance for needy families under 42 USC 601 et seq., \$300,000 in each fiscal year.

7        **SECTION 13.** 60.85 (7) (a) of the statutes, as affected by 2003 Wisconsin Act ....  
8 (Senate Bill 564), is amended to read:

9        **60.85 (7) (a)** Any person who operates for profit and is paid project costs under  
10 sub. (1) (h) 1. a., d., i., and j. in connection with the project plan for a tax incremental  
11 district shall notify the department of workforce development and the local  
12 workforce development board established under 29 USC 2832 of any positions to be  
13 filled in the county in which the town ~~which~~ that created the tax incremental district  
14 is located during the period commencing with the date the person first performs work  
15 on the project and ending one year after receipt of its final payment of project costs.  
16 The person shall provide this notice at least 2 weeks prior to advertising the position.

NOTE: Inserts serial comma and replaces "which" with "that" in conformity with current style.

17        **SECTION 14.** 66.0217 (14) of the statutes, as created by 2003 Wisconsin Act 171,  
18 is renumbered 66.0217 (15).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2003 Wis. Act 317 also created a provision numbered s. 66.0217 (14).

1        **SECTION 15.** The treatment of 66.0223 of the statutes by 2003 Wisconsin Act 171  
2 is not repealed by 2003 Wisconsin Act 317. Both treatments stand.


NOTE: There is no conflict of substance. As merged by the revisor, s. 66.0223 (1), as renumbered from s. 66.0223 by 2003 Wis. Act 317, reads:

(1) In addition to other methods provided by law and subject to sub. (2) and ss. 59.692 (7) and 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of 7 certified copies of the ordinance in the office of the secretary of state, together with 7 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of administration, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Sections 66.0203 (8) (c) and 66.0217 (11) apply to annexations under this section.

3        **SECTION 16.** 66.0419 (3m) (a) 3. of the statutes, as created by 2003 Wisconsin  
4 Act 278, is amended to read:

5            66.0419 (3m) (a) 3. The provision of broadband service by the cable television  
6 system, if the requirements of s. 66.0422 (3d) (a) ~~1., 2.,~~ (b), or ~~3.~~ (c) are satisfied.

NOTE: Section 66.0422 (3d) (a) is renumbered s. 66.0422 (3d) by this bill.

X  
\*\*\*\*NOTE: See my change in text. CJS 

7        **SECTION 17.** 66.0422 (3d) (a) of the statutes, as created by 2003 Wisconsin Act  
8 278, is renumbered 66.0422 (3d), and 66.0422 (3d) (b) and (c), as renumbered, are  
9 amended to read:

10            66.0422 (3d) (b) The local government determines that a person who responded  
11 to a written request under ~~subd. 1. par. (a)~~ that the person currently provides  
12 broadband service to the area did not actually provide broadband service to the area  
13 and no other person makes the response to the local government described in ~~subd.~~  
14 ~~1. par. (a).~~

X

1 (c) The local government determines that a person who responded to a written  
 2 request under ~~subd. 1. par. (a)~~ that the person intended to provide broadband service  
 3 to the area within 9 months did not actually provide broadband service to the area  
 4 within 9 months and no other person makes the response to the local government  
 5 described in ~~subd. 1. par. (a)~~.

NOTE: Section ~~66.0422 (3d)~~ has no other paragraphs.

\*\*\*\*NOTE: See my change in text. CJS

6 SECTION 18. 66.1001 (5) of the statutes, as created by 2003 Wisconsin Act 307,  
 7 is renumbered 66.1001 (6).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2003 Wis. Act 233 also created a provision numbered s. 66.1001 (5).

8 SECTION 19. 77.89 (2) (b) (title) of the statutes, as affected by 2003 Wisconsin  
 9 Act 228, section 65, is repealed.

NOTE: Allows for consistency between s. 77.89 (2) (a) and (b). The renumbering by 2003 Wis. Act 228 of s. 77.89 (2) to s. 77.89 (2) (a) and s. 77.89 (3) to s. 77.89 (2) (b) resulted in s. 77.89 (2) (a) not having a title and s. 77.89 (2) (b) having a title.

10 SECTION 20. The treatment of 79.035 (2) (a) 1. of the statutes by 2003 Wisconsin  
 11 Act 164 is not repealed by 2003 Wisconsin Act .... (Senate Bill 557). Both treatments  
 12 stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 79.035 (2) (a) 1. reads:

1. Except as provided under ss. 79.02 (3) (e) and 79.043 (2) and (3), for the distribution in 2004, each county and municipality will receive a payment that is equal to the amount of the payments the county or municipality would have received in 2003 under ss. 79.03, 79.058, and 79.06, if not for the reductions under s. 79.02 (3) (c) 3., less the amount of the reduction under subd. 2.

\*\*\*\*NOTE: Act 64 cited the text of the statute incorrectly, in that it showed an "s." that Act 33 had not scored in. Does Act 64 need to be addressed in a revisor's bill? CJS

13 SECTION 21. 82.16 (title) of the statutes, as affected by 2003 Wisconsin Act 214,  
 14 is amended to read:

15 **82.16 (title) Highway orders; presumptions; limitation of actions.**

NOTE: After the treatment by 2003 Wis. Act 214, section 94, s. 82.16 contains no reference to limitations of actions.

*no. call if you want to know more.*

X

X

X

1       — **SECTION 22.** 83.08 (4) of the statutes, as affected by 2003 Wisconsin Act 212,  
2 is 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 23.** The treatment of 84.09 (5) of the statutes by 2003 Wisconsin Act  
12 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 (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 24.** 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 25.** 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.

8        **SECTION 26.** 85.21 (3m) (bm) of the statutes, as created by 2003 Wisconsin Act  
9 297, is amended to read:

10           85.21 (3m) (bm) Notwithstanding par. (b) 4. and ~~5.~~ 7., a specialized  
11 transportation service that is operated by a county or that contracts with a county  
12 for services under this section may employ as an operator of a human service vehicle



1 any person holding a valid school bus endorsement under s. 343.12 that was issued  
2 or renewed within 4 years prior to employment.

NOTE: Corrects cross-reference, consistent with s. 85.21 (3m) (dm), as created by  
2003 Wis. Act 297.

3 ~~SECTION 27.~~ The treatment of 101.563 (2) (b) 1. of the statutes by 2003  
4 Wisconsin Act 33 is not repealed by 2003 Wisconsin Act .... (Senate Bill 558). Both  
5 treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 7-1-04,  
s. 101.563 (2) (b) 1. reads:

1. 'Payments from calendar year 2001 dues.' Notwithstanding s. 101.573 (3) (a),  
by the 30th day following July 30, 2002, the department shall compile the fire department  
dues paid by all insurers under s. 601.93 and the dues paid by the state fire fund under  
s. 101.573 (1) and funds remaining under s. 101.573 (3) (b), subtract the total amount due  
to be paid under par. (a), withhold 0.5%, and certify to the secretary of administration the  
proper amount to be paid from the appropriation under s. 20.143 (3) (L) to each city,  
village, and town entitled to a proportionate share of fire department dues as provided  
under sub. (1) (b) and s. 101.575. If the department has previously certified an amount  
to the secretary of administration under s. 101.573 (3) (a) during calendar year 2002, the  
department shall recertify the amount in the manner provided under this subdivision.  
On or before August 1, 2002, the secretary of administration shall pay the amounts  
certified or recertified by the department under this subdivision to each city, village, and  
town entitled to a proportionate share of fire department dues as provided under sub. (1)  
and s. 101.575. The secretary of administration may combine any payment due under  
this subdivision with any amount due to be paid on or before August 1, 2002, to the same  
city, village, or town under par. (a).

6 ~~SECTION 28.~~ The treatment of 101.563 (2) (b) 3. of the statutes by 2003  
7 Wisconsin Act 33 is not repealed by 2003 Wisconsin Act .... (Senate Bill 558). Both  
8 treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 7-1-04,  
s. 101.563 (2) (b) 3. reads:

3. 'Payments to correct errors.' The amounts withheld under subds. 1. and 2. shall  
be disbursed to correct errors of the department or the commissioner of insurance. The  
department shall certify to the secretary of administration the amount that must be  
disbursed to correct an error and the secretary of administration shall pay the amount  
to the specified city, village, or town. The balance of the amount withheld in a calendar  
year under subd. 1. or 2., as applicable, that is not disbursed under this subdivision shall  
be included in the total compiled by the department under subd. 2. for the next calendar  
year, except that amounts withheld under subd. 2. from fire department dues collected  
for calendar year 2004 that are not disbursed under this subdivision shall be included in  
the total compiled by the department under s. 101.573 (3) (a) for the next calendar year.  
If errors in payments exceed the amount withheld, adjustments shall be made in the  
distribution for the next year.

1        ~~SECTION 29.~~ The treatments of 165.755 (1) (b) of the statutes by 2003 Wisconsin  
2 Acts 30 and 139 are not repealed by 2003 Wisconsin Act 268. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 165.755 (1) (b) reads:

(b) A court may not impose the crime laboratories and drug law enforcement surcharge under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5) (b), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of a state law or municipal or county ordinance involving a nonmoving traffic violation or a safety belt use violation under s. 347.48 (2m).

3        ~~SECTION 30.~~ 196.204 (5) (ar) 2. of the statutes, as created by 2003 Wisconsin Act  
4 278, is amended to read:

5            196.204 (5) (ar) 2. For purposes of subd. 1., the total service long-run  
6 incremental cost of a local government telecommunications utility shall take into  
7 account, by imputation or allocation, equivalent charges for all taxes, pole rentals,  
8 rights-of-way, licenses, and similar costs that are incurred by nongovernmental  
9 telecommunications utilities. This subdivision does not apply to a local government  
10 telecommunications utility that is subject to the exemption under s. 66.0422 (3m)  
11 (3n). This subdivision also does not apply to a telecommunications service, relevant  
12 group of services, or basic network function if all of the following conditions apply:

NOTE: Inserts the correct cross-reference. Separate adopted amendments to 2003 Senate Bill 272, which was enacted as 2003 Wis. Act 278, created different provisions numbered s. 66.0422 (3m). In enrolling the amendments, s. 66.0422 (3m), created in Assembly Amendment 7, was renumbered s. 66.0422 (3n), but the cross-reference to s. 66.0422 (3m) inserted by Assembly Amendment 7 in s. 196.204 (5) (ar) 2. was not changed accordingly.

13        ~~SECTION 31.~~ The treatment of 218.0114 (1) of the statutes by 2003 Wisconsin  
14 Act 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 32. 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 33. 299.83 (6) (a) 1. of the statutes, as created by 2003 Wisconsin Act  
4       276, is amended to read:

5           299.83 (6) (a) 1. Describe the involvement of interested persons in developing  
6       the proposal for maintaining and improving the applicant's superior environmental  
7       performance, identify the interested persons, and describe the interests that those  
8       person persons have in the applicant's participation in the program.

NOTE: Corrects spelling.

9       —SECTION 34. The treatments of 302.46 (1) (a) of the statutes by 2003 Wisconsin  
10       Acts 30 and 139 are not repealed by 2003 Wisconsin Act 268. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 302.46 (1) (a) reads:

(a) On or after October 1, 1987, if a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of state laws or municipal or county ordinances involving nonmoving traffic violations or safety belt use violations under s. 347.48 (2m), the court, in addition, shall impose a jail surcharge under ch. 814 in an amount of 1% of the fine or forfeiture imposed or \$10, whichever is greater. If multiple offenses are involved, the court shall determine the jail surcharge on the basis of each fine or forfeiture. If a fine or forfeiture is suspended in whole or in part, the court shall reduce the jail surcharge in proportion to the suspension.

11       —SECTION 35. 341.05 (27) of the statutes, as created by 2003 Wisconsin Act 237,  
12       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).

1        ~~SECTION 36.~~ The treatment of 343.12 (2) (intro.) of the statutes by 2003  
2        Wisconsin Act 33 is not repealed by 2003 Wisconsin Act 280. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 9-30-05,  
s. 343.12 (2) (intro.), reads:

(2) (intro.) Except as provided in sub. (2m), the department shall issue or, except  
as provided in par. (h), renew a school bus endorsement to a person only if such person  
meets all of the following requirements:

3        ~~SECTION 37.~~ The treatment of 343.12 (4) (b) of the statutes by 2003 Wisconsin  
4        Act 33 is not repealed by 2003 Wisconsin Act 280. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 9-30-05,  
s. 343.12 (4) (b) reads:

(b) The department shall, by rule, establish standards for the employment by an  
employer of a person under par. (a) as an operator of a school bus in this state. The rules  
may require the person to meet the qualifications contained in sub. (2), (2m), or (3) and  
any rules of the department applicable to residents, except that the rules shall require  
the person to meet the qualifications contained in sub. (2) (dm) and (em). The rules shall  
also require the employer to perform the actions specified in s. 121.555 (3) (a) 1. and 3.

5        ~~SECTION 38.~~ 346.495 (1) (b) of the statutes, as created by 2003 Wisconsin Act  
6        209, is amended to read:

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

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

10        ~~SECTION 39.~~ 346.923 (1) (intro.), (a), (f) and (h) of the statutes, as created by  
11        2003 Wisconsin Act 297, are renumbered 346.923 (intro.), (1), (6) and (8).

NOTE: Section 346.923 was created with only one subsection.

12        ~~SECTION 40.~~ 346.95 (4) of the statutes, as affected by 2003 Wisconsin Act 297,  
13        is amended to read:

14                346.95 (4) Any person violating s. 346.923 ~~(1) or (2)~~, 346.925, or 346.94 (8) or  
15        (8m) may be required to forfeit not more than \$20 for the first offense and not more  
16        than \$50 for each subsequent offense.

NOTE: 2003 Wis. Act 297 created s. 346.923 with only one subsection, sub. (1), which is renumbered to s. 346.923 by the previous section of this bill.

1        ~~SECTION 41.~~ The treatment of 440.05 (intro.) of the statutes, as affected by 2003  
2 Wisconsin Acts 270 and 285, is amended to read:

3            **440.05 Standard fees.** (intro.) The following standard fees apply to all initial  
4 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 444.03, 444.11,  
5 447.04 (2) (c) 2., 449.17, and 449.18;

NOTE: Deletes comma inserted by 2003 Wis. Act 285 but rendered unnecessary by 2003 Wis. Act 270.

6        ~~SECTION 42.~~ The treatment of 440.05 (intro.) of the statutes by 2003 Wisconsin  
7 Act 150 is not repealed by 2003 Wisconsin Act .... (this act). Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, effective 10-1-04, s. 440.05 (intro.) reads:

**440.05 Standard fees.** (intro.) The following standard fees apply to all initial credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 440.9935, 444.03, 444.11, 447.04 (2) (c) 2., 449.17, and 449.18:

8        ~~SECTION 43.~~ The treatment of 440.08 (2) (a) (intro.) of the statutes, as affected  
9 by 2003 Wisconsin Acts 270 and 285, is amended to read:

10            **440.08 (2) (a)** (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,  
11 444.03, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, and 449.18, the renewal dates and  
12 renewal fees for credentials are as follows:

NOTE: Deletes comma inserted by 2003 Wis. Act 285 but rendered unnecessary by 2003 Wis. Act 270.

13        ~~SECTION 44.~~ 440.23 (1) of the statutes, as affected by 2003 Wisconsin Acts 270  
14 and 285, is amended to read:

15            **440.23 (1)** If the holder of a credential pays a fee required under s. 440.05 (1)  
16 or (6), 440.08, 444.03, or 444.11, by check or debit or credit card and the check is not  
17 paid by the financial institution upon which the check is drawn or if the demand for  
18 payment under the debit or credit card transaction is not paid by the financial

1 institution upon which demand is made, the department may cancel the credential  
2 on or after the 60th day after the department receives the notice from the financial  
3 institution, subject to sub. (2).

NOTE: Deletes comma inserted by 2003 Wis. Act 285 but rendered unnecessary by  
2003 Wis. Act 270.

4 ~~SECTION 45.~~ The treatments of 757.05 (1) (a) of the statutes by 2003 Wisconsin  
5 Acts 30 and 139 are not repealed by 2003 Wisconsin Act 268. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 757.05 (1) (a)  
reads:

(a) Whenever a court imposes a fine or forfeiture for a violation of state law or for  
a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a),  
(am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s. 23.33 (4c) (a) 2., 30.681  
(1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had  
a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation,  
or for a violation of state laws or municipal or county ordinances involving nonmoving  
traffic violations or safety belt use violations under s. 347.48 (2m), there shall be imposed  
in addition a penalty surcharge under ch. 814 in an amount of 24% of the fine or forfeiture  
imposed. If multiple offenses are involved, the penalty surcharge shall be based upon the  
total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or  
in part, the penalty surcharge shall be reduced in proportion to the suspension.

6 ~~SECTION 46.~~ The treatment of 814.61 (7) (b) of the statutes by 2003 Wisconsin  
7 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.

8 ~~SECTION 47.~~ The treatment of 814.63 (1) (c) of the statutes by 2003 Wisconsin  
9 Act 30 is not repealed by 2003 Wisconsin Act 268. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 814.63 (1) (c)  
reads:

(c) This subsection does not apply to an action for a violation of s. 101.123 (2) (a),  
(am) 1., (ar), (bm), (br), or (bv) or (5), for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1)  
(b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a  
blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation,  
or for a violation of a safety belt use violation under s. 347.48 (2m).

1        ~~SECTION 48.~~ 940.32 (3m) of the statutes, as created by 2003 Wisconsin Act 222,  
2 is amended to read:

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

NOTE: Deletes unnecessary word.

6        ~~SECTION 49.~~ 943.21 (3) (am) (intro.) of the statutes, as affected by 2003  
7 Wisconsin Act 80, is amended to read:

8            943.21 (3) (am) (intro.) Whoever violates sub. ~~(1)~~ (1m) (a), (b), or (c):

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

9        ~~SECTION 50.~~ 943.21 (3) (bm) of the statutes, as created by 2003 Wisconsin Act  
10 80, is amended to read:

11            943.21 (3) (bm) Whoever violates sub. ~~(1)~~ (1m) (d) is subject to a Class D  
12 forfeiture.

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

13        ~~SECTION 51.~~ 943.21 (3m) (a) 2. of the statutes, as created by 2003 Wisconsin Act  
14 80, is amended to read:

15            943.21 (3m) (a) 2. "Repeat offense" means a violation of sub. ~~(1)~~ (1m) (d) that  
16 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).

17        ~~SECTION 52.~~ 943.21 (3m) (c) of the statutes, as created by 2003 Wisconsin Act  
18 80, is amended to read:

19            943.21 (3m) (c) *Driver's license suspension; 3rd offense.* Subject to par. (d), if  
20 a person violates sub. ~~(1)~~ (1m) (d) after having been found by a court to have

1 committed an offense that constitutes a repeat offense, the court, in addition to  
2 imposing any penalty under sub. (3) (bm), shall suspend the person's operating  
3 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).

4 ~~SECTION 53.~~ 943.21 (3m) (d) of the statutes, as created by 2003 Wisconsin Act  
5 80, is amended to read:

6 943.21 (3m) (d) *Driver's license suspension; 4th offense.* If a person violates sub.  
7 (1) (1m) (d) after having his or her operating privilege suspended under par. (c), the  
8 court, in addition to imposing any penalty under sub. (3) (bm), shall suspend the  
9 person's operating privilege for one year.

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

10 ~~SECTION 54.~~ 943.212 (4) (b) of the statutes, as created by 2003 Wisconsin Act  
11 80, is amended to read:

12 943.212 (4) (b) This subsection does not apply to an action based on acts that  
13 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).

14 ~~SECTION 55.~~ 961.41 (1m) (hm) (intro.) of the statutes, as affected by 2001  
15 Wisconsin Act 109, is amended to read:

16 961.41 (1m) (hm) *Certain other schedule I controlled substances and ketamine.*  
17 (intro.) If the person violates this subsection with respect to gamma-hydroxybutyric  
18 acid, gamma-butyrolactone, 3,4-methylenedioxymethamphetamine,  
19 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,  
20 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,  
21 gamma-butyrolactone, 3,4-methylenedioxymethamphetamine,



1 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is  
2 subject to the following penalties if the amount possessed, with intent to  
3 manufacture, distribute, or deliver is:

NOTE: Inserts commas between 2 separate substances as indicated by s. 961.14 (4) (am), which states "3,4-methylenedioxymethamphetamine, commonly known as "MDMA"" and s. 961.14 (4) (wg), which states "4-bromo-2,5-dimethoxy-beta-phenylethylamine, commonly known as "2C-B" or "Nexus".

\*\*\*\*NOTE: See my change to action phrase.

OK / Bud we were told last session we couldn't carry over "as affected by" from the prior session if all changes had gone into effect.

X

4 SECTION 56. 961.41 (2) (bm) of the statutes, as affected by 2003 Wisconsin Act  
5 ... (Senate Bill 562), is amended to read:

6 961.41 (2) (bm) *Counterfeit of phencyclidine and certain other drugs.* If a person  
7 violates this subsection with respect to a counterfeit substance that is a counterfeit  
8 of phencyclidine, methamphetamine, lysergic acid diethylamide,  
9 gamma-hydroxybutyric acid, gamma-butyrolactone,  
10 3,4-methylenedioxymethamphetamine  
11 ~~4-bromo-2,5-dimethoxy-beta-phenylethylamine~~  
12 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine, or  
13 ketamine, the person is subject to the applicable fine and imprisonment for  
14 manufacture, distribution, delivery, or possession with intent to manufacture,  
15 distribute, or deliver, of the genuine controlled substance under sub. (1) or (1m).

NOTE: Inserts a comma between 2 separate substances as indicated by s. 961.14 (4) (am), which states "3,4-methylenedioxymethamphetamine, commonly known as "MDMA"" and s. 961.14 (4) (wg), which states "4-bromo-2,5-dimethoxy-beta-phenylethylamine, commonly known as "2C-B" or "Nexus";" and deletes hyphen to correct error in transcribing 2001 Wis. Act 16.

16 SECTION 57. The treatment of 973.055 (1) (intro.) of the statutes by 2003  
17 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:

X

(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:

1     SECTION 58. 2003 Wisconsin Act 176, section 1 is amended by replacing "20.250  
2     (2) (g) of the statutes is created to read:" with "20.250 (2) of the statutes is created  
3     to read:".

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

4     SECTION 59. 2003 Wisconsin Act 214, section 37 is amended by replacing "82.10  
5     (4) (a) (intro.) The town" with "82.10 (4) (a) (intro.) ~~At~~ The town".

NOTE: "At" was deleted from the renumbering and amendment of s. 80.05 (2) (a) by 2003 Wis. Act 214, section 37, without being shown as stricken. The change was intended.

X     \*\*\*\*NOTE: See my change to bill section number cite. CJS     ok

6     SECTION 60. 2003 Wisconsin Act 239, section 1j is amended by replacing  
7     "169.09 (2) of the statutes is created to read:" with "169.09 (2) (b) of the statutes is  
8     created to read:".

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

9     SECTION 61. **Effective dates.** This act takes effect on the day after publication,  
10     except as follows:

- 11     (1) The treatment of section 255.055 of the statutes takes effect on July 1, 2005.  
12     (2) The treatment of sections 66.0419 (3m) (a) 3., 66.0422 (3d) (a), and 196.204  
13     (5) (ar) 2. of the statutes takes effect on July 1, 2004.  
14     (3) The treatment of sections 85.21 (3m) (bm), 346.923 (1) (intro.), (a), (f), and  
15     (h), and 346.95 (4) of the statutes takes effect on September 1, 2004.  
16     (4) The treatment of section 6.36 (2) (c) 2. of the statutes takes effect on January  
17     1, 2006.
- X

