



1999 ASSEMBLY BILL 967

May 2, 2000 – Introduced by LAW REVISION COMMITTEE. Referred to calendar.

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

Analysis by the Legislative Reference Bureau

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

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

6 **SECTION 1.** 13.58 (5) (a) 1. of the statutes is amended to read:
7 13.58 (5) (a) 1. Review information management and technology systems,
8 plans, practices and policies of state and local units of government, including their
9 responsiveness to the needs of state and local units of government for delivery of

ASSEMBLY BILL 967**SECTION 1**

1 high-quality services on an efficient, effective and economical basis, their data
2 security and integrity, their protection of the personal privacy of individuals who are
3 subjects of ~~data bases~~ databases of state and local governmental agencies and their
4 provision of access to public records under s. 19.35 (1).

NOTE: Corrects spelling.

5 **SECTION 2.** 13.62 (4m) of the statutes, as created by 1999 Wisconsin Act 9, is
6 amended to read:

7 13.62 (4m) “Budget bill subject” means a subject specified by the board ~~which~~
8 that is included in the executive budget bill or bills introduced under s. 16.47.

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

9 **SECTION 3.** 13.93 (2) (h) of the statutes is amended to read:

10 13.93 (2) (h) Approve specifications and scheduling for computer ~~data bases~~
11 databases containing the Wisconsin statutes and for the printing of the Wisconsin
12 statutes as prescribed in ss. 16.971 (6) and 35.56 (5).

NOTE: Corrects spelling.

13 **SECTION 4.** 13.95 (1) (g) of the statutes is amended to read:

14 13.95 (1) (g) In connection with the duties enumerated in this subsection, have
15 access to any computerized ~~data bases~~ databases of state agencies ~~which~~ that are
16 required to aid the bureau in the performance of its duties, except that any statutory
17 requirements regarding privacy of individuals’ records shall be observed in
18 providing such access.

NOTE: Corrects spelling. Changes “which” to “that” to correct grammar.

19 **SECTION 5.** 15.105 (27) of the statutes, as created by 1999 Wisconsin Act 9, is
20 amended to read:

21 15.105 (27) CENSUS EDUCATION BOARD. There is created a census education
22 board ~~which~~ that is attached to the department of administration under s. 15.03. The

ASSEMBLY BILL 967

1 board shall consist of 2 senators and 2 representatives to the assembly who shall be
2 appointed in the same manner as members of standing committees of the legislature
3 are appointed.

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

4 **SECTION 6.** 16.40 (20) of the statutes, as created by 1999 Wisconsin Act 24, is
5 renumbered 16.40 (22).

NOTE: 1999 Wis. Act 9 also created a provision numbered s. 16.40 (20).

6 **SECTION 7.** 16.965 (1) (b) of the statutes, as created by 1999 Wisconsin Act 9,
7 is amended to read:

8 16.965 (1) (b) “Smart growth area” means an area that will enable the
9 development and redevelopment of lands with existing infrastructure and
10 municipal, state and utility services, where practicable, or that will encourage
11 efficient development patterns that are both contiguous to existing development and
12 at densities ~~which~~ that have relatively low municipal, state governmental and utility
13 costs.

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

14 **SECTION 8.** 16.971 (6) of the statutes is amended to read:

15 16.971 (6) Notwithstanding subs. (1m) and (2), the revisor of statutes shall
16 approve the specifications for preparation and schedule for delivery of computer data
17 ~~bases~~ databases containing the Wisconsin statutes.

NOTE: Corrects spelling.

18 **SECTION 9.** 16.974 (3) of the statutes is amended to read:

19 16.974 (3) Facilitate the implementation of statewide initiatives, including
20 development and maintenance of policies and programs to protect the privacy of
21 individuals who are the subjects of information contained in the ~~data-bases~~
22 databases of agencies, and of technical standards and sharing of applications among

ASSEMBLY BILL 967

1 agencies and any participating local governmental units or entities in the private
2 sector.

NOTE: Corrects spelling.

3 **SECTION 10.** 18.57 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
4 amended to read:

5 18.57 (1) A separate and distinct fund shall be established in the state treasury
6 or in an account maintained by a trustee ~~(9)~~ (j) appointed for that purpose by the
7 authorizing resolution with respect to each revenue-producing enterprise or
8 program the income from which is to be applied to the payment of any enterprise
9 obligation. A separate and distinct fund shall be established in the state treasury
10 or in an account maintained by a trustee appointed for that purpose by the
11 authorizing resolution with respect to any special fund that is created by the
12 imposition of fees, penalties or excise taxes and is applied to the payment of special
13 fund obligations. All moneys resulting from the issuance of evidences of revenue
14 obligation shall be credited to the appropriate fund or applied for refunding or note
15 renewal purposes, except that moneys which represent premium or accrued interest
16 received on the issuance of evidences shall be credited to the appropriate redemption
17 fund.

NOTE: 1999 Wis. Act 9 deleted “(9) (j)” without showing it as stricken. The change
was intended.

18 **SECTION 11.** 20.115 (7) (b) of the statutes, as created by 1999 Wisconsin Act 9,
19 is amended to read:

20 20.115 (7) (b) *Principal repayment and interest, conservation reserve*
21 *enhancement.* A sum sufficient to reimburse s. 20.866 (1) ~~(a)~~ (u) for the principal and
22 interest costs incurred in financing the conservation reserve enhancement program
23 under s. 20.866 (2) (wf) and to make the payments determined by the building

ASSEMBLY BILL 967

1 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
2 obligations incurred in financing those projects.

NOTE: Corrects cross-reference. There is no s. 20.866 (1) (a). Section 20.866 (1) (u) provides for reimbursements of principal and interest under s. 20.115 (7) (b).

3 **SECTION 12.** 20.143 (3) (t) of the statutes, as created by 1999 Wisconsin Act 9,
4 is amended to read:

5 20.143 (3) (t) *Petroleum inspection fund — revenue obligation repayment.* From
6 the petroleum inspection fund, a sum sufficient to repay the fund in the state
7 treasury created under s. 18.57 (1), or the separate and distinct fund outside the state
8 treasury under s. 18.562 (3) and ~~(5) (e)~~, the amount needed to retire revenue
9 obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m).

NOTE: There is no s. 18.562 (5) (e). Section 18.562 (3) provides for a separate redemption fund; s. 18.562 (5) relates to authorizing resolutions.

10 **SECTION 13.** 20.255 (1) (b) of the statutes, as affected by 1999 Wisconsin Act 9,
11 is amended to read:

12 20.255 (1) (b) *General program operations; School for the Deaf and Center for*
13 *the Blind and Visually Impaired.* The amounts in the schedule for the operation and
14 maintenance of the Wisconsin School for the Deaf and the Wisconsin Center for the
15 Blind and Visually Impaired, including the matching of federal funds, but not
16 including expenses financed under par. (js).

NOTE: 1999 Wis. Act 9 deleted “including” without showing it as stricken. The change was not intended.

17 **SECTION 14.** 20.255 (3) (q) of the statutes, as created by 1999 Wisconsin Act 9,
18 is amended to read:

19 20.255 (3) (q) *Periodical and reference information ~~data bases~~ databases.* From
20 the universal service fund, the amounts in the schedule to contract for periodical and
21 reference information ~~data bases~~ databases under s. 115.28 (26).

ASSEMBLY BILL 967

NOTE: Corrects spelling.

1 **SECTION 15.** 20.292 (1) (ep) of the statutes, as created by 1999 Wisconsin Act
2 9, is amended to read:

3 20.292 (1) (ep) *Grants to students.* The amounts in the schedule for grants to
4 students under s. ~~38.30~~ 38.305.

NOTE: Section 38.30, as created by 1999 Wis. Act 9, is renumbered to s. 38.305 by
this bill.

5 **SECTION 16.** 20.370 (1) (fs) of the statutes, as affected by 1999 Wisconsin Act
6 9, is amended to read:

7 20.370 (1) (fs) *Endangered resources — voluntary payments; sales, leases and*
8 *fees.* As a continuing appropriation, from moneys received as amounts designated
9 under ss. 71.10 (5) (b) and 71.30 (10) (b), the net amounts certified under ss. 71.10
10 (5) (h) 4. and 71.30 (10) (h) 3., all moneys received from the sale or lease of resources
11 derived from the land in the state natural areas system and all moneys received from
12 fees collected under ss. 23.27 (3) (b), 29.563 (10) and 341.14 (6r) (b) 5., for the purposes
13 of the endangered resources program, as defined under ss. 71.10 (5) (a) 2. and 71.30
14 (10) (a) 2. Three percent of the moneys certified under ss. 71.10 (5) (h) 4. and 71.30
15 (10) (h) 3. in each fiscal year ~~to~~ and 3% of the fees received under s. 341.14 (6r) (b)
16 5. in each fiscal year shall be allocated for wildlife damage control and payment of
17 claims for damage associated with endangered or threatened species, except that
18 this combined allocation may not exceed \$100,000 per fiscal year.

NOTE: 1999 Wis. Act 9 deleted “to” without showing it as stricken. The change was
intended.

19 **SECTION 17.** 20.370 (5) (cq) of the statutes, as affected by 1999 Wisconsin Act
20 9, section 319g, is amended to read:

ASSEMBLY BILL 967

1 20.370 (5) (cq) *Recreation aids — recreational boating and other projects.* As
2 a continuing appropriation, the amounts in the schedule for recreational boating
3 aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the
4 Southeastern Wisconsin Fox River commission under 1997 Wisconsin Act 237,
5 section 9136 (2), and under 1999 Wisconsin Act 9, section 9136 (10z), for the Portage
6 levee system and the Portage canal under s. 31.309, for development of a state park
7 under s. 23.198, for activities relating to aquatic nuisance species under s. 30.1255
8 (4) and for the engineering and environmental study under s. 31.307.

NOTE: 1999 Wis. Act 9 inserted the underscored language without showing it as
underscored. The change was intended.

9 **SECTION 18.** 20.370 (6) (br) of the statutes, as affected by 1999 Wisconsin Act
10 9, is amended to read:

11 20.370 (6) (br) *Environmental aids — waste reduction and recycling*
12 *demonstration grants.* From the recycling fund, as a continuing appropriation, the
13 amounts in the schedule for waste reduction and recycling demonstration grants
14 under s. 287.25 and the grants required under 1999 Wisconsin Act 9, section 9136
15 (9) and ~~(9e)~~ (9cm).

NOTE: 1999 Wis. Act 9 section 9136 (9) and (9cm) relate to the Wheelchair Recycling
Project. 1999 Wis. Act 9 section 9136 (9c) relates to an Oconto County Boat landing.
Drafting records indicate that subs. (9c) and (9cm) were both originally numbered (9c),
requiring the renumbering of one. This provision was not changed to reflect the
renumbering to (9cm).

16 **SECTION 19.** 20.395 (1) (hq) of the statutes, as affected by 1999 Wisconsin Act
17 9, is repealed.

NOTE: By its terms, this paragraph does not apply after 12-31-99.

18 **SECTION 20.** 20.435 (8) (mm) of the statutes, as created by 1999 Wisconsin Act
19 9, is amended to read:

ASSEMBLY BILL 967**SECTION 20**

1 20.435 (8) (mm) *Reimbursements from federal government.* All moneys
2 received from the federal government, other than moneys described under ss. 46.40
3 ~~(1) (bm)~~, 46.45 (2), 46.46, 49.45 (6u) and 49.49, that are intended to reimburse the
4 state for expenditures in previous fiscal years from general purpose revenue
5 appropriations whose purpose includes a requirement to match or secure federal
6 funds and that exceeded in those fiscal years the estimates reflected in the intentions
7 of the legislature and governor, as expressed by them in the budget determinations,
8 and the joint committee on finance, as expressed by the committee in any
9 determinations, and the estimates approved for expenditure by the secretary of
10 administration under s. 16.50 (2), for the purpose of paying federal disallowances,
11 federal sanctions or penalties and the costs of any corrective action affecting the
12 department of health and family services. Notwithstanding s. 20.001 (3) (c), at the
13 end of each fiscal year, the amount determined by the department of administration
14 under s. 16.54 (12) (d) shall lapse to the general fund.

NOTE: There is no s. 46.40 (1) (bm). Drafting records indicate that a draft creating
s. 46.40 (1) (bm) was not included in 1999 Wis. Act 9 as enacted.

15 **SECTION 21.** 20.505 (1) (ng) of the statutes, as created by 1999 Wisconsin Act
16 24, is amended to read:

17 20.505 (1) (ng) *Sale of forest products; funds for public schools and public roads.*
18 All moneys received from the sale of forest products at Fort McCoy under 10 USC
19 2665 for distribution to Monroe County and to the school districts located in Monroe
20 County under s. 16.40 ~~(20)~~ (22).

NOTE: Section 16.40 (20), as created by 1999 Wis. Act 24, is renumbered s. 16.40 (22)
by this bill.

21 **SECTION 22.** 23.0917 (1) (b) of the statutes, as created by 1999 Wisconsin Act
22 9, is amended to read:

ASSEMBLY BILL 967

1 23.0917 (1) (b) “Baraboo Hills” means the area that is within the boundaries
2 of the Baraboo Range National Natural Landmark.

NOTE: Inserts missing article.

3 **SECTION 23.** 23.0917 (1) (c) of the statutes, as created by 1999 Wisconsin Act
4 9, is amended to read:

5 23.0917 (1) (c) “Department land” means an area of land that is owned by the
6 state, that is under the jurisdiction of the department and that is used for one of the
7 purposes specified in s. 23.09 ~~(2d)~~ (2) (d).

NOTE: Corrects cross-reference. There is no s. 23.09 (2d). Section 23.09 (2) (d)
relates to purposes for lands acquired by the department of natural resources.

8 **SECTION 24.** 23.198 (1) (a) of the statutes, as created by 1999 Wisconsin Act 9,
9 is amended to read:

10 23.198 (1) (a) From the appropriation under s. 20.866 (2) (ta), the department
11 shall provide up to \$1,500,000 for the development of a state park ~~which~~ that will
12 provide access to Lake Michigan in the city of Milwaukee. For purposes of s. 23.0917,
13 moneys provided under this paragraph shall be treated as moneys obligated under
14 the subprogram for property development and local assistance.

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

15 **SECTION 25.** 23.32 (3) (a) 3. of the statutes is amended to read:

16 23.32 (3) (a) 3. For each copy of a digital wetland ~~data base~~ database covering
17 one township, \$15.

NOTE: Corrects spelling.

18 **SECTION 26.** 25.187 (2) (c) 3. b. of the statutes, as created by 1999 Wisconsin
19 Act 9, is amended to read:

ASSEMBLY BILL 967**SECTION 26**

1 25.187 (2) (c) 3. b. Annually, no later than June 15, certify to the department
2 of administration and to the joint committee on finance the total market value of the
3 assets of the funds on April 30 ~~no later than June 15~~.

NOTE: Reorders text for improved clarity and readability.

4 **SECTION 27.** 25.47 (6) of the statutes, as created by 1999 Wisconsin Act 9, is
5 amended to read:

6 25.47 (6) The net proceeds of revenue obligations issued under s. 101.143 (9m)
7 that are transferred from a separate and distinct fund outside the state treasury, in
8 an account maintained by a trustee, under s. 18.562 (3) ~~and (5) (e)~~.

NOTE: There is no s. 18.562 (5) (e). Section 18.562 (3) provides for a separate redemption fund; s. 18.562 (5) relates to authorizing resolutions.

9 **SECTION 28.** 26.37 (2) of the statutes is amended to read:

10 26.37 (2) The department of natural resources may not expend moneys from
11 the appropriations under s. 20.370 (5) (ax) or (6) (bt), 1997 stats., unless the
12 department of natural resources and the department of commerce first submit to the
13 joint committee on finance the plan required under sub. (1). If the cochairpersons
14 of the joint committee on finance do not notify the department of natural resources
15 within 14 working days after the date of the departments' submittal of the plan that
16 the committee has scheduled a meeting to review the plan, the plan may be
17 implemented and moneys may be expended as proposed by the department of
18 natural resources. If, within 14 days after the date of the departments' submittal of
19 the plan, the cochairpersons of the committee notify the department of natural
20 resources that the committee has scheduled a meeting to review the plan, moneys
21 may be expended only after the plan has been approved by the committee.

NOTE: Section 20.370 (5) (ax) and (6) (bt) were repealed eff. 6-30-98 by 1995 Wis. Act 27.

ASSEMBLY BILL 967

1 **SECTION 29.** 29.229 (5m) (c) of the statutes, as affected by 1999 Wisconsin Act
2 9, is amended to read:

3 29.229 **(5m)** (c) The band is requested to enact tribal laws or ordinances that
4 deny an application to issue or renew, suspend if already issued or otherwise
5 withhold or restrict an approval issued under this section if the applicant for or the
6 holder of the approval fails to provide the information required under tribal laws or
7 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a
8 subpoena or warrant issued by the department of workforce development or a county
9 child support agency under s. 59.53 (5) and related to paternity or child support
10 proceedings or if the department of workforce development certifies that the
11 applicant for or the holder of the approval has failed to pay court-ordered payments
12 of child or family support, maintenance, birth expenses, medical expenses or other
13 expenses related to the support of a child or former spouse. The band is also
14 requested to enact tribal laws or ~~ordinance~~ ordinances that invalidate an approval
15 issued under this subsection if issued in reliance upon a statement made or
16 subscribed under oath or affirmation under tribal laws or ordinances enacted under
17 par. (b) that is false.

NOTE: The singular is replaced with the plural for correct sentence agreement.

18 **SECTION 30.** 30.20 (1) (d) of the statutes, as created by 1999 Wisconsin Act 9,
19 is amended to read:

20 30.20 **(1)** (d) The drainage board for the Duck Creek Drainage District may,
21 without a permit under sub. (2) (c), remove material from a drain that the board
22 operates in the Duck Creek Drainage District if the removal is required, under rules
23 promulgated by the department of agriculture, trade and consumer protection, in
24 order to conform the drain to specifications imposed by the department of

ASSEMBLY BILL 967

1 agriculture, trade and consumer protection after consulting with the department of
2 natural resources.

NOTE: Inserts commas to correct grammar.

3 **SECTION 31.** 30.77 (3) (dm) 2g. of the statutes, as created by 1999 Wisconsin Act
4 9, is amended to read:

5 30.77 (3) (dm) 2g. If a local entity or ~~an~~ a boating organization objects to an
6 ordinance enacted under par. (a) that applies to a river or stream, or to an ordinance
7 enacted under par. (b), on the grounds that all or a portion of the ordinance is not
8 necessary for public health, safety, welfare or the public's interest in preserving the
9 state's natural resources, the procedure under subd 2r. shall apply.

NOTE: Inserts correct article.

10 **SECTION 32.** 31.385 (4) (a) of the statutes, as created by 1999 Wisconsin Act 9,
11 is amended to read:

12 31.385 (4) (a) The department shall maintain an inventory of all dams in the
13 state that require a dam safety project under this section. The inventory shall list
14 the dam safety projects in the chronological order in which they are required to be
15 undertaken. For each dam safety project on the inventory, the department shall
16 include a statement of which parts of the dam safety project are required to protect
17 the rights held by the public in the navigable waters contained by the dam.

NOTE: Inserts missing article.

18 **SECTION 33.** 38.28 (1m) (a) 1. of the statutes, as affected by 1999 Wisconsin Act
19 9, is amended to read:

20 38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a
21 technical college district, including debt service charges for district bonds and
22 promissory notes for building programs or capital equipment, but excluding all

ASSEMBLY BILL 967

1 expenditures relating to auxiliary enterprises and community service programs, all
2 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
3 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and 146.55 (5), all
4 receipts from grants awarded under ss. 16.004 (14), 38.04 (8) and (20), 38.14 (11),
5 38.26, 38.27, ~~38.30~~ 38.305, 38.31, 38.33 and 38.38, all fees collected under s. 38.24
6 and driver education and chauffeur training aids.

NOTE: Section 38.30, as created by 1999 Wis. Act 9, is renumbered s. 38.305 by this bill.

7 **SECTION 34.** 38.30 of the statutes, as created by 1999 Wisconsin Act 9, is
8 renumbered 38.305.

NOTE: Confirms renumbering by the revisor. A previously existing section is numbered s. 38.30.

9 **SECTION 35.** 39.435 (6) of the statutes, as affected by 1999 Wisconsin Act 9, is
10 amended to read:

11 39.435 (6) The board may not make a grant under this section to a person if
12 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
13 unless the person provides to the board a payment agreement that has been
14 approved by the county child support agency under s. 59.53 (5) and that is consistent
15 with rules promulgated under s. 49.858 (2) (a).

NOTE: Deletes word inadvertently retained by 1999 Wis. Act 9.

16 **SECTION 36.** 39.51 (1) (title) and (intro.) of the statutes are renumbered 45.54
17 (1) (title) and (intro.).

NOTE: The remainder of s. 39.51 (1) was renumbered to s. 45.54 by 1999 Wis. Act 9, which did not create a new (intro.) at s. 45.54 and therefore requires the renumbering by this provision.

18 **SECTION 37.** 43.03 (9) of the statutes is amended to read:

19 43.03 (9) Develop and maintain a computer data base database containing
20 bibliographic and library holding information for all types of library materials owned

ASSEMBLY BILL 967**SECTION 37**

1 by libraries throughout the state to serve as a resource sharing tool and assist
2 libraries in developing computerized bibliographic data bases databases.

NOTE: Corrects spelling.

3 **SECTION 38.** 43.05 (11) of the statutes is amended to read:

4 43.05 (11) Maintain a reference and loan library to supplement the collections
5 of all types of libraries in this state by providing specialized materials not
6 appropriately held and information sources not provided by local libraries or readily
7 available from other area or state-level resource providers. The library shall provide
8 specialized information services to state agency libraries and state employes,
9 institution libraries, public library systems, public libraries, school libraries and
10 other types of libraries according to policies developed by the division. Library and
11 information services may include development of collections of specialized materials,
12 interlibrary loan services, reference services, provision of ~~data base~~ database search
13 services and maintenance of a statewide ~~data base~~ database of library materials.
14 The library may contract with state agencies and libraries to provide library material
15 cataloging and processing services.

NOTE: Corrects spelling.

16 **SECTION 39.** 45.37 (3) (title) of the statutes, as affected by 1999 Wisconsin Act
17 9, is repealed and recreated to read:

18 45.37 (3) (title) EXCEPTIONS TO THE BASIC ELIGIBILITY REQUIREMENTS.

NOTE: 1999 Wis. Act 9, s. 983, repealed s. 45.37 (3) (b) (title), but that title was
erroneously shown as the title of s. 45.37 (3) in Act 9, s. 984. This provision confirms that
no change to s. 45.37 (3) (title) was intended.

19 **SECTION 40.** 46.2805 (9) of the statutes, as created by 1999 Wisconsin Act 9, is
20 amended to read:

21 46.2805 (9) “Older person” means a person who is ~~aged~~ aged at least 65 years of age.

NOTE: Inserts standard terminology.

ASSEMBLY BILL 967

1 **SECTION 41.** 46.286 (1) (a) 2. (intro.) of the statutes, as created by 1999
2 Wisconsin Act 9, is amended to read:

3 46.286 (1) (a) 2. (intro.) The person has a condition that is expected to last at
4 least 90 days or result in death within 12 months after the date of application and,
5 on the date that the family care benefit became available in the person's county of
6 residence, the person was a resident in a nursing home or had been receiving for at
7 least 60 days, under a written plan of care, long-term care services, as specified by
8 the department, ~~which~~ that were funded under any of the following:

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

9 **SECTION 42.** 46.286 (3) (a) 3. of the statutes, as created by 1999 Wisconsin Act
10 9, is amended to read:

11 46.286 (3) (a) 3. Is functionally eligible at the intermediate level and is
12 determined by an agency under s. 46.90 (2) or specified in s. ~~55.05~~ 55.01 (1t) to be in
13 need of protective services under s. 55.05 or protective placement under s. 55.06.

NOTE: Corrects cross-reference. There is no s. 55.05 (1t). Section 55.01 (1t) relates
to county protective service agencies.

14 **SECTION 43.** 46.2895 (4) (b) of the statutes, as created by 1999 Wisconsin Act
15 9, is amended to read:

16 46.2895 (4) (b) Adopt bylaws and policies and procedures for the regulation of
17 its affairs and the conduct of its business. The bylaws, policies and procedures shall
18 be consistent with ss. ~~46.2085~~ 46.2805 to 46.2895 and, if the family care district
19 contracts with the department under par. (d), with the terms of that contract.

NOTE: Corrects cross-reference consistent with s. 46.2895 (4) (intro.). There is no
s. 46.2085.

20 **SECTION 44.** 46.40 (9) (c) (title) of the statutes, as created by 1999 Wisconsin
21 Act 9, is amended to read:

22 46.40 (9) (c) (title) *Adjustment for medical assistance ~~by-in~~ buy-in program.*

ASSEMBLY BILL 967**SECTION 44**

NOTE: Corrects spelling.

1 **SECTION 45.** 48.685 (4m) (b) (intro.) of the statutes, as affected by 1997
2 Wisconsin Act 27 and 1999 Wisconsin Act 9, sections 1163d and 1173j, is amended
3 to read:

4 48.685 (**4m**) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
5 sub. (5), an entity may not employ or contract with a ~~has, or~~ caregiver or permit a
6 nonclient resident to reside at the entity ~~has, or,~~ if the entity knows or should have
7 known any of the following:

NOTE: 1999 Wis. Act 9 deleted “has, or” without showing it as stricken. The change
was intended.

8 **SECTION 46.** 48.685 (6) (b) 1. of the statutes, as affected by 1999 Wisconsin Act
9 9, is amended to read:

10 48.685 (**6**) (b) 1. For caregivers who are licensed by the department, for persons
11 under 18 years of age, but not under 12 years of age, who are caregivers of a day care
12 center that is licensed under s. 48.65 or established or contracted for under s. 120.13
13 ~~(4)~~ (14) or of a day care provider that is certified under s. 48.651, for persons who are
14 nonclient residents of an entity that is licensed by the department, and for other
15 persons specified by the department by rule, the entity shall send the background
16 information form to the department.

NOTE: Corrects cross-reference. Section 120.13 (4) relates to on-farm training
programs for veterans; sub. (14) relates to day care.

17 **SECTION 47.** 49.029 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
18 amended to read:

19 49.029 (**2**) AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the
20 appropriation under s. 20.435 ~~(5)~~ (4) (kb), the department shall distribute a relief
21 block grant to each eligible tribal governing body in an amount and in a manner
22 determined in accordance with rules promulgated by the department. The

ASSEMBLY BILL 967

1 department shall promulgate the rules after consulting with all tribal governing
2 bodies eligible for a relief block grant. In promulgating rules under this section, the
3 department shall consider each tribe's economic circumstances and need for health
4 care services.

NOTE: 1999 Wis. Act 9 deleted "(5)" without showing it as stricken and inserted "(4)"
without showing it as underscored. The change was intended.

5 **SECTION 48.** 49.195 (3n) (L) of the statutes, as created by 1999 Wisconsin Act
6 9, is amended to read:

7 49.195 (3n) (L) If no appeal or other proceeding for review permitted by law is
8 pending and the time for taking an appeal or petitioning for review has expired, the
9 department shall make a demand to the debtor for payment of the debt ~~which~~ that
10 is subject to levy and give notice that the department may pursue legal action for
11 collection of the debt against the debtor. The department shall make the demand for
12 payment and give the notice at least 10 days prior to the levy, personally or by any
13 type of mail service ~~which~~ that requires a signature of acceptance, at the address of
14 the debtor as it appears on the records of the department. The demand for payment
15 and notice shall include a statement of the amount of the debt, including interest and
16 penalties, and the name of the debtor who is liable for the debt. The debtor's refusal
17 or failure to accept or receive the notice does not prevent the department from
18 making the levy. Notice prior to levy is not required for a subsequent levy on any debt
19 of the same debtor within one year of the date of service of the original levy.

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

20 **SECTION 49.** 49.195 (3n) (m) 1. of the statutes, as created by 1999 Wisconsin Act
21 9, is amended to read:

ASSEMBLY BILL 967**SECTION 49**

1 49.195 (3n) (m) 1. The department shall serve the levy upon the debtor and 3rd
2 party by personal service or by any type of mail service ~~which~~ that requires a
3 signature of acceptance.

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

4 **SECTION 50.** 49.195 (3n) (s) of the statutes, as affected by 1999 Wisconsin Act
5 9, is amended to read:

6 49.195 (3n) (s) Any debtor who is subject to a levy proceeding made by the
7 department has the right to appeal the levy proceeding under ch. ~~227.44~~ 227. The
8 appeal is limited to questions of prior payment of the debt that the department is
9 proceeding against, and mistaken identity of the debtor. The levy is not stayed
10 pending an appeal in any case where property is secured through the levy.

NOTE: Deletes unnecessary comma and corrects cross-reference. Section 227.44 is not the only ch. 227 section applicable to appeals.

11 **SECTION 51.** 49.45 (39) (b) (title) of the statutes is created to read:

12 49.45 (39) (b) (title) *School medical services*.

NOTE: 1999 Wis. Act 9 renumbered s. 49.45 (39) (b) (title) to s. 49.45 (39) (b) 1. (title), leaving par. (b) without a (title), inconsistent with current style.

13 **SECTION 52.** 49.453 (4) (a) 1. a. (intro.) of the statutes, as created by 1999
14 Wisconsin Act 9, is renumbered 49.453 (4) (a) 1. (intro.).

NOTE: Corrects numbering.

15 **SECTION 53.** 49.472 (1) (c) of the statutes, as created by 1999 Wisconsin Act 9,
16 is amended to read:

17 49.472 (1) (c) “Independence account” means an account approved by the
18 department that consists solely of savings, and dividends or other gains derived from
19 those savings, from income earned from paid employment after the initial date ~~that~~
20 on which an individual began receiving medical assistance under this section.

NOTE: Inserts standard terminology.

ASSEMBLY BILL 967

1 **SECTION 54.** 50.034 (5p) of the statutes, as created by 1999 Wisconsin Act 9, is
2 amended to read:

3 50.034 **(5p)** APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary
4 has certified under s. 46.281 (3) that a resource center is available for the residential
5 care apartment complex and for specified groups of eligible individuals that include
6 those ~~person~~ persons seeking admission to or the residents of the residential care
7 apartment complex.

NOTE: Corrects word form.

8 **SECTION 55.** 50.065 (4m) (b) (intro.) of the statutes, as affected by 1997
9 Wisconsin Act 27 and 1999 Wisconsin Act 9, sections 1521m and 1521zi, is amended
10 to read:

11 50.065 **(4m)** (b) (intro.) Notwithstanding s. 111.335, and except as provided in
12 sub. (5), an entity may not employ or contract with a ~~has, or~~ caregiver or permit to
13 reside at the entity a ~~has, or~~, nonclient resident, if the entity knows or should have
14 known any of the following:

NOTE: 1999 Wis. Act 9 deleted "has, or" without showing it as stricken. The change
was intended.

15 **SECTION 56.** 59.69 (3) (b) of the statutes, as affected by 1999 Wisconsin Act 9,
16 is amended to read:

17 59.69 **(3)** (b) The development plan shall include the master plan, if any, of any
18 city or village, ~~which~~ that was adopted under s. 62.23 (2) or (3) and the official map,
19 if any, of such city or village, ~~which~~ that was adopted under s. 62.23 (6) in the county,
20 without change.

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

21 **SECTION 57.** 66.0295 (4) (b) 2. of the statutes, as created by 1999 Wisconsin Act
22 9, is amended to read:

ASSEMBLY BILL 967

1 66.0295 (4) (b) 2. Every local governmental unit that is adjacent to the local
2 governmental unit ~~which~~ that is the subject of the plan that is adopted or amended
3 as described in par. (b) (intro.).

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

4 **SECTION 58.** 66.431 (5r) (d) 5. of the statutes, as created by 1999 Wisconsin Act
5 9, is amended to read:

6 66.431 (5r) (d) 5. ‘Approval of outstanding debt.’ All outstanding bonds of the
7 authority issued under this subsection have been reviewed and approved by the
8 secretary of administration. In determining whether to approve outstanding bonds
9 under this subdivision, the secretary may consider any factor ~~which~~ that the
10 secretary determines to have a bearing on whether the state moral obligation pledge
11 under par. (j) should be granted with respect to an issuance of bonds.

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

12 **SECTION 59.** 66.462 (2) of the statutes, as affected by 1999 Wisconsin Act 9,
13 section 1634a, is renumbered 66.462 (2) (a).

NOTE: 1999 Wis. Act 9 created 66.462 (2) (b) requiring the renumbering of s. 66.462
(2) for internal consistency.

14 **SECTION 60.** 69.05 (4) of the statutes is amended to read:

15 69.05 (4) Preserve, amend and certify vital records under this subchapter by
16 photographic, electronic or other means as directed by the state registrar, except that
17 a local registrar may destroy birth certificates on file for more than 365 days if the
18 state registrar determines that the local registrar has access through the state
19 registrar’s computer ~~data-base~~ database to the information necessary to issue
20 certified copies under s. 69.21 (1) (b) 2.

NOTE: Corrects spelling.

21 **SECTION 61.** 69.21 (1) (b) 3. of the statutes is amended to read:

ASSEMBLY BILL 967

1 69.21 (1) (b) 3. A local registrar may issue a copy of a birth or death certificate
2 under par. (a) through the state registrar's computer data base database if the event
3 ~~which~~ that is the subject of the birth or death occurred in the local registrar's
4 registration district or if the registrant resided in the local registrar's registration
5 district when the event occurred.

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

6 **SECTION 62.** 70.11 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
7 amended to read:

8 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.
9 Property owned by any county, city, village, town, school district, technical college
10 district, public inland lake protection and rehabilitation district, metropolitan
11 sewerage district, municipal water district created under s. 198.22, joint local water
12 authority created under s. 66.0735, family care district under s. 46.2895 or town
13 sanitary district; lands belonging to cities of any other state used for public parks;
14 land tax-deeded to any county or city before January 2; but any residence located
15 upon property owned by the county for park purposes ~~which~~ that is rented out by the
16 county for a nonpark purpose shall not be exempt from taxation. Except as to land
17 acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after
18 August 17, 1961, to any such governmental unit or for its benefit while the grantor
19 or others for his or her benefit are permitted to occupy the land or part thereof in
20 consideration for the conveyance. Leasing the property exempt under this
21 subsection, regardless of the lessee and the use of the leasehold income, does not
22 render that property taxable.

NOTE: The underscored comma was inserted by 1999 Wis. Act 9 without being shown as underscored. The change was intended. Replaces "which" with "that" to correct grammar.

ASSEMBLY BILL 967

1 **SECTION 63.** 71.14 (3m) (a) (intro.) of the statutes, as created by 1999 Wisconsin
2 Act 9, is amended to read:

3 71.14 **(3m)** (a) (intro.) Subject to par. (b) and except as provided in sub. (2) and
4 s. 71.04 (1) (b) 2., only the following trusts, or portions of trusts, ~~which~~ that become
5 irrevocable on or after October 29, 1999, are resident of this state:

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

6 **SECTION 64.** 73.03 (28m) of the statutes is amended to read:

7 73.03 **(28m)** To enter into contracts for ~~data base~~ database and data processing
8 services for audits of occasional sales of motor vehicles.

NOTE: Corrects spelling.

9 **SECTION 65.** 79.10 (10) (c) of the statutes, as created by 1999 Wisconsin Act 5,
10 is amended to read:

11 79.10 **(10)** (c) If a person who is certified under par. (a) to claim the credit under
12 sub. (9) (bm) becomes ineligible for the credit under sub. (9) (bm), that person shall,
13 within 30 days of becoming ineligible, notify the treasurer of the county in which the
14 property is located or, if the property is located in a city that collects taxes under s.
15 74.87, ~~with~~ the treasurer of the city in which the property is located.

NOTE: Deletes unnecessary word.

16 **SECTION 66.** 84.30 (3) (c) 1. and 2. of the statutes, as affected by 1999 Wisconsin
17 Act 9, are amended to read:

18 84.30 **(3)** (c) 1. Signs ~~which~~ that contain, include or are illuminated by any
19 flashing, intermittent or moving light or lights are prohibited, except electronic signs
20 permitted by rule of the department.

21 2. Signs ~~which~~ that are not effectively shielded as to prevent beams or rays of
22 light from being directed at any portion of the traveled ways of the interstate or

ASSEMBLY BILL 967

1 federal-aid primary highway and ~~which~~ that are of such intensity or brilliance as to
2 cause glare or to impair the vision of the driver of any motor vehicle, or ~~which~~ that
3 otherwise interfere with any driver's operation of a motor vehicle, are prohibited.

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

4 **SECTION 67.** 85.105 of the statutes is amended to read:

5 **85.105 Sale of motor vehicle records.** Notwithstanding s. 343.24 (2m), the
6 department may contract with a person to periodically furnish that person with any
7 records on computer tape or other electronic media that contain information from
8 files of motor vehicle accidents or uniform traffic citations and ~~which~~ that were
9 produced for or developed by the department for purposes related to maintenance of
10 the operating record file ~~data-base~~ database. The department and the person
11 desiring to contract with the department shall make a good faith effort to negotiate
12 the purchase price for the records to be provided under this section.

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

13 **SECTION 68.** 85.12 (1) of the statutes is amended to read:

14 85.12 (1) The department shall administer a statewide public safety radio
15 management program. From the appropriations under s. 20.395 (5) (dk) and (dq),
16 the department may provide statewide tower site management, public safety
17 frequency management, public safety ~~data-base~~ database administration and
18 planning services related to statewide public safety radio management.

NOTE: Corrects spelling.

19 **SECTION 69.** 85.53 (3) of the statutes, as affected by 1999 Wisconsin Act 9, is
20 amended to read:

ASSEMBLY BILL 967**SECTION 69**

1 85.53 (3) Grants under this section shall be paid from the appropriation under
2 s. 20.395 (5) (jr). The amount of a grant may not exceed 80% of the amount expended
3 by an eligible applicant for services related to the program.

NOTE: 1999 Wis. Act 9 deleted the underscored period without showing it as stricken. No change was intended.

4 **SECTION 70.** 92.14 (4) (title) of the statutes is repealed.

NOTE: All of the other parts of s. 92.14 (4) were either repealed or renumbered by 1999 Wis. Act 9.

5 **SECTION 71.** 97.42 (12) (title) of the statutes is created to read:

6 97.42 (12) (title) SUBSTANTIAL OR REPEATED VIOLATIONS.

NOTE: The other subsections in s. 97.42 have titles.

7 **SECTION 72.** 101.143 (1) (hm) of the statutes is amended to read:

8 101.143 (1) (hm) “Terminal” means a petroleum product storage system that
9 is itself connected to a pipeline facility, as defined in 49 USC ~~Appendix 2001 (4) 60101~~
10 (18) or is one of a number of connected petroleum product storage systems at least
11 one of which is connected to a pipeline facility, as defined in 49 USC ~~Appendix 2001~~
12 (4) 60101 (18).

NOTE: 49 USC Appendix 2001 (4) was codified as 49 USC 60101 (18).

13 **SECTION 73.** 101.143 (11) (intro.) of the statutes, as created by 1999 Wisconsin
14 Act 9, is amended to read:

15 101.143 (11) REPORTS. (intro.) No later than each January 1 and July 1, the
16 department of commerce and the department of natural resources shall submit the
17 to the governor, to the joint legislative audit committee, to the joint committee on
18 finance and to the appropriate standing committees of the legislature, under s.
19 13.172 (3), a report on the program under this section. The departments shall
20 include all of the following information in the report:

NOTE: Inserts correct word.

ASSEMBLY BILL 967

1 **SECTION 74.** 101.9204 (1) (g) of the statutes, as created by 1999 Wisconsin Act
2 9, is amended to read:

3 101.9204 (1) (g) If the mobile home is a used mobile home ~~which~~ that was last
4 previously titled in another jurisdiction, the applicant shall furnish any certificate
5 of ownership issued by the other jurisdiction and a statement, in the form prescribed
6 by the the department, pertaining to the title history and ownership of the mobile
7 home, ~~such statement to be in the form that the department prescribes.~~

NOTE: Replaces “which” with “that” to correct grammar. Moves and rephrases
clause for improved clarity and readability.

8 **SECTION 75.** 101.9205 (2) (c) of the statutes, as created by 1999 Wisconsin Act
9 9, is amended to read:

10 101.9205 (2) (c) In any other manner ~~which~~ that the department determines
11 to be desirable.

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

12 **SECTION 76.** 101.9206 (1) (e) of the statutes, as created by 1999 Wisconsin Act
13 9, is amended to read:

14 101.9206 (1) (e) Any other data ~~which~~ that the department considers pertinent
15 and desirable.

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

16 **SECTION 77.** 101.9206 (3) (b) 2. of the statutes, as affected by 1999 Wisconsin
17 Acts 9 and 53, is amended to read:

18 101.9206 (3) (b) 2. The applicant has filed with the department a bond in the
19 form prescribed by the department and executed by the applicant, and either
20 accompanied by the deposit of cash with the department or also executed by a person
21 authorized to conduct a surety business in this state. The bond shall be in an amount
22 equal to 1.5 times the value of the manufactured home as determined by the

ASSEMBLY BILL 967**SECTION 77**

1 department and conditioned to indemnify any prior owner and secured party and any
2 subsequent purchaser of the manufactured home or person acquiring any security
3 interest in it, and their respective successors in interest, against any expense, loss
4 or damage, including reasonable attorney fees, by reason of the issuance of the
5 certificate of title ~~of~~ for the manufactured home or on account of any defect in or
6 undisclosed security interest upon the right, title and interest of the applicant in and
7 to the manufactured home. Any such interested person has a right of action to
8 recover on the bond for any breach of its conditions, but the aggregate liability of the
9 surety to all persons shall not exceed the amount of the bond. The bond, and any
10 deposit accompanying it, shall be returned at the end of 5 years or prior thereto if,
11 apart from this section, a nondistinctive certificate of title could then be issued for
12 the manufactured home.

NOTE: Replaces "of" with "for" in order to make terminology consistent throughout
ch. 101.

13 **SECTION 78.** 101.9208 (1) (b) of the statutes, as created by 1999 Wisconsin Act
14 9, is amended to read:

15 101.9208 (1) (b) Upon filing an application under ~~sub. (1) par. (a)~~ or ~~(4) (d)~~
16 before the first day of the 2nd month beginning after September 1, 2000, an
17 environmental impact fee of \$5, by the person filing the application. Upon filing an
18 application under ~~sub. (1) par. (a)~~ or ~~(4) (d)~~ on or after September 1, 2000, an
19 environmental impact fee of \$6, by the person filing the application. All moneys
20 collected under this subsection shall be credited to the environmental fund for
21 environmental management.

NOTE: Corrects cross-references.

22 **SECTION 79.** 101.9208 (1) (h) of the statutes, as created by 1999 Wisconsin Act
23 9, is amended to read:

ASSEMBLY BILL 967

1 101.9208 (1) (h) For processing applications for certificates of title ~~which~~ that
2 have a special handling request for fast service, a fee established by the department
3 by rule, which fee shall approximate the cost to the department for providing this
4 special handling service to persons so requesting.

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

5 **SECTION 80.** 101.921 (1) (a) of the statutes, as affected by 1999 Wisconsin Acts
6 9 and 53, is amended to read:

7 **101.921 Transfer to or from dealer.** (1) (a) Except as provided in par. (b),
8 if a manufactured home dealer acquires a manufactured home and holds it for resale
9 or accepts a manufactured home for sale on consignment, the manufactured home
10 dealer may not submit to the department the certificate of title or application for
11 certificate of title naming the manufactured home dealer as owner of the
12 manufactured home. Upon transferring the manufactured home to another person,
13 the manufactured home dealer shall immediately give the transferee, on a form
14 prescribed by the department, a receipt for all title, security interest and sales tax
15 moneys paid to the manufactured home dealer for transmittal to the department
16 when required. The manufactured home dealer shall promptly execute the
17 assignment and warranty of title, showing the name and address of the transferee
18 and of any secured party holding a security interest created or reserved at the time
19 of the resale or sale on consignment, in the spaces provided therefor on the certificate
20 or as the department prescribes. Within 7 business days following the sale or
21 transfer, the manufactured home dealer shall mail or deliver the certificate or
22 application for certificate to the department with the transferee's application for a
23 new certificate. A nonresident who purchases a manufactured home from a
24 manufactured home dealer in this state may not, unless otherwise authorized by rule

ASSEMBLY BILL 967**SECTION 80**

1 of the department, apply for a certificate of title issued for the manufactured home
2 in this state unless the manufactured home dealer determines that a certificate of
3 title is necessary to protect the interests of a secured party. The manufactured home
4 dealer is responsible for determining whether a certificate of title and perfection of
5 security interest is required. The manufactured home dealer is liable for any
6 damages incurred by the department or any secured party for the manufactured
7 home dealer's failure to perfect a security interest ~~which~~ that the manufactured
8 home dealer had knowledge of at the time of sale.

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

9 **SECTION 81.** 101.9211 (4) (b) 1. (intro.) of the statutes, as affected by 1999
10 Wisconsin Acts 9 and 53, is amended to read:

11 101.9211 (4) (b) 1. (intro.) The department shall transfer the decedent's
12 interest in any manufactured home to his or her surviving spouse upon receipt of the
13 title executed by the surviving spouse and a statement by the spouse ~~which shall~~
14 ~~state~~ that states all of the following:

NOTE: Replaces "which" with "that" and replaces the passive voice with active voice
to correct grammar.

15 **SECTION 82.** 101.9212 (3) of the statutes, as affected by 1999 Wisconsin Acts
16 9 and 53, is amended to read:

17 101.9212 (3) The department shall retain for 5 years a record of every
18 surrendered certificate of title, the record to be maintained so as to permit the tracing
19 of title ~~of~~ for the manufactured home designated therein.

NOTE: Replaces "of" with "for" in order to make terminology consistent throughout
ch. 101.

20 **SECTION 83.** 101.9213 (7) of the statutes, as affected by 1999 Wisconsin Acts
21 9 and 53, is amended to read:

ASSEMBLY BILL 967

1 101.9213 (7) If a manufactured home is subject to a security interest when
2 brought into this state, s. 409.103 (1), (2) and (3) states the rules which that apply
3 to determine the validity and perfection of the security interest in this state.

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

4 **SECTION 84.** 101.9216 (1) of the statutes, as affected by 1999 Wisconsin Acts
5 9 and 53, is amended to read:

6 101.9216 (1) Within one month, or within 10 days following written demand
7 by the debtor, after there is no outstanding obligation and no commitment to make
8 advances, incur obligations or otherwise give value, secured by the security interest
9 in a manufactured home under any security agreement between the owner and the
10 secured party, the secured party shall execute and deliver to the owner, as the
11 department prescribes, a release of the security interest in the form and manner
12 prescribed by the department and a notice to the owner stating in no less than
13 10-point boldface type the owner’s obligation under sub. (2). If the secured party
14 fails to execute and deliver the release and notice of the owner’s obligation as
15 required by this subsection, the secured party is liable to the owner for \$25 and for
16 any loss caused to the owner by the failure.

NOTE: Inserts commas to correct grammar.

17 **SECTION 85.** 101.9217 (3) of the statutes, as created by 1999 Wisconsin Act 9,
18 is amended to read:

19 101.9217 (3) Any secured party who fails to disclose information under sub. (1)
20 shall be liable for any loss caused to the owner ~~thereby~~ by the failure to disclose
21 information.

NOTE: Inserts missing article. Inserts the specific reference for clarity.

ASSEMBLY BILL 967**SECTION 86**

1 **SECTION 86.** 101.9218 (1) of the statutes, as affected by 1999 Wisconsin Acts
2 9 and 53, is amended to read:

3 101.9218 (1) METHOD OF PERFECTING EXCLUSIVE. Except as provided in sub. (2),
4 the method provided in ss. 101.921 to 101.9217 of perfecting and giving notice of
5 security interests subject to ss. 101.921 to 101.9217 is exclusive. Security interests
6 subject to ss. 101.921 to 101.9217 are exempt from the provisions of law ~~which~~ that
7 otherwise require or relate to the filing of instruments creating or evidencing
8 security interests.

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

9 **SECTION 87.** 101.9219 (3) (b) of the statutes, as affected by 1999 Wisconsin Acts
10 9 and 53, is amended to read:

11 101.9219 (3) (b) The applicant has filed with the department a bond in the form
12 prescribed by the department and executed by the applicant, and either
13 accompanied by the deposit of cash with the department or also executed by a person
14 authorized to conduct a surety business in this state. The bond shall be in an amount
15 equal to 1.5 times the value of the manufactured home as determined by the
16 department and conditioned to indemnify any prior owner and secured party and any
17 subsequent purchaser of the manufactured home or person acquiring any security
18 interest in it, and their respective successors in interest, against any expense, loss
19 or damage, including reasonable attorney fees, by reason of the issuance of the
20 certificate of title of for the manufactured home or on account of any defect in or
21 undisclosed security interest upon the right, title and interest of the applicant in and
22 to the manufactured home. Any such interested person has a right of action to
23 recover on the bond for any breach of its conditions, but the aggregate liability of the
24 surety to all persons shall not exceed the amount of the bond. The bond, and any

ASSEMBLY BILL 967

1 deposit accompanying it, shall be returned at the end of 5 years or prior thereto if,
2 apart from this section, a nondistinctive certificate of title could then be issued for
3 the manufactured home, or if the currently valid certificate of title for the
4 manufactured home is surrendered to the department, unless the department has
5 been notified of the pendency of an action to recover on the bond.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout
ch. 101.

6 **SECTION 88.** 101.922 (4) of the statutes, as created by 1999 Wisconsin Act 9, is
7 amended to read:

8 101.922 (4) The department may seize and impound any certificate of title
9 ~~which~~ that has been suspended or revoked.

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

10 **SECTION 89.** 101.9222 (2) (b) of the statutes, as affected by 1999 Wisconsin Acts
11 9 and 53, is amended to read:

12 101.9222 (2) (b) The department ~~of commerce~~ issues a certificate of title ~~of~~ for
13 the manufactured home under this chapter.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout
ch. 101. Deletes unnecessary “of commerce”; “department” is defined in s. 101.01 (1m)
as being the Department of Commerce.

14 **SECTION 90.** 101.9222 (3) of the statutes, as affected by 1999 Wisconsin Acts
15 9 and 53, is amended to read:

16 101.9222 (3) If the department is not satisfied that there are no undisclosed
17 security interests, created before July 1, 2000, in a previously certificated
18 manufactured home, the department shall, unless the applicant fulfills the
19 requirements of s. 101.9219 (3), issue a distinctive certificate of title ~~of~~ for the
20 manufactured home containing the legend “This manufactured home may be subject

ASSEMBLY BILL 967**SECTION 90**

1 to an undisclosed security interest” and any other information that the department
2 prescribes.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout
ch. 101.

3 **SECTION 91.** 101.951 (6) (k) of the statutes, as created by 1999 Wisconsin Act
4 9, is amended to read:

5 101.951 (6) (k) Having indulged in any unconscionable practice relating to said
6 the business of selling manufactured homes to a consumer or to the retail market.

NOTE: Inserts the specific reference for clarity.

7 **SECTION 92.** 101.953 (1) (intro.) and (a) to (d) of the statutes, as affected by 1999
8 Wisconsin Acts 9 and 53, are amended to read:

9 101.953 (1) (intro.) A one-year written warranty is required for every new
10 manufactured home sold, or leased to another, by a manufactured home
11 manufacturer, manufactured home dealer or manufactured home salesperson in this
12 state, and for every new manufactured home sold by any person who induces a
13 resident of the state to enter into the transaction by personal solicitation in this state
14 or by mail or telephone solicitation directed to the particular consumer in this state.
15 The warranty shall state contain all of the following:

16 (a) ~~That~~ A statement that the manufactured home meets those standards
17 prescribed by law or administrative rule of the department of administration or of
18 the department of commerce, ~~which~~ that are in effect at the time of the manufacture
19 of the manufactured home.

20 (b) ~~That~~ A statement that the manufactured home is free from defects in
21 material and workmanship and is reasonably fit for human habitation if it receives
22 reasonable care and maintenance as defined by rule of the department.

ASSEMBLY BILL 967

1 (c) 1. ~~That~~ A statement that the manufactured home manufacturer and
2 manufactured home dealer shall take corrective action for defects ~~which~~ that become
3 evident within one year from the delivery date and as to which the manufactured
4 home owner has given notice to the manufacturer or dealer not later than one year
5 and 10 days after the delivery date and at the address set forth in the warranty; and
6 that the manufactured home manufacturer and manufactured home dealer shall
7 make the appropriate adjustments and repairs, within 30 days after notification of
8 the defect, at the site of the manufactured home without charge to the manufactured
9 home owner. If the manufactured home dealer makes the adjustment, the
10 manufactured home manufacturer shall fully reimburse the dealer.

11 2. If a repair, replacement, substitution or alteration is made under the
12 warranty and it is discovered, before or after expiration of the warranty period, a
13 statement that the repair, replacement, substitution or alteration has not restored
14 the manufactured home to the condition in which it was warranted except for
15 reasonable wear and tear, such failure shall be considered a violation of the warranty
16 and the manufactured home shall be restored to the condition in which it was
17 warranted to be at the time of the sale except for reasonable wear and tear, at no cost
18 to the purchaser or the purchaser's assignee notwithstanding that the additional
19 repair may occur after the expiration of the warranty period.

20 (d) ~~That~~ A statement that if during any period of time after notification of a
21 defect the manufactured home is uninhabitable, as defined by rule of the
22 department, that period of time shall not be considered part of the one-year
23 warranty period.

NOTE: Corrects sentence agreement problem. Replaces "which" with "that" to
correct grammar.

ASSEMBLY BILL 967**SECTION 93**

1 **SECTION 93.** 101.965 (3) of the statutes, as affected by 1999 Wisconsin Acts 9
2 and 53, is amended to read:

3 101.965 (3) Nothing in this subchapter prohibits the bringing of a civil action
4 against a manufactured home manufacturer, manufactured home dealer or
5 manufactured home salesperson by an aggrieved consumer. If judgment is rendered
6 for the consumer based on an act or omission by the manufactured home
7 manufacturer, manufactured home dealer or manufactured home salesperson,
8 ~~which~~ that constituted a violation of this subchapter, the plaintiff shall recover
9 actual and proper attorney fees in addition to costs otherwise recoverable.

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

10 **SECTION 94.** 102.16 (2) (c) of the statutes is amended to read:

11 102.16 (2) (c) After a fee dispute is submitted to the department, the insurer
12 or self-insured employer that is a party to the dispute shall provide to the
13 department information on that fee and information on fees charged by other health
14 service providers for comparable services. The insurer or self-insured employer
15 shall obtain the information on comparable fees from a ~~data base~~ database that is
16 certified by the department under par. (h). Except as provided in par. (e) 1., if the
17 insurer or self-insured employer does not provide the information required under
18 this paragraph, the department shall determine that the disputed fee is reasonable
19 and order that it be paid. If the insurer or self-insured employer provides the
20 information required under this paragraph, the department shall use that
21 information to determine the reasonableness of the disputed fee.

NOTE: Corrects spelling.

22 **SECTION 95.** 102.16 (2) (d) of the statutes, as affected by 1999 Wisconsin Act 14,
23 is amended to read:

ASSEMBLY BILL 967

1 102.16 (2) (d) For fee disputes that are submitted to the department before
2 July 1, 2002, the department shall analyze the information provided to the
3 department under par. (c) according to the criteria provided in this paragraph to
4 determine the reasonableness of the disputed fee. The department shall determine
5 that a disputed fee is reasonable and order that the disputed fee be paid if that fee
6 is at or below the mean fee for the health service procedure for which the disputed
7 fee was charged, plus 1.5 standard deviations from that mean, as shown by data from
8 a ~~data-base~~ database that is certified by the department under par. (h). The
9 department shall determine that a disputed fee is unreasonable and order that a
10 reasonable fee be paid if the disputed fee is above the mean fee for the health service
11 procedure for which the disputed fee was charged, plus 1.5 standard deviations from
12 that mean, as shown by data from a ~~data-base~~ database that is certified by the
13 department under par. (h), unless the health service provider proves to the
14 satisfaction of the department that a higher fee is justified because the service
15 provided in the disputed case was more difficult or more complicated to provide than
16 in the usual case.

NOTE: Corrects spelling.

17 **SECTION 96.** 102.16 (2) (e) 1. and 2. of the statutes are amended to read:

18 102.16 (2) (e) 1. Subject to subd. 2., if an insurer or self-insured employer that
19 disputes the reasonableness of a fee charged by a health service provider cannot
20 provide information on fees charged by other health service providers for comparable
21 services because the ~~data-base~~ database to which the insurer or self-insured
22 employer subscribes is not able to provide accurate information for the health service
23 procedure at issue, the department may use any other information that the

ASSEMBLY BILL 967**SECTION 96**

1 department considers to be reliable and relevant to the disputed fee to determine the
2 reasonableness of the disputed fee.

3 2. Notwithstanding subd. 1., the department may use only a hospital radiology
4 ~~data base~~ database that has been certified by the department under par. (h) to
5 determine the reasonableness of a hospital fee for radiology services.

NOTE: Corrects spelling.

6 **SECTION 97.** 102.16 (2) (h) of the statutes is amended to read:

7 102.16 (2) (h) The department shall promulgate rules establishing procedures
8 and requirements for the fee dispute resolution process under this subsection,
9 including rules specifying the standards that health service fee ~~data bases~~ databases
10 must meet for certification under this paragraph. Using those standards, the
11 department shall certify ~~data bases~~ databases of the health service fees that various
12 health service providers charge. In certifying ~~data bases~~ databases under this
13 paragraph, the department shall certify at least one ~~data base~~ database of hospital
14 fees for radiology services, including diagnostic and interventional radiology,
15 diagnostic ultrasound and nuclear medicine.

NOTE: Corrects spelling.

16 **SECTION 98.** 103.92 (2) (b) 2m. of the statutes, as created by 1999 Wisconsin Act
17 9, is renumbered 103.92 (1) (b) 2m.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). There was no
preexisting s. 103.92 (2) (b). The subject matter of this provision fits within s. 103.92 (1)
(b).

18 **SECTION 99.** 108.05 (1) (j) (intro.) of the statutes, as affected by 1999 Wisconsin
19 Act 15, is amended to read:

20 108.05 (1) (j) (intro.) Each eligible employe shall be paid benefits for each week
21 of total unemployment which that commences on or after January 3, 1999, and
22 before April 2, 2000, at the weekly benefit rate specified in this paragraph. Unless

ASSEMBLY BILL 967

1 sub. (1m) applies, the weekly benefit rate shall equal 4% of the employe's base period
2 wages ~~which~~ that were paid during that quarter of the employe's base period in which
3 the employe was paid the highest total wages, rounded down to the nearest whole
4 dollar, except that if that amount is less than the minimum amount shown in the
5 following schedule, no benefits are payable to the employe and if that amount is more
6 than the maximum amount shown in the following schedule, the employe's weekly
7 benefit rate shall be the maximum amount shown in the following schedule and
8 except that if the employe's benefits are exhausted during any week under s. 108.06
9 (1), the employe shall be paid the remaining amount of benefits payable to the
10 employe in lieu of the amount shown in the following schedule: [See Figure 108.05
11 (1) (j) following]

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

12 **SECTION 100.** 108.05 (1) (k) (intro.) and (L) (intro.) of the statutes, as created
13 by 1999 Wisconsin Act 15, are amended to read:

14 108.05 (1) (k) (intro.) Each eligible employe shall be paid benefits for each week
15 of total unemployment ~~which~~ that commences on or after April 2, 2000, and before
16 October 1, 2000, at the weekly benefit rate specified in this paragraph. Unless sub.
17 (1m) applies, the weekly benefit rate shall equal 4% of the employe's base period
18 wages ~~which~~ that were paid during that quarter of the employe's base period in which
19 the employe was paid the highest total wages, rounded down to the nearest whole
20 dollar, except that if that amount is less than the minimum amount shown in the
21 following schedule, no benefits are payable to the employe and if that amount is more
22 than the maximum amount shown in the following schedule, the employe's weekly
23 benefit rate shall be the maximum amount shown in the following schedule and
24 except that if the employe's benefits are exhausted during any week under s. 108.06

ASSEMBLY BILL 967**SECTION 100**

1 (1), the employe shall be paid the remaining amount of benefits payable to the
2 employe in lieu of the amount shown in the following schedule: [See Figure 108.05
3 (1) (k) following]

4 (L) (intro.) Each eligible employe shall be paid benefits for each week of total
5 unemployment ~~which~~ that commences on or after October 1, 2000, at the weekly
6 benefit rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit
7 rate shall equal 4% of the employe's base period wages ~~which~~ that were paid during
8 that quarter of the employe's base period in which the employe was paid the highest
9 total wages, rounded down to the nearest whole dollar, except that if that amount is
10 less than the minimum amount shown in the following schedule, no benefits are
11 payable to the employe and if that amount is more than the maximum amount shown
12 in the following schedule, the employe's weekly benefit rate shall be the maximum
13 amount shown in the following schedule and except that if the employe's benefits are
14 exhausted during any week under s. 108.06 (1), the employe shall be paid the
15 remaining amount of benefits payable to the employe in lieu of the amount shown
16 in the following schedule: [See Figure 108.05 (1) (L) following]

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

17 **SECTION 101.** 115.28 (26) of the statutes, as created by 1999 Wisconsin Act 9,
18 is amended to read:

19 115.28 (26) PERIODICAL AND REFERENCE INFORMATION ~~DATA-BASES~~ DATABASES.
20 Contract with one or more persons to provide statewide access, through the Internet,
21 to periodical and reference information ~~data bases~~ databases.

NOTE: Corrects spelling.

22 **SECTION 102.** 115.435 (1) (intro.) of the statutes, as created by 1999 Wisconsin
23 Act 9, is amended to read:

ASSEMBLY BILL 967

1 115.435 (1) (intro.) A school district that satisfies all of the following criteria
2 may apply to the department by October 15 of each school year for a grant to
3 supplement aid under s. 121.08.:

NOTE: Corrects punctuation.

4 **SECTION 103.** 115.51 (4) of the statutes, as created by 1999 Wisconsin Act 9, is
5 amended to read:

6 115.51 (4) “Visually impaired” means loss of vision, or blindness, as described
7 in the rule promulgated by the state superintendent to define “visual impairments”
8 for the purposes of s. 115.76 (5) (a) 4.

NOTE: Inserts commas to correct grammar.

9 **SECTION 104.** The treatment of 115.995 of the statutes by 1999 Wisconsin Act
10 9 is not repealed by 1999 Wisconsin Act 19. Both treatments stand.

NOTE: There is no conflict of substance.

11 **SECTION 105.** 115.995 (1) of the statutes, as created by 1999 Wisconsin Act 9,
12 is amended to read:

13 115.995 (1) From the appropriation under s. 20.255 (2) (cc), divide
14 proportionally, based upon costs reported under s. 115.993, an annual payment of
15 \$250,000 among school districts whose enrollments in the previous school year were
16 at least 15% limited-English speaking proficient pupils. Aid paid under this
17 subsection does not reduce aid paid under sub. (2).

NOTE: Amends terminology consistent with the amendment of s. 115.995 by 1999
Wis. Act 19.

18 **SECTION 106.** 118.28 of the statutes is amended to read:

19 **118.28 Community action agencies.** The school board of a school district
20 may appropriate funds for promoting and assisting any community action agency
21 under s. 49.37, 1997 stats.

NOTE: Section 49.37 was repealed eff. 10-29-99 by 1999 Wis. Act 9.

ASSEMBLY BILL 967**SECTION 107**

1 **SECTION 107.** The amendment of 118.30 (2) (b) 2. of the statutes by 1999
2 Wisconsin Act 9 is not repealed by 1999 Wisconsin Act 19. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 108.** 118.33 (1) (f) 1. of the statutes, as affected by 1999 Wisconsin Act
4 9, is amended to read:

5 118.33 (1) (f) 1. By September 1, 2002, each school board operating high school
6 grades shall develop a written policy specifying criteria for granting a high school
7 diploma that are in addition to the requirements under par. (a). The criteria shall
8 include the pupil's score on the examination administered under s. 118.30 (~~1g~~) (1m)
9 (d), the pupil's academic performance, the recommendations of teachers. Except as
10 provided in subd. 2., the criteria apply to pupils enrolled in charter schools located
11 in the school district.

NOTE: Corrects cross-reference. There is no s. 118.30 (1g) (d). The graduation test
is administered under s. 118.30 (1m) (d).

12 **SECTION 109.** 121.08 (4) (c) 3. of the statutes, as created by 1999 Wisconsin Act
13 9, is amended to read:

14 121.08 (4) (c) 3. Multiply the amount of state aid that the school district is
15 eligible to be paid from the appropriation under s. ~~20.225~~ 20.255 (2) (ac), calculated
16 as if the reduction under par. (a) had not occurred, by the quotient under subd. 2.

NOTE: Corrects cross-reference consistent with the remainder of s. 121.08 (4).

17 **SECTION 110.** 125.51 (3) (bs) 2. of the statutes, as created by 1999 Wisconsin
18 Act 9, is amended to read:

19 125.51 (3) (bs) 2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and
20 (9), a "Class B" license authorizes a person operating a coliseum to furnish the holder
21 of a coliseum suite who has attained the legal drinking age with a selection of
22 intoxicating liquor in the coliseum suite that is not part of the "Class B" premises.

ASSEMBLY BILL 967

1 Intoxicating liquor furnished under this subdivision shall be furnished in original
2 packages or containers and stored in a cabinet, refrigerator or other secure storage
3 place. The cabinet, refrigerator or other secure storage place or the coliseum suite
4 must be capable of being locked. The cabinet, refrigerator or other secure storage
5 place or the coliseum ~~suit~~ suite shall be locked, or the intoxicating liquor shall be
6 removed from the coliseum ~~suit~~ suite, when the coliseum ~~suit~~ suite is not occupied
7 and when intoxicating liquor is not being furnished under this subdivision.
8 Intoxicating liquor may be furnished at the time the holder of the coliseum suite
9 occupies the coliseum suite, but for purposes of this chapter, the sale of intoxicating
10 liquor furnished under this subdivision is considered to occur at the time and place
11 that the holder pays for the intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the
12 holder of a coliseum suite may pay for the intoxicating liquor at any time if he or she
13 pays in accordance with an agreement with the person operating the coliseum or
14 with the concessionaire. An individual who stocks or accepts payment for alcohol
15 beverages under this subdivision shall be the licensee, the agent named in the license
16 if the licensee is a corporation or limited liability company or the holder of a
17 manager's or operator's license or be supervised by one of those individuals.

NOTE: Corrects spelling.

18 **SECTION 111.** 146.70 (3) (a) 2. of the statutes is amended to read:
19 146.70 (3) (a) 2. "Costs" means the costs incurred by a service supplier after
20 August 1, 1987, in installing and maintaining the trunking and central office
21 equipment used only to operate a basic or sophisticated system and the ~~data base~~
22 database used only to operate a sophisticated system.

NOTE: Corrects spelling.

23 **SECTION 112.** 146.70 (3) (b) 3. a. of the statutes is amended to read:

ASSEMBLY BILL 967

1 146.70 (3) (b) 3. a. The amount of nonrecurring charges service users in the
2 county will pay for all nonrecurring services related to providing the trunking and
3 central office equipment used only to operate a basic or sophisticated system
4 established in that county and the ~~data-base~~ database used only to operate that
5 sophisticated system.

NOTE: Corrects spelling.

6 **SECTION 113.** 146.70 (3) (j) of the statutes is amended to read:

7 146.70 (3) (j) A service supplier providing telephone service in a county, upon
8 request of that county, shall provide the county information on its capability and an
9 estimate of its costs to install and maintain trunking and central office equipment
10 to operate a basic or sophisticated system in that county and the ~~data-base~~ database
11 required to operate a sophisticated system.

NOTE: Corrects spelling.

12 **SECTION 114.** 146.70 (10) (b) of the statutes is amended to read:

13 146.70 (10) (b) Any person who discloses or uses, for any purpose not related
14 to the operation of a basic or sophisticated system, any information contained in the
15 ~~data-base~~ database of that system shall be fined not more than \$10,000 for each
16 occurrence.

NOTE: Corrects spelling.

17 **SECTION 115.** 153.45 (6) of the statutes, as created by 1999 Wisconsin Act 9, is
18 amended to read:

19 153.45 (6) The department may not sell or distribute ~~data-bases~~ databases of
20 information, from health care providers who are not hospitals or ambulatory surgery
21 centers, that are able to be linked with public use data files, unless first approved by
22 the independent review board.

NOTE: Corrects spelling.

ASSEMBLY BILL 967

1 **SECTION 116.** 153.50 (1) (b) 2. d. and f. of the statutes, as created by 1999
2 Wisconsin Act 9, are amended to read:

3 153.50 (1) (b) 2. d. First date of the patient's same or similar illness, if any.
4 f. Dates of receipt by the patient of medical service.

NOTE: Inserts missing articles.

5 **SECTION 117.** 153.50 (4) (a) 1. of the statutes, as affected by 1999 Wisconsin Act
6 9, section 2280kr, is amended to read:

7 153.50 (4) (a) 1. An agent of the department who is responsible for the
8 patient-identifiable data in the department, in order to store the data and ensure the
9 accuracy of the information in the ~~data base~~ database of the department.

NOTE: Corrects spelling.

10 **SECTION 118.** 153.50 (4) (a) 2. of the statutes, as affected by 1999 Wisconsin Act
11 9, section 2280kr, is amended to read:

12 153.50 (4) (a) 2. A health care provider or the agent of a health care provider,
13 to ensure the accuracy of the information in the ~~data base~~ database of the
14 department.

NOTE: Corrects spelling.

15 **SECTION 119.** 153.50 (4) (a) 3. of the statutes, as affected by 1999 Wisconsin Act
16 9, is amended to read:

17 153.50 (4) (a) 3. The department, for purposes of epidemiological investigation
18 or to eliminate the need for duplicative ~~data bases~~ databases.

19 **SECTION 120.** 153.50 (4) (a) 4. of the statutes, as affected by 1999 Wisconsin Act
20 9, is amended to read:

ASSEMBLY BILL 967

1 153.50 (4) (a) 4. An entity that is required by federal or state statute to obtain
2 patient-identifiable data for purposes of epidemiological investigation or to
3 eliminate the need for duplicative ~~data bases~~ databases.

NOTE: Corrects spelling.

4 **SECTION 121.** 153.60 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
5 is amended to read:

6 153.60 (1) The department shall, by the first October 1 after the
7 commencement of each fiscal year, estimate the total amount of expenditures under
8 this chapter for the department and the board for that fiscal year for data collection,
9 ~~data base~~ database development and maintenance, generation of data files and
10 standard reports, orientation and training provided under s. 153.05 (9) and
11 maintaining the board. The department shall assess the estimated total amount for
12 that fiscal year less the estimated total amount to be received for purposes of
13 administration of this chapter under s. 20.435 (4) (hi) during the fiscal year, the
14 unencumbered balance of the amount received for purposes of administration of this
15 chapter under s. 20.435 (4) (hi) from the prior fiscal year and the amount in the
16 appropriation account under s. 20.435 (1) (dg), 1997 stats., for the fiscal year, to
17 health care providers who are in a class of health care providers from whom the
18 department collects data under this chapter in a manner specified by the department
19 by rule. The department shall obtain approval from the board for the amounts of
20 assessments for health care providers other than hospitals and ambulatory surgery
21 centers. The department shall work together with the department of regulation and
22 licensing to develop a mechanism for collecting assessments from health care
23 providers other than hospitals and ambulatory surgery centers. No health care
24 provider that is not a facility may be assessed under this subsection an amount that

ASSEMBLY BILL 967

1 exceeds \$75 per fiscal year. Each hospital shall pay the assessment on or before
2 December 1. All payments of assessments shall be deposited in the appropriation
3 under s. 20.435 (4) (hg).

NOTE: Corrects spelling. Section 20.435 (1) (dg) was repealed eff. 7-1-99 by 1997
Wis. Act 237.

4 **SECTION 122.** 166.20 (1) (fm) of the statutes is amended to read:

5 166.20 (1) (fm) "Hazardous material" has the meaning given in 49 USC
6 Appendix 1802 (4) 5102 (2).

NOTE: 49 USC Appendix 1802 (4) was codified as 49 USC 5102 (2).

7 **SECTION 123.** 196.207 (6) (a) 3. of the statutes is amended to read:

8 196.207 (6) (a) 3. Intentionally disclose the unpublished telephone line
9 identification through a computer ~~data base~~ database, on-line bulletin board or
10 other similar mechanism.

NOTE: Corrects spelling.

11 **SECTION 124.** 196.218 (5) (a) 5m. of the statutes, as created by 1999 Wisconsin
12 Act 9, is amended to read:

13 196.218 (5) (a) 5m. To provide statewide access, through the Internet, to
14 periodical reference information ~~data bases~~ databases.

NOTE: Corrects spelling.

15 **SECTION 125.** 196.86 (2) of the statutes, as created by 1999 Wisconsin Act 9, is
16 amended to read:

17 196.86 (2) If the department of natural resources makes a notification to the
18 commission under s. 285.48 (2), the commission shall assess against electric public
19 utility affiliates a total of \$2,400,000, or a decreased amount specified in a notice by
20 the department of natural resources under s. 285.48 (3) (d) 3., in each fiscal year of
21 the 10-year period that commences on July 1 of the fiscal year ending before the

ASSEMBLY BILL 967

1 initial compliance date. An assessment in a fiscal year against an electric public
2 utility affiliate under this subsection shall be in an amount that is proportionate to
3 the electric public utility affiliate's heat throughput ratio for the prior fiscal year.

NOTE: Inserts missing article.

4 **SECTION 126.** 218.11 (7) (b) of the statutes, as affected by 1999 Wisconsin Act
5 9, is amended to read:

6 218.11 (7) (b) No license may be suspended or revoked except after a hearing
7 thereon. The department shall give the licensee at least 5 days' notice of the time and
8 place of such hearing. The order suspending or revoking such license shall not be
9 effective until after 10 days' written notice thereof to the licensee, after such hearing
10 has been had; except that the department, when in its opinion the best interest of the
11 public or the trade demands it, may suspend a license upon not less than 24 hours'
12 notice of hearing and with not less than 24 hours' notice of the suspension of the
13 license. Matters involving suspensions and revocations shall be heard and decided
14 upon by the division of hearings and appeals. This paragraph does not apply to
15 licenses that are suspended or revoked under sub. (6m).

NOTE: 1999 Wis. Act 9 deleted "or revoked" without showing it as stricken. No
change was intended.

16 **SECTION 127.** 224.985 (2) (a) of the statutes, as created by 1999 Wisconsin Act
17 9, is amended to read:

18 224.985 (2) (a) Financial statements, including the balance sheet, the
19 statement of income or loss, the statement of changes in capital accounts and the
20 statement of changes in financial position of the licensee. The licensee shall ensure
21 that the financial statements have been audited by an independent certified public
22 account accountant and prepared in accordance with generally accepted account
23 principles.

ASSEMBLY BILL 967

NOTE: Corrects spelling.

1 **SECTION 128.** 227.43 (5) of the statutes is repealed.

NOTE: Section 227.43 (5) was renumbered s. 227.43 (4) (b) and amended by 1995 Wis. Act 370, but the prior sub. (5) was inadvertently retained in the printed statutes.

2 **SECTION 129.** 243.10 (1) of the statutes is amended to read:

3 243.10 (1) FORM. The following is the form for the Wisconsin basic power of
4 attorney for finances and property:

5 **WISCONSIN BASIC POWER OF ATTORNEY**
6 **FOR FINANCES AND PROPERTY**

7 NOTICE: THIS IS AN IMPORTANT DOCUMENT. BEFORE SIGNING THIS
8 DOCUMENT, YOU SHOULD KNOW THESE IMPORTANT FACTS. BY SIGNING
9 THIS DOCUMENT, YOU ARE NOT GIVING UP ANY POWERS OR RIGHTS TO
10 CONTROL YOUR FINANCES AND PROPERTY YOURSELF. IN ADDITION TO
11 YOUR OWN POWERS AND RIGHTS, YOU ARE GIVING ANOTHER PERSON,
12 YOUR AGENT, BROAD POWERS TO HANDLE YOUR FINANCES AND
13 PROPERTY. THIS BASIC POWER OF ATTORNEY FOR FINANCES AND
14 PROPERTY MAY GIVE THE PERSON WHOM YOU DESIGNATE (YOUR
15 "AGENT") BROAD POWERS TO HANDLE YOUR FINANCES AND PROPERTY,
16 WHICH MAY INCLUDE POWERS TO ENCUMBER, SELL OR OTHERWISE
17 DISPOSE OF ANY REAL OR PERSONAL PROPERTY WITHOUT ADVANCE
18 NOTICE TO YOU OR APPROVAL BY YOU. THE POWERS WILL EXIST AFTER
19 YOU BECOME DISABLED, OR INCAPACITATED, IF YOU CHOOSE THAT
20 PROVISION. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE
21 MEDICAL OR OTHER HEALTH CARE DECISIONS FOR YOU. IF YOU OWN
22 COMPLEX OR SPECIAL ASSETS SUCH AS A BUSINESS, OR IF THERE IS
23 ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU

ASSEMBLY BILL 967

1 SHOULD ASK A LAWYER TO EXPLAIN THIS FORM TO YOU BEFORE YOU
2 SIGN IT.

3 IF YOU WISH TO CHANGE YOUR BASIC POWER OF ATTORNEY FOR
4 FINANCES AND PROPERTY, YOU MUST COMPLETE A NEW DOCUMENT
5 AND REVOKE THIS ONE. YOU MAY REVOKE THIS DOCUMENT AT ANY TIME
6 BY DESTROYING IT, BY DIRECTING ANOTHER PERSON TO DESTROY IT IN
7 YOUR PRESENCE OR BY SIGNING A WRITTEN AND DATED STATEMENT
8 EXPRESSING YOUR INTENT TO REVOKE THIS DOCUMENT. IF YOU
9 REVOKE THIS DOCUMENT, YOU SHOULD NOTIFY YOUR AGENT AND ANY
10 OTHER PERSON TO WHOM YOU HAVE GIVEN A COPY OF THE FORM. YOU
11 ALSO SHOULD NOTIFY ALL PARTIES HAVING CUSTODY OF YOUR ASSETS.
12 THESE PARTIES HAVE NO RESPONSIBILITY TO YOU UNLESS YOU
13 ACTUALLY NOTIFY THEM OF THE REVOCATION. IF YOUR AGENT IS YOUR
14 SPOUSE AND YOUR MARRIAGE IS ANNULLED, OR YOU ARE DIVORCED
15 AFTER SIGNING THIS DOCUMENT, THIS DOCUMENT IS INVALID.

16 SINCE SOME 3RD PARTIES OR SOME TRANSACTIONS MAY NOT
17 PERMIT USE OF THIS DOCUMENT, IT IS ADVISABLE TO CHECK IN
18 ADVANCE, IF POSSIBLE, FOR ANY SPECIAL REQUIREMENTS THAT MAY BE
19 IMPOSED.

20 YOU SHOULD SIGN THIS FORM ONLY IF THE AGENT YOU NAME IS
21 RELIABLE, TRUSTWORTHY AND COMPETENT TO MANAGE YOUR AFFAIRS.

22 I ... (insert your name and address) appoint ... (insert the name and address
23 of the person appointed) as my agent to act for me in any lawful way with respect to
24 the powers initialed below. If the person appointed is unable or unwilling to act as

ASSEMBLY BILL 967

1 my agent, I appoint (insert name and address of alternate person appointed) to
2 act for me in any lawful way with respect to the powers initialed below.

3 TO GRANT ONE OR MORE OF THE FOLLOWING POWERS, INITIAL THE
4 LINE IN FRONT OF EACH POWER YOU ARE GRANTING.

5 TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF IT.
6 YOU MAY, BUT NEED NOT, CROSS OUT EACH POWER WITHHELD.

7 **HANDLING MY MONEY AND PROPERTY**

8 *Initials*

9 _____ 1. *PAYMENTS OF BILLS:* My agent may make payments that are
10 necessary or appropriate in connection with the administration of my affairs.

11 _____ 2. *BANKING:* My agent may conduct business with financial
12 institutions, including endorsing all checks and drafts made payable to my order and
13 collecting the proceeds; signing in my name checks or orders on all accounts in my
14 name or for my benefit; withdrawing funds from accounts in my name; opening
15 accounts in my name; and entering into and removing articles from my safe deposit
16 box.

17 _____ 3. *INSURANCE:* My agent may obtain insurance of all types, as
18 considered necessary or appropriate, settle and adjust insurance claims and borrow
19 from insurers and 3rd parties using insurance policies as collateral.

20 _____ 4. *ACCOUNTS:* My agent may ask for, collect and receive money,
21 dividends, interest, legacies and property due or that may become due and owing to
22 me and give receipt for those payments.

23 _____ 5. *REAL ESTATE:* My agent may manage real property; sell, convey and
24 mortgage realty for prices and on terms as considered advisable; foreclose mortgages

ASSEMBLY BILL 967

1 and take title to property in my name; and execute deeds, mortgages, releases,
2 satisfactions and other instruments relating to realty.

3 _____ 6. *BORROWING*: My agent may borrow money and encumber my assets
4 for loans as considered necessary.

5 _____ 7. *SECURITIES*: My agent may buy, sell, pledge and exchange securities
6 of all kinds in my name; sign and deliver in my name transfers and assignments of
7 securities; and consent in my name to reorganizations, mergers or exchange of
8 securities for new securities.

9 _____ 8. *INCOME TAXES*: My agent may make and sign tax returns; represent
10 me in all income tax matters before any federal, state, or local tax collecting agency;
11 and receive confidential information and perform any acts that I may perform,
12 including receiving refund checks and the signing of returns.

13 _____ 9. *TRUSTS*: My agent may transfer at any time any of my property to
14 a living trust that has been established by me before the execution of this document.

PROFESSIONAL AND TECHNICAL ASSISTANCE

15
16 *Initials*

17 _____ 10. *LEGAL ACTIONS*: My agent may retain attorneys on my behalf;
18 appear for me in all actions and proceedings to which I may be a party; commence
19 actions and proceedings in my name; and sign in my name all documents or pleadings
20 of every description.

21 _____ 11. *PROFESSIONAL ASSISTANCE*: My agent may hire accountants,
22 attorneys, clerks, workers and others for the management, preservation and
23 protection of my property and estate.

GENERAL AUTHORITY

24
25 *Initials*

ASSEMBLY BILL 967

1 ____ 12. *GENERAL*: My agent may do any act or thing that I could do in my
2 own proper person if personally present, including managing or selling tangible
3 assets, disclaiming a probate or nonprobate inheritance and providing support for
4 a minor child or dependent adult. The specifically enumerated powers of the basic
5 power of attorney for finances and property are not a limitation of this intended
6 broad general power except that my agent may not take any action prohibited by law
7 and my agent under this document may not:

8 a. Make medical or health care decisions for me.

9 b. Make, modify or revoke a will for me.

10 c. Other than a burial trust agreement under section 445.125, Wisconsin
11 Statutes, enter into a trust agreement on my behalf or amend or revoke a trust
12 agreement, entered into by me.

13 d. Change any beneficiary designation of any life insurance policy, qualified
14 retirement plan, individual retirement account or payable on death account or the
15 like whether directly or by canceling and replacing the policy or rollover to another
16 plan or account.

17 e. Forgive debts owed to me or disclaim or waive benefits payable to me, except
18 a probate or nonprobate inheritance.

19 f. Appoint a substitute or successor agent for me.

20 g. Make gifts.

COMPENSATION TO AGENT FROM PRINCIPAL'S FUNDS*Initials*

23 ____ 13. *COMPENSATION*. My agent may receive compensation only in an
24 amount not greater than that usual for the services to be performed if expressly
25 authorized in the special instructions portion of this document.

ASSEMBLY BILL 967

1 accounting

2 *Initials*

3 _____ 14. *ACCOUNTING*. My agent shall render an accounting (monthly)
4 (quarterly) (annually) (CIRCLE ONE) to me or to (insert name and address)
5 during my lifetime and a final accounting to the personal representative of my estate,
6 if any is appointed, after my death.

7 **NOMINATION OF GUARDIAN**

8 *Initials*

9 _____ 15. *GUARDIAN*: If necessary, I nominate (name) of (address) as
10 guardian of my person and I nominate (name) of (address) as guardian of my
11 estate.

12 **SPECIAL INSTRUCTIONS**

13 *Initials*

14 _____ 16. *SPECIAL INSTRUCTIONS*:

15 ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS
16 REGARDING THE POWERS GRANTED TO YOUR AGENT.

17
18
19
20
21
22
23
24
25

ASSEMBLY BILL 967

1 TO ESTABLISH WHEN, AND FOR HOW LONG, THE BASIC POWER OF
2 ATTORNEY FOR FINANCES AND PROPERTY IS IN EFFECT, YOU MUST
3 INITIAL ONLY ONE OF THE FOLLOWING 3 OPTIONS. IF YOU DO NOT
4 INITIAL ONE, OR IF YOU INITIAL MORE THAN ONE, THIS BASIC POWER OF
5 ATTORNEY FOR FINANCES AND PROPERTY WILL NOT TAKE EFFECT.

6 *Initials*

7 _____ This basic power of attorney for finances and property becomes effective
8 when I sign it and will continue in effect as a durable power of attorney under section
9 243.07, Wisconsin Statutes, if I become disabled or incapacitated.

10 _____ This basic power of attorney for finances and property becomes effective
11 only when both of the following apply:

- 12 a. I have signed it; and
- 13 b. I become disabled or incapacitated.

14 _____ This basic power of attorney for finances and property becomes effective
15 when I sign it BUT WILL CEASE TO BE EFFECTIVE IF I BECOME DISABLED
16 OR INCAPACITATED.

17 I agree that any 3rd party who receives a copy of this document may act under
18 it. Revocation of this basic power of attorney is not effective as to a 3rd party until
19 the 3rd party learns of the revocation. I agree to reimburse the 3rd party for any loss
20 resulting from claims that arise against the 3rd party because of reliance on this
21 basic power of attorney.

22 Signed this day of, (year)

23
24

25 (Your Signature)

ASSEMBLY BILL 967

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

....

(Your Social Security Number)

By signing as a witness, I am acknowledging the signature of the principal who signed in my presence and the presence of the other witness, and the fact that he or she has stated that this power of attorney reflects his or her wishes and is being executed voluntarily. I believe him or her to be of sound mind and capable of creating this power of attorney. I am not related to him or her by blood or marriage, and, to the best of my knowledge, I am not entitled to any portion of his or her estate under his or her will.

Witness:

Witness:

Dated:

Dated: ...

By Signature:

By Signature:

Print Name:

Print Name:

Address:

Address:

State of

County of

This document was acknowledged before me on (date) by (name of principal).

....

(Signature of Notarial Officer)

(Seal, if any)

(Title)

[My commission is permanent or expires:]

ASSEMBLY BILL 967

1 BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, THE AGENT
2 ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES AND
3 LIABILITIES OF AN AGENT.

4

5 (Name of Agent)

6

7 (Signature of Agent)

8 This document was drafted by (signature of person preparing the
9 document).

NOTE: Drafting records for 1997 Wis. Act 253 indicate that the witness portion of this form was not properly formatted in double columns and that "Witness" was to be a heading and was not to be followed by dot leaders. "By" is changed to "Signature" for clarity.

10 **SECTION 130.** 251.02 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
11 is amended to read:

12 251.02 (1) In counties with a population of less than 500,000, the county board
13 shall establish a county health department that meets the requirements of this
14 chapter. The county health department shall serve all areas of the county that are
15 not served by a city health department that was established prior to
16 January 1, 1994, by a town or village health department established under sub. (3m)
17 or by a multiple municipal local health department established under sub. (3r). No
18 city health department may be established after January 1, 1994, but a city-county
19 health department may be established after that date.

NOTE: Conforms the language in this subsection with the language of s. 251.02 (3r).

20 **SECTION 131.** 251.04 (1) of the statutes, as affected by 1999 Wisconsin Act 9,
21 is amended to read:

ASSEMBLY BILL 967**SECTION 131**

1 251.04 (1) A city or county board of health shall govern each local health
2 department other than a local health department as authorized in s. 251.02 (3m) and
3 (3r) and a city or county board of health or a board of health for a local health
4 department as authorized in s. 251.02 (3m) and (3r) shall assure the enforcement of
5 state public health statutes and public health rules of the department as prescribed
6 for a Level I local health department. A local board of health may contract or
7 subcontract to provide public health services. The contractor’s staff shall meet the
8 appropriate qualifications for positions in a Level I local health department.

NOTE: 1999 Wis. Act 9 inserted the underscored language without showing it as
underscored. The change was intended.

9 **SECTION 132.** 251.125 of the statutes, as affected by 1999 Wisconsin Act 9, is
10 amended to read:

11 **251.125 Village health department, how financed.** If a village health
12 department is established under s. 251.02 (2) or (3m) or if a multiple municipal local
13 health department is established under s. ~~251.01~~ 251.02 (3r) by the governing body
14 of a village in concert with the governing body of another village or a city or town, the
15 village board shall appropriate funds for the operation of the department.

NOTE: Corrects cross-reference. There is no s. 251.01 (3r). Section 251.02 (3r)
relates to the establishment of local health departments.

16 **SECTION 133.** 252.08 (title) of the statutes is repealed.

NOTE: The remainder of s. 252.08 was renumbered or repealed by 1999 Wis. Act 9.

17 **SECTION 134.** 253.115 (1) (a) of the statutes, as created by 1999 Wisconsin Act
18 9, is amended to read:

19 253.115 (1) (a) “Hearing loss” means an inability in one or both ears to detect
20 sounds at 30 decibels hearing level or greater in the frequency region of 500 to 4,000
21 hertz, ~~which~~ that affects speech recognition and auditory comprehension.

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

ASSEMBLY BILL 967

1 **SECTION 135.** 254.916 (3) (a) (intro.) of the statutes, as created by 1999
2 Wisconsin Act 9, is renumbered 254.916 (3) (intro.).

NOTE: Corrects numbering.

3 **SECTION 136.** 254.916 (11) of the statutes, as created by 1999 Wisconsin Act 9,
4 is amended to read:

5 254.916 (11) The department shall hold a hearing under ch. 227 if any
6 interested person, in lieu of proceeding under ch. 68, appeals to the department
7 alleging that the person making an investigation of the appellant has a financial
8 interest in a regulated cigarette and tobacco product retailer, tobacco vending
9 machine operator, tobacco vending machine premises or tobacco vending machine
10 ~~which~~ that may interfere with his or her ability to properly take that action.

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

11 **SECTION 137.** 281.68 (1r) (a) of the statutes, as affected by 1999 Wisconsin Act
12 9, is amended to read:

13 281.68 (1r) (a) Prevent pollution from entering into lakes or into natural lake
14 ecosystems.

NOTE: 1999 Wis. Act 9 inserted “or” without showing it as underscored. The change
was intended.

15 **SECTION 138.** 281.69 (6) of the statutes, as affected by 1999 Wisconsin Act 9,
16 is amended to read:

17 281.69 (6) LAKE CLASSIFICATION TECHNICAL ASSISTANCE CONTRACTS. A nonprofit
18 corporation receiving a lake classification technical assistance contract shall use the
19 ~~grant money provided under the contract to provide~~ educational and technical
20 assistance to local units of government and lake management organizations that will
21 participate in a lake classification project.

NOTE: 1999 Wisconsin Act 9 amended this section by replacing “technical
assistance grant” with “technical assistance contract” but did not make the corresponding

ASSEMBLY BILL 967

change to the later use of the term “grant”. Act 9 also omitted the phrase “use the grant to” without showing it as stricken. This bill restores the unintentionally omitted language and amends the subsection to reflect the term change.

1 **SECTION 139.** 289.645 (4) (c) of the statutes, as created by 1999 Wisconsin Act
2 9, is amended to read:

3 289.645 (4) (c) Waste generated by an organization described in par. (b) ~~which~~
4 that is commingled with waste generated by a person other than an organization
5 described in par. (b) is subject to the fee.

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

6 **SECTION 140.** 292.15 (2) (at) 3. of the statutes, as created by 1999 Wisconsin Act
7 9, is amended to read:

8 292.15 (2) (at) 3. The voluntary party obtains and maintains insurance to cover
9 the costs of complying with s. 292.11 (3) with respect to a hazardous substance
10 discharges that occurred before the investigation under subd. 1. is completed and
11 that are discovered in the course of conducting a cleanup of the property, the
12 insurance complies with rules promulgated by the department and the insurance
13 names the voluntary party and this state as insureds.

NOTE: Deletes unnecessary “a.”

14 **SECTION 141.** 292.15 (2) (c) of the statutes, as affected by 1999 Wisconsin Act
15 9, is amended to read:

16 292.15 (2) (c) *Prohibition on action.* The department of justice may not
17 commence an action under 42 USC 9607 against any voluntary party meeting the
18 criteria of this subsection to recover costs for which the voluntary party is exempt
19 under pars. (a), ~~(ae)~~ (ae), (ag), (am), (at) and (b).

NOTE: Corrects cross-reference. There is no s. 292.15 (2) (ac). Section 292.15 (2) (ae) relates to exemptions for voluntary parties.

ASSEMBLY BILL 967

1 **SECTION 142.** 292.15 (3) of the statutes, as affected by 1999 Wisconsin Act 9,
2 is amended to read:

3 292.15 **(3)** SUCCESSORS AND ASSIGNS. An exemption provided in sub. (2) applies
4 to any successor or assignee of the voluntary party if the successor or assignee
5 complies with the provisions of sub. (2) (a) 4. and 5. or (ae) 3m., 4. and 5. and, if
6 applicable, sub. (2) (ag) 4. or (am) as though the successor or assignee were the
7 voluntary party except that the exemption in sub. (2) does not apply if the successor
8 or assignee knows that a certificate under sub. (2) (a) 3., (ae) 3., (ag) ~~12.~~ 2. or (am)
9 was obtained by any of the means or under any of the circumstances specified in sub.
10 (2) (a) 6.

NOTE: Corrects cross-reference. There is no s. 292.15 (2) (ag) 12. Section 292.15
(2) (ag) 2. relates to certificates of completion.

11 **SECTION 143.** 292.65 (8) (e) 3am. of the statutes, as created by 1999 Wisconsin
12 Act 9, is renumbered 292.65 (8) (e) 3. am.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act
9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

13 **SECTION 144.** 292.65 (8) (e) 3ar. of the statutes, as created by 1999 Wisconsin
14 Act 9, is renumbered 292.65 (8) (e) 3. ar.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1999 Wis. Act
9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

15 **SECTION 145.** 292.65 (8m) of the statutes, as created by 1999 Wisconsin Act 9,
16 is amended to read:

17 292.65 **(8m)** REIMBURSEMENT OF INSURANCE PROCEEDS. If, after the owner or
18 operator receives an award under this section, the owner or operator receives
19 payment from an insurance company arising out of a claim for payment of any
20 eligible costs, the owner or operator shall pay to the department the amount by which
21 the insurance payment exceeds the sum of the deductible and the amount by which

ASSEMBLY BILL 967

1 the amount calculated under ~~par. sub. (8)~~ (e) exceeds the maximum award under ~~par.~~
2 sub. (8) (f), but not more than the amount of the award received. The amounts
3 collected by the department under this subsection shall be deposited in the dry
4 cleaner environmental response fund.

NOTE: Corrects cross-references. Section 292.65 (8m) is not separated into paragraphs. Section 292.15 (8) (e) relates to calculation of the deductible and sub. (8) (f) provides the maximum award.

5 **SECTION 146.** 301.08 (1) (b) 4. of the statutes, as created by 1999 Wisconsin Act
6 9, is amended to read:

7 301.08 (1) (b) 4. Contract with not more than 5 counties or with not more than
8 5 consortia of counties for the operation of not more than 5 secured group homes for
9 the placement of juveniles who have been convicted under s. 938.183 or adjudicated
10 delinquent under s. ~~983.183~~ 938.183 or 938.34 (4m). The contract shall specify that
11 the county or counties operating a secured group home must comply with all rules
12 of the department that are applicable to the treatment of juveniles who are placed
13 in a secured correctional facility.

NOTE: Corrects cross-reference consistent with the remainder of s. 301.08 (1) (b).
There is no s. 983.183.

14 **SECTION 147.** 342.12 (3) (b) of the statutes is amended to read:

15 342.12 (3) (b) The applicant has filed with the department a bond in the form
16 prescribed by the department and executed by the applicant, and either
17 accompanied by the deposit of cash with the department or also executed by a person
18 authorized to conduct a surety business in this state. The bond shall be in an amount
19 equal to one and one-half times the value of the vehicle as determined by the
20 department and conditioned to indemnify any prior owner and secured party and any
21 subsequent purchaser of the vehicle or person acquiring any security interest in it,
22 and their respective successors in interest, against any expense, loss or damage,

ASSEMBLY BILL 967

1 including reasonable attorney fees, by reason of the issuance of the certificate of title
2 of for the vehicle or on account of any defect in or undisclosed security interest upon
3 the right, title and interest of the applicant in and to the vehicle. Any such interested
4 person has a right of action to recover on the bond for any breach of its conditions,
5 but the aggregate liability of the surety to all persons shall not exceed the amount
6 of the bond. The bond, and any deposit accompanying it, shall be returned at the end
7 of 5 years or prior thereto if, apart from this section, a nondistinctive certificate of
8 title could then be issued for the vehicle, or if the vehicle is no longer registered in
9 this state and the currently valid certificate of title is surrendered to the department,
10 unless the department has been notified of the pendency of an action to recover on
11 the bond.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout
ch. 342.

12 **SECTION 148.** 342.282 (2) of the statutes is amended to read:

13 342.282 (2) The department issues a certificate of title of for the vehicle under
14 this chapter.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout
ch. 342.

15 **SECTION 149.** 342.283 of the statutes is amended to read:

16 **342.283 Distinctive certificate.** If the department is not satisfied that there
17 are no undisclosed security interests, created before June 1, 1966, in a previously
18 certificated vehicle, it shall, unless the applicant fulfills the requirements of s. 342.12
19 (3), issue a distinctive certificate of title of for the vehicle containing the legend “This
20 vehicle may be subject to an undisclosed security interest” and any other information
21 the department prescribes.

NOTE: Replaces “of” with “for” in order to make terminology consistent throughout
ch. 342.

ASSEMBLY BILL 967

1 **SECTION 150.** 343.085 (2m) (a) 2. of the statutes, as created by 1999 Wisconsin
2 Act 9, is amended to read:

3 343.085 **(2m)** (a) 2. Between the hours of 12 midnight and 5 a.m., unless the
4 licensee’s parent or guardian, or a person who meets the requirements under s.
5 343.07 (1) (a), occupies the seat beside the licensee, or unless the licensee is traveling
6 between his or her place of residence, school ~~or~~ and place of employment.

NOTE: Corrects sentence agreement problem.

7 **SECTION 151.** The treatment of 343.085 (3) of the statutes by 1997 Wisconsin
8 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

9 **SECTION 152.** The treatment of 343.085 (5) of the statutes by 1997 Wisconsin
10 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

11 **SECTION 153.** 343.24 (2m) of the statutes is amended to read:

12 343.24 **(2m)** If the department, in maintaining a computerized operating
13 record system, makes copies of its operating record file ~~data-base~~ database, or a
14 portion thereof, on computer tape or other electronic media, copies of the tape or
15 media may be furnished to any person on request. The department may also furnish
16 to any person upon request records on computer tape or other electronic media that
17 contain information from files of uniform traffic citations or motor vehicle accidents
18 and ~~which~~ that were produced for or developed by the department for purposes
19 related to maintenance of the operating record file ~~data-base~~ database. The
20 department shall charge a fee of \$3 for each file of vehicle operators’ records
21 contained in the tape or media. The department shall charge a fee of not more than
22 \$3 for each file of uniform traffic citations or motor vehicle accidents contained in the

ASSEMBLY BILL 967

1 tape or media. Nothing in this subsection requires the department to produce
2 records of particular files or data in a particular format except as those records or
3 data are made by the department for its purposes.

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

4 **SECTION 154.** The treatment of 343.32 (2) (c) of the statutes by 1997 Wisconsin
5 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

6 **SECTION 155.** The treatment of 345.47 (1) (b) of the statutes by 1997 Wisconsin
7 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

8 **SECTION 156.** 348.26 (1m) of the statutes is amended to read:

9 348.26 (1m) TELEPHONE CALL-IN PROCEDURE. The department shall develop and
10 implement a telephone call-in procedure for permits issued under this section. The
11 telephone call-in procedure for permits may not be utilized until permit information
12 is computerized to ensure inquiry capability into the ~~data base~~ database for
13 enforcement purposes.

NOTE: Corrects spelling.

14 **SECTION 157.** 409.302 (1) (g) and (h) of the statutes are amended to read:

15 409.302 (1) (g) An assignment for the benefit of all the creditors of the
16 transferor, and subsequent transfers by the assignee thereunder; or

17 (h) A security interest in investment property which is perfected without filing
18 under s. 409.115 or 409.116; ~~or~~.

NOTE: Amends the structure of s. 409.302 (1) to reflect the renumbering of s.
409.302 (1) (i) to s. 409.302 (3) (e) by 1999 Wis. Act 9.

19 **SECTION 158.** 409.313 (4) (c) and (d) of the statutes are amended to read:

20 409.313 (4) (c) The fixtures are readily removable factory or office machines or
21 readily removable replacements of domestic appliances which are consumer goods,

ASSEMBLY BILL 967

1 and before the goods become fixtures the security interest is perfected by any method
2 permitted by this chapter; ~~or~~

3 (d) The conflicting interest is a lien on the real estate obtained by legal or
4 equitable proceedings after the security interest was perfected by any method
5 permitted by this chapter; or

NOTE: Amends the structure of s. 409.313 (4) to reflect the creation of s. 409.313 (4)
(e) by 1999 Wis. Act 9.

6 **SECTION 159.** 441.50 (1) (n) of the statutes, as created by 1999 Wisconsin Act
7 22, is amended to read:

8 441.50 (1) (n) “State practice laws” means those individual ~~party’s state~~ party
9 state’s laws and regulations that govern the practice of nursing, define the scope of
10 nursing practice, and create the methods and grounds for imposing discipline. “State
11 practice laws” does not include the initial qualifications for licensure or
12 requirements necessary to obtain and retain a license, except for qualifications or
13 requirements of the home state.

NOTE: Corrects spelling.

14 **SECTION 160.** 441.50 (7) (a) and (e) of the statutes, as created by 1999 Wisconsin
15 Act 22, are amended to read:

16 441.50 (7) (a) All party states shall participate in a cooperative effort to create
17 a coordinated ~~data base~~ database of all licensed registered nurses and licensed
18 practical/vocational nurses. This system will include information on the licensure
19 and disciplinary history of each nurse, as contributed by party states, to assist in the
20 coordination of nurse licensure and enforcement efforts.

21 (e) Any personally identifiable information obtained by a party states’ state’s
22 licensing board from the coordinated licensure information system may not be

ASSEMBLY BILL 967

1 shared with nonparty states or disclosed to other entities or individuals except to the
2 extent permitted by the laws of the party state contributing the information.

NOTE: Corrects spelling.

3 **SECTION 161.** 448.951 of the statutes, as created by 1999 Wisconsin Act 9, is
4 amended to read:

5 **448.951 Use of title.** Except as provided in s. 448.952, no person may
6 designate himself or herself as an athletic trainer or use or assume the title “athletic
7 trainer”, “licensed athletic trainer”, “certified athletic trainer” or “registered athletic
8 trainer” or append to the person’s name any other title, letters or designation ~~which~~
9 that represents or may tend to represent the person as an athletic trainer unless the
10 person is licensed under this subchapter.

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

11 **SECTION 162.** 448.953 (4) (b) of the statutes, as created by 1999 Wisconsin Act
12 9, is amended to read:

13 448.953 (4) (b) If a person who is issued a temporary license under par. (a)
14 satisfies the requirements under sub. (1) (f) and (h) before the temporary license
15 expires, the affiliated credentialing ~~credentialing~~ board shall issue the person a
16 license under sub. (1).

NOTE: Deletes repeated word.

17 **SECTION 163.** 560.035 of the statutes is amended to read:

18 **560.035 ~~Data base~~ Database of women’s businesses.** The department
19 shall develop, maintain and keep current a computer ~~data base~~ database of
20 businesses in the state that are owned by women, containing demographic statistics
21 and information on the types of industries represented, sales volume and growth

ASSEMBLY BILL 967

1 rates, generation of jobs by both new and existing businesses and any other relevant
2 characteristics.

NOTE: Corrects spelling.

3 **SECTION 164.** 565.30 (5m) (a) (title) of the statutes, as affected by 1999
4 Wisconsin Act 9, section 3025pa, is renumbered 565.30 (5m) (title).

NOTE: Section 565.30 (5m) (title) was improperly shown as having been
renumbered to s. 565.30 (5m) (a) (title) by 1999 Wis. Act 9.

5 **SECTION 165.** 703.16 (4) of the statutes is amended to read:

6 703.16 (4) ASSESSMENTS CONSTITUTE LIEN. All assessments, until paid, together
7 with interest on them and actual costs of collection, constitute a lien on the units on
8 which they are assessed, if a statement of lien is filed within 2 years after the date
9 the assessment becomes due. The lien is effective against a unit at the time the
10 assessment became due regardless of when within the 2-year period it is filed. A
11 statement of condominium lien is filed in the land records of the clerk of circuit court
12 of the county where the unit is located, stating the description of the unit, the name
13 of the record owner, the amount due and the period for which the assessment was
14 due. The clerk of circuit court shall index the statement of condominium lien under
15 the name of the record owner in the judgment and lien docket. The statement of
16 condominium lien shall be signed and verified by an officer or agent of the association
17 as specified in the bylaws and then may be filed. On full payment of the assessment
18 for which the lien is claimed, the unit owner shall be entitled to a ~~fileable~~ satisfaction
19 of the lien that may be filed with the clerk of circuit court.

NOTE: Corrects spelling. Under s. 35.17, “On questions of orthography the current
edition of Webster’s new international dictionary shall be taken as the standard.” The
dictionary does not contain “fileable”.

20 **SECTION 166.** 707.37 (2) (b) of the statutes is amended to read:

ASSEMBLY BILL 967

1 707.37 (2) (b) A statement of time-share lien shall be filed in the land records
2 of the office of the clerk of circuit court of the county where the time-share property
3 is located, stating the description of the time-share property and the time share, the
4 name of the time-share owner, the amount due and the period for which the
5 assessment for time-share expenses was due. The clerk of circuit court shall index
6 the statement of time-share lien under the name of the time-share owner in the
7 judgment and lien docket. The statement of time-share lien shall be signed and
8 verified by an officer or agent of the association as specified in the bylaws or, if there
9 is no association, a representative of the time-share owners. On full payment of the
10 assessment for which the lien is claimed, the time-share owner shall be entitled to
11 a ~~fileable~~ satisfaction of the lien that may be filed with the clerk of circuit court.

NOTE: Corrects spelling. Under s. 35.17, "On questions of orthography the current edition of Webster's new international dictionary shall be taken as the standard." The dictionary does not contain "fileable".

12 **SECTION 167.** 767.47 (1m) (intro.) of the statutes is amended to read:

13 767.47 (1m) (intro.) If the child was born in this state, the petitioner shall
14 present a certified copy of the child's birth certificate or a printed copy of the record
15 from the birth ~~data base~~ database of the state registrar to the court, so that the court
16 is aware of whether a name has been inserted on the birth certificate as the father
17 of the child, at the earliest possible of the following:

NOTE: Corrects spelling.

18 **SECTION 168.** 779.155 (5) (a) of the statutes is amended to read:

19 779.155 (5) (a) For the purpose of administering this section, sworn statements
20 of the contractor setting forth the unpaid lien claims that have been or may be filed
21 ~~or fileable~~ under s. 779.15 may be accepted by the proper officer, board, department
22 or commission, unless the judgment creditor or other interested person gives written

ASSEMBLY BILL 967**SECTION 168**

1 notice that an action is pending to determine whether specified lien claims were
2 incurred in performing the public work and the amount thereof, or to determine
3 priorities in which event payments shall await the result of the action.

NOTE: Corrects spelling. Under s. 35.17, “On questions of orthography the current edition of Webster’s new international dictionary shall be taken as the standard.” The dictionary does not contain “filable”.

4 **SECTION 169.** The treatment of 800.09 (1) (c) of the statutes by 1997 Wisconsin
5 Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

6 **SECTION 170.** The treatment of 800.095 (4) (b) 4. of the statutes by 1997
7 Wisconsin Act 84 is not repealed by 1999 Wisconsin Act 9. Both treatments stand.

NOTE: There are no conflicts of substance.

8 **SECTION 171.** 880.75 (1) (f), (2) and (3) of the statutes are amended to read:

9 880.75 (1) (f) ~~“Third-party”~~ “Third party” is a person other than a bank, broker,
10 transfer agent or issuer who with respect to a security held by a minor effects a
11 transaction otherwise than directly with the minor.

12 **(2) SECURITY TRANSACTIONS INVOLVING MINORS; LIABILITY.** A bank, broker, issuer,
13 ~~third-party~~ third party or transfer agent incurs no liability by reason of his or her
14 treating a minor as having capacity to transfer a security, to receive or to empower
15 others to receive dividends, interest, principal, or other payments or distributions,
16 to vote or give consent in person or by proxy, or to make elections or exercise rights
17 relating to the security, unless prior to acting in the transaction the bank, broker,
18 issuer, ~~third-party~~ third party or transfer agent had received written notice in the
19 office acting in the transaction that the specific security is held by a minor or unless
20 an individual conducting the transaction for the bank, broker, issuer, ~~third-party~~
21 third party or transfer agent had actual knowledge of the minority of the holder of
22 the security. Except as otherwise provided in this section, such a bank, broker, issuer,

ASSEMBLY BILL 967

1 ~~third-party~~ third party or transfer agent may assume without inquiry that the
2 holder of a security is not a minor.

3 **(3)** ACTS OF MINORS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE. A minor, who
4 has transferred a security, received or empowered others to receive dividends,
5 interest, principal, or other payments or distributions, voted or given consent in
6 person or by proxy, or made an election or exercised rights relating to the security,
7 has no right thereafter, as against a bank, broker, issuer, ~~third-party~~ third party or
8 transfer agent to disaffirm or avoid the transaction, unless prior to acting in the
9 transaction the bank, broker, issuer, ~~third-party~~ third party or transfer agent
10 against whom the transaction is sought to be disaffirmed or avoided had received
11 notice in the office acting in the transaction that the specific security is held by a
12 minor or unless an individual conducting the transaction for the bank, broker, issuer,
13 ~~third-party~~ third party or transfer agent had actual knowledge of the minority of the
14 holder.

NOTE: Inserts correct word form.

15 **SECTION 172.** 880.76 (2) of the statutes is amended to read:

16 880.76 **(2)** SECURITY TRANSACTIONS INVOLVING INCOMPETENT OR SPENDTHRIFT;
17 LIABILITY. A bank, broker, issuer, ~~third-party~~ third party or transfer agent incurs no
18 liability by reason of his or her treating an incompetent or spendthrift as having
19 capacity to transfer a security, to receive or to empower others to receive dividends,
20 interest, principal, or other payments or distributions, to vote or give consent in
21 person or by proxy, or to make elections or exercise rights relating to the security,
22 unless prior to acting in the transaction the bank, broker, issuer, ~~third-party~~ third
23 party or transfer agent had received written notice in the office acting in the
24 transaction that the specific security is held by a person who has been adjudicated

ASSEMBLY BILL 967

1 an incompetent or a spendthrift or unless an individual conducting the transaction
2 for the bank, broker, issuer, ~~third-party~~ third party or transfer agent had actual
3 knowledge that the holder of the security is a person who has been adjudicated an
4 incompetent or a spendthrift, or actual knowledge of filing of lis pendens as provided
5 in s. 880.215. Except as otherwise provided in this section, such a bank, broker,
6 issuer, ~~third-party~~ third party or transfer agent may assume without inquiry that
7 the holder of a security is not an incompetent or spendthrift.

NOTE: Inserts correct word form.

8 **SECTION 173.** 880.76 (3) of the statutes is amended to read:

9 880.76 (3) ACTS NOT SUBJECT TO DISAFFIRMANCE OR AVOIDANCE. An incompetent
10 or spendthrift, who has transferred a security, received or empowered others to
11 receive dividends, interest, principal, or other payments or distributions, voted or
12 given consent in person or by proxy, or made an election or exercised rights relating
13 to the security, has no right thereafter, as against a bank, broker, issuer, ~~third-party~~
14 third party or transfer agent to disaffirm or avoid the transaction, unless prior to
15 acting in the transaction the bank, broker, issuer, ~~third-party~~ third party or transfer
16 agent against whom the transaction is sought to be disaffirmed or avoided had
17 received notice in the office acting in the transaction that the specific security is held
18 by a person who has been adjudicated an incompetent or a spendthrift or unless an
19 individual conducting the transaction for the bank, broker, issuer, ~~third-party~~ third
20 party or transfer agent had actual knowledge that the holder is a person who has
21 been adjudicated an incompetent or a spendthrift, or actual knowledge of filing of lis
22 pendens as provided in s. 880.215.

NOTE: SECTIONS 172 and 173 insert correct word form.

23 **SECTION 174.** 895.46 (6) of the statutes is amended to read:

ASSEMBLY BILL 967

1 895.46 (6) The protection afforded by this section applies to any criminal action
2 under s. 291.97 (2) or 293.87 (2) or under 7 USC 136L (b), 15 USC 2616 (b), 33 USC
3 1319 (c), 42 USC 2284, 6928 (d) and (e), 6973 (b), 6992 (b) and (c), 7413 (c), 9603 (b),
4 9606 (b) and 11045 (b) or 49 USC ~~appendix 1809 (b)~~ 5124 that is commenced against
5 a state officer or state employe who is proceeded against in his or her official capacity
6 or as an individual because of acts committed in the storage, transportation,
7 treatment or disposal of hazardous substances, as defined in s. 289.01 (11), if that
8 officer or employe is found to be acting within the scope of his or her employment and
9 if the attorney general determines that the state officer or state employe acted in
10 good faith. Regardless of the determination made by the attorney general, the
11 protection afforded by this section applies if the state officer or agent is not found
12 guilty of the criminal action commenced under this subsection. This protection
13 includes the payment of reasonable attorney fees in defending the action and costs
14 or fines arising out of the action.

NOTE: 49 USC Appendix 1809 (b) was codified as 49 USC 5124.

15 **SECTION 175.** 895.58 (1) (d) of the statutes, as created by 1999 Wisconsin Act
16 9, is amended to read:

17 895.58 (1) (d) “Special waste” means any solid waste ~~which~~ that is
18 characterized for beneficial use in public works projects by the department of natural
19 resources.

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

20 **SECTION 176.** 938.34 (8) of the statutes, as affected by 1997 Wisconsin Act 84
21 and 1999 Wisconsin Act 9, is amended to read:

22 938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that
23 this disposition is in the best interest of the juvenile and in aid of rehabilitation. The

ASSEMBLY BILL 967

1 maximum forfeiture that the court may impose under this subsection for a violation
2 by a juvenile is the maximum amount of the fine that may be imposed on an adult
3 for committing that violation or, if the violation is applicable only to a person under
4 18 years of age, \$100. Any such order shall include a finding that the juvenile alone
5 is financially able to pay the forfeiture and shall allow up to 12 months for payment.
6 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order
7 other alternatives under this section, in accordance with the conditions specified in
8 this chapter; or the court may suspend any license issued under ch. 29 for not less
9 than 30 days nor more than 5 years, or, unless the forfeiture was imposed for
10 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may
11 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not more
12 than 2 years. If the court suspends any license under this subsection, the clerk of the
13 court shall immediately take possession of the suspended license and forward it to
14 the department which issued the license, together with a notice of suspension clearly
15 stating that the suspension is for failure to pay a forfeiture imposed by the court. If
16 the forfeiture is paid during the period of suspension, the suspension shall be reduced
17 to the time period which has already elapsed and the court shall immediately notify
18 the department which shall then return the license to the juvenile. Any recovery
19 under this subsection shall be reduced by the amount recovered as a forfeiture for
20 the same act under s. 938.45 (1r) (b).

NOTE: The second underscored comma was inserted by 1999 Wis. Act 9 without being shown as underscored. The change was intended. The first underscored comma is inserted to correct grammar.

21 **SECTION 177.** 938.343 (2) of the statutes, as affected by 1997 Wisconsin Act 84
22 and 1999 Wisconsin Act 9, is amended to read:

ASSEMBLY BILL 967

1 938.343 (2) Impose a forfeiture not to exceed the maximum forfeiture that may
2 be imposed on an adult for committing that violation or, if the violation is only
3 applicable to a person under 18 years of age, \$50. Any such order shall include a
4 finding that the juvenile alone is financially able to pay and shall allow up to 12
5 months for the payment. If a juvenile fails to pay the forfeiture, the court may
6 suspend any license issued under ch. 29 or, unless the forfeiture was imposed for
7 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may
8 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not less
9 than 2 years. The court shall immediately take possession of the suspended license
10 and forward it to the department which issued the license, together with the notice
11 of suspension clearly stating that the suspension is for failure to pay a forfeiture
12 imposed by the court. If the forfeiture is paid during the period of suspension, the
13 court shall immediately notify the department, which will thereupon return the
14 license to the person. Any recovery under this subsection shall be reduced by the
15 amount recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

NOTE: The underscored comma is inserted to correct grammar.

16 **SECTION 178.** 945.03 (2m) (intro.) of the statutes, as created by 1999 Wisconsin
17 Act 9, is amended to read:

18 945.03 (2m) (intro.) If the violation of sub. (1m) involves the possession,
19 operation, ~~set-up~~ setup, collection of proceeds, participation in earnings or
20 maintenance of, or involves acting as the custodian of anything of value bet or offered
21 to be bet on, not more than 5 video gambling machines on premises for which a
22 Class "B" or "Class B" license or permit has been issued under ch. 125, the person
23 may be penalized as follows:

NOTE: Inserts correct word form.

ASSEMBLY BILL 967

1 **SECTION 179.** 945.04 (2m) (intro.) of the statutes, as created by 1999 Wisconsin
2 Act 9, is amended to read:

3 **945.04 (2m)** If the violation of sub. (1m) involves the ~~set-up~~ setup or use of not
4 more than 5 video gambling machines on premises for which a Class “B” or “Class B”
5 license or permit has been issued under ch. 125, the person may be penalized as
6 follows:

NOTE: Inserts correct word form.

7 **SECTION 180.** 968.02 (1) of the statutes is amended to read:

8 **968.02 (1)** Except as otherwise provided in this section, a complaint charging
9 a person with an offense shall be issued only by a district attorney of the county
10 where the crime is alleged to have been committed. A complaint is issued when it
11 is approved for filing by the district attorney. The approval shall be in the form of
12 a written ~~indorsement~~ endorsement on the complaint.

NOTE: Inserts preferred spelling.

13 **SECTION 181.** 968.20 (1) of the statutes is amended to read:

14 **968.20 (1)** Any person claiming the right to possession of property seized
15 pursuant to a search warrant or seized without a search warrant may apply for its
16 return to the circuit court for the county in which the property was seized or where
17 the search warrant was returned. The court shall order such notice as it deems
18 adequate to be given the district attorney and all persons who have or may have an
19 interest in the property and shall hold a hearing to hear all claims to its true
20 ownership. If the right to possession is proved to the court’s satisfaction, it shall
21 order the property, other than contraband or property covered under sub. (1m) or (1r)
22 or s. 173.12 or 173.21 (4) ~~(b)~~, returned if:

NOTE: Section 173.21 (4) is not divided into multiple paragraphs.

ASSEMBLY BILL 967

1 **SECTION 182.** 972.11 (5) (b) 2. e. of the statutes is amended to read:

2 972.11 (5) (b) 2. e. A statement setting forth the allele frequency and genotype
3 data for the appropriate ~~data base~~ database used.

NOTE: Corrects spelling.

4 **SECTION 183.** 973.032 (2) (b) of the statutes, as affected by 1999 Wisconsin Act
5 9, is amended to read:

6 973.032 (2) (b) Notwithstanding par. (a), a the court may not sentence a person
7 under sub. (1) if he or she is convicted of a felony punishable by life imprisonment
8 or has at any time been convicted, adjudicated delinquent or found not guilty or not
9 responsible by reason of insanity or mental disease, defect or illness for committing
10 a violent offense, as defined in s. 301.048 (2) (bm).

NOTE: 1999 Wis. Act 9 deleted “the” and inserted “a” without striking and underscoring. The change was unintended.

11 **SECTION 184.** 973.055 (1) (a) 1. of the statutes is amended to read:

12 973.055 (1) (a) 1. The court convicts the person of a violation of a crime specified
13 in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (1m), 940.201, 940.21,
14 940.225, 940.23, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44, 940.45,
15 940.48, 941.20, 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01, 947.012 or
16 947.0125 or of a municipal ordinance conforming to s. 940.201, 941.20, ~~940.201~~,
17 941.30, 943.01, 943.011, 943.14, 943.15, 946.49, 947.01, 947.012 or 947.0125; and

NOTE: Corrects cross-reference order.

18 **SECTION 185.** 1999 Wisconsin Act 9, section 1172g is amended by replacing “for
19 all persons ~~specified in sub. (2) (ag) (intro.) employes or contractors~~ who are
20 caregivers of the entity” with “for all persons ~~specified in sub. (2) (ag) (intro.)~~ who are
21 ~~employes or contractors~~ caregivers of the entity”.

NOTE: Existing text, “who are” was shown as underscored and in the wrong location within the paragraph.

ASSEMBLY BILL 967

1 **SECTION 186.** 1999 Wisconsin Act 9, section 2127 is amended by replacing
2 “121.004 (7) (a) (intro.)” with “121.004 (7) (a)” in 2 places.

NOTE: Section 121.004 (7) (a) is amended. Section 121.004 (7) (a) does not have an
(intro.).

3 **SECTION 187.** 1999 Wisconsin Act 9, section 2554j is amended by replacing
4 “254.48 of the statutes is created to read:” with “254.48 and 254.49 of the statutes are
5 created to read:”

NOTE: Section 254.49 was created by 1999 Wis. act 9, but its creation was not noted
in an action phrase in the Act.

6 **SECTION 188.** 1999 Wisconsin Act 9, section 2637 is amended by replacing
7 “292.65 (8) (e) 3a.” with “292.65 (8) (e) 3. a.” in 2 places.

NOTE: Inserts period to correct statute citation. There is no s. 292.65 (8) (e) 3a. 1999
Wis. Act 9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

8 **SECTION 189.** 1999 Wisconsin Act 9, section 2640 is amended by replacing
9 “292.65 (8) (e) 3b.” with “292.65 (8) (e) 3. b.” in 2 places.

NOTE: Inserts period to correct statute citation. There is no s. 292.65 (8) (e) 3b. 1999
Wis. Act 9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

10 **SECTION 190.** 1999 Wisconsin Act 9, section 2641 is amended by replacing
11 “292.65 (8) (e) 3c.” with “292.65 (8) (e) 3. c.” in 2 places.

NOTE: Inserts period to correct statute citation. There is no s. 292.65 (8) (e) 3c. 1999
Wis. Act 9 treated s. 292.65 (8) (e) 3. a. to c., but the period was omitted in each case.

12 **SECTION 191.** 1999 Wisconsin Act 9, section 3025pj is amended by replacing
13 “565.30 (5t) of the statutes is amended to read:” with “565.30 (5t) (intro.) of the
14 statutes is amended to read:”

NOTE: 1999 Wisconsin Act 9 only amends s. 565.30 (5t) (intro.), not s. 565.30 (5t)
in its entirety.

15 **SECTION 192.** 1999 Wisconsin Act 9, section 9150 (7c) is amended to read:
16 [1999 Wisconsin Act 9], section 9150 (7c) HARTFORD HERITAGE AUTO MUSEUM.
17 Notwithstanding section ~~86.91~~ 86.19 (1) of the statutes, as affected by this act, the
18 department of transportation shall erect directional signs along USH 41 near the

ASSEMBLY BILL 967

1 interchange with STH 60 for the Hartford Heritage Auto Museum located in
2 Hartford in Washington County. The department may not charge any fee related to
3 signs erected under this subsection.

NOTE: Corrects transposed number. There is no s. 86.91. Drafting records indicate
a cross-reference to s. 86.19 was intended.

SECTION 193. Terminology changes.

5 (1) Wherever “employe”, “employees”, “employee’s” or “employees” appear in the
6 statutes, “employee”, “employees”, “employee’s” or “employees” are substituted.

7 (2) Notwithstanding subsection (1), any person may use either spelling of these
8 terms for any official purpose.

9 **SECTION 194. Effective dates.** This act takes effect on the day after
10 publication, except as follows:

11 (1) The treatment of section 565.30 (5m) (a) (title) of the statutes takes effect
12 on May 1, 2000.

13 (2) The treatment of sections 448.951, 448.953 (4) (b) and 895.48 (1m) (intro.)
14 of the statutes takes effect on November 1, 2000.

15 (3) The treatment of sections 938.34 (8) and 938.343 (2) of the statutes takes
16 effect on the date stated in the notice published by the secretary of transportation
17 in the Wisconsin Administrative Register under section 85.515 of the statutes, or on
18 May 1, 2001, whichever is earlier.

19 (4) The treatment of section 39.435 (6) of the statutes takes effect on the date
20 stated in the notice published by the Department of Workforce Development in the
21 Wisconsin Administrative Register under section 49.854 (2) (e) of the statutes by
22 1999 Wisconsin Act 9.

