



2009 ASSEMBLY BILL 573

November 10, 2009 – Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Rules.

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

Analysis by the Legislative Reference Bureau

This correction bill, prepared by the Legislative Reference Bureau under s. 13.92 (1) (bm) 1. and 2. and (2) (i) and (L), stats., is explained in the NOTES in the body of the bill. In accordance with current drafting style, commas before the last item in a series are added throughout this bill. “Which” is replaced by “that” where grammatically correct. This bill is not intended to make any substantive changes.

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

6 **SECTION 1.** 5.05 (1) (c) of the statutes, as affected by 2007 Wisconsin Act 1, is
7 amended to read:

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1 5.05 (1) (c) Bring civil actions to require a forfeiture for any violation of chs. 5
2 to 12, subch. III of ch. 13, or subch. III of ch. 19 or a license revocation for any violation
3 of subch. III of ch. 13 for which the offender is subject to a revocation. The board may
4 compromise and settle any civil action or potential action brought or authorized to
5 be brought by it which, in the opinion of the board, constitutes a minor violation, a
6 violation caused by excusable neglect, or which for other good cause shown, should
7 not in the public interest be prosecuted under such chapter. Notwithstanding s.
8 778.06, a civil action or proposed civil action authorized under this paragraph may
9 be settled for such sum as may be agreed between the parties. Any settlement made
10 by the board shall be in such amount as to deprive the alleged violator of any benefit
11 of his or her wrongdoing and may contain a penal component to serve as a deterrent
12 to future violations. In settling civil actions or proposed civil actions, the board shall
13 treat comparable situations in a comparable manner and shall assure that any
14 settlement bears a reasonable relationship to the severity of the offense or alleged
15 offense. Except as otherwise provided in sub. (2m) (c) 15. and 16. and ss. 5.08, 5.081,
16 ~~19.535~~, and 19.59 (8), forfeiture and license revocation actions brought by the board
17 shall be brought in the circuit court for the county where the defendant resides, or
18 if the defendant is a nonresident of this state, in circuit court for the county wherein
19 the violation is alleged to occur. For purposes of this paragraph, a person other than
20 a natural person resides within a county if the person's principal place of operation
21 is located within that county. Whenever the board enters into a settlement
22 agreement with an individual who is accused of a civil violation of chs. 5 to 12, subch.
23 III of ch. 13, or subch. III of ch. 19 or who is investigated by the board for a possible
24 civil violation of one of those provisions, the board shall reduce the agreement to
25 writing, together with a statement of the board's findings and reasons for entering

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1 into the agreement and shall retain the agreement and statement in its office for
2 inspection.

NOTE: Section 19.535 was repealed by 2007 Wis. Act 1.

3 **SECTION 2.** The treatment of 6.47 (1) (b) of the statutes by 2005 Wisconsin Act
4 277 is not repealed by 2005 Wisconsin Act 278. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau s. 6.47 (1) (b) reads:

(b) "Offense relating to domestic abuse, sexual assault, or stalking" means an
offense specified in s. 940.19, 940.20 (1m), 940.201, 940.22, 940.225, 940.32, 947.013,
948.02, 948.025, 948.06, 948.085, 948.09, or 948.095.

5 **SECTION 3.** 6.47 (8) (d) of the statutes is repealed.

NOTE: Section 6.47 (8) (d) provides that the municipal clerk shall provide access
to names and addresses on voter lists to clerks of circuit court for the purpose of creating
master jury lists under s. 756.04 (5) (a). Supreme Court Order 08-01 repealed s. 756.04
(5) (a) rendering s. 6.47 (8) (d) without effect.

6 **SECTION 4.** 6.97 (title) of the statutes is amended to read:

7 **6.97 (title) Voting procedure for individuals not providing required**
8 **identification proof of residence.**

NOTE: Conforms title to text of section. 2005 Wis. Act 451 amended s. 6.97, stats.,
to substitute "proof of residence" for "identification."

9 **SECTION 5.** 7.37 (13) of the statutes is amended to read:

10 **7.37 (13) CLOSING OF POLLS.** For each polling place, the municipal clerk shall
11 designate an official of the municipality who shall position himself or herself at the
12 end of the line of individuals waiting to vote, if any, at the time that the polls officially
13 close. The official may be an inspector or special registration deputy appointed under
14 s. 6.55 (6) who serves at that polling place, an employee of the municipal clerk or a
15 police officer. Only individuals in line ahead of the official shall be permitted to vote
16 under s. 6.78 (4).

NOTE: Corrects punctuation. The corrected text is printed in the 2007-08 Statutes.

17 **SECTION 6.** 10.62 (intro.) of the statutes is amended to read:

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1 **10.62 Elections Government accountability board; spring primary and**
2 **election.** (intro.) The following subsections set forth, in chronological order, dates
3 relating to the spring primary and election or occurrences during the spring period
4 that affect the elections government accountability board:

NOTE: 2007 Wis. Act 1 replaced “elections board” with “government accountability board” throughout the statutes.

5 **SECTION 7.** 10.68 (2) (b) of the statutes is amended to read:

6 10.68 (2) (b) *Friday after 1st Tuesday in January.* 4:30 p.m., on the Friday after
7 the 1st Tuesday in January, or the following Monday if Tuesday is a holiday, is the
8 deadline for candidates for state office or municipal judge to file statements of
9 economic interests with the ethics government accountability board unless the
10 deadline for filing is extended. See s. 19.43 (4).

NOTE: 2007 Wis. Act 1 replaced “ethics board” with “government accountability board” throughout the statutes.

11 **SECTION 8.** 10.72 (intro.) of the statutes is amended to read:

12 **10.72 Elections Government accountability board; September**
13 **primary and general election.** (intro.) The following subsections set forth, in
14 chronological order, dates relating to the September primary and general election or
15 occurrences during the fall period that affect the elections government
16 accountability board:

NOTE: 2007 Wis. Act 1 replaced “elections board” with “government accountability board” throughout the statutes.

17 **SECTION 9.** 10.72 (8) (a) 2. of the statutes is amended to read:

18 10.72 (8) (a) 2. Following the canvass, the elections government accountability
19 board issues certificates of election. See s. 7.70 (5) (a).

NOTE: 2007 Wis. Act 1 replaced “elections board” with “government accountability board” throughout the statutes.

20 **SECTION 10.** 10.78 (2) (c) of the statutes is amended to read:

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1 10.78 (2) (c) *Friday after 2nd Tuesday in July.* 4:30 p.m., on the Friday after
2 the 2nd Tuesday in July, is the deadline for candidates for state office to file
3 statements of economic interests with the ~~ethics~~ government accountability board
4 unless the deadline for filing is extended. See s. 19.43 (4).

NOTE: 2007 Wis. Act 1 replaced “ethics board” with “government accountability board” throughout the statutes.

5 **SECTION 11.** 10.82 (1) (title) of the statutes is amended to read:

6 10.82 (1) (title) ~~ELECTIONS~~ GOVERNMENT ACCOUNTABILITY BOARD.

NOTE: 2007 Wis. Act 1 replaced “elections board” with “government accountability board” throughout the statutes.

7 **SECTION 12.** 15.197 (12) (i) of the statutes is amended to read:

8 15.197 (12) (i) A representative of the ~~council on~~ board for people with
9 developmental disabilities.

NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the “council on developmental disabilities” attached to the department of health and family services to be the “board for people with developmental disabilities” attached to the department of administration.

10 **SECTION 13.** 15.197 (24) (title) of the statutes is renumbered 15.207 (24) (title).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. The remainder of s. 15.197 (24) was renumbered to s. 15.207 (24) by 2007 Wis. Act 20.

11 **SECTION 14.** 16.527 (4) (h) 2. (intro.) of the statutes, as created by 2007
12 Wisconsin Act 20, is amended to read:

13 16.527 (4) (h) 2. (intro.) Subd. 1. shall not apply if either of the ~~follow~~ following
14 occurs:

NOTE: Corrects spelling.

15 **SECTION 15.** The treatment of 16.75 (1m) of the statutes by 2007 Wisconsin Act
16 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 16.75 (1m) reads:

(1m) The department shall award each order or contract for materials, supplies or equipment on the basis of life cycle cost estimates, whenever such action is appropriate.

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Each authority other than the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox River Remediation Authority, the Wisconsin Aerospace Authority, and the Health Insurance Risk-Sharing Plan Authority shall award each order or contract for materials, supplies or equipment on the basis of life cycle cost estimates, whenever such action is appropriate. The terms, conditions and evaluation criteria to be applied shall be incorporated in the solicitation of bids or proposals. The life cycle cost formula may include, but is not limited to, the applicable costs of energy efficiency, acquisition and conversion, money, transportation, warehousing and distribution, training, operation and maintenance and disposition or resale. The department shall prepare documents containing technical guidance for the development and use of life cycle cost estimates, and shall make the documents available to local governmental units.

1 **SECTION 16.** 16.848 (2) (gc) of the statutes, as created by 2007 Wisconsin Act
2 20, is amended to read:

3 16.848 (2) (gc) Subsection (1) does not apply to property that is subject to sale
4 by the department of military affairs under s. ~~21.19 (3)~~ or ~~21.42 (3)~~ 321.03 (2) (b).

NOTE: Corrects cross-reference. Section 21.19 (3) (a) was renumbered s. 321.03 (2) (b) by 2007 Wis. Act 200. The remainder of s. 21.19 (3) and s. 21.42 (3) were repealed by 2007 Wis. Act 200.

5 **SECTION 17.** 16.9645 (1) (b) of the statutes, as created by 2007 Wisconsin Act
6 79, is amended to read:

7 16.9645 (1) (b) “Dispatch center” has the meaning given for “public safety
8 answering point” in s. ~~146.70~~ 256.35 (1) (gm).

NOTE: Corrects cross-reference. Section 146.70 (1) (gm) was renumbered s. 256.35 (1) (gm) by 2007 Wis. Act 130.

9 **SECTION 18.** 16.9645 (1) (d) of the statutes, as created by 2007 Wisconsin Act
10 79, is amended to read:

11 16.9645 (1) (d) “Public safety agency” has the meaning given in s. ~~146.70~~ 256.35
12 (1) ~~(gm)~~ (g).

NOTE: Corrects cross-reference and transcription error. Section 146.70 (1) (g) was renumbered s. 256.35 (1) (g) by 2007 Wis. Act 130. As the result of an error in transcribing 2007 Wis. Act 79, “s. 146.70 (1) (g),” as shown in Act 79, was printed as “s. 146.70 (1) (gm)” in the 2007–08 Statutes.

13 **SECTION 19.** 18.06 (7) (title) of the statutes is created to read:

14 18.06 (7) (title) SPECIAL PROCEDURES.

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NOTE: Reinserts title inadvertently deleted from the statutes by 2005 Wis. Act 22.
The title is printed in the 2007-08 Statutes.

1 **SECTION 20.** 18.06 (8) (ar) 2. (intro.) of the statutes, as created by 2007
2 Wisconsin Act 20, is amended to read:

3 18.06 (8) (ar) 2. (intro.) ~~Subd.~~ Subdivision 1. shall not apply if either of the
4 ~~follow~~ following occurs:

NOTE: Corrects spelling and citation form.

5 **SECTION 21.** 18.55 (6) (e) 2. (intro.) of the statutes, as created by 2007 Wisconsin
6 Act 20, is amended to read:

7 18.55 (6) (e) 2. (intro.) Subdivision 1. shall not apply if either of the ~~follow~~
8 following occurs:

NOTE: Corrects spelling.

9 **SECTION 22.** The treatment of 20.155 (3) (q) of the statutes by 2007 Wisconsin
10 Act 20 is not repealed by 2007 Wisconsin Act 130. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 20.155 (3) (q) reads:

(q) *General program operations and grants.* From the wireless 911 fund, all
moneys received under s. 256.35 (3m) (f) 1. to administer and make grants under s. 256.35
(3m) (d) and supplemental grants under s. 256.35 (3m) (e). No moneys may be
encumbered or expended from this appropriation after April 1, 2009.

11 **SECTION 23.** The treatment of 20.435 (5) (ke) of the statutes by 2007 Wisconsin
12 Act 20 is not repealed by 2007 Wisconsin Act 130. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 20.435 (1) (ke), as renumbered from s. 20.435 (5) (ke) by 2008 Wisconsin Act
28, reads:

(ke) *American Indian health projects.* The amounts in the schedule for grants for
American Indian health projects under s. 250.20 (5). All moneys transferred from the
appropriation account under s. 20.505 (8) (hm) 18b. shall be credited to this appropriation
account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each
year shall revert to the appropriation account under s. 20.505 (8) (hm).

13 **SECTION 24.** 20.435 (7) (o) of the statutes, as affected by 2007 Wisconsin Act 20,
14 is amended to read:

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1 20.435 (7) (o) *Federal aid; community aids.* All federal moneys received in
2 amounts pursuant to allocation plans developed by the department for the provision
3 or purchase of services authorized under par. (b); all federal temporary assistance for
4 needy families moneys received under 42 USC 601 to 619 that are authorized to be
5 used to purchase or provide social services under 42 USC 1397 to 1397e; all
6 unanticipated federal social services block grant funds received under 42 USC 1397
7 to 1397e, in accordance with s. 46.49 (2); and all federal moneys received under 42
8 USC 1396 to 1396v in reimbursement of the cost of preventing out-of-home
9 placements of children, for distribution under s. 46.40. Disbursements from this
10 appropriation may be made directly to counties for social and mental hygiene
11 services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with
12 federal requirements for the ~~dispersal~~ disbursal of federal funds.

NOTE: 2007 Wis. Act 20 replaced “disbursal” with “dispersal” without strikes and
underscores. The change was unintended.

13 **SECTION 25.** 20.437 (1) (o) of the statutes, as created by 2007 Wisconsin Act 20,
14 is amended to read:

15 20.437 (1) (o) *Federal aid; children and family aids.* All federal moneys
16 received in amounts pursuant to allocation plans developed by the department for
17 the provision or purchase of services authorized under par. (b); all federal moneys
18 received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985;
19 all federal temporary assistance for needy families moneys received under 42 USC
20 601 to 619 that are authorized to be used to purchase or provide social services under
21 42 USC 1397 to 1397e; all unanticipated federal social services block grant funds
22 received under 42 USC 1397 to 1397e, in accordance with s. 48.568; for distribution
23 under s. 48.563. Disbursements from this appropriation may be made directly to

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1 counties for services to children and families under s. 49.32 (2) (b) or 49.325 or
2 directly to counties in accordance with federal requirements for the dispersal
3 disbursal of federal funds.

NOTE: Corrects spelling.

4 **SECTION 26.** 20.445 (1) (cr) of the statutes, as affected by 2007 Wisconsin Act
5 20, is amended to read:

6 20.445 (1) (cr) *State supplement to employment opportunity demonstration*
7 *projects.* The amounts in the schedule for the purpose of providing state funds to
8 supplement, on a one-to-one matching basis, federal employment opportunity
9 demonstration project funds received under 42 USC 1315 or from other federal or
10 private foundation sources, to be allocated under s. ~~49.32 (11)~~ 103.005 (21).

NOTE: Corrects cross-reference. Section 49.32 (11) was renumbered s. 103.005 (21)
by 2007 Wis. Act 20.

11 **SECTION 27.** 20.566 (2) (b) of the statutes, as created by 2007 Wisconsin Act 20,
12 is renumbered 20.566 (2) (bm).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 4 also created a provision numbered 20.566 (2) (b).

13 **SECTION 28.** 20.566 (3) (gm) of the statutes, as affected by 2007 Wisconsin Act
14 20, is amended to read:

15 20.566 (3) (gm) *Reciprocity agreement and publications.* The amounts in the
16 schedule to provide services for the Minnesota income tax reciprocity agreement
17 under s. 71.10 (7) and for publications except as provided in par. (g) and sub. (2) ~~(b)~~
18 (bm). All moneys received by the department of revenue in return for the provision
19 of these services shall be credited to this appropriation. Notwithstanding s. 20.001
20 (3) (a), at the end of the 2006-07 fiscal year, the unencumbered balance of this
21 appropriation account shall lapse to the general fund.

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NOTE: Corrects cross-reference. Section 20.566 (2) (b), as created by 2007 Wis. Act 20, is renumbered to s. 20.566 (2) (bm) by this bill.

1 **SECTION 29.** The treatment of 20.907 (5) (e) 6. of the statutes by 2007 Wisconsin
2 Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 20.907 (5) (e) 6. reads:

6. Advances from residential care centers for children and youth and counties and moneys receivable from counties under s. 49.343.

3 **SECTION 30.** 20.923 (4) (intro.) of the statutes is amended to read:

4 20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the
5 administrator of the division of merit recruitment and selection in the office of state
6 employment relations and commission chairpersons and members shall be identified
7 and limited in number in accordance with the standardized nomenclature contained
8 in this subsection, and shall be assigned to the executive salary groups listed in pars.
9 (a) to (i) (h). Except for positions specified in par. (c) 3m. and sub. (12), all unclassified
10 division administrator positions enumerated under s. 230.08 (2) (e) shall be
11 assigned, when approved by the joint committee on employment relations, by the
12 director of the office of state employment relations to one of 10 executive salary
13 groups. The joint committee on employment relations, by majority vote of the full
14 committee, may amend recommendations for initial position assignments and
15 changes in assignments to the executive salary groups submitted by the director of
16 the office of state employment relations. All division administrator assignments and
17 amendments to assignments of administrator positions approved by the committee
18 shall become part of the compensation plan. Whenever a new unclassified division
19 administrator position is created, the appointing authority may set the salary for the
20 position until the joint committee on employment relations approves assignment of
21 the position to an executive salary group. If the committee approves assignment of

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1 the position to an executive salary group having a salary range minimum or
2 maximum inconsistent with the salary paid to the incumbent at the time of such
3 approval, the incumbent's salary shall be adjusted by the appointing authority to
4 conform with the committee's action, effective on the date of that action. Positions
5 are assigned as follows:

NOTE: Corrects cross-reference. Section 20.923 (4) (i) was repealed by 2007 Wis.
Act 20.

6 **SECTION 31.** 29.179 (4) of the statutes, as affected by 2007 Wisconsin Act 65,
7 section 13, is amended to read:

8 29.179 (4) Notwithstanding ss. 29.164 (3) (cr), 29.177 (5) (b), 29.184 (6) (b), and
9 29.192 (4), a minor who is transferred an approval under this section shall retain all
10 preference points that he or she has previously accumulated for that type of approval.

NOTE: Inserts missing word and corrects punctuation.

11 **SECTION 32.** 29.194 (title) and (1) (title) of the statutes, as affected by 2007
12 Wisconsin Acts 23 and 51, are amended to read:

13 **29.194 (title) Approvals for students and members of the armed forces,**
14 **~~or~~ reserves, or national guard. (1) (title) CERTAIN RESIDENT LICENSES MAY BE**
15 **ISSUED TO STUDENTS AND MEMBERS OF THE ARMED FORCES, ~~OR~~ RESERVES, OR NATIONAL**
16 **GUARD.**

NOTE: The stricken "or" was inserted by 2007 Wis. Act 51 but was rendered
surplusage by the treatment by 2007 Wis. Act 23.

17 **SECTION 33.** 29.194 (1) (b) of the statutes, as affected by 2007 Wisconsin Acts
18 23 and 51, is amended to read:

19 29.194 (1) (b) The department shall treat a qualified member of the armed
20 forces, ~~or~~ a qualified member of a reserve unit of the U.S. armed forces, or a qualified
21 member of the national guard as a resident for purposes of determining the member's
22 eligibility for and cost of obtaining a hunting, trapping, or fishing approval under this

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1 chapter. A qualified member of the armed forces is a person who exhibits proof that
2 he or she is in active service in the U.S. armed forces or in forces incorporated in the
3 U.S. armed forces and that he or she is stationed in this state. A qualified member
4 of a reserve unit of the U.S. armed forces is a person who exhibits proof that he or
5 she is a member of a reserve unit of the U.S. armed forces located in this state. A
6 qualified member of the national guard is a person who exhibits proof that he or she
7 is a member of the Wisconsin national guard.

NOTE: The stricken “or” was inserted by 2007 Wis. Act 51 but was rendered
surplusage by the treatment by 2007 Wis. Act 23.

8 **SECTION 34.** 29.194 (1) (c) of the statutes, as created by 2007 Wisconsin Act 51,
9 is amended to read:

10 29.194 (1) (c) In addition to being able to qualify under par. (b), for purposes
11 of qualifying for a resident hunting or fishing approval, a member of the armed forces
12 not stationed in this state or a member of a reserve unit of the U.S. armed forces not
13 located in this state shall be treated as a resident if the member was a resident at
14 the time he or she entered active service.

NOTE: Inserts missing word.

15 **SECTION 35.** 30.133 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
16 is amended to read:

17 30.133 (1) (a) Beginning on April 9, 1994, and except as provided in s. ~~30.1355~~
18 30.1335, no owner of riparian land that abuts a navigable water may grant by an
19 easement or by a similar conveyance any riparian right in the land to another person,
20 except for the right to cross the land in order to have access to the navigable water.
21 This right to cross the land may not include the right to place any structure or
22 material, including a boat docking facility, as defined in s. 30.1335 (1) (a), in the
23 navigable water.

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NOTE: 2007 Wis. Act 20 inserted “(a)” without underscores or renumbering. No change was intended. A correct cross-reference is inserted. There is no s. 30.1355.

1 **SECTION 36.** 30.1335 (3) (b) of the statutes, as created by 2007 Wisconsin Act
2 20, is amended to read:

3 30.1335 (3) (b) If a marina condominium as described in par. (a) contains more
4 than 300 boat slips, the declarant shall make at least 40 percent of the total number
5 of boat slips in the marina condominium available for rent or for transient use by the
6 public. When the declarant conveys title to, or another interest in, a condominium
7 unit that is affected by this restriction on use, the declarant shall include a statement
8 of the restriction in the instrument of conveyance.

NOTE: Inserts missing word.

9 **SECTION 37.** 30.625 (1) (a) of the statutes is amended to read:

10 30.625 (1) (a) Rent or lease a motorboat for operation by a person who will be
11 operating a motorboat for the first time in each calendar year and who does not hold
12 a valid certificate issued under s. 30.74 (1) unless the person engaged in the rental
13 or leasing gives the person instruction on how to operate a † motorboat in the manner
14 established by the department under under s. 30.74 (1) (am).

NOTE: The letter “†” is left over from the incomplete striking through of the word
“watercraft” by 2005 Wis Act 356, section 1d. The change was printed in the 2007-08
Statutes.

15 **SECTION 38.** 35.84 (figure) line 18. of the statutes is repealed.

NOTE: This line provides for distribution of publications to the Revisor of Statutes
Bureau, which was eliminated by 2007 Wis. Act 20.

16 **SECTION 39.** 36.25 (47) of the statutes, as created by 2007 Wisconsin Act 208,
17 is renumbered 36.25 (48).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 20 also created a provision numbered s. 36.25 (47).

18 **SECTION 40.** 36.59 (7) of the statutes, as affected by 2007 Wisconsin Act 20,
19 section 731m, is renumbered 36.59 (7m).

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NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. 2007 Wis. Act 20, section 736x, creates a provision also numbered s. 36.59 (7).

1 **SECTION 41.** 40.08 (1r) of the statutes, as affected by 2007 Wisconsin Act 131,
2 section 26, is renumbered 40.08 (1u).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. Section 13 of 2007 Wis. Act 131 created a provision numbered s. 40.08 (1r), and section 26 of that act renumbered s. 40.80 (2r) (b) to s. 40.08 (1r), resulting in 2 provisions with the same number.

3 **SECTION 42.** 40.08 (1u) (title) of the statutes is created to read:
4 40.08 (1u) (title) DEFERRED COMPENSATION PLAN ASSETS.

NOTE: All other subsections in s. 40.08 have titles. 2007 Wis. Act 131, section 26, renumbered s. 40.80 (2r) (b) to s. 40.08 (1r), but did not provide a title for the renumbered subsection. This bill renumbers s. 40.08 (1r), as renumbered from s. 40.80 (2r) (b) by 2007 Wis. Act 131, section 26, to be s. 40.08 (1u).

5 **SECTION 43.** The treatment of 43.30 (1b) of the statutes by 2007 Wisconsin Act
6 34 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 43.30 (1b) (intro.) and (a), as renumbered and amended from s. 43.30 (1b) by 2007 Wis. Act 34, read:

(1b) In this section:

(a) “Custodial parent” includes any parent other than a parent who has been denied periods of physical placement with a child under s. 767.41 (4).

7 **SECTION 44.** 46.03 (38) of the statutes, as created by 2007 Wisconsin Act 104,
8 is amended to read:

9 46.03 (38) AUTOMATIC EXTERNAL DEFIBRILLATOR INSTRUCTION. Approve
10 individuals, organizations, or institutions of higher education to provide instruction
11 in the use of an automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1)
12 (cr), for persons who are required as a condition of licensure, certification, or
13 registration to have current proficiency in the use of an automatic external
14 defibrillator.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15 (1) (cr) by 2007 Wis. Act 130.

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1 **SECTION 45.** 46.21 (2m) (c) of the statutes, as affected by 2007 Wisconsin Acts
2 20 and 45, is amended to read:

3 46.21 **(2m)** (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
4 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), and 253.07
5 (3) (c), a subunit of a county department of human services or tribal agency acting
6 under this subsection may exchange confidential information about a client, without
7 the informed consent of the client, with any other subunit of the same county
8 department of human services or tribal agency, with a resource center, a care
9 management organization, or a family long-term care district, with an
10 elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral
11 for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person
12 providing services to the client under a purchase of services contract with the county
13 department of human services or tribal agency or with a resource center, a care
14 management organization, or a family long-term care district, if necessary to enable
15 an employee or service provider to perform his or her duties, or to enable the county
16 department of human services or tribal agency to coordinate the delivery of services
17 to the client. An agency that releases information under this paragraph shall
18 document that a request for information was received and what information was
19 provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act
45 repealed and recreated the provision without taking the change in terminology into
account.

20 **SECTION 46.** 46.215 (1m) of the statutes, as affected by 2007 Wisconsin Acts 20
21 and 45, is amended to read:

22 46.215 **(1m)** EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.
23 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,

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1 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
2 services or tribal agency acting under this section may exchange confidential
3 information about a client, without the informed consent of the client, with any other
4 subunit of the same county department of social services or tribal agency, with a
5 resource center, a care management organization, or a family long-term care
6 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
7 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
8 1g., or with a person providing services to the client under a purchase of services
9 contract with the county department of social services or tribal agency or with a
10 resource center, a care management organization, or a family long-term care
11 district, if necessary to enable an employee or service provider to perform his or her
12 duties, or to enable the county department of social services or tribal agency to
13 coordinate the delivery of services to the client. An agency that releases information
14 under this subsection shall document that a request for information was received
15 and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act
45 repealed and recreated the provision without taking the change in terminology into
account.

16 **SECTION 47.** The treatment of 46.215 (1p) of the statutes by 2007 Wisconsin Act
17 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-08, s. 46.215 (1p) reads:

**(1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE INFORMATION
SYSTEM.** Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7),
49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c),
938.396 (1) (a) and (2), and 938.78 (2) (a), a county department under this section may
enter the content of any record kept or information received by that county department
into the statewide automated child welfare information system established under s. 48.47
(7g).

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1 **SECTION 48.** The treatment of 46.22 (1) (b) 2. e. of the statutes by 2007
2 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 46.22 (1) (b) 2. e. reads:

e. To make payments in such manner as the department of children and families may determine for training of recipients, former recipients and potential recipients of aid in programs established under s. 49.193, 1997 stats., and s. 49.26 (1).

3 **SECTION 49.** 46.22 (1) (dm) of the statutes, as affected by 2007 Wisconsin Acts
4 20 and 45, is amended to read:

5 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
6 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
7 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
8 services or tribal agency acting under this subsection may exchange confidential
9 information about a client, without the informed consent of the client, with any other
10 subunit of the same county department of social services or tribal agency, with a
11 resource center, a care management organization, or a family long-term care
12 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
13 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
14 lg., or with a person providing services to the client under a purchase of services
15 contract with the county department of social services or tribal agency or with a
16 resource center, a care management organization, or a family long-term care
17 district, if necessary to enable an employee or service provider to perform his or her
18 duties, or to enable the county department of social services or tribal agency to
19 coordinate the delivery of services to the client. An agency that releases information
20 under this paragraph shall document that a request for information was received
21 and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed "family care district" to "long-term care district" throughout the statutes. 2007 Wis. Act

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45 repealed and recreated the provision without taking the change in terminology into account.

1 **SECTION 50.** The treatment of 46.22 (1) (dp) of the statutes by 2007 Wisconsin
2 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 46.22 (1) (dp) reads:

(dp) *Exchange of information; statewide automated child welfare information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and (2), and 938.78 (2) (a), a county department under this section may enter the content of any record kept or information received by that county department into the statewide automated child welfare information system established under s. 48.47 (7g).

3 **SECTION 51.** 46.23 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20
4 and 45, is amended to read:

5 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.
6 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
7 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of
8 human services or tribal agency acting under this section may exchange confidential
9 information about a client, without the informed consent of the client, with any other
10 subunit of the same county department of human services or tribal agency, with a
11 resource center, a care management organization, or a family long-term care
12 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
13 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
14 1g., or with a person providing services to the client under a purchase of services
15 contract with the county department of human services or tribal agency or with a
16 resource center, a care management organization, or a family long-term care
17 district, if necessary to enable an employee or service provider to perform his or her
18 duties, or to enable the county department of human services or tribal agency to
19 coordinate the delivery of services to the client. An agency that releases information

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1 under this paragraph shall document that a request for information was received
2 and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed “family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act 45 repealed and recreated the provision without taking the change in terminology into account.

3 **SECTION 52.** The treatment of 46.23 (3) (ed) of the statutes by 2007 Wisconsin
4 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 46.23 (3) (ed) reads:

(ed) *Exchange of information; statewide automated child welfare information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and (2), and 938.78 (2) (a), a county department under this section may enter the content of any record kept or information received by that county department into the statewide automated child welfare information system established under s. 48.47 (7g).

5 **SECTION 53.** The treatment of 46.261 (2) (a) 2. of the statutes by 2007 Wisconsin
6 Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 48.645 (2) (a) 2., as renumbered from s. 46.261 (2) (a) 2. by 2007 Wis. Act 20, reads:

2. A county or, in a county having a population of 500,000 or more, the department, on behalf of a child in the legal custody of a county department under s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child who was removed from the home of a relative as a result of a judicial determination that continuance in the home of a relative would be contrary to the child’s welfare for any reason when the child is placed in a licensed residential care center for children and youth by the county department or the department. Reimbursement shall be made by the state as provided in subd. 1.

7 **SECTION 54.** 46.283 (6) (a) 2. of the statutes, as affected by 2007 Wisconsin Act
8 20, is amended to read:

9 46.283 (6) (a) 2. At least one-fourth of the members of the governing board shall
10 be individuals who belong to a client group served by the resource center or their
11 family members, guardians, or other advocates. The proportion of these board
12 members who belong to each client group, or their family members, guardians, or
13 advocates, shall be the same, respectively, as the proportion of individuals in this

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1 state who receive services under s. 46.2805 to 46.2895 and belong to each client
2 group.

NOTE: Reinserts necessary word that was stricken by 2007 Wis. Act 20. The phrase
“individuals who belong to a client group served by the resource center” was inserted by
Act 20 without scoring. The insertion was intended. See also SECTION 218 of this bill.

3 **SECTION 55.** 46.2895 (13) of the statutes, as affected by 2007 Wisconsin Act 20,
4 is amended to read:

5 46.2895 (13) DISSOLUTION. Subject to the performance of the contractual
6 obligations of a long-term care district and if first approved by the secretary of the
7 department, the long-term care district may be dissolved by the joint action of the
8 long-term care district board and each county or tribe or band that created the
9 long-term care district and has not withdrawn or been removed from the district
10 under sub. (14). If ~~the~~ a long-term care district that is created by one county or tribe
11 or band is dissolved, the property of the district shall be transferred to the county or
12 tribe or band that created it. If a long-term care district is created by more than one
13 county or tribe or band, all of the counties or tribes or bands that created the district
14 and that have not withdrawn or been removed from the district under sub. (14) shall
15 agree on the apportioning of the long-term care district’s property before the district
16 may be dissolved. If the long-term care district operates a care management
17 organization under s. 46.284, disposition of any remaining funds in the risk reserve
18 under s. 46.284 (5) (e) shall be made under the terms of the district’s contract with
19 the department.

NOTE: Deletes unnecessary word.

20 **SECTION 56.** 46.40 (14m) of the statutes is amended to read:

21 46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS. Before December 1 of each year,
22 each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each

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1 tribal governing body shall submit to the department a proposed budget for the
2 expenditure of funds allocated under this section, ~~distributed under s. 46.45 (2) (a)~~
3 or carried forward under s. 46.45 (3) (a). The proposed budget shall be submitted on
4 a form developed by the department and approved by the department of
5 administration.

NOTE: Deletes obsolete cross-reference. Section 46.45 (2) (a) was renumbered s. 48.565 (2) (a) by 2007 Wis. Act 20 so as to place responsibility for the distribution of unspent *children and family aids* under the Department of Children and Families. As such, funds distributed under s. 48.565 (2) would not be included in a county's *community aids* budget submitted to the Department of Health Services under s. 46.40 (14m).

6 **SECTION 57.** 48.299 (6) (b) of the statutes is amended to read:

7 48.299 (6) (b) The state or the attorney responsible for support enforcement
8 who receives a referral under par. (a) shall perform the duties specified under s.
9 ~~767.45~~ 767.80 (5) (c) and (6r).

NOTE: Section 767.45 was renumbered s. 767.80 by 2005 Wis. Act 443.

10 **SECTION 58.** 48.47 (7g) of the statutes, as affected by 2007 Wisconsin Act 20,
11 section 809, and 2007 Wisconsin Act 96, section 30, is amended to read:

12 48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Establish
13 a statewide automated child welfare information system. Notwithstanding ss.
14 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,
15 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and
16 (2), and 938.78 (2) (a), the department may enter the content of any record kept or
17 information received by the department into the statewide automated child welfare
18 information system, and a county department under s. 46.215, 46.22, or 46.23, the
19 department, or any other organization that has entered into an information sharing
20 and access agreement with the department or any of those county departments and
21 that has been approved for access to the statewide automated child welfare

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1 information system by the department may have access to information that is
2 maintained in that system, if necessary to enable the county department,
3 department, or organization to perform its duties under this chapter, ch. 46, 51, 55,
4 or 938, or 42 USC 670 to 679b to or to coordinate the delivery of services under this
5 chapter, ch. 46, 51, 55, or 938, or 42 USC 670 to 679b.

NOTE: Deletes unnecessary word.

6 **SECTION 59.** 48.48 (17) (c) 4. of the statutes is amended to read:

7 48.48 (17) (c) 4. Is living in a foster home, treatment foster home, group home,,
8 residential care center for children and youth, or subsidized guardianship home
9 under s. 48.62 (5).

NOTE: Deletes unnecessary comma inserted by 2005 Wis. Act 25. The change was
printed in 2007-08 Statutes.

10 **SECTION 60.** 48.57 (3) (a) 4. of the statutes is amended to read:

11 48.57 (3) (a) 4. Is living in a foster home, treatment foster home, group home,,
12 residential care center for children and youth, or subsidized guardianship home
13 under s. 48.62 (5).

NOTE: Deletes unnecessary comma inserted by 2005 Wis. Act 25. The change was
printed in the 2007-08 Statutes.

14 **SECTION 61.** 48.67 (3) of the statutes, as created by 2007 Wisconsin Act 104, is
15 amended to read:

16 48.67 (3) (a) That all day care center licensees, and all employees of a day care
17 center, who provide care and supervision for children have current proficiency in the
18 use of an automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr),
19 achieved through instruction provided by an individual, organization, or institution
20 of higher education that is approved under s. 46.03 (38) to provide such instruction.

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1 (b) That all staff members of a group home who provide care for the residents
2 of the group home have current proficiency in the use of an automated external
3 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction
4 provided by an individual, organization, or institution of higher education that is
5 approved under s. 46.03 (38) to provide such instruction.

6 (c) That all staff members of a shelter care facility who provide care and
7 supervision for children have current proficiency in the use of an automated external
8 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction
9 provided by an individual, organization, or institution of higher education that is
10 approved under s. 46.03 (38) to provide such instruction and that all shelter care
11 facilities have readily available on the premises of the shelter care facility a staff
12 member or other person who has that proficiency.

13 (d) That all child welfare agencies that operate a residential care center for
14 children and youth have in each building housing residents of the residential care
15 center for children and youth when those residents are present at least one staff
16 member who has current proficiency in the use of an automated external
17 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction
18 provided by an individual, organization, or institution of higher education that is
19 approved under s. 46.03 (38) to provide such instruction.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15
(1) (cr) by 2007 Wis. Act 130.

20 **SECTION 62.** 49.45 (3) (m) 2. of the statutes, as created by 2007 Wisconsin Act
21 104, is amended to read:

22 49.45 (3) (m) 2. A person who is certified to provide transportation by
23 specialized medical vehicle under sub. (2) (a) 11. shall ensure that every person who

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1 drives or serves as an attendant to passengers on a specialized medical vehicle,
2 before driving or serving as an attendant, has current proficiency in the use of an
3 automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved
4 through instruction provided by an individual, organization, or institution of higher
5 education that is approved under s. 46.03 (38) to provide such instruction.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15
(1) (cr) by 2007 Wis. Act 130.

6 **SECTION 63.** 49.45 (6m) (i) 1. of the statutes is amended to read:

7 49.45 **(6m)** (i) 1. On or after October 1, 1981, medical assistance payment for
8 inpatient nursing care may only be provided for persons receiving skilled,
9 intermediate, or limited levels of nursing care as these levels are defined under s.
10 ~~HFS~~ DHS 132.13, Wis. Adm. Code.

NOTE: The “HFS” administrative code was renumbered “DHS” by the legislative
reference bureau under s. 13.92 (4) (b) 1. to reflect the name change of the Department
of Health and Family Services to the Department of Health Services. The change is
printed in the 2007–08 Statutes.

11 **SECTION 64.** The treatment of 49.47 (4) (b) 1. of the statutes by 2007 Wisconsin
12 Act 11 is not repealed by 2007 Wisconsin Act 20. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau s. 49.47 (4) (b) 1. reads:

1. Subject to par. (bc), a home and the land used and operated in connection
therewith or in lieu thereof a manufactured home or mobile home, if the home,
manufactured home, or mobile home is used as the person’s or his or her family’s place
of abode.

13 **SECTION 65.** 49.471 (8) (g) 1. of the statutes, as created by 2007 Wisconsin Act
14 20, is amended to read:

15 49.471 **(8)** (g) 1. The individual or pregnant woman was covered by a group
16 health plan that was provided by a subscriber through his or her employer, and the
17 subscriber’s employment ended for a reason other than voluntary termination,

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1 unless the voluntary termination was a result of the incapacitation of the subscriber
2 or because ~~on~~ of an immediate family member's health condition.

NOTE: Inserts correct word.

3 **SECTION 66.** The treatment of 49.855 (3) of the statutes by 2007 Wisconsin Act
4 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 49.855 (3) reads:

(3) Receipt of a certification by the department of revenue shall constitute a lien, equal to the amount certified, on any state tax refunds or credits owed to the obligor. The lien shall be foreclosed by the department of revenue as a setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the obligor that the state intends to reduce any state tax refund or credit due the obligor by the amount the obligor is delinquent under the support, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20 days the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. Within 10 days after receiving a request for hearing under this subsection, the court shall set the matter for hearing. Pending further order by the court or a circuit court commissioner, the department of children and families or its designee, whichever is appropriate, is prohibited from disbursing the obligor's state tax refund or credit. A circuit court commissioner may conduct the hearing. The sole issues at that hearing shall be whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld from a tax refund or credit shall be paid to the obligor or held for future support or maintenance, except that the obligor's ability to pay shall also be an issue at the hearing if the obligation relates to an order under s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor's income was at or below the poverty line established under 42 USC 9902 (2).

5 **SECTION 67.** The treatment of 49.855 (4m) (b) of the statutes by 2007 Wisconsin
6 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 49.855 (4m) (b) reads:

(b) The department of revenue may provide a certification that it receives under sub. (1), (2m), (2p), or (2r) to the department of administration. Upon receipt of the certification, the department of administration shall determine whether the obligor is a vendor or is receiving any other payments from this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s. 45.40 (1), this chapter, or ch. 46, 108, or 301. If the department of administration determines that the obligor is a vendor or is receiving payments from this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s. 45.40 (1), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount certified from those payments and shall notify the obligor that the state intends to reduce any payments due the obligor by the amount the obligor is delinquent under the support, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth

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expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20 days after receipt of the notice the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. An obligor may, within 20 days after receiving notice, request a hearing under this paragraph. Within 10 days after receiving a request for hearing under this paragraph, the court shall set the matter for hearing. A circuit court commissioner may conduct the hearing. Pending further order by the court or circuit court commissioner, the department of children and families or its designee, whichever is appropriate, may not disburse the payments withheld from the obligor. The sole issues at the hearing are whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld shall be paid to the obligor or held for future support or maintenance, except that the obligor's ability to pay is also an issue at the hearing if the obligation relates to an order under s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor's income was at or below the poverty line established under 42 USC 9902 (2).

1 **SECTION 68.** The treatment of 50.14 (4) of the statutes by 2007 Wisconsin Act
2 95 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 50.14 (4) reads:

(4) Sections 77.59 (1) to (5m), (6) (intro.), (a) and (c) and (7) to (10), 77.60 (1) to (7), (9) and (10), 77.61 (9) and (12) to (14) and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the assessment under this section, except that the amount of any assessment collected under s. 77.59 (7) in a fiscal year shall be deposited in the Medical Assistance trust fund.

3 **SECTION 69.** 50.36 (5) of the statutes, as created by 2007 Wisconsin Act 104, is
4 amended to read:

5 50.36 (5) Before providing emergency services in a hospital, medical and
6 nursing personnel shall have proficiency in the use of an automated external
7 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction
8 provided by an individual, organization, or institution of higher education that is
9 approved under s. 46.03 (38) to provide such instruction.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15 (1) (cr) by 2007 Wis. Act 130.

10 **SECTION 70.** 51.42 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20
11 and 45, is amended to read:

12 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
13 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3)

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1 (c), and 938.78 (2) (a), any subunit of a county department of community programs
2 or tribal agency acting under this section may exchange confidential information
3 about a client, without the informed consent of the client, with any other subunit of
4 the same county department of community programs or tribal agency, with a
5 resource center, a care management organization, or a family long-term care
6 district, or with any person providing services to the client under a purchase of
7 services contract with the county department of community programs or tribal
8 agency or with a resource center, care management organization, or family
9 long-term care district, if necessary to enable an employee or service provider to
10 perform his or her duties, or to enable the county department of community
11 programs or tribal agency to coordinate the delivery of services to the client. Any
12 agency releasing information under this paragraph shall document that a request
13 was received and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act
45 repealed and recreated the provision without taking the change in terminology into
account.

14 **SECTION 71.** 51.437 (4r) (b) of the statutes, as affected by 2007 Wisconsin Acts
15 20 and 45, is amended to read:

16 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
17 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),
18 any subunit of a county department of developmental disabilities services or tribal
19 agency acting under this section may exchange confidential information about a
20 client, without the informed consent of the client, with any other subunit of the same
21 county department of developmental disabilities services or tribal agency, with a
22 resource center, a care management organization, or a family long-term care
23 district, or with any person providing services to the client under a purchase of

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1 services contract with the county department of developmental disabilities services
2 or tribal agency or with a resource center, a care management organization, or a
3 family long-term care district, if necessary to enable an employee or service provider
4 to perform his or her duties, or to enable the county department of developmental
5 disabilities services or tribal agency to coordinate the delivery of services to the
6 client. Any agency releasing information under this paragraph shall document that
7 a request was received and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act
45 repealed and recreated the provision without taking the change in terminology into
account.

8 **SECTION 72.** 51.437 (14r) (title), (a) (intro.), 1., 7. and (b) and (c) of the statutes
9 are amended to read:

10 51.437 (14r) (title) DUTIES OF THE ~~COUNCIL ON~~ BOARD FOR PEOPLE WITH
11 DEVELOPMENTAL DISABILITIES. (a) (intro.) The ~~council on~~ board for people with
12 developmental disabilities shall:

13 1. Designate appropriate state or local agencies for the administration of
14 programs and fiscal resources made available to the ~~council on~~ board for people with
15 developmental disabilities under federal legislation affecting the delivery of services
16 to the developmentally disabled.

17 7. Notify the governor regarding membership requirements of the ~~council~~
18 board and if vacancies on the ~~council~~ board remain unfilled for a significant period
19 of time.

20 (b) The ~~council~~ board may establish such reasonable procedures as are
21 essential to the conduct of the affairs of the ~~council~~ board.

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1 (c) The ~~council on~~ board for people with developmental disabilities may or, if
2 requested by the governor, shall coordinate recommendations of the ~~council~~ board
3 and the public to the governor regarding ~~council~~ board membership.

NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the “council on developmental disabilities” attached to the department of health and family services to be the “board for people with developmental disabilities” attached to the department of administration.

4 **SECTION 73.** 51.45 (13) (j) of the statutes, as affected by 2007 Wisconsin Act 20,
5 is amended to read:

6 51.45 (13) (j) Upon the filing of a petition for recommitment under par. (h), the
7 court shall fix a date for a recommitment hearing within 10 days and assure that the
8 person sought to be recommitted is represented by counsel by referring the person
9 to the state public defender, who shall appoint counsel for ~~for~~ the person without a
10 determination of indigency, as provided in s. 51.60. The provisions of par. (e) relating
11 to notice and to access to records, names of witnesses, and summaries of their
12 testimony shall apply to recommitment hearings under this paragraph. At the
13 recommitment hearing, the court shall proceed as provided under pars. (f) and (g).

NOTE: Deletes unnecessary repeated word inserted by 2007 Wis. Act 20.

14 **SECTION 74.** 51.62 (2) (a) 2. of the statutes is amended to read:

15 51.62 (2) (a) 2. The ~~council on~~ board for people with developmental disabilities
16 and the council on mental health.

NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the “council on developmental disabilities” attached to the department of health and family services to be the “board for people with developmental disabilities” attached to the department of administration.

17 **SECTION 75.** 51.62 (2) (b) 2. a. of the statutes is amended to read:

18 51.62 (2) (b) 2. a. The ~~council on~~ board for people with developmental
19 disabilities and the council on mental health.

NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the “council on developmental disabilities” attached to

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the department of health and family services to be the “board for people with developmental disabilities” attached to the department of administration.

1 **SECTION 76.** 54.46 (5) (title) of the statutes, as affected by 2005 Wisconsin Act
2 387, section 360, is renumbered 54.46 (4) (title).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2005 Wis. Act 387 renumbered s. 880.13 (title) to s. 54.46 (5) (title), but
renumbered the remainder of s. 880.13 to s. 54.46 (4).

3 **SECTION 77.** 55.001 of the statutes, as affected by 2005 Wisconsin Acts 264 and
4 388, is amended to read:

5 **55.001 Declaration of policy.** The legislature recognizes that many citizens
6 of the state, because of serious and persistent mental illness, degenerative brain
7 disorder ~~disorders~~, developmental disabilities, or other like incapacities, are in need
8 of protective services or protective placement. Except as provided in s. 49.45 (30m)
9 (a), the protective services or protective placement should, to the maximum degree
10 of feasibility under programs, services and resources that the county board of
11 supervisors is reasonably able to provide within the limits of available state and
12 federal funds and of county funds required to be appropriated to match state funds,
13 allow the individual the same rights as other citizens, and at the same time protect
14 the individual from financial exploitation, abuse, neglect, and self-neglect. This
15 chapter is designed to establish those protective services and protective placements,
16 to assure their availability to all individuals when in need of them, and to place the
17 least possible restriction on personal liberty and exercise of constitutional rights
18 consistent with due process and protection from abuse, financial exploitation,
19 neglect, and self-neglect.

NOTE: “Disorder” was inserted in the singular form by 2005 Wis. Act 264 and in
the plural form by 2005 Wis. Act 388. The singular is used in all other statutes.

20 **SECTION 78.** The treatment of 55.10 (4) (a) of the statutes by 2007 Wisconsin
21 Act 20 is not repealed by 2007 Wisconsin Act 45. Both treatments stand.

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NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 55.10 (4) (a) reads:

(a) *Counsel*. The individual sought to be protected has the right to counsel whether or not the individual is present at the hearing on the petition. The court shall require representation by full legal counsel whenever the petition alleges that the individual is not competent to refuse psychotropic medication under s. 55.14, the individual sought to be protected requested such representation at least 72 hours before the hearing, the guardian ad litem or any other person states that the individual sought to be protected is opposed to the petition, or the court determines that the interests of justice require it. If the individual sought to be protected or any other person on his or her behalf requests but is unable to obtain legal counsel, the court shall refer the individual to the state public defender as provided under s. 55.105 for appointment of legal counsel. If the individual sought to be protected is represented by counsel appointed under s. 977.08 in a proceeding for the appointment of a guardian under ch. 54, the court shall order the counsel appointed under s. 977.08 to represent under this section the individual sought to be protected.

1 **SECTION 79.** 55.135 (1) of the statutes, as affected by 2007 Wisconsin Acts 20
2 and 45, is amended to read:

3 55.135 (1) If, from personal observation of, or a reliable report made by a person
4 who identifies himself or herself to, a sheriff, police officer, fire fighter, guardian, if
5 any, or authorized representative of a county department or an agency with which
6 it contracts under s. 55.02 (2), it appears probable that an individual is so totally
7 incapable of providing for his or her own care or custody as to create a substantial
8 risk of serious physical harm to himself or herself or others as a result of
9 developmental disability, degenerative brain disorder, serious and persistent mental
10 illness, or other like incapacities if not immediately placed, the individual who
11 personally made the observation or to whom the report is made may take into custody
12 and transport the individual to an appropriate medical or protective placement
13 facility. The person making emergency protective placement shall prepare a
14 statement at the time of detention providing specific factual information concerning
15 the person's observations or reports made to the person and the basis for emergency
16 placement. The statement shall be filed with the director of the facility and with any
17 petition under s. 55.075. At the time of emergency protective placement the

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1 individual shall be informed by the director of the facility or the director's designee,
2 orally and in writing, of his or her right to contact an attorney and a member of his
3 or her immediate family and the right to have an attorney provided at public
4 expense, as provided under s. ~~967.06 and ch. 977~~, if the individual is a minor or is
5 indigent 55.105. The director or designee shall also provide the individual with a
6 copy of the statement by the person making emergency protective placement.

NOTE: 2007 Wis. Act 45 repealed and recreated this provision without taking the treatment by Act 20 into account. The change made by 2007 Wis. Act 20 replaced the stricken language in the then existing s. 55.135 (1) with the cross-reference to s. 55.105, which was created by Act 20 to make specific provision for attorneys in ch. 55 actions. The cross-reference to s. 55.105 is reinserted.

7 **SECTION 80.** 55.14 (7) of the statutes, as affected by 2007 Wisconsin Acts 20 and
8 45, is amended to read:

9 55.14 (7) Upon the filing of a petition under this section, the court shall ~~appoint~~
10 make a referral for appointment of legal counsel as required provided under s. 55.10
11 (4) ~~(a)~~ 55.105. A petition under this section shall be heard within 30 days after it is
12 filed.

NOTE: 2007 Wis. Act 45 repealed and recreated this provision without taking the treatment by 2007 Wis. Act 20 into account. This provision reinserts the changes made by Act 20.

13 **SECTION 81.** 55.19 (1m) (title) of the statutes is created to read:

14 55.19 (1m) (title) COUNTY AGREEMENT.

NOTE: Section 55.19 (1m) was repealed and recreated by 2007 Wis. Act 45 without a title. The previous title is restored. All other subsections of s. 55.19 have titles. The subject matter of s. 55.19 (1m) was unchanged. The title is printed in the 2007-08 Statutes.

15 **SECTION 82.** 66.0137 (4) of the statutes, as affected by 2009 Wisconsin Act 28,
16 is amended to read:

17 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
18 a village provides health care benefits under its home rule power, or if a town

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1 provides health care benefits, to its officers and employees on a self-insured basis,
2 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
3 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4), (5),
4 and (6), 632.885, 632.895 (9) to (17), 632.896, and 767.513 (4).

NOTE: The underscored comma was printed in the 2007-08 Statutes and is confirmed here.

5 **SECTION 83.** The treatment of 66.0230 (1) (a) of the statutes by 2007 Wisconsin
6 Act 20 is not repealed by 2007 Wisconsin Act 43. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau s. 66.0230 (1) (a) reads:

66.0230 (1) (a) In addition to the method described in s. 66.0229 (1) and subject to subs. (2), (3), and (4) and to ss. 66.0301 (6) (d) and 66.0307 (7), all or part of a town may consolidate with a contiguous city or village by ordinance passed by a two-thirds vote of all of the members of each board or council and ratified by the electors at a referendum held in each municipality.

7 **SECTION 84.** 66.0420 (2) (a) of the statutes, as created by 2007 Wisconsin Act
8 42, is amended to read:

9 66.0420 (2) (a) "Affiliate"," when used in relation to any person, means another
10 person who owns or controls, is owned or controlled by, or is under common
11 ownership or control with such person.

NOTE: Places comma before quotation mark consistent with current style.

12 **SECTION 85.** 66.0617 (9) (a) of the statutes, as affected by 2007 Wisconsin Acts
13 44 and 96, is amended to read:

14 66.0617 (9) (a) Subject to: pars. (b), (c), and (d), and with regard to an impact
15 fee that is collected after April 10, 2006, an ordinance enacted under this section shall
16 specify that impact fees that are collected by a municipality within 7 years of the
17 effective date of the ordinance, but are not used within 10 years after the effective
18 date of the ordinance to pay the capital costs for which they were imposed, shall be
19 refunded to the current owner of the property with respect to which the impact fees

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1 were imposed, along with any interest that has accumulated, as described in sub. (8).
2 The ordinance shall specify, by type of public facility, reasonable time periods within
3 which impact fees must be spent or refunded under this subsection, subject to the
4 10-year limit in this paragraph and the extended time period specified in par. (b).
5 In determining the length of the time periods under the ordinance, a municipality
6 shall consider what are appropriate planning and financing periods for the
7 particular types of public facilities for which the impact fees are imposed.

NOTE: Deletes extraneous period inadvertently retained when striking material in
2007 Wis. Act 44.

8 **SECTION 86.** The treatment of 66.0617 (9) (b) of the statutes by 2007 Wisconsin
9 Act 44 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 66.0617 (9) (b) reads:

(b) The 10-year time limit for using impact fees that is specified under par. (a) may
be extended for 3 years if the municipality adopts a resolution stating that, due to
extenuating circumstances or hardship in meeting the 10-year limit, it needs an
additional 3 years to use the impact fees that were collected. The resolution shall include
detailed written findings that specify the extenuating circumstances or hardship that led
to the need to adopt a resolution under this paragraph.

10 **SECTION 87.** 67.12 (12) (a) of the statutes, as affected by 2009 Wisconsin Act 28,
11 is amended to read:

12 **67.12 (12) (a)** Any municipality may issue promissory notes as evidence of
13 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
14 limited to paying any general and current municipal expense, and refunding any
15 municipal obligations, including interest on them. Each note, plus interest if any,
16 shall be repaid within 10 years after the original date of the note, except that notes
17 issued under this section for purposes of ss. 119.498, 145.245 (12m), 281.58, 281.59,
18 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of the capital costs
19 of a metropolitan sewerage district, or issued by a 1st class city or a county having

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1 a population of 500,000 or more, to pay unfunded prior service liability with respect
2 to an employee retirement system, shall be repaid within 20 years after the original
3 date of the note.

NOTE: Inserts necessary comma.

4 **SECTION 88.** The treatment of 71.07 (3w) (a) 6. of the statutes by 2007 Wisconsin
5 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.07 (3w) (a) 6. reads:

6. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. "Zone payroll" does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

6 **SECTION 89.** 71.26 (2) (a) 5. of the statutes, as affected by 2007 Wisconsin Act
7 226, is amended to read:

8 71.26 (2) (a) 5. Plus the amount of losses from the sale or other disposition of
9 assets the gain from which would be wholly exempt income, as defined in sub. (3) (L),
10 if the assets were sold or otherwise disposed of at a gain and minus deductions, as
11 computed under the Internal Revenue Code as modified under sub. (3),.

NOTE: Deletes unnecessary comma. The change is printed in the 2007-08 Statutes.

12 **SECTION 90.** The treatment of 71.28 (3w) (a) 6. of the statutes by 2007 Wisconsin
13 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.28 (3w) (a) 6. reads:

6. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. "Zone payroll" does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

14 **SECTION 91.** The treatment of 71.47 (3w) (a) 6. of the statutes by 2007 Wisconsin
15 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.47 (3w) (a) 6. reads:

6. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. "Zone

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payroll” does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

1 **SECTION 92.** 73.03 (2a) of the statutes, as affected by 2007 Wisconsin Acts 20
2 and 86, is amended to read:

3 **73.03 (2a)** To prepare and publish, in electronic form and on the Internet,
4 assessment manuals. The manual shall discuss and illustrate accepted assessment
5 methods, techniques and practices with a view to more nearly uniform and more
6 consistent assessments of property at the local level. The manual shall be amended
7 by the department from time to time to reflect advances in the science of assessment,
8 court decisions concerning assessment practices, costs, and statistical and other
9 information considered valuable to local assessors by the department. The manual
10 shall incorporate standards for the assessment of all types of renewable energy
11 resource systems used in this state as soon as such systems are used in sufficient
12 numbers and sufficient data exists to allow the formulation of valid guidelines. The
13 manual shall incorporate standards, which the department of revenue and the state
14 historical society of Wisconsin shall develop, for the assessment of nonhistoric
15 property in historic districts and for the assessment of historic property, including
16 but not limited to property that is being preserved or restored; property that is
17 subject to a protective easement, covenant or other restriction for historic
18 preservation purposes; property that is listed in the national register of historic
19 places in Wisconsin or in this state’s register of historic places and property that is
20 designated as a historic landmark and is subject to restrictions imposed by a
21 municipality or by a landmarks commission. The manual shall incorporate general
22 guidelines about ways to determine whether property is taxable in part under s.
23 70.1105 and examples of the ways that s. 70.1105 applies in specific situations. The

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1 manual shall state that assessors are required to comply with s. 70.32 (1g) and shall
2 suggest procedures for doing so. The manual or a supplement to it shall specify per
3 acre value guidelines for each municipality for various categories of agricultural land
4 based on the income that could be generated from its estimated rental for
5 agricultural use, as defined by rule, and capitalization rates established by rule. The
6 manual shall include guidelines for classifying land as agricultural land, as defined
7 in s. 70.32 (2) (c) 1g., and guidelines for distinguishing between land and
8 improvements to land. The manual shall specify the evidence to be exchanged under
9 s. 70.47 (7) (c) and (16) (c). The cost of the development, preparation, and Internet
10 publication of the manual and of revisions and amendments to it shall be paid from
11 the appropriation under s. 20.566 (2) ~~(b)~~ (bm).

NOTE: Corrects cross-reference. Section 20.566 (2) (b), as created by 2007 Wis. Act 20, is renumbered to s. 20.566 (2) (bm) by this bill.

12 **SECTION 93.** The treatment of 76.636 (1) (e) of the statutes by 2007 Wisconsin
13 Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau and amended in the next section of this bill, s. 76.636 (1) (e) reads:

(e) "Member of a targeted group" means any of the following, if the person has been certified in the manner under s. 71.47 (1dj) (am) 3. by a designated local agency, as defined in s. 71.47 (1dj) (am) 2.:

1. A person who resides in an area designated by the federal government as an economic revitalization area.
2. A person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position.
3. A person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147 (3m).
4. A person who is eligible for child care assistance under s. 49.155.
5. A person who is a vocational rehabilitation referral.
6. An economically disadvantaged youth.
7. An economically disadvantaged veteran.
8. A supplemental security income recipient.
9. A general assistance recipient.

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10. An economically disadvantaged ex-convict.

11. A qualified summer youth employee, as defined in 26 USC 51 (d) (7).

12. A dislocated worker, as defined in 29 USC 2801 (9).

13. A food stamp recipient.

1 **SECTION 94.** 76.636 (1) (e) 3. of the statutes, as affected by 2007 Wisconsin Act
2 20, section 2162, and 2007 Wisconsin Act 97, section 98, is amended to read:

3 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
4 (1) (n), or in a real work, real pay project position under s. 49.147 (3m),

NOTE: The inserted comma was deleted by 2007 Wis. Act 97, but is necessary to
accommodate the treatment by 2007 Wis. Act 20. The deleted comma was inserted by Act
20 but was rendered surplusage by the treatment by Act 97.

5 **SECTION 95.** 79.10 (7m) (c) of the statutes, as created by 2007 Wisconsin Act
6 190, is renumbered 79.10 (7m) (cm).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 20 also created a provision numbered s. 79.10 (7m) (c).

7 **SECTION 96.** 84.1023 of the statutes, as created by 2007 Wisconsin Act 163, is
8 renumbered 84.1019.

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 30 also created a provision numbered s. 84.1023.

9 **SECTION 97.** 84.1024 of the statutes, as created by 2007 Wisconsin Act 161, is
10 renumbered 84.1018.

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 6 also created a provision numbered s. 84.1024.

11 **SECTION 98.** 100.55 of the statutes, as created by 2007 Wisconsin Act 176, is
12 renumbered 100.57.

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 76 also created a provision numbered s. 100.55.

13 **SECTION 99.** 101.16 (3r) (f) and (g) of the statutes, as created by 2007 Wisconsin
14 Act 203, are amended to read:

15 101.16 (3r) (f) A 3rd party that issues a surety bond, a letter of credit, or general
16 liability insurance to a retail supplier for purposes of this subsection shall provide

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1 written notice to the retail supplier and to the department at least 60 days before
2 canceling, revoking, suspending, or failing to renew the bond, letter, or insurance.

3 (g) A retail supplier that cancels or fails to renew a surety bond, a letter of
4 credit, or general liability insurance shall notify the department at least 60 days
5 before cancelling or failing to renew the bond, letter, or insurance. Upon receipt of
6 the notice, the department shall revoke the retail supplier's license issued under sub.
7 (3g).

NOTE: Inserts articles for proper sentence agreement.

8 **SECTION 100.** 101.66 (1m) (bn) of the statutes, as created by 2007 Wisconsin Act
9 208, is amended to read:

10 101.66 (**1m**) (bn) A person may not provide a written certification under par.
11 (b) unless the person has been issued a certificate of accomplishment evidencing
12 certification or recertification under the lumber grading training program under s.
13 36.25 ~~(47)~~ (48) and the person has received the certificate within the 5 years before
14 providing the written certification. The person shall attach to the written
15 certification a copy of his or her certificate of accomplishment.

NOTE: Section 36.25 (47), as created by 2007 Wis. Act 208, is renumbered to s. 36.25
(48) by this bill.

16 **SECTION 101.** 101.977 (2) (bn) of the statutes, as created by 2007 Wisconsin Act
17 208, is amended to read:

18 101.977 (**2**) (bn) A person may not provide a written certification under par. (b)
19 unless the person has been issued a certificate of accomplishment evidencing
20 certification or recertification under the lumber grading training program under s.
21 36.25 ~~(47)~~ (48) and the person has received the certificate within the 5 years before
22 providing the written certification. The person shall attach to the written
23 certification a copy of his or her certificate of accomplishment.

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NOTE: Section 36.25 (47), as created by 2007 Wis. Act 208, is renumbered to s. 36.25 (48) by this bill.

1 **SECTION 102.** 102.17 (1) (cg) 3. of the statutes is amended to read:

2 102.17 (1) (cg) 3. The ~~subunit of the department that obtains a social security~~
3 ~~number or a federal employer identification number under subd. 1. of workforce~~
4 ~~development~~ may not disclose the social security number or the federal employer
5 ~~identification number~~ any information received under subd. 1. to any person except
6 to the department of revenue for the sole purpose of requesting certifications under
7 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
8 ~~child and spousal support program under~~ of children and families for purposes of
9 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

10 **SECTION 103.** 102.17 (1) (cm) of the statutes is amended to read:

11 102.17 (1) (cm) The department of workforce development shall deny, suspend,
12 restrict, refuse to renew, or otherwise withhold a license under par. (c) for failure of
13 the applicant or agent to pay court-ordered payments of child or family support,
14 maintenance, birth expenses, medical expenses, or other expenses related to the
15 support of a child or former spouse or for failure of the applicant or agent to comply,
16 after appropriate notice, with a subpoena or warrant issued by the department of
17 children and families or a county child support agency under s. 59.53 (5) and related
18 to paternity or child support proceedings, as provided in a memorandum of
19 understanding entered into under s. 49.857. Notwithstanding par. (c), an action
20 taken under this paragraph is subject to review only as provided in the memorandum
21 of understanding entered into under s. 49.857 and not as provided in ch. 227.

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NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

1 **SECTION 104.** 102.33 (2) (b) 5. of the statutes is amended to read:

2 102.33 (2) (b) 5. The requester is the ~~subunit of the department that~~
3 ~~administers child and spousal support~~ of children and families or a county child
4 support agency under s. 59.53 (5), the request is made under s. 49.22 (2m), and the
5 request is limited to the name and address of the employee who is the subject of the
6 record, the name and address of the employee's employer, and any financial
7 information about that employee contained in the record.

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

8 **SECTION 105.** 103.275 (2) (bg) 3. of the statutes is amended to read:

9 103.275 (2) (bg) 3. The ~~subunit of the department that obtains a social security~~
10 ~~number or a federal employer identification number under subd. 1. of workforce~~
11 development may not disclose the ~~social security number or the federal employer~~
12 ~~identification number~~ any information received under subd. 1. to any person except
13 to the department of revenue for the sole purpose of requesting certifications under
14 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
15 ~~child and spousal support program under~~ of children and families for purposes of
16 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

17 **SECTION 106.** 103.275 (2) (bm) of the statutes is amended to read:

18 103.275 (2) (bm) The department of workforce development shall deny,
19 suspend, restrict, refuse to renew, or otherwise withhold a house-to-house employer
20 certificate for failure of the applicant or house-to-house employer to pay

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1 court-ordered payments of child or family support, maintenance, birth expenses,
2 medical expenses, or other expenses related to the support of a child or former spouse
3 or for failure of the applicant or house-to-house employer to comply, after
4 appropriate notice, with a subpoena or warrant issued by the department of children
5 and families or a county child support agency under s. 59.53 (5) and related to
6 paternity or child support proceedings, as provided in a memorandum of
7 understanding entered into under s. 49.857. Notwithstanding sub. (7) and s. 103.005
8 (10), an action taken under this paragraph is subject to review only as provided in
9 the memorandum of understanding entered into under s. 49.857 and not as provided
10 in sub. (7) and ch. 227.

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

11 **SECTION 107.** 103.91 (2) (b) 3. of the statutes is amended to read:

12 103.91 (2) (b) 3. The subunit of the department that obtains a social security
13 ~~number or a federal employer identification number under subd. 1. of workforce~~
14 ~~development~~ may not disclose the social security number or the federal employer
15 ~~identification number~~ any information received under subd. 1. to any person except
16 to the department of revenue for the sole purpose of requesting certifications under
17 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
18 ~~child and spousal support program under~~ of children and families for purposes of
19 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

20 **SECTION 108.** 103.91 (4) (b) of the statutes is amended to read:

ASSEMBLY BILL 573**SECTION 108**

1 103.91 (4) (b) The department of workforce development shall deny, suspend,
2 restrict, refuse to renew, or otherwise withhold a certificate of registration under sub.
3 (1) for failure of the applicant or registrant to pay court-ordered payments of child
4 or family support, maintenance, birth expenses, medical expenses, or other expenses
5 related to the support of a child or former spouse or for failure of the applicant or
6 registrant to comply, after appropriate notice, with a subpoena or warrant issued by
7 the department of children and families or a county child support agency under s.
8 59.53 (5) and related to paternity or child support proceedings, as provided in a
9 memorandum of understanding entered into under s. 49.857. Notwithstanding s.
10 103.005 (10), an action taken under this paragraph is subject to review only as
11 provided in the memorandum of understanding entered into under s. 49.857 and not
12 as provided in ch. 227.

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.

13 **SECTION 109.** 103.92 (1) (b) 3. of the statutes is amended to read:

14 103.92 (1) (b) 3. ~~The subunit of the department that obtains a social security~~
15 ~~number or a federal employer identification number under subd. 1. of workforce~~
16 ~~development may not disclose the social security number or the federal employer~~
17 ~~identification number~~ any information received under subd. 1. to any person except
18 to the department of revenue for the sole purpose of requesting certifications under
19 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
20 ~~child and spousal support program under~~ of children and families for purposes of
21 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.

ASSEMBLY BILL 573**SECTION 110**

1 **SECTION 110.** 103.92 (6) of the statutes is amended to read:

2 103.92 (6) FAILURE TO PAY SUPPORT OR TO COMPLY WITH SUBPOENA OR WARRANT;
3 MEMORANDUM OF UNDERSTANDING. The department of workforce development shall
4 deny, suspend, restrict, refuse to renew, or otherwise withhold a certificate to operate
5 a migrant labor camp for failure of the applicant or person operating the camp to pay
6 court-ordered payments of child or family support, maintenance, birth expenses,
7 medical expenses, or other expenses related to the support of a child or former spouse
8 or for failure of the applicant or person operating the camp to comply, after
9 appropriate notice, with a subpoena or warrant issued by the department of children
10 and families or a county child support agency under s. 59.53 (5) and related to
11 paternity or child support proceedings, as provided in a memorandum of
12 understanding entered into under s. 49.857. Notwithstanding s. 103.005 (10), an
13 action taken under this subsection is subject to review only as provided in a
14 memorandum of understanding entered into under s. 49.857 and not as provided in
15 ch. 227.

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.

16 **SECTION 111.** 104.07 (4) (c) of the statutes is amended to read:

17 104.07 (4) (c) ~~The subunit of the department that obtains a social security~~
18 ~~number or a federal employer identification number under par. (a) of workforce~~
19 ~~development may not disclose the social security number or the federal employer~~
20 ~~identification number~~ any information received under par. (a) to any person except
21 to the department of revenue for the sole purpose of requesting certifications under
22 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~

ASSEMBLY BILL 573**SECTION 111**

1 ~~child and spousal support program under~~ of children and families for purposes of
2 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

3 **SECTION 112.** 104.07 (5) of the statutes is amended to read:

4 104.07 (5) The department of workforce development shall deny, suspend,
5 restrict, refuse to renew, or otherwise withhold a license under sub. (1) or (2) for
6 failure of the applicant or licensee to pay court-ordered payments of child or family
7 support, maintenance, birth expenses, medical expenses, or other expenses related
8 to the support of a child or former spouse or for failure of the applicant or licensee
9 to comply, after appropriate notice, with a subpoena or warrant issued by the
10 department of children and families or a county child support agency under s. 59.53
11 (5) and related to paternity or child support proceedings, as provided in a
12 memorandum of understanding entered into under s. 49.857. Notwithstanding s.
13 103.005 (10), an action taken under this subsection is subject to review only as
14 provided in the memorandum of understanding entered into under s. 49.857 and not
15 as provided in ch. 227.

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

16 **SECTION 113.** 105.06 (1m) (c) of the statutes is amended to read:

17 105.06 (1m) (c) ~~The subunit of the department that obtains a social security~~
18 ~~number or a federal employer identification number under par. (a) of workforce~~
19 ~~development may not disclose the social security number or the federal employer~~
20 ~~identification number~~ any information received under par. (a) to any person except
21 to the department of revenue for the sole purpose of requesting certifications under

ASSEMBLY BILL 573**SECTION 113**

1 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
2 ~~child and spousal support program under~~ of children and families for purposes of
3 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.

4 **SECTION 114.** 105.13 (2) of the statutes is amended to read:

5 105.13 (2) The department of workforce development shall deny, suspend,
6 restrict, refuse to renew, or otherwise withhold an employment agent's license for
7 failure of the applicant or licensee to pay court-ordered payments of child or family
8 support, maintenance, birth expenses, medical expenses, or other expenses related
9 to the support of a child or former spouse or for failure of the applicant or licensee
10 to comply, after appropriate notice, with a subpoena or warrant issued by the
11 department of children and families or a county child support agency under s. 59.53
12 (5) and related to paternity or child support proceedings, as provided in a
13 memorandum of understanding entered into under s. 49.857. Notwithstanding s.
14 103.005 (10), any action taken under this subsection is subject to review only as
15 provided in the memorandum of understanding entered into under s. 49.857 and not
16 as provided in ch. 227.

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.

17 **SECTION 115.** 108.02 (13) (c) 1. of the statutes is amended to read:

18 108.02 (13) (c) 1. Any employing unit which ~~employees~~ employs an individual
19 in agricultural labor shall become an employer as of the beginning of any calendar
20 year if the employing unit paid or incurred a liability to pay cash wages for
21 agricultural labor which totaled \$20,000 or more during any quarter in either that

ASSEMBLY BILL 573**SECTION 115**

1 year or the preceding calendar year, or if the employing unit employed as many as
2 10 individuals in some agricultural labor for some portion of a day on at least 20 days,
3 each day being in a different calendar week, whether or not such weeks were
4 consecutive, in either that year or the preceding calendar year.

NOTE: Corrects error in transcribing 1987 Wis. Act 38. The change is printed in
the 2007-08 Statutes.

5 **SECTION 116.** 108.02 (17m) (title) of the statutes is created to read:

6 108.02 (**17m**) (title) INDIAN TRIBE.

NOTE: The other subsections in s. 108.02 have titles.

7 **SECTION 117.** 108.151 (7) (h) of the statutes, as affected by 2007 Wisconsin Act
8 59, is amended to read:

9 108.151 (**7**) (h) If the payroll of an employer for any quarter is adjusted to
10 decrease the amount of the payroll after ~~a~~ an employment and wage report for the
11 employer is filed under s. 108.205 (1), the department shall refund any assessment
12 that is overpaid by the employer under this subsection as a result of the adjustment.

NOTE: Inserts correct article.

13 **SECTION 118.** 115.395 (2) of the statutes, as created by 2007 Wisconsin Act 20,
14 is amended to read:

15 115.395 (**2**) Beginning in the 2008-09 school year, the board may apply to the
16 department of administration for an annual grant of up to \$10,000,000 to implement
17 initiatives to improve pupil academic achievement in all grades, such as employing
18 licensed teachers to tutor pupils who are struggling academically, or employing
19 persons to coordinate the district's instructional programs and provide ongoing
20 professional development for teachers. The board shall submit with its application
21 a plan for the department of administration's approval describing the initiatives for
22 which the grant will be used, describing the research showing that the initiatives

ASSEMBLY BILL 573**SECTION 118**

1 have a positive effect on pupil academic achievement, and including criteria for
2 evaluating the effectiveness of the initiatives, such as high school graduation rates
3 or the results of the statewide pupil assessments under ~~ch. s.~~ s. 118.30.

NOTE: Corrects citation form.

4 **SECTION 119.** 115.42 (2) (c) of the statutes, as created by 2007 Wisconsin Act
5 20, is amended to read:

6 115.42 (2) (c) The amount of each grant under par. (a) shall be \$5,000 in any
7 school year in which the recipient is employed in a school in which at least 60 percent
8 of the pupils enrolled are eligible for a free or reduced-price lunch under 42 USC
9 1758 (6) (b).

NOTE: Corrects cross-reference. There is no 42 USC 1758 (6). 42 USC 1758 (b)
relates to eligibility for free and reduced price lunches.

10 **SECTION 120.** 115.77 (1m) (c) of the statutes is amended to read:

11 115.77 (1m) (c) Ensures that children participating in early intervention
12 programs under s. 51.44 who will participate in preschool programs assisted under
13 this subchapter experience a smooth and effective transition to those preschool
14 programs and that, by the 3rd birthday of such a child, an individualized education
15 program has been developed and is being implemented for the child. The local
16 educational agency shall participate in transition planning conferences arranged by
17 the county administrative agency, as defined in s. ~~HFS~~ DHS 90.03 (10), Wis. adm.
18 code Adm. Code.

NOTE: The “HFS” administrative code was renumbered “DHS” by the legislative
reference bureau under s. 13.92 (4) (b) 1. to reflect the name change of the Department
of Health and Family Services to the Department of Health Services. Capitalization is
conformed to current style. The changed agency prefix is printed in the 2007–08 Statutes.

19 **SECTION 121.** 115.812 (3) (a) of the statutes is amended to read:

20 115.812 (3) (a) A school board, cooperative educational service agency and
21 county children with disabilities education board may enter into an agreement with

ASSEMBLY BILL 573**SECTION 121**

1 a county administrative agency, as defined in s. ~~HFS DHS~~ 90.03 (10), Wis. adm. code
2 Adm. Code, to allow the employees of the school board, agency or county children
3 with disabilities education board to participate in the performance of evaluations
4 and the development of individualized family service plans under s. 51.44.

NOTE: The "HFS" administrative code was renumbered "DHS" by the legislative reference bureau under s. 13.92 (4) (b) 1. to reflect the name change of the Department of Health and Family Services to the Department of Health Services. Capitalization is conformed to current style. The changed agency prefix is printed in the 2007-08 Statutes.

5 **SECTION 122.** 134.405 (1) (f) 1. of the statutes, as created by 2007 Wisconsin Act
6 64, is amended to read:

7 134.405 (1) (f) 1. A metal article stamped, engraved, stenciled, or otherwise
8 marked to identify the article as the property of a governmental entity,
9 telecommunications provider, public utility, cable operator, as defined in s. ~~66.0419~~
10 ~~(2) (b)~~ 66.0420 (2) (d), or an entity that produces, transmits, delivers, or furnishes
11 electricity, or transportation, shipbuilding, ship repair, mining, or manufacturing
12 company.

NOTE: Section 66.0419 (2) (b) was repealed by 2007 Wis. Act 42. The definition in s. 66.0420 (2) (d) cross-references a federal definition, and the definition in former s. 66.419 (2) (b) followed the federal definition, rather than cross-referencing it.

13 **SECTION 123.** 146.50 (9m) of the statutes, as created by 2007 Wisconsin Act 104,
14 is renumbered 256.15 (9m).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. 2007 Wis. Act 130 renumbered the section title and subsections (2) to (13) of s. 146.50 to s. 256.15 and renumbered s. 146.50 (1) in parts to s. 256.01 or 256.15 but did not take into account the creation of s. 146.50 (9m) by 2007 Wis. Act 104.

15 **SECTION 124.** 146.555 of the statutes, as created by 2007 Wisconsin Act 104,
16 is renumbered 256.13 and amended to read:

17 **256.13 Cardiocerebral resuscitation.** Any person who offers certification
18 in cardiopulmonary resuscitation shall provide the written information on
19 cardiocerebral resuscitation that is prepared by the emergency medical services

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1 board under s. ~~146.58 (9)~~ 256.04 (9) to each individual to whom the person provides
2 instruction in cardiopulmonary resuscitation.

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. This section is renumbered for consistency with the renumbering of s. 146.50 to 146.59 by 2007 Wis. Act 130. Section 146.58 (9), as created by 2007 Wis. Act 104, is renumbered to 256.04 (9) by this bill.

3 **SECTION 125.** 146.58 (9) of the statutes, as created by 2007 Wisconsin Act 104,
4 is renumbered 256.04 (9).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. The remainder of s. 146.58 was renumbered to s. 256.04 by 2007 Wis. Act 130 without taking the creation of sub. (9) by 2007 Wis. Act 104 into account.

5 **SECTION 126.** 146.70 (3m) (d) 1. of the statutes is renumbered 256.35 (3m) (d)
6 1.

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. The remainder of s. 146.70 was renumbered to s. 256.35 by 2007 Wis. Act 130.

7 **SECTION 127.** The treatment of 153.05 (2r) (intro.) of the statutes by 2007
8 Wisconsin Act 20, sections 2898h and 9121 (6) (a), is not repealed by 2007 Wisconsin
9 Act 97, section 127. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 153.05 (2r) (intro.) reads:

(2r) Notwithstanding s. 16.75 (1), (2), and (3m), from the appropriation account under s. 20.515 (1) (ut) the department of employee trust funds may expend up to \$150,000, and from the appropriation accounts under s. 20.435 (1) (hg) and (hi) the department of health services, in its capacity as a public health authority, may expend moneys, to contract with a data organization to perform services under this chapter that are specified for the data organization under sub. (1) (c) or, if s. 153.455 (4) applies, for the department of health services to perform or contract for the performance of these services. As a condition of the contract under this subsection, all of the following apply:

10 **SECTION 128.** 154.30 (3) (a) 1. of the statutes, as created by 2007 Wisconsin Act
11 58, is amended to read:

12 154.30 (3) (a) 1. The disposition of any unrevoked anatomical gift made by the
13 decedent under s. 157.06 (2) or made by an individual other than the decedent under
14 s. 157.06 (3) ~~or (4)~~.

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NOTE: 2007 Wis. Act 106 repealed and recreated s. 157.06 reorganizing and updating the material relating to anatomical gifts so that the specific cross-references no longer apply.

1 **SECTION 129.** 154.30 (3) (b) 4. of the statutes, as created by 2007 Wisconsin Act
2 58, is amended to read:

3 154.30 (3) (b) 4. An individual for whom a determination is made ~~under~~ by the
4 probate court under par. (c) 2. b. that the individual and the decedent were estranged
5 at the time of death.

NOTE: Deletes unnecessary word.

6 **SECTION 130.** 157.06 (6) (a) (intro.) of the statutes, as affected by 2007
7 Wisconsin Act 106, is amended to read:

8 157.06 (6) (a) (intro.) Subject to sub. (8), a donor may amend an anatomical gift
9 of his or her body or part by doing any of the following:

NOTE: Inserts missing word.

10 **SECTION 131.** 157.06 (12) (a) (intro.) of the statutes, as affected by 2007
11 Wisconsin Act 106, is amended to read:

12 157.06 (12) (a) (intro.) If any of the following persons reasonably believes an
13 individual to be dead or near death, the person shall make a reasonable search of the
14 individual for a record of gift or a record of refusal or other information identifying
15 the individual as a donor or as an individual who has refused to make an anatomical
16 gift.:

NOTE: Replaces punctuation consistent with current style.

17 **SECTION 132.** 157.06 (25m) (c) of the statutes, as affected by 2007 Wisconsin
18 Act 106, is amended to read:

19 157.06 (25m) (c) If a person makes an anatomical gift in the manner provided
20 in sub. (10) (a) 2. or 3., the individual receiving the oral communication shall read
21 aloud to the person, the sentences required under par. (a). If the anatomical gift is

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1 made in the manner provided in sub. (10) (a) 3., the individual who reduces the
2 anatomical gift to a record shall note on the record that the person making the
3 anatomical gift has been read the sentences required under par. (a) and note any
4 limitations that the person making the anatomical gift imposes on the use of any
5 bones or tissues that are the subject of the anatomical gift or any limitations on the
6 types of organizations that recover, process, or distribute such bones or tissues.

NOTE: Inserts a missing article and deletes unnecessary comma.

7 **SECTION 133.** The treatment of 165.85 (3) (cm) of the statutes by 2007
8 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 165.85 (3) (cm) reads:

(cm) Decertify law enforcement, tribal law enforcement, jail or juvenile detention officers who terminate employment or are terminated, who violate or fail to comply with a rule or order of the board relating to curriculum or training, who fail to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse, or who fail to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings. The board shall establish procedures for decertification in compliance with ch. 227, except that decertification for failure to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or for failure to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings shall be done as provided under sub. (3m) (a).

9 **SECTION 134.** 183.0906 (1) to (4) of the statutes are renumbered 183.0906 (1m)
10 (a) to (d).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. 2007 Wis. Act 133 renumbered s. 183.0906 (intro.) to s. 183.0906 (1m) (intro.) but did not renumber the subsequent subsections, resulting in an incorrect numbering scheme.

11 **SECTION 135.** 196.374 (5) (bm) 1. of the statutes, as affected by 2005 Wisconsin
12 Act 141, is amended to read:

13 196.374 (5) (bm) 1. The commission shall commence a proceeding for
14 creating a proposal for allocating within different classes of customers an equitable

ASSEMBLY BILL 573**SECTION 135**

1 distribution of the recovery of the amounts under par. (a) by all energy utilities. The
2 purpose of the allocation is to ensure that customers of an energy utility within a
3 particular class are treated equitably with respect to customers of other energy
4 utilities within the same class. No later than December 31, 2008, the commission
5 shall submit the proposal to the governor and chief clerk of each house of the
6 legislature for distribution to the appropriate standing committees of the legislature
7 under s. 13.172 (3).

NOTE: Deletes unnecessary repeated word inserted by 2005 Wis. Act 141.

8 **SECTION 136.** 233.04 (10) of the statutes, as affected by 2007 Wisconsin Acts
9 109 and 130, is amended to read:

10 233.04 (10) ~~255.35~~ If Children's Hospital and Health System ceases to operate
11 a poison control center under s. 255.35, administer a statewide poison control
12 program.

NOTE: The stricken "255.35" was inserted by 2007 Wis. Act 130 but was rendered
surplusage by the treatment by 2007 Wis. Act 109.

13 **SECTION 137.** 251.20 (3) of the statutes is amended to read:

14 251.20 (3) Additional required services for Level II and Level III local health
15 departments under s. 251.05 (2) (b) and (c), including services that ~~DHFS~~ the
16 department of health services determines appropriately address objectives or
17 services specified in the most recent public health agenda ~~t~~ under s. 250.07 (1) (a).

NOTE: A letter was inadvertently not stricken by 2005 Wis. Act 198. The "t" is not
printed in the 2007-08 Statutes. Consistent with current style, a department
abbreviation is replaced with the current department name.

18 **SECTION 138.** The treatment of 253.15 (8) of the statutes by 2007 Wisconsin Act
19 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-08, s. 253.15 (8) reads:

(8) IDENTIFICATION OF SHAKEN OR IMPACTED BABIES. The department of health
services shall identify all infants and young children who have shaken baby syndrome

ASSEMBLY BILL 573**SECTION 138**

or who are impacted babies and all infants and young children who have died as a result of being shaken or thrown by using the statewide automated child welfare information system established under s. 48.47 (7g) and child fatality information compiled by the department of justice. For each infant or young child so identified, the department of health services shall document the age, sex, and other characteristics of the infant or young child that are relevant to the prevention of shaken baby syndrome and impacted babies and, if known, the age, sex, employment status, and residence of the person who shook or threw the infant or young child, the relationship of that person to the infant or young child, and any other characteristics of that person that are relevant to the prevention of shaken baby syndrome and impacted babies.

1 **SECTION 139.** 254.47 (6) of the statutes, as created by 2007 Wisconsin Act 104,
2 is amended to read:

3 254.47 (6) Before serving as a lifeguard at a public swimming pool or a
4 recreational and educational camp or as an on-site health services staff member at
5 a recreational and educational camp, an individual shall have proficiency in the use
6 of an automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved
7 through instruction provided by an individual, organization, or institution of higher
8 education achieved through instruction approved under s. 46.03 (38) to provide such
9 instruction.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15
(1) (cr) by 2007 Wis. Act 130.

10 **SECTION 140.** 254.59 (7) (title) of the statutes, as created by 2007 Wisconsin Act
11 130, is repealed.

NOTE: No other subsections in s. 254.59 have titles.

12 **SECTION 141.** 281.344 (1) (wp) 2. of the statutes, as created by 2007 Wisconsin
13 Act 227, is amended to read:

14 281.344 (1) (wp) 2. For a system for providing a public water supply, the
15 equipment from the point of intake of the water to the first point at which the water
16 is distributed.

NOTE: Inserts “the” consistent with s. 281.344 (1) (wp) 1.

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1 **SECTION 142.** 281.346 (1) (wp) 2. of the statutes, as created by 2007 Wisconsin
2 Act 227, is amended to read:

3 281.346 **(1)** (wp) 2. For a system for providing a public water supply, the
4 equipment from the point of intake of the water to the first point at which the water
5 is distributed.

NOTE: Inserts "the" consistent with s. 281.346 (1) (wp) 1.

6 **SECTION 143.** 281.346 (5e) (c) 2. of the statutes, as affected by 2009 Wisconsin
7 Act 28, is amended to read:

8 281.346 **(5e)** (c) 2. Beginning on December 8, 2011, except as provided in subd.
9 3., the department may not approve a water supply service area plan under s.
10 281.348 that provides for increasing, before December 8, 2021, the amount of a
11 withdrawal that is covered under an individual permit issued under ~~s.~~ sub. (5) if after
12 the increase the withdrawal would equal 10,000,000 or more gallons per day for any
13 30 consecutive days over the baseline, or, if the department issued a modified permit
14 for the withdrawal and the modification was subject to the compact decision-making
15 standard under sub. (6), the withdrawal would equal 10,000,000 gallons per day for
16 any 30 consecutive days over the withdrawal amount as of the date that the
17 department issued that modified permit, unless the increased withdrawal meets the
18 compact decision-making standard under sub. (6).

NOTE: Deletes unnecessary "s." The change was printed in the 2007-08 Statutes
and is confirmed here.

19 **SECTION 144.** 281.346 (9) (d) 1. of the statutes, as created by 2007 Wisconsin
20 Act 227, is amended to read:

21 281.346 **(9)** (d) 1. The department shall provide an opportunity for any
22 interested person or group of persons, any affected local governmental unit, or any
23 state agency to request a public hearing with respect to a proposal for which the

ASSEMBLY BILL 573**SECTION 144**

1 department receives an application ~~under~~ to which par. (b) 1. applies or on a proposed
2 general permit under sub. (4s) (a). A request for a public hearing shall be filed with
3 the department within 30 days after the department gives notice under par. (b). The
4 party filing a request for a public hearing shall indicate the interest of the party and
5 the reasons why a hearing is warranted. The department shall hold a public hearing
6 on a proposal for which the department receives an application to which par. (b) 1.
7 applies or on a proposed general permit under sub. (4s) (a) if the department
8 determines that there is a significant public interest in holding a hearing.

NOTE: Deletes unnecessary word.

9 **SECTION 145.** 281.346 (11) (a) 2. of the statutes, as created by 2007 Wisconsin
10 Act 227, is amended to read:

11 281.346 (11) (a) 2. The department shall create the water resources inventory
12 under subd. 1. no later than June 1, 2014, or the first day of the 60th month beginning
13 after the compact's effective date, whichever is later.

NOTE: Inserts missing comma.

14 **SECTION 146.** 281.35 (1) (d) of the statutes is amended to read:

15 281.35 (1) (d) "Great Lakes basin" means the watershed of the Great Lakes and
16 the St. Lawrence River upstream from ~~Trois-Rivieres~~ Trois-Rivieres, Quebec.

NOTE: Corrects spelling.

17 **SECTION 147.** 281.35 (4) (a) 4. of the statutes, as created by 2007 Wisconsin Act
18 227, is amended to read:

19 281.35 (4) (a) 4. A person to whom a permit under s. ~~281.244~~ 281.344 (5) or
20 281.346 (5) has been issued or who is required to obtain a permit under one of those
21 provisions before beginning or increasing a withdrawal.

NOTE: Inserts correct cross-reference. There is no s. 281.244.

22 **SECTION 148.** 281.35 (5) (d) 2. of the statutes is amended to read:

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1 281.35 (5) (d) 2. That the proposed withdrawal does not conflict with any
2 applicable plan for future uses of the waters of the state, including plans developed
3 under ss. 281.12 (1) and 283.83 ~~and any water quantity resources plan prepared~~
4 ~~under sub. (8).~~

NOTE: Section 281.35 (8) was repealed by 2007 Wis. Act 227.

5 **SECTION 149.** 281.48 (5p) (title) of the statutes is created to read:

6 281.48 (5p) (title) LIMIT ON LOCAL REGULATION.

NOTE: The remaining subsections in s. 281.48 have titles.

7 **SECTION 150.** 281.49 (10) (title) of the statutes is created to read:

8 281.49 (10) (title) SEPTAGE DISPOSAL FEES.

NOTE: The remaining subsections in s. 281.49 have titles.

9 **SECTION 151.** 281.69 (1b) (ag) of the statutes is amended to read:

10 281.69 (1b) (ag) ~~In this section, “lake”~~ “Lake” includes a flowage.

NOTE: Deletes language repeated from s. 281.69 (1b) (intro.).

11 **SECTION 152.** 285.48 (4) (b) of the statutes, as affected by 2005 Wisconsin Act

12 141, is amended to read:

13 285.48 (4) (b) The implementation of low-income weatherization and energy
14 conservation measures, including programs established under s. 16.957 (2) (a) ~~or (b)~~
15 or programs under s. 196.374.

NOTE: Section 16.957 (2) (b) was repealed eff. 7-1-07 by 2005 Wis. Act 141.

16 **SECTION 153.** The treatment of 301.45 (1d) (b) of the statutes by 2007 Wisconsin

17 Act 80 is not repealed by 2007 Wisconsin Act 116. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau s. 301.45 (1d) (b) reads:

(b) “Sex offense” means a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.051, 948.055, 948.06, 948.07 (1) to (4), 948.075, 948.08, 948.085, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or of s. 940.30 or 940.31 if the victim was a minor and the person who committed the violation was not the victim’s parent.

ASSEMBLY BILL 573**SECTION 154**

1 **SECTION 154.** 301.46 (4) (a) 10m. of the statutes, as created by 2007 Wisconsin
2 Act 20, is amended to read:

3 301.46 (4) (a) 10m. The department of children and families.

NOTE: Inserts missing word.

4 **SECTION 155.** 301.48 (2) (b) 2. of the statutes, as affected by 2007 Wisconsin Acts
5 20 and 96, is amended to read:

6 301.48 (2) (b) 2. A court discharges the person under s. ~~980.10, 2003 stats. or~~
7 s. 980.09 (4). This subdivision does not apply if the person was on supervised release
8 immediately before being discharged.

NOTE: 2007 Wis. Act 20 deleted the cross-reference to s. 980.10 from this provision. 2007 Wis. Act 96, a correction bill, changed the location of the cross-reference within the provision to conform to current style and allow for proper electronic linking but without taking the treatment of Act 20 into account and without intending to recreate a deleted cross-reference.

9 **SECTION 156.** The treatment of 301.48 (3) (c) of the statutes by 2007 Wisconsin
10 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 301.48 (3) (c) reads:

(c) For each person who is subject to global positioning system tracking under this section, the department shall create individualized exclusion and inclusion zones for the person, if necessary to protect public safety. In creating exclusion zones, the department shall focus on areas where children congregate, with perimeters of 100 to 250 feet, and on areas where the person has been prohibited from going as a condition of probation, extended supervision, parole, conditional release, supervised release, or lifetime supervision. In creating inclusion zones for a person on supervised release, the department shall consider s. 980.08 (9).

11 **SECTION 157.** 321.40 (5) (b) of the statutes, as affected by 2007 Wisconsin Act
12 200, is amended to read:

13 321.40 (5) (b) If the U.S. congress establishes an active draft after July 1, 1977,
14 no new tuition grants may be authorized under this section. The department shall
15 determine if an active draft has been established. Any termination of the tuition
16 grant program under this paragraph shall allow persons receiving grants prior to the

ASSEMBLY BILL 573**SECTION 157**

1 establishment of an active draft to receive full benefits subject to sub. (4) (3) (d) and
2 par. (a).

NOTE: Corrects cross-reference. There is no s. 321.40 (4) (d). 2007 Wis. Act 200 renumbered s. 21.49 (3) to s. 321.40 (3), and renumbered s. 21.49 (4) to s. 321.40 (5) but changed the cross-reference to “sub. (3) (d)” in s. 21.49 (4) (b) to “sub. (4) (d)” in s. 321.40 (5) (b).

3 **SECTION 158.** 321.40 (6) (d) of the statutes, as created by 2007 Wisconsin Act
4 200, is renumbered 321.40 (5) (d).

NOTE: There are no other paragraphs in s. 321.40 (6). Section 321.40 (5) lists limitations on tuition grants and s. 321.40 (6) (d) is also a limitation on tuition grants.

5 **SECTION 159.** 322.0587 (4) of the statutes, as created by 2007 Wisconsin Act
6 200, is amended to read:

7 322.0587 (4) If the sentence of a member who forfeits pay and allowances under
8 sub. (1) is set aside or disapproved or, as finally approved, does not provide for a
9 punishment referred to in sub. ~~(1)(b)~~ (2), the member shall be paid the pay and
10 allowances that the member would have been paid, except for the forfeiture, for the
11 period during which the forfeiture was in effect.

NOTE: Corrects cross-reference. There is no s. 322.0587 (1) (b). Punishments are under s. 322.0587 (2).

12 **SECTION 160.** 322.0767 (1) (c) of the statutes, as created by 2007 Wisconsin Act
13 200, is amended to read:

14 322.0767 (1) (c) Upon receiving a report under s. ~~971.17~~ 971.14 (5) (b), the
15 court-martial shall make a determination as to whether the person has become
16 competent. If the court-martial determines that the defendant has become
17 competent, the court-martial shall terminate the commitment to the department of
18 health services and resume the general court-martial. If the court-martial
19 determines that the person is making sufficient progress toward becoming
20 competent, the commitment shall continue. If the court-martial determines that the

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1 person is not likely to become competent to proceed in the time period specified under
2 s. 971.14 (5) (a), the court-martial shall suspend or terminate the commitment order
3 under this subsection.

NOTE: Corrects cross-reference. There is no s. 971.17 (5) (b). Section 971.14 (5)
(b) provides for reexamination and reports regarding a person initially determined to be
incompetent to stand trial.

4 **SECTION 161.** 341.47 (3) of the statutes, as affected by 2007 Wisconsin Act 175,
5 is amended to read:

6 341.47 (3) A vehicle ~~which~~ that is being transported in tow on its own wheels
7 or under its own power from a distributor, a dealer, the manufacturer, or a branch
8 of the manufacturer to the purchaser, or from any location to a distributor, a dealer,
9 the manufacturer, or a branch of the manufacturer, by a transporter of vehicles who
10 is a 3rd party with no ownership interest in the vehicle, need not be registered if such
11 vehicle has displayed upon it valid registration plates issued to the transporter
12 pursuant to s. 341.51. The requirement under this subsection that the vehicle be
13 transported in tow on its own wheels or under its own power does not apply to
14 trailers, semitrailers, or truck tractors.

NOTE: “The” was deleted by 2007 Wis. Act 175 without being shown as stricken.
No change was intended.

15 **SECTION 162.** 342.16 (1) (a) of the statutes is amended to read:

16 342.16 (1) (a) Except as provided in par. (c), if a dealer acquires a new or used
17 vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage
18 vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts
19 a vehicle for sale on consignment, the dealer may not submit to the department the
20 certificate of title or application for certificate of title naming the dealer as owner of
21 the vehicle. Upon transferring the vehicle to another person, the dealer shall
22 immediately give the transferee on a form prescribed by the department a receipt for

ASSEMBLY BILL 573**SECTION 162**

1 all title, registration, security interest and sales tax moneys paid to the dealer for
2 transmittal to the department when required. The dealer shall promptly execute the
3 assignment and warranty of title, showing the name and address of the transferee
4 and of any secured party holding a security interest created or reserved at the time
5 of the resale or sale on consignment, in the spaces provided therefor on the certificate
6 or as the department prescribes. Within 7 business days following the sale or
7 transfer, the dealer shall process the application for certificate of title, and within the
8 next business day after processing the application, the dealer shall mail or deliver
9 the original application for certificate and all associated materials required by the
10 department to the department. A nonresident who purchases a motor vehicle from
11 a dealer in this state may not, unless otherwise authorized by rule of the department,
12 apply for a certificate of title issued for the vehicle in this state unless the dealer
13 determines that a title is necessary to protect the interests of a secured party. The
14 dealer is responsible for determining whether a title and perfection of security
15 interest is required. The dealer is liable for any damages incurred by the department
16 or any secured party for the dealer's failure to perfect a security interest which the
17 dealer had knowledge of at the time of sale.

NOTE: The underscored period was inadvertently deleted by 2005 Wis. Act 25. The
period is printed in the 2007-08 Statutes.

18 **SECTION 163.** 343.14 (2) (br) of the statutes, as affected by 2007 Wisconsin Act
19 20, sections 3243 and 3244b, is repealed and recreated to read:

20 343.14 (2) (br) If the applicant does not have a social security number, a
21 statement made or subscribed under oath or affirmation that the applicant does not
22 have a social security number. The form of the statement shall be prescribed by the
23 department of children and families. A license that is issued or renewed under s.

ASSEMBLY BILL 573**SECTION 163**

1 343.17 in reliance on a statement submitted under this paragraph is invalid if the
2 statement is false.

NOTE: 2007 Wis. Act 20, section 3244b, amended s. 343.14 (2) (br), as affected by 2007 Wis. Act 20, section 3243. Section 3244b changed a reference to the department of workforce development to be a reference to the department of children and families, while section 3243 made various changes related to implementing the federal REAL ID act. Section 3244b took effect on 7-1-08; however, section 3243 has *not* taken effect, because its effective date is contingent upon an event that has not yet occurred. (See section 9448 (1) of Act 20 for the effective date.) This SECTION repeals and recreates the provision so that it reflects the changes made by section 3244b, but not the changes made by section 3243, effective immediately. The following SECTION amends the provision, as affected by this SECTION, so that it reflects the changes made by section 3243, effective on the date that section 3243 takes effect or on the day after publication of this bill, whichever is later.

3 **SECTION 164.** 343.14 (2) (br) of the statutes, as affected by 2009 Wisconsin Act
4 (this act), is amended to read:

5 343.14 (2) (br) If the applicant does not have a social security number, a
6 statement made or subscribed under oath or affirmation that the applicant does not
7 have a social security number and is not eligible for a social security number. The
8 statement shall provide the basis or reason that the applicant is not eligible for a
9 social security number, as well as any information requested by the department that
10 may be needed by the department for purposes of verification under s. 343.165 (1)
11 (c). The form of the statement shall be prescribed by the department, with the
12 assistance of the department of children and families. A license that is issued or
13 renewed under s. 343.17 in reliance on a statement submitted under this paragraph
14 is invalid if the statement is false.

NOTE: See the note following the preceding SECTION.

15 **SECTION 165.** The treatment of 343.235 (3) (a) of the statutes by 2007 Wisconsin
16 Act 20 is not repealed by 2007 Wisconsin Act 27. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective as of the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b), s. 343.235 (3) (a) reads:

ASSEMBLY BILL 573**SECTION 165**

(a) A law enforcement agency, a state authority, a district attorney, a driver licensing agency of another jurisdiction, a federal governmental agency, or the commission to perform a legally authorized function.

1 **SECTION 166.** The treatment of 343.50 (3) of the statutes by 2007 Wisconsin Act
2 20 is not repealed by 2007 Wisconsin Act 106. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective as of the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under s. 85.515 (2) (b), of 2007 Wis. Act 20, section 3378, s. 343.50 (3) reads:

(3) DESIGN AND CONTENTS OF CARD. The card shall be the same size as an operator's license but shall be of a design which is readily distinguishable from the design of an operator's license and bear upon it the words "IDENTIFICATION CARD ONLY." The information on the card shall be the same as specified under s. 343.17 (3). If the issuance of the card requires the applicant to present any documentary proof specified in s. 343.14 (2) (es) 4. to 7., the card shall display, on the front side of the card, a legend identifying the card as temporary. The card shall contain physical security features consistent with any requirement under federal law. The card may serve as a record of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2) (u). The card shall contain the holder's photograph and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

3 **SECTION 167.** The treatment of 343.50 (8) (b) of the statutes by 2007 Wisconsin
4 Act 20 is not repealed by 2007 Wisconsin Act 106. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08 (see SECTION 229 of this bill), s. 343.50 (8) (b) reads:

(b) The department may not disclose any record or other information concerning or relating to an applicant or identification card holder to any person other than a court, district attorney, county corporation counsel, city, village, or town attorney, law enforcement agency, driver licensing agency of another jurisdiction, a procurement organization as provided in sub. (4m) (a), the applicant or identification card holder or, if the applicant or identification card holder is under 18 years of age, his or her parent or guardian. Except for photographs for which disclosure is authorized under s. 343.237, persons entitled to receive any record or other information under this paragraph shall not disclose the record or other information to other persons or agencies. This paragraph does not prohibit the disclosure of a person's name or address, of the name or address of a person's employer or of financial information that relates to a person when requested under s. 49.22 (2m) by the department of children and families or a county child support agency under s. 59.53 (5).

5 **SECTION 168.** 343.71 (1m) (b) of the statutes is amended to read:
6 343.71 (1m) (b) A file containing a copy of every agreement required under this
7 paragraph. No driver school or instructor may provide lessons, lectures, tutoring or
8 other services relating to instructions in the operation of motor vehicles unless a

ASSEMBLY BILL 573**SECTION 168**

1 written agreement in a form approved by the department has been executed by the
2 school and either the student if the student is at least 18 years of age or, if the student
3 is under 18 years of age, the student’s parent or legal guardian. The s driver school
4 shall give the student, or the parent or guardian if the student is under 18 years of
5 age, the original agreement and shall retain and preserve a duplicate copy of the
6 agreement.

NOTE: A letter was inadvertently not stricken by 2005 Wis. Act 397. The “s” is not
printed in the 2007–08 Statutes.

7 **SECTION 169.** 346.65 (2c) of the statutes, as affected by 2007 Wisconsin Act 111,
8 is amended to read:

9 346.65 (2c) In sub. (2) (am) 2., 3., 4., 5., 6., and 7., the time period shall be
10 measured from the dates of the refusals or violations that resulted in the revocation
11 or convictions. If a person has a suspension, revocation, or conviction for any offense
12 under a local ordinance or a state statute of another state that would be counted
13 under s. 343.307 (1), that suspension, revocation, or conviction shall count as a prior
14 suspension, revocation, or conviction under sub. (2) (am) 2., 3., 4., 5., 6., and 7.

NOTE: Inserts necessary period. The change is printed in the 2007–08 Statutes.

15 **SECTION 170.** 348.01 (2) (ax) of the statutes, as created by 2007 Wisconsin Act
16 16, is amended to read:

17 348.01 (2) (ax) “Forestry biomass” ~~has the meaning given in s. 26.385 (1)~~ means
18 byproducts and waste generated by the practice of forestry on forestry lands.

NOTE: Section 26.385 was repealed by 2007 Wis. Act 20. The definition contained
in s. 26.385 (1), 2005 stats., replaces the cross-reference to that provision.

19 **SECTION 171.** The treatment of 348.21 (3g) (intro.) of the statutes by 2007
20 Wisconsin Act 20, section 3435m, is not repealed by 2007 Wisconsin Act 97, section
21 178. Both treatments stand.

ASSEMBLY BILL 573**SECTION 171**

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 348.21 (3g) (intro.) reads:

(3g) Any person who, while operating a vehicle combination that is transporting raw forest products, violates s. 348.15 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

1 **SECTION 172.** The treatment of 440.91 (1) (c) 1. of the statutes by 2007
2 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 174. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-09, s. 440.91 (1) (c) 1. reads:

1. The renewal dates for licenses granted under par. (b) are specified in s. 440.08 (2) (a) and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a), except that a licensed cemetery authority is not required to renew its license if the cemetery authority sells less than 20 cemetery lots or mausoleum spaces at a cemetery during a calendar year, or that has less than \$100,000 in trust fund accounts for a cemetery.

3 **SECTION 173.** The treatment of 447.05 of the statutes by 2007 Wisconsin Act
4 20 is not repealed by 2007 Wisconsin Act 104. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-09, s. 447.05 reads:

447.05 Expiration and renewal. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a). The examining board may not renew a license to practice dentistry unless the applicant for renewal attests that he or she has current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction. The examining board may not renew a license to practice dental hygiene unless the applicant for renewal attests that he or she has complied with s. 447.055 and any rules promulgated by the department under s. 447.055, that he or she has a current certification in cardiopulmonary resuscitation, and that he or she has current proficiency in the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction.

5 **SECTION 174.** 450.071 (1) of the statutes, as created by 2007 Wisconsin Act 20,
6 is amended to read:

7 450.071 (1) No person may engage in the wholesale distribution of a
8 prescription drug in this state without obtaining a license from the board for each
9 facility from which the person distributes prescription drugs. The board shall

ASSEMBLY BILL 573**SECTION 174**

1 exempt a manufacturer that distributes prescription drugs or ~~devises~~ devices
2 manufactured by the manufacturer from licensing and other requirements under
3 this section to the extent the license or requirement is not required under federal law
4 or regulation, unless the board determines that it is necessary to apply a requirement
5 to a manufacturer.

NOTE: Corrects spelling.

6 **SECTION 175.** 455.02 (2m) (L) of the statutes is amended to read:

7 455.02 **(2m)** (L) A mental health professional who has met all of the
8 qualifications under s. ~~HFS~~ DHS 61.96, Wis. Adm. Code, for employment as a mental
9 health professional in an outpatient psychotherapy clinic certified by the
10 department of health services under s. ~~HFS~~ DHS 61.95, Wis. Adm. Code, if the person
11 is performing activities that are a part of the duties for which he or she is employed
12 by such a certified outpatient psychotherapy clinic and is performing those activities
13 solely within the confines of or under the jurisdiction of the clinic by which he or she
14 is employed.

NOTE: The “HFS” administrative code was renumbered “DHS” by the legislative
reference bureau under s. 13.92 (4) (b) 1. to reflect the name change of the Department
of Health and Family Services to the Department of Health Services. The change is
printed in the 2007-08 Statutes.

15 **SECTION 176.** 457.02 (6) (b) 2. of the statutes is amended to read:

16 457.02 **(6)** (b) 2. The person is a mental health professional who meets all of the
17 qualifications under s. ~~HFS~~ DHS 61.96, Wis. Adm. Code, for employment as a mental
18 health professional in an outpatient psychotherapy clinic certified by the
19 department of health services under s. ~~HFS~~ DHS 61.95, Wis. Adm. Code, if the
20 person’s practice of psychotherapy is a part of the duties for which he or she is
21 employed by such a clinic and the person practices psychotherapy solely within the
22 confines of or under the jurisdiction of the clinic.

ASSEMBLY BILL 573**SECTION 176**

NOTE: The "HFS" administrative code was renumbered "DHS" by the legislative reference bureau under s. 13.92 (4) (b) 1. to reflect the name change of the Department of Health and Family Services to the Department of Health Services. The change is printed in the 2007-08 Statutes.

1 **SECTION 177.** 461.02 (2) (d) and (e) of the statutes, as created by 2007 Wisconsin
2 Act 189, are amended to read:

3 461.02 (2) (d) A statement of ownership, which shall include the name and
4 business experience of every controlling person, as defined in s. ~~460.01~~ 461.01 (3) (a),
5 of the applicant.

6 (e) A statement of management, which shall include the name and business
7 experience of every controlling person, as defined in s. ~~460.01~~ 461.01 (3) (b), of the
8 applicant.

NOTE: Inserts correct cross-reference. There is no s. 460.01 (3) (a) or (b).
"Controlling person," is defined in s. 461.01 (3) as follows:

(3) "Controlling person" means any of the following:

(a) A person who, individually or acting in concert with one or more other persons, owns or controls, directly or indirectly, 25 percent or more of the ownership interest of an applicant or registrant.

(b) A person who serves as president or chief executive officer of an applicant or registrant or who otherwise has the authority to act as the senior executive officer of an applicant or registrant.

9 **SECTION 178.** 551.102 (intro.) of the statutes, as affected by 2007 Wisconsin Act
10 196, is amended to read:

11 **551.102 Definitions.** (intro.) In this ~~Chapter~~ chapter, unless the context
12 otherwise requires:

NOTE: Capitalization is conformed to current style. The change is printed in the
2007-08 Statutes.

13 **SECTION 179.** 551.304 (2) (intro.) of the statutes, as affected by 2007 Wisconsin
14 Act 196, is amended to read:

15 551.304 (2) **REQUIRED RECORDS.** (intro.) A registration statement under this
16 section must contain the information or records specified in s. 551.305, a consent to

ASSEMBLY BILL 573**SECTION 179**

1 service of process complying with s. 551.611, and, if required by rule adopted under
2 this chapter, any, or any combination, of, the following information or records:

NOTE: Moves comma for proper sentence structure.

3 **SECTION 180.** 551.613 (5) (intro.) of the statutes, as affected by 2007 Wisconsin
4 Act 196, is amended to read:

5 551.613 (5) PUBLICATIONS, RADIO, TELEVISION, OR ELECTRONIC COMMUNICATIONS.

6 (intro.) An offer to sell or to purchase is not made in this state when a publisher
7 circulates or there is circulated on the publisher's behalf in this state a bona fide
8 newspaper or other publication of general, regular, and paid circulation that is not
9 published in this state, or that is published in this state but has had more than
10 two-thirds of its circulation outside this state during the previous 12 months, or
11 when a radio or television program or other electronic communication originating
12 outside this state is received in this state. A radio, or television program, or other
13 electronic communication is considered as having originated in this state if either the
14 broadcast studio or the originating source of transmission is located in this state,
15 unless any of the following apply:

NOTE: Makes phrase consistent with that contained in the previous sentence and
s. 551.613 (5) (a) to (d), as affected by 2007 Wis. Act 196.

16 **SECTION 181.** 560.137 (title) and (1) (intro.) of the statutes are repealed.

NOTE: The remainder of s. 560.137 was renumbered to s. 560.138 or 560.139 or
repealed by 2007 Wis. Act 125, rendering s. 560.137 (title) and (1) (intro.) surplusage.

17 **SECTION 182.** 560.35 (1) (a) to (d) of the statutes are renumbered 560.29 (2) (a)
18 1. to 4.

NOTE: 2007 Wis. Act 20 renumbered s. 560.35 (1) (intro.) to 560.29 (2) (a) (intro.)
and renumbered the remainder of s. 560.35 to s. 560.29 (2) but did not treat s. 560.35 (1)
(a) to (d).

19 **SECTION 183.** 560.837 (title) of the statutes is repealed.

NOTE: The remainder of the section was renumbered to s. 560.82 (1m) (d) and (e)
by 2007 Wis. Act 125.

ASSEMBLY BILL 573**SECTION 184**

1 **SECTION 184.** The treatment of 560.85 (3) (a) of the statutes by 2007 Wisconsin
2 Act 96 is not repealed by 2007 Wisconsin Act 125. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 560.85 (3) (a) reads:

(a) Develop procedures to evaluate applications and monitor project performance for grants awarded for early planning projects under s. 560.835 (6), 2001 stats., or s. 560.82 (1m) (a).

3 **SECTION 185.** The treatment of 628.10 (2) (c) of the statutes by 2007 Wisconsin
4 Act 20 is not repealed by 2007 Wisconsin Act 169. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 628.10 (2) (c) reads:

(c) *For failure to pay support or to comply with subpoena or warrant.* The commissioner shall suspend or limit the license of an intermediary who is a natural person, or a temporary license of a natural person under s. 628.09, if the natural person is delinquent in court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse, or if the natural person fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. A natural person whose license or temporary license is suspended under this paragraph who satisfies the requirements under this paragraph for which the license was suspended may have his or her license or temporary license reinstated by satisfactorily completing a reinstatement application and paying the application fee for original licensure as specified by rule.

5 **SECTION 186.** 700.27 (2) (d) of the statutes is amended to read:

6 700.27 (2) (d) *Disclaimer by a guardian or conservator.* A guardian of the estate
7 or a conservator appointed under ch. 880, 2003 stats., or ch. 54 may disclaim on
8 behalf of his or her ward, with court approval, if the ward is entitled to disclaim under
9 this section.

NOTE: Corrects cross-reference. Chapter 880 was renumbered to Chapter 54 by 2005 Wis. Act 387.

10 **SECTION 187.** 701.20 (2) (L) 1. of the statutes is amended to read:

11 701.20 (2) (L) 1. A court-appointed guardian of a beneficiary who is
12 adjudicated incompetent, as defined in s. 880.01 (4).

NOTE: Inserts the current terminology used to refer to incompetency after the revision of the guardianship statutes by 2005 Wis. Act 387.

ASSEMBLY BILL 573**SECTION 188**

1 **SECTION 188.** 708.10 (2) (title) of the statutes is amended to read:

2 708.10 (2) (title) LOAN FUND ~~DISPERSAL~~ DISBURSAL.

NOTE: Corrects spelling.

3 **SECTION 189.** 757.68 (1) of the statutes is amended to read:

4 757.68 (1) Subject to subs. (2m) to (5m), in every county organized for judicial
5 purposes, the county board shall establish the number of circuit court commissioner
6 positions necessary for the efficient administration of judicial business within the
7 circuit courts of the county. The circuit court commissioners may be employed on a
8 full-time or part-time basis. ~~Chapter SCR chapter 75 of the supreme court rules~~
9 shall govern the qualifications for, and appointment, supervision, training,
10 evaluation, and discipline of, circuit court commissioners. Any person qualified and
11 acting as a judicial court commissioner on August 1, 1978, shall be considered a
12 circuit court commissioner and shall continue in the classified county civil service
13 but any person appointed as a court commissioner after August 1, 1978, shall be in
14 the unclassified civil service. Each circuit court commissioner shall take and file the
15 official oath in the office of the clerk of the circuit court of the county for which
16 appointed before performing any duty of the office.

NOTE: The citation form is amended to allow for electronic linking.

17 **SECTION 190.** 767.35 (6) of the statutes is amended to read:

18 767.35 (6) VACATING OR MODIFYING DIVORCE JUDGMENT AS IT AFFECTS MARITAL
19 STATUS. So far as a judgment of divorce affects the marital status of the parties, the
20 court may vacate or modify the judgment for sufficient cause shown, upon its own
21 motion, or upon the application of both parties to the action, at any time within 6
22 months from the granting of the judgment., If the judgment is vacated it shall restore
23 the parties to the marital relation that existed before the granting of the judgment.

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1 If a judgment of divorce is set aside under this subsection, the court shall order the
2 record in the action impounded without regard to s. 767.13. After the record is
3 impounded, the record may not be offered or admitted in whole or in part into
4 evidence in any action or proceeding except by special order of the court of
5 jurisdiction upon good cause shown in any paternity proceedings under this chapter
6 or by special order of a court of record upon a showing of necessity to clear title to real
7 estate.

NOTE: Deletes comma inadvertently retained by 2005 Wis. Act 443. The comma
is not printed in the 2007-08 Statutes.

8 **SECTION 191.** The treatment of 767.57 (1e) (a) of the statutes by 2007 Wisconsin
9 Act 20, section 3734, is not repealed by 2007 Wisconsin Act 96. Both treatments
10 stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 767.57 (1e) (a) reads:

(a) For receiving and disbursing maintenance, child support, or family support
payments, including payments in arrears, and for maintaining the records required
under sub. (1) (c), the department or its designee shall collect an annual fee of \$65 from
a party ordered to make payments. The court shall order each party ordered to make
payments to pay the fee in each year for which payments are ordered or in which an
arrearage in any of those payments is owed. In directing the manner of payment, the
court shall order that the fee be withheld from income and sent to the department or its
designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in
the appropriation account under s. 20.445 (3) (ja). At the time of ordering payment of the
fee, the court shall notify each party ordered to make payments of the requirement to pay,
and the amount of, the fee. If the fee under this paragraph is not paid when due, the
department or its designee may not deduct the fee from any maintenance, child or family
support, or arrearage payment, but may move the court for a remedial sanction under ch.
785.

11 **SECTION 192.** The treatment of 767.57 (1e) (a) of the statutes by 2007 Wisconsin
12 Act 20, section 3735, is not repealed by 2007 Wisconsin Act 96. Both treatments
13 stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-08, s. 767.57 (1e) (a) reads:

(a) For receiving and disbursing maintenance, child support, or family support
payments, including payments in arrears, and for maintaining the records required
under sub. (1) (c), the department or its designee shall collect an annual fee of \$65 from
a party ordered to make payments. The court shall order each party ordered to make

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payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in the appropriation account under s. 20.437 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

1 **SECTION 193.** 801.52 of the statutes, as affected by 2007 Wisconsin Act 1, is
2 amended to read:

3 **801.52 Discretionary change of venue.** The court may at any time, upon
4 its own motion, the motion of a party or the stipulation of the parties, change the
5 venue to any county in the interest of justice or for the convenience of the parties or
6 witnesses, except that venue in a civil action to impose a forfeiture for a violation of
7 chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 or for a violation of any other
8 law arising from or in relation to the official functions of the subject of the
9 investigation or any matter that involves elections, ethics, or lobbying regulation
10 under chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, may be changed only
11 as provided in s. 971.223 (1) and (2) or in the same manner that is authorized for a
12 change in the venue of a criminal trial under s. 971.22. This section does not apply
13 to proceedings under ch. 980.

NOTE: Inserts missing article.

14 **SECTION 194.** 804.05 (3) (b) 5. of the statutes, as affected by 2007 Wisconsin Act
15 97, is amended to read:

16 804.05 (3) (b) 5. In this subsection, the terms “defendant” and “plaintiff”
17 include officers, directors, and managing agents of corporate defendants and
18 corporate plaintiffs, or other persons designated under sub. (2) (e), as appropriate.
19 A defendant who asserts a counterclaim or a cross claim shall not be considered a

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1 plaintiff within the meaning of this subsection, but a 3rd-party plaintiff under s.
2 803.05 (1) shall be so considered with respect to the 3rd-party defendant.

NOTE: The underscored comma was deleted by 2007 Wis. Act 97 without being shown as stricken. No change was intended.

3 **SECTION 195.** 809.19 (6) (c) 2. of the statutes is amended to read:

4 809.19 (6) (c) 2. The front and back covers of the combined brief shall be gray.
5 The appellant portion of the combined brief shall comply with the requirements of
6 sub. (4) for a reply brief, including the length limitation for such a brief set forth in
7 sub. (8) (c) ~~1~~ 2. The cross-respondent portion of the combined brief shall comply with
8 the requirements of sub. (3) for a respondent's brief, including the length limitation
9 for such a brief set forth in sub. (8) (c) 1., except that the requirement of sub. (1) (c)
10 may be omitted, the cross-respondent portion of the combined brief shall be preceded
11 by a blank red cover, and a signature shall be required only at the conclusion of the
12 cross-respondent portion of the combined brief.

NOTE: Inserts the correct cross-reference. Reply brief page length is governed by s. 809.19 (8) (c) 2.

13 **SECTION 196.** 809.30 (2) (L) (title) of the statutes is created to read:

14 809.30 (2) (L) (title) *Appeals under s. 974.06 or 974.07.*

NOTE: The other paragraphs in s. 809.30 (2) have titles.

15 **SECTION 197.** 809.62 (2) (c) of the statutes is amended to read:

16 809.62 (2) (c) A concise statement of the criteria of sub. (1) (1r) relied upon to
17 support the petition, or in the absence of any of the criteria, a concise statement of
18 other substantial and compelling reasons for review.

NOTE: The list of criteria previously numbered s. 809.62 (1) (a) to (e) was renumbered s. 809.63 (1r) (a) to (e) by Supreme Court Order 04-08, and s. 809.63 (1r) (a) to (e) is renumbered s. 809.62 (1r) (a) to (e) by this bill.

19 **SECTION 198.** 809.63 (1r) (a) to (e) of the statutes, as affected by Supreme Court
20 Order 04-08, are renumbered 809.62 (1r) (a) to (e).

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NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. Supreme Court Order 04-08 inserted new material ahead of the former s. 809.62 (1) and moved material introductory to former s. 809.62 (1) (a) to (e) to a new s. 809.62 (1r) (intro.), but inadvertently renumbered s. 809.62 (1) (a) to (e) to s. 809.63 (1r) (a) to (e).

1 **SECTION 199.** 846.101 (2) of the statutes is amended to read:

2 846.101 (2) When plaintiff so elects, judgment shall be entered in
3 this chapter, except that no judgment for deficiency may be ordered therein nor
4 separately rendered against any party who is personally liable for the debt secured
5 by the mortgage and the sale of such mortgaged premises shall be made upon the
6 expiration of 6 months from the date when such judgment is entered. Notice of the
7 time and place of sale shall be given under ss. 815.31 and 846.16 within such
8 ~~6-months~~ 6-month period except that first printing of a copy of such notice in a
9 newspaper shall not be made less than 4 months after the date when such judgment
10 is entered.

NOTE: Corrects spelling. The corrected spelling is printed in the 2007-08 Statutes.

11 **SECTION 200.** 854.17 of the statutes, as affected by 2005 Wisconsin Acts 216 and
12 387, is amended to read:

13 **854.17 Marital property classification; ownership and division of**
14 **marital property at death.** ~~54~~ and Classification of the property of a decedent
15 spouse and surviving spouse, and ownership and division of that property at the
16 death of a spouse, are determined under ch. 766 and s. 861.01.

NOTE: The stricken language was inserted by 2005 Wis. Act 387, but rendered surplusage by 2005 Wis. Act 216.

17 **SECTION 201.** 895.51 (1) (bm) of the statutes, as created by 2007 Wisconsin Act
18 79, is renumbered 895.51 (1) (dr).

NOTE: Places definition in alphabetical order consistent with current style.

19 **SECTION 202.** 938.21 (2) (c) of the statutes is amended to read:

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1 938.21 (2) (c) Prior to the commencement of the hearing, the court shall inform
2 the juvenile of the allegations that have been or may be made, the nature and
3 possible consequences of this hearing as compared to possible future hearings, the
4 provisions of s. 938.18 if applicable, the right to counsel under s. 938.23 regardless
5 of ability to pay if the juvenile is not yet represented by counsel, the right to remain
6 silent, the fact that the silence may not be adversely considered by the court, the
7 right to confront and cross-examine witnesses, and the right to present witnesses.

NOTE: The word "commissioner" preceding "court" was stricken by 2005 Wis. Act 344, section 200, but the final "r" was not struck. The change is printed in the 2007-08 Statutes.

8 **SECTION 203.** The treatment of 938.355 (6) (d) 1. of the statutes by 2007
9 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 938.355 (6) (d) 1. reads:

1. Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

10 **SECTION 204.** 938.355 (6d) (b) 1. of the statutes is amended to read:

11 938.355 (6d) (b) 1. Notwithstanding ss. 938.19 to 938.21, but subject to any
12 general written policies adopted by the court under s. 938.06 (1) or (2), to any policies
13 adopted by the county department relating to aftercare supervision administered by
14 the county department, and to any policies adopted by the county board relating to
15 the taking into custody and placement of a juvenile under this subdivision, if a
16 juvenile who is on aftercare supervision administered by the county department

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SECTION 204

1 violates a condition of that supervision, the juvenile’s caseworker or any other person
 2 authorized to provide or providing intake or dispositional services for the court under
 3 s. 938.067 or 938.069 may, without a hearing, take the juvenile into custody and place
 4 the juvenile in a secure juvenile detention facility or juvenile portion of a county jail
 5 that meets the standards promulgated by the department by rule or in a place of
 6 nonsecure custody designated by that person for not more than 72 hours while the
 7 alleged violation and the appropriateness of revoking the juvenile’s aftercare status
 8 are being investigated. Short-term detention may be imposed under this
 9 subdivision only if at the dispositional hearing the court explained those conditions
 10 to the juvenile and informed the juvenile of that possible placement or if before the
 11 violation the juvenile has acknowledged in writing that he or she has read, or has had
 12 read to him or her, those conditions and that possible placement and that he or she
 13 understands those conditions and that possible placement.

NOTE: The term “secure detention facility” was changed to “juvenile detention facility” by 2005 Wis. Act 344. 2007 Wis. Act 97 replaced “secure detention facility” with “juvenile detention facility” in statutes not included in Act 344, but this provision was missed.

14 **SECTION 205.** The treatment of 938.355 (6m) (a) 1g. of the statutes by 2007
 15 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 938.355 (6m) (a) 1g. reads:

1g. Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. The use of placement in a juvenile detention facility or in a juvenile portion of a county jail as a sanction under this subdivision is subject to the adoption of a resolution by the county board of supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42

ASSEMBLY BILL 573**SECTION 205**

USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

1 **SECTION 206.** 939.32 (1g) (b) 1. of the statutes is amended to read:

2 939.32 (**1g**) (b) 1. If neither s. 939.62 (1) nor s. 961.48 is being applied, the
3 maximum term of imprisonment is one-half of the maximum term of imprisonment,
4 as increased by any penalty enhancement statute listed in s. 973.01 (2) (c) 2. a. and
5 b., for the completed crime.

NOTE: Adds "s." to allow for electronic linking. The "s." is printed in the 2007-08 Statutes.

6 **SECTION 207.** The treatment of 939.632 (1) (e) 1. of the statutes by 2007
7 Wisconsin Act 116 is not repealed by 2007 Wisconsin Act 127. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 939.632 (1) (e) 1. reads:

1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09 (1c), 940.19 (2), (4) or (5), 940.21, 940.225 (1), (2) or (3), 940.235, 940.305, 940.31, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.23 (1g), 943.32 (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c), 948.05, 948.051, 948.055, 948.07, 948.08, 948.085, or 948.30 (2) or under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

8 **SECTION 208.** The treatment of 946.82 (4) of the statutes by 2007 Wisconsin Act
9 116 is not repealed by 2007 Wisconsin Act 196. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 1-1-09, s. 946.82 (4) reads:

(4) "Racketeering activity" means any activity specified in 18 USC 1961 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission of any of the felonies specified in: chs. 945 and 961, subch. V of ch. 551, and ss. 49.49, 134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637, 221.1004, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (4) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.302 (2), 940.305, 940.31, 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09, 943.01 (2), (2d), or (2g), 943.011, 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (bf) to (e), 943.201, 943.203, 943.23 (1g), (2) and (3), 943.24 (2), 943.27, 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c), 943.60, 943.70, 943.76, 943.81, 943.82, 943.83, 943.84, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 946.79, 947.015, 948.05, 948.051, 948.08, 948.12, and 948.30.

10 **SECTION 209.** 949.20 (4) 1. and 2. of the statutes, as created by 2007 Wisconsin
11 Act 20, are renumbered 949.20 (4) (a) and (b).

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1 arising from or in relation to the official functions of the subject of the investigation
2 or any matter that involves elections, ethics, or lobbying regulation under subch. chs.
3 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 a defendant who is a resident of this
4 state shall be tried in circuit court for the county where the defendant resides. For
5 purposes of this subsection, a person other than a natural person resides within a
6 county if the person's principal place of operation is located within that county.

NOTE: Corrects citation form.

7 **SECTION 213.** 2005 Wisconsin Act 25, section 1474t is amended by replacing
8 "TEMPORARY RECYCLING SURCHARGE" with "RECYCLING SURCHARGE".

NOTE: "TEMPORARY" was inserted into chapter 77 (title) by 2005 Wis. Act 25 without being underscored. No change was intended. "TEMPORARY" was not printed in the 2005-06 Statutes.

9 **SECTION 214.** 2007 Wisconsin Act 1, section 7 is amended by replacing "5.05 (1)
10 (e) Delegate to ~~its executive director~~ its legal counsel" with "5.05 (1) (e) Delegate to
11 ~~its executive director~~ its legal counsel".

NOTE: "Its" was inserted without being shown as underscored. The change was intended.

12 **SECTION 215.** 2007 Wisconsin Act 15, section 2 is amended by replacing "This
13 act takes effect on the first day of the 2nd month beginning after the effective date
14 of this subsection." with "This act takes effect on the first day of the 2nd month
15 beginning after publication."

NOTE: Clarifies effective date by inserting language consistent with current style.

16 **SECTION 216.** 2007 Wisconsin Act 20, section 342 is amended by replacing
17 "~~46.481~~ 48.481 and 2007 Wisconsin Act ... (this act), section ~~9121~~ 9155 (9u)" with
18 "~~46.481~~ 48.481 and 2007 Wisconsin Act ... (this act), section ~~9121~~ 9155 (9u)".

NOTE: Previously existing text was underscored.

ASSEMBLY BILL 573**SECTION 217**

1 **SECTION 217.** 2007 Wisconsin Act 20, section 973 is amended by replacing
2 “older persons and persons with physical or developmental disabilities” with “older
3 persons and persons with physical or developmental disabilities”.

NOTE: The letter “o” was inadvertently not stricken.

4 **SECTION 218.** 2007 Wisconsin Act 20, section 989 is amended by replacing
5 “individuals who belong to a client group served by the resource center” with
6 “individuals who belong to a client group served by the resource center”.

NOTE: The phrase “individuals who belong to a client group served by the resource center” was inserted by 2007 Wis. Act 20 without scoring. The change was intended.

7 **SECTION 219.** 2007 Wisconsin Act 20, section 1293 is amended by replacing
8 “48.57 (3) (a) 3. (intro.)” with “48.57 (3) (a) 3.” in 2 places.

NOTE: There is no s. 48.357 (3) (a) 3. (intro.). 2007 Wis. Act 20, section 1293 amends the text of s. 48.57 (3) (a) 3.

9 **SECTION 220.** 2007 Wisconsin Act 20, section 1313 is amended by replacing
10 “944.30, 944.31, or 944.33” with “944.30, 944.31, or 944.33”.

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

11 **SECTION 221.** 2007 Wisconsin Act 20, section 1596 is amended by replacing
12 “~~par.~~ pars. (cm) and (cr)” with “~~par.~~ pars. (cm) and (cr)”.

NOTE: The period was inserted without being underscored. The change was intended.

13 **SECTION 222.** 2007 Wisconsin Act 20, section 1713 is amended by replacing “s.
14 ~~767.89 (3) (e) 1. or 767.805 (4) (d) 1. or 767.89 (3) (e) 1.~~” with “s. 767.805 (4) (d) 1. or
15 767.89 (3) (e) 1.”.

NOTE: Text that was not preexisting was shown as stricken.

16 **SECTION 223.** 2007 Wisconsin Act 20, section 1716 is amended by replacing “s.
17 ~~767.89 (3) (e) 1. or 767.805 (4) (d) 1. or 767.89 (3) (e) 1.~~” with “s. 767.805 (4) (d) 1. or
18 767.89 (3) (e) 1.”.

NOTE: Text that was not preexisting was shown as stricken.

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1 **SECTION 224.** 2007 Wisconsin Act 20, section 1968 is amended by replacing
2 “individuals full-time employees that exceeds \$100,000.” with “individual full-time
3 employees that exceeds \$100,000.”.

NOTE: The “s” in “individuals” was not preexisting, but was shown as stricken.

4 **SECTION 225.** 2007 Wisconsin Act 20, section 2041 is amended by replacing
5 “individuals full-time employees that exceeds \$100,000.” with “individual full-time
6 employees that exceeds \$100,000.”.

NOTE: The “s” in “individuals” was not preexisting, but was shown as stricken.

7 **SECTION 226.** 2007 Wisconsin Act 20, section 2097 is amended by replacing
8 “individuals full-time employees that exceeds \$100,000.” with “individual full-time
9 employees that exceeds \$100,000.”.

NOTE: The “s” in “individuals” was not preexisting, but was shown as stricken.

10 **SECTION 227.** 2007 Wisconsin Act 20, section 2512 is amended by replacing
11 “79.10 (2) (a) NOTICE TO MUNICIPALITIES. On or before December 1” with “79.10 (2)
12 (a) On or before December 1”.

NOTE: The subsection title was shown as if it was the paragraph title. It should not have been shown.

13 **SECTION 228.** 2007 Wisconsin Act 20, section 3065 is amended by replacing
14 “~~46.03 (7) (g) s. 46.03 (7g) 48.47 (7g)~~” with “~~46.03 (7) (g) 48.47 (7g)~~”.

NOTE: Text that was not preexisting was shown as stricken.

15 **SECTION 229.** 2007 Wisconsin Act 20, section 9448 (1) is amended by replacing
16 “the amendment of section 343.50 (8) (a) and (b) of the statutes” with “the
17 amendment of section 343.50 (8) (a) of the statutes”.

NOTE: Sections 9448 (1) and 9455 (2) of 2007 Wis. Act 20, contain conflicting effective date provisions for the amendment of s. 343.50 (8) (b) by Act 20. Drafting records indicate that section 9455 (2) is correct.

18 **SECTION 230.** 2007 Wisconsin Act 20, section 9455 (2) is amended by replacing
19 “48.57 (3) (a) 3. (intro.)” with “48.57 (3) (a) 3.”.

ASSEMBLY BILL 573**SECTION 230**

NOTE: There is no s. 48.57 (3) (a) 3. (intro.). 2007 Wis. Act 20, section 1293 amends the text of s. 48.57 (3) (a) 3.

1 **SECTION 231.** 2007 Wisconsin Act 27, section 1 is amended by replacing “the
2 department and its agents, the department of justice, and peace officers” with “the
3 department and its agents, the department of justice, and peace officers”.

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

4 **SECTION 232.** 2007 Wisconsin Act 39, section 2 is amended by replacing “(jz)
5 *Medical Assistance and Badger Care cost sharing and employer penalty assessments.*
6 All moneys received from in cost sharing from medical assistance recipients,
7 including payments under s. 49.665 (5) and, all moneys received from penalty
8 assessments under s. 49.665 (7) (b) 2., and 90 percent of all moneys received from
9 penalty assessments under s. 49.471 (9) (c) to be used for the Badger Care health care
10 program under s. 49.665 and for the Medical Assistance program under subch. IV of
11 ch. 49.” with “(jz) *Medical Assistance and Badger Care cost sharing and employer*
12 *penalty assessments.* All moneys received in cost sharing from medical assistance
13 recipients, including payments under s. 49.665 (5), all moneys received from penalty
14 assessments under s. 49.665 (7) (b) 2., and 90 percent of all moneys received from
15 penalty assessments under s. 49.471 (9) (c) to be used for the Badger Care health care
16 program under s. 49.665 and for the Medical Assistance program under subch. IV of
17 ch. 49.”.

NOTE: 2007 Wis. Act 39, section 2, provides that s. 20.435 (4) (jz) is amended as affected by 2007 Wis. Act 20 and Act 39, section 1. However, Act 39, section 2, showed as stricken, text that had already been stricken by Act 20, section 393, and showed as underscored, text that had already been underscored by Act 20, section 393.

18 **SECTION 233.** 2007 Wisconsin Act 59, section 23 is amended by replacing
19 “~~ending on June 29, 2008,~~” with “~~ending on June 28, 2008,~~”.

NOTE: Incorrect text was shown stricken.

ASSEMBLY BILL 573**SECTION 234**

1 **SECTION 234.** 2007 Wisconsin Act 97, section 165 is amended by replacing
2 “under par. (f) 55. and,” with “under par. (f) 55., and”.

NOTE: A comma was shown in the wrong location.

3 **SECTION 235.** 2007 Wisconsin Act 137, section 1 is amended by replacing
4 “341.04 (1)” with “341.04 (1) (intro.)” in 2 places.

NOTE: 2007 Wis. Act 137, section 1, treated only s. 341.04 (1) (intro.), not all of s.
341.04 (1).

5 **SECTION 236.** 2007 Wisconsin Act 174, section 5 is amended by replacing
6 “157.19 (4) (intro.)” with “157.19 (4)” in 2 places.

NOTE: Section 157.19 (4) is not subdivided and does not contain an introductory
provision.

7 **SECTION 237.** 2007 Wisconsin Act 196, section 13 is amended by replacing
8 “448.02 (9) and 551.62” with “448.02 (9), and 551.62”.

Note: 2007 Wisconsin Act 196, section 13, failed to show as stricken a comma that
had been inserted by 2007 Wis. Act 20. The change was intended.

9 **SECTION 238. Effective dates.** This act takes effect on the day after
10 publication, except as follows:

11 (1) The amendment of section 343.14 (2) (br) of the statutes takes effect on the
12 day after publication or on the date stated in the notice provided by the secretary of
13 transportation and published in the Wisconsin Administrative Register under
14 section 85.515 (2) (b) of the statutes, whichever is later.

15 (2) The treatment of section 66.0137 (4) of the statutes takes effect on January
16 1, 2010, or on the day after publication, whichever is later.

17

(END)