



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-4363/1  
BJH:cjs

## 2015 SENATE BILL 561

January 12, 2016 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Senate Organization.

1 **AN ACT relating to:** affecting various provisions of the statutes to correct errors  
2 and reconcile conflicts (Correction Bill).

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***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.

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

3 **SECTION 1.** The treatment of 7.30 (2) (a) of the statutes by 2013 Wisconsin Act  
4 147 is not repealed by 2013 Wisconsin Act 181. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 7.30 (2) (a) reads:

(a) Only election officials appointed under this section or s. 6.875 may conduct an election. Except as otherwise provided in this paragraph and in ss. 7.15 (1) (k) and 7.52 (1) (b), each election official shall be a qualified elector of a county in which the municipality where the official serves is located, and each chief inspector shall be a qualified elector of the municipality in which the chief inspector serves. If no qualified candidate for chief inspector is available or if the chief inspector is appointed to fill a vacancy under par. (b), the person so appointed need not be a qualified elector of the municipality. If a municipal clerk or deputy clerk serves as a registration deputy or is

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appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a resident of the county, but shall be a resident of the state. No more than 2 individuals holding the office of clerk or deputy clerk may serve without regard to county residency in any municipality at any election. Special registration deputies who are appointed under s. 6.55 (6) may be appointed to serve more than one polling place. All officials appointed under this section shall be able to read and write the English language, be capable, and be of good understanding, and may not be a candidate for any office to be voted for at an election at which they serve. In 1st class cities, they may hold no public office other than notary public. Except as authorized under subs. (1) (b) and (4) (c), all inspectors shall be affiliated with one of the 2 recognized political parties which received the largest number of votes for president, or governor in nonpresidential general election years, in the ward or combination of wards served by the polling place at the last election. Excluding the inspector who may be appointed under sub. (1) (b), the party which received the largest number of votes is entitled to one more inspector than the party receiving the next largest number of votes at each polling place. Whenever 2 or more inspectors are required to perform a function within a polling place and both parties that are entitled to submit nominees have done so, the chief inspector shall assign, insofar as practicable, an equal number of inspectors from the nominees of each party.

1       **SECTION 2.** The treatment of 15.405 (2) (a) of the statutes by 2013 Wisconsin  
2 Act 124 is not repealed by 2013 Wisconsin Act 358. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 15.405 (2) (a) reads:

(a) In operation, the examining board shall be divided into an architect section, a landscape architect section, a professional engineer section, a designer section, and a professional land surveyor section. Each section shall consist of the 3 members of the named profession appointed to the examining board and 2 public members appointed to the section. The examining board shall elect its own officers and shall meet at least twice annually.

3       **SECTION 3.** The treatment of 16.75 (3m) (b) 2. of the statutes by 2013 Wisconsin  
4 Act 20 is not repealed by 2013 Wisconsin Act 192. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 16.75 (3m) (b) 2. reads:

2. The department, any agency to which the department delegates purchasing authority under s. 16.71 (1), and any agency making purchases under s. 16.74 shall attempt to ensure that at least 1 percent of the total amount expended under this subchapter in each fiscal year is paid to disabled veteran-owned businesses.

5       **SECTION 4.** The treatment of 19.32 (1) of the statutes by 2013 Wisconsin Act 171  
6 is not repealed by 2013 Wisconsin Act 265. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 19.32 (1) reads:

(1) “Authority” means any of the following having custody of a record: a state or local office, elective official, agency, board, commission, committee, council, department or public body corporate and politic created by the constitution or by any law, ordinance, rule or order; a governmental or quasi-governmental corporation except for the Bradley

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center sports and entertainment corporation; a special purpose district; any court of law; the assembly or senate; a nonprofit corporation which receives more than 50% of its funds from a county or a municipality, as defined in s. 59.001 (3), and which provides services related to public health or safety to the county or municipality; a university police department under s. 175.42; or a formally constituted subunit of any of the foregoing.

1           **SECTION 5.** The treatment of 20.435 (5) (bc) of the statutes by 2013 Wisconsin  
2 Act 129 is not repealed by 2013 Wisconsin Act 195. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 20.435 (5) (bc) reads:

(bc) *Grants for community programs.* The amounts in the schedule for grants for and contracts to establish community programs under s. 46.48 and for opioid treatment programs under s. 51.422. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Except for amounts authorized to be carried forward under s. 46.48 and as otherwise provided in this paragraph, all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department shall transfer from this appropriation account to the appropriation account for the department of children and families under s. 20.437 (2) (dz) funds allocated by the department under s. 46.48 (30) but unexpended on June 30 of each year.

3           **SECTION 6.** The treatments of 35.93 (2) (c) 1. of the statutes by 2013 Wisconsin  
4 Acts 125, 136, 210, 277, 278, 295, 320, 332 and 361 are not repealed by 2013  
5 Wisconsin Act 363. All treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 35.93 (2) (c) 1. reads:

1. Each chapter of the Wisconsin administrative code that has been affected by rules filed with the legislative reference bureau under s. 227.20 (1) or modified under s. 227.265, in accordance with sub. (3) (e) 1.

6           **SECTION 7.** The treatment of 48.357 (2m) (a) of the statutes by 2013 Wisconsin  
7 Act 170 is not repealed by 2013 Wisconsin Act 334. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 48.357 (2m) (a) reads:

(a) Except as provided in par. (bv), the child, the parent, guardian, legal custodian, or Indian custodian of the child, the expectant mother, the unborn child's guardian ad litem, or any person or agency primarily bound by the dispositional order, other than the person or agency responsible for implementing the order, may request a change in placement under this paragraph. The request shall contain the name and address of the new placement requested and shall state what new information is available that affects the advisability of the current placement. If the proposed change in placement would change the placement of a child placed in the child's home to a placement outside the child's home, the request shall also contain specific information showing that continued placement of the child in the home would be contrary to the welfare of the child and, unless any of the circumstances under s. 48.355 (2d) (b) 1. to 5. applies, specific

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information showing that the agency primarily responsible for implementing the dispositional order has made reasonable efforts to prevent the removal of the child from the home, while assuring that the child's health and safety are the paramount concerns. The request shall be submitted to the court. The court may also propose a change in placement on its own motion.

1           **SECTION 8.** The treatment of 48.357 (2m) (b) of the statutes by 2013 Wisconsin  
2 Act 170 is not repealed by 2013 Wisconsin Act 334. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 48.357 (2m) (b) reads:

(b) The court shall hold a hearing prior to ordering any change in placement requested or proposed under par. (a) if the request states that new information is available that affects the advisability of the current placement. Except as provided in par. (bv), a hearing is not required if the requested or proposed change in placement does not involve a change in placement of a child placed in the child's home to a placement outside the child's home, written waivers of objection to the proposed change in placement are signed by all persons entitled to receive notice under this paragraph, other than a court-appointed special advocate, and the court approves. If a hearing is scheduled, not less than 3 days before the hearing the court shall notify the child, the parent, guardian, and legal custodian of the child, any foster parent or other physical custodian described in s. 48.62 (2) of the child, the child's court-appointed special advocate, all parties who are bound by the dispositional order, and, if the child is an Indian child, the Indian child's Indian custodian and tribe. If the child is the expectant mother of an unborn child under s. 48.133, the court shall also notify the unborn child's guardian ad litem. If the change in placement involves an adult expectant mother of an unborn child under s. 48.133, the court shall notify the adult expectant mother, the unborn child's guardian ad litem, and all parties who are bound by the dispositional order, at least 3 days prior to the hearing. A copy of the request or proposal for the change in placement shall be attached to the notice. Subject to par. (br), if all of the parties consent, the court may proceed immediately with the hearing.

3           **SECTION 9.** The treatment of 48.979 (2) of the statutes by 2013 Wisconsin Act  
4 314 is not repealed by 2013 Wisconsin Act 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, the affected portion of s. 48.979 (2) reads:

THIS DOCUMENT MAY NOT BE USED TO DELEGATE THE POWER TO CONSENT TO THE MARRIAGE OR ADOPTION OF THE CHILD(REN), THE PERFORMANCE OR INDUCEMENT OF AN ABORTION ON OR FOR THE CHILD(REN), THE TERMINATION OF PARENTAL RIGHTS TO THE CHILD(REN), THE ENLISTMENT OF THE CHILD(REN) IN THE U.S. ARMED FORCES OR TO PLACE THE CHILD(REN) IN A FOSTER HOME, GROUP HOME, SHELTER CARE FACILITY, OR INPATIENT TREATMENT FACILITY.

**EFFECTIVE DATE AND TERM OF THIS DELEGATION**

This Power of Attorney takes effect on .... and will remain in effect until .... If no termination date is given, this Power of Attorney will remain in effect for a period of one year after the effective date, but no longer. If the termination date given is more than one year after the effective date of this Power of Attorney, this Power of Attorney must be approved by the juvenile court. This Power of Attorney may be revoked in writing at any time by a parent who has legal custody of the child(ren) and such a revocation invalidates

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the delegation of parental powers made by this Power of Attorney, except with respect to acts already taken in reliance on this Power of Attorney.

1           **SECTION 10.** 51.13 (1) (bm) of the statutes, as created by 2013 Wisconsin Act  
2 161, is amended to read:

3           51.13 (1) (bm) *Minors 14 years of age or older; alcoholism or drug abuse*  
4 *treatment.* Except as provided in par. (c) and ss. ~~51.42~~ 51.45 (2m) and 51.47, the  
5 application for admission of a minor who is 14 years of age or older to an approved  
6 inpatient facility for the primary purpose of treatment for alcoholism or drug abuse  
7 shall be executed by a parent who has legal custody of the minor or the minor's  
8 guardian. Any statement or conduct by a minor who is the subject of an application  
9 for admission under this paragraph indicating that the minor does not agree to  
10 admission to the facility shall be noted on the face of the application and shall be  
11 noted in the petition required under sub. (4).

NOTE: There is no s. 51.42 (2m). Section 51.45 (2m) relates to alcohol treatment for minors.

12           **SECTION 11.** 51.15 (4m) (b) of the statutes, as created by 2013 Wisconsin Act  
13 235, is amended to read:

14           51.15 (4m) (b) *Basis for detention.* In Milwaukee County, a treatment director  
15 or treatment director designee may take an individual into custody if the treatment  
16 director or treatment director designee has cause to believe that the individual is  
17 mentally ill, is drug dependent, or is developmentally disabled, and that the  
18 individual evidences any of the criteria under sub. (1) ~~(a)~~ (ar) 1. to 4. The treatment  
19 director's belief or the treatment director designee's belief shall be based on any of  
20 the criteria under sub. (1) (b).

NOTE: Corrects cross-reference to reflect renumbering by 2013 Wis. Act 158.

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1           **SECTION 12.** 51.15 (4m) (c) of the statutes, as created by 2013 Wisconsin Act  
2 235, is amended to read:

3           51.15 **(4m)** (c) *Facilities for detention.* The treatment director or treatment  
4 director designee shall transport the individual, or cause him or her to be  
5 transported, for detention to any of the facilities described in sub. (2) ~~(a) to (d)~~ and  
6 shall approve evaluation, diagnosis, and treatment if permitted under sub. (8).

NOTE: Corrects cross-reference to reflect consolidation, renumbering, and repeal  
by 2013 Wis. Act 158.

7           **SECTION 13.** 51.15 (11) of the statutes is amended to read:

8           51.15 **(11)** LIABILITY. Any individual who acts in accordance with this section,  
9 including making a determination that an individual has or does not have mental  
10 illness or evidences or does not evidence a substantial probability of harm under sub.  
11 (1) ~~(a)~~ (ar) 1., 2., 3., or 4., is not liable for any actions taken in good faith. The good  
12 faith of the actor shall be presumed in any civil action. Whoever asserts that the  
13 individual who acts in accordance with this section has not acted in good faith has  
14 the burden of proving that assertion by evidence that is clear, satisfactory and  
15 convincing.

NOTE: Section 51.15 (1) (a) was renumbered s. 51.15 (1) (ar) by 2013 Wis. Act 158  
but the cross-reference was not amended accordingly.

16           **SECTION 14.** The treatment of 51.20 (7) (a) of the statutes by 2013 Wisconsin  
17 Act 158 is not repealed by 2013 Wisconsin Act 340. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference  
bureau, s. 51.20 (7) (a) reads:

(a) After the filing of the petition under sub. (1), if the subject individual is detained  
under s. 51.15 or this section the court shall schedule and hold a hearing to determine  
whether there is probable cause to believe the allegations made under sub. (1) (a) within  
72 hours after the individual is taken into custody under s. 51.15 or this section, excluding  
Saturdays, Sundays and legal holidays. At the request of the subject individual or his or  
her counsel the hearing may be postponed, but in no case may the postponement exceed  
7 days from the date of detention.

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1           **SECTION 15.** 51.41 (5) (b) of the statutes, as affected by 2013 Wisconsin Act 203,  
2 section 35m, is amended to read:

3           51.41 (5) (b) The Milwaukee County mental health board may transfer  
4 jurisdiction over a Milwaukee County function, service, or program to itself that  
5 pertains to mental health or is highly integrated with mental health services and  
6 that is not under its jurisdiction by statute, by an affirmative vote of a majority of  
7 the Milwaukee County mental health board members and a majority of the  
8 Milwaukee County board of supervisors.

NOTE: "Members" was deleted without being shown as stricken. The deletion was unintended. See also SECTION 72 of this bill.

9           **SECTION 16.** The treatment of 59.54 (25g) of the statutes by 2013 Wisconsin Act  
10 293 is not repealed by 2013 Wisconsin Act 351. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 59.54 (25g) (a) (intro.), as renumbered and amended from s. 59.54 (25g) by Act 293, reads:

(a) The board may enact and enforce an ordinance to prohibit the possession of any controlled substance specified in s. 961.14 (4) (tb), and provide a forfeiture for a violation of the ordinance, except that if a complaint is issued regarding an allegation of possession of a controlled substance specified in s. 961.14 (4) (tb) following a conviction in this state for possession of a controlled substance, the subject of the complaint may not be prosecuted under this subsection for the same action that is the subject of the complaint unless all of the following occur:

11           **SECTION 17.** The treatment of 66.0107 (1) (bn) of the statutes by 2013 Wisconsin  
12 Act 293 is not repealed by 2013 Wisconsin Act 351. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 66.0107 (1) (bn) reads:

(bn) Enact and enforce an ordinance to prohibit the possession of a controlled substance specified in s. 961.14 (4) (tb) and provide a forfeiture for a violation of the ordinance, except that if a complaint is issued regarding an allegation of possession of a controlled substance specified in s. 961.14 (4) (tb) following a conviction in this state for possession of a controlled substance, the subject of the complaint may not be prosecuted under this paragraph for the same action that is the subject of the complaint unless the charges are dismissed or the district attorney declines to prosecute the case.

13           **SECTION 18.** The treatment of 71.05 (6) (b) 47. b. of the statutes by 2013  
14 Wisconsin Act 145 is not repealed by 2013 Wisconsin Act 173. Both treatments stand.

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NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.05 (6) (b) 47. b. reads:

b. With respect to partners and members of limited liability companies, for taxable years beginning after December 31, 2010, and before January 1, 2014, for 2 consecutive taxable years beginning with the taxable year in which the partnership's or limited liability company's business locates to this state from another state or another country and begins doing business in this state, as defined in s. 71.22 (1r), and subject to the limitations provided under subd. 47. d., dm., and e., the partner's or member's distributive share of taxable income as calculated under section 703 of the Internal Revenue Code; plus the items of income and gain under section 702 of the Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments to partners under section 707 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (2dy), (3g), (3h), (3n), (3p), (3q), (3r), (3rm), (3rn), (3s), (3t), (3w), (5e), (5f), (5g), (5h), (5i), (5j), (5k), (5r), (5rm), and (8r); and plus or minus, as appropriate, transitional adjustments, depreciation differences, and basis differences under s. 71.05 (13), (15), (16), (17), and (19), multiplied by the apportionment fraction determined in s. 71.04 (4) and subject to s. 71.04 (7) or by separate accounting. No amounts subtracted under this subd. 47. b. may be included in the modification under par. (b) 9. or 9m.

1           **SECTION 19.** The treatment of 97.29 (2) (a) of the statutes by 2013 Wisconsin  
2 Act 245 is not repealed by 2013 Wisconsin Act 302. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 97.29 (2) (a) reads:

(a) *Requirement.* Except as provided under par. (b) and s. 97.28, no person may operate a food processing plant without a valid license issued by the department for that food processing plant. A license expires on March 31 annually, except that a license issued for a new food processing plant on or after January 1 but before April 1 expires on March 31 of the following year. Each food processing plant shall have a separate license. A license is not transferable between persons or locations. Application for a license shall be made on a form provided by the department and be accompanied by the applicable fees required under sub. (3). An applicant shall identify the categories of food processing activities which the applicant proposes to conduct at the food processing plant. An application shall include additional information which may reasonably be required by the department for licensing purposes.

3           **SECTION 20.** The treatment of 97.30 (2) (a) of the statutes by 2013 Wisconsin  
4 Act 298 is not repealed by 2013 Wisconsin Act 302. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 97.30 (2) (a) reads:

(a) *Requirement.* Except as provided under par. (b), no person may operate a retail food establishment without a valid license issued by the department or an agent city or county. Except as provided in par. (am), licenses expire on June 30 annually, except that a license issued for a new retail food establishment on or after March 30 but before July 1 expires on June 30 of the following year. Each retail food establishment shall have a separate license. A license is not transferable between persons or establishments.



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Application for a license shall be made on a form provided by the department, or by the agent city or county, and be accompanied by the applicable fees required under sub. (3) or s. 97.41. An application shall indicate whether food processing is conducted at the establishment and shall specify the nature of any food processing activities. An application shall include other information reasonably required by the department, or by the agent city or county, for licensing purposes.

1           **SECTION 21.** The treatment of 108.04 (2) (a) 2. of the statutes by 2013 Wisconsin  
2 Act 20 is not repealed by 2013 Wisconsin Act 173. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 108.04 (2) (a) 2. reads:

2. Except as provided in s. 108.062 (10m), as of that week, the individual has registered for work as directed by the department;

3           **SECTION 22.** 115.385 (2) of the statutes, as created by 2013 Wisconsin Act 20,  
4 is amended to read:

5           115.385 (2) Beginning one year after a charter school established under s.  
6 118.40 (2r) or a private school participating in a parental choice program under s.  
7 118.60 or 119.23 begins using the student information system under s. ~~115.28 (12)~~  
8 ~~(b)~~ 115.383 (3), or begins using a system that is interoperable with that system, the  
9 department shall include the school in its annual school accountability report under  
10 sub. (1).

NOTE: Section 115.28 (12) (b) was renumbered to s. 115.383 (3) by 2013 Wis. Act 256.

11           **SECTION 23.** 119.23 (10) (am) 1. of the statutes, as affected by 2013 Wisconsin  
12 Act 20, is amended to read:

13           119.23 (10) (am) 1. The private school has not complied with the requirements  
14 under sub. (7) ~~(f)~~ or (em).

NOTE: Section 119.23 (7) (f) was repealed by 2013 Wis. Act 237.

15           **SECTION 24.** 132.16 (3) of the statutes is amended to read:

16           132.16 (3) The department shall keep a properly indexed file of all registrations  
17 under this section, which shall also show any alterations or ~~cancellations~~  
18 cancellations by reregistration.

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NOTE: Inserts preferred spelling.

1           **SECTION 25.** The treatment of 146.89 (2) (a) of the statutes by 2013 Wisconsin  
2 Act 241 is not repealed by 2013 Wisconsin Act 344. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 146.89 (2) (a) reads:

(a) Subject to par. (am), a volunteer health care provider may participate under this section only if he or she submits a joint application with a nonprofit agency, school board, or governing body to the department and the department approves the application. If the volunteer health care provider submits a joint application with a school board or governing body, the application shall include a statement by the school board or governing body that certifies that the volunteer health care provider has received materials that specify school board or governing body policies concerning the provision of health care services to students and has agreed to comply with the policies. The department shall provide application forms for use under this paragraph.

3           **SECTION 26.** The treatment of 146.89 (4) of the statutes by 2013 Wisconsin Act  
4 241 is not repealed by 2013 Wisconsin Act 344. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 146.89 (4) reads:

(4) Except as provided in sub. (5), volunteer health care providers who provide services under this section are, for the provision of these services, state agents of the department for purposes of ss. 165.25 (6), 893.82 (3) and 895.46. This state agency status does not apply to a volunteer health care provider for whom the department has withdrawn approval of the application under sub. (2) (d). This state agency status applies regardless of whether the volunteer health care provider has coverage under a policy of health care liability insurance that would extend to services provided by the volunteer health care provider under this section; and the limitations under s. 895.46 (1) (a) on the payment by the state of damages and costs in excess of any insurance coverage applicable to the agent and on the duty of a governmental unit to provide or pay for legal representation do not apply. Any policy of health care liability insurance providing coverage for services of a health care provider may exclude coverage for services provided by the health care provider under this section.

5           **SECTION 27.** The treatment of 165.76 (1) (g) of the statutes by 2013 Wisconsin  
6 Act 20 is not repealed by 2013 Wisconsin Act 166. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 4-1-15, s. 165.76 (1) (g) reads:

(g) Has been required by a court under s. 51.20 (13) (cr), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), 971.17 (1m) (a), 973.047, or 980.063 to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

7           **SECTION 28.** 175.42 (1) (b) and (2) (c) 1. of the statutes, as created by 2013  
8 Wisconsin Act 265, are amended to read:

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1           175.42 (1) (b) “University police officer” means an officer who is employed by  
2 the university police department, who has met the requirements of s. 165.85 (4) (b)  
3 ~~1., (bn) 1., and (e) (a) 2. and 7. a.~~, and who has agreed to accept the duties of a law  
4 enforcement officer under the laws of this state.

5           (2) (c) 1. Ensure that each university police officer meets the requirements of  
6 s. 165.85 (4) (b) ~~1., (bn) 1., and (e) (a) 2. and 7. a.~~ and has agreed to accept the duties  
7 of a law enforcement officer under the laws of this state.

NOTE: Section 165.85 (4) was repealed and recreated by 2013 Wis. Act 214. Section 165.85 (4) (a) 2. and 7. a., as affected by 2013 Wis. Act 214, correspond to s. 165.85 (4) (b) 1. and (bn) 1., as they existed prior to Act 214. Act 214 did not contain a provision corresponding to s. 165.85 (4) (c).

8           **SECTION 29.** The treatment of 230.34 (1) (ar) of the statutes by 2013 Wisconsin  
9 Act 123 is not repealed by 2013 Wisconsin Act 166. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 230.34 (1) (ar) reads as follows (see also SECTION 66 of this bill):

(ar) Paragraphs (a) and (am) apply to all employees with permanent status in class in the classified service and all employees who have served with the state as an assistant district attorney or an assistant state public defender for a continuous period of 12 months or more.

10           **SECTION 30.** The treatment of 236.13 (2) (a) of the statutes by 2013 Wisconsin  
11 Act 280 is not repealed by 2013 Wisconsin Act 358. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 236.13 (2) (a) 1., as renumbered from s. 236.13 (2) (a) by 2013 Wis. Act 280, reads:

1. As a further condition of approval, the governing body of the town or municipality within which the subdivision lies may require that the subdivider make and install any public improvements reasonably necessary or that the subdivider provide security to ensure that he or she will make those improvements within a reasonable time. The governing body may not require the subdivider to provide security at the commencement of a project in an amount that is more than 120 percent of the estimated total cost to complete the required public improvements. It is the subdivider's option whether to execute a performance bond or whether to provide a letter of credit to satisfy the governing body's requirement that the subdivider provide security to ensure that the public improvements are made within a reasonable time. The subdivider may construct the project in such phases as the governing body approves, which approval may not be unreasonably withheld. If the subdivider's project will be constructed in phases, the amount of security required by the governing body shall be limited to the phase of the project that is currently being constructed. The governing body may not require that the subdivider provide any security for improvements sooner than is reasonably necessary

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before the commencement of the installation of the improvements. If the governing body of the town or municipality requires a subdivider to provide security under this paragraph, the governing body may not require the subdivider to provide the security for more than 14 months after the date the public improvements for which the security is provided are substantially completed and upon substantial completion of the public improvements, the amount of the security the subdivider is required to provide may be no more than an amount equal to the total cost to complete any uncompleted public improvements plus 10 percent of the total cost of the completed public improvements. This paragraph applies to all preliminary and final plats, regardless of whether submitted for approval before, on, or after August 1, 2014.

1           **SECTION 31.** The treatment of 289.67 (1) (a) of the statutes by 2013 Wisconsin  
2 Act 301 is not repealed by 2013 Wisconsin Act 333. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 289.67 (1) (a) reads:

(a) *Imposition of fee.* Except as provided under pars. (f) to (fm) and s. 289.675 (1), a generator of solid or hazardous waste shall pay an environmental repair fee for each ton or equivalent volume of solid or hazardous waste which is disposed of at a licensed solid or hazardous waste disposal facility. If a person arranges for collection or disposal services on behalf of one or more generators, that person shall pay the environmental repair fee to the licensed solid or hazardous waste disposal facility or to any intermediate hauler used to transfer wastes from collection points to a licensed facility. An intermediate hauler who receives environmental repair fees under this paragraph shall pay the fees to the licensed solid or hazardous waste disposal facility. Tonnage or equivalent volume shall be calculated in the same manner as the calculation made for tonnage fees under s. 289.62 (1).

3           **SECTION 32.** 295.53 (2) of the statutes, as created by 2013 Wisconsin Act 1, is  
4 amended to read:

5           **295.53 (2) NOTICE.** After the department receives an application for a mining  
6 permit, it shall notify the public and affected agencies that an environmental impact  
7 statement will be prepared for the proposed mine and that the process of identifying  
8 major issues under s. NR ~~150.21 (3)~~ 150.30 (1) (f), Wis. Adm. Code, is beginning.

NOTE: Changes a cross-reference consistent with the repeal and recreation of ch. NR 150, Wis. Adm. Code, by the Department of Natural Resources.

9           **SECTION 33.** 295.53 (4) (a) of the statutes, as created by 2013 Wisconsin Act 1,  
10 is amended to read:

11           **295.53 (4) (a)** The department shall prepare an environmental impact  
12 statement for every application for a mining permit. In preparing the environmental

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1 impact statement, the department shall comply with s. 1.11 (2) and s. NR ~~150.22~~  
2 150.30 (2), Wis. Adm. Code.

NOTE: Changes a cross-reference consistent with the repeal and recreation of ch.  
NR 150, Wis. Adm. Code, by the Department of Natural Resources.

3 **SECTION 34.** 295.53 (4) (e) of the statutes, as created by 2013 Wisconsin Act 1,  
4 is amended to read:

5 295.53 (4) (e) The department shall conduct its environmental review process  
6 jointly with any federal or local agency that consents to a joint environmental review  
7 process. The department may adopt any environmental analysis prepared by  
8 another state agency or by a federal or local agency. The department may enter into  
9 a written agreement with any of those agencies that have a major responsibility  
10 related to or that are significantly affected by the proposed mining. In the written  
11 agreement, the parties shall define the responsibility of each agency in the  
12 development of a single environmental impact statement on the proposed mining  
13 and outline the procedures to be used in the regulatory process. The department  
14 shall be the lead agency for any environmental review process involving other state  
15 agencies. To the extent that any federal or local agency's environmental review  
16 process conflicts with the provisions of this section or s. 295.57, the department shall  
17 follow the provisions of this section and s. 295.57 and may only coordinate its  
18 environmental review to the extent consistent with the provisions of this section and  
19 s. 295.57. The department shall comment on any federal agency's environmental  
20 assessment or environmental impact statement associated with a mining project in  
21 accordance with s. NR ~~150.30~~ 150.40, Wis. Adm. Code.

NOTE: Changes a cross-reference consistent with the repeal and recreation of ch.  
NR 150, Wis. Adm. Code, by the Department of Natural Resources.

**SENATE BILL 561****SECTION 35**

1           **SECTION 35.** 295.53 (5) of the statutes, as created by 2013 Wisconsin Act 1, is  
2 amended to read:

3           **295.53 (5) RELATIONSHIP TO OTHER LAWS.** This section and s. 295.57 govern the  
4 department's obligations under ss. 1.11 and 1.12 with respect to a mining project.  
5 Sections 23.11 (5) and 23.40 and ss. NR 2.085, 2.09, and 2.157, Wis. Adm. Code, do  
6 not apply with respect to a mining project. The rest of ch. NR 2, Wis. Adm. Code, only  
7 applies with respect to a mining project to the extent that it does not conflict with this  
8 section and s. 295.57. Sections ~~NR 150.24 and 150.25~~ 150.30 (1) (g) and 150.35, Wis.  
9 Adm. Code, do not apply with respect to a mining project. The rest of ch. NR 150, Wis.  
10 Adm. Code, only applies with respect to a mining project to the extent that it does not  
11 conflict with this section and s. 295.57.

NOTE: Changes cross-references consistent with the repeal and recreation of ch.  
NR 150, Wis. Adm. Code, by the Department of Natural Resources.

12           **SECTION 36.** 321.62 (3) of the statutes is amended to read:

13           **321.62 (3) EFFECT ON RIGHTS UNDER A WRITTEN AGREEMENT.** This section does not  
14 prevent the modification, termination, or ~~cancellation~~ cancellation of any contract,  
15 lease, bailment, or secured obligation, or the repossession, retention, foreclosure,  
16 sale, or forfeiture of property that is security for any obligation or which has been  
17 purchased or received under a contract, lease, or bailment under a written  
18 agreement of the parties if that agreement is executed during or after the period of  
19 state active duty.

NOTE: Inserts preferred spelling.

20           **SECTION 37.** The treatment of 341.14 (6r) (b) 9. b. of the statutes by 2013  
21 Wisconsin Act 163 is not repealed by 2013 Wisconsin Act 188. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference  
bureau, s. 341.14 (6r) (b) 9. b. reads:

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b. A fee of \$15 shall be charged for the issuance or reissuance of a plate for a special group specified under par. (f) 15m. to 15q. or 62. All moneys received under this subd. 9. b. in excess of the initial costs of production of the special group plate under par. (f) 15m., 2011 stats., or \$23,700, whichever is less, shall be deposited in the veterans trust fund.

1           **SECTION 38.** The treatment of 341.14 (6r) (c) of the statutes by 2013 Wisconsin  
2   Act 188 is not repealed by 2013 Wisconsin Act 266. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 341.14 (6r) (c) reads as follows. See also SECTION 82 of this bill.

(c) Special group plates shall display the word "Wisconsin", the name of the applicable authorized special group, a symbol representing the special group, not exceeding one position, and identifying letters or numbers or both, not exceeding 6 positions and not less than one position. Except as provided in this paragraph, the department shall specify the design for special group plates, but the department shall consult the president of the University of Wisconsin System before specifying the word or symbol used to identify the special groups under par. (f) 35. to 47., the secretary of natural resources before specifying the word or symbol used to identify the special groups under par. (f) 50. and 59., the chief executive officer of the professional football team and an authorized representative of the league of professional football teams described in s. 229.823 to which that team belongs before specifying the design for the applicable special group plate under par. (f) 55., the chief trademark officer of Harley-Davidson Michigan, LLC before specifying the design for the applicable special group plate under par. (f) 61r., the department of veterans affairs before specifying the design for the special group plates under par. (f) 49d., 49h., and 49s., and the department of tourism and chief executive officer of the organization specified in par. (f) 55m. before specifying the design and word or symbol used to identify the special group name for special group plates under par. (f) 55m. Special group plates under par. (f) 50. shall be as similar as possible to regular registration plates in color and design. Special group plates issued under par. (f) 62. shall display the words "In God We Trust". The department shall make available 2 designs for the special group plates under par. (f) 60. The department may not specify any design for the special group plates under par. (f) 60. unless the design is approved by the executive vice president of the Milwaukee Brewers Baseball Club LP. The word or symbol used to identify the special group under par. (f) 59. shall be different from the word or symbol used to identify the special group under par. (f) 50. and the design shall cover the entire plate. Special group plates under par. (f) 61m. shall display a logo or image of the lion associated with the Lions Clubs International. Special group plates under par. (f) 61r. shall display a bar and shield logo associated with Harley-Davidson, Inc., on the left portion of the plates and the words "share the road" on the bottom portion of the plates. Special group plates under par. (f) 63. shall display the words "Trout Unlimited." Notwithstanding par. (e), special group plates under par. (f) 33m. and 48m. shall be the same color and design that was specified by the department for special group plates under par. (f) 33. and 48., respectively, immediately prior to January 1, 2007. The design for special group plates under par. (f) 33. and 48. shall be different from the design of special group plates under par. (f) 33m. and 48m., respectively.

3           **SECTION 39.** 341.14 (6r) (fm) 7. of the statutes, as affected by 2013 Wisconsin  
4   Acts 163, 188, 266 and 275, is amended to read:

**SENATE BILL 561****SECTION 39**

1           341.14 **(6r)** (fm) 7. After October 1, 1998, additional authorized special groups  
2 may only be special groups designated by the department under this paragraph. The  
3 authorized special groups enumerated in par. (f) shall be limited solely to those  
4 special groups specified under par. (f) on October 1, 1998. This subdivision does not  
5 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,  
6 15m., 15n., 15o., 15p., 15q., 19m., 33m., 48m., 49d., 49h., 49s., 54., 55., 55m., 56., 57.,  
7 58., 59., 60., 61., 61m., 61r., and 62., and 63., and 64.

NOTE: Corrects punctuation. See also SECTION 82 of this bill.

8           **SECTION 40.** The treatment of 348.07 (4) of the statutes by 2013 Wisconsin Act  
9 99 is not repealed by 2013 Wisconsin Act 220. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 348.07 (4) reads:

(4) The secretary shall, by rule, designate the highways to which sub. (2) (f), (fm), (gm), and (gr) and s. 348.08 (1) (a) 2. and (e) apply. The designation of highways under this subsection may not be inconsistent with the designation of highways made by the U.S. secretary of transportation under P.L. 97-424, section 411. The secretary may also designate additional highways by rule. In adopting a rule designating other highways, which may include 2-lane highways, the secretary shall specify the factors which resulted in the determination to designate the highways. These factors shall include, but are not limited to, safety, economics, energy savings, industry productivity and competition. Vehicles to which sub. (2) (f), (fm), (gm), and (gr) and s. 348.08 (1) (a) 2. and (e) apply may also operate on highways not designated under this subsection for a distance of 15 miles or less in order to obtain access to a highway designated under this subsection or to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points of loading or unloading. The secretary may, by rule, designate an access route of more than 15 miles from a highway designated under this subsection when the longer route provides safer and better access to a location which is within the 15-mile limit. Household goods carriers may operate between highways designated under this subsection and points of loading and unloading.

10           **SECTION 41.** 348.08 (1) (c) (intro.) of the statutes is amended to read:

11           348.08 **(1)** (c) (intro.) ~~Tour trains, as defined in s. 340.01 (67m),~~ may, without  
12 such permit, be drawn by a motor vehicle upon and along county and municipal roads  
13 and streets and across state trunk highways, and upon and along state trunk  
14 highways where there are no alternate municipal or county routes or streets for such



**SENATE BILL 561****SECTION 41**

1 operation. The following requirements and restrictions shall apply to tour train  
2 operations:

NOTE: Removes unnecessary cross-references. Under s. 340.01 (intro.), all definitions in ch. 340 are applicable to ch. 348. See also SECTION 83 of this bill.

3 **SECTION 42.** 349.13 (1m) (a) of the statutes, as affected by 2013 Wisconsin Acts  
4 326, 327 and 359, is amended to read:

5 349.13 **(1m)** (a) In addition to the requirements under s. 346.503 (1m), the  
6 department, with respect to state trunk highways outside of corporate limits and  
7 parking facilities under its jurisdiction, and local authorities, with respect to  
8 highways under their jurisdiction including state trunk highways or connecting  
9 highways within corporate limits and parking facilities within corporate limits, may,  
10 by official traffic signs indicating the restriction, prohibit parking, stopping or  
11 standing upon any portion of a street, highway or parking facility reserved for any  
12 vehicle bearing special registration plates issued under s. 341.14 (1), (1a), (1e), (1m),  
13 or (1q) or a motor vehicle upon which a special identification card issued under s.  
14 343.51 is displayed or any vehicle registered in another jurisdiction and displaying  
15 a registration plate, card or emblem issued by the other jurisdiction which  
16 designates the vehicle as a vehicle used by a physically disabled person. Any person  
17 who violates a prohibition established under this ~~subsection~~ paragraph shall forfeit  
18 not less than \$150 nor more than \$300.

NOTE: Inserts correct cross-reference. 2013 Wis. Act 327 renumbered s. 349.13 (1m) to be s. 349.13 (1m) (a). 2013 Wis. Act 326 established a penalty for violations of s. 349.13 (1m). The 2 acts did not take account of each other.

19 **SECTION 43.** The treatment of 440.62 (3) (ar) 2. of the statutes by 2013  
20 Wisconsin Act 205 is not repealed by 2013 Wisconsin Act 356. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 440.62 (3) (ar) 2. reads:

**SENATE BILL 561****SECTION 43**

2. Requires as a prerequisite to graduation completion of a course of instruction in cosmetology of at least 1,550 training hours in not less than 10 months.

1       **SECTION 44.** The treatment of 441.04 of the statutes by 2013 Wisconsin Act 114  
2 is not repealed by 2013 Wisconsin Act 124. Both treatments stand.

NOTE: There is no conflict of substance. 2013 Wis. Act 114, section 4, renumbered s. 441.04 to be s. 441.06 (1) (a) to (d). As merged by the legislative reference bureau, s. 441.06 (1) (a) to (d), except 441.04 (1) (b), (c), and (d), which are amended by the next section of this bill, read:

(a) The applicant graduates from a high school or its equivalent as determined by the board.

3       **SECTION 45.** 441.06 (1) (b), (c) and (d) of the statutes, as affected by 2013  
4 Wisconsin Act 114, section 4, and 2013 Wisconsin Act 124, section 28, are amended  
5 to read:

6       441.06 (1) (b) The applicant does not have an arrest or conviction record,  
7 subject to ss. 111.321, 111.322, and 111.335.

8       (c) The applicant holds a diploma of graduation from a school of nursing  
9 approved by the board or that the board has authorized to admit students pending  
10 approval, and, if that school is located outside this state, submits evidence of general  
11 and professional educational qualifications comparable to those required in this  
12 state at the time of graduation;

13       (d) The applicant pays the fee specified in s. 440.05 (1), ~~that person.~~

NOTE: Deletes unnecessary language inserted by 2013 Wis. Act 124 but rendered without effect by the treatment by 2013 Wis. Act 114. Inserts a serial comma, consistent with current style.

14       **SECTION 46.** The treatment of 441.10 (1) of the statutes by 2013 Wisconsin Act  
15 114 is not repealed by 2013 Wisconsin Act 124. Both treatments stand.

NOTE: There is no conflict of substance. 2013 Wis. Act 114, section 9, renumbered s. 441.10 (1) to be s. 441.10 (3) (a) 1. to 5. and (ag). As merged by the legislative reference bureau, s. 441.10 (3) (a) 1. to 5. and (ag), except 441.10 (3) (a) 2. to 5., which are amended by section 47 of this bill, read:

1. The applicant is 18 years of age or older.

(ag) Any school for licensed practical nurses, in order to be approved by the board, must offer a course of not less than 9 months.

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1           **SECTION 47.** 441.10 (3) (a) 2., 3., 4. and 5. of the statutes, as affected by 2013  
2       Wisconsin Act 114, section 9, and 2013 Wisconsin Act 124, section 30, are amended  
3       to read:

4           441.10 **(3)** (a) 2. The applicant does not have an arrest or conviction record,  
5       subject to ss. 111.321, 111.322, and 111.335.

6           3. The applicant has completed 2 years of high school or its equivalent as  
7       determined by the board,

8           4. The applicant holds a diploma of graduation from a school for licensed  
9       practical nurses approved by the board or that the board has authorized to admit  
10      students pending approval,

11          5. The applicant pays the fee specified in s. 440.05 (1) ~~that person.~~

NOTE: Deletes unnecessary language inserted by 2013 Wis. Act 124 but rendered  
without effect by the treatment by 2013 Wis. Act 114. Inserts a serial comma, consistent  
with current style.

12          **SECTION 48.** The treatment of 450.19 (2) (b) of the statutes by 2013 Wisconsin  
13      Act 124 is not repealed by 2013 Wisconsin Act 199. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference  
bureau, s. 450.19 (2) (b) reads:

(b) Identify specific data elements to be contained in a record documenting the  
dispensing of a monitored prescription drug, including the method of payment and,  
subject to sub. (2m), the name recorded under s. 450.11 (1b) (bm). In identifying specific  
data elements, the board shall consider data elements identified by similar programs in  
other states and shall ensure, to the extent possible, that records generated by the  
program are easily shared with other states.

14          **SECTION 49.** The treatment of 452.01 (4) of the statutes by 2013 Wisconsin Act  
15      124 is not repealed by 2013 Wisconsin Act 288. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference  
bureau, s. 452.01 (4) reads:

(4) "Disciplinary proceeding" means a proceeding against one or more licensees or  
registrants in which the board may revoke, suspend, or limit a license or registration,  
reprimand a licensee or registrant, or assess a forfeiture or require education or training  
under s. 452.14 (4m) or (4r).

**SENATE BILL 561****SECTION 50**

1           **SECTION 50.** The treatment of 454.23 (2) (d) of the statutes by 2013 Wisconsin  
2 Act 205 is not repealed by 2013 Wisconsin Act 356. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 454.23 (2) (d) reads:

(d) The applicant graduates from a course of instruction in barbering of at least 1,000 training hours in barbering in a school of barbering licensed under s. 440.62 (3) (ag) or accredited by an accrediting agency approved by the department, a school of cosmetology licensed under s. 440.62 (3) (ar) or accredited by an accrediting agency approved by the cosmetology examining board, or a school that is exempted under s. 440.61 or the applicant successfully completes an apprenticeship under s. 454.26.

3           **SECTION 51.** The treatment of 454.26 (2) of the statutes by 2013 Wisconsin Act  
4 205 is not repealed by 2013 Wisconsin Act 356. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 454.26 (2) reads:

(2) An apprentice in barbering shall receive at least 1,712 hours of practical training in barbering and at least 288 training hours of instruction in barbering in a school of barbering licensed under s. 440.62 (3) (ag) or accredited by an accrediting agency approved by the department, a school of cosmetology licensed under s. 440.62 (3) (ar) or accredited by an accrediting agency approved by the cosmetology examining board, or a school that is exempted under s. 440.61 in order to complete the apprenticeship program and be eligible to take the examination for a barber license. An apprentice in barbering shall receive training in barbering for a total of at least 32 hours per week. The training shall be completed in not more than 4 years.

5           **SECTION 52.** The treatment of 813.12 (3) (c) of the statutes by 2013 Wisconsin  
6 Act 321 is not repealed by 2013 Wisconsin Act 322. Both treatments stand.

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

(c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (4), except that the court may extend the temporary restraining order under s. 813.1285. The temporary restraining order is not voided if the respondent is admitted into a dwelling that the order directs him or her to avoid. A judge or circuit court commissioner shall hold a hearing on issuance of an injunction within 14 days after the temporary restraining order is issued, unless the time is extended upon the written consent of the parties, extended under s. 801.58 (2m), or extended once for 14 days upon a finding that the respondent has not been served with a copy of the temporary restraining order although the petitioner has exercised due diligence. A judge or court commissioner may not extend the temporary restraining order in lieu of ruling on the issuance of an injunction.

7           **SECTION 53.** 813.12 (4) (d) 1. (intro.) of the statutes, as created by 2013  
8 Wisconsin Act 311, is amended to read:

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1           813.12 (4) (d) 1. (intro.) A judge or circuit court commissioner may, upon issuing  
2           an injunction or granting an extension of an injunction issued under this subsection,  
3           order that the injunction is in effect for not more than 10 years, if the court finds, by  
4           a preponderance of the evidence stated on the record, that any of the following are  
5           is true:

NOTE: Corrects grammar.

6           **SECTION 54.** The treatment of 813.122 (4) (c) of the statutes by 2013 Wisconsin  
7           Act 321 is not repealed by 2013 Wisconsin Act 322. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 813.122 (4) (c) reads:

(c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (5), except that the court may extend the temporary restraining order under s. 813.1285. A judge shall hold a hearing on issuance of an injunction within 14 days after the temporary restraining order is issued, unless the time is extended upon the written consent of the parties, extended under s. 801.58 (2m), or extended once for 14 days upon a finding that the respondent has not been served with a copy of the temporary restraining order although the petitioner has exercised due diligence. A judge or court commissioner may not extend the temporary restraining order in lieu of ruling on the issuance of an injunction.

8           **SECTION 55.** 813.122 (5) (dm) 1. (intro.) of the statutes, as created by 2013  
9           Wisconsin Act 311, is amended to read:

10           813.122 (5) (dm) 1. (intro.) A judge may, upon issuing an injunction or granting  
11           an extension of an injunction issued under this subsection, order that the injunction  
12           is in effect for not more than 5 years, if the court finds, by a preponderance of the  
13           evidence stated on the record, that any of the following are is true:

NOTE: Corrects grammar.

14           **SECTION 56.** The treatment of 813.123 (4) (c) of the statutes by 2013 Wisconsin  
15           Act 321 is not repealed by 2013 Wisconsin Act 322. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 813.123 (4) (c) reads:

(c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (5), except that the court may extend the temporary restraining order under s. 813.1285. A judge shall hold a hearing on issuance of an injunction within 14 days after the temporary restraining order is issued, unless the time

**SENATE BILL 561****SECTION 56**

is extended upon the written consent of the parties, extended under s. 801.58 (2m), or extended once for 14 days upon a finding that the respondent has not been served with a copy of the temporary restraining order although the petitioner has exercised due diligence. A judge or court commissioner may not extend the temporary restraining order in lieu of ruling on the issuance of an injunction.

1           **SECTION 57.** 813.123 (5) (d) 1. (intro.) of the statutes, as created by 2013  
2           Wisconsin Act 311, is amended to read:

3           813.123 (5) (d) 1. (intro.) A judge may, upon issuing an injunction or granting  
4           an extension of an injunction issued under this subsection, order that the injunction  
5           is in effect for not more than 10 years, if the court finds, by a preponderance of the  
6           evidence stated on the record, that any of the following ~~are~~ is true:

NOTE: Corrects grammar.

7           **SECTION 58.** The treatment of 813.125 (3) (c) of the statutes by 2013 Wisconsin  
8           Act 321 is not repealed by 2013 Wisconsin Act 322. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 813.125 (3) (c) reads:

(c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (4), except that the court may extend the temporary restraining order under s. 813.1285. A judge or circuit court commissioner shall hold a hearing on issuance of an injunction within 14 days after the temporary restraining order is issued, unless the time is extended upon the written consent of the parties, extended under s. 801.58 (2m), or extended once for 14 days upon a finding that the respondent has not been served with a copy of the temporary restraining order although the petitioner has exercised due diligence. A judge or court commissioner may not extend the temporary restraining order in lieu of ruling on the issuance of an injunction.

9           **SECTION 59.** 813.125 (4) (d) 1. (intro.) of the statutes, as created by 2013  
10          Wisconsin Act 311, is amended to read:

11          813.125 (4) (d) 1. (intro.) A judge or circuit court commissioner may, upon  
12          issuing an injunction or granting an extension of an injunction issued under this  
13          subsection, order that the injunction is in effect for not more than 10 years, if the  
14          court finds, by a preponderance of the evidence stated on the record, that any of the  
15          following ~~are~~ is true:

NOTE: Corrects grammar.

**SENATE BILL 561****SECTION 60**

1           **SECTION 60.** Chapter 893 (title) of the statutes is amended to read:

2

**CHAPTER 893**

3

**LIMITATIONS OF COMMENCEMENT OF**

4

**ACTIONS AND PROCEEDINGS AND;**

5

**PROCEDURE FOR CLAIMS AGAINST**

6

**GOVERNMENTAL UNITS**

NOTE: Replaces “and” with a semicolon for improved readability.

7

**SECTION 61.** The treatment of 895.52 (1) (g) of the statutes by 2013 Wisconsin

8

Act 269 is not repealed by 2013 Wisconsin Act 318. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 895.52 (1) (g) reads:

(g) “Recreational activity” means any outdoor activity undertaken for the purpose of exercise, relaxation or pleasure, including practice or instruction in any such activity. “Recreational activity” includes hunting, fishing, trapping, camping, picnicking, exploring caves, nature study, bicycling, horseback riding, bird-watching, motorcycling, operating an all-terrain vehicle or utility terrain vehicle, operating a vehicle, as defined in s. 340.01 (74), on a road designated under s. 23.115, recreational aviation, ballooning, hang gliding, hiking, tobogganing, sledding, sleigh riding, snowmobiling, skiing, skating, water sports, sight-seeing, rock-climbing, cutting or removing wood, climbing observation towers, animal training, harvesting the products of nature, participating in an agricultural tourism activity, sport shooting and any other outdoor sport, game or educational activity. “Recreational activity” does not include any organized team sport activity sponsored by the owner of the property on which the activity takes place.

9

**SECTION 62.** The treatment of 895.525 (2) of the statutes by 2013 Wisconsin Act

10

269 is not repealed by 2013 Wisconsin Act 318. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 895.525 (2) (intro.) and (b), as renumbered and amended from s. 895.525 (2) by Act 269, read:

(2) DEFINITIONS. In this section:

(b) “Recreational activity” means any activity undertaken for the purpose of exercise, relaxation or pleasure, including practice or instruction in any such activity. “Recreational activity” does not include participating in a snow sport at a ski area, as those terms are defined in s. 167.33, but includes hunting, fishing, trapping, camping, bowling, billiards, picnicking, exploring caves, nature study, dancing, bicycling, horseback riding, horseshoe-pitching, bird-watching, motorcycling, operating an all-terrain vehicle or utility terrain vehicle, recreational aviation, as defined in s. 895.52 (1) (hm), ballooning, curling, throwing darts, hang gliding, hiking, sleigh riding, snowmobiling, skating, participation in water sports, weight and fitness training, sight-seeing, rock-climbing, cutting or removing wood, climbing observation towers, animal training, harvesting the products of nature, participating in an agricultural

**SENATE BILL 561****SECTION 62**

tourism activity, sport shooting, and participating in a snow sport outside a ski area, as those terms are defined in s. 167.33, and any other sport, game or educational activity.

1       **SECTION 63.** 895.59 (title) of the statutes is repealed.

NOTE: Eliminates extraneous title. All of the substantive provisions of s. 895.59 were renumbered to another section or repealed by 2013 Wis. Act 296, but the title was not treated.

2       **SECTION 64.** 938.355 (6d) (a) 2r. of the statutes, as created by 2013 Wisconsin  
3 Act 334, is amended to read:

4           938.355 (6d) (a) 2r. A juvenile who is subject to an order under this section or  
5 s. 938.357 or 938.365 that terminates as provided in sub. (4) (am) 4. or s. 938.357 (6)  
6 (a) 4. or 938.365 (5) (b) 4. may not be taken into custody under subd. 1. or 2.

NOTE: Inserts missing subsection number in cross-reference consistent with the remainder of 2013 Wis. Act 334. See also SECTION 83 of this bill.

7       **SECTION 65.** 946.91 (3) (b) of the statutes, as affected by 2013 Wisconsin Act  
8 226, section 19, is amended to read:

9           946.91 (3) (b) Whoever offers or ~~pays~~ provides, directly, indirectly, overtly, or  
10 covertly, money, goods, services, or any other thing of value to any person to induce  
11 such person to refer an individual to a person for the furnishing or arranging for the  
12 furnishing of any item or service for which payment may be made in whole or in part  
13 under Medical Assistance, or to purchase, lease, order, or arrange for or recommend  
14 purchasing, leasing, or ordering any good, facility, service or item for which payment  
15 may be made in whole or in part under Medical Assistance, is guilty of a Class H  
16 felony, except that, notwithstanding the maximum fine specified in s. 939.50 (3) (h),  
17 the person may be fined not more than \$25,000.

NOTE: Deletes unnecessary word. 2013 Wis. Act 226 inserted “provides” without removing “pays,” leaving 2 verbs. The change is consistent with the treatment of identical language in s. 946.90 (4) (b) by Act 226, section 7.

18       **SECTION 66.** 2013 Wisconsin Act 123, section 4 is amended by replacing “or  
19 more ~~(ar).~~” with “or more.”.



**SENATE BILL 561****SECTION 66**

NOTE: Removes language stricken by the Act 123 treatment of s. 230.34 (1) (ar) that did not exist at the time of enactment of Act 123 due to the fact that 2013 Wis. Act 20, section 2365m, changed the effective date of the insertion of "(ar)" by 2011 Wis. Act 32, section 2766, from 7-1-13 to 7-1-15.

1           **SECTION 67.** 2013 Wisconsin Act 158, section 14 is amended by replacing "51.20  
2 (7) and (8) (b) and (bm) of the statutes are amended to read:" with "51.20 (7) (a) and  
3 (8) (b) and (bm) of the statutes are amended to read:".

NOTE: 2013 Wis. Act 158 treats s. 51.20 (7) (a), not the entire subsection.

4           **SECTION 68.** 2013 Wisconsin Act 165, section 29 is amended by replacing "as  
5 affected by 2011 Wisconsin Acts 181 and 285," with "as affected by 2011 Wisconsin  
6 Acts 181 and 258,".

NOTE: Corrects transposed number.

7           **SECTION 69.** 2013 Wisconsin Act 173, section 13 is amended by replacing "as  
8 affected by 2013 Wisconsin Act 20" with "as affected by 2013 Wisconsin Act 11".

NOTE: The incorrect act number was shown.

9           **SECTION 70.** 2013 Wisconsin Act 189, section 33 is amended by replacing "VA  
10 6.01 (3) (a) of the administrative code is renumbered VA 6.01 (3) (a) (intro.)" with "VA  
11 6.01 (3) of the administrative code is renumbered VA 6.01 (3) (a) (intro.)".

NOTE: Prior to 2013 Wis. Act 189, section VA 6.01 (3) was not divided into paragraphs; paragraph (a) was added as the result of the treatment by Act 189.

12           **SECTION 71.** 2013 Wisconsin Act 189, section 69 is amended by replacing  
13 "crime,; or for" with "crime,; or for".

NOTE: Correctly shows strikes and scores. A preexisting comma that was to be replaced was shown as underscored and an inserted semicolon was shown as plain text rather than underscored.

14           **SECTION 72.** 2013 Wisconsin Act 203, section 35m is amended by replacing  
15 "Milwaukee County mental health board and a majority of the Milwaukee County  
16 board of supervisors" with "Milwaukee County mental health board ~~if the secretary~~  
17 ~~of health services approves the transfer~~ and a majority of the Milwaukee County  
18 board of supervisors".

**SENATE BILL 561****SECTION 72**

NOTE: Text was deleted by 2013 Wis. Act 203, section 35m, without being shown as stricken. The change was intended. Drafting records show that the original draft of the provision contained the stricken text, but it was dropped from subsequent versions without direction or explanation.

1           **SECTION 73.** 2013 Wisconsin Act 214, section 10rb is amended by replacing “7  
2           (ab), if” with “7 (ab), if”.

NOTE: A comma was inserted without underscoring. The change was intended.

3           **SECTION 74.** 2013 Wisconsin Act 245, section 2 is amended by replacing “97.29  
4           (2) (a) (intro.) of the statutes is amended” with “97.29 (2) (a) of the statutes is  
5           amended” and by replacing “*Requirement.* (intro.)” with “*Requirement.*”.

NOTE: Section 97.29 (2) (a) is an individual paragraph and does not contain an (intro.) provision.

6           **SECTION 75.** 2013 Wisconsin Act 288, section 9 is amended by replacing “452.12  
7           **(3)** (a) ~~Each~~” with “452.12 **(3)** BROKER’S LIABILITY FOR ACTS OF EMPLOYEES. ~~Each~~”.

NOTE: Section 452.12 (3) is not divided into paragraphs. The title should have been shown as part of sub. (3).

8           **SECTION 76.** 2013 Wisconsin Act 304, section 3 is amended by replacing “C. 8.”  
9           with “C. 9.”.

NOTE: Inserts the correct paragraph number for the affected paragraph.

10          **SECTION 77.** 2013 Wisconsin Act 334, section 88 is amended by replacing  
11          “938.357 (1) (am) 2. (intro.)” with “938.357 (1) (am) 2.” in 2 places.

NOTE: Section 938.357 (1) (am) 2. does not contain an (intro.) provision and consists of a single paragraph.

12          **SECTION 78.** 2013 Wisconsin Act 335, section 8 is amended by replacing “placed  
13          under ~~this subsection and par. (a) or (b)~~” with “placed under this subsection par. (a)  
14          or (b)” and “child under ~~this subsection and par. (a) or (b)~~” with “child under this  
15          subsection par. (a) or (b)”.

NOTE: The stricken “and” was not pre-existing text.

16          **SECTION 79.** 2013 Wisconsin Act 343, section 1 is amended by replacing  
17          “residing, employed, or attending” with “residing, employed, or attending”.

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

1           **SECTION 80.** 2013 Wisconsin Act 368, section 2 is amended by replacing “110.20  
2           **(15) (a) PENALTY.**” with “110.20 **(15) (a)**”.

NOTE: Section 110.20 (15) (title) was incorrectly shown as the s. 110.20 (15) (a) (title).

3           **SECTION 81.** 2013 Wisconsin Act 377, section 34 is amended by replacing “is  
4           amended” with “is renumbered 348.06 (2) (intro.) and amended” and “348.06 **(2)**  
5           **Implements**” with “348.06 **(2) (intro.) Implements**”.

NOTE: The amendment of s. 348.06 (2) by 2013 Wisconsin Act 377 creates an introduction.

6           **SECTION 82. Renumbering and cross-reference changes under s. 13.92**  
7           **(1) (bm) 2., stats.** Each statute listed in column A was renumbered to the statute  
8           number in column B, and cross-references to the renumbered statute were changed  
9           in the statutes listed in column C to agree with the renumbered statute, under  
10          section 13.92 (1) (bm) 2. of the statutes:

NOTE: Confirms renumbering and corresponding cross-reference changes under s. 13.92 (1) (bm) 2.

<b>A</b> Statute Renumbered	<b>B</b> New Statute Number	<b>C</b> Statutes in Which Cross-References are Changed
25.40 (1) (a) 30., as created by 2013 Wis. Act 188	25.40 (1) (a) 30m.	none
25.40 (1) (a) 30., as created by 2013 Wis. Act 266	25.40 (1) (a) 30r.	none

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49.795 (1) (dm), as created by 2013 Wis. Act 42	946.92 (1) (dm)	none
49.795 (7m), as created by 2013 Wis. Act 42	946.92 (2) (g)	none
60.23 (32) (b), as created by 2013 Wis. Act 193	60.23 (32) (eg)	60.23 (32) (em) and (er), as created by 2013 Wis. Act 193 as 60.23 (32) (c) and (cm) and renumbered under s. 13.92 (1) (bm) 2.
60.23 (32) (c), as created by 2013 Wis. Act 193	60.23 (32) (em)	none
60.23 (32) (cm), as created by 2013 Wis. Act 193	60.23 (32) (er)	none
101.983 (2) (d), as affected by 2013 Wis. Act 124, section 15	101.983 (2) (cm)	101.983 (4) (d)
146.89 (1) (r) 5., as created by 2013 Wis. Act 344	146.89 (1) (r) 5m.	none

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146.89 (3) (i), as created by 2013 Wis. Act 344	146.89 (3) (j)	none
146.89 (5), as created by 2013 Wis. Act 344	146.89 (6)	none
182.017 (7) (ag) and (ar), as affected by 2013 Wis. Act 165, section 61	182.017 (7) (intro.) and (a)	none
341.14 (6r) (b) 15., as created by 2013 Wis. Act 266	341.14 (6r) (b) 16.	20.395 (5) (ei); 25.40 (1) (a) 30r., as created by 2013 Wis. Act 266 as 25.40 (1) (a) 30. and renumbered under s. 13.92 (1) (bm) 2.; and 341.14 (10) (d) 1. b.

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341.14 (6r) (f) 62., as created by 2013 Wis. Act 266	341.14 (6r) (f) 63.	341.14 (6r) (b) 1. and 1m. b.; 341.14 (6r) (b) 16., as created by 2013 Wis. Act 266 as 341.14 (6r) (b) 15. and renumbered under s. 13.92 (1) (bm) 2.; and 341.14 (6r) (c) and (fm) 7. and (10) (a) and (d) 1. (intro.) and b. and 2.
341.14 (6r) (f) 62., as created by 2013 Wis. Act 275	341.14 (6r) (f) 64.	341.14 (6r) (fm) 7.
447.02 (2) (f), as created by 2013 Wis. Act 345	447.02 (2) (i)	none
447.02 (2) (f), as created by 2013 Wis. Act 354	447.02 (2) (j)	447.04 (2) (d) 1.
560.703 (1) (title), 2009 stats.	238.303 (1) (title)	none

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632.65 (1) 1. and 2., as created by 2013 Wis. Act 271	632.65 (1) (a) and (b)	none
949.04 (1) (intro.) and (a)	949.04 (1) (ag) and (ar)	none
968.375 (4) (c), as created by 2013 Wis. Act 375	968.375 (3) (c)	none

1           **SECTION 83. Corrections of obvious nonsubstantive errors under s.**  
 2           **35.17 (2), stats.** In the sections of the statutes listed in Column A, the text shown  
 3           in Column B was changed to the text shown in column C to correct obvious  
 4           nonsubstantive errors under s. 35.17 (2) of the statutes:

NOTE: Confirms correction of obvious nonsubstantive errors in the statutes under s. 35.17 (2).

<b>A</b> Statute Affected	<b>B</b> Erroneous text	<b>C</b> Corrected text
11.31 (1) (d), as affected by 2011 Wis. Act 32	treasurer,, state	treasurer, state
45.44 (1) (a) 11.	under 170.12	under s. 170.12
49.49 (3p) (title), as affected by 2013 Wis. Act 226	PROHIBITED PROVIDER CHARGES.	PROHIBITED PROVIDER CHARGES.
51.15 (4m) (d) 2., as created by 2013 Wis. Act 235	Saturdays, Sundays and legal holidays	Saturdays, Sundays, and legal holidays

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51.41 (4) (b) 5., as created by 2013 Wis. Act 203	function, service or program	function, service, or program
66.1105 (5) (i) 1., as created by 2013 Wis. Act 183	subd. 2,	subd. 2.,
108.02 (15) (k) 16., as affected by 2013 Wis. Act 104	hours worked.	hours worked;
146.40 (2g) (b), as created by 2013 Wis. Act 357	2-year period prior the date	2-year period prior to the date
146.81 (1) (dg), as affected by 2001 Wis. Act 70	therapist licensed	therapist or physical therapist assistant licensed
157.06 (20)	under this paragraph	under this subsection
165.85 (2) (e), as created by 2013 Wis. Act 214	(4) (a) 1. (b) 1., or (c) 1.	(4) (a) 1., (b) 1., or (c) 1.
224.74 (title), as affected by 2013 Wis. Act 360	mortgage broker,, mortgage banker	mortgage broker, mortgage banker
289.645 (1), as affected by 2013 Wis. Act 333	sub. (4) and 289.675	sub. (4) and s. 289.675



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322.120 (2) (a), as affected by 2013 Wis. Act 201	person;	person.
348.05 (2) (m), as created by 2013 Wis. Act 369	pipe, girders and similar materials	pipe, girders, and similar materials
348.08 (1) (c) (intro.)	“Tour trains,”	Tour trains,
348.08 (1) (c) (intro.) and 4.	“tour train”	tour train
440.08 (3) (b)	determines is necessary	determines are necessary
452.137 (2) (f), as created by 2013 Wis. Act 259	out-of state-broker	out-of-state broker
622.15 (3) (b), as created by 2013 Wis. Act 279	in the s. 617.215	in s. 617.215
703.16 (2)	<b>(2)</b> (a) FUNDS FOR PAYMENT OF COMMON EXPENSES OBTAINED BY ASSESSMENTS.	<b>(2)</b> FUNDS FOR PAYMENT OF COMMON EXPENSES OBTAINED BY ASSESSMENTS. (a)
802.025 (2) (a), as created by 2013 Wis. Act 154	in action subject to this section	in an action subject to this section

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938.355 (6d) (a) 2r., as created by 2013 Wis. Act 334	subd 1. or 2.	subd. 1. or 2.
938.355 (6d) (b) 2r., as created by 2013 Wis. Act 334	sub. (4) (am) 4. or 938.357 (6) (a) 4. or 938.365 (5) (b) 4. may not be taken into custody under subd 1. or 2.	sub. (4) (am) 4. or s. 938.357 (6) (a) 4. or 938.365 (5) (b) 4. may not be taken into custody under subd. 1. or 2.
961.16 (3) (tb), as created by 2013 Wis. Act 351	Oripavine.	Oripavine;
961.16 (3) (y)	Sufentanil.	Sufentanil;
961.20 (2) (p)	Zolpidem.	Zolpidem;
961.41 (1m) (e) (title), as affected by 2013 Wis. Act 351	<i>cathinone,</i> ,	<i>cathinone,</i>

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961.41 (1r), as affected by 2013 Wis. Act 351	synthetic cannabinoids or substituted cathinones	synthetic cannabinoids, or substituted cathinones
968.255 (1) (a) 5., as created by 2013 Wis. Act 317	incarcerated, imprisoned or otherwise	incarcerated, imprisoned, or otherwise

1

(END)