

1 **SECTION 176.** The treatment of 121.91 (3) (c) of the statutes by 1997 Wiscon-
2 sin Act 113 is not repealed by 1997 Wisconsin Act 237. Both treatments stand.

 NOTE: There is no conflict of substance.

3 **SECTION 177.** 138.09 (1m) (b) 2. b. of the statutes, as affected by 1997 Wiscon-
4 sin Act 237, is amended to read:

5 138.09 (1m) (b) 2. b. The division may disclose information under subd. 1.
6 a. to the department of ~~industry, labor and job~~ workforce development in accor-
7 dance with a memorandum of understanding under s. 49.857.

 NOTE: The Department of Industry, Labor and Job Development was renamed
 the Department of Workforce Development by 1997 Wis. Act 3.

8 **SECTION 178.** 138.12 (3) (d) 2. b. of the statutes, as affected by 1997 Wiscon-
9 sin Act 237, is amended to read:

10 138.12 (3) (d) 2. b. The division may disclose information under subd. 1. a.
11 to the department of ~~industry, labor and job~~ workforce development in accordance
12 with a memorandum of understanding under s. 49.857.

 NOTE: The Department of Industry, Labor and Job Development was renamed
 the Department of Workforce Development by 1997 Wis. Act 3.

13 **SECTION 179.** 146.34 (1) (j) of the statutes, as affected by 1997 Wisconsin Act
14 188, is amended to read:

15 146.34 (1) (j) "Relative" means a parent, grandparent, stepparent, brother,
16 sister, first cousin, nephew or niece; or uncle or aunt within the 3rd degree of kin-
17 ship as computed under s. ~~852.03 (2), 1995 stats~~ 990.001 (16). This relationship
18 may be by consanguinity or direct affinity.

 NOTE: Section 852.03 (2), 1995 stats., is recreated as s. 990.001 (16) by this bill
 for user convenience. See also the note to the treatment of s. 990.001 (16) by this bill.

19 **SECTION 180.** 146.40 (1) (d) of the statutes, as affected by 1997 Wisconsin Act
20 156, is amended to read:

1 146.40 (1) (d) "Nurse's assistant" means an individual who performs rou-
2 tine patient care duties delegated by a registered nurse or licensed practical
3 nurse who supervises the individual, for the direct health care of a patient or resi-
4 dent. "Nurse's assistant" does not mean an individual who is licensed, permitted,
5 certified or registered under subch. ~~X~~ XI of ch. 440 or ch. 441, 448, 449, 450, 451,
6 455 or 459 or an individual whose duties primarily involve skills that are different
7 than those taught in instructional and competency evaluation programs for
8 nurse's assistants certified under sub. (3) or evaluated by competency evaluation
9 programs for nurse's assistants approved under sub. (3m).

 NOTE: Subch. X of ch. 440, as created by 1997 Wis. Act 156, is renumbered
 subch. XI of ch. 440 by this bill.

10 **SECTION 181.** The treatment of 146.81 (1) (em) of the statutes by 1997 Wis-
11 consin Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

 NOTE: There is no conflict of substance.

12 **SECTION 182.** 146.81 (1) (hp) of the statutes, as created by 1997 Wisconsin
13 Act 156, is amended to read:

14 146.81 (1) (hp) A massage therapist or bodyworker issued a license of regis-
15 tration under subch. ~~X~~ XI of ch. 440.

 NOTE: Subch. X of ch. 440, as created by 1997 Wis. Act 156, is renumbered
 subch. XI of ch. 440 by this bill.

16 **SECTION 183.** 146.82 (2) (a) 18. of the statutes, as created by 1997 Wisconsin
17 Act 272, is renumbered 146.82 (2) (a) 18m.

 NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis.
 Act 114 also created a provision numbered s. 146.82 (2) (a) 18.

18 **SECTION 184.** 157.061 (7) of the statutes, as affected by 1997 Wisconsin Act
19 188, is amended to read:

1 157.061 (7) "Family member" means a spouse or an individual related by
2 blood, marriage or adoption within the 3rd degree of kinship as computed under
3 s. ~~852.03 (2)~~, 1995 stats 990.001 (16).

NOTE: Section 852.03 (2), 1995 stats., is recreated as s. 990.001 (16) by this bill
for user convenience. See also the note to the treatment of s. 990.001 (16) by this bill.

4 **SECTION 185.** 165.40 (1) (d) of the statutes, as created by 1997 Wisconsin Act
5 93, is amended to read:

6 165.40 (1) (d) "Nonprofit corporation" has the meaning given in s. ~~181.02~~
7 ~~(8)~~ 181.0103 (17).

NOTE: Inserts correct reference. 1997 Wis. Act 79 repealed and recreated ch.
181. The definition of "nonprofit corporation" is now at s. 181.0103 (17).

8 **SECTION 186.** The treatment of 167.31 (4) (c) of the statutes by 1997 Wisconsin
9 Act 248 is not repealed by 1997 Wisconsin Act 249. Both treatments stand.

NOTE: There is no conflict of substance.

10 **SECTION 187.** The treatment of 167.31 (4) (cg) (intro.) of the statutes by 1997
11 Wisconsin Act 248 is not repealed by 1997 Wisconsin Act 249. Both treatments
12 stand.

NOTE: There is no conflict of substance.

13 **SECTION 188.** The treatment of 167.31 (4) (cm) of the statutes by 1997 Wisconsin
14 Act 248 is not repealed by 1997 Wisconsin Act 249. Both treatments stand.

NOTE: There is no conflict of substance.

15 **SECTION 189.** The treatment of 167.31 (4m) of the statutes by 1997 Wisconsin
16 Act 248 is not repealed by 1997 Wisconsin Act 249. Both treatments stand.

NOTE: There is no conflict of substance.

17 **SECTION 190.** 172.52 of the statutes, as affected by 1997 Wisconsin Act 192,
18 section 12, and 1997 Wisconsin Act 254, section 32, is amended to read:

19 **172.52 Appraisal.** The freeholders appointed as appraisers under s. ~~173.01~~
20 172.51 shall be immediately notified and shall immediately repair to the place

1 damaged by the animals and view the damages done. The appraisers may take
2 evidence of any witnesses of the facts and circumstances necessary to enable
3 them to ascertain the extent of the damages and the sufficiency of any line fence
4 on the premises where the damage was done, if any dispute arises regarding the
5 damages or line fence. The appraisers may administer oaths to the witnesses.
6 The appraisers shall certify under their hands the amount of damages, the cost
7 of keeping the beasts to that time, their fees for services as appraisers not exceed-
8 ing \$1 per day each, and their determination as to the sufficiency of the line fence,
9 if in dispute. The appraisers' decision as to damages and sufficiency of the fence
10 is conclusive.

NOTE: Section 173.01 was renumbered to s. 172.51 by 1997 Wis. Act 192.

11 **SECTION 191.** 172.53 (1) (intro.) of the statutes, as affected by 1997 Wiscon-
12 sin Act 192, section 12, and 1997 Wisconsin Act 254, section 33, is amended to
13 read:

14 172.53 (1) (intro.) Unless the damages determined under s. ~~173.02~~ 172.52,
15 together with the fees of the appraisers and chairperson, president or mayor, have
16 been paid within 24 hours after the appraisal, the person distraining the beasts
17 shall cause the beasts to be confined in accordance with whichever of the following
18 applies:

NOTE: Section 173.02 was renumbered to s. 172.52 by 1997 Wis. Act 192.

19 **SECTION 192.** 172.53 (2) of the statutes, as affected by 1997 Wisconsin Act
20 192, section 12, and 1997 Wisconsin Act 254, section 33, is amended to read:

21 172.53 (2) The beasts shall remain confined until sold under ss. ~~173.04~~
22 172.54 to ~~173.06~~ 172.56, until the damages, fees and costs of keeping the beasts
23 after appraisal are paid or until they are otherwise seized or discharged according

1 to law. The confined beasts shall be furnished with suitable food from the time
2 of seizure until they are discharged or sold. The expense of feeding the beasts,
3 after the appraisal, shall be added to the amount determined under s. ~~173.02~~
4 172.52 and paid as additional costs. If the beasts are put in a pound, the certifi-
5 cate of appraisal shall be delivered to the keeper of the pound.

NOTE: Sections 173.01 to 173.07 were renumbered to ss. 172.51 to 172.57 by
1997 Wis. Act 192.

6 **SECTION 193.** 172.54 of the statutes, as affected by 1997 Wisconsin Act 192,
7 section 12, 1997 Wisconsin Act 254, section 34, is amended to read:

8 **172.54 Time and notice of sale.** The poundmaster of any pound shall
9 receive and keep any beasts delivered to the poundmaster under s. ~~173.03~~ 172.53.
10 Unless the beasts are seized or discharged according to law within 6 days, from
11 the time of their delivery to the pound, the poundmaster shall sell at public auc-
12 tion the beasts or so many of them as is necessary to pay the damages, fees and
13 costs enumerated under ss. ~~173.02~~ 172.52 and ~~173.03~~ 172.53. The poundmaster
14 shall give 2 days' notice of the sale by notice posted upon the pound and at 3 public
15 places in the town, city or village in which the pound is located.

NOTE: Sections 173.01 to 173.07 were renumbered to ss. 172.51 to 172.57 by
1997 Wis. Act 192.

16 **SECTION 194.** 172.55 of the statutes, as affected by 1997 Wisconsin Act 192,
17 section 12, 1997 Wisconsin Act 254, section 35, is amended to read:

18 **172.55 Sale of animal not impounded.** If in consequence of there being
19 no pound within the distraining person's city, town or village of residence the
20 beasts distrained under s. ~~173.01~~ 172.51 are kept in some other enclosure and
21 the beasts are not discharged in the manner provided under this chapter within
22 6 days after being placed in the enclosure, the sheriff or any constable of the

1 county shall sell the beasts or so many of them as shall be necessary to pay the
2 damages, fees and costs of keeping, upon the same notice as is required in case
3 of a constable's sale of personal property taken by execution.

NOTE: Section 173.01 was renumbered to s. 172.51 by 1997 Wis. Act 192.

4 **SECTION 195.** 172.56 (1) of the statutes, as affected by 1997 Wisconsin Act
5 192, section 12, 1997 Wisconsin Act 254, section 36, is amended to read:

6 172.56 (1) From the proceeds of the sale under s. ~~173.04~~ 172.54 or ~~173.05~~
7 172.55, the person making the sale shall retain his or her fees, which shall be the
8 same as are allowed to constables upon sales of personal property on execution,
9 and the cost of keeping the beasts. The person making the sale shall pay to the
10 person who distrained the beasts the damages certified under s. ~~173.02~~ 172.52,
11 with the fees of the appraisers and chairperson, president or mayor.

NOTE: Sections 173.01 to 173.07 were renumbered to ss. 172.51 to 172.57 by
1997 Wis. Act 192.

12 **SECTION 196.** The treatment of 174.01 (2) of the statutes by 1997 Wisconsin
13 Act 192 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance.

14 **SECTION 197.** The treatment of 180.1901 (1m) (br) of the statutes by 1997
15 Wisconsin Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments
16 stand.

NOTE: There is no conflict of substance.

17 **SECTION 198.** 181.1703 (3) of the statutes, as affected by 1997 Wisconsin Act
18 79, is amended to read:

19 181.1703 (3) REINSTATEMENT OF DISSOLVED CORPORATION. Section 181.1422
20 applies to any involuntary or administrative dissolution, even if the dissolution
21 occurred before ~~the effective date of this subsection~~ January 1, 1999.

NOTE: Confirms the insertion of the correct date by the revisor under s. 13.93
(1) (c)

1 **SECTION 199.** The treatment of 182.031 (2) of the statutes by 1997 Wisconsin
2 Act 79 is not repealed by 1997 Wisconsin Act 140. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 200.** The treatment of 184.09 (2) of the statutes by 1997 Wisconsin
4 Act 254 is not repealed by 1997 Wisconsin Act 183, section 129. Both treatments
5 stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 140 renumbered s.
184.09 to s. 200.09.

6 **SECTION 201.** The treatment of 184.12 of the statutes by 1997 Wisconsin Act
7 140 is not repealed by 1997 Wisconsin Act 254. Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 140 renumbered s.
184.12 to s. 200.12.

8 **SECTION 202.** 190.02 (11) (title) of the statutes is amended to read:

9 190.02 (11) (title) OPERATE BUSES AND AIR TRANSPORTATION.

NOTE: Confirms title to the subject matter of the statute text.

10 **SECTION 203.** 190.05 (1) of the statutes, as affected by 1997 Wisconsin Act
11 254, section 61, is renumbered 190.051(1).

NOTE: Confirms renumbering by revisor. 1997 Wis. Act 254 erroneously stated
that s. 190.051 was renumbered to s. 190.05 (1) (a). No renumbering was intended.

12 **SECTION 204.** 195.14 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
13 254, is amended to read:

14 195.14 (2) (b) Railroads may exchange passes with officers, attorneys, phy-
15 sicians or employes of other railroads and members of their families. No person
16 holding any public office or position under the laws of this state shall be given
17 transportation free or at reduced rates that are not open to the public, except that
18 notaries public and regular employes of a railroad or other public utility who are
19 candidates for or hold public office for which the annual compensation is not more

1 than \$300 to whom no passes or privileges are extended beyond those that are
2 extended to other regular employes of such corporations may be granted free
3 transportation ~~free or at~~ reduced rates for the transmission of any message or
4 communication.

NOTE: Restores language existing prior to 1997 Wis. Act 254 that was mistak-
only changed by that act.

5 **SECTION 205.** 196.01 (5) (a) 2. of the statutes, as affected by 1997 Wisconsin
6 Act 184 and 218, is amended to read:

7 196.01 (5) (a) 2. A telecommunications utility, ~~commercial service provider~~

NOTE: The stricken language was inserted into s. 196.01 (5) by 1997 Wis. Act
218, but was rendered surplusage by the treatment of s. 196.01 (5) by 1997 Wis. Act
184.

8 **SECTION 206.** 196.01 (5) (b) 4. of the statutes, as affected by 1997 Wisconsin
9 Act 184, is amended to read:

10 196.01 (5) (b) 4. A ~~cellular~~ commercial mobile radio telecommunications
11 utility service provider.

NOTE: 1997 Wis. Act 218 changed "cellular mobile radio telecommunications
utility" to "commercial mobile radio service provider" but did not take into account
the treatment of s. 196.01 (5) by 1997 Wis. Act 184. See also the previous section of
this bill.

12 **SECTION 207.** The treatment of 196.202 (2) of the statutes by 1997 Wisconsin
13 Act 140 is not repealed by 1997 Wisconsin Act 218. Both treatments stand.

NOTE: There is no conflict of substance.

14 **SECTION 208.** 196.205 (2) of the statutes, as created by 1997 Wisconsin Act
15 218, is amended to read:

16 196.205 (2) Notwithstanding sub. (1m), a telecommunications cooperative
17 shall be subject to s. 196.26 if it is a party in a proceeding on a complaint specified
18 in s. 196.26 (1) ~~(a) 2. or 3~~ (b) or (c).

NOTE: Section 196.26 (1) (a) is renumbered s. 196.26 (1) by this bill.

1 **SECTION 209.** 196.215 (2d) of the statutes, as created by 1997 Wisconsin Act
2 218, is amended to read:

3 196.215 (2d) Notwithstanding sub. (2), a small telecommunications utility
4 shall be subject to s. 196.26 if it is a party in a proceeding on a complaint specified
5 in s. 196.26 (1) ~~(a) 2. or 3~~ (b) or (c).

NOTE: Section 196.26 (1) (a) is renumbered s. 196.26 (1) by this bill.

6 **SECTION 210.** 196.215 (2m) (e) of the statutes, as created by 1997 Wisconsin
7 Act 218, is amended to read:

8 196.215 (2m) (e) Notwithstanding pars. (a) to (d), a small telecommunica-
9 tions utility is subject to s. 196.26 if it is a party in a proceeding on a complaint
10 specified in s. 196.26 (1) ~~(a) 2. or 3~~ (b) or (c).

NOTE: Section 196.26 (1) (a) is renumbered s. 196.26 (1) by this bill.

11 **SECTION 211.** 196.26 (1) (intro) and (a) (intro.) of the statutes, as affected by
12 1997 Wisconsin Act 218, are consolidated, renumbered 196.26 (1) (intro) and
13 amended to read:

14 196.26 (1) COMPLAINT. (intro.) In this section:

15 ~~(a) "Complaint"~~ "complaint" means any of the following:

NOTE: Eliminates unnecessary paragraph level in this subsection for conformity with current style. There is no par. (b).

16 **SECTION 212.** The treatment of 196.26 (1) of the statutes by 1997 Wisconsin
17 Act 218 is not repealed by 1997 Wisconsin Act 229. Both treatments stand.

NOTE: There is no conflict of substance.

18 **SECTION 213.** 196.26 (1m) of the statutes, as affected by 1997 Wisconsin Acts
19 218 and 229, is amended to read:

20 196.26 (1m) ~~COMPLAINT AND INVESTIGATION~~ INVESTIGATION OF COMPLAINT. If
21 any mercantile, agricultural or manufacturing society, body politic, municipal

1 organization or 25 persons file a complaint specified in sub. (1) (a) ~~1~~, against a
2 public utility, or if the commission terminates a proceeding on a complaint under
3 s. 196.199 (3) (a) 1m. b., or if a person files a complaint specified in sub. (1) (a) ~~3~~.
4 (c), the commission, with or without notice, may investigate the complaint under
5 this section as it ~~deems~~ considers necessary. If the mobile home park occupants
6 of 25% of the total number of manufactured homes or mobile homes in a mobile
7 home park or the mobile home park occupants of 25 manufactured homes or
8 mobile homes in a mobile home park, whichever is less, files a complaint specified
9 in sub. (1) (a) against a mobile home park contractor or mobile home park opera-
10 tor, the commission, with or without notice, may investigate the complaint as it
11 ~~deems~~ considers necessary. The commission may not issue an order based on an
12 investigation under this subsection without a public hearing.

NOTE: Conforms title to the subject matter of the provision. Reconciles the treatments of this provision by 1997 Wis. Acts 218 and 229. Section 196.26 (1) (a) is renumbered s. 196.26 (1) by this bill. Replaces "deems" with the preferred "considers" for conformity with current style.

13 **SECTION 214.** 196.26 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
14 218 and 229, is amended to read:

15 196.26 (2) (a) Prior to a hearing under this section, the commission shall
16 notify the public utility, mobile home park contractor ~~or~~, mobile home park opera-
17 tor or party to an interconnection agreement complained of that a complaint has
18 been made, and 10 days after the notice has been given the commission may pro-
19 ceed to set a time and place for a hearing and an investigation. This paragraph
20 does not apply to a complaint specified in sub. (1) (a) ~~2~~ (b).

NOTE: Reconciles the treatments of this provision by 1997 Wis. Acts 218 and 229. Section 196.26 (1) (a) is renumbered s. 196.26 (1) by this bill.

1 **SECTION 215.** 196.26 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
2 218 and 229, is amended to read:

3 196.26 (2) (b) The commission shall give the complainant and either the
4 public utility, mobile home park contractor ~~or~~, mobile home park operator or party
5 to an interconnection agreement which is the subject of a complaint specified in
6 sub. ~~(1m)~~ (1) (a) ~~1~~ or ~~3~~ (c) or, for a complaint specified in sub. (1) ~~(a)~~ ~~2~~ (b), a party
7 to an interconnection agreement who is identified in a notice under s. 196.199 (3)
8 (b) 1. b., 10 days' notice of the time and place of the hearing and the matter to be
9 considered and determined at the hearing. The complainant and either the public
10 utility, mobile home park contractor or mobile home park operator ~~or~~, the party
11 to the interconnection agreement may be heard. The commission may subpoena
12 any witness at the request of the public utility, mobile home park contractor,
13 mobile home park operator, party to the interconnection agreement or complain-
14 ant.

NOTE: Reconciles the treatments of this provision by 1997 Wis. Acts 218 and
229. Section 196.26 (1) (a) is renumbered s. 196.26 (1) by this bill.

15 **SECTION 216.** 196.26 (4) (c) of the statutes, as created by 1997 Wisconsin Act
16 218, is amended to read:

17 196.26 (4) (c) Paragraphs (a) and (b) do not apply to a complaint specified
18 in sub. (1) ~~(a)~~ ~~2~~ or ~~3~~ (b) or (c).

NOTE: Section 196.26 (1) (a) is renumbered s. 196.26 (1) by this bill.

19 **SECTION 217.** 196.28 (3) of the statutes, as affected by 1997 Wisconsin Act
20 218 and 229, is amended to read:

21 196.28 (3) Notice of the time and place for a hearing under sub. (2) shall be
22 given to the public utility, mobile home park contractor or mobile home park oper-
23 ator, and to such other interested persons as the commission ~~deems~~ considers nec-

1 essary. After the notice has been given, proceedings shall be had and conducted
2 in reference to the matter investigated as if a complaint specified in s. 196.26 (1)
3 (a) ~~4~~ had been filed with the commission (~~1m~~) relative to the matter investigated.
4 The same order or orders may be made in reference to the matter as if the inves-
5 tigation had been made on complaint under s. 196.26.

 NOTE: Reconciles the treatments of this provision by 1997 Wis. Acts 218 and
 229. Section 196.26(1)(a) is renumbered s. 196.26(1) by this bill. The stricken "(1m)"
 was inserted by Act 229, but rendered surplusage by the treatment of this provision
 by Act 218.

6 **SECTION 218.** 196.85 (3) of the statutes, as affected by 1997 Wisconsin Acts
7 184 and 229, is amended to read:

8 196.85 (3) If any public utility, sewerage system, joint local water authority,
9 mobile home park operator or power district is billed under sub. (1), (2) ~~or~~, (2e) or
10 (2g) and fails to pay the bill within 30 days or fails to file objections to the bill with
11 the commission, as provided in this subsection, the commission shall transmit to
12 the state treasurer a certified copy of the bill, together with notice of failure to pay
13 the bill, and on the same day the commission shall mail by registered mail to the
14 public utility, sewerage system, joint local water authority, mobile home park
15 operator or power district a copy of the notice which it has transmitted to the state
16 treasurer. Within 10 days after receipt of the notice and certified copy of the bill,
17 the state treasurer shall levy the amount stated on the bill to be due, with inter-
18 est, by distress and sale of any property, including stocks, securities, bank
19 accounts, evidences of debt, and accounts receivable belonging to the delinquent
20 public utility, sewerage system, joint local water authority, mobile home park
21 operator or power district. The levy by distress and sale shall be governed by s.
22 74.10, 1985 stats., except that it shall be made by the state treasurer and that
23 goods and chattels anywhere within the state may be levied upon.

NOTE: Replaces "or" with a comma for correct punctuation.

1 **SECTION 219.** 196.85 (4) (a) of the statutes, as affected by 1997 Wisconsin
2 Acts 184 and 229, is amended to read:

3 196.85 (4) (a) Within 30 days after the date of the mailing of any bill under
4 sub. (1), (2) ~~and~~, (2e) or (2g), the public utility, sewerage system, joint local water
5 authority, mobile home park operator or power district that has been billed may
6 file with the commission objections setting out in detail the grounds upon which
7 the objector regards the bill to be excessive, erroneous, unlawful or invalid. The
8 commission, after notice to the objector, shall hold a hearing upon the objections,
9 from 5 to 10 days after providing the notice. If after the hearing the commission
10 finds any part of the bill to be excessive, erroneous, unlawful or invalid it shall
11 record its findings upon its minutes and transmit to the objector by registered
12 mail an amended bill, in accordance with the findings. The amended bill shall
13 have the same force and effect under this section as an original bill rendered
14 under sub. (1), (2) ~~and~~, (2e) or (2g).

NOTE: Replaces "and" with a comma for correct punctuation.

15 **SECTION 220.** 196.85 (5) of the statutes, as affected by 1997 Wisconsin Acts
16 184 and 229, is amended to read:

17 196.85 (5) No suit or proceeding may be maintained in any court to restrain
18 or delay the collection or payment of any bill rendered under sub. (1), (2) ~~and~~, (2e)
19 or (2g). Every public utility, sewerage system, joint local water authority, mobile
20 home park operator or power district that is billed shall pay the amount of the bill,
21 and after payment may in the manner provided under this section, at any time
22 within 2 years from the date the payment was made, sue the state to recover the
23 amount paid plus interest from the date of payment, upon the ground that the

1 assessment was excessive, erroneous, unlawful or invalid in whole or in part. If
2 the court finds that any part of the bill for which payment was made was exces-
3 sive, erroneous, unlawful or invalid, the state treasurer shall make a refund to
4 the claimant as directed by the court. The refund shall be charged to the appropri-
5 ations to the commission.

NOTE: Replaces "and" with a comma for correct punctuation.

6 **SECTION 221.** 198.13 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
7 254, is amended to read:

8 198.13 (3) (a) If within 2 years of its creation a district has not become the
9 owner or operator, or commenced construction, of a public utility. Any time con-
10 sumed in any proceeding or contest before any commission or court shall not be
11 included as part of the 2-year period.

NOTE: Inserts missing word.

12 **SECTION 222.** 198.17 (3) (b) of the statutes, as affected by 1997 Wisconsin Act
13 254, is amended to read:

14 198.17 (3) (b) The defendant ~~or~~ owner shall answer in the action commenced
15 under par. (a) within 10 days after service of the summons and complaint on the
16 owner and the action shall be at issue and stand ready for trial upon 10 days'
17 notice by either party. Unless the parties waive a jury, the question as to the
18 necessity of the taking of the utility by the district shall be as speedily as possible
19 submitted to a jury. If the jury or the court, in case a jury is waived, finds that
20 a necessity exists for the taking by the district of the utility, to which the owner
21 shall not have consented, the directors shall cause speedy notice of the finding of
22 necessity to be certified to the commission and the owner. The commission and
23 the parties shall then proceed to the ascertainment of the just compensation to

1 be paid by the district to the owner for the utility. The consummation of the trans-
2 fer of the utility to the district and the payment of the compensation to the owner
3 shall be in the manner provided in sub. (2).

NOTE: The treatment of this provision by 1997 Wis. Act 254 rendered the
stricken "or" surplusage.

4 **SECTION 223.** 217.05 (1m) (b) 2. of the statutes, as affected by 1997 Wiscon-
5 sin Act 237, is amended to read:

6 217.05 (1m) (b) 2. The division may disclose information under par. (a) 1.
7 to the department of ~~industry, labor and job~~ workforce development in accordance
8 with a memorandum of understanding under s. 49.857.

NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

9 **SECTION 224.** 218.01 (2) (ie) 1. of the statutes, as affected by 1997 Wisconsin
10 Act 237, is amended to read:

11 218.01 (2) (ie) 1. In addition to any other information required under this
12 subsection, an application by an individual for the issuance or renewal of a license
13 described in par. (d) shall include the individual's social security number and an
14 application by a person who is not an individual for the issuance or renewal of a
15 license described in par. (d) 1., 2., 3. or 5. shall include the person's federal
16 employer identification number. The licensor may not disclose any information
17 received under this subdivision to any person except the department of ~~industry,~~
18 ~~labor and job~~ workforce development for purposes of administering s. 49.22 or the
19 department of revenue for the sole purpose of requesting certifications under s.
20 73.0301.

NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

1 **SECTION 225.** 218.01 (2) (ig) 2. b. of the statutes, as affected by 1997 Wiscon-
2 sin Act 237, is amended to read:

3 218.01 (2) (ig) 2. b. The licensor may disclose information under subd. 1. a.
4 to the department of ~~industry, labor and job~~ workforce development in accordance
5 with a memorandum of understanding under s. 49.857.

 NOTE: The Department of Industry, Labor and Job Development was renamed
 the Department of Workforce Development by 1997 Wis. Act 3.

6 **SECTION 226.** 218.01 (3) (ag) 2. of the statutes, as affected by 1997 Wisconsin
7 Act 237, is amended to read:

8 218.01 (3) (ag) 2. A license described in ~~par. sub. (2)~~ (d) 1., 2., 3. or 5. shall
9 be suspended or revoked if the department of revenue certifies under s. 73.0301
10 that the applicant or licensee is liable for delinquent taxes.

 NOTE: Corrects cross-reference. There is no s. 218.01 (3) (d) 1., 2., 3., or 5 and
 sub. (3) (d) does not relate to specific types of licenses. The remainder of s. 218.01 (3)
 (ag) relates to licenses described in s. 218.01 (2) (d).

11 **SECTION 227.** 218.02 (2) (a) 2. b. of the statutes, as affected by 1997 Wiscon-
12 sin Act 237, is amended to read:

13 218.02 (2) (a) 2. b. The division may disclose information under subd. 1. a.
14 to the department of ~~industry, labor and job~~ workforce development in accordance
15 with a memorandum of understanding under s. 49.857.

 NOTE: The Department of Industry, Labor and Job Development was renamed
 the Department of Workforce Development by 1997 Wis. Act 3.

16 **SECTION 228.** 218.02 (6) (b) of the statutes, as created by 1997 Wisconsin Act
17 191, is amended to read:

18 218.02 (6) (b) In accordance with a memorandum of understanding entered
19 into under s. ~~49.587~~ 49.857, the division shall restrict or suspend a license if the
20 licensee is an individual who fails to comply, after appropriate notice, with a sub-
21 poena or warrant issued by the department of workforce development or a county

1 child support agency under s. 59.53 (5) and related to paternity or child support
2 proceedings or who is delinquent in making court-ordered payments of child or
3 family support, maintenance, birth expenses, medical expenses or other expenses
4 related to the support of a child or former spouse.

NOTE: Inserts correct cross-reference. There is no s. 49.587. Section 49.857
relates to memoranda of understanding.

5 **SECTION 229.** 218.04 (3) (a) 2. b. of the statutes, as affected by 1997 Wiscon-
6 sin Act 237, is amended to read:

7 218.04 (3) (a) 2. b. The division may disclose information under subd. 1. a.
8 to the department of ~~industry, labor and job~~ workforce development in accordance
9 with a memorandum of understanding under s. 49.857.

NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

10 **SECTION 230.** 218.05 (3) (am) 2. b. of the statutes, as affected by 1997 Wiscon-
11 sin Act 237, is amended to read:

12 218.05 (3) (am) 2. b. The division may disclose information under subd. 1.
13 a. to the department of ~~industry, labor and job~~ workforce development in accor-
14 dance with a memorandum of understanding under s. 49.857.

NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

15 **SECTION 231.** 218.11 (2) (am) 3. of the statutes, as affected by 1997 Wisconsin
16 Act 237, is amended to read:

17 218.11 (2) (am) 3. The licensor may not disclose any information received
18 under subd. 1. to any person except to the department of ~~industry, labor and job~~
19 workforce development for purposes of administering s. 49.22 or to the depart-
20 ment of revenue for the sole purpose of requesting certifications under s. 73.0301.

NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

1 **SECTION 232.** 218.21 (2m) (b) of the statutes, as affected by 1997 Wisconsin
2 Act 237, is amended to read:

3 218.21 **(2m)** (b) The department of transportation may not disclose any
4 information received under sub. (2) (ag) or (am) to any person except to the
5 department of industry, labor and job workforce development for purposes of
6 administering s. 49.22 or the department of revenue for the sole purpose of
7 requesting certifications under s. 73.0301.

 NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

8 **SECTION 233.** 218.31 (1m) (b) of the statutes, as affected by 1997 Wisconsin
9 Act 237, is amended to read:

10 218.31 **(1m)** (b) The department of transportation may not disclose any
11 information received under sub. (1) (ag) or (am) to any person except to the
12 department of industry, labor and job workforce development for purposes of
13 administering s. 49.22 or the department of revenue for the sole purpose of
14 requesting certifications under s. 73.0301.

 NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

15 **SECTION 234.** 224.72 (2) (c) 2. b. of the statutes, as affected by 1997 Wisconsin
16 Act 237, is amended to read:

17 224.72 **(2)** (c) 2. b. The department may disclose information under subd.
18 1. a. to the department of industry, labor and job workforce development in accordance
19 with a memorandum of understanding under s. 49.857.

 NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

20 **SECTION 235.** The treatment of 224.72 (5) (a) of the statutes by 1997 Wisconsin
21 Act 145 is not repealed by 1997 Wisconsin Act 191. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 236.** 224.77 (6) of the statutes, as created by 1997 Wisconsin Act
2 191, is amended to read:

3 **224.77 (6) RESTRICTION OR SUSPENSION OF REGISTRATION.** The department
4 shall restrict or suspend the registration of a mortgage banker, loan originator or
5 ~~loan solicitor~~ mortgage broker if the registrant is an individual who fails to com-
6 ply, after appropriate notice, with a subpoena or warrant issued by the depart-
7 ment of workforce development or a county child support agency under s. 59.53
8 (5) and related to paternity or child support proceedings or who is delinquent in
9 making court-ordered payments of child or family support, maintenance, birth
10 expenses, medical expenses or other expenses related to the support of a child or
11 former spouse, as provided in a memorandum of understanding entered into
12 under s. 49.857. A registrant whose registration is restricted or suspended under
13 this subsection is entitled to a notice and hearing only as provided in a memoran-
14 dum of understanding entered into under s. 49.857 and is not entitled to any other
15 notice or hearing under this section.

NOTE: This provision was created by 1997 Wis. Act 191 without taking into
account 1997 Wis. Act 145 which replaced the term "loan solicitor" to "mortgage bro-
ker", throughout the statutes.

16 **SECTION 237.** 224.77 (6m) of the statutes, as affected by 1997 Wisconsin Act
17 237, section 449s, is renumbered 224.77 (8).

NOTE: Renumbers provision for more logical placement within the section.

18 **SECTION 238.** 224.77 (7) of the statutes, as created by 1999 Wisconsin Act
19 237, is amended to read:

20 **224.77 (7) REVOCATION FOR LIABILITY FOR DELINQUENT TAXES.** The department
21 shall revoke the certificate of registration of a mortgage banker, loan originator
22 or ~~loan solicitor~~ mortgage broker if the department of revenue certifies under s.

1 73.0301 that the registrant is liable for delinquent taxes. A registrant whose cer-
2 tificate of registration is revoked under this subsection for delinquent taxes is
3 entitled to a notice under s. 73.0301 (2) (b) 1. b. and a hearing under s. 73.0301
4 (5) (a) but is not entitled to any other notice, hearing or review under this section.

NOTE: This provision was created by 1997 Wis. Act 237 without taking into
account 1997 Wis. Act 145 which replaced the term "loan solicitor" to "mortgage bro-
ker", throughout the statutes.

5 **SECTION 239.** 229.70 (4) of the statutes is amended to read:

6 229.70 (4) It shall be a goal of a district, with regard to each of the contracts
7 described under sub. (3) (a), (b) and (c), to award at least 25% of the dollar value
8 of such contracts to minority businesses and at least 5% of the dollar value of such
9 contracts to women's businesses.

NOTE: Inserts "and" for correct grammar.

10 **SECTION 240.** 242.01 (11) of the statutes, as affected by 1997 Wisconsin Act
11 188, is amended to read:

12 242.01 (11) "Relative" means an individual related by consanguinity within
13 the 3rd degree of kinship as computed under s. ~~852.03 (2), 1995 stats. 990.001~~
14 (16), a spouse or an individual related to a spouse within the 3rd degree as so com-
15 puted, and includes an individual in an adoptive relationship within the 3rd
16 degree.

NOTE: Section 852.03 (2), 1995 stats., is recreated as s. 990.001 (16) by this bill
for user convenience. See also the note to the treatment of s. 990.001 (16) by this bill.

17 **SECTION 241.** 252.10 (7) of the statutes, as affected by 1997 Wisconsin Acts
18 75, 156 and 175, is amended to read:

19 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculo-
20 sis shall be purchased by the department from the appropriation under s. 20.435
21 (5) (e) and dispensed to patients through the public health dispensaries or

1 through health care providers, as defined in s. 146.81 (1), other than massage
2 therapists or bodyworkers issued a license of registration under subch. ~~X~~XI of ch.
3 440, social workers, marriage and family therapists or professional counselors
4 certified under ch. 457, speech-language pathologists or audiologists licensed
5 under subch. II of ch. 459, speech and language pathologists licensed by the
6 department of public instruction or dietitians certified under subch. V of ch. 448.

NOTE: Subch. X of ch. 440, as created by 1997 Wis. Act 156, is renumbered
subch. XI of ch. 440 by this bill.

7 **SECTION 242.** The treatment of 252.14 (1) (ar) 4m. of the statutes by 1997
8 Wisconsin Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments
9 stand.

NOTE: There is no conflict of substance.

10 **SECTION 243.** 252.15 (1) (ar) 1. of the statutes, as affected by 1997 Wisconsin
11 Act 156, is amended to read:

12 252.15 (1) (ar) 1. A person or entity that is specified in s. 146.81 (1), but does
13 not include a massage therapist or bodyworker issued a license of registration
14 under subch. ~~X~~XI of ch. 440.

NOTE: Subch. X of ch. 440, as created by 1997 Wis. Act 156, is renumbered
subch. XI of ch. 440 by this bill.

15 **SECTION 244.** 252.15 (1) (eg) of the statutes, as affected by 1997 Wisconsin
16 Act 188, is amended to read:

17 252.15 (1) (eg) "Relative" means a spouse, parent, grandparent, stepparent,
18 brother, sister, first cousin, nephew or niece; or uncle or aunt within the 3rd
19 degree of kinship as computed under s. ~~852.03 (2), 1995 stats.~~ 990.001 (16). This
20 relationship may be by consanguinity or direct affinity.

NOTE: Section 852.03 (2), 1995 stats., is recreated as s. 990.001 (16) by this bill
for user convenience. See also the note to the treatment of s. 990.001 (16) by this bill.

1 **SECTION 245.** 252.24 (2) of the statutes, as affected by 1997 Wisconsin Act
2 237, is amended to read:

3 252.24 (2) DEPARTMENT; DUTY. Except as provided in ss. 250.041 and ~~254.241~~
4 252.241, the department shall provide uniform, statewide licensing and regula-
5 tion of body piercers and uniform, statewide licensing and regulation of body-
6 piercing establishments under this section. The department shall inspect a
7 body-piercing establishment once before issuing a license for the body-piercing
8 establishment under this section and may make additional inspections that the
9 department determines are necessary.

NOTE: Inserts correct cross-reference. There is no s. 254.241. Section 252.241
relates to the licensing of body piercing establishments.

10 **SECTION 246.** 253.12 (3) (intro.) of the statutes is amended to read:

11 253.12 (3) DEPARTMENTAL POWERS AND DUTIES. (intro.) From the appropri-
12 ations under s. 20.435 ~~(1)~~ (5) (md) and (8) (n), the department shall perform all
13 of the following for the program under this section:

NOTE: Inserts correct cross-reference. Section 20.435 (1) (md) was renumbered
to s. 20.435 (5) (md) by 1997 Wis. Act 27.

14 **SECTION 247.** The treatment of 281.19 (2) (a) of the statutes by 1997 Wiscon-
15 sin Act 27 is not repealed by 1997 Wisconsin Act 193. Both treatments stand.

NOTE: There is no conflict of substance.

16 **SECTION 248.** 289.62 (2) (a), (b), (c) and (g) (intro.) of the statutes is amended
17 to read:

18 289.62 (2) AMOUNT OF TONNAGE FEE. (a) *Tonnage fee; solid waste.* Except
19 as provided under pars. (c) and (g), the tonnage fee imposed by sub. ~~(3)~~ (1) (a) is
20 1.5 cents per ton for solid waste.

1 (b) *Tonnage fee; certain hazardous waste.* The tonnage fee imposed by sub.
2 (3) (1) (a) is 15 cents per ton for hazardous wastes other than waste specified
3 under par. (c).

4 (c) *Tonnage fee; other waste.* Except as provided under par. (g), the tonnage
5 fee imposed by sub. (3) (1) (a) is 1.5 cents per ton for waste consisting of ashes and
6 sludges from electric and process steam generating facilities, sludges produced
7 by waste treatment or manufacturing processes at pulp or paper mills, manufac-
8 turing process solid wastes from foundries and sludges produced by municipal
9 wastewater treatment facilities.

10 (g) *Tonnage fee; mining waste.* (intro.) Notwithstanding pars. (a) to (c), with
11 respect to prospecting or mining waste, the tonnage fee imposed under sub. (3)
12 (1) (a) is:

NOTE: Inserts correct cross-reference. There is no s. 289.62 (3). Tonnage fees
are imposed under s. 289.62 (1) (a).

13 **SECTION 249.** 299.07 (1) (b) 2. of the statutes, as affected by 1997 Wisconsin
14 Act 237, is amended to read:

15 299.07 (1) (b) 2. If the department is required to obtain the information
16 under s. 299.08 (1) (a), to the department of ~~industry, labor and job~~ workforce
17 development in accordance with a memorandum of understanding under s.
18 49.857.

NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

19 **SECTION 250.** 299.08 (1) (b) 1. of the statutes, as affected by 1997 Wisconsin
20 Act 237, is amended to read:

1 299.08 (1) (b) 1. To the department of ~~industry, labor and job~~ workforce
2 development in accordance with a memorandum of understanding under s.
3 49.857.

NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

4 **SECTION 251.** 301.03 (14) of the statutes, as created by 1997 Wisconsin Act
5 283, is renumbered 301.03 (15).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis.
Act 237 also created an s. 301.03 (14).

6 **SECTION 252.** The treatment of 301.26 (7) (h) of the statutes by 1997 Wiscon-
7 sin Act 27 is not repealed by 1997 Wisconsin Act 35. Both treatments stand.

NOTE: There is no conflict of substance.

8 **SECTION 253.** The treatment of 303.01 (2) (em) of the statutes by 1997 Wis-
9 consin Act 27 is not repealed by 1997 Wisconsin Act 36. Both treatments stand.

NOTE: There is no conflict of substance.

10 **SECTION 254.** The treatment of 303.065 (1) (b) 2. of the statutes by 1997 Wis-
11 consin Act 283 is not repealed by 1997 Wisconsin Act 326. Both treatments stand.

NOTE: There is no conflict of substance.

12 **SECTION 255.** The treatment of 304.02 (5) of the statutes by 1997 Wisconsin
13 Act 283 is not repealed by 1997 Wisconsin Act 326. Both treatments stand.

NOTE: There is no conflict of substance.

14 **SECTION 256.** The treatments of 304.06 (1) (b) of the statutes by 1997 Wis-
15 consin Act 283 is not repealed by 1997 Wisconsin Act 326. All treatments stand.

NOTE: There is no conflict of substance.

16 **SECTION 257.** The treatments of 304.071 (2) of the statutes by 1997 Wiscon-
17 sin Act 283 is not repealed by 1997 Wisconsin Act 326. All treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 258.** The treatments of 341.14 (6r) (b) 3. of the statutes by 1997 Wis-
2 consin Act 27 is not repealed by 1997 Wisconsin Act 255. All treatments stand.

 NOTE: There is no conflict of substance.

3 **SECTION 259.** 343.23 (2) (b) of the statutes, as affected by 1997 Wisconsin
4 Acts 84 and 237, is amended to read:

5 343.23 (2) (b) The information specified in par. (a) must be filed by the
6 department so that the complete operator's record is available for the use of the
7 secretary in determining whether operating privileges of such person shall be
8 suspended, revoked, canceled or withheld in the interest of public safety. The
9 record of suspensions, revocations and convictions that would be counted under
10 s. 343.307 (2) shall be maintained for 10 years, except that if there are 2 or more
11 suspensions, revocations or convictions within any 10-year period, the record
12 shall be maintained permanently. The record of convictions for disqualifying
13 offenses under s. 343.315 (2) (h) shall be maintained for at least 10 years. The
14 record of convictions for disqualifying offenses under s. 343.315 (2) (f) shall be
15 maintained for at least 3 years. The record of convictions for disqualifying
16 offenses under s. 343.315 (2) (a) to (e) shall be maintained permanently, except
17 that 5 years after a licensee transfers residency to another state such record may
18 be transferred to another state of licensure of the licensee if that state accepts
19 responsibility for maintaining a permanent record of convictions for disqualifying
20 offenses. Such reports and records may be cumulative beyond the period for
21 which a license is granted, but the secretary, in exercising the power of suspension
22 granted under s. 343.32 (2) may consider only those reports and records entered
23 during the 4-year period immediately preceding the exercise of such power of sus-
24 pension ~~or revocation~~.

NOTE: 1997 Wis. Act 84 deleted "revocation" from the referred to power under s. 343.32 (2) and in this provision.

1 **SECTION 260.** The treatment of 343.30 (2d) of the statutes by 1997 Wisconsin
2 Act 84 is not repealed by 1997 Wisconsin Act 283. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 261.** 343.305 (6) (e) 3. b. of the statutes, as affected by 1997 Wisconsin
4 Act 237, is amended to read:

5 343.305 (6) (e) 3. b. The licensor may not disclose any information received
6 under subd. 2. a. or b. except to the department of ~~industry, labor and job work-~~
7 ~~force~~ development for purposes of administering s. 49.22 or the department of rev-
8 enue for the sole purpose of requesting certifications under s. 73.0301.

NOTE: The Department of Industry, Labor and Job Development was renamed the Department of Workforce Development by 1997 Wis. Act 3.

9 **SECTION 262.** 343.44 (2s) (title) of the statutes is created to read:
10 343.44 (2s) (title) CITATIONS.

NOTE: All other s. 344.44 subsections have titles.

11 **SECTION 263.** The treatment of 343.50 (8) (b) of the statutes by 1997 Wisconsin
12 Act 119 is not repealed by 1997 Wisconsin Act 191. Both treatments stand.

NOTE: There is no conflict of substance.

13 **SECTION 264.** 343.61 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
14 237, is amended to read:

15 343.61 (2) (b) The department of transportation may not disclose any infor-
16 mation received under par. (a) 1. or 2. to any person except to the department of
17 ~~industry, labor and job workforce~~ development for purposes of administering s.
18 49.22 or the department of revenue for the sole purpose of requesting certification
20 under s. 73.0301.

NOTE: The Department of Industry, Labor and Job Development was renamed the Department of Workforce Development by 1997 Wis. Act 3.

1 **SECTION 265.** The treatment of 345.47 (1) (b) of the statutes by 1997 Wiscon-
2 sin Act 84 is not repealed by 1997 Wisconsin Act 237. Both treatments stand.

 NOTE: There is no conflict of substance.

3 **SECTION 266.** The treatment of 346.65 (5m) of the statutes by 1997 Wiscon-
4 sin Act 135 is not repealed by 1997 Wisconsin Act 277. Both treatments stand.

 NOTE: There is no conflict of substance.

5 **SECTION 267.** The treatment of 346.65 (6) (a) 1. of the statutes by 1997 Wis-
6 consin Act 237 is not repealed by 1997 Wisconsin Act 295. Both treatments stand.

 NOTE: There is no conflict of substance.

7 **SECTION 268.** The treatment of 346.65 (6) (a) 2. of the statutes by 1997 Wis-
8 consin Act 237 is not repealed by 1997 Wisconsin Act 295. Both treatments stand.

 NOTE: There is no conflict of substance.

9 **SECTION 269.** 346.65 (6) (d) of the statutes, as affected by 1997 Wisconsin Act
10 237 and 295, is amended to read:

11 346.65 (6) (d) At the hearing set under par. (c), the state has the burden of
12 proving to a reasonable certainty by the greater weight of the credible evidence
13 that the motor vehicle is a motor vehicle owned by a person who committed a
14 violation of s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09 (1) (a), (b) (c) or (d) or
15 940.25 (1) (a) or (b) and, if the seizure is under par. (a) 1., that the person had 2
16 prior convictions, suspensions or revocations, as counted under s. 343.307 (1) or,
17 if the seizure is under par. (a) 2., 3 or more prior convictions, suspensions or revo-
18 cations, as counted under s. 343.307 (1). If the ~~,, (e) or (d), (e) or (d)~~ state fails to
19 meet the burden of proof required under this paragraph, the motor vehicle shall
20 be returned to the owner upon the payment of storage costs.

 NOTE: The stricken language was inserted by 1997 Wis. Act 295, but was ren-
 dered surplusage by the treatment of this provision by 1997 Wis. Act 237.

1 **SECTION 270.** The treatment of 409.203 (1) (a) of the statutes by 1997 Wis-
2 consin Act 265 is not repealed by 1997 Wisconsin Act 297. Both treatments stand.

 NOTE: There is no conflict of substance.

3 **SECTION 271.** 423.201 of the statutes, as affected by 1997 Wisconsin Act 302,
4 is renumbered 423.201 (1) and amended to read:

5 423.201 (1) "Consumer approval transaction" means a consumer transac-
6 tion other than a sale or lease or listing for sale of real property or a sale of goods
7 at auction ~~1) which that~~ is initiated by face-to-face solicitation away from a regu-
8 lar place of business of the merchant or by mail or telephone solicitation directed
9 to the particular customer and ~~2) which that~~ is consummated or in which the cus-
10 tomer's offer to contract or other writing evidencing the transaction is received
11 by the merchant away from a regular place of business of the merchant and
12 involves the extension of credit or is a cash transaction in which the amount the
13 customer pays exceeds \$25.

14 (2) "Consumer approval transaction" shall in no event include a catalog sale
15 ~~which that~~ is not accompanied by any other solicitation or a consumer loan con-
16 ducted and consummated entirely by mail.

 NOTE: Removes numbering that is inconsistent with current style, replaces
 improperly used word and subdivides provision for greater readability.

17 **SECTION 272.** 440.03 (11m) (c) of the statutes, as affected by 1997 Wisconsin
18 Act 191, section 318, is amended to read:

19 440.03 (11m) (c) The department of regulation and licensing may not dis-
20 close a social security number obtained under par. (a) to any person except to the
21 department of workforce development for purposes of administering s. 49.22 and,
22 for a social security number obtained under par. (a) 1., the department of revenue

1 for the sole purpose of ~~making the determination required under s. 440.08 (2r)~~
2 requesting certifications under s. 73.0301.

NOTE: 1997 Wis. Act 237 repealed s. 440.08 (2r). Conforms this provision with the other treatments in Act 237 regarding the disclosure of social security numbers to the department of revenue for the purpose of determining tax delinquencies.

3 **SECTION 273.** 440.042 (1) of the statutes, as affected by 1997 Wisconsin Act
4 156, is amended to read:

5 440.042 (1) The secretary may appoint persons or advisory committees to
6 advise the department and the boards, examining boards and affiliated creden-
7 tialing boards in the department on matters relating to the regulation of creden-
8 tial holders. The secretary shall appoint an advisory committee to advise the
9 department on matters relating to carrying out the duties specified in s. ~~440.972~~
10 440.982 and making investigations, conducting hearings and taking disciplinary
11 action under s. ~~440.976~~ 440.986. A person or an advisory committee member
12 appointed under this subsection shall serve without compensation, but may be
13 reimbursed for his or her actual and necessary expenses incurred in the perfor-
14 mance of his or her duties.

NOTE: Sections 440.972 and 440.976, as created by 1997 Wis. Act 156, are renumbered ss. 440.982 and 440.986 by this bill.

15 **SECTION 274.** 440.08 (2) (a) 67q. of the statutes, as created by 1997 Wiscon-
16 sin Act 261, is renumbered 440.08 (2) (a) 67v.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 156 also created a provision numbered s. 440.08 (2) (a) 67q.

17 **SECTION 275.** 440.97 of the statutes, as created by 1997 Wisconsin Act 156,
18 is renumbered 440.98.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 81 also created a provision numbered s. 440.97.

1 **SECTION 276.** 440.9705 of the statutes, as created by 1997 Wisconsin Act
2 156, is renumbered 440.9805.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves section for proper location within Subchapter XI as renumbered by this bill.

3 **SECTION 277.** 440.971 of the statutes, as created by 1997 Wisconsin Act 156,
4 is renumbered 440.981.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves section for proper location within Subchapter XI as renumbered by this bill.

5 **SECTION 278.** 440.972 of the statutes, as created by 1997 Wisconsin Act 156,
6 is renumbered 440.982.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 81 also created a provision numbered s. 440.972.

7 **SECTION 279.** 440.973 of the statutes, as created by 1997 Wisconsin Act 156,
8 is renumbered 440.983 and 440.983 (4), as renumbered, is amended to read:

9 440.973 (4) Submits evidence satisfactory to the department that he or she
10 satisfies the requirements established in rules promulgated under s. ~~440.972~~
11 440.982 (1) (b).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 81 also created a provision numbered s. 440.973. Section 440.972, as created by 1997 Wis. Act 156, is renumbered s. 440.982 by this bill.

12 **SECTION 280.** 440.974 of the statutes, as created by 1997 Wisconsin Act 156,
13 is renumbered 440.984 and 440.984 (6), as renumbered, is amended to read:

14 440.984 (6) The person submits the evidence specified in s. ~~440.973~~ 440.983
15 (5).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 81 also created a s. 440.974. Section 440.973 as created by 1997 Wis. Act 156, is renumbered s. 440.983 by this bill.

16 **SECTION 281.** 440.975 of the statutes, as created by 1997 Wisconsin Act 156,
17 is renumbered 440.985 and 440.985 (2), as renumbered, is amended to read:

1 440.985 (2) Evidence satisfactory to the department that the applicant has
2 completed any continuing education requirements specified in rules promulgated
3 under s. ~~440.972~~ 440.982 (2).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis.
Act 81 also created a provision numbered s. 440.975. Section 440.972, as created by
1997 Wis. Act 156, is renumbered s. 440.982 by this bill.

4 **SECTION 282.** 440.976 of the statutes, as created by 1997 Wisconsin Act 156,
5 is renumbered 440.986 and 440.986 (2) (g) and (3) (intro.), as renumbered, are
6 amended to read:

7 440.986 (2) (g) Violated any standard relating to the practice of massage
8 therapy or bodywork established by the department in the rules promulgated
9 under s. ~~440.972~~ 440.982 (1) (a).

10 **(3)** (intro.) In lieu of proceeding under sub. (2), the department may place,
11 in the registry established under s. ~~440.972~~ 440.982 (1) (c), a copy of a complaint
12 received by the department against a registrant, the registrant's response to the
13 complaint and a copy of any records of the department concerning the complaint.
14 The department shall use the following procedure in placing information in the
15 registry under this subsection:

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis.
Act 81 also created a provision numbered s. 440.976. Section 440.972, as created by
1997 Wis. Act 156, is renumbered s. 440.982 by this bill.

16 **SECTION 283.** 440.977 of the statutes, as created by 1997 Wisconsin Act 156,
17 is renumbered 440.987.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis.
Act 81 also created a provision numbered s. 440.977.

18 **SECTION 284.** 440.978 of the statutes, as created by 1997 Wisconsin Act 156,
19 is renumbered 440.988 and 440.988 (2), as renumbered, is amended to read:

1 440.988 (2) A person who violates s. ~~440.971~~ 440.981 (1) or a person present-
2 ing or attempting to use as his or her own the license of registration of another,
3 or any person who falsely impersonates any other registrant of like or different
4 name, or any person who attempts to use an expired or revoked license of registra-
5 tion, may be fined not less than \$100 nor more than \$500 or imprisoned for not
6 more than 3 months or both.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis.
Act 81 also created a provision numbered s. 440.978. Section 440.971 as created by
1997 Wis. Act 156, is renumbered s. 440.981 by this bill.

7 **SECTION 285.** 440.979 of the statutes, as created by 1997 Wisconsin Act 156,
8 is renumbered 440.989.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves sec-
tion for proper location within Subchapter XI as renumbered by this bill.

9 **SECTION 286.** Subchapter X of chapter 440 [precedes 440.98] of the statutes,
10 as created by 1997 Wisconsin Act 156, is renumbered subchapter XI of chapter
11 440.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis.
Act 81 also created a Subch. X of ch. 440.

12 **SECTION 287.** 440.999 of the statutes, as created by 1997 Wisconsin Act 81,
13 is renumbered 440.979.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves sec-
tion for proper location within Subchapter X, as created by 1997 Wis. Act 81, required
by the renumbering of the provisions of Subchapter X, as created by 1997 Wis. Act
156, by this bill.

14 **SECTION 288.** 443.11 (6) of the statutes, as affected by 1997 Wisconsin Acts
15 237 and 300, is amended to read:

16 443.11 (6) The examining board, for reasons the appropriate section of the
17 examining board considers sufficient, may reissue a certificate of registration or
18 a certificate of record to any person, or a certificate of authorization to any firm,
19 partnership or corporation, whose certificate has been revoked, except for a certif-

1 icate revoked under s. 440.12, if 3 members of the section vote in favor of such re-
2 suance. Subject to the rules of the examining board, the examining board may,
3 upon payment of the required fee, issue a new certificate of registration, certifi-
4 cate of record or certificate of authorization, to replace any certificate that is
5 revoked, lost, destroyed or mutilated.

NOTE: The underscored comma is added for clarity.

6 **SECTION 289.** The treatment of 448.01 (6) of the statutes by 1997 Wisconsin
7 Act 67 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

8 **SECTION 290.** 448.015 (4) of the statutes, as affected by 1997 Wisconsin Act
9 67, section 13, and 1997 Wisconsin Act 175, section 25, is amended to read:

10 448.015 (4) "Unprofessional conduct" means those acts or attempted acts
11 of commission or omission defined as unprofessional conduct by the board under
12 the authority delegated to the board by s. 15.08 (5) (b) and any act by a physician,
13 or physician assistant in violation of ch. 450 or 961.

NOTE: Replaces comma with "or" to correct grammar.

14 **SECTION 291.** 448.02 (1) of the statutes, as affected by 1997 Wisconsin Acts
15 67 and 175, is amended to read:

16 448.02 (1) LICENSE. The board may grant licenses, including various classes
17 of temporary licenses, to practice medicine and surgery, and to practice as a physi-
18 cian assistant.

NOTE: Replaces comma with "and" to correct grammar.

19 **SECTION 292.** The treatment of 448.03 (1) of the statutes by 1997 Wisconsin
20 Act 67 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 293.** 448.03 (1) (c) of the statutes, as created by 1997 Wisconsin Act
2 67, is repealed.

NOTE: Reconciles the treatment of s. 448.03 (1) by 1997 Wis. Acts 67 and 175. Act 67 divided the subsection into 3 parts, with par. (c) requiring that podiatrists not practice without a license. Act 175 deleted the reference to podiatrists from sub. (1) as it existed prior to the treatment by Act 67 and created a new section 448.61 requiring that podiatrists not practice without a license. The treatment by Act 175 renders par. (c) as created by Act 67 surplusage.

3 **SECTION 294.** The treatment of 448.03 (2) (e) of the statutes by 1997 Wisconsin
4 Act 67 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

5 **SECTION 295.** The treatment of 448.09 (1) of the statutes by 1997 Wisconsin
6 Act 175 is not repealed by 1997 Wisconsin Act 311. Both treatments stand.

NOTE: There is no conflict of substance.

7 **SECTION 296.** 448.40 (2) (f) of the statutes, as created by 1997 Wis. Act 311,
8 is renumbered 448.40 (2) (g).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 67 also created a provision numbered s. 448.40 (2) (f).

9 **SECTION 297.** The treatment of 450.10 (3) (a) 5m. of the statutes by 1997 Wisconsin
10 Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

11 **SECTION 298.** 470.04 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
12 300, section 20, is amended to read:

13 470.04 (2) (b) Subject to sub. (7), that he or she has a bachelor's degree, ~~and~~
14 ~~at least 30 semester hours or 45 quarter hours of~~ with course credits in geology
15 of a variety and nature sufficient to constitute a geology major, from a college or
16 university approved by the examining board.

NOTE: 1997 Wis. Act 300 deleted the language stricken here without showing it as stricken and added the language underscored here without showing it as underscored. The change was intended.

1 **SECTION 299.** 470.04 (4) (intro.) of the statutes, as created by 1997 Wisconsin
2 Act 300, is amended to read:

3 470.04 (4) (intro.) The professional soil scientist section shall grant a profes-
4 sional soil scientist license to a person who satisfies the requirements under sub.
5 (1) and who ~~who~~ submits evidence satisfactory to the section of all of the following:

NOTE: Deletes repeated word inserted by 1997 Wis. Act 300.

6 **SECTION 300.** 551.29 (3) of the statutes, as created by 1997 Wisconsin Act
7 316, is amended to read:

8 551.29 (3) With respect to a federal covered security that is a covered secu-
9 rity under section 18 (b) (3) or (4) of the Securities Act of 1933, the division may,
10 by rule or order, require the filing, for purpose of providing notice to the division,
11 of any document filed with the federal securities and exchange commission under
12 the ~~the~~ Securities Act of 1933, together with a fee prescribed in the rule or order.
13 The filing is effective upon receipt by the division of the documents and fee
14 required under the rule or order.

NOTE: Deletes repeated word inserted by 1997 Wis. Act 316.

15 **SECTION 301.** 551.32 (1) (bm) 2. b. of the statutes, as affected by 1997 Wiscon-
16 sin Act 237, is amended to read:

17 551.32 (1) (bm) 2. b. The division may disclose information under subd. 1.
18 a. to the department of ~~industry, labor and job~~ workforce development in accor-
19 dance with a memorandum of understanding under s. 49.857.

NOTE: The Department of Industry, Labor and Job Development was renamed
the Department of Workforce Development by 1997 Wis. Act 3.

20 **SECTION 302.** 551.32 (9) (a) of the statutes, as affected by 1997 Wisconsin Act
21 316, section 60, is amended to read:

1 551.32 (9) (a) Withdrawal from the status of a licensed broker-dealer,
2 agent, investment adviser or investment adviser representative becomes effec-
3 tive 30 days after receipt by the division or by an organization designated by rule
4 of the division under s. 551.32 (1) (a) of an application to withdraw or within such
5 shorter period as the division determines, unless a revocation or suspension pro-
6 ceeding is pending when the application is filed or a proceeding to revoke or sus-
7 pend or to impose conditions upon the withdrawal is instituted within 30 days
8 after the application is filed. If a proceeding is pending or instituted, withdrawal
9 becomes effective at such time and upon such conditions as the division by order
10 determines. If no proceeding is pending or instituted and withdrawal automati-
11 cally becomes effective, the division may institute a revocation or suspension pro-
12 ceeding for the grounds specified under ~~sub. s. 551.34~~ (1) (b), (g), (m) or (n) within
13 one year after withdrawal became effective and enter a revocation or suspension
14 order as of the last date on which the license was in effect.

NOTE: 1997 Wis. Act 316 renumbered this provision from s. 551.34 (6), but did not amend the cross-reference accordingly.

15 **SECTION 303.** 551.65 (1) of the statutes, as affected by 1997 Wisconsin Act
16 316, is amended to read:

17 551.65 (1) Every applicant for license or registration under this chapter,
18 every person filing a filing notice filing under this chapter and every issuer which
19 proposes to offer a security in this state through any person acting as agent shall
20 file with the division or, if applying for a license, with the organization designated
21 by the division under s. 551.32 (1) (a), an irrevocable consent appointing the divi-
22 sion to be his or her attorney to receive service of any lawful process in any non-
23 criminal suit, action or proceeding against him or her or a successor, executor or

1 administrator which arises under this chapter or any rule or order under this
2 chapter after the consent has been filed, with the same validity as if served per-
3 sonally on the person filing the consent. The consent shall be in the form the divi-
4 sion by rule prescribes. The consent need not be filed by a person who has filed
5 a consent in connection with a previous registration or notice filing or license
6 which is then in effect. Service may be made by leaving a copy of the process at
7 the office of the division, but it is not effective unless the plaintiff, who may be the
8 division in a suit, action or proceeding instituted by the division, promptly sends
9 notice of the service and a copy of the process by registered or certified mail to the
10 defendant or respondent at the person's last address on file with the division, and
11 the plaintiff's affidavit of compliance with this subsection is filed in the case on
12 or before the return day of the process, or within such time as the court allows.

NOTE: Corrects word order. 1997 Wis. Act 316 added provisions regarding
"notice filing" to ch. 551.

13 **SECTION 304.** 552.05 (2) of the statutes is amended to read:

14 552.05 (2) The registration statement shall be filed on forms prescribed by
15 the division, and shall be accompanied by a consent by the offeror to service of pro-
16 cess specified in s. 551.65 (1) and the filing fee specified in s. 552.15 (1), and shall
17 contain the following information and such additional information as the ~~com-~~
18 ~~missioner~~ division by rule prescribes:

NOTE: Inserts the correct term. 1995 Wis. Act 27 replaced the Commissioner
of Securities with the Division of Securities in the Department of Financial Institu-
tions.

19 **SECTION 305.** 615.03 (1) (c) of the statutes, as affected by 1997 Wisconsin Act
20 188, is amended to read:

1 615.03 (1) (c) A natural person who issues such an annuity to a relative by
2 blood or marriage within the third degree of kinship as computed according to s.
3 ~~852.03 (2), 1995 stats~~ 990.001 (16).

NOTE: Section 852.03 (2), 1995 stats., is recreated as s. 990.001 (16) by this bill
for user convenience. See also the note to the treatment of s. 990.001 (16) by this bill.

4 **SECTION 306.** 631.89 (2) (b) to (d) of the statutes are amended to read:

5 631.89 (2) (b) Require or request directly or indirectly any individual to
6 reveal whether the individual or a member of the individual's family has obtained
7 a genetic test or ~~what to reveal~~ the results of the test, if obtained by the individual
8 or a member of the individual's family, ~~were~~.

9 (bm) Require or request directly or indirectly a health care provider, as
10 defined in s. 146.81 (1), who is or may be providing or who has or may have pro-
11 vided health care services to an individual to reveal whether the individual or a
12 member of the individual's family has obtained a genetic test or ~~what to reveal~~
13 the results of the test, if obtained by the individual or a member of the individual's
14 family, ~~were~~.

15 (c) Condition the provision of insurance coverage or health care benefits on
16 whether an individual or a member of the individual's family has obtained a
17 genetic test or ~~what on~~ the results of the test, if obtained by the individual or a
18 member of the individual's family, ~~were~~.

19 (d) Consider in the determination of rates or any other aspect of insurance
20 coverage or health care benefits provided to an individual whether an individual
21 or a member of the individual's family has obtained a genetic test or ~~what~~ the
22 results of the test, if obtained by the individual or a member of the individual's
23 family, ~~were~~.

NOTE: Corrects grammar.

1 **SECTION 307.** The treatment of 632.895 (1) (b) 5. b. of the statutes by 1997
2 Wisconsin Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments
3 stand.

NOTE: There is no conflict of substance.

4 **SECTION 308.** 632.895 (12) (a) of the statutes is amended to read:
5 632.895 (12) (a) In this subsection, "ambulatory surgery center" has the
6 meaning given in ~~s. 49.45 (6r) (a) 1~~ under s. 42 CFR 416.2.

NOTE: Section 49.45 (6r) was repealed by 1997 Wis. Act 252. The definition from that section replaces the former cross-reference.

7 **SECTION 309.** 751.15 (title), as created by 1997 Wisconsin Act 191, is
8 amended to read:

9 **751.15 (title) Rules regarding the practice of law; delinquent sup-**
10 **port obligors.**

NOTE: Confirms title to the subject matter of the section. 1997 Wis. Acts 191 and 237 each created a section numbered s. 751.15 and titled "Rules regarding the practice of law". Section 751.15 as created by Act 237 is renumbered to s. 751.155 and its title amended by the next section of this bill.

11 **SECTION 310.** 751.15 of the statutes, as created by 1997 Wisconsin Act 237,
12 is renumbered 751.155 and 751.155 (title), as renumbered, is amended to read:

13 **751.155 (title) Rules regarding the practice of law; delinquent tax-**
14 **payers.**

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and conforms title to the subject matter of the section. 997 Wis. Acts 191 and 237 each created a section numbered s. 751.15 and titled "Rules regarding the practice of law". See also the previous section of this bill.

15 **SECTION 311.** 757.69 (1) (n) of the statutes, as created by 1997 Wisconsin Act
16 192, is renumbered 757.69 (1) (o).

NOTE: Confirms the renumbering by the revisor under s. 13.93 (1) (b). 1991 Wis. Act 191 also created a provision numbered s. 757.69 (1) (n).

1 **SECTION 312.** 767.25 (6) (a) of the statutes, as affected by 1997 Wisconsin
2 Acts 27 and 191, is amended to read:

3 767.25 **(6)** (a) First, to payment of child support ~~department or its~~ due
4 within the calendar month during which the payment is received.

NOTE: The stricken language was inserted by 1997 Wis. Act 27, but rendered
surplusage by the treatment of this provision by 1997 Wis. Act 191.

5 **SECTION 313.** 767.261 (1) of the statutes, as affected by 1997 Wisconsin Act
6 27 and 191, is amended to read:

7 767.261 **(1)** First, to payment of family support ~~department or its~~ due within
8 the calendar month during which the payment is received.

NOTE: The stricken language was inserted by 1997 Wis. Act 27, but rendered
surplusage by the treatment of this provision by 1997 Wis. Act 191.

9 **SECTION 314.** The treatment of 767.303 (1) of the statutes by 1997 Wisconsin
10 Act 84 is not repealed by 1997 Wisconsin Act 191. Both treatments stand.

NOTE: There is no conflict of substance.

11 **SECTION 315.** 767.51 (5p) (a) of the statutes, as affected by 1997 Wisconsin
12 Acts 27 and 191, is amended to read:

13 767.51 **(5p)** (a) First, to payment of child support ~~department or its~~ due
14 within the calendar month during which the payment is received.

NOTE: The stricken language was inserted by 1997 Wis. Act 27, but rendered
surplusage by the treatment of this provision by 1997 Wis. Act 191.

15 **SECTION 316.** The treatment of 778.01 of the statutes by 1997 Wisconsin Act
16 237 is not repealed by 1997 Wisconsin Act 254. Both treatments stand.

NOTE: There is no conflict of substance.

17 **SECTION 317.** The treatment of 801.095 (1) of the statutes by 1997 Wisconsin
18 Act 187 is not repealed by 1997 Wisconsin Act 250. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 318.** 801.095 (2) of the statutes, as affected by 1997 Wisconsin Acts
2 187 and 250, is amended to read:

3 801.095 (2) PERSONAL SERVICE; NO COMPLAINT ATTACHED.

4 STATE OF WISCONSIN CIRCUIT COURT: COUNTY

5 _____
6 A. B.
7 Address
8 City, State Zip Code File No.
9 , Plaintiff

10 vs. S U M M O N S

11 C. D.
12 Address (Case Classification Type): (Code No.)
13 City, State Zip Code
14 , Defendant

15 _____
16 THE STATE OF WISCONSIN, To each person named above as a Defendant:
17 You are hereby notified that the Plaintiff named above has filed a lawsuit
18 or other legal action against you.

19 Within 45 days of receiving this summons, you must respond with a written
20 demand for a copy of the complaint. The demand must be sent or delivered to the
21 court, whose address is, and to, Plaintiff's attorney, whose address is

22 You may have an attorney help or represent you.

23 If you do not demand a copy of the complaint within 45 days, the court may
24 grant judgment against you for the award of money or other legal action
25 requested in the complaint, and you may lose your right to object to anything that

1 is or may be incorrect in the complaint. A judgment may be enforced as provided
2 by law. A judgment awarding money may become a lien against any real estate
3 you own now or in the future, and may also be enforced by garnishment or seizure
4 of property.

5 Dated:, (year)

Signed:

7 A. B., Plaintiff

8 or

9 E. F., Plaintiff's Attorney

10 State Bar Number No.:

11 Address:

12 City, State Zip Code:

13 Phone No.:

NOTE: The stricken language was deleted by 1997 Wis. Act 187 without being
shown as stricken and the underscored material was inserted by Act 187 without
being shown as underscored. The changes were intended.

14 **SECTION 319.** 801.095 (3) of the statutes, as affected by 1997 Wisconsin Acts

15 187 and 250, is amended to read:

16 801.095 (3) **NO PERSONAL SERVICE; COMPLAINT SERVED AT THE SAME TIME.**

17 STATE OF WISCONSIN CIRCUIT COURT : COUNTY

18 _____
19 A. B.

20 Address

21

22 City, State Zip Code File No.

23 , Plaintiff

1 vs. SUMMONS
2 C. D.
3 Address (Case Classification Type): (Code No.)
4 City, State Zip Code
5 , Defendant

6 THE STATE OF WISCONSIN, To each person named above as a Defendant:
7

8 You are hereby notified that the Plaintiff named above has filed a lawsuit
9 or other legal action against you. The complaint, which is also served upon you,
10 states the nature and basis of the legal action.

11 Within 45 days after, (year), you must respond with a written answer,
12 as that term is used in chapter 802 of the Wisconsin Statutes, to the complaint.
13 The court may reject or disregard an answer that does not follow the require-
14 ments of the statutes. The answer must be sent or delivered to the court, whose
15 address is, and to, Plaintiff's attorney, whose address is

16 You may have an attorney help or represent you.

17 If you do not provide a proper answer within 40 days, the court may grant
18 judgment against you for the award of money or other legal action requested in
19 the complaint, and you may lose your right to object to anything that is or may
20 be incorrect in the complaint. A judgment may be enforced as provided by law.
21 A judgment awarding money may become a lien against any real estate you own
22 now or in the future, and may also be enforced by garnishment or seizure of prop-
23 erty.

24 Dated:, (year)
25 Signed:

.....

1 A. B., Plaintiff
 2 or
 3 E. F., Plaintiff's Attorney
 4 State Bar Number No.:
 5 Address:
 6 City, State Zip Code:
 7 Phone No.:

NOTE: The stricken language was deleted by 1997 Wis. Act 187 without being shown as stricken and the underscored language was inserted by Act 187 without being shown as underscored. The changes were intended.

8 **SECTION 320.** 801.095 (4) of the statutes, as affected by 1997 Wisconsin Acts
 9 187 and 250, is amended to read:

10 801.095 (4) ~~NO PERSONAL SERVICE; COMPLAINT NOT SERVED AT THE SAME TIME.~~
 11 STATE OF WISCONSIN CIRCUIT COURT: COUNTY

12
 13 A. B.
 14 Address
 15 City, State Zip Code File No.
 16 , Plaintiff

17 vs. S U M M O N S

18 C. D.
 19 Address (Case Classification Type): (Code No.)
 20 City, State Zip Code
 21 , Defendant

22
 23 THE STATE OF WISCONSIN, To each person named above as a Defendant:

1 You are hereby notified that the plaintiff named above has filed a lawsuit
2 or other legal action against you.

3 Within 45 days after, (year), you must respond with a written demand
4 for a copy of the complaint. The demand must be sent or delivered to the court,
5 whose address is, and to, Plaintiff's attorney, whose address is, You may
6 have an attorney help or represent you.

7 If you do not demand a copy of the complaint within 45 days, the court may
8 grant judgment against you for the award of money or other legal action
9 requested in the complaint, and you may lose your right to object to anything that
10 is or may be incorrect in the complaint. A judgment may be enforced as provided
11 by law. A judgment awarding money may become a lien against any real estate
12 you own now or in the future, and may also be enforced by garnishment or seizure
13 of property.

14 Dated:, (year)

Signed:

A. B., Plaintiff

or

E. F., Plaintiff's Attorney

State Bar ~~Number~~ No.:

Address:

City, State Zip Code:

Phone No.:

NOTE: The stricken language was deleted by 1997 Wis. Act 187 without being shown as stricken and the underscored language was inserted by Act 187 without being shown as underscored. The changes were intended.

23 **SECTION 321. 801.11 (2) (b)** of the statutes is amended to read:

1 801.11 (2) (b) Where the person under disability is known by the plaintiff
2 to be under guardianship of any kind, a summons shall be served separately upon
3 the guardian in any manner prescribed in sub. (1), (5), or (6) ~~or (7)~~. If no guardian
4 has been appointed when service is made upon a person known to the plaintiff to
5 be incompetent to have charge of the person's affairs, then service of the summons
6 shall be made upon the guardian ad litem after appointment under s. 803.01.

NOTE: Section 801.11 (7) was repealed by 1997 Wis. Act 140.

7 **SECTION 322.** The treatment of 802.06 (1) of the statutes by 1997 Wisconsin
8 Act 133 is not repealed by 1997 Wisconsin Act 187. Both treatments stand.

NOTE: There is no conflict of substance.

9 **SECTION 323.** 807.10 (3) of the statutes, as affected by 1997 Wisconsin Act
10 290, is amended to read:

11 807.10 (3) If the amount awarded to a minor by judgment or by an order of
12 the court approving a compromise settlement of a claim or cause of action of the
13 minor does not exceed \$10,000 (exclusive of interest and costs and disburse-
14 ments), and if there is no general guardian of the ward, the court may upon
15 application by the guardian ad litem after judgment, or in the order approving
16 settlement, fix and allow the expenses of the action, including attorney fees and
17 fees of guardian ad litem, authorize the payment of the total recovery to the clerk
18 of the court, authorize and direct the guardian ad litem upon the payment to sat-
19 isfy and discharge the judgment, or to execute releases to the parties entitled
20 thereto and enter into a stipulation dismissing the action upon its merits. The
21 order shall also direct the clerk upon the payment to pay the costs and disburse-
22 ments and expenses of the action and to dispose of the balance in one of the man-
23 ners provided in s. 880.04 (2) as selected by the court. The fee for the clerk's ser-

1 vices for handling, depositing and disbursing funds under this subsection is
2 prescribed in s. 814.61 (12) (a).

NOTE: Replaces parentheses with commas consistent with current style.

3 **SECTION 324.** The treatment of 812.44 (4) (form) 2. of the statutes by 1997
4 Wisconsin Act 35 is not repealed by 1997 Wisconsin Act 250. Both treatments
5 stand.

NOTE: There is no conflict of substance.

6 **SECTION 325.** The treatment of 814.04 (intro.) of the statutes by 1997 Wis-
7 consin Act 55 is not repealed by 1997 Wisconsin Act 164. Both treatments stand.

NOTE: There is no conflict of substance.

8 **SECTION 326.** 853.04 (1) (a), (b) and (c), as created by 1997 Wisconsin Act
9 188, are consolidated, renumbered 853.04 (1) (form) and amended to read:

10 853.04 (1) (form)

11 State of

12 County of

13 I,, the testator, sign my name to this instrument this day of, and
14 being first duly sworn, declare to the undersigned authority all of the following:

- 15 1. I execute this instrument as my will.
- 16 2. I sign this will willingly, or willingly direct another to sign for me.
- 17 3. I execute this will as my free and voluntary act for the purposes expressed
18 therein.
- 19 4. I am 18 years of age or older, of sound mind and under no constraint or
20 undue influence.

21 Testator:

.....

1 (b) We, ..., ..., the witnesses, being first duly sworn, sign our names to this
2 instrument and declare to the undersigned authority all of the following:

- 3 1. The testator executes this instrument as his or her will.
- 4 2. The testator signs it willingly, or willingly directs another to sign for him
5 or her.
- 6 3. Each of us, in the conscious presence of the testator, signs this will as a
7 witness.
- 8 4. To the best of our knowledge, the testator is 18 years of age or older, of
9 sound mind and under no constraint or undue influence.

10 Witness:

11 Witness:

12 State of

13 County of

14 (e) Subscribed and sworn to before me by ..., the testator, and by ..., and ...,
15 witnesses, this day of ...,

16 (Seal)

(Signed):

18 (Official capacity of officer):

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Deletes paragraph numbers to clarify that each form is a single unit and that letters are not a necessary part of the affidavits. Moves "State of" and "County of" to the beginning of sub. (1) (form) for consistency with sub. (2) (form) and more logical placement.

19 SECTION 327. 853.04 (2) as created by 1997 Wisconsin Act 188, is amended
20 to read:

21 853.04 (2) TWO-STEP PROCEDURE. An attested will may be made self-proved
22 at any time after its execution by the affidavit of the testator and witnesses. The

1 affidavit must be made before an officer authorized to administer oaths under the
2 laws of the state in which the affidavit occurs and must be evidenced by the offi-
3 cer's certificate, under official seal, attached or annexed to the will in substan-
4 tially the following form:

5 State of

6 County of

7 (a) We, ..., ..., and ..., the testator and the witnesses whose names are
8 signed to the foregoing instrument, being first duly sworn, do declare to the
9 undersigned authority all of the following:

10 1. The testator executed the instrument as his or her will.

11 2. The testator signed willingly, or willingly directed another to sign for him
12 or her.

13 3. The testator executed the will as a free and voluntary act.

14 4. Each of the witnesses, in the conscious presence of the testator, signed
15 the will as witness.

16 5. To the best of the knowledge of each witness, the testator was, at the time
17 of execution, 18 years of age or older, of sound mind and under no constraint or
18 undue influence.

19 Testator:

20 Witness:

21 Witness:

22 (b) Subscribed and sworn to before me by ..., the testator, and by ..., and ...,
23 witnesses, this ... day of ...,

24 (Seal)

25 (Signed):

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

(Official capacity of officer):

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Deletes paragraph numbering to clarify that each form is a single unit and that letters are not a necessary part of the affidavits.

SECTION 328. 895.035 (2m) (a) and (b) of the statutes, as affected by 1997 Wisconsin Acts 35 and 205, are amended to read:

895.035 (2m) (a) If a juvenile or a parent with custody of a ~~child~~ juvenile fails to pay restitution under s. 938.245, 938.32, 938.34 (5), 938.343 (4), 938.345 or 938.45 (1r) (a) as ordered by a court assigned to exercise jurisdiction under chs. 48 and 938, a court of criminal jurisdiction or a municipal court or as agreed to in a deferred prosecution agreement or if it appears likely that the child or parent will not pay restitution as ordered or agreed to, the victim, the victim's insurer, the representative of the public interest under s. 938.09 or the agency, as defined in s. 938.38 (1) (a), supervising the juvenile may petition the court assigned to exercise jurisdiction under chs. 48 and 938 to order that the amount of restitution unpaid by the juvenile or parent be entered and docketed as a judgment against the juvenile and the parent with custody of the juvenile and in favor of the victim or the victim's insurer, or both. A petition under this paragraph may be filed after the expiration of the deferred prosecution agreement, consent decree, dispositional order or sentence under which the restitution is payable, but no later than one year after the expiration of the deferred prosecution agreement, consent decree, dispositional order or sentence or any extension of the consent decree, dispositional order or sentence. A judgment rendered under this paragraph does not bar the victim or the victim's insurer, or both, from commencing another action seeking compensation from the child or the parent, or both, if the amount of resti-

1 tution ordered under this paragraph is less than the total amount of damages
2 claimed by the victim or the victim's insurer.

 NOTE: Reconciles the treatment of this provision by 1997 Wis. Acts 35 and 205.
Act 35 changed "child" to "juvenile" for consistency with ch. 938. This act makes all
the references consistent.

3 **SECTION 329.** 895.035 (2m) (b) of the statutes, as affected by 1997 Wisconsin
4 Act 35 and 205, is amended to read:

5 895.035 (2m) (b) If a juvenile or a parent with custody of a ~~child~~ juvenile
6 fails to pay a forfeiture as ordered by a court assigned to exercise jurisdiction
7 under chs. 48 and 938, a court of criminal jurisdiction or a municipal court, if a
8 ~~child~~ juvenile fails to pay a surcharge as ordered by a court assigned to exercise
9 jurisdiction under chs. 48 and 938 or a court of criminal jurisdiction or if it
10 appears likely that the juvenile or the parent will not pay the forfeiture or sur-
11 charge as ordered, the representative of the public interest under s. 938.09, the
12 agency, as defined in s. 938.38 (1) (a), supervising the juvenile or the law enforce-
13 ment agency that issued the citation to the juvenile may petition the court
14 assigned to exercise jurisdiction under chs. 48 and 938 to order that the amount
15 of the forfeiture or surcharge unpaid by the juvenile or parent be entered and
16 docketed as a judgment against the juvenile and the parent with custody of the
17 juvenile and in favor of the county or appropriate municipality. A petition under
18 this paragraph may be filed after the expiration of the dispositional order or sen-
19 tence under which the forfeiture or surcharge is payable, but no later than one
20 year after the expiration of the dispositional order or sentence or any extension
21 of the dispositional order or sentence.

 NOTE: Reconciles the treatment of this provision by 1997 Wis. Acts 35 and 205.
Act 35 changed "child" to "juvenile" for consistency with ch. 938. This act makes all
the references consistent.

1 **SECTION 330.** The treatment of 895.035 (3) of the statutes by 1997 Wisconsin
2 Act 35 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 331.** 895.48 (1m) (intro.) of the statutes, as affected by 1997 Wisconsin
4 Acts 67 and 156, is amended to read:

5 895.48 (1m) (intro.) Any physician licensed under ch. 448, chiropractor
6 licensed under ch. 446, dentist licensed under ch. 447, emergency medical techni-
7 cian licensed under s. 146.50, physician assistant licensed under ch. 448, regis-
8 tered nurse licensed under ch. 441 or massage therapist or bodyworker issued a
9 license of registration under subch. ~~X~~ XI of ch. 440 who renders voluntary health
10 care to a participant in an athletic event or contest sponsored by a nonprofit corpo-
11 ration, as defined in s. 46.93 (1m) (c), a private school, as defined in s. 115.001 (3r),
12 a public agency, as defined in s. 46.93 (1m) (e), or a school, as defined in s. 609.655
13 (1) (c), is immune from civil liability for his or her acts or omissions in rendering
14 that care if all of the following conditions exist:

NOTE: Subch. X of ch. 440, as created by 1997 Wis. Act 156, is renumbered
subch. XI of ch. 440 by this bill.

15 **SECTION 332.** 908.03 (6m) (a) of the statutes, as affected by 1997 Wisconsin
16 Acts 67 and 156, is amended to read:

17 908.03 (6m) (a) *Definition.* In this subsection, "health care provider" means
18 a massage therapist or bodyworker issued a license of registration under subch.
19 ~~X~~ XI of ch. 440, a chiropractor licensed under ch. 446, a dentist licensed under ch.
20 447, a physician assistant licensed under ch. 448 or a health care provider as
21 defined in s. 655.001 (8).

NOTE: Subch. X of ch. 440, as created by 1997 Wis. Act 156, is renumbered
subch. XI of ch. 440 by this bill.

1 **SECTION 333.** 938.183 (2) of the statutes, as affected by 1997 Wisconsin Act
2 205, is amended to read:

3 938.183 (2) Notwithstanding ss. 938.12 (1) and 938.18, courts of criminal
4 jurisdiction have exclusive original jurisdiction over a juvenile who is alleged to
5 have attempted or committed a violation of s. 940.01 or to have committed a viola-
6 tion of s. 940.02 or 940.05 on or after the juvenile's 15th birthday. Notwithstand-
7 ing ss. 938.12 (1) and 938.18, courts of criminal jurisdiction also have exclusive
8 original jurisdiction over a juvenile specified in the preceding sentence who is
9 alleged to have attempted or committed a violation of any state law in addition
10 to the violation alleged under the preceding sentence if the violation alleged
11 under this sentence and the violation alleged under the preceding sentence may
12 be joined under s. ~~972.12~~ 971.12 (1). Notwithstanding subchs. IV to VI, a juvenile
13 who is alleged to have attempted or committed a violation of s. 940.01 or to have
14 committed a violation of s. 940.02 or 940.05 on or after the juvenile's 15th birthday
15 and a juvenile who is alleged to have attempted or committed a violation of any
16 state criminal law, if that violation and an attempt to commit a violation of s.
17 940.01 or the commission of a violation of s. 940.01, 940.02 or 940.05 may be joined
18 under s. 971.12 (1), is subject to the procedures specified in chs. 967 to 979 and
19 the criminal penalties provided for the crime that the juvenile is alleged to have
20 committed, except that the court of criminal jurisdiction shall, in lieu of convict-
21 ing the juvenile, adjudge the juvenile to be delinquent and impose a disposition
22 specified in s. 938.34 if the court of criminal jurisdiction finds that the juvenile
23 has committed a lesser offense than the offense alleged under this subsection or
24 has committed an offense that is joined under s. 971.12 (1) to an attempt to com-
25 mit a violation of s. 940.01 or to the commission of a violation of s. 940.01, 940.02

1 or 940.05, but has not attempted to commit a violation of s. 940.01 or committed
2 a violation of s. 940.01, 940.02 or 940.05, and the court of criminal jurisdiction,
3 after considering the criteria specified in s. 938.18 (5), determines that the juve-
4 nile has proved by clear and convincing evidence that it would be in the best inter-
5 ests of the juvenile and of the public to adjudge the juvenile to be delinquent and
6 impose a disposition specified in s. 938.34.

NOTE: Inserts correct cross-reference. There is no s. 972.12(1). Section 971.12
relates to joinder.

7 **SECTION 334.** The treatment of 938.205 (1) (intro.) of the statutes by 1997
8 Wisconsin Act 35 is not repealed by 1997 Wisconsin Act 296. Both treatments
9 stand.

NOTE: There is no conflict of substance.

10 **SECTION 335.** The treatment of 938.245 (2) (a) 5. a. of the statutes by 1997
11 Wisconsin Act 183 is not repealed by 1997 Wisconsin Act 205. Both treatments
12 stand.

NOTE: There is no conflict of substance.

13 **SECTION 336.** The treatment of 938.273 (2) of the statutes by 1997 Wisconsin
14 Act 35 is not repealed by 1997 Wisconsin Act 181. Both treatments stand.

NOTE: There is no conflict of substance.

15 **SECTION 337.** The treatment of 938.299 (5) of the statutes by 1997 Wisconsin
16 Act 252 is not repealed by 1997 Wisconsin Act 296. Both treatments stand.

NOTE: There is no conflict of substance.

17 **SECTION 338.** The treatment of 938.30 (6) of the statutes by 1997 Wisconsin
18 Act 237 is not repealed by 1997 Wisconsin Act 252. Both treatments stand.

NOTE: There is no conflict of substance.

19 **SECTION 339.** The treatment of 938.31(7) of the statutes by 1997 Wisconsin
20 Act 237 is not repealed by 1997 Wisconsin Act 252. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 340.** The treatment of 938.32 (1t) (a) 1. of the statutes by 1997 Wis-
2 consin Act 183 is not repealed by 1997 Wisconsin Act 239. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 341.** The treatment of 938.34 (5) (a) of the statutes by 1997 Wiscon-
4 sin Act 183 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

5 **SECTION 342.** The treatment of 938.34 (8) of the statutes by 1997 Wisconsin
6 Act 183 is not repealed by 1997 Wisconsin Act 205.

NOTE: There is no conflict of substance.

7 **SECTION 343.** The treatment of 938.343 (4) of the statutes by 1997 Wisconsin
8 Act 84 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

9 **SECTION 344.** The treatment of 938.343 (7) of the statutes by 1997 Wisconsin
10 Act 197 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance.

11 **SECTION 345.** 938.35 (1) (d) of the statutes is amended to read:
12 938.35 (1) (d) The fact that a juvenile has been adjudged delinquent on the
13 basis of unlawfully and intentionally killing a person is admissible for the pur-
14 pose of s. ~~852.01 (2m) (bg)~~ 854.14 (5) (b).

NOTE: Section 852.01 (2m) was repealed and recreated by 1997 Wis. Act 188.
It no longer contains par. (bg). The subject matter of the former s. 852.01 (2m) (bg)
relating to the heirship of a juvenile adjudicated delinquent for intentionally killing
a person is now located at s. 854.14 (5) (b), as created by 1997 Wis. Act 188.

15 **SECTION 346.** 938.355 (2d) (b) 3. of the statutes, as created by 1997 Wiscon-
16 sin Act 237, is amended to read:

17 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19
18 (2), (3), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or
19 (3) (a) or a violation of the law of any other state or federal law, if that violation

1 would be a violation of s. 940.19 (2), (3), (4) or (5), 940.225 (1) or (2), 948.02 (1) or
2 (2), 948.025 or 948.03 (2) (a) or (3) (a) if committed in this state, and that the viola-
3 tion resulted in great bodily harm, as defined in s. ~~938.22~~ 939.22 (14), or in sub-
4 stantial bodily harm, as defined in s. ~~938.22~~ 939.22 (38), to the juvenile or another
5 child of the parent.

NOTE: Inserts correct cross-references. There is no s. 938.22 (14) or (22).
"Great bodily harm" is defined at s. 939.22 (14) and "substantial bodily harm" is
defined at s. 939.22 (38).

6 **SECTION 347.** The treatment of 938.355 (6m) (a) (intro.) of the statutes by
7 1997 Wisconsin Act 239 is not repealed by 1997 Wisconsin Act 252. Both treat-
8 ments stand.

NOTE: There is no conflict of substance.

9 **SECTION 348.** 938.396 (1) of the statutes, as affected by 1997 Wisconsin Acts
10 80 and 205, is amended to read:

11 938.396 (1) Law enforcement officers' records of juveniles shall be kept sep-
12 arate from records of adults. Law enforcement officers' records of juveniles shall
13 not be open to inspection or their contents disclosed except under sub. (1b), (1d),
14 (1g), (1m), (1r), (1t) ~~or~~, (1x) or (5) or s. 938.293 or by order of the court. This subsec-
15 tion does not apply to representatives of the news media who wish to obtain infor-
16 mation for the purpose of reporting news without revealing the identity of the
17 juvenile involved, to the confidential exchange of information between the police
18 and officials of the school attended by the juvenile or other law enforcement or
19 social welfare agencies or to juveniles 10 years of age or older who are subject to
20 the jurisdiction of the court of criminal jurisdiction. A public school official who
21 obtains information under this subsection shall keep the information confidential
22 as required under s. 118.125 and a private school official who obtains information

1 under this subsection shall keep the information confidential in the same manner
2 as is required of a public school official under s. 118.125. A law enforcement
3 agency that obtains information under this subsection shall keep the information
4 confidential as required under this subsection and s. 48.396 (1). A social welfare
5 agency that obtains information under this subsection shall keep the information
6 confidential as required under ss. 48.78 and 938.78.

NOTE: Reconciles the treatments of this provision by 1997 Wis. Act 183 and 205.

7 **SECTION 349.** The treatment of 938.396 (1t) of the statutes by 1997 Wiscon-
8 sin Act 35 is not repealed by 1997 Wisconsin Act 181. Both treatments stand.

NOTE: There is no conflict of substance.

9 **SECTION 350.** 938.396 (2) (g) of the statutes, as created by 1997 Wisconsin
10 Act 205, is renumbered 938.396 (2) (gm).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (h). 1997 Wis.
Act 80 also created a provision numbered s. 48.396 (2) (g).

11 **SECTION 351.** 938.396 (2) (i) of the statutes, as created by 1997 Wisconsin
12 Act 205, is amended to read:

13 938.396 (2) (i) Upon request of the court assigned to exercise probate juris-
14 diction, the attorney general, the personal representative or special administra-
15 tor of, or an attorney performing services for, the estate of a decedent in any pro-
16 ceeding under chs. 851 to 879, a person interested, a defined in s. 851.21, or an
17 attorney, attorney-in-fact, guardian ad litem or guardian of the estate of a person
18 interested to review court records for the purpose of s. ~~852.01 (2m) (bg)~~ 854.14
19 (5) (b), the court assigned to exercise jurisdiction under this chapter and ch. 48
20 shall open for inspection by any authorized representative of the requester the
21 records of the court relating to any juvenile who has been adjudged delinquent
22 on the basis of unlawfully and intentionally killing a person.

NOTE: Section 852.01 (2m) was repealed and recreated by 1997 Wis. Act 188. It no longer contains par. (bg). The subject matter of the former s. 852.01 (2m) (bg) relating to the heirship of a juvenile adjudicated delinquent for intentionally killing a person is now located at s. 854.14 (5) (b), as created by 1997 Wis. Act 188.

1 **SECTION 352.** The treatment of 938.396 (7) (a) of the statutes by 1997 Wis-
2 consin Act 95 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 353.** The treatment of 938.396 (7) (bm) of the statutes by 1997 Wis-
4 consin Act 95 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

5 **SECTION 354.** The treatment of 938.396 (7) (c) of the statutes by 1997 Wis-
6 consin Act 95 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

7 **SECTION 355.** The treatment of 938.51 (1) (intro.) of the statutes by 1997
8 Wisconsin Act 181 is not repealed by 1997 Wisconsin Act 207. Both treatments
9 stand.

NOTE: There is no conflict of substance.

10 **SECTION 356.** 938.51 (1) (c) (intro.) of the statutes, as affected by 1997 Wis-
11 consin Acts 181 and 207, is amended to read:

12 938.51 (1) (c) (intro.) Subject to par. (cm), notify an adult relative of the vic-
13 tim of the juvenile's release if all of the following apply:

NOTE: The underscored language was deleted by 1997 Wis. Act 181, but must be reinserted to give effect to the treatment of this provision by 1997 Wis. Act 207.

14 **SECTION 357.** 938.51 (1m) of the statutes, as affected by 1997 Wisconsin Acts
15 181 and 207, is amended to read:

16 938.51 (1m) The department or county department having supervision over
17 a juvenile described in sub. (1) shall determine the local agencies that it will notify
18 under sub. (1) (a) based on the residence of the juvenile's parents or on the juve-
19 nile's intended residence specified in the juvenile's aftercare supervision plan or,

1 if those methods do not indicate the community in which the juvenile will reside
2 following release from a ~~or~~ secured correctional facility or secured child caring
3 institution or from the supervision of the department or county department, the
4 community in which the juvenile states that he or she intends to reside.

NOTE: The stricken "or" was inserted by 1997 Wis. Act 207, but rendered surplusage by the treatment of this provision by 1997 Wis. Act 181.

5 **SECTION 358.** The treatment of 938.51 (2) of the statutes by 1997 Wisconsin
6 Act 181 is not repealed by 1997 Wisconsin Act 207. Both treatments stand.

NOTE: There is no conflict of substance.

7 **SECTION 359.** The treatment of 938.51 (4) (intro.) of the statutes by 1997
8 Wisconsin Act 181 is not repealed by 1997 Wisconsin Act 207. Both treatments
9 stand

NOTE: There is no conflict of substance.

10 **SECTION 360.** 938.51 (4) (a) of the statutes, as affected by 1997 Wisconsin Act
11 181 and 207, is amended to read:

12 938.51 (4) (a) Any known victim of the act for which the juvenile was found
13 delinquent or to be in need of protection or services, if the criteria under sub. (1)
14 (b) are met; an adult relative of the victim, if the criteria under sub. (1) (c) are met;
15 or the victim's parent or guardian, if the criteria under sub. (1) (cm) are met.

NOTE: The underscored language was deleted by 1997 Wis. Act 181, but must be reinserted to give effect to the treatment of this provision by 1997 Wis. Act 207.

16 **SECTION 361.** The treatment of 939.62 (2m) (a) 2. of the statutes by 1997 Wisconsin
17 Act 219 is not repealed by 1997 Wisconsin Act 295. Both treatments stand.

NOTE: There is no conflict of substance. Section 939.62 (2m) (a) 2. was renumbered to 939.62 (2m) a. 2m. b. by 1997 Wis. Act 326.

18 **SECTION 362.** The treatment of 939.62 (2m) (b) of the statutes by 1997 Wisconsin
19 Act 283 is not repealed by 1997 Wisconsin Act 326. Both treatments stand

NOTE: There is no conflict of substance.

1 **SECTION 363.** The treatment of 940.09 (1d) of the statutes by 1997 Wisconsin
2 Act 237 is not repealed by 1997 Wisconsin Act 295. Both treatments. stand

NOTE: There is no conflict of substance.

3 **SECTION 364.** The treatment of 940.25 (1d) of the statutes by 1997 Wisconsin
4 Act 237 is not repealed by 1997 Wisconsin Act 295. Both treatments. stand

NOTE: There is no conflict of substance.

5 **SECTION 365.** The treatment of 941.20 (3) (b) 2. of the statutes by 1997 Wis-
6 consin Act 248 is not repealed by 1997 Wisconsin Act 249. Both treatments. stand

NOTE: There is no conflict of substance.

7 **SECTION 366.** 941.31 (2) (c) of the statutes is amended to read:

8 941.31 (2) (c) This subsection does not apply to the transportation, posses-
9 sion, use or transfer of any improvised explosive devise device by any armed
10 forces or national guard personnel or to any peace officer in the line of duty or as
11 part of a duty-related function or exercise. The restriction on transportation in
12 this subsection does not apply to common carriers.

NOTE: Corrects spelling error. The change has been made in the printed vol-
umes.

13 **SECTION 367.** 950.02 (1m) of the statutes, as affected by 1997 Wisconsin Acts
14 35 and 181, is amended to read:

15 950.02 (1m) "Crime" means an act committed in this state which, if com-
16 mitted by a competent adult, would constitute a crime, as defined in s. 939.12.
17 juvenile

NOTE: The stricken language was inserted by 1997 Wis. Act 35, but rendered
surplusage by the treatment of this provision by 1997 Wis. Act 181.

18 **SECTION 368.** 950.04 (2w) (g) of the statutes, as affected by 1997 Wisconsin
19 Act 181, is amended to read:

1 950.04 (2w) (g) To be provided with appropriate ~~employer~~ intercession ser-
2 vices to ensure that employers of witnesses will cooperate with the criminal jus-
3 tice process and the juvenile justice process in order to minimize an employe's loss
4 of pay and other benefits resulting from court appearances.

NOTE: 1997 Wis. Act 181 deleted "employer" without showing it as stricken.
The change was intended.

5 **SECTION 369.** The treatment of 961.49 (2) (a) of the statutes by 1997 Wiscon-
6 sin Act 283 is not repealed by 1997 Wisconsin Act 327. Both treatments stand.

NOTE: There is no conflict of substance.

7 **SECTION 370.** The treatments of 969.08 (10) (b) of the statutes by 1997 Wis-
8 consin Act 143 and 180 are not repealed by 1997 Wisconsin Act 295. All treat-
9 ments stand.

NOTE: There is no conflict of substance.

10 **SECTION 371.** The treatments of 972.13 (6) of the statutes by 1997 Wisconsin
11 Acts 250 and 275 are not repealed by 1997 Wisconsin Act 283. All treatments
12 stand.

NOTE: There is no conflict of substance.

13 **SECTION 372.** The treatment of 972.14 (2) of the statutes by 1997 Wisconsin
14 Act 73 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

15 **SECTION 373.** The treatment of 972.15 (2s) of the statutes by 1997 Wisconsin
16 Act 73 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

17 **SECTION 374.** The treatment of 973.0135 (1) (b) 2. of the statutes by 1997
18 Wisconsin Act 219 is not repealed by 1997 Wisconsin Act 295. Both treatments
19 stand.

NOTE: There is no conflict of substance.

1 **SECTION 375.** The treatment of 973.014 (2) of the statutes by 1997 Wisconsin
2 Act 283 is not repealed by 1997 Wisconsin Act 326. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 376.** The treatments of 973.05 (1) of the statutes by 1997 Wisconsin
4 Acts 27 and 148 are not repealed by 1997 Wisconsin Act 248. All treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 states that it treats
this provision as affected by 1997 Wis. Act 27, but does not.

5 **SECTION 377.** 980.06 (2) (b) of the statutes, as affected by 1997 Wisconsin
6 Acts 27 and 248, is amended to read:

7 980.06 (2) (b) An order for commitment under this section shall specify
8 either institutional care or supervised release. In determining whether commit-
9 ment shall be for institutional care or for supervised release, the court may con-
10 sider, without limitation because of enumeration, the nature and circumstances
11 of the behavior that was the basis of the allegation in the petition under s. 980.02
12 (2) (a), the person's mental history and present mental condition, where the per-
13 son will live, how the person will support himself or herself, and what arrange-
14 ments are available to ensure that the person has access to and will participate
15 in necessary treatment, including pharmacological treatment using an antiandrogen
16 or the chemical equivalent of an antiandrogen if the person is a serious
17 child sex offender. In deciding whether to order supervised release of a person
18 who is a serious child sex offender, the court may not consider, as a factor in mak-
19 ing its decision, that the person is a proper subject for pharmacological treatment
20 using an antiandrogen or the chemical equivalent of an antiandrogen or that the
21 person is willing to participate in pharmacological treatment using an antiandro-
22 gen or the chemical equivalent of an antiandrogen. The department shall
23 arrange for control, care and treatment of the person in the least restrictive man-

1 ner consistent with the requirements of the person and in accordance with the
2 court's commitment order.

NOTE: Inserts missing "a".

3 **SECTION 378.** The treatment of 980.06 (2) (c) of the statutes by 1997 Wiscon-
4 sin Act 275 is not repealed by 1997 Wisconsin Act 284. Both treatments stand.

NOTE: There is no conflict of substance.

5 **SECTION 379.** The treatment of 980.08 (4) of the statutes by 1997 Wisconsin
6 Act 27 is not repealed by 1997 Wisconsin Act 284. Both treatments stand.

NOTE: There is no conflict of substance.

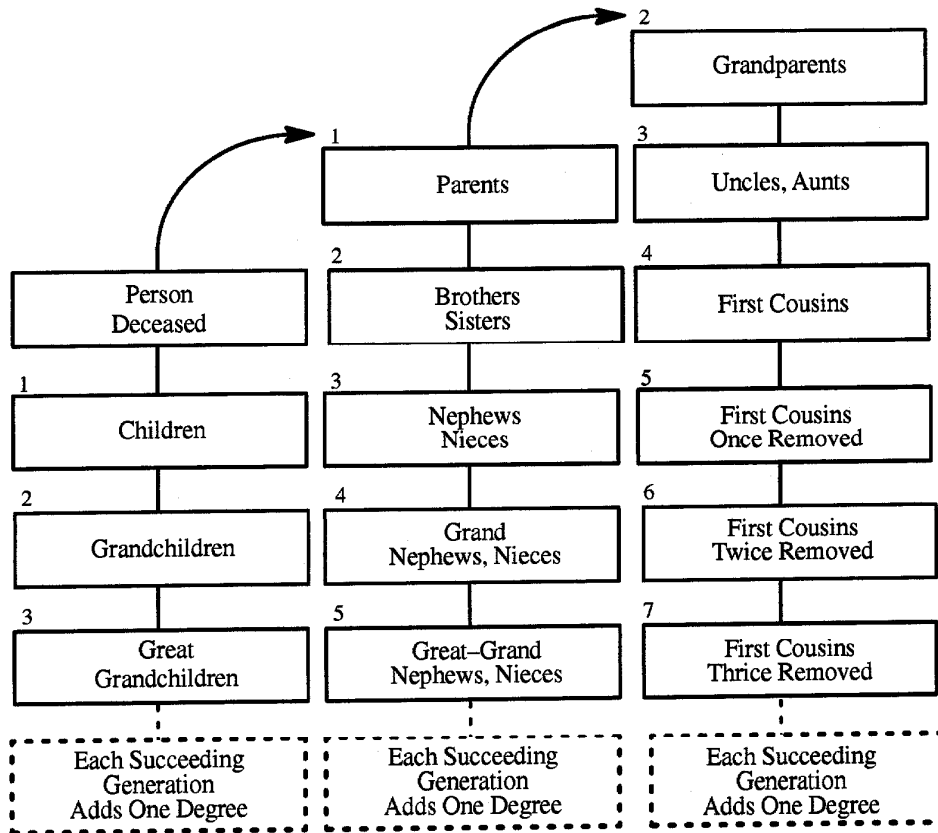
7 **SECTION 380.** The treatment of 980.08 (5) of the statutes by 1997 Wisconsin
8 Act 275 is not repealed by 1997 Wisconsin Act 284. Both treatments stand.

NOTE: There is no conflict of substance.

9 **SECTION 381.** 990.001 (16) of the statutes is created to read:
10 990.001 (16) DEGREES OF KINSHIP. The degree of kinship is computed accord-
11 ing to the rules of the civil law, as follows: [See Figure 990.001 (16) following]

12 Figure 990.001 (16)

.....



NOTE: Recreates s. 852.03 (2), 1995 stats., which was repealed by 1997 Wis. Act 188. Degrees of kinship are no longer used in the probate code. However, several previously existing statutes continue to use the degrees of kinship as determined under s. 852.03 (2), 1995 stats. This table is reinserted into the statutes for user convenience.

1 **SECTION 382.** 1997 Wisconsin Act 156, section 16 (1) (intro.) and (2) are
2 amended to read:

3 1997 Wisconsin Act 156, section 16 (1) (intro.) Notwithstanding section
4 ~~440.973~~ 440.983 of the statutes, as created by this act, the department of regula-
5 tion and licensing shall do each of the following:

6 (2) A license of registration issued under subsection (1) (a) may be renewed
7 under section ~~440.975~~ 440.985 of the statutes, as created by this act. A license
8 of registration issued under subsection (1) (b) is valid until 3 years after that date
9 that it is issued and may not be renewed.

NOTE: Sections 440.973 and 440.975, as created by 1997 Wis. Act 156, are renumbered subch. XI of ch. 440 by this bill.

10 **SECTION 383.** 1997 Wisconsin Act Act 164, section 95, is amended by replac-
11 ing “. . .for which the department has given prior review and approval as to the
12 content of such classes or laboratory periods so as to assure that such classes and
13 laboratory periods are only . . .” with “. . . for which the state superintendent has
14 given prior review and approval as to the content of such classes or laboratory
15 periods so as to assure that such classes and laboratory periods are only . . .”

NOTE: Inserts the treatment by 1997 Wis. Act 27 which was indicated by 1997 Wis. Act 240 to be included, but was not.

16 **SECTION 384.** 1997 Wisconsin Act 197, section 3, is amended by replacing
17 “29.093 (2) (f) of the statutes is amended” with “29.093 (2) (f) 1. of the statutes is
18 amended”.

NOTE: Clarifies that 1997 Wisconsin Act 197, section 3, affects only s. 29.093 (2) (f) 1. and not all of s. 29.093 (2) (f) as stated in the Act.

1 **SECTION 385.**1997 Wisconsin Act 231, section 21, is amended by replacing
2 ~~“filed under and the complainant specified in sub. (1) (a) 1. or 3. or, for a complaint~~
3 ~~specified in sub. (1) (a) 2., a party to an interconnection agreement who is identi-~~
4 ~~fied in a notice under s. 196.199 (3) (b) 1. b., 10 days”~~ with “filed under specified
5 in sub. (1) and the complainant (a) 1. or 3. or, for a complaint specified in sub. (1)
6 (a) 2., a party to an interconnection agreement who is identified in a notice under
7 s. 196.199 (3) (b) 1. b., 10 days”.

NOTE: 1997 Wis. Act 231, s. 21, showed ~~“and the complainant”~~ in the wrong loca-
tion within s. 196.26 (2) (b). The deletion of the phrase was intended. This amend-
ment clarifies the intended change.

8 **SECTION 386.**1997 Wisconsin Act 231, section 21, is amended by replacing
9 “153.05 (7) of the statutes, as affected by 1997 Wisconsin Act, is repealed.” with
10 “153.05 (7) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed.”

NOTE: Inserts missing Act number for clarification.

11 **SECTION 387.** 1997 Wisconsin Act 237, section 83no, is amended by replacing
12 “39.41 (2) (a) of the statutes is amended to read:” with “39.41 (2) (a) of the statutes,
13 as affected by 1997 Wisconsin Act 27, is amended to read:”

NOTE: 1997 Wis. Act 237, s. 83no, treated s. 39.41 (2) (a) as affected by 1997 Wis.
Act 27, but did not indicate that fact.

14 **SECTION 388.** 1997 Wisconsin Act 237, section 251h, is amended by replac-
15 ing “50.095 (3) (am) of the statutes, as affected by 1997 Wisconsin Act 114, is
16 created to read:” with “50.095 (3) (am) of the statutes is created to read:”

NOTE: Section 50.095 (3) (am) was not affected by 1997 Wis. Act 114.

17 **SECTION 389.** 1997 Wisconsin Act 237, section 251L, is amended by replac-
18 ing “50.095 (3m) of the statutes, as affected by 1997 Wisconsin Act 114, is created
19 to read:” with “50.095 (3m) of the statutes is created to read:”

NOTE: Section 50.095 (3m) was not affected by 1997 Wis. Act 114.

1 **SECTION 390.** 1997 Wisconsin Act 237, section 382g, is amended by replacing
2 “138.12 (4) (a) of the statutes, as created by 1997 Wisconsin Act (Senate Bill
3 494), is renumbered . . .” with “138.12 (4) (a) of the statutes, as affected by 1997
4 Wisconsin Act (Senate Bill 494), is renumbered . . .”

 NOTE: Section 138.12(4)(a) was affected by 1997 Wis. Act 191 (SB 494), but was
not created by it.

5 **SECTION 391.** 1997 Wisconsin Act 240, section 5, is amended by replacing
6 “118.145 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to
7 read:” with “118.145 (1) of the statutes is amended to read:”

 NOTE: 1997 Wis. Act 240 indicated that it treated this provision as affected by
1997 Wis. Act 27, but did not

8 **SECTION 392.** 1997 Wisconsin Act 240, section 6, is amended by replacing
9 “119.04 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to
10 read:” with “119.04 (1) of the statutes is amended to read:”

 NOTE: 1997 Wis. Act 240 indicated that it treated this provision as affected by
1997 Wis. Act 27, but did not

11 **SECTION 393.** 1997 Wisconsin Act 248, section 754, is repealed.

 NOTE: 1997 Wis. Act 248, s. 754, states that it amends s. 167.31 (4) (cm) (intro.).
There is no s. 167.31 (4) (cm) (intro.). The treatment shown is actually of s. 167.31
(4) (cm). That treatment is correctly shown at s. 755 of Act 248.

12 **SECTION 394.** 1997 Wisconsin Act 248, section 780, is amended by replacing
13 “973.05 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to
14 read:” with “973.05 (1) of the statutes is amended to read:”.

 NOTE: The treatment of s. 973.05 (1) by 1997 Wisconsin Act 27 was not included
in the treatment of that provision by 1997 Wis. Act 248.

15 **SECTION 395.** 1997 Wisconsin Act 253, section 9, is amended by replacing “If,
16 by contractual agreement. . .” with “If, by contractual agreement. . .”.

 NOTE: The underscored “by” was preexisting. Only the comma was added.

1 **SECTION 396.** 1997 Wisconsin Act 254, section 971, is amended by replacing
2 “following the filing under par. (a) with the commission” with “following the filing
3 with the commission”.

 NOTE: 1997 Wis. Act 254 erroneously included “under par. (a)” in the stricken
 material shown here.

4 **SECTION 397.** 1997 Wisconsin Act 292, section 203g, is amended by replacing
5 “. . . with the hearing. F” with “. . . with the hearing.”.

 NOTE: 1997 Wis. Act 254 erroneously included “F” in the stricken material.

6 **SECTION 398. Effective dates.** This act takes effect on the day after publi-
7 cation, except as follows:

8 (1) The treatments of 20.445 (3) (r), 767.25 (6) (a), 767.261 (1) and 767.51
9 (5p) (a) of the statutes take effect on the date stated in the notice published by the
10 Department of Workforce Development in the Wisconsin Administrative Register
11 under section 767.29 (1) (f) of the statutes, as created by 1997 Wisconsin Act 27,
12 or on October 1, 1999, whichever is earlier.

13 (2) The treatments of sections 196.05 (2), 196.215 (2d), 196.215 (2m) (e),
14 196.26 (1) (intro.) and (intro.), 196.26 (1m), 196.26 (2) (a), 196.26 (2) (b) and 196.28
15 (3) of the statutes takes effect on May 1, 1999.

16 (3) The treatment of section 20.143 (1) (c) of the statutes (by SECTION 7) takes
17 effect on June 30, 1999.

18 (3) The treatment of section 20.143 (1) (c) of the statutes (by SECTION 8) takes
19 effect on July 1, 1999.

20 (4) The treatments of section 172.52, 172.53 (1) (int.) and (2), 172.54, 172.55
21 and 172.56 (1) of the statutes take effect on December 1, 1999.

22 (5) The treatments of section 100.26 (2) of the statutes takes effect on
23 December 31, 1999.

Gilfoy, Karen

To: Hubli, Scott
Subject: RE: This and that

Scott:

For the rest of this week, you have given me the priorities of "OLD" drafts, plus "timed" drafts. I thought that that is what I would do the rest of this week. If I can set aside 2 firm dates (namely Feb. 19 and 20 - Fri./Sat. of the following week) where I can be assured that nothing else will take priority over the Revisor's Large Bill, I think we can promise it by Tuesday of the following week. What do you think?

Karen Gilfoy, Publications Editor
Wisconsin Legislative Reference Bureau
(608) 266-0130

Handwritten: Promised to Revisor on Feb. 23, 2 p.m.

-----Original Message-----
From: Hubli, Scott
Sent: Wednesday, February 10, 1999 10:15 AM
To: Gilfoy, Karen
Subject: FW: This and that

Karen --

What is the ETA on point 2.?

Scott

-----Original Message-----
From: Hoesly, Bruce
Sent: Wednesday, February 10, 1999 9:10 AM
To: Hubli, Scott
Subject: This and that

Handwritten: -0926/p1

Scott

1. Our office info for your directory is as follows

Office Address: 131 W. Wilson St., Suite 800
Phone: 266-2011
Fax: 264-6978

Staff Attorneys
Bruce Munson--(Revisor) 267-3536
Bruce Hoesly--Assistant Revisor (Statutes) 266-7590
Gary Poulson--Assistant Revisor (Administrative Code) 266-7275

2. Will Karen be editing our large correction bill in the near future wit the current budget flurry passing? Law Revision Committee would like that bill for a mid-March meeting.

Handwritten: Bruce

Gilfoy, Karen

From: Hoesly, Bruce
Sent: Wednesday, November 18, 1998 1:16 PM
To: Gilfoy, Karen

Karen:

I have placed 2 new revisor's correction bills in the RSB LRB transfer cabinet, labelled 99 rb 1 and 99 rb 2. 99rb2 is a 1 section bill. We would like to have these bills in final form for a Committee hearing planned for sometime in January after the beginning of the next session.

I set permissions to Write for LRB edit. Hope that's correct.

Please call with any questions.