

1 **SECTION 221.** 196.85 (5) of the statutes, as affected by 1997 Wisconsin Acts 184
2 and 229, is amended to read:

3 196.85 (5) No suit or proceeding may be maintained in any court to restrain or
4 delay the collection or payment of any bill rendered under sub. (1), (2) ~~and~~, (2e) or
5 (2g). Every public utility, sewerage system, joint local water authority, mobile home
6 park operator or power district that is billed shall pay the amount of the bill, and after
7 payment may in the manner provided under this section, at any time within 2 years
8 from the date the payment was made, sue the state to recover the amount paid plus
9 interest from the date of payment, upon the ground that the assessment was
10 excessive, erroneous, unlawful or invalid in whole or in part. If the court finds that
11 any part of the bill for which payment was made was excessive, erroneous, unlawful
12 or invalid, the state treasurer shall make a refund to the claimant as directed by the
13 court. The refund shall be charged to the appropriations to the commission.

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

14 **SECTION 222.** 198.13 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
15 254, is amended to read:

16 198.13 (3) (a) If within 2 years of its creation a district has not become the owner
17 or operator, or commenced construction, of a public utility. Any time consumed in any
18 proceeding or contest before any commission or court shall not be included as part
19 of the 2-year period.

NOTE: Inserts missing word.

20 **SECTION 223.** 198.17 (3) (b) of the statutes, as affected by 1997 Wisconsin Act
21 254, is amended to read:

22 198.17 (3) (b) The defendant ~~or~~ owner shall answer in the action commenced
23 under par. (a) within 10 days after service of the summons and complaint on the

1 owner and the action shall be at issue and stand ready for trial upon 10 days' notice
2 by either party. Unless the parties waive a jury, the question as to the necessity of
3 the taking of the utility by the district shall be as speedily as possible submitted to
4 a jury. If the jury or the court, in case a jury is waived, finds that a necessity exists
5 for the taking by the district of the utility, to which the owner shall not have
6 consented, the directors shall cause speedy notice of the finding of necessity to be
7 certified to the commission and the owner. The commission and the parties shall
8 then proceed to the ascertainment of the just compensation to be paid by the district
9 to the owner for the utility. The consummation of the transfer of the utility to the
10 district and the payment of the compensation to the owner shall be in the manner
11 provided in sub. (2).

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

12 **SECTION 224.** 217.05 (1m) (b) 2. of the statutes, as affected by 1997 Wisconsin
13 Act 237, is amended to read:

14 217.05 (1m) (b) 2. The division may disclose information under par. (a) 1. to the
15 department of ~~industry, labor and job~~ workforce development in accordance with a
16 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.

17 **SECTION 225.** 218.01 (2) (ie) 1. of the statutes, as affected by 1997 Wisconsin Act
18 237, is amended to read:

19 218.01 (2) (ie) 1. In addition to any other information required under this
20 subsection, an application by an individual for the issuance or renewal of a license
21 described in par. (d) shall include the individual's social security number and an
22 application by a person who is not an individual for the issuance or renewal of a

1 license described in par. (d) 1., 2., 3. or 5. shall include the person's federal employer
2 identification number. The licensor may not disclose any information received under
3 this subdivision to any person except the department of ~~industry, labor and job~~
4 workforce development for purposes of administering s. 49.22 or the department of
5 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.

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

8 218.01 (2) (ig) 2. b. The licensor may disclose information under subd. 1. a. to
9 the department of ~~industry, labor and job~~ workforce development in accordance with
10 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.

11 **SECTION 227.** 218.01 (3) (ag) 2. of the statutes, as affected by 1997 Wisconsin
12 Act 237, is amended to read:

13 218.01 (3) (ag) 2. A license described in ~~par. sub. (2)~~ (d) 1., 2., 3. or 5. shall be
14 suspended or revoked if the department of revenue certifies under s. 73.0301 that the
15 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).

16 **SECTION 228.** 218.02 (2) (a) 2. b. of the statutes, as affected by 1997 Wisconsin
17 Act 237, is amended to read:

18 218.02 (2) (a) 2. b. The division may disclose information under subd. 1. a. to
19 the department of ~~industry, labor and job~~ workforce development in accordance with
20 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.

1 **SECTION 229.** 218.02 (6) (b) of the statutes, as created by 1997 Wisconsin Act
2 191, is amended to read:

3 218.02 (6) (b) In accordance with a memorandum of understanding entered
4 into under s. ~~49.587~~ 49.857, the division shall restrict or suspend a license if the
5 licensee is an individual who fails to comply, after appropriate notice, with a
6 subpoena or warrant issued by the department of workforce development or a county
7 child support agency under s. 59.53 (5) and related to paternity or child support
8 proceedings or who is delinquent in making court-ordered payments of child or
9 family support, maintenance, birth expenses, medical expenses or other expenses
10 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.

11 **SECTION 230.** 218.04 (3) (a) 2. b. of the statutes, as affected by 1997 Wisconsin
12 Act 237, is amended to read:

13 218.04 (3) (a) 2. b. The division may disclose information under subd. 1. a. to
14 the department of ~~industry, labor and job~~ workforce development in accordance with
15 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 231.** 218.05 (3) (am) 2. b. of the statutes, as affected by 1997 Wisconsin
17 Act 237, is amended to read:

18 218.05 (3) (am) 2. b. The division may disclose information under subd. 1. a.
19 to the department of ~~industry, labor and job~~ workforce development in accordance
20 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.

1 **SECTION 232.** 218.11 (2) (am) 3. of the statutes, as affected by 1997 Wisconsin
2 Act 237, is amended to read:

3 218.11 (2) (am) 3. The licensor may not disclose any information received under
4 subd. 1. to any person except to the department of ~~industry, labor and job workforce~~
5 development for purposes of administering s. 49.22 or to the department of revenue
6 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.

7 **SECTION 233.** 218.21 (2m) (b) of the statutes, as affected by 1997 Wisconsin Act
8 237, is amended to read:

9 218.21 (2m) (b) The department of transportation may not disclose any
10 information received under sub. (2) (ag) or (am) to any person except to the
11 department of ~~industry, labor and job workforce~~ development for purposes of
12 administering s. 49.22 or the department of revenue for the sole purpose of
13 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.

14 **SECTION 234.** 218.31 (1m) (b) of the statutes, as affected by 1997 Wisconsin Act
15 237, is amended to read:

16 218.31 (1m) (b) The department of transportation may not disclose any
17 information received under sub. (1) (ag) or (am) to any person except to the
18 department of ~~industry, labor and job workforce~~ development for purposes of
19 administering s. 49.22 or the department of revenue for the sole purpose of
20 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 235.** 224.72 (2) (c) 2. b. of the statutes, as affected by 1997 Wisconsin
2 Act 237, is amended to read:

3 224.72 (2) (c) 2. b. The department 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.

70-6
NOTE: The department of industry, labor and job development was renamed the
department of workforce development by 1997 Wis. Act 3.

6 **SECTION 236.** The treatment of 224.72 (5)(a) of the statutes by 1997 Wisconsin
7 Act 145 is not repealed by 1997 Wisconsin Act 191. Both treatments stand.

NOTE: There is no conflict of substance.

8 **SECTION 237.** 224.77 (6) of the statutes, as created by 1997 Wisconsin Act 191,
9 is amended to read:

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

NOTE: This provision was created by 1997 Wis. Act 191 without taking into account 1997 Wis. Act 145 which changed the term “loan solicitor” to “mortgage broker”, throughout the statutes.

1 **SECTION 238.** 224.77 (6m) of the statutes, as affected by 1997 Wisconsin Act 237,
2 section 449s, is renumbered 224.77 (8).

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

3 **SECTION 239.** 224.77 (7) of the statutes, as created by 1997 Wisconsin Act 237,
4 is amended to read:

5 224.77 (7) REVOCATION FOR LIABILITY FOR DELINQUENT TAXES. The department
6 shall revoke the certificate of registration of a mortgage banker, loan originator or
7 ~~loan solicitor~~ mortgage broker if the department of revenue certifies under s. 73.0301
8 that the registrant is liable for delinquent taxes. A registrant whose certificate of
9 registration is revoked under this subsection for delinquent taxes is entitled to a
10 notice under s. 73.0301 (2) (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is not
11 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 changed the term “loan solicitor” to “mortgage broker”, throughout the statutes.

12 **SECTION 240.** 229.70 (4) of the statutes is amended to read:

13 229.70 (4) It shall be a goal of a district, with regard to each of the contracts
14 described under sub. (3) (a), (b) and (c), to award at least 25% of the dollar value of
15 such contracts to minority businesses and at least 5% of the dollar value of such
16 contracts to women’s businesses.

NOTE: Inserts “and” for correct grammar.

17 **SECTION 241.** 242.01 (11) of the statutes, as affected by 1997 Wisconsin Act 188,
18 is amended to read:

19 242.01 (11) “Relative” means an individual related by consanguinity within the
20 3rd degree of kinship as computed under s. ~~852.03 (2), 1995 stats. 990.001 (16), a~~

1 spouse or an individual related to a spouse within the 3rd degree as so computed, and
2 includes an individual in an adoptive relationship within the 3rd 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.

3 **SECTION 242.** 252.10 (7) of the statutes, as affected by 1997 Wisconsin Acts 75,
4 156 and 175, is amended to read:

5 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
6 shall be purchased by the department from the appropriation under s. 20.435 (5) (e)
7 and dispensed to patients through the public health dispensaries or through health
8 care providers, as defined in s. 146.81 (1), other than massage therapists or
9 bodyworkers issued a license of registration under subch. ~~X~~ XI of ch. 440, social
10 workers, marriage and family therapists or professional counselors certified under
11 ch. 457, speech-language pathologists or audiologists licensed under subch. II of ch.
12 459, speech and language pathologists licensed by the department of public
13 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.

14 **SECTION 243.** The treatment of 252.14 (1) (ar) 4m. of the statutes by 1997
15 Wisconsin Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

16 **SECTION 244.** 252.15 (1)(ar) 1. of the statutes, as affected by 1997 Wisconsin Act
17 156, is amended to read:

18 252.15 (1) (ar) 1. A person or entity that is specified in s. 146.81 (1), but does
19 not include a massage therapist or bodyworker issued a license of registration under
20 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.

1 **SECTION 245.** 252.15 (1) (eg) of the statutes, as affected by 1997 Wisconsin Act
2 188, is amended to read:

3 252.15 (1) (eg) “Relative” means a spouse, parent, grandparent, stepparent,
4 brother, sister, first cousin, nephew or niece; or uncle or aunt within the 3rd degree
5 of kinship as computed under s. ~~852.03 (2), 1995 stats.~~ 990.001 (16). This
6 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.

7 **SECTION 246.** 252.24 (2) of the statutes, as affected by 1997 Wisconsin Act 237,
8 is amended to read:

9 252.24 (2) DEPARTMENT; DUTY. Except as provided in ss. 250.041 and ~~254.241~~
10 252.241, the department shall provide uniform, statewide licensing and regulation
11 of body piercers and uniform, statewide licensing and regulation of body-piercing
12 establishments under this section. The department shall inspect a body-piercing
13 establishment once before issuing a license for the body-piercing establishment
14 under this section and may make additional inspections that the department
15 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.

16 **SECTION 247.** 253.12 (3) (intro.) of the statutes is amended to read:

17 253.12 (3) DEPARTMENTAL POWERS AND DUTIES. (intro.) From the appropriations
18 under s. 20.435 ~~(1) (5)~~ (md) and (8) (n), the department shall perform all of the
19 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.

20 **SECTION 248.** The treatment of 281.19 (2) (a) of the statutes by 1997 Wisconsin
21 Act 27 is not repealed by 1997 Wisconsin Act 193. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 249.** 289.62 (2) (a), (b), (c) and (g) (intro.) of the statutes are amended
2 to read:

3 289.62 (2) (a) *Tonnage fee; solid waste.* Except as provided under pars. (c) and
4 (g), the tonnage fee imposed by sub. (3) (1) (a) is 1.5 cents per ton for solid waste.

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

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

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

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

17 **SECTION 250.** 299.07 (1) (b) 2. of the statutes, as affected by 1997 Wisconsin Act
18 237, is amended to read:

19 299.07 (1) (b) 2. If the department is required to obtain the information under
20 s. 299.08 (1) (a), to the department of ~~industry, labor and job~~ workforce development
21 in accordance 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.

1 **SECTION 251.** 299.08 (1) (b) 1. of the statutes, as affected by 1997 Wisconsin Act
2 237, is amended to read:

3 299.08 (1) (b) 1. To the department of ~~industry, labor and job~~ workforce
4 development in accordance 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.

5 **SECTION 252.** 301.03 (14) of the statutes, as created by 1997 Wisconsin Act 283,
6 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).

7 **SECTION 253.** The treatment of 301.26 (7) (h) of the statutes by 1997 Wisconsin
8 Act 27 is not repealed by 1997 Wisconsin Act 35. Both treatments stand.

NOTE: There is no conflict of substance.

9 **SECTION 254.** The treatment of 303.01 (2) (em) of the statutes by 1997
10 Wisconsin Act 27 is not repealed by 1997 Wisconsin Act 36. Both treatments stand.

NOTE: There is no conflict of substance.

11 **SECTION 255.** The treatment of 303.065 (1) (b) 2. of the statutes by 1997
12 Wisconsin Act 283 is not repealed by 1997 Wisconsin Act 326. Both treatments stand.

NOTE: There is no conflict of substance.

13 **SECTION 256.** The treatment of 304.02 (5) of the statutes by 1997 Wisconsin Act
14 283 is not repealed by 1997 Wisconsin Act 326. Both treatments stand.

NOTE: There is no conflict of substance.

15 **SECTION 257.** The treatments of 304.06 (1) (b) of the statutes by 1997 Wisconsin
16 Act 283 are not repealed by 1997 Wisconsin Act 326. All treatments stand.

NOTE: There is no conflict of substance.

17 **SECTION 258.** The treatments of 304.071 (2) of the statutes by 1997 Wisconsin
18 Act 283 are not repealed by 1997 Wisconsin Act 326. All treatments stand.

NOTE: There is no conflict of substance.

75-9

1 **SECTION 259.** The treatments of 341.14 (6r) (b) 3. of the statutes by 1997
2 Wisconsin Act 27 are not repealed by 1997 Wisconsin Act 255. All treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 260.** 343.23 (2) (b) of the statutes, as affected by 1997 Wisconsin Acts
4 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 record
9 of suspensions, revocations and convictions that would be counted under s. 343.307
10 (2) shall be maintained for 10 years, except that if there are 2 or more suspensions,
11 revocations or convictions within any 10-year period, the record shall be maintained
12 permanently. The record of convictions for disqualifying offenses under s. 343.315
13 (2) (h) shall be maintained for at least 10 years. The record of convictions for
14 disqualifying offenses under s. 343.315 (2) (f) shall be maintained for at least 3 years.
15 The record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall
16 be maintained permanently, except that 5 years after a licensee transfers residency
17 to another state such record may be transferred to another state of licensure of the
18 licensee if that state accepts responsibility for maintaining a permanent record of
19 convictions for disqualifying offenses. Such reports and records may be cumulative
20 beyond the period for which a license is granted, but the secretary, in exercising the
21 power of suspension granted under s. 343.32 (2) may consider only those reports and
22 records entered during the 4-year period immediately preceding the exercise of such
23 power of suspension ~~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 261.** 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 262.** 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~~ workforce
7 development for purposes of administering s. 49.22 or the department of revenue for
8 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 263.** 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 264.** 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 265.** 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
16 information received under par. (a) 1. or 2. to any person except to the department
17 of ~~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 certifications
19 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 266.** The treatment of 345.47 (1) (b) of the statutes by 1997 Wisconsin
2 Act 84 is not repealed by 1997 Wisconsin Act 237. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 267.** The treatment of 346.65 (5m) of the statutes by 1997 Wisconsin
4 Act 135 is not repealed by 1997 Wisconsin Act 277. Both treatments stand.

NOTE: There is no conflict of substance.

5 **SECTION 268.** The treatment of 346.65 (6) (a) 1. of the statutes by 1997
6 Wisconsin Act 237 is not repealed by 1997 Wisconsin Act 295. Both treatments stand.

NOTE: There is no conflict of substance.

7 **SECTION 269.** The treatment of 346.65 (6) (a) 2. of the statutes by 1997
8 Wisconsin Act 237 is not repealed by 1997 Wisconsin Act 295. Both treatments stand.

NOTE: There is no conflict of substance.

9 **SECTION 270.** 346.65 (6) (d) of the statutes, as affected by 1997 Wisconsin Acts
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 that
13 the motor vehicle is a motor vehicle owned by a person who committed a violation of
14 s. 346.63 (1) (a) or (b) or (2) (a) 1. or 2., 940.09 (1) (a), (b), (c) or (d) or 940.25 (1) (a) ~~or~~
15 ^{(c) or (d)} (b), and, if the seizure is under par. (a) 1., that the person had 2 prior convictions,
16 suspensions or revocations, as counted under s. 343.307 (1) or, if the seizure is under
17 par. (a) 2., 3 or more prior convictions, suspensions or revocations, as counted under
18 s. 343.307 (1). If the ~~or (e) or (d), (e) or (d)~~ state fails to meet the burden of proof
19 required under this paragraph, the motor vehicle shall be returned to the owner upon
20 the payment of storage costs.

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

1 SECTION 271. The treatment of 409.203 (1)(a) of the statutes by 1997 Wisconsin
2 Act 265 is not repealed by 1997 Wisconsin Act 297. Both treatments stand.

NOTE: There is no conflict of substance.

Bruce: Should this be scored?

3 SECTION 272. 423.201 of the statutes, as affected by 1997 Wisconsin Act 302,
4 is renumbered 423.201 (1) and amended to read:

in this subchapter,

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

Bruce:
(14)
Also,
because
sub.
(2) is
not
restricted
by
"in this
subchapter
apparently
sub.
(2) has
a much
broader
application.

(14) ~~1) which that~~ (2) "Consumer approval transaction" shall in no event include a catalog sale
which that is not accompanied by any other solicitation or a consumer loan conducted
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 273. 440.03 (11m) (c) of the statutes, as affected by 1997 Wisconsin Act
18 191, section 318, is amended to read:

19 440.03 (11m) (c) The department of regulation and licensing may not disclose
20 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, for
a social security number obtained under par. (a) 1., the department of revenue for the

(KG)
See Drafting Manual and
my comment on P1 for current style used
in drafting this type of definition.

1 sole purpose of ~~making the determination required under s. 440.08 (2r)~~ requesting
2 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 274.** 440.042 (1) of the statutes, as affected by 1997 Wisconsin Act 156,
4 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
7 credentialing boards in the department on matters relating to the regulation of
8 credential 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 performance
14 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 275.** 440.08 (2) (a) 67q. of the statutes, as created by 1997 Wisconsin
16 Act 261, is renumbered 440.08 (2) (a) 67v.

✓
80-17

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 276.** 440.97 of the statutes, as created by 1997 Wisconsin Act 156, is
18 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 277.** 440.9705 of the statutes, as created by 1997 Wisconsin Act 156,
2 is renumbered 440.9805.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves section for proper location within subch. XI of ch. 440 as renumbered by this bill.

3 **SECTION 278.** 440.971 of the statutes, as created by 1997 Wisconsin Act 156, is
4 renumbered 440.981.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves section for proper location within subch. XI of ch. 440 as renumbered by this bill.

5 **SECTION 279.** 440.972 of the statutes, as created by 1997 Wisconsin Act 156, is
6 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 280.** 440.973 of the statutes, as created by 1997 Wisconsin Act 156, is
8 renumbered 440.983, and 440.983 (4), as renumbered, is amended to read:

9 440.983 (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 281.** 440.974 of the statutes, as created by 1997 Wisconsin Act 156, is
13 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 (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.

15 **SECTION 282.** 440.975 of the statutes, as created by 1997 Wisconsin Act 156, is
16 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 283.** 440.976 of the statutes, as created by 1997 Wisconsin Act 156, is
5 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 under
9 s. ~~440.972~~ 440.982 (1) (a).

10 (3) (intro.) In lieu of proceeding under sub. (2), the department may place, in
11 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. The
14 department shall use the following procedure in placing information in the registry
15 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 284.** 440.977 of the statutes, as created by 1997 Wisconsin Act 156, is
17 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 285.** 440.978 of the statutes, as created by 1997 Wisconsin Act 156, is
19 renumbered 440.988, and 440.988 (2), as renumbered, is amended to read:

The whole subchapter does it?

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

SECTION 286. 440.979 of the statutes, as created by 1997 Wisconsin Act 156, is renumbered 440.989.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves section for proper location within subch. XI of ch. 440 as renumbered by this bill.

SECTION 287. Subchapter X of chapter 440 ~~[precedes 440.9896]~~ of the statutes, as created by 1997 Wisconsin Act 156, is renumbered subchapter XI of chapter 440 ~~[precedes 440.9799]~~.
(-5+5) *stet*

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

SECTION 288. 440.999 of the statutes, as created by 1997 Wisconsin Act 81, is renumbered 440.979.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves section for proper location within subch. X of ch. 440, as created by 1997 Wis. Act 81, required by the renumbering of the provisions of subch. X of ch. 440, as created by 1997 Wis. Act 156, by this bill.

14 SECTION 289. 443.11 (6) of the statutes, as affected by 1997 Wisconsin Acts 237
15 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 a
18 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

Bruce: the bracketed numbers must remain exactly as I've written them.

why couldn't one renumber a (title) to be a whole subchapter? Appears to be correct w/o "(title)" — and it doesn't make sense to renumber less than

1 certificate revoked under s. 440.12, if 3 members of the section vote in favor of such
2 reissuance. 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, certificate
4 of record or certificate of authorization, to replace any certificate that is revoked, lost,
5 destroyed or mutilated.

NOTE: The underscored comma is added for clarity.

6 **SECTION 290.** The treatment of 448.01 (6) of the statutes by 1997 Wisconsin Act
7 67 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

8 **SECTION 291.** 448.015 (4) of the statutes, as affected by 1997 Wisconsin Act 67,
9 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 of
11 commission or omission defined as unprofessional conduct by the board under the
12 authority delegated to the board by s. 15.08 (5) (b) and any act by a physician, or
13 physician assistant in violation of ch. 450 or 961.

NOTE: Replaces comma with “or” to correct grammar.

14 **SECTION 292.** 448.02 (1) of the statutes, as affected by 1997 Wisconsin Acts 67
15 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
18 physician assistant.

NOTE: Replaces comma with “and” to correct grammar.

19 **SECTION 293.** The treatment of 448.03 (1) of the statutes by 1997 Wisconsin Act
20 67 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 294.** 448.03 (1) (c) of the statutes, as created by 1997 Wisconsin Act 67,
2 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 s. 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 295.** 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 296.** The treatment of 448.09 (1) of the statutes by 1997 Wisconsin Act
6 175 is not repealed by 1997 Wisconsin Act 311. Both treatments stand.

NOTE: There is no conflict of substance.

7 **SECTION 297.** 448.40 (2) (f) of the statutes, as created by 1997 Wisconsin 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 298.** The treatment of 450.10 (3) (a) 5m. of the statutes by 1997
10 Wisconsin Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

11 **SECTION 299.** 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 at
14 least ~~30 semester hours or 45 quarter hours of~~ with course credits in geology of a
15 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 300.** 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
4 professional soil scientist license to a person who satisfies the requirements under
5 sub. (1) and who ~~who~~ submits evidence satisfactory to the section of all of the
6 following:

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

7 **SECTION 301.** 551.29 (3) of the statutes, as created by 1997 Wisconsin Act 316,
8 is amended to read:

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

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

16 **SECTION 302.** 551.32 (1) (bm) 2. b. of the statutes, as affected by 1997 Wisconsin
17 Act 237, is amended to read:

18 551.32 (1) (bm) 2. b. The division may disclose information under subd. 1. a.
19 to the department of ~~industry, labor and job~~ workforce development in accordance
20 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.

21 **SECTION 303.** 551.32 (9) (a) of the statutes, as affected by 1997 Wisconsin Act
22 316, section 60, is amended to read:

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

15 **SECTION 304.** 551.65 (1) of the statutes, as affected by 1997 Wisconsin Act 316,
16 is amended to read:

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

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

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

13

SECTION 305. 552.05 (2) of the statutes is amended to read:

14

(Intro.) (Intro.)
 552.05 (2) The registration statement shall be filed on forms prescribed by the
 15 division, and shall be accompanied by a consent by the offeror to service of process
 16 specified in s. 551.65 (1) and the filing fee specified in s. 552.15 (1), and shall contain
 17 the following information and such additional information as the ~~commissioner~~
 18 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 institutions.

19

SECTION 306. 615.03 (1) (c) of the statutes, as affected by 1997 Wisconsin Act

20

188, is amended to read:

88-19 ✓

1 615.03 (1) (c) A natural person who issues such an annuity to a relative by blood
2 or marriage within the 3rd degree of kinship as computed according to s. ~~852.03 (2)~~,
3 ~~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 307.** The treatment of 632.895 (1) (b) 5. b. of the statutes by 1997
5 Wisconsin Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

6 **SECTION 308.** 632.895 (12) (a) of the statutes is amended to read:

7 632.895 (12) (a) In this subsection, “ambulatory surgery center” has the
8 meaning given in s. ~~49.45 (6r) (a) 1.~~ 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.

9 **SECTION 309.** 751.15 (title) of the statutes, as created by 1997 Wisconsin Act
10 191, is amended to read:

11 **751.15 (title) Rules regarding the practice of law; delinquent support**
12 **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.

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

15 **751.155 (title) Rules regarding the practice of law; delinquent**
16 **taxpayers.**

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and conforms 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”. See also the previous
section of this bill.

17 **SECTION 311.** 757.69 (1) (n) of the statutes, as created by 1997 Wisconsin Act
18 192, 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 Acts
2 27 and 191, is amended to read:

3 767.25 (6) (a) First, to payment of child support ~~department or its~~ due within
4 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 Acts 27
6 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 Acts
12 27 and 191, is amended to read:

13 767.51 (5p) (a) First, to payment of child support ~~department or its~~ due within
14 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 237
16 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 incorrect in the complaint. A judgment may be enforced as provided by law. A
2 judgment awarding money may become a lien against any real estate you own now
3 or in the future, and may also be enforced by garnishment or seizure of property.

4 Dated:, (year)

5 Signed:

6 A. B., Plaintiff

7 or

8 E. F., Plaintiff's Attorney

9 State Bar ~~Number~~ No.:

10 Address:

11 City, State Zip Code:

12 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.

13 **SECTION 319.** 801.095 (3) of the statutes, as affected by 1997 Wisconsin Acts 187
14 and 250, is amended to read:

15 801.095 (3) NO PERSONAL SERVICE; COMPLAINT SERVED AT THE SAME TIME.

16 STATE OF WISCONSIN CIRCUIT COURT: COUNTY

17 _____
18 A. B.

19 Address

20
21 City, State Zip Code File No.

22 , Plaintiff

23 vs.

S U M M O N S

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

5
 6 **THE STATE OF WISCONSIN, To each person named above as a Defendant:**

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

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

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

22 Dated:, (year)

23 Signed:
 24 A. B., Plaintiff
 25 or

1 E. F., Plaintiff's Attorney
 2 State Bar ~~Number~~ No.:
 3 Address:
 4 City, State Zip Code:
 5 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.

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

8 801.095 (4) NO PERSONAL SERVICE; COMPLAINT NOT SERVED AT THE SAME TIME.

9 STATE OF WISCONSIN CIRCUIT COURT: COUNTY

10
 11 A. B.
 12 Address
 13 City, State Zip Code File No.
 14 , Plaintiff

15 vs. S U M M O N S

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

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

21 You are hereby notified that the plaintiff named above has filed a lawsuit or
 22 other legal action against you.
 23

1 been appointed when service is made upon a person known to the plaintiff to be
2 incompetent to have charge of the person's affairs, then service of the summons shall
3 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.

4 **SECTION 322.** The treatment of 802.06 (1) of the statutes by 1997 Wisconsin Act
5 133 is not repealed by 1997 Wisconsin Act 187. Both treatments stand.

NOTE: There is no conflict of substance.

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

8 807.10 (3) If the amount awarded to a minor by judgment or by an order of the
9 court approving a compromise settlement of a claim or cause of action of the minor
10 does not exceed \$10,000 (exclusive of interest and costs and disbursements), and if
11 there is no general guardian of the ward, the court may upon application by the
12 guardian ad litem after judgment, or in the order approving settlement, fix and allow
13 the expenses of the action, including attorney fees and fees of guardian ad litem,
14 authorize the payment of the total recovery to the clerk of the court, authorize and
15 direct the guardian ad litem upon the payment to satisfy and discharge the
16 judgment, or to execute releases to the parties entitled thereto and enter into a
17 stipulation dismissing the action upon its merits. The order shall also direct the
18 clerk upon the payment to pay the costs and disbursements and expenses of the
19 action and to dispose of the balance in one of the manners provided in s. 880.04 (2)
20 as selected by the court. The fee for the clerk's services for handling, depositing and
21 disbursing funds under this subsection is prescribed in s. 814.61 (12) (a).

NOTE: Replaces parentheses with commas consistent with current style.

Bruce: Please submit a new insert, WITH corrected spacing and components.

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

NOTE: There is no conflict of substance.

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

NOTE: There is no conflict of substance.

SECTION 326. 853.04 (1) (form) of the statutes, is amended to read:

853.04 (1) (form)
State of ...
County of ...

(a) I, ..., the testator, sign my name to this instrument this ... day of ..., and being first duly sworn, declare to the undersigned authority all of the following:

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

Testator:

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

1. The testator executes this instrument as his or her will.
2. The testator signs it willingly, or willingly directs another to sign for him or her.

as created by 1997 Wisconsin Act 168, Reinsert this section and the next as shown in the original draft

WPO: Do not Delete SECS. 326 & 327

4
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22

DON'T Delete

1 3. Each of us, in the conscious presence of the testator, signs this will as a
2 witness.

3 4. To the best of our knowledge, the testator is 18 years of age or older, of sound
4 mind and under no constraint or undue influence.

5 Witness:

6 Witness:

7 State of

8 County of

9 (c) Subscribed and sworn to before me by, the testator, and by, and,
10 witnesses, this day of,

11 (Seal)

12 (Signed):

13 (Official capacity of officer):

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Moves "State of
...." and "County of" to the beginning of sub. (1) (form) for consistency with sub. (2)
(form) and more logical placement.

14 **SECTION 327. 853.04 (2)** of the statutes, as created by 1997 Wisconsin Act 188,

15 is amended to read:

16 853.04 (2) ~~TWO-STEP PROCEDURE.~~ An attested will may be made self-proved at
17 any time after its execution by the affidavit of the testator and witnesses. The
18 affidavit must be made before an officer authorized to administer oaths under the
19 laws of the state in which the affidavit occurs and must be evidenced by the officer's
20 certificate, under official seal, attached or annexed to the will in substantially the
21 following form:

22 State of

*See
prior
Section*

1 County of

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

- 5 1. The testator executed the instrument as his or her will.
- 6 2. The testator signed willingly, or willingly directed another to sign for him or
7 her.
- 8 3. The testator executed the will as a free and voluntary act.
- 9 4. Each of the witnesses, in the conscious presence of the testator, signed the
10 will as witness.

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

14 Testator:

15 Witness:

16 Witness:

17 (b) Subscribed and sworn to before me by, the testator, and by, and,
18 witnesses, this day of,

19 (Seal)

20 (Signed):

21 (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.

22 SECTION 328. 895.035 (2m) (a) ~~and (b)~~ of the statutes, as affected by 1997

23 Wisconsin Acts 35 and 205, are amended to read:

LS

DON'T Delete

1 895.035 (2m) (a) If a juvenile or a parent with custody of a ~~child~~ [✓] juvenile fails
2 to pay restitution under s. 938.245, 938.32, 938.34 (5), 938.343 (4), 938.345 or 938.45
3 (1r) (a) as ordered by a court assigned to exercise jurisdiction under chs. 48 and 938,
4 a court of criminal jurisdiction or a municipal court or as agreed to in a deferred
5 prosecution agreement or if it appears likely that the ~~child~~ [✓] juvenile or parent will not pay
6 restitution as ordered or agreed to, the victim, the victim's insurer, the
7 representative of the public interest under s. 938.09 or the agency, as defined in s.
8 938.38 (1) (a), supervising the juvenile may petition the court assigned to exercise
9 jurisdiction under chs. 48 and 938 to order that the amount of restitution unpaid by
10 the juvenile or parent be entered and docketed as a judgment against the juvenile
11 and the parent with custody of the juvenile and in favor of the victim or the victim's
12 insurer, or both. A petition under this paragraph may be filed after the expiration
13 of the deferred prosecution agreement, consent decree, dispositional order or
14 sentence under which the restitution is payable, but no later than one year after the
15 expiration of the deferred prosecution agreement, consent decree, dispositional order
16 or sentence or any extension of the consent decree, dispositional order or sentence.
17 A judgment rendered under this paragraph does not bar the victim or the victim's
18 insurer, or both, from commencing another action seeking compensation from the
19 ~~child~~ [✓] juvenile or the parent, or both, if the amount of restitution ordered under this paragraph
20 is less than the total amount of damages claimed by the victim or the victim's insurer.

21 (b) If a juvenile or a parent with custody of a ~~child~~ juvenile fails to pay a
22 forfeiture as ordered by a court assigned to exercise jurisdiction under chs. 48 and
23 938, a court of criminal jurisdiction or a municipal court, if a ~~child~~ juvenile fails to
24 pay a surcharge as ordered by a court assigned to exercise jurisdiction under chs. 48
25 and 938 or a court of criminal jurisdiction or if it appears likely that the juvenile or

1 the parent will not pay the forfeiture or surcharge as ordered, the representative of
2 the public interest under s. 938.09, the agency, as defined in s. 938.38 (1) (a),
3 supervising the juvenile or the law enforcement agency that issued the citation to the
4 juvenile may petition the court assigned to exercise jurisdiction under chs. 48 and
5 938 to order that the amount of the forfeiture or surcharge unpaid by the juvenile or
6 parent be entered and docketed as a judgment against the juvenile and the parent
7 with custody of the juvenile and in favor of the county or appropriate municipality.
8 A petition under this paragraph may be filed after the expiration of the dispositional
9 order or sentence under which the forfeiture or surcharge is payable, but no later
10 than one year after the expiration of the dispositional order or sentence or any
11 extension 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 of the references consistent.

12 **SECTION 329.** The treatment of 895.035 (3) of the statutes by 1997 Wisconsin
13 Act 35 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

14 **SECTION 330.** 895.48 (1m) (intro.) of the statutes, as affected by 1997 Wisconsin
15 Acts 67 and 156, is amended to read:

16 895.48 (1m) (intro.) Any physician licensed under ch. 448, chiropractor
17 licensed under ch. 446, dentist licensed under ch. 447, emergency medical technician
18 licensed under s. 146.50, physician assistant licensed under ch. 448, registered nurse
19 licensed under ch. 441 or massage therapist or bodyworker issued a license of
20 registration under subch. ~~X~~ XI of ch. 440 who renders voluntary health care to a
21 participant in an athletic event or contest sponsored by a nonprofit corporation, as
22 defined in s. 46.93 (1m) (c), a private school, as defined in s. 115.001 (3r), a public

1 agency, as defined in s. 46.93 (1m) (e), or a school, as defined in s. 609.655 (1) (c), is
2 immune from civil liability for his or her acts or omissions in rendering that care if
3 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.

4 **SECTION 331.** 908.03 (6m) (a) of the statutes, as affected by 1997 Wisconsin Acts
5 67 and 156, is amended to read:

6 908.03 (6m) (a) *Definition.* In this subsection, “health care provider” means
7 a massage therapist or bodyworker issued a license of registration under subch. ~~X~~
8 XI of ch. 440, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447,
9 a physician assistant licensed under ch. 448 or a health care provider as defined in
10 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.

11 **SECTION 332.** 938.183 (2) of the statutes, as affected by 1997 Wisconsin Act 205,
12 is amended to read:

13 938.183 (2) Notwithstanding ss. 938.12 (1) and 938.18, courts of criminal
14 jurisdiction have exclusive original jurisdiction over a juvenile who is alleged to have
15 attempted or committed a violation of s. 940.01 or to have committed a violation of
16 s. 940.02 or 940.05 on or after the juvenile’s 15th birthday. Notwithstanding ss.
17 938.12 (1) and 938.18, courts of criminal jurisdiction also have exclusive original
18 jurisdiction over a juvenile specified in the preceding sentence who is alleged to have
19 attempted or committed a violation of any state law in addition to the violation
20 alleged under the preceding sentence if the violation alleged under this sentence and
21 the violation alleged under the preceding sentence may be joined under s. ~~972.12~~
22 971.12 (1). Notwithstanding subchs. IV to VI, a juvenile who is alleged to have

1 attempted or committed a violation of s. 940.01 or to have committed a violation of
2 s. 940.02 or 940.05 on or after the juvenile's 15th birthday and a juvenile who is
3 alleged to have attempted or committed a violation of any state criminal law, if that
4 violation and an attempt to commit a violation of s. 940.01 or the commission of a
5 violation of s. 940.01, 940.02 or 940.05 may be joined under s. 971.12 (1), is subject
6 to the procedures specified in chs. 967 to 979 and the criminal penalties provided for
7 the crime that the juvenile is alleged to have committed, except that the court of
8 criminal jurisdiction shall, in lieu of convicting the juvenile, adjudge the juvenile to
9 be delinquent and impose a disposition specified in s. 938.34 if the court of criminal
10 jurisdiction finds that the juvenile has committed a lesser offense than the offense
11 alleged under this subsection or has committed an offense that is joined under s.
12 971.12 (1) to an attempt to commit a violation of s. 940.01 or to the commission of a
13 violation of s. 940.01, 940.02 or 940.05, but has not attempted to commit a violation
14 of s. 940.01 or committed a violation of s. 940.01, 940.02 or 940.05, and the court of
15 criminal jurisdiction, after considering the criteria specified in s. 938.18 (5),
16 determines that the juvenile has proved by clear and convincing evidence that it
17 would be in the best interests of the juvenile and of the public to adjudge the juvenile
18 to be delinquent and 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.

19 **SECTION 333.** The treatment of 938.205 (1) (intro.) of the statutes by 1997
20 Wisconsin Act 35 is not repealed by 1997 Wisconsin Act 296. Both treatments stand.

NOTE: There is no conflict of substance.

21 **SECTION 334.** The treatment of 938.245 (2) (a) 5. a. of the statutes by 1997
22 Wisconsin Act 183 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 335.** The treatment of 938.273 (2) of the statutes by 1997 Wisconsin
2 Act 35 is not repealed by 1997 Wisconsin Act 181. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 336.** The treatment of 938.299 (5) of the statutes by 1997 Wisconsin
4 Act 252 is not repealed by 1997 Wisconsin Act 296. Both treatments stand.

NOTE: There is no conflict of substance.

5 **SECTION 337.** The treatment of 938.30 (6) of the statutes by 1997 Wisconsin Act
6 237 is not repealed by 1997 Wisconsin Act 252. Both treatments stand.

NOTE: There is no conflict of substance.

7 **SECTION 338.** The treatment of 938.31 (7) of the statutes by 1997 Wisconsin Act
8 237 is not repealed by 1997 Wisconsin Act 252. Both treatments stand.

NOTE: There is no conflict of substance.

9 **SECTION 339.** The treatment of 938.32 (1t) (a) 1. of the statutes by 1997
10 Wisconsin Act 183 is not repealed by 1997 Wisconsin Act 239. Both treatments stand.

NOTE: There is no conflict of substance.

11 **SECTION 340.** The treatment of 938.34 (5) (a) of the statutes by 1997 Wisconsin
12 Act 183 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

13 **84 SECTION 341.** The treatment of 938.34 (8) of the statutes by 1997 Wisconsin Act
14 ~~188~~ is not repealed by 1997 Wisconsin Act 205.

NOTE: There is no conflict of substance.

15 **SECTION 342.** The treatment of 938.343 (4) of the statutes by 1997 Wisconsin
16 Act 84 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

17 **SECTION 343.** The treatment of 938.343 (7) of the statutes by 1997 Wisconsin
18 Act 197 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 344.** 938.35 (1) (d) of the statutes is amended to read:

2 938.35 (1) (d) The fact that a juvenile has been adjudged delinquent on the
3 basis of unlawfully and intentionally killing a person is admissible for the purpose
4 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.

5 **SECTION 345.** 938.355 (2d) (b) 3. of the statutes, as created by 1997 Wisconsin
6 Act 237, is amended to read:

7 938.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (2),
8 (3), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025 or 948.03 (2) (a) or (3) (a)
9 or a violation of the law of any other state or federal law, if that violation would be
10 a violation of s. 940.19 (2), (3), (4) or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025
11 or 948.03 (2) (a) or (3) (a) if committed in this state, and that the violation resulted
12 in great bodily harm, as defined in s. ~~938.22~~ 939.22 (14), or in substantial bodily
13 harm, as defined in s. ~~938.22~~ 939.22 (38), to the juvenile or another child of the
14 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).

15 **SECTION 346.** The treatment of 938.355 (6m) (a) (intro.) of the statutes by 1997
16 Wisconsin Act 239 is not repealed by 1997 Wisconsin Act 252. Both treatments stand.

✓
105-17

NOTE: There is no conflict of substance.

17 **SECTION 347.** 938.396 (1) of the statutes, as affected by 1997 Wisconsin Acts 80
18 and 205, is amended to read:

19 938.396 (1) Law enforcement officers' records of juveniles shall be kept
20 separate from records of adults. Law enforcement officers' records of juveniles shall

1 not be open to inspection or their contents disclosed except under sub. (1b), (1d), (1g),
2 (1m), (1r), (1t) or (1x) or (5) or s. 938.293 or by order of the court. This subsection does
3 not apply to representatives of the news media who wish to obtain information for
4 the purpose of reporting news without revealing the identity of the juvenile involved,
5 to the confidential exchange of information between the police and officials of the
6 school attended by the juvenile or other law enforcement or social welfare agencies
7 or to juveniles 10 years of age or older who are subject to the jurisdiction of the court
8 of criminal jurisdiction. A public school official who obtains information under this
9 subsection shall keep the information confidential as required under s. 118.125 and
10 a private school official who obtains information under this subsection shall keep the
11 information confidential in the same manner as is required of a public school official
12 under s. 118.125. A law enforcement agency that obtains information under this
13 subsection shall keep the information confidential as required under this subsection
14 and s. 48.396 (1). A social welfare agency that obtains information under this
15 subsection shall keep the information confidential as required under ss. 48.78 and
16 938.78.

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

17 **SECTION 348.** The treatment of 938.396 (1t) of the statutes by 1997 Wisconsin
18 Act 35 is not repealed by 1997 Wisconsin Act 181. Both treatments stand.

NOTE: There is no conflict of substance.

19 **SECTION 349.** 938.396 (2) (g) of the statutes, as created by 1997 Wisconsin Act
20 205, is renumbered 938.396 (2) (gm).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act
80 also created a provision numbered s. 938.396 (2) (g).

21 **SECTION 350.** 938.396 (2) (i) of the statutes, as created by 1997 Wisconsin Act
22 205, is amended to read:

1 938.396 (2) (i) Upon request of the court assigned to exercise probate
2 jurisdiction, the attorney general, the personal representative or special
3 administrator of, or an attorney performing services for, the estate of a decedent in
4 any proceeding under chs. 851 to 879, a person interested, ^{as} defined in s. 851.21, or
5 an attorney, attorney-in-fact, guardian ad litem or guardian of the estate of a person
6 interested to review court records for the purpose of s. ~~852.01 (2m) (bg)~~ 854.14 (5) (b),
7 the court assigned to exercise jurisdiction under this chapter and ch. 48 shall open
8 for inspection by any authorized representative of the requester the records of the
9 court relating to any juvenile who has been adjudged delinquent on the basis of
10 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.

11 **SECTION 351.** The treatment of 938.396 (7) (a) of the statutes by 1997 Wisconsin
12 Act 95 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

13 **SECTION 352.** The treatment of 938.396 (7) (bm) of the statutes by 1997
14 Wisconsin Act 95 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

15 **SECTION 353.** The treatment of 938.396 (7) (c) of the statutes by 1997 Wisconsin
16 Act 95 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

17 **SECTION 354.** The treatment of 938.51 (1) (intro.) of the statutes by 1997
18 Wisconsin Act 181 is not repealed by 1997 Wisconsin Act 207. Both treatments stand.

NOTE: There is no conflict of substance.

19 **SECTION 355.** 938.51 (1) (c) (intro.) of the statutes, as affected by 1997 Wisconsin
20 Acts 181 and 207, is amended to read:

1 938.51 (1) (c) (intro.) Subject to par. (cm), notify an adult relative of the victim
2 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.

3 **SECTION 356.** 938.51 (1m) of the statutes, as affected by 1997 Wisconsin Acts
4 181 and 207, is amended to read:

5 938.51 (1m) The department or county department having supervision over a
6 juvenile described in sub. (1) shall determine the local agencies that it will notify
7 under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's
8 intended residence specified in the juvenile's aftercare supervision plan or, if those
9 methods do not indicate the community in which the juvenile will reside following
10 release from a ~~or~~ secured correctional facility ^{from a} or secured child caring institution or
11 from the supervision of the department or county department, the community in
12 which the juvenile states that he or she intends to reside. *Bruce: should that be scored?*

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.

13 **SECTION 357.** The treatment of 938.51 (2) of the statutes by 1997 Wisconsin Act
14 181 is not repealed by 1997 Wisconsin Act 207. Both treatments stand.

NOTE: There is no conflict of substance.

15 **SECTION 358.** The treatment of 938.51 (4) (intro.) of the statutes by 1997
16 Wisconsin Act 181 is not repealed by 1997 Wisconsin Act 207. Both treatments stand.

NOTE: There is no conflict of substance.

17 **SECTION 359.** 938.51 (4) (a) of the statutes, as affected by 1997 Wisconsin Acts
18 181 and 207, is amended to read:

19 938.51 (4) (a) Any known victim of the act for which the juvenile was found
20 delinquent or to be in need of protection or services, if the criteria under sub. (1) (b)

1 are met; an adult relative of the victim, if the criteria under sub. (1) (c) are met; or
2 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.

3 SECTION 360. The treatment of 939.62 (2m) (a) 2. of the statutes by 1997
4 Wisconsin 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 be s. 939.62 (2m) (a) 2m. b. by 1997 Wis. Act 326.

5 SECTION 361. The treatment of 939.62 (2m) (b) of the statutes by 1997
6 Wisconsin Act 283 is not repealed by 1997 Wisconsin Act 326. Both treatments stand.

NOTE: There is no conflict of substance.

✓
109-9

7 SECTION 362. The treatment of 940.09 (1d) of the statutes by 1997 Wisconsin
8 Act 237 is not repealed by 1997 Wisconsin Act 295. Both treatments stand.

NOTE: There is no conflict of substance.

9 SECTION 363. The treatment of 940.25 (1d) of the statutes by 1997 Wisconsin
10 Act 237 is not repealed by 1997 Wisconsin Act 295. Both treatments stand.

✓
109-11

NOTE: There is no conflict of substance.

11 SECTION 364. The treatment of 941.20 (3) (b) 2. of the statutes by 1997
12 Wisconsin Act 248 is not repealed by 1997 Wisconsin Act 249. Both treatments stand.

NOTE: There is no conflict of substance.

13 SECTION 365. 941.31 (2) (c) of the statutes is amended to read:

14 941.31 (2) (c) This subsection does not apply to the transportation, possession,
15 use or transfer of any improvised explosive ~~device~~ device by any armed forces or
16 national guard personnel or to any peace officer in the line of duty or as part of a
17 duty-related function or exercise. The restriction on transportation in this
18 subsection does not apply to common carriers.

NOTE: Corrects spelling error. The change has been made in the printed volumes.

1 **SECTION 366.** 950.02 (1m) of the statutes, as affected by 1997 Wisconsin Acts
2 35 and 181, is amended to read:

3 950.02 (1m) "Crime" means an act committed in this state which, if committed
4 by a competent adult, would constitute a crime, as defined in s. 939.12. 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.

5 **SECTION 367.** 950.04 (2w) (g) of the statutes, as affected by 1997 Wisconsin Act
6 181, is amended to read:

7 950.04 (2w) (g) To be provided with appropriate ~~employer~~ intercession services
8 to ensure that employers of witnesses will cooperate with the criminal justice process
9 and the juvenile justice process in order to minimize an employe's loss of pay and
10 other benefits resulting from court appearances.

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

↓
110-11

11 **SECTION 368.** The treatment of 961.49 (2) (a) of the statutes by 1997 Wisconsin
12 Act 283 is not repealed by 1997 Wisconsin Act 327. Both treatments stand.

NOTE: There is no conflict of substance.

13 **SECTION 369.** The treatments of 969.08 (10) (b) of the statutes by 1997
14 Wisconsin Acts 143 and 180 are not repealed by 1997 Wisconsin Act 295. All
15 treatments stand.

110-16

NOTE: There is no conflict of substance.

16 **SECTION 370.** The treatments of 972.13 (6) of the statutes by 1997 Wisconsin
17 Acts 250 and 275 are not repealed by 1997 Wisconsin Act 283. All treatments stand.

NOTE: There is no conflict of substance.

18 **SECTION 371.** The treatment of 972.14 (2) of the statutes by 1997 Wisconsin Act
19 73 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

1 **SECTION 372.** The treatment of 972.15 (2s) of the statutes by 1997 Wisconsin
2 Act 73 is not repealed by 1997 Wisconsin Act 205. Both treatments stand.

NOTE: There is no conflict of substance.

3 **SECTION 373.** The treatment of 973.0135 (1) (b) 2. of the statutes by 1997
4 Wisconsin Act 219 is not repealed by 1997 Wisconsin Act 295. Both treatments stand.

NOTE: There is no conflict of substance.

5 **SECTION 374.** The treatment of 973.014 (2) of the statutes by 1997 Wisconsin
6 Act 283 is not repealed by 1997 Wisconsin Act 326. Both treatments stand.

NOTE: There is no conflict of substance.

7 **SECTION 375.** The treatments of 973.05 (1) of the statutes by 1997 Wisconsin
8 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.

9 **SECTION 376.** 980.06 (2) (b) of the statutes, as affected by 1997 Wisconsin Acts
10 27 and ~~248~~²⁸⁴ is amended to read:

11 980.06 (2) (b) An order for commitment under this section shall specify either
12 institutional care or supervised release. In determining whether commitment shall
13 be for institutional care or for supervised release, the court may consider, without
14 limitation because of enumeration, the nature and circumstances of the behavior
15 that was the basis of the allegation in the petition under s. 980.02 (2) (a), the person's
16 mental history and present mental condition, where the person will live, how the
17 person will support himself or herself, and what arrangements are available to
18 ensure that the person has access to and will participate in necessary treatment,
19 including pharmacological treatment using an antiandrogen or the chemical
20 equivalent of an antiandrogen if the person is a serious child sex offender. In deciding
21 whether to order supervised release of a person who is a serious child sex offender,

1 the court may not consider, as a factor in making its decision, that the person is a
2 proper subject for pharmacological treatment using an antiandrogen or the chemical
3 equivalent of an antiandrogen or that the person is willing to participate in
4 pharmacological treatment using an antiandrogen or the chemical equivalent of an
5 antiandrogen. The department shall arrange for control, care and treatment of the
6 person in the least restrictive manner consistent with the requirements of the person
7 and in accordance with the court's commitment order.

NOTE: Inserts missing "a".

8 **SECTION 377.** The treatment of 980.06 (2) (c) of the statutes by 1997 Wisconsin
9 Act 275 is not repealed by 1997 Wisconsin Act 284. Both treatments stand.

NOTE: There is no conflict of substance.

10 **SECTION 378.** The treatment of 980.08 (4) of the statutes by 1997 Wisconsin Act
11 27 is not repealed by 1997 Wisconsin Act 284. Both treatments stand.

NOTE: There is no conflict of substance.

12 **SECTION 379.** The treatment of 980.08 (5) of the statutes by 1997 Wisconsin Act
13 275 is not repealed by 1997 Wisconsin Act 284. Both treatments stand.

NOTE: There is no conflict of substance.

14 **SECTION 380.** 990.001 (16) of the statutes is created to read:

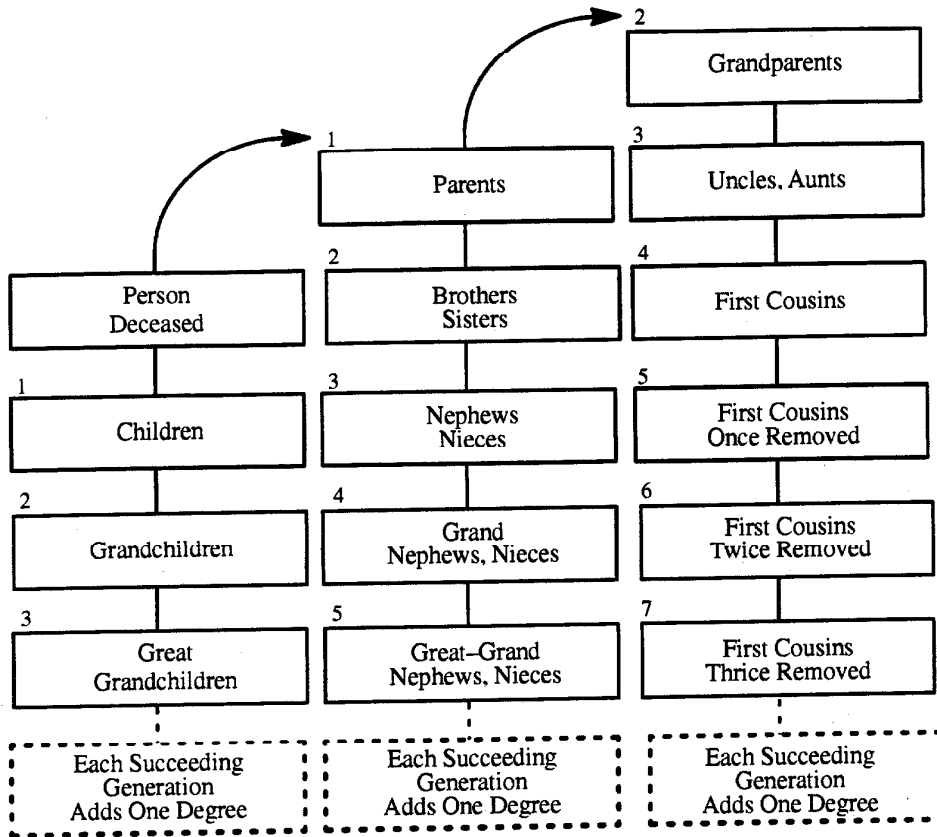
15 990.001 (16) DEGREES OF KINSHIP. The degree of kinship is computed according
16 to the rules of the civil law, as follows: [See Figure 990.001 (16) following]

1

2

Figure: 990.001 (16)

3



4

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.

5

SECTION 381. 1997 Wisconsin Act 156, section 16 (1) (intro.) and (2) are amended to read:

6

7

8

9

[1997 Wisconsin Act 156] Section 16 (1) (intro.) Notwithstanding section 440.973 440.983 of the statutes, as created by this act, the department of regulation and licensing shall do each of the following:

Bruce: this still doesn't work and I don't know why the references to be changed. as renumbered by 1999 Wis Act 156 (this act)

*Bruce: score -114-
this text also?
(see p. 113, l. 8, and
my comment.)*

LRB-0926/P1
BEM:kg:hmh
SECTION 381
and renumbered by 1999 Wisconsin Act 111 (this act)

①
②

(2) A license of registration issued under subsection (1) (a) may be renewed under section 440.975 ~~440.985~~ of the statutes, as created by this act. A license of registration issued under subsection (1) (b) is valid until 3 years after that date 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.

SECTION 382. 1997 Wisconsin Act 164, section 95 is amended by replacing "for which the department has given prior review and approval as to the content of such classes or laboratory periods so as to assure that such classes and laboratory periods are only" with "for which the state superintendent has given prior review and approval as to the content of such classes or laboratory 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.

SECTION 383. 1997 Wisconsin Act 197, section 3 is amended by replacing "29.093 (2) (f) of the statutes is amended" with "29.093 (2) (f) 1. of the statutes is 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.

SECTION 384. 1997 Wisconsin Act 231, section 21 is amended by replacing "filed under and the complainant specified in sub. (1) (a) 1. or 3. or, for a complaint specified in sub. (1) (a) 2., a party to an interconnection agreement who is identified in a notice under s. 196.199 (3) (b) 1. b., 10 days" with "filed under specified in sub. (1) and the complainant (a) 1. or 3. or, for a complaint specified in sub. (1) (a) 2., a party to an interconnection agreement who is identified in a notice under s. 196.199 (3) (b) 1. b., 10 days".

NOTE: 1997 Wis. Act 231, section 21, showed "~~and the complainant~~" in the wrong location within s. 196.26 (2) (b). The deletion of the phrase was intended. This amendment clarifies the intended change.

1 **SECTION 385.** 1997 Wisconsin Act 231, section 21 is amended by replacing
2 "153.05 (7) of the statutes, as affected by 1997 Wisconsin Act, is repealed." with
3 "153.05 (7) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed."

NOTE: Inserts missing act number for clarification.

4 **SECTION 386.** 1997 Wisconsin Act 237, section 83no, is amended by replacing
5 "39.41 (2) (a) of the statutes is amended to read:" with "39.41 (2) (a) of the statutes,
6 as affected by 1997 Wisconsin Act 27, is amended to read:".

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

7 **SECTION 387.** 1997 Wisconsin Act 237, section 251h, is amended by replacing
8 "50.095 (3) (am) of the statutes, as affected by 1997 Wisconsin Act 114, is created to
9 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.

10 **SECTION 388.** 1997 Wisconsin Act 237, section 251L is amended by replacing
11 "50.095 (3m) of the statutes, as affected by 1997 Wisconsin Act 114, is created to
12 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.

13 **SECTION 389.** 1997 Wisconsin Act 237, section 382g is amended by replacing
14 "138.12 (4) (a) of the statutes, as created by 1997 Wisconsin Act (Senate Bill 494),
15 is renumbered" with "138.12 (4) (a) of the statutes, as affected by 1997 Wisconsin Act
16 191, is renumbered".

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

17 **SECTION 390.** 1997 Wisconsin Act 240, section 5 is amended by replacing
18 "118.145 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to
19 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.

1 **SECTION 391.** 1997 Wisconsin Act 240, section 6 is amended by replacing
2 “119.04 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:”
3 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.

4 **SECTION 392.** 1997 Wisconsin Act 248, section 754 is repealed.

NOTE: 1997 Wis. Act 248, section 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 section 755 of Act 248.

5 **SECTION 393.** 1997 Wisconsin Act 248, section 780 is amended by replacing
6 “973.05 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:”
7 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.

8 **SECTION 394.** 1997 Wisconsin Act 253, section 9 is amended by replacing “If, by
9 contractual agreement” with “If, by contractual agreement”.

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

10 **SECTION 395.** 1997 Wisconsin Act 254, section 971 is amended by replacing
11 “~~following the filing under par. (a) with the commission~~” with “~~following the filing~~
12 ~~with the commission~~”.

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

13 **SECTION 396.** 1997 Wisconsin Act 292, section 203g is amended by replacing
14 “with the hearing. I” with “with the hearing.”.

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

15 **SECTION 397. Effective dates.** This act takes effect on the day after
16 publication, except as follows:

*APD: don't
change these
subs; leave
as auto
numbers.*

~~(1) The treatment of sections 20.445 (3) (r), 767.25 (6) (a), 767.261 (1) and 767.51 (5p) (a) of the statutes takes effect on the date stated in the notice published by the department of workforce development in the Wisconsin Administrative Register under section 767.29 (1) (f) of the statutes, as created by 1997 Wisconsin Act 27, or on October 1, 1999, whichever is earlier.~~

(2) The treatment of sections 196.~~05~~²⁰⁵ (2), 196.215 (2d) and (2m) (e), 196.26 (1) (intro.) and (a) (intro.) and 1. to 3., (1m) and (2) (a) and (b) and 196.28 (3) of the statutes takes effect on May 1, 1999.

(3) The treatment of section 20.143 (1) (c) (by SECTION 12) of the statutes takes effect on ~~July 1, 1999.~~ June 30, 1999.

(4) The treatment of section 20.143 (1) (c) (by SECTION 13) of the statutes takes effect on July 1, 1999.

(5) The treatment of section 172.52, 172.53 (1) (intro.) and (2), 172.54, 172.55 and 172.56 (1) of the statutes takes effect on December 1, 1999.

(6) The treatment of ~~section~~ 100.26 (2) of the statutes takes effect on December 31, 1999.

sections

(END)

*from PSD
PSD*

*means that the treatment of
P. 20.143(c)(c)*

**** NOTE: This takes effect 24
hours before the end of the
fiscal year. OK?
==*

From:

99 rbl supp in 99-0926 folder

DRAFTING INSERT FROM THE REVISOR OF STATUTES BUREAU

Inserts to 0926/P2

SECTION 1. 8.20 (2) (c) of the statutes is amended to read:

8.20 (2) (c) In the case of candidates for the offices of president and vice president, the nomination papers shall contain both candidates' names; the office for which each is nominated; the residence and post-office address of each; and the party or principles they represent, if any, in 5 words or less. In the case of candidates for the offices of governor and lieutenant governor, the nomination papers shall contain both candidates' names; the office for which each is nominated; the residence and post-office address of each; and the party or principles they represent, if any, in 5 words or less.

✓ 2-1

NOTE: Inserts correct word.

SECTION 2. 29.563 (3) (a) 7. and 9. of the statutes, as created by 1997 Wisconsin Act 248, are amended to read:

✓ 21-20

29.563 (3) (a) 7. Annual fishing issued to a disabled person under 29.193 (3)

(a) (7): \$6.25.

???

9. Annual fishing license issued to a disabled veteran under s. 29.219 (2)

29.193 (3) (c): \$4.25.

Bruce: In FOLIO, the hyperlinks are missing for this reference.

NOTE: Inserts correct cross-reference.

SECTION 3. 48.685 (5c) (c) of the statutes, as affected by 1997 Wisconsin Act 237, is amended to read:

✓ 34-9

48.685 (5c) (c) Any person who is permitted but fails under sub. (5) (a) to demonstrate to the school board that he or she has been rehabilitated may appeal to the secretary/superintendent of public instruction or his or her designee. Any person who is adversely affected by a decision of the secretary/superintendent or

state

state

This is the correct title; check FOLIO.

7

34-a cont

.....

his or her designee under this paragraph has a right to a contested case hearing under ch. 227.

NOTE: Corrects officer's title.

SECTION 4. 48.715 (6) of the statutes, as created by 1997 Wisconsin Act 191, is amended to read:

✓
34-17

48.715 (6) The department of health and family services shall deny, suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) or a probationary license under s. 48.69 to operate a child welfare agency, group home, shelter care facility or day care center, and the department of corrections shall deny, suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) to operate a secured child caring institution, for failure of the applicant or licensee to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the support of a child or former spouse or for failure of the applicant or licensee to comply, after appropriate notice, with a subpoena or warrant issued by the department of workforce development or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action taken under this subsection is subject to review only as provided in the memorandum of understanding entered into under s. 49.857 and not as provided in s. 48.72.

NOTE: Inserts necessary comma omitted from 1997 Wis. Act 191.



SECTION 5. 66.91 (5) (d) 2. of the statutes is amended to read:

✓
43-3

66.91 (5) (d) 2. Any city, town or village may collect and tax charges made by it to users in the same manner as water rates are taxed and collected under

43-7 cont

s. 66.069 (1) or 66.071 (1) (e). Charges taxed under this subdivision are a lien upon the property served, as provided in s. ~~66.091~~ 66.069 (1) or 66.071 (1) (e).

NOTE: Inserts correct cross-reference added by the Laws of 1981, chapter 282. The reference to s. 66.069 (1) was preexisting. Section 66.069 (1) relates to municipal utility charges and provides for liens for delinquent payments. Section 66.091 (1) relates to county liability for mob damage and makes no provision for liens. Section 66

???

SECTION 6. 70.11 (12) (a) of the statutes, as affected by 1997 Wisconsin Act

27, is amended to read:

wpo:
Don't
delete.

70.11 (12) (a) Property owned by units which are organized in this state of the following organizations: the Salvation Army, the Boy Scouts of America, the Boys' Clubs of America, the Girl Scouts or Camp Fire Girls or any person as trustee for them of property used for the purposes of those organizations, provided no pecuniary profit results to any individual owner or member. ~~(a) Property owned by units which are organized in this state of the following organizations: the Boy Scouts of America, the Boys' Clubs of America, the Girl Scouts or Camp Fire Girls or any person as trustee for them of property used for the purposes of those organizations, provided no pecuniary profit results to any individual owner or member.~~

NOTE: The prior version of this provision was inadvertently not deleted from the printed statutes.

SECTION 7. 70.45 of the statutes, as affected by 1997 Wisconsin Act 237, is amended to read:

✓
44-4

70.45 Return and examination of rolls. When the assessment rolls have been completed in cities of the 1st class, they shall be delivered to the commissioner of assessments, in all other cities to the city clerk, in villages to the village clerk and in towns to the town clerk. At least 15 days before the first day on which the assessment rolls are open for examination, these officials shall have pub-

44-4
cont

lished a class 1 notice if applicable, or posted notice, under ch. 985, in anticipation of the roll delivery as provided in s. 70.50, that on certain days, therein named, the assessment rolls will be open for examination by the taxable inhabitants, which notice may assign a day or days for each ward, where there are separate assessment rolls for wards, for the inspection of rolls. The assessor shall be present for at least 2 hours while the assessment roll is open for inspection. Instructional material under s. 73.03 (52) (54) shall be available at the meeting. On examination the commissioner of assessments, assessor or assessors may make changes that are necessary to perfect the assessment roll or rolls, and after the corrections are made the roll or rolls shall be submitted by the commissioner of assessments or clerk of the municipality to the board of review.

NOTE: ~~Wrong~~ correct cross-reference. Section 73.03 (54) relates to the publication of instructional materials. Section 73.03 (52) relates to entering into certain agreements with the internal revenue service.

Inserts
I R S

SECTION 8. 70.46 (4) of the statutes, as created by 1997 Wisconsin Act 237, is amended to read:

70.46 (4) No board of review may be constituted unless it includes at least one voting member who, within 2 years of the board's first meeting, has attended a training session under s. 73.03 (54) (55) and unless that member is the municipality's chief executive officer or that officer's designee. The municipal clerk shall provide an affidavit to the department of revenue stating whether the requirement under this subsection has been fulfilled.

Inserts

NOTE: ~~Wrong~~ correct cross-reference. Section 73.03 (55) relates to training sessions for board of review members; sub. (54) relates to the publication of certain instructional materials.

SECTION 9. 71.07 (8) (a) 2. of the statutes, as created by 1997 Wis Act 27, is reenacted to read:

✓
WS-17

Wisconsin

45-13

71.07 (8) (a) 2. If the taxpayer is an individual, the taxpayer files an individual return, and has adjusted gross income of at least \$30,000 but less than \$31,000 in the year to which the claim relates, the amount obtained by subtracting from \$25 2.5% of the amount by which the taxpayer's adjusted gross income exceeds \$30,000.

NOTE: This provision was inadvertently not included in the printed statute volumes.

✓
46-7

SECTION 10. 71.83 (2) (a) 3m. of the statutes, as created by 1997 Wisconsin Act 323, is amended to read:

71.83 (2) (a) 3m. 'Browsing in records.' Any person who violates s. 71.78 (1m) (a) shall upon conviction be fined not less than \$100 nor more than \$500 or imprisoned for not less than one month nor more than 6 months or both.

NOTE: Section 71.78 (1m) is renumbered s. 71.78 (1m) (a) by this bill.

SECTION 11. 75.105 (3) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

✓
46-6

75.105 (3) ADMINISTRATION. Upon the cancellation of all or a portion of real property taxes under sub. (2), the county treasurer shall execute and provide to the owner of the property a statement identifying the property for which taxes have been ~~cancelled~~ canceled and shall enter on the tax certificate the date upon which the taxes were ~~cancelled~~ canceled and the amount of taxes ~~cancelled~~ canceled.

NOTE: Inserts preferred spelling.

SECTION 12. 77.79 (title) of the statutes is amended to read:

✓
47-15

77.79 (title) Relation to subchapter subch. III.

NOTE: Inserts abbreviation consistent with current style.

SECTION 13. 115.28 (21) of the statutes is repealed.

✓
49-18

NOTE: By its terms this subsection does not apply after June 30, 1996.

Bruce: check x-ref. table; fix refs.

52-4

SECTION 14. 121.90 (2) (intro) and (a) of the statutes, as affected by 1997 Wisconsin Act ²⁷, are amended to read: Bruce: Is this correct?

121.90 (2) "State aid" means aid under ss. 121.08, 121.09 and 121.105 and subch. VI, as calculated for the current school year on October 15 under s. 121.15 (4), and payments made to the school district in the current school year under s. 79.095 (4), except that "state aid" excludes all of the following:

(a) Any additional aid that a school district receives as a result of ss. 121.07 (6) (e) 1. and (7) (e) 1. and 121.105 (3) for school district consolidations that are effective on or after July 1, 1995, as determined by the department. "State aid" also includes amounts under s. 79.095 for the current school year.

NOTE: The stricken language was inserted by 1997 Wis. Act 237, but the treatment of s. 121.90 (2) by 1997 Wis. Act 286 resulted in the positioning of that language within the provision being incorrect. "(A)mounts" is changed to "payments" for the purpose of making the cross-reference more specific by using the same term used in s. 79.095. "(S)chool district" is added to clarify that this provision does not refer to those payments to other local governmental units under s. 79.094 (4). "79.095" is changed to "79.095 (4)" to specify the part within that statute which relates to payments.

???

Section

s.

SECTION 15. 128.17 (1) (d) of the statutes is amended to read:

128.17 (1) (d) Wages, including pension, welfare and vacation benefits, due to workmen, clerks, traveling or city ~~salesmen~~ salespersons or servants, which have been earned within 3 months before the date of the commencement of the proceedings, not to exceed \$600 to each claimant.

NOTE: Replaces gender specific word form.

SECTION 16. 153.01 (4d) of the statutes, as created by 1997 Wis. Act 231, is repealed.

NOTE: 1997 Wis. Act 27 created an identical paragraph as s. 153.01 (4).

SECTION 17. 173.13 (1) (a) (intro.) of the statutes is amended to read:

52-10
"due to" means "because of"; change this to, i.e., "owed to"?

Wisconsin

54-7

59-19

57-19 cent
✓

173.13 (1) (a) (intro.) A humane officer, on behalf of a political subdivision in which the humane officer has jurisdiction under s. 173.01 173.03 (3), or a law enforcement officer, on behalf of a political subdivision, may take custody of an animal if the humane officer or law enforcement officer has reasonable grounds to believe that the animal is one of the following:

NOTE: Inserts correct cross-reference. Section 173.03 (3) relates to the jurisdiction of a humane officer. Section 173.01 (3) is a definition of "political subdivision".

57-20
✓

SECTION 18. 180.1901 (1m) (ag) of the statutes, as created by 1997 Wisconsin Act 156, is amended to read:

180.1901 (1m) (ag) The department of regulation and licensing under subch. ~~X~~ XI of ch. 440.

NOTE: Inserts correct cross-reference as renumbered by this bill.

SECTION 19. 224.72 (4r) of the statutes is amended to read:

70-6
✓

224.72 (4r) INSUFFICIENT SECURITY; DIVISION ORDER; SUSPENSION OF REGISTRATION. If the division finds that the surety bond, security or insurance policy filed by a mortgage banker or mortgage broker has been ~~canceled~~ canceled without the required notice to the division, the division may summarily suspend the mortgage banker's or mortgage broker's registration.

NOTE: Inserts preferred spelling.

SECTION 20. 302.372 (6) (d) of the statutes is amended to read:

75-1
✓

302.372 (6) (d) Before entering a judgment for the county, the court shall consider any legal obligations of the defendant for support or maintenance under ch. 767 and any moral obligation of the defendant to support ~~dependants~~ dependents and may reduce the amount of the judgment entered for the county based on those obligations.

NOTE: Corrects spelling.



75-a cont

SECTION 21. 302.425 (2) of the statutes is amended to read:

302.425 (2) SHERIFF'S OR SUPERINTENDENT'S GENERAL AUTHORITY. Subject to the limitations under sub. (3), a county sheriff or a superintendent of a house of correction may place in the home detention program any person confined in jail who has been arrested for, charged with, convicted of or sentenced for a crime. The sheriff or superintendent may transfer any prisoner in the home detention program to the jail.

NOTE: Inserts correct word.

76-3

SECTION 22. 343.16 (6) (title) of the statutes is amended to read:

343.16 (6) (title) SPECIAL RETESTING OF LICENSED OPERATIONS OPERATORS.

NOTE: Conforms title to statute subject matter.

80-17

SECTION 23. 440.26 (1) (a) 11. of the statutes is amended to read:

440.26 (1) (a) 11. Receive any fees or compensation for acting as any person, engaging in any business or performing any service specified in subs. 1. to 10.4.

corrects reference

NOTE: The creation of s. 440.26 (1) (a) 5. to 10. was removed from 1995 Wis. Act 461 by the governor's partial veto.

SECTION 24. 560.745 (2) (b) and (c) 1. of the statutes are amended to read:

560.745 (2) (b) Annually the department shall estimate the amount of foregone forgone state revenue because of tax benefits claimed by persons in each development zone.

(c) 1. Ninety days after the day on which the department determines that the foregone forgone tax revenues under par. (b) will equal or exceed the limit for the development zone established under par. (a) or (am).

88-19

NOTE: Inserts preferred spelling.

SECTION 25. 560.795 (2) (c) and (d) 1. of the statutes are amended to read:

88-19 cont -9 ✓

.....

560.795 (2) (c) Annually, the department shall estimate the amount of foregone forgone state revenue because of tax benefits claimed by corporations in each development opportunity zone.

(d) 1. Notwithstanding par. (a), the designation of an area as a development opportunity zone shall expire 90 days after the day on which the department determines that the foregone forgone tax revenues under par. (c) will equal or exceed the limit for the development opportunity zone.

NOTE: Inserts preferred spelling.

SECTION 26. 560.797 (5) (c) and (d) 1. of the statutes are amended to read:

560.797 (5) (c) Annually, the department shall estimate the amount of foregone forgone state revenue because of tax benefits claimed by persons in each enterprise development zone.

(d) 1. Notwithstanding the length of time specified by the department under par. (a), the designation of an area as an enterprise development zone shall expire 90 days after the day on which the department determines that the foregone forgone tax revenues under par. (c) will equal or exceed the limit established for the enterprise development zone.

NOTE: Inserts preferred spelling.

SECTION 27. 938.371 (1) of the statutes is reenacted to read:

✓
105-17

938.371 (1) If a juvenile is placed in a foster home, treatment foster home, group home, child caring institution or secured correctional facility, including a placement under s. 938.205 or 938.21, the agency, as defined in s. 938.38 (1) (a), that placed the juvenile or arranged for the placement of the juvenile shall provide the following information to the foster parent, treatment foster parent or operator of the group home, child caring institution or secured correctional facil-

→

105-17

.....

ity at the time of placement or, if the information has not been provided to the agency by that time, as soon as possible after the date on which the agency receives that information, but not more than 2 working days after that date:

(a) Results of a test or a series of tests of the juvenile to determine the presence of HIV, as defined in s. 968.38 (1) (b), antigen or nonantigenic products of HIV, or an antibody to HIV, as provided under s. 252.15 (5) (a) 19., including results included in a court report or permanency plan. At the time that the test results are provided, the agency shall notify the foster parent, treatment foster parent or operator of the group home, child caring institution or secured correctional facility of the confidentiality requirements under s. 252.15 (6).

(b) Results of any tests of the juvenile to determine the presence of viral hepatitis, type B, including results included in a court report or permanency plan. The foster parent, treatment foster parent or operator of a group home, child caring institution or secured correctional facility receiving information under this paragraph shall keep the information confidential.

(c) Any other medical information concerning the juvenile that is necessary for the care of the juvenile. The foster parent, treatment foster parent or operator of a group home, child caring institution or secured correctional facility receiving information under this paragraph shall keep the information confidential.

NOTE: The numbering of this subsection was incorrectly printed in the ~~published~~ ¹⁹⁹⁷⁻⁹⁸ Wisconsin Statutes

Bruce:
Is this correct?

SECTION 28. 940.25 (1b) of the statutes, as affected by 1995 Wisconsin Act

295, is amended to read:

940.25 (1b) If there was a minor passenger under 16 years of age or an unborn child in the motor vehicle at the time of the violation that gave rise to the

109-9

7

conviction under sub. (1), any applicable maximum fine or imprisonment specified for the conviction is doubled.

NOTE: The underscored language was inadvertently not included in the printed ¹⁹⁹⁷⁻⁹⁸ statutes.

Wisconsin

SECTION 29. 940.25 (2) of the statutes, as affected by 1997 Wisconsin Act 295, is amended to read:

✓ 109-11

940.25 (2) The defendant has a defense if he or she proves by a preponderance of the evidence that the great bodily harm would have occurred even if he or she had been exercising due care and he or she had not been under the influence of an intoxicant or did not have an alcohol concentration described under sub. (1)

~~or~~ ^{(b),} (bm), (d) or (e).

NOTE: The treatment by 1997 Wis. Act 295 resulted in incorrect cross-references. Drafting records indicate that underscored "(b)" was inadvertently stricken and that the stricken "or" was actually intended for striking.

strike comma

the

AIC

Bruce: is this correct?

SECTION 30. 961.41 (3g) (a) 1. of the statutes, as affected by 1997 Wisconsin Act 283, is amended to read:

✓ 110-11

961.41 (3g) (a)

1. Except as provided in subd. 2., if the person possesses a controlled substance included in schedule I or II which is a narcotic drug, or possesses a controlled substance analog of a controlled substance included in schedule I or II which is a narcotic drug, the person may, upon a first conviction, be fined not more than \$5,000 or imprisoned for not more than 2 years or both, and for a 2nd or subsequent offense, the person may be fined not more than \$10,000 or imprisoned for not more than 3 years or both.

???

incorrect comma

NOTE: The underscored text was inadvertently deleted by 1997 Wis. Act 283.

redefinition corrected

SECTION 31. 969.08 (1) of the statutes is amended to read:

✓ 110-16

969.08 (1) Upon petition by the state or the defendant, the court before which the action is pending may increase or reduce the amount of bail or may alter

other conditions of release or the bail bond or grant bail if it has been previously revoked. Except as provided in sub. (5), a defendant for whom conditions of release are imposed and who after 72 hours from the time of initial appearance before a judge continues to be detained in custody as a result of the defendant's inability to meet the conditions of release, upon application, is entitled to have the conditions reviewed by the judge of the court before whom the action against the defendant is pending. s Unless the conditions of release are amended and the defendant is thereupon released, the judge shall set forth on the record the reasons for requiring the continuation of the conditions imposed. A defendant who is ordered released on a condition which requires that he or she return to custody after specified hours, upon application, is entitled to a review by the judge of the court before whom the action is pending. Unless the requirement is removed and the defendant thereupon released on another condition, the judge shall set forth on the record the reasons for continuing the requirement.

NOTE: The underscored text was inadvertently deleted.

from the printed volumes
of the 1997-98 Wisconsin
Statutes