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State of Wisconsin
1999 - 2000 LEGISLATURE

p4

LRB-0926/P3
BEM:CMH&KG:km

WED. 4/28

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

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

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

X 6 **SECTION 1.** 6.875 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 188,
7 is amended to read:
8 6.875 (1) (b) "Relative" means a spouse or individual related within the 1st, 2nd
9 or 3rd degree of kinship under s. 852.03 (2), 1995 stats 990.001 (16).

X

SECTION 1

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 creation of s. 990.001 (16) by this bill.

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

2 8.20 (2) (c) In the case of candidates for the offices of president and vice
3 president, the nomination papers shall contain both candidates' names; the office for
4 which each is nominated; the residence and post-office address of each; and the party
5 or principles they represent, if any, in 5 words ~~of~~ or less. In the case of candidates
6 for the offices of governor and lieutenant governor, the nomination papers shall
7 contain both candidates' names; the office for which each is nominated; the residence
8 and post-office address of each; and the party or principles they represent, if any, in
9 5 words or less.

NOTE: Inserts correct word.

10 ~~SECTION 3.~~ 11.26 (1) (d) of the statutes is renumbered 11.26 (1) (d) (intro.) and
11 amended to read:

12 11.26 (1) (d) (intro.) Candidates for local offices, an amount equal to the greater
13 of the following:

14 1) ~~\$250; or.~~ Two hundred fifty dollars.

15 2) one. One cent times the number of inhabitants of the jurisdiction or district,
16 according to the latest federal census or the census information on which the district
17 is based, as certified by the appropriate filing officer, but not more than \$3,000.

NOTE: Conforms numbering to current style.

18 ~~SECTION 4.~~ 13.63 (1) of the statutes, ^{CS} as affected by 1997 Wisconsin Acts 191 and
19 237, is amended to read: L I C E N S E S.

20 13.63 (1) (a) An application for a license to act as a lobbyist may be obtained
21 from and filed with the board. An applicant shall include his or her social security
22 number on the application. The application shall be signed, under the penalty for

X

1 making false statements under s. 13.69 (6m), by the lobbyist. Upon approval of the
2 application and payment of the applicable license fee under s. 13.75 (1) or (1m) to the
3 board, the board shall issue a license which entitles the licensee to practice lobbying
4 on behalf of each registered principal who or which has filed an authorization under
5 s. 13.65 for that lobbyist and paid the authorization fee under s. 13.75 (4). The license
6 shall expire on December 31 of each even-numbered year.

7 (b) The board shall not issue a license to an applicant who does not provide his
8 or her social security number. The board shall not issue a license to an applicant or
9 shall revoke any license issued to a lobbyist if the department of revenue certifies to
10 the board that the applicant or lobbyist is liable for delinquent taxes under s.
11 73.0301. The board shall refuse to issue a license or shall suspend any existing
12 license for failure of an applicant or licensee to pay court-ordered payments of child
13 or family support, maintenance, birth expenses, medical expenses or other expenses
14 related to the support of a child or former spouse or failure of an applicant or licensee
15 to comply, after appropriate notice, with a subpoena or warrant issued by the
16 department of workforce development or a county child support agency under s.
17 59.53 (5) and related to paternity or child support proceedings, as provided in a
18 memorandum of understanding entered into under s. 49.857. No other application
19 may be disapproved by the board except an application for a license by a person who
20 is ineligible for licensure under this subsection or s. 13.69 (4) or an application by a
21 lobbyist whose license has been revoked under this subsection or s. 13.69 (7) and only
22 for the period of such ineligibility or revocation.

23 (c) Denial of a license on the basis of a certification by the department of
24 revenue may be reviewed under s. 73.0301. Except with respect to a license that is
25 denied or suspended pursuant to a memorandum of understanding entered into

1 under s. 49.857, denial or suspension of a license ~~Denial~~ of any other license may be
2 reviewed under ch. 227.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1)(b). The underscored language is inserted to give effect to the treatment of this provision by 1997 Wis. Act 237. The stricken language reconciles the treatments by 1997 Wis. Acts 191 and 237.

3 ~~SECTION 5.~~ 15.407 (4) (a) 1. of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1993.

4 ~~SECTION 6.~~ 15.407 (4) (a) 2. of the statutes is renumbered 15.407 (4) (a) and
5 amended to read:

6 15.407 (4) (a) Three speech-language pathologists registered under subch. II
7 of ch. 459. ~~This subdivision applies after June 30, 1993.~~

NOTE: Deletes obsolete transition language.

8 ~~SECTION 7.~~ 15.407 (4) (b) 1. of the statutes is repealed.

NOTE: By its terms, this provision has no application after June 30, 1993.

9 ~~SECTION 8.~~ 15.407 (4) (b) 2. of the statutes is renumbered 15.407 (4) (b) and
10 amended to read:

11 15.407 (4) (b) Two audiologists licensed under subch. II of ch. 459. ~~This~~
12 ~~subdivision applies after June 30, 1993.~~

NOTE: Deletes obsolete transition language.

13 ~~SECTION 9.~~ 16.72 (8) of the statutes, as created by 1997 Wisconsin Act 212, is
14 renumbered 16.72 (9).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1)(b). 1997 Wis. Act 27 also created a s. 16.72 (8).

15 ~~SECTION 10.~~ 16.971 (2) (m) of the statutes is amended to read:

16 16.971 (2) (m) Assist in coordination and integration of the plans of executive
17 branch agencies relating to information technology approved under par. (L) and,
18 using these plans and the statewide long-range telecommunications plan under s.
19 16.99 (2) (a), formulate and revise biennially a consistent statewide strategic plan

1 for the use and application of information technology. The division shall, no later
2 than September 15 of each even-numbered year, submit the statewide strategic plan
3 to the cochairpersons of the joint committee on information ~~technology~~ policy and the
4 governor.

NOTE: Inserts correct committee name. There is no joint committee on information
technology.

5 ~~SECTION 11.~~ 19.01 (1) (intro.) of the statutes is amended to read:

6 19.01 (1) FORM OF OATH. (intro.) Every official oath required by article IV,
7 section 28, of the constitution or by any statute shall be in writing, subscribed, and
8 sworn to, and, except as provided otherwise by s. 757.02 and SCR ~~40.13~~ 40.15, shall
9 be in substantially the following form:

NOTE: The attorney's oath is at SCR 40.15. SCR 40.13 has no relation to oaths.

10 ~~SECTION 12.~~ 19.55 (2) (d) of the statutes, as affected by 1997 Wisconsin Act 237,
11 is amended to read:

12 19.55 (2) (d) Records of the social security number of any individual who files
13 an application for licensure as a lobbyist under s. 13.63 or who registers as a principal
14 under s. 13.64, except to the department of workforce development for purposes of
15 administration of s. 49.22 or to the department of revenue for purposes of
16 administration of s. 73.0301.

NOTE: The underscored language was deleted by 1997 Wis. Act 237 without being
shown as stricken. No change was intended.

17 ~~SECTION 13.~~ The treatment of 19.85 (1) (d) of the statutes by 1997 Wisconsin Act
18 237 is not repealed by 1997 Wisconsin Act 283. Both treatments stand.

NOTE: There is no conflict of substance.

19 ~~SECTION 14.~~ 20.143 (1) (c) of the statutes, as affected by 1997 Wisconsin Act 237,
20 section 24, is amended to read:

1 20.143 (1) (c) *Wisconsin development fund; grants, loans, reimbursements and*
2 *assistance.* Biennially, the amounts in the schedule for grants under s. 560.615; for
3 grants and loans under ss. 560.62, 560.63 and 560.66; for grants under s. 560.145;
4 for loans under s. 560.147; for grants under s. 560.16; for reimbursements under s.
5 560.167; for providing assistance under s. 560.06; for the ~~loan~~ loans under 1997
6 Wisconsin Act 27, section 9110 (7f), and 1997 Wisconsin Act 310, section 2 (2d); and
7 for the grants under 1995 Wisconsin Act 27, section 9116 (7gg), 1995 Wisconsin Act
8 119, section 2 (1), and 1997 Wisconsin Act 27, section 9110 (6g). Of the amounts in
9 the schedule, \$50,000 shall be allocated in each of fiscal years 1997–98, 1998–99 and
10 1999–2000 for providing the assistance under s. 560.06. Notwithstanding s. 560.62
11 (4), of the amounts in the schedule, \$125,000 shall be allocated in each of 4
12 consecutive fiscal years, beginning with fiscal year 1998–99, for grants and loans
13 under s. 560.62 (1) (a).

NOTE: 1997 Wis. Act 237, s. 24, repeals and recreates this provision effective
6–30–99 without taking the treatment by 1997 Wis. Act 310, s. 1, into account. Language
deleted by the Act 237 repeal and recreation is reinserted to give effect to Act 310, s. 1.

14 —**SECTION 15.** 20.143 (1) (c) of the statutes, as affected by 1997 Wisconsin Act 310,
15 section 1c, is amended to read:

16 20.143 (1) (c) *Wisconsin development fund; grants, loans, reimbursements and*
17 *assistance.* Biennially, the amounts in the schedule for grants under s. 560.615; for
18 grants and loans under ss. 560.62, 560.63 and 560.66; for grants under s. 560.145;
19 for loans under s. 560.147; for grants under s. 560.16; for reimbursements under s.
20 560.167; for providing assistance under s. 560.06; for the loan under 1997 Wisconsin
21 Act 27, section 9110 (7f); and for the grants under 1995 Wisconsin Act 27, section 9116
22 (7gg), 1995 Wisconsin Act 119, section 2 (1), and 1997 Wisconsin Act 27, section 9110
23 (6g). Of the amounts in the schedule, \$50,000 shall be allocated in each of fiscal years

1 1997–98, 1998–99 and 1999–2000 for providing the assistance under s. 560.06.
2 Notwithstanding s. 560.62 (4), of the amounts in the schedule, \$125,000 shall be
3 allocated in each of 4 consecutive fiscal years, beginning with fiscal year 1998–99,
4 for grants and loans under s. 560.62 (1) (a).

NOTE: 1997 Wis. Act 310, s. 1c, repeals and recreates this provision effective 7–1–99
without taking the treatment by 1997 Wis. Act 237, s. 24, into account. Language deleted
by the Act 310 repeal and recreation is reinserted to give effect to Act 237, s. 24.

5 —SECTION 16. The treatment of 20.143 (1) (c) of the statutes by 1997 Wisconsin
6 Act 237, section 23, is not repealed by 1997 Wisconsin Act 310, section 1. Both
7 treatments stand.

NOTE: There is no conflict of substance.

8 —SECTION 17. The treatment of 20.143 (1) (ie) of the statutes by 1997 Wisconsin
9 Act 237 is not repealed by 1997 Wisconsin Act 310. Both treatments stand.

NOTE: There is no conflict of substance.

10 —SECTION 18. The treatment of 20.155 (1) (g) of the statutes by 1997 Wisconsin
11 Act 140 is not repealed by 1997 Wisconsin Act 229. Both treatments stand.

NOTE: There is no conflict of substance.

12 —SECTION 19. 20.285 (2) (a) 1. of the statutes, as affected by 1997 Wisconsin Act
13 27, is amended to read:

14 20.285 (2) (a) 1. Any moneys in program revenue appropriations to the board
15 of regents for operation may be temporarily transferred to or from any other program
16 revenue appropriation, but any moneys so transferred shall be repaid to the
17 appropriation from which taken before the close of the fiscal year in which the
18 transfer was made. This subdivision does not apply to moneys transferred from the
19 appropriation account under ~~par. sub. (1) (h)~~ to the appropriation account under ~~par.~~
20 sub. (1) (kp).

NOTE: Inserts the correct cross-references. There is no s. 20.285 (2) (kp). Section 20.285 (1) (h) and (kp) specifically provides for transfers between the accounts under those paragraphs.

1 —SECTION 20. 20.370 (9) (hs) of the statutes, as created by 1997 Wisconsin Act
2 237, is amended to read:

3 20.370 (9) (hs) *Approval fees from Lac du Flambeau band.* All moneys received
4 from the Lac du Flambeau band of the Lake Superior Chippewa under s. ~~29.138~~
5 29.229 (5r), to be paid to the band to be used for fishery management within the
6 reservation, as defined in s. ~~29.138~~ 29.229 (1) (b).

NOTE: Inserts the correct cross-references. 1997 Wis. Act 248 renumbered s. 29.138 to be s. 29.229.

7 —SECTION 21. 20.370 (9) (mt) of the statutes, as affected by 1997 Wisconsin Act
8 27, is amended to read:

9 20.370 (9) (mt) *Aids administration — environmental improvement programs;*
10 *state funds.* From the environmental improvement fund, the amounts in the
11 schedule for the administration of ss. 281.58, ~~280.60~~ 281.60, 281.61 and 281.62.

NOTE: Inserts the correct cross-reference. There is no s. 280.60. Section 281.60 relates to the state land recycling loan program.

12 —SECTION 22. 20.434 (1) (b) of the statutes is amended to read:

13 20.434 (1) (b) *Grants to organizations.* The amounts in the schedule for grants
14 to organizations under ~~ss. s. 46.93 (2) and 46.935 (5).~~

NOTE: Section 46.935 was repealed by 1997 Wis. Act 27.

15 —SECTION 23. 20.435 (5) (jz) of the statutes, as created by 1997 Wisconsin Act 27,
16 is amended to read:

17 20.435 (5) (jz) *Badger care premiums.* All moneys received from payments
18 under s. 49.665 (5) to be used for the badger care health care program for low-income
19 families under s. ~~49.466~~ 49.665.

NOTE: Inserts the correct cross-reference consistent with other cross-references to “badger care” in s. 20.435 (5). There is no s. 49.466.

1 —**SECTION 24.** 20.435 (5) (kz) of the statutes, as affected by 1997 Wisconsin Act
2 27, is amended to read:

3 20.435 (5) (kz) *Interagency and intra-agency local assistance.* All moneys
4 received from other state agencies and all moneys received by the department from
5 the department not directed to be deposited under ~~par.~~ sub. (1) (km) or (6) (k) for local
6 assistance.

NOTE: The stricken word was rendered surplusage by the treatment of this
provision by 1997 Wis. Act 27.

7 —**SECTION 25.** The treatment of 20.445 (3) (dz) of the statutes by 1997 Wisconsin
8 Act 27, section 627b, is not repealed by 1997 Wisconsin Act 236. Both treatments
9 stand.

NOTE: There is no conflict of substance.

10 —**SECTION 26.** 20.445 (3) (r) of the statutes, as affected by 1997 Wisconsin Act 191,
11 is amended to read:

12 20.445 (3) (r) *Support receipt and disbursement program; payments.* From the
13 support collections trust fund, all moneys received under s. 49.854, except for moneys
14 received under s. 49.854 (11) (b), all moneys received under ss. 767.265 and 767.29
15 for child or family support, maintenance, spousal support, health care expenses or
16 birth expenses, and all other moneys received under judgments or orders in actions
17 affecting the family, as defined in s. 767.02 (1), for disbursement to the persons for
18 whom the payments are awarded, for returning seized funds under s. 49.854 (5) (f)
19 and, if assigned under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 49.145 (2) (s), 49.19
20 (4) (h) 1. b. or 49.775 (2) (bm), for transfer to the appropriation account under par.
21 (k). Estimated disbursements under this paragraph shall not be included in the
22 schedule under s. 20.005.

NOTE: Gives effect to the treatment of this provision by 1997 Wis. Act 105. 1997 Wis. Act 191 repealed and recreated this provision without taking the treatment by Act 105 into account.

1 ~~SECTION 27.~~ 20.510 (1) (i) of the statutes, as created by 1997 Wisconsin Act 230,
2 is renumbered 20.510 (1) (j).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 27 also created a provision numbered s. 20.510 (1) (i).

3 ~~SECTION 28.~~ The treatment of 20.921 (2) (a) of the statutes by 1997 Wisconsin
4 Act 191 is not repealed by 1997 Wisconsin Act 237. Both treatments stand.

NOTE: There is no conflict of substance.

5 ~~SECTION 29.~~ 23.09 (2) (d) 7. of the statutes is amended to read:

6 23.09 (2) (d) 7. For state recreation areas ~~as defined in s. 23.09 (1) designated~~
7 under s. 23.091.

NOTE: Inserts correct cross-reference. Section 23.091 relates to state recreation areas. Section s. 23.09 (1) does not.

8 ~~SECTION 30.~~ 25.40 (1) (a) 13. of the statutes, as created by 1997 Wisconsin Act
9 255, is renumbered 25.40 (1) (a) 13m.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 27 also created a provision numbered s. 25.40 (1) (a) 13.

10 ~~SECTION 31.~~ 25.43 (2) (c) of the statutes, as affected by 1997 Wisconsin Acts 237
11 and 252, is amended to read:

12 25.43 (2) (c) The department of administration may establish and change
13 accounts in the environmental improvement fund other than those under pars. (a),
14 (ae), (am) and (b). The department of administration shall consult the department
15 of natural resources before establishing or changing an account that is needed to
16 administer the programs under ss. 281.58, 281.59 and ~~or~~ 281.61.

17 NOTE: The stricken "or" was inserted by 1997 Wis. Act 237 without being shown as
18 underscored. No change was intended.

1 ~~SECTION 32.~~ 29.024 (2) (title), (b), (c), (d), (f) 1. and (g) of the statutes, as affected
2 by 1997 Wisconsin Act 248, section 124, and 1997 Wisconsin Act 249, section 2, are
3 amended to read:

4 29.024 (2) (title) CONDITIONS AND RESTRICTIONS ON ~~LICENSES AND OTHER~~
5 APPROVALS.

6 (b) Except as provided under sub. ~~(12)~~ (a) s. 29.194 (1), a resident hunting,
7 trapping or fishing approval may be issued only to a person who presents to the
8 issuing agent or the department definite proof of his or her identity and that he or
9 she is a resident.

10 (c) No more than one of the same series of approval may be issued to the same
11 person for the same hunting or fishing season in any year except as authorized by
12 the department.

13 (d) Except as provided under s. ~~29.33~~ 29.519 (2) (d) or by rule, no person may
14 transfer his or her approval or permit the use of any approval by any other person.

15 (f) 1. Except as provided under subd. 2. and as authorized by rules promulgated
16 under sub. ~~(3m)~~ (5) (a) 2., no person may obtain a hunting, trapping or fishing
17 approval for another person.

18 (g) No approval authorizing hunting, trapping, fishing or any other activity
19 regulated by this chapter may be issued to any person who is prohibited from
20 obtaining this type of an approval under s. ~~29.226 or 29.227 (1)~~ (e) this chapter.

NOTE: 1997 Wis. Act 248 amended and renumbered s. 29.09 (1m) to s. 29.024 (2) and
1997 Wis. Act 249, section 2, repealed and recreated s. 29.09 (1m), both effective 1-1-99.
This provision confirms the incorporation of the amendment by Act 248 into the Act 249
treatment by the revisor under s. 13.93 (2) (b) and corrects an erroneous cross-reference
to reflect renumbering by 1997 Wis. Act 248.

21 ~~SECTION 33.~~ 29.053 (3) of the statutes, as affected by 1997 Wisconsin Act 248,
22 section 388, and 1997 Wisconsin Act 249, section 34, is amended to read:

1 29.053 (3) ~~this chapter 29.193 (2)~~ The department may modify any
 2 requirement of this chapter or rules promulgated under it, establish special seasons,
 3 authorize the use of special equipment or take any other action in order to provide
 4 additional hunting and fishing opportunities for persons who are physically disabled
 5 or visually handicapped and may limit the number of persons involved.

6 NOTE: The stricken language was inserted by 1997 Wis. Act 248, but was rendered
 7 without effect by the treatment of this provision by 1997 Wis. Act 249.

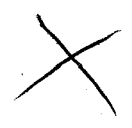
8 ~~SECTION 34.~~ The treatment of ~~29.06 (1)(d)~~ ^{29.934(1)(d)} of the statutes by 1997 Wisconsin Act
 9 ~~248~~ ^{is not repealed by 1997 Wisconsin Act 285} ^{as renumbered,} Both treatments stand. ^{section 1}

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.06 (1) (d) and renumbered it to s. 29.934 (1) (d).

10 ~~SECTION 35.~~ 29.062 of the statutes, as created by 1997 Wisconsin Act 321, is
 11 renumbered 29.936, and 29.936 (1) and (2), as renumbered, are amended to read:

12 29.936 (1) Notwithstanding s. ~~29.06~~ 29.934, the department may distribute for
 13 free carcasses from fish and game seized or confiscated under s. ~~29.05~~ 29.931 that are
 14 suitable for eating to food distribution services, as defined in s. 46.765 (1) (b). The
 15 department may have the fish or game that is seized or confiscated processed before
 16 distributing that fish or game to food distribution services. The department may
 17 collect the costs of the processing of the fish or game from the person from whom the
 18 fish and game was seized or confiscated.

19 (2) The department may notify the person from whom the fish or game was
 20 seized or confiscated under s. ~~29.05~~ 29.931 that he or she is liable for the costs
 21 incurred by the department for processing the fish or game under this section. The
 22 notification shall be mailed to the person's last-known address and shall include the
 23 amount that the person is required to pay as well as the address where payment shall
 24 be sent.



NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). This section is moved for proper placement within the chapter and cross-references are amended to reflect the renumbering of ch. 29 by 1997 Wis. Act 248.

X 1
X 2

ection
~~SECTION 36.~~ The treatment of ~~29.09 (8m) (3)~~ ^{29.193(1)(b)} of the statutes by 1997 Wisconsin Act 248 ^{as renumbered,} is not repealed by 1997 Wisconsin Act 249. ^{136,} Both treatments stand. ¹³ *ection*

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.09 (8m) (b) and renumbered it to s. 29.193 (1) (b).

X 3
X 4

ection
~~SECTION 37.~~ The treatment of ~~29.09 (9) (b) 1.~~ ^{29.193(2)(b) 1.} of the statutes by 1997 Wisconsin Act 248 ^{as renumbered,} is not repealed by 1997 Wisconsin Act 249. ^{142,} Both treatments stand. ¹³ *ection*

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.09 (9) (b) and renumbered it to s. 29.193 (2) (b).

5 ~~SECTION 38.~~ 29.09 (11m) of the statutes, as created by 1997 Wisconsin Act 191,
6 is renumbered 29.024 (2g), and 29.024 (2g) (a) 2. and 3., as renumbered, are amended
7 to read:

8 29.024 (2g) (a) 2. Any permit issued under s. ~~29.38, 29.521, 29.525, 29.53 or~~
9 ~~29.578~~ 29.537, 29.733, 29.735, 29.736 or 29.871.

10 3. A wild rice identification card issued under s. ~~29.544~~ 29.607.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and amends cross-references to reflect renumbering by 1997 Wis. Act 248.

11 ~~SECTION 39.~~ 29.09 (11r) of the statutes, as created by 1997 Wisconsin Act 237,
12 is renumbered 29.024 (2r), and 29.024 (2r) (a) 1. to 21., as renumbered, are amended
13 to read:

14 29.024 (2r) (a) 1. A license issued under s. ~~29.134~~ 29.501.

15 2. A wholesale fish dealer license issued under s. ~~29.135~~ 29.503.

16 3. A taxidermist permit issued under s. ~~29.136~~ 29.506 (2).

17 4. A bait dealer license issued under s. ~~29.137~~ 29.509.

18 5. A guide license issued under s. ~~29.165~~ 29.512.

19 6. A sport trolling license issued under s. ~~29.166~~ 29.514.

X

SECTION 39

- 1 7. A commercial fishing license issued under s. ~~29.33~~ 29.519.
- 2 8. A net license issued under s. ~~29.34~~ 29.523.
- 3 9. A slat net license issued under s. ~~29.343~~ 29.526.
- 4 10. A trammel net license issued under s. ~~29.344~~ 29.529.
- 5 11. A set or bank pole license issued under s. ~~29.36~~ 29.531.
- 6 12. A setline license issued under s. ~~29.37~~ 29.533.
- 7 13. A clamming license or permit issued under s. ~~29.38~~ 29.537.
- 8 14. A fish farm permit issued under s. ~~29.521~~ 29.733.
- 9 14m. A fish importation permit under s. ~~29.525~~ 29.735.
- 10 14r. A fish stocking permit under s. ~~29.53~~ 29.736.
- 11 15. A wild rice dealer license issued under s. ~~29.544~~ 29.607 (4) (b).
- 12 16. A wild ginseng dealer license issued under s. ~~29.547~~ 29.611 (7).
- 13 17. A license issued under s. ~~29.573~~ 29.865.
- 14 18. A game bird or animal farm license issued under s. ~~29.574~~ 29.867.
- 15 19. A fur animal farm license issued under s. ~~29.575~~ 29.869.
- 16 20. A deer farm license or a permit issued under s. ~~29.578~~ 29.871.
- 17 21. A wildlife exhibit license issued under s. ~~29.585~~ 29.877.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and amends cross-references to reflect renumbering by 1997 Wis. Act 248.

X 18 ~~SECTION 40.~~ The treatment of ~~29.133 (3) (a)~~ ^{29.229 (3) (a)} of the statutes by 1997 Wisconsin
 X 19 Act 237 ^{is 66e,} is not repealed by 1997 Wisconsin Act 248. ^{as renumbered,} Both treatments stand. ^{is 308}

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.138 (3) (a) and renumbered it to s. 29.229 (3) (a).

20 ~~SECTION 41.~~ 29.145 (1cm) of the statutes, as created by 1997 Wisconsin Act 322,
 21 is renumbered 29.193 (4) and amended to read:

X

1 29.193 (4) FEDERAL MATCHING FUNDS. If the department determines that the fee
 2 collected for an annual fishing license issued under sub. (1e) (3) (c) is less or more
 3 than is necessary to qualify these licenses for matching funding under 16 USC 777c,
 4 the department shall submit proposed legislation to the legislature in the manner
 5 provided under s. 13.172 (2) to adjust the fee so that it equals the minimum
 6 amount necessary to qualify for the matching funding.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and corrects cross-reference. Section 29.145 (1c) was renumbered to s. 29.193 (3) by 1997 Wis. Act 248.

7 ~~SECTION 42.~~ 29.148 (4) of the statutes is renumbered 29.237 (4).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). The remainder of s. 29.148 was renumbered to s. 29.237 by 1997 Wis. Act 248.

8 ~~SECTION 43.~~ The treatment of ~~29.155 (2) (a)~~ ^{29.197 (6) (a)} of the statutes by 1997 Wisconsin
 9 Act 195 ^{is} not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.155 (2) (a) and renumbered it to s. 29.197 (6) (a).

10 ~~SECTION 44.~~ 29.164 (2) (b) of the statutes, as affected by 1997 Wisconsin Act 168,
 11 section 1, 1997 Wisconsin Act 248, section 213, and 1997 Wisconsin Act 249, section
 12 21, is amended to read:

13 29.164 (2) (b) *Type of hunting authorized.* A license issued under this section
 14 authorizes hunting with a firearm or bow and arrow or with a crossbow if the holder
 15 of the license is a resident and has a Class A, Class B or Class C permit issued under
 16 s. 29.193 (2) ~~or 4.~~ that authorizes hunting with a crossbow or has a crossbow permit
 17 issued under s. 29.171 (4) (a).

NOTE: Deletes language inserted by 1997 Wis. Act 168 which was rendered without effect by 1997 Wis. Act 249.

18 ~~SECTION 45.~~ 29.171 (2) of the statutes, as affected by 1997 Wisconsin Act 168,
 19 section 2, 1997 Wisconsin Act 248, section 233, and 1997 Wisconsin Act 249, section
 20 22, is amended to read:

X

1 29.171 (2) A resident archer hunting license authorizes the hunting of all
2 game, except bear and wild turkey, during the open seasons for hunting that game
3 with bow and arrow established by the department. This license authorizes hunting
4 with a bow and arrow only, unless hunting with a crossbow is authorized by a Class
5 A, Class B or Class C permit issued under s. 29.193 (2) or 4. or a permit issued under
6 sub. (4).

NOTE: Deletes language inserted by 1997 Wis. Act 168 which was rendered without
effect by 1997 Wis. Act 249.

7 ~~SECTION 46.~~ 29.171 (4) (b) (intro.) of the statutes, as affected by 1997 Wisconsin
8 Act 168, section 3, 1997 Wisconsin Act 248, section 235, and 1997 Wisconsin Act 249,
9 section 25, is amended to read:

10 29.171 (4) (b) (intro.) Crossbows used in hunting as authorized by a Class A,
11 Class B or Class C permit issued under s. 29.193 (2) ~~or 4.~~ or under this subsection
12 shall meet all of the following specifications:

NOTE: Deletes language inserted by 1997 Wis. Act 168 which was rendered without
effect by 1997 Wis. Act 249.

13 ~~SECTION 47.~~ 29.177 of the statutes, as created by 1997 Wisconsin Act 170, is
14 renumbered 29.038.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Repositions
provision for location within the correct subchapter of ch. 29 after the renumbering of the
chapter by 1997 Wis. Act 248.

15 ~~SECTION 48.~~ 29.184 (5) (b) of the statutes, as affected by 1997 Wisconsin Act 248,
16 section 260, and 1997 Wisconsin Act 249, section 32, is amended to read:

17 29.184 (5) (b) If a disabled person holds either a Class A or a Class B bear
18 license, a person who accompanies and assists the disabled person may engage in the
19 activities authorized under sub. ~~(2)~~ (3) (br) 1. to 3. without holding a Class B bear
20 license.

NOTE: Inserts correct cross-reference. There is no s. 29.184 (2) (br) 1. to 3. Section 29.184 (3) (br) 1. to 3. relates to authorized activities for persons with bear licenses.

1 ~~SECTION 49.~~ 29.184 (6) (c) 1. of the statutes, as affected by 1997 Wisconsin Act
2 191, section 16, and 1997 Wisconsin Act 248, section 265, is amended to read:

3 29.184 (6) (c) 1. The department shall issue a notice of approval to those
4 qualified applicants selected to receive a Class A bear license. A person who receives
5 a notice of approval and who pays the required fee shall be issued the license subject
6 to s. ~~29.09 (11m)~~ 29.024 (2g).

NOTE: This bill renumbers s. 29.09 (11m) to be s. 29.024 (2g).

7 ~~SECTION 50.~~ 29.184 (6) (c) 2. of the statutes, as affected by 1997 Wisconsin Act
8 191, section 17, and 1997 Wisconsin Act 248, section 266, is amended to read:

9 29.184 (6) (c) 2. A Class B bear license shall be issued subject to s. ~~29.024 (11m)~~
10 (2g) by the department to any resident who applies for this license.

NOTE: Reconciles the treatment of this provision by 1997 Wis. Acts 191 and 248. Act 191 created s. 29.09 (11m) and inserted "(11m)" after "29.09" in this provision. Act 248 renumbered s. 29.09 to s. 29.024 without taking the creation of s. 29.09 (11m) into account. This bill renumbers s. 29.09 (11m) to be s. 29.024 (2g) for proper location within the section.

11 ~~SECTION 51.~~ 29.193 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 248,
12 section 135, is amended to read:

13 29.193 (1) (a) The department shall, after an investigation and without
14 charging a fee, issue a trolling permit to any person who meets the requirements
15 under s. 29.171 ~~(3)~~ (4) (a) 2. or 4.

NOTE: Corrects cross-reference. 1997 Wis. Act 248 changed this cross-reference from s. 29.104 (4) to s. 29.171 (3), but renumbered s. 29.104 (4) to s. 29.171 (4).

16 ~~SECTION 52.~~ 29.193 (2) (cr) 2. of the statutes, as affected by 1997 Wisconsin Act
17 248, section 142, and 1997 Wisconsin Act 249, section 13, is amended to read:

18 29.193 (2) (cr) 2. A Class A permit authorizes the holder to shoot or hunt from
19 a stationary vehicle, to fish or troll as authorized under sub. ~~(8m)~~ (1) (b) and to hunt

1 certain game with a crossbow as authorized under ss. ~~29.103 (2) (ar), 29.104 (2) and~~
2 ~~29.117 (2) 29.164 (2) (b), 29.171 (2) and 29.216 (2).~~

NOTE: Corrects cross-references to reflect renumbering by 1997 Wis. Act 248.

3 ~~SECTION 53.~~ 29.193 (3) (intro.) of the statutes, as affected by 1997 Wisconsin Act
4 191, section 21, and 1997 Wisconsin Act 248, section 323, is amended to read:

5 29.193 (3) FISHING LICENSE FOR DISABLED PERSONS. (intro.) The department shall
6 issue, subject to s. ~~29.09 (11m)~~ 29.024 (2g), an annual disabled person fishing license
7 to any resident who applies for this license and who does one of the following:

NOTE: This bill renumbers s. 29.09 (11m) to be s. 29.024 (2g).

8 ~~SECTION 54.~~ 29.216 (2) of the statutes, as affected by 1997 Wisconsin Act 248,
9 section 279, and 1997 Wisconsin Act 249, section 33, is amended to read:

10 29.216 (2) AUTHORIZATION. The nonresident archer hunting license authorizes
11 the hunting of all game, except bear, wild turkey and fur-bearing animals, during
12 the open season for the hunting of that game with a bow and arrow. This license
13 authorizes hunting with a bow and arrow only unless hunting with a crossbow is
14 authorized by a Class A, Class B, or Class C permit issued under s. ~~29.09 (9)~~ 29.193
15 (2).

NOTE: Section 29.09 (9) was renumbered s. 29.193 (2) by 1997 Wis. Act 248. The
comma is deleted consistent with current style.

~~SECTION 55.~~ The treatment of ~~29.225~~ ^{29.591} (title) of the statutes by 1997 Wisconsin
Act 197 ^{s. 4,} is not repealed by 1997 Wisconsin Act 248 ^{s. 420}. Both treatments stand.
ection

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.225 (title)
and renumbered it to s. 29.591 (title).

~~SECTION 56.~~ The treatment of ~~29.225 (1)~~ ^{29.591 (1)} of the statutes by 1997 Wisconsin Act
197 ^{s. 5,} is not repealed by 1997 Wisconsin Act 248 ^{s. 420}. Both treatments stand.
ection

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.225 (1)
and renumbered it to s. 29.591 (1).

X

X1

~~SECTION 57.~~ The treatment of 29.225 (2) of the statutes by 1997 Wisconsin Act 197 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

~~DELETE~~

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.225 (2) and renumbered it to s. 29.591 (2). *as renumbered,*

X3

~~SECTION 58.~~ The treatment of ~~29.225 (2)~~^{29.591 (3)} of the statutes by 1997 Wisconsin Act 197 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.225 (3) and renumbered it to s. 29.591 (3). *as renumbered,*

section 8,

X5

~~SECTION 59.~~ The treatment of ~~29.225 (4) (a)~~^{29.591 (4) (a) 1. and 2.} of the statutes by 1997 Wisconsin Act 197 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.225 (4) (a) 1. and 2. and renumbered it to s. 29.591 (4) (a) 1. and 2. *as renumbered,*

X6

~~SECTION 60.~~ The treatment of ~~29.225 (4) (am)~~^{29.591 (4) (am)} of the statutes by 1997 Wisconsin Act 197 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.225 (4) (am) and renumbered it to s. 29.591 (4) (am). *as renumbered,*

X7

X8

~~SECTION 61.~~ The treatment of ~~29.226 (1)~~^{29.593 (1)} of the statutes by 1997 Wisconsin Act 197 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.226 (1) and renumbered it to s. 29.593 (1). *as renumbered,*

X9

X10

~~SECTION 62.~~ 29.229 (5m) (d) of the statutes, as affected by 1997 Wisconsin Act 191, section 20, and 1997 Wisconsin Act 248, section 308, is amended to read:

29.229 (5m) (d) Section ~~29.09 (11m)~~ 29.024 (2g) does not apply to approvals issued under this section.

NOTE: This bill renumbers s. 29.09 (11m) to s. 29.024 (2g). *as renumbered,*

X15

X16

~~SECTION 63.~~ The treatment of ~~29.27 (3)~~^{29.327 (2)} of the statutes by 1997 Wisconsin Act 248 is not repealed by 1997 Wisconsin Act 249. Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.27 (3) and renumbered it to s. 29.327 (2) (a). *section 36*

X

SECTION 64

1 —**SECTION 64.** 29.301 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 151,
2 section 1, and 1997 Wisconsin Act 248, section 412, is amended to read:

3 29.301 (1) (b) No person may hunt within ~~1700~~ 1,700 feet of any hospital,
4 sanatorium or the grounds of any school. The department may designate the form
5 for or furnish signs designating the restricted area. No person may be convicted of
6 a violation of this paragraph unless the restricted area is designated by the signs.

NOTE: 1997 Wis. Act 248 inserted "1,700" without deleting "1700".

X7 ^{ection}
X8 ~~SECTION 65.~~ The treatment of ~~29.334~~ ^{29.519(1)(b)} of the statutes ^{as renumbered,} by 1997 Wisconsin Act
~~189~~ ^{s. 462} is not repealed by 1997 Wisconsin Act ~~248~~. Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.33 (1) and renumbered it to s. 29.519 (1).

9 —**SECTION 66.** 29.334 of the statutes, as affected by 1997 Wisconsin Act 248,
10 section 513, is amended to read:

11 **29.334 Hunting and trapping; treatment of animals.** A person who hunts
12 or traps any game animal or fur-bearing animal shall kill the animal when it is taken
13 and make it part of the daily bag or shall release the animal unless authorized under
14 s. 29.857, 29.863, ~~28.867~~ 29.867, 29.869, 29.871 or 29.877.

NOTE: Inserts the correct cross-reference.

16 —**SECTION 67.** 29.501 (3) of the statutes, as affected by 1997 Wisconsin Act 237,
17 section 65, and 1997 Wisconsin Act 248, section 288, is amended to read:

18 29.501 (3) Licenses shall be issued, subject to s. ~~29.09 (11m) and (11r)~~ 29.024
19 (2g) and (2r), by the department upon application. The form of application and
20 license shall be prescribed by the department.

NOTE: This bill renumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

21 —**SECTION 68.** 29.519 (1) (d) of the statutes, as affected by 1997 Wisconsin Act 248,
22 section 462, is renumbered 29.519 (1) (d) 2. and amended to read:

X

1 29.519 (1) (d) 2. The application for the license shall be made to the department,
2 accompanied by the fee specified in s. 29.563 (7). The application shall state the
3 name, birthdate, description and address of the residence of the applicant, the
4 manner in which he or she proposes to fish, the name or number and overall length
5 of his or her boats, the name of the hailing port from which the boats will operate,
6 and the number and kind of nets or other gear he or she intends to use in connection
7 with commercial fishing and any other information required by the department for
8 statistical purposes. The applicant shall provide an itemized listing of commercial
9 fishing gear and equipment with the current values of those items of commercial
10 fishing equipment, sufficient to meet the investment requirements for licensing as
11 established in rules promulgated under this section. ~~“Overall length” means the~~
12 ~~minimum distance between the extreme outside end of the bow and the stern using~~
13 ~~the nearest whole number of feet.~~

NOTE: The stricken definition is moved to a separate provision consistent with
current style. See the next section of this bill.

14 ~~SECTION 69.~~ 29.519 (1) (d) 1. of the statutes is created to read:

15 29.519 (1) (d) 1. In this paragraph, “overall length” means the minimum
16 distance between the extreme outside end of the bow and the stern using the nearest
17 whole number of feet.

NOTE: Relocates definition in separate provision consistent with current style. See
the previous section of this bill.

18 ~~SECTION 70.~~ 29.519 (2) (c) of the statutes, as affected by 1997 Wisconsin Act 248,
19 section 464, is renumbered 29.519 (2) (a) and amended to read:

20 29.519 (2) (a) *Nonresident defined.* In this ~~section~~ subsection, “nonresident”
21 includes any individual who is not a resident, any individual applying for a license
22 for use of nets on a boat registered or of record at a port outside of the state, or any

1 partnership, association, corporation or limited liability company any of whose stock,
2 boats, nets and fishing equipment has been owned by a nonresident at any time
3 during the 2 years immediately prior to the application for a license.

NOTE: The defined term only appears in sub. (2) of s. 29.519. This paragraph is
renumbered to ensure its correct position as a definition in accordance with current style.

4 ~~SECTION 71.~~ 29.519 (2) (d) of the statutes, as affected by 1997 Wisconsin Act 237,
5 section 67, and 1997 Wisconsin Act 248, section 465, is amended to read:

6 29.519 (2) (d) *Transfer of license.* The department may, upon application,
7 permit the transfer of a license to any similar boat during the time a licensed boat
8 is disabled or undergoing repairs or upon the sale of a licensed boat. The department
9 shall promulgate rules governing the transfer of commercial fishing licenses
10 between individuals equally qualified to hold the licenses and to members of a
11 licensee's immediate family provided the rules assure the wise use and conservation
12 of the fish resources being harvested under the license. The rules shall relate only
13 to those waters in which the number of licenses is limited. The commercial fishing
14 boards, under sub. (7), shall approve or deny transfers of commercial fishing licenses
15 in accordance with the rules promulgated under this section. For purposes of s. ~~29.09~~
16 ~~(11m) and (11r)~~ 29.024 (2g) and (2r), a transfer of a license under this section shall
17 be considered an issuance of a license to the transferee.

NOTE: This bill renumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

18 ~~SECTION 72.~~ 29.522 of the statutes, as created by 1997 Wisconsin Act 237, is
19 renumbered 29.734.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) to locate the
provision in the proper subchapter after the renumbering of ch. 29 by 1997 Wis. Act 248.

20 ~~SECTION 73.~~ 29.563 (3) (a) 7. and 9. of the statutes, as created by 1997 Wisconsin
21 Act 248, are amended to read:

1 29.563 (3) (a) 7. Annual fishing issued to a disabled person under s. 29.193 (3)
2 (a) or (b): \$6.25.

3 9. Annual fishing license issued to a disabled veteran under s. ~~29.219 (2)~~ 29.193
4 (3) (c): \$4.25.

NOTE: Inserts correct cross-reference.

5 ~~SECTION 74.~~ 29.563 (7) (c) 1. of the statutes, as created by 1997 Wisconsin Act
6 248, is amended to read:

7 29.563 (7) (c) 1. Outlying waters license transfers under s. 29.519 ~~(3)~~ (2) (d):
8 \$25.

NOTE: Corrects cross-reference. There is no s. 29.519 (3). Outlying waters license transfers are under s. 29.519 (2) (d).

X 9 ~~SECTION 75.~~ The treatment of ~~29.585 (3)~~ ^{29.877(3)} of the statutes by 1997 Wisconsin Act
X 10 191 is not repealed by 1997 Wisconsin Act 248. ^{section} Both treatments stand. ^{as renumbered,}
^{section}

NOTE: There is no conflict of substance. 1997 Wis. Act 248 amended s. 29.585 (3) and renumbered it to s. 29.877 (3).

11 ~~SECTION 76.~~ 29.591 (2) of the statutes, as affected by 1997 Wisconsin Act 197,
12 section 7, and 1997 Wisconsin Act 248, section 420, is amended to read:

13 29.591 (2) ADMINISTRATION. ~~program and bow hunter education program~~ The
14 department may appoint county, regional and statewide directors and categories of
15 hunter education instructors necessary for the hunter education program and the
16 bow hunter education program. These appointees are responsible to the department
17 and shall serve on a voluntary basis without compensation.

NOTE: The stricken language was inserted by 1997 Wis. Act 197, but rendered surplusage by the treatment of this provision by 1997 Wis. Act 248.

18 ~~SECTION 77.~~ 29.593 (2) of the statutes, as affected by 1997 Wisconsin Act 197,
19 section 14, and 1997 Wisconsin Act 248, section 427, is amended to read:

X

SECTION 77

1 29.593 (2) A person who has evidence that is satisfactory to the department
 2 indicating that he or she has completed in another state a hunter safety course and
 3 if the course is recognized by the department under a reciprocity agreement, the
 4 person may obtain an approval authorizing hunting ~~for successfully completing the~~
 5 ~~course of instruction the hunter education program.~~

NOTE: The stricken language was inserted by 1997 Wis. Act 197, but rendered
 surplusage by the treatment of this provision by 1997 Wis. Act 248.

6 ~~SECTION 78.~~ 29.607 (3) of the statutes, as affected by 1997 Wisconsin Act 237,
 7 section 71, and 1997 Wisconsin Act 248, section 594, is amended to read:

8 29.607 (3) LICENSE REQUIRED EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every
 9 person over the age of 16 and under the age of 65 shall obtain the appropriate wild
 10 rice license to harvest or deal in wild rice but no license to harvest is required of the
 11 members of the immediate family of a licensee or of a recipient of old-age assistance
 12 or members of their immediate families. The department, subject to s. ~~29.09 (11m)~~
 13 ~~and (11r)~~ 29.024 (2g) and (2r), shall issue a wild rice identification card to each
 14 member of a licensee's immediate family, to a recipient of old-age assistance and to
 15 each member of the recipient's family. The term "immediate family" includes
 16 husband and wife and minor children having their abode and domicile with the
 17 parent or legal guardian.

NOTE: This bill rennumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

18 ~~SECTION 79.~~ The treatment of ^{section} ~~29.62 (1)~~ ^(29.421) of the statutes ^{section} ~~by~~ ^{as renumbered,} 1997 Wisconsin Act
 19 ~~237~~ ^{is not repealed by 1997 Wisconsin Act 248} ^{is not repealed by 1997 Wisconsin Act 248} ^{is not repealed by 1997 Wisconsin Act 248} Both treatments stand.

NOTE: There is no conflict of substance. 1997 Wis. Act 248 consolidated s. 29.62
 (1) and (3), renumbered it to s. 29.421 and amended it.

20 ~~SECTION 80.~~ 29.733 (2) (a) of the statutes, as affected by 1997 Wisconsin Act 237,
 21 section 69, and 1997 Wisconsin Act 248, section 581, is amended to read:

1 29.733 (2) (a) The department, subject to s. ~~29.09 (11m) and (11r)~~ 29.024 (2g)
2 and (2r), shall issue a permit under this subsection for a natural body of water
3 specified under sub. (1) (c) 1. if the department determines that no substantial public
4 interest exists in the body of water and that no public or private rights in the body
5 of water will be damaged.

NOTE: This bill rennumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

6 ~~SECTION 81.~~ 29.733 (2) (c) 1. of the statutes, as affected by 1997 Wisconsin Act
7 237, section 70, and 1997 Wisconsin Act 248, section 581, is amended to read:

8 29.733 (2) (c) 1. The department, subject to s. ~~29.09 (11m) and (11r)~~ 29.024 (2g)
9 and (2r), shall renew a permit issued under this subsection unless the department
10 determines that there has been a substantial change in circumstances that is related
11 to a determination made under par. (a) for the natural body of water or that is related
12 to the application of the criteria promulgated under par. (f) to the body of water.

NOTE: This bill rennumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

13 ~~SECTION 82.~~ 29.745 (1) (b) of the statutes, as affected by 1997 Wisconsin Act 248,
14 section 589, is amended to read:

15 29.745 (1) (b) Application for a permit shall be made on forms provided by ~~to~~
16 the department.

17 NOTE: The stricken language was rendered surplusage by the treatment of this
18 provision by 1997 Wis. Act 248.

19 ~~SECTION 83.~~ 29.867 (3) of the statutes, as affected by 1997 Wisconsin Act 237,
20 section 73, and 1997 Wisconsin Act 248, section 617, is amended to read:

21 29.867 (3) Upon issuance, subject to s. 29.024 (2g) and (2r), of the license, the
22 department shall appoint one person, the licensee shall appoint one person, and
23 these 2 appointees shall select a 3rd person, to determine as accurately as possible
24 the number of wild birds and animals of the desired species on the land at the time

1 of the issuing of the license. The necessary expenses of these persons shall be paid
 2 by the licensee. Within 30 days after the date of the determination as approved by
 3 the department, the licensee shall pay to the department a specified sum determined
 4 by the department for those species of wild birds and animals on the licensed
 5 premises that are desired for propagation purposes, the title of which is in the state.
 6 ~~subject to s. 29.09 (11m) and (11r) issued~~

NOTE: The stricken language was inserted by 1997 Wis. Acts 191 and 237, but was rendered without effect by the treatment of this provision by 1997 Wis. Act 248. This bill renumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r). The underscored language is inserted to give effect to the Acts 191 and 237 treatments.

7 ~~SECTION 84.~~ 29.869 (3) of the statutes, as affected by 1997 Wisconsin Act 237,
 8 section 74, and 1997 Wisconsin Act 248, section 618, is amended to read:

9 29.869 (3) If the applicant is the owner or lessee of the lands, the land is suitable
 10 for the breeding and propagating of fur animals and the applicant intends in good
 11 faith to establish and maintain a fur animal farm, ~~subject to s. 29.09 (11m) and (11r)~~ ✓
 12 29.024 (2g) and (2r) the department shall issue a license to the applicant. The license ^{insert}
 13 shall describe the lands and authorize the licensee to breed, propagate, trap and deal ^{plain comma}
 14 in fur animals that are on the licensed premises.

NOTE: This bill renumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

15 ~~SECTION 85.~~ 29.871 (4) of the statutes, as affected by 1997 Wisconsin Act 237,
 16 section 76, and 1997 Wisconsin Act 248, section 624, is amended to read:

17 29.871 (4) If the applicant is the owner or lessee of the lands and the applicant
 18 intends in good faith to establish and maintain a deer farm, the department may
 19 inform the applicant that, as soon as the applicant has built a suitable deer fence
 20 around the premises to be included within the license, it will issue a license. The
 21 applicant shall install a deer-tight fence in accordance with specifications
 22 prescribed by the department. After the installation of the fence, the department

1 shall issue a license to the applicant. The license shall describe the lands and
2 authorize the licensee to breed, propagate, kill and sell the deer that are on the
3 licensed premises. Section ~~29.09 (11m) and (11r)~~ 29.024 (2g) and (2r) applies to the
4 issuance of licenses under this subsection.

NOTE: This bill renumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

5 —SECTION 86. 29.871 (5) of the statutes, as affected by 1997 Wisconsin Act 237,
6 section 77, and 1997 Wisconsin Act 248, section 624, is amended to read:

7 29.871 (5) The deer farm license shall be renewed each year, subject to s. ~~29.09~~
8 ~~(11m) and (11r)~~ 29.024 (2g) and (2r), if the licensee has not violated any of the
9 provisions under which it was issued.

NOTE: This bill renumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

10 —SECTION 87. 29.871 (11) of the statutes, as affected by 1997 Wisconsin Act 191,
11 section 32, and 1997 Wisconsin Act 248, section 624, is amended to read:

12 29.871 (11) Each license and title to the deer in the issued enclosure shall be
13 conditioned upon the licensee complying with this section and other statutes and
14 rules relating to the maintenance of deer farms. In an action to revoke the license
15 the court, in the judgment, shall provide that the title to all of the deer within the
16 enclosure is forfeited to the state; that the licensed premises may not be used for a
17 deer farm for a period of 5 years and until a new license has been issued by the
18 department after the 5-year period; that the department shall within 30 days of the
19 notice of entry of judgment enter the premises and open the fences and may drive the
20 animals out of the enclosure; that the lands for which the license has been forfeited
21 may be used by the owner for all lawful purposes except the propagating of deer; and
22 that during the 5-year period hunting or trapping is prohibited on the land. The

1 department shall post notices of the judgment at intervals of 55 yards around the
2 entire premises.

NOTE: The stricken language was inserted by 1997 Wis. Acts 191, but rendered
surplusage by the treatment of this provision by 1997 Wis. Act 248.

3 ~~SECTION 88.~~ 29.871 (14) (am) of the statutes, as affected by 1997 Wisconsin Act
4 237, section 79, and 1997 Wisconsin Act 248, section 626, is amended to read:

5 29.871 (14) (am) Subject to s. ~~29.09 (11m) and (11r)~~ 29.024 (2g) and (2r), the
6 department may issue retail deer sale permits authorizing a person to sell at retail
7 white-tailed deer venison from a deer lawfully killed under this section if the venison
8 is inspected under s. 97.42.

NOTE: This bill renumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

9 ~~SECTION 89.~~ 29.871 (14) (b) (intro.) of the statutes, as affected by 1997
10 Wisconsin Act 237, section 80, and 1997 Wisconsin Act 248, section 627, is amended
11 to read:

12 29.871 (14) (b) (intro.) The department may issue a venison serving permit
13 authorizing a person to serve venison obtained from a deer farm licensed under this
14 section. The application for this permit shall be in the form and include the
15 information the department requires. The department, ~~the department~~, subject to
16 s. ~~29.09 (11m) and (11r)~~ 29.024 (2g) and (2r), may issue a venison serving permit
17 conditioned as follows:

NOTE: The stricken "the department" was inserted by 1997 Wis. Act 191, but
rendered surplusage by the treatment of this provision by 1997 Wis. Act 248. This bill
renumbers s. 29.09 (11m) and (11r) to be s. 29.024 (2g) and (2r).

18 ~~SECTION 90.~~ 29.885 (1) (f) of the statutes, as affected by 1997 Wisconsin Act 248,
19 section 640, is amended to read:

1 29.885 (1) (f) Notwithstanding s. ~~29.01 (14)~~ 29.001 (90), "wild animal" means
2 any undomesticated mammal or bird, but does not include farm-raised deer or
3 farm-raised fish.

NOTE: Section 29.01 (14) was renumbered to s. 29.001 (90) by 1997 Wis. Act 248.

4 ~~SECTION 91.~~ 29.989 (1) (a) of the statutes, as affected by 1997 Wisconsin Act 248,
5 section 728, is amended to read:

6 29.989 (1) (a) If a court imposes a fine or forfeiture for a violation of a provision
7 of this chapter or an order issued under this chapter, ~~the court shall impose a natural~~
8 ~~resources assessment equal to 75% of the amount of the fine or forfeiture where the~~
9 ~~payment of a natural resources restitution payment is required, the court shall~~
10 ~~impose a natural resources restitution payment equal to the amount of the statutory~~
11 ~~fee for the approval which was required and should have been obtained.~~

NOTE: 1997 Wis. Act 248 deleted the underscored language without showing it as
stricken and inserted the stricken language without showing it as underscored. No
change was intended.

12 ~~SECTION 92.~~ The treatment of ~~29.99 (1) (a)~~ 29.971 (1) (c) of the statutes by 1997 Wisconsin Act
13 ~~248~~ 29.971 (1) (c) is not repealed by 1997 Wisconsin Act 283. Both treatments stand.
action

NOTE: There is no conflict of substance. 1997 Wis. Act 248 renumbered s. 29.99 (1)
(c) to s. 29.971 (1) (c).

14 ~~SECTION 93.~~ The treatment of ~~29.99 (1) (a)~~ 29.971 (1m) (c) of the statutes by 1997 Wisconsin
15 Act 248 ~~is not repealed~~ by 1997 Wisconsin Act 283. Both treatments stand.
action

NOTE: There is no conflict of substance. 1997 Wis. Act 248 renumbered s. 29.99
(1m) (c) to s. 29.971 (1m) (c).

16 ~~SECTION 94.~~ 30.71 (1) of the statutes, ~~as created by 1997 Wisconsin Act 280,~~ is
17 amended to read:

18 30.71 (1) In this section, "outlying waters" has the meaning given in s. ~~29.01~~
19 ~~(11)~~ 29.001 (63).

NOTE: Section 29.01 (11) was renumbered s. 29.001 (63) by 1997 Wis. Act 248.

X

SECTION 95

1 ~~SECTION 95.~~ 30.71 (2) of the statutes, as affected by 1997 Wisconsin Acts 248
2 and 330, is amended to read:

3 30.71 (2) No person may, while maintaining or operating any boat equipped
4 with toilets on the waters of this state ~~29.001 (45) (63)~~, dispose of any toilet wastes
5 in any manner into the water.

NOTE: The stricken language was inserted by 1997 Wis. Act 248, but was rendered
without effect by the treatment of this provision by 1997 Wis. Act 330.

6 ~~SECTION 96.~~ 32.05 (1) (a) of the statutes, as affected by 1997 Wisconsin Acts 184
7 and 282, is amended to read:

8 32.05 (1) (a) Except as provided under par. (b), ~~the~~ a county board of supervisors
9 or ~~the~~ a county highway committee when so authorized by the county board of
10 supervisors, a city council, a village board, a town board, a sewerage commission
11 governing a metropolitan sewerage district created by ss. 66.22 or 66.88 to 66.918,
12 ~~the~~ secretary of transportation, a commission created by contract under s. 66.30, a
13 joint local water authority created by contract under s. ~~66.0375~~, 66.0735, a housing
14 authority under ss. 66.40 to 66.404, a local exposition district created under subch.
15 II of ch. 229, a redevelopment authority under s. 66.431 or a community development
16 authority under s. 66.4325 shall make an order providing for the laying out,
17 relocation and improvement of the public highway, street, alley, storm and sanitary
18 sewers, watercourses, water transmission and distribution facilities, mass transit
19 facilities, airport, or other transportation facilities, gas or leachate extraction
20 systems to remedy environmental pollution from a solid waste disposal facility,
21 housing project, redevelopment project, exposition center or exposition center
22 facilities which shall be known as the relocation order. This order shall include a map
23 or plat showing the old and new locations and the lands and interests required. A

1 copy of the order shall, within 20 days after its issue, be filed with the county clerk
2 of the county wherein the lands are located or, in lieu of filing a copy of the order, a
3 plat may be filed or recorded in accordance with s. 84.095.

NOTE: Corrects transposed number inserted by 1997 Wis. Act 184. Section 66.0735
as created by Act 184 relates to joint local water authorities. There is no s. 66.0375.
Inserts "a" for proper sentence agreement.

4 ~~SECTION 97.~~ 35.84 (figure) line 22. (title) of the statutes is amended to read:
5 35.84 (figure) line 22. (title) ~~Integrated Legislative Information System Staff~~
6 Technology Services Bureau

NOTE: 1997 Wis. Act 237 renamed the Integrated Legislative Information System
Staff the Legislative Technology Services Bureau. The change is reflected in the printed
volumes.

7 ~~SECTION 98.~~ 38.27 (5) (a) 1m. of the statutes, as affected by 1997 Wisconsin Act
8 163, section 3, is renumbered 38.24 (5) (a) 1m.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wisconsin
Act 163 created s. 38.24 (5) (a) 1g. and renumbered s. 38.24 (5) (a) 1. to s. 38.27 (5) (a) 1m.
The renumbering to s. 38.27 was unintended. There is no s. 38.27 (5). The change was
made in order to keep definitions within s. 38.24 (5) in alphabetical order.

X 9 ~~SECTION 99.~~ 40.25 (2) of the statutes, as affected by 1997 Wisconsin Act 173, is
10 amended to read:

11 40.25 (2) Subject to subs. ~~(2m)~~ and sub. (2t), if all requirements for payment
12 of a retirement annuity are met except attainment of age 55 or age 50 for protective
13 occupation participants, a separation benefit may be paid, if the participant's written
14 application for a separation benefit is received by the department prior to the
15 participant's 55th birthday or 50th birthday for protective occupation participants,
16 in an amount equal to the additional and employe required contribution
17 accumulations of the participant on the date the application for a separation benefit
18 is approved.

NOTE: Section 40.25 (2m) was repealed by 1997 Wis. Act 69.

X

X 1 **SECTION 100.** 40.25 (2t) of the statutes as created by 1997 Wisconsin Act 173
2 is amended to read:

3 40.25 (2t) A protective occupation participant who is covered by the
4 presumption under s. 891.455 and who applied for a duty disability benefit under s.
5 40.65 on or after May 12, 1998, may not be paid a separation benefit under sub. (2)
6 ~~or (2m)~~ during the period in which he or she is receiving the duty disability benefit.

NOTE: Section 40.25 (2m) was repealed by 1997 Wis. Act 69.

7 ~~SECTION 101.~~ The treatment of 40.51 (8m) 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 102.~~ 44.095 of the statutes is repealed.

NOTE: By its terms, this section does not apply after June 30, 1998.

10 ~~SECTION 103.~~ 46.86 (2m) (a) of the statutes is amended to read:

11 46.86 (2m) (a) In this subsection, "long-term treatment" means treatment that
12 is, in the majority of instances, not less than 5 months ~~and not~~ nor more than 12
13 months in duration.

NOTE: Inserts correct word.

14 ~~SECTION 104.~~ The treatment of 48.01 (1) (a) of the statutes by 1997 Wisconsin
15 Act 237 is not repealed by 1997 Wisconsin Act 292. Both treatments stand.

NOTE: There is no conflict of substance.

16 ~~SECTION 105.~~ 48.27 (4) (b) (a) and (b) of the statutes, as created by 1997
17 Wisconsin Act 292, are renumbered 48.27 (4) (b) 1. and 2.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) to correct the
numbering of s. 48.27 (4) (b) by 1997 Wis. Act 292.

18 ~~SECTION 106.~~ The treatment of 48.299 (4) (b) of the statutes by 1997 Wisconsin
19 Act 292 is not repealed by 1997 Wisconsin Act 334. Both treatments stand.

NOTE: There is no conflict of substance.

X

1 —**SECTION 107.** The treatment of 48.299 (5) of the statutes by 1997 Wisconsin Act
2 252 is not repealed by 1997 Wisconsin Act 292. Both treatments stand.

NOTE: There is no conflict of substance.

3 —**SECTION 108.** The treatment of 48.365 (2m) (a) of the statutes by 1997
4 Wisconsin Act 237 is not repealed by 1997 Wisconsin Act 292. Both treatments stand.

NOTE: There is no conflict of substance.

5 —**SECTION 109.** 48.396 (1) of the statutes, as affected by 1997 Wisconsin Act 292,
6 is amended to read:

7 48.396 (1) Law enforcement officers' records of children shall be kept separate
8 from records of adults. Law enforcement officers' records of the adult expectant
9 mothers of unborn children shall be kept separate from records of other adults. Law
10 enforcement officers' records of children and the adult expectant mothers of unborn
11 children shall not be open to inspection or their contents disclosed except under sub.
12 (1b), (1d) or (5) or s. 48.293 or by order of the court. This subsection does not apply
13 to the representatives of newspapers or other reporters of news who wish to obtain
14 information for the purpose of reporting news without revealing the identity of the
15 child or adult expectant mother ~~child~~ involved, to the confidential exchange of
16 information between the police and officials of the school attended by the child or
17 other law enforcement or social welfare agencies or to children 10 years of age or older
18 who are subject to the jurisdiction of the court of criminal jurisdiction. A public
19 school official who obtains information under this subsection shall keep the
20 information confidential as required under s. 118.125 and a private school official
21 who obtains information under this subsection shall keep the information
22 confidential in the same manner as is required of a public school official under s.
23 118.125. A law enforcement agency that obtains information under this subsection

SECTION 109

1 shall keep the information confidential as required under this subsection and s.
2 938.396 (1). A social welfare agency that obtains information under this subsection
3 shall keep the information confidential as required under ss. 48.78 and 938.78.

NOTE: Corrects word order.

X4

~~SECTION 110.~~ ^{ection} The treatments of 48.415 (2) ^{(a) 2. a.} of the statutes by 1997
Wisconsin Act 237 ^{1597 Wisconsin Act} and 292 are not repealed by 1997 Wisconsin Act 294. ^{Both All}
6 treatments stand. ^{section 4}

NOTE: There is no conflict of substance. Section 48.415 (2) (b) 1. was renumbered
to s. 48.415 (2) (a) 2. a. by 1997 Wis. Act 294.

X7
X8

~~SECTION 111.~~ ^{ection} The treatment of 48.415 (2) ^{(a) 2. b.} of the statutes by 1997
Wisconsin Act 237 ^{15142,} is not repealed by 1997 Wisconsin Act 292 ¹⁵²⁵⁵. Both treatments stand.

NOTE: There is no conflict of substance. Section 48.415 (2) (b) 2. was renumbered
to s. 48.415 (2) (a) 2. b. by 1997 Wis. Act 294.

X9
X10

~~SECTION 112.~~ ^{ection} The treatment of 48.415 (2) ^{(a) 3.} of the statutes by 1997 Wisconsin
Act 237 ^{15143,} is not repealed by 1997 Wisconsin Act 292 ^{15254m}. Both treatments stand.

NOTE: There is no conflict of substance. Section 48.415 (2) (c) was renumbered to
s. 48.415 (2) (a) 3. by 1997 Wis. Act 294.

11 ~~SECTION 113.~~ The treatment of 48.685 (2) (am) (intro.) of the statutes by 1997
12 Wisconsin Act 237 is not repealed by 1997 Wisconsin Act 281. Both treatments stand.

NOTE: There is no conflict of substance.

13 ~~SECTION 114.~~ 48.685 (2) (b) 1. (intro.) of the statutes, as affected by 1997
14 Wisconsin Acts 237 and 281, is amended to read:

15 48.685 (2) (b) 1. (intro.) Subject to subds. 1. e. and 2., and 4. and par. (bd), every
16 entity shall obtain all of the following with respect to a person specified under par.
17 (ag) (intro.) who is an employe, prospective employe, contractor or prospective
18 contractor of the entity:

NOTE: Reconciles the treatments of this provision by 1997 Wis. Acts 237 and 281.

X

1 ~~SECTION 115.~~ The treatment of 48.685 (2) (c) of the statutes by 1997 Wisconsin
2 Act 237 is not repealed by 1997 Wisconsin Act 281. Both treatments stand.

NOTE: There is no conflict of substance.

3 ~~SECTION 116.~~ 48.685 (3) (a) of the statutes, as affected by 1997 Wisconsin Acts
4 237 and 281, is amended to read:

5 48.685 (3) (a) Every 4 years or at any time within that period that the
6 department, a county department, a child welfare agency or a school board considers
7 appropriate, the department, county department, child welfare agency or school
8 board shall request the information specified in sub. (2) (am) 1. to 5. for all persons
9 who are licensed, certified or contracted to operate an entity and for all persons
10 specified in ~~par.~~ sub. (2) (ag) (intro.) who are nonclient residents of an entity and shall
11 request the information specified in sub. (2) (am) 1. to 5. for all persons under 18
12 years of age, but not under 12 years of age, who are employes, contractors or
13 nonclient residents of a day care center that is licensed under s. 48.65 or established
14 or contracted for under s. 120.13 (4) or of a day care provider that is certified under
15 s. 48.651.

NOTE: Inserts correct cross-reference. There is no s. 48.685 (3) (ag). Section 48.685
(2) (ag) relates to nonclient residents of an entity.

16 ~~SECTION 117.~~ The treatment of 48.685 (3) (b) of the statutes by 1997 Wisconsin
17 Act 237 is not repealed by 1997 Wisconsin Act 281. Both treatments stand.

NOTE: There is no conflict of substance.

18 ~~SECTION 118.~~ The treatment of 48.685 (5) (intro.) of the statutes by 1997
19 Wisconsin Act 237 is not repealed by 1997 Wisconsin Act 281. Both treatments stand.

NOTE: There is no conflict of substance.

20 ~~SECTION 119.~~ 48.685 (5c) (c) of the statutes, as affected by 1997 Wisconsin Act
21 237, is amended to read:

(b)
as renumbered
s. 8
ection

X
X

X

SECTION 119

1 48.685 (5c) (c) Any person who is permitted but fails under sub. (5) (a) to
2 demonstrate to the school board that he or she has been rehabilitated may appeal to
3 the ~~secretary~~ state superintendent of public instruction or his or her designee. Any
4 person who is adversely affected by a decision of the ~~secretary~~ state superintendent
5 or his or her designee under this paragraph has a right to a contested case hearing
6 under ch. 227.

NOTE: Corrects officer's title.

7 ~~SECTION 120.~~ The treatment of 48.685 (5m) of the statutes by 1997 Wisconsin
8 Act 237 is not repealed by 1997 Wisconsin Act 281. Both treatments stand.


NOTE: There is no conflict of substance.

9 ~~SECTION 121.~~ The treatment of 48.685 (6) (b) of the statutes by 1997 Wisconsin
10 Act 237 is not repealed by 1997 Wisconsin Act 281. Both treatments stand.

NOTE: There is no conflict of substance.

X11 ~~SECTION 122.~~ 48.715 (6) of the statutes, as created by 1997 Wisconsin Act 191
12 is amended to read:

13 48.715 (6) The department of health and family services shall deny, suspend,
14 restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) or a
15 probationary license under s. 48.69 to operate a child welfare agency, group home,
16 shelter care facility or day care center, and the department of corrections shall deny,
17 suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1)
18 to operate a secured child caring institution, for failure of the applicant or licensee
19 to pay court-ordered payments of child or family support, maintenance, birth
20 expenses, medical expenses or other expenses related to the support of a child or
21 former spouse or for failure of the applicant or licensee to comply, after appropriate
22 notice, with a subpoena or warrant issued by the department of workforce



1 development or a county child support agency under s. 59.53 (5) and related to
2 paternity or child support proceedings, as provided in a memorandum of
3 understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action
4 taken under this subsection is subject to review only as provided in the memorandum
5 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.

X 6 SECTION 123. 48.981 (3) (c) 1. of the statutes, as affected by 1997 Wisconsin Act
X 7 292, is amended to read:

8 48.981 (3) (c) 1. Within 24 hours after receiving a report under par. (a), the
9 agency shall, in accordance with the authority granted to the department under s.
10 48.48 (17) (a) 1. or the county department under s. 48.57 (1) (a), initiate a diligent
11 investigation to determine if the child or unborn child is in need of protection or
12 services. The investigation shall be conducted in accordance with standards
13 established by the department for conducting child abuse and neglect investigations
14 or unborn child abuse investigations. If the investigation is of a report of child abuse
15 or neglect or of ~~child~~ threatened child abuse or neglect by a caregiver specified in sub.
16 (1) (am) 5. to 8. who continues to have access to the child or a caregiver specified in
17 sub. (1) (am) 1. to 4., or of a report that does not disclose who is suspected of the child
18 abuse or neglect and in which the investigation does not disclose who abused or
19 neglected the child, the investigation shall also include observation of or an interview
20 with the child, or both, and, if possible, an interview with the child's parents,
21 guardian or legal custodian. If the investigation is of a report of child abuse or neglect
22 or threatened child abuse or neglect by a caregiver who continues to reside in the
23 same dwelling as the child, the investigation shall also include, if possible, a visit to
24 that dwelling. At the initial visit to the child's dwelling, the person making the

X

1 investigation shall identify himself or herself and the agency involved to the child's
2 parents, guardian or legal custodian. The agency may contact, observe or interview
3 the child at any location without permission from the child's parent, guardian or
4 legal custodian if necessary to determine if the child is in need of protection or
5 services, except that the person making the investigation may enter a child's
6 dwelling only with permission from the child's parent, guardian or legal custodian
7 or after obtaining a court order to do so.

NOTE: Corrects word order.

8 —**SECTION 124.** The treatment of 48.981 (8) (a) of the statutes by 1997 Wisconsin
9 Act 292 is not repealed by 1997 Wisconsin Act 293. Both treatments stand.

NOTE: There is no conflict of substance.

10 —**SECTION 125.** The treatment of 48.981 (8) (d) 1. of the statutes by 1997
11 Wisconsin Act 292 is not repealed by 1997 Wisconsin Act 293. Both treatments stand.

NOTE: There is no conflict of substance.


12 —**SECTION 126.** 48.988 (6) (a) of the statutes is amended to read:

13 48.988 (6) (a) Equivalent facilities for the child are not available in the sending
14 agency's jurisdiction; and

NOTE: Inserts necessary punctuation. The change is shown in the printed volumes.

15 —**SECTION 127.** 49.124 (1m) (a) of the statutes as affected by 1997 Wisconsin Act
16 27 is amended to read:

17 49.124 (1m) (a) The department shall administer an employment and training
18 program for recipients under the food stamp program. The department may contract
19 with a Wisconsin works agency to administer the employment and training program
20 under this subsection. Except as provided in pars. (b), and (bm) ~~and (br)~~, the
21 department may require able individuals who are 18 to 60 years of age who are not



1 participants in a Wisconsin works employment position to participate in the
2 employment and training program under this subsection.

NOTE: The creation of par. (br) was removed from 1997 Wis. Act 27 by the governor's partial veto.

3 ~~SECTION 128.~~ 49.143 (2m) (intro.) of the statutes, as created by 1997 Wisconsin
4 Act 236, is amended to read:

5 49.143 (2m) NUTRITION OUTREACH. (intro.) A Wisconsin works agency may
6 establish a a nutrition outreach program with the community steering committee
7 established under sub. (2) (a). The Wisconsin works agency and community steering
8 committee may coordinate with local food pantries and food banks and other
9 interested parties to increase the supply of food available. Under the outreach
10 program, the Wisconsin works agency may do anything that it determines would best
11 effect the desired outcome of the program, including any of the following:

NOTE: Deletes repeated unnecessary "a".

12 ~~SECTION 129.~~ 49.15 (3) (a) of the statutes, as created by 1997 Wisconsin Act 27,
13 is amended to read:

14 49.15 (3) (a) Unsubsidized employment, as defined in s. 49.147 (1) (a) (c).

NOTE: Section 49.147 (1) (a) was renumbered s. 49.147 (1) (c) by 1997 Wis. Act 27.

15 ~~SECTION 130.~~ 49.175 (1) (p) of the statutes is amended to read:

16 49.175 (1) (p) *Indirect child care services.* For indirect child care services under
17 s. ~~49.131 (2) (b)~~ 49.155 (1g), \$6,002,400 in each fiscal year. Notwithstanding sub. (2),
18 the department may not use any funds allocated under this paragraph for any other
19 purpose under this subsection.

NOTE: Inserts correct cross-reference. Section 49.131 (2) (b) was renumbered s. 49.155 (1g) by 1997 Wis. Act 27.

20 ~~SECTION 131.~~ The treatment of 49.22 (6) of the statutes by 1997 Wisconsin Act
21 105 is not repealed by 1997 Wisconsin Act 191. Both treatments stand.

NOTE: There is no conflict of substance.

1 ~~SECTION 132.~~ 49.225 of the statutes, as affected by 1997 Wisconsin Act 191,
2 section 39, is renumbered 49.227.

NOTE: 1997 Wis. Act 191, section 39, renumbered s. 46.251 to s. 49.225. Act 191
section 195, created a different provision as s. 49.225.

191

X

3 ~~SECTION 133.~~ 49.27 (6) (c) of the statutes, as affected by 1997 Wisconsin Act 252,

4 is amended to read:

5 49.27 (6) (c) *Benefits.* A county department under s. 46.215, 46.22 or 46.23 shall
6 provide assistance in paying the child care costs of a work-not-welfare group that
7 is eligible to receive benefits under this paragraph if the child care is provided by a
8 child care provider, as defined in s. 49.132 (1) (am), 1995 stats. The formula for
9 determining the amount of assistance shall be the same as the formula established
10 by the department under s. 49.191 (2). The rates for child care services under this
11 paragraph shall be determined under s. 49.132 (4) (d), 1995 stats., s. 49.132 (4) (dg),
12 1995 stats., or s. 49.132 (4) (dm), 1995 stats., whichever is applicable, or, if a higher
13 rate is established under s. 49.132 (4) (e), 1995 stats., and if the child care services
14 meet the quality standards established under s. 49.132 (4) (e), 1995 stats., the rates
15 for child care services under this paragraph that meet those standards shall be
16 determined under s. 49.132 (4) (e), 1995 stats. The department shall promulgate
17 rules for the disbursement of funds under this paragraph.

NOTE: Section 49.132 does not apply after November 1, 1997, and was repealed by
1997 Wis. Act 252.

18 ~~SECTION 134.~~ 49.493 (1) (b) of the statutes is amended to read:

19 49.493 (1) (b) "Medical benefits or assistance" means medical benefits under
20 s. 49.02, ~~49.046~~ or 253.05 or medical assistance.

NOTE: Section 49.046 was repealed by 1995 Wis. Act 27.

X

1 —**SECTION 135.** 49.665 (1) (b) of the statutes, as created by 1997 Wisconsin Act
2 27, is amended to read:

3 49.665 (1) (b) “Dependent child” has the meaning given in s. 49.141 (1) (c).

NOTE: Inserts subsection number omitted by 1997 Wis. Act 27.

4 —**SECTION 136.** The treatment of 49.855 (6) of the statutes by 1997 Wisconsin Act
5 27 is not repealed by 1997 Wisconsin Act 35. Both treatments stand.

NOTE: There is no conflict of substance.

6 —**SECTION 137.** 49.857 (1) (d) 2. of the statutes, as created by 1997 Wisconsin Act
7 191, is amended to read:

8 49.857 (1) (d) 2. An approval specified in s. ~~29.09 (11m)~~ 29.024 (2g).

NOTE: This bill renumbers s. 29.09 (11m) to s. 29.024 (2g).

9 —**SECTION 138.** 49.857 (1) (d) 2m. of the statutes, as created by 1997 Wisconsin
10 Act 191, is amended to read:

11 49.857 (1) (d) 2m. A fishing approval issued under s. ~~29.138~~ 29.229.

NOTE: Inserts correct cross-reference. 1997 Wis. Act 248 renumbered s. 29.138 to
s. 29.229.

12 —**SECTION 139.** 50.01 (2) of the statutes, as affected by 1997 Wisconsin Act 156,
13 is amended to read:

14 50.01 (2) “Nurse’s assistant” means a person who performs routine patient care
15 duties delegated by a registered nurse or licensed practical nurse who supervises the
16 person, for the direct health care of a patient or resident. “Nurse’s assistant” does
17 not mean a person who is licensed, permitted, certified or registered under subch. ~~X~~
18 XI of ch. 440 or ch. 441, 448, 449, 450, 451, 455 or 459 or a person whose duties
19 primarily involve skills that are different than those taught in instructional
20 programs for nurse’s assistants.

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

INSERT

**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB
.....



SECTION 1. 50.035 (3) (a) of the statutes is amended to read:

50.035 (3) (a) The person responsible for managing a Class C community-based residential facility, or that person's agent, shall be present in the facility at any time that residents are in the facility. The person responsible for managing a Class A or a Class B community-based residential facility, or that person's agent, shall be present in the facility from 7 p.m. to 7 a.m. when residents are in the facility and the person responsible for managing a Class B community-based residential facility, or that person's agent, shall be readily available to the residents of the facility from 7 a.m. to 7 p.m. In this subsection, "Class A, B and C community-based residential facilities" have the meanings provided in s. ~~HSS 3.41 (1)~~ HFS 83.05, Wis. adm. code.

*Read
Strike
Section
NOTE
S.T.P.
Read*

NOTE: Inserts the correct cross-reference. Section HSS 3.41, Wis. Adm. Code, was repealed and replaced by s. HFS 83.05, Wis. Adm. Code. There are no Class B facilities under s. HFS 83.05.

X

INSERT
50.035(3)(a)
X1

~~SECTION 140. 50.035 (9) of the statutes, as created by 1997 Wisconsin Act 27,~~

2 is amended to read:

3 50.035 (9) NOTIFICATION TO PROSPECTIVE RESIDENTS OF ASSESSMENT REQUIREMENT.
4 Every community-based residential facility shall inform all prospective residents of
5 the assessment requirements under ss. 46.27 (7) (cj) 3. and (11) (c) 5n. and 46.277 (3)
6 (5) (d) 1n. for the receipt of funds under those sections.

7 NOTE: Inserts the correct cross-reference. There is no s. 46.277 (3) (d). Section
8 46.277 (5) (d) 1n. relates to community-based residential facility assessments.

9 ~~SECTION 141. 50.04 (5) (a) 5. b. of the statutes, as affected by 1997 Wisconsin~~
10 Act 280, is amended to read:

11 50.04 (5) (a) 5. b. Except as provided in subd. 5. a., a nursing home that violates
12 a statute or rule resulting in a class "A" or class "B" violation and that has received
13 a notice of a class "A" or class "B" violation of the same statute or rule within the
14 previous 3-year period may be subject to a forfeiture 3 times the amount authorized
15 for the most recent class of violation involved.

NOTE: The underscored "a" was inserted by 1997 Wis. Act 280 without being
underscored. The change was intended.

16 ~~SECTION 142. 50.065 (3) (a) of the statutes, as affected by 1997 Wisconsin Act~~
17 237, is amended to read:

18 50.065 (3) (a) Every 4 years or at any time within that period that the
19 department considers appropriate, the department shall request the information
20 specified in sub. (2) (am) 1. to 4. for all persons who are licensed to operate an entity
21 and for all persons specified in ~~par.~~ sub. (2) (ag) (intro.) who are nonclient residents
22 of an entity.

NOTE: Inserts correct cross-reference. There is no s. 50.065 (3) (ag). Section 50.065
(2) (ag) relates to nonclient residents of an entity.

X

1 ~~SECTION 143.~~ The treatment of 51.30 (4) (a) of the statutes by 1997 Wisconsin
2 Act 231 is not repealed by 1997 Wisconsin Act 237. Both treatments stand.

NOTE: There is no conflict of substance.

3 ~~SECTION 144.~~ 55.045 of the statutes is amended to read:

4 **55.045 Funding.** The appropriate county department designated under s.
5 55.02 shall, within the limits of available state and federal funds and of county funds
6 required to be appropriated to match state funds, provide for the reasonable program
7 needs of persons who are protectively placed or who receive protective services under
8 this chapter, including reasonable expenses for the evaluations required by ~~sub. s.~~
9 55.06 (8). Payment and collections for protective placement or protective services
10 provided in public facilities specified in s. 46.10 shall be governed in accordance with
11 s. 46.10. The department may require that a person who is protectively placed or
12 receives protective services under this chapter provide reimbursement for services
13 or care and custody received, based on the ability of the person to pay for such costs.

NOTE: Inserts the correct cross-reference. This provision was renumbered from
s. 55.06 (13) by 1995 Wis. Act 92 without taking the cross-reference into account.

14 ~~SECTION 145.~~ The treatment of 59.25 (3) (f) 2. of the statutes by 1997 Wisconsin
15 Act 237 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance.

16 ~~SECTION 146.~~ The treatment of 59.40 (2) (m) of the statutes by 1997 Wisconsin
17 Act 237 is not repealed by 1997 Wisconsin Act 248. Both treatments stand.

NOTE: There is no conflict of substance.

18 ~~SECTION 147.~~ 59.64 (1) (d) 1m. (form) of the statutes, as affected by 1997
19 Wisconsin Acts 250 and 253, is amended to read:

20 59.64 (1) (d) 1m. (form)

21 STATE OF WISCONSIN

1 v.
2
3 IN CIRCUIT COURT FOR COUNTY
4 Complaint for
5 Before, Court Commissioner.
6 Heard the day of,(year)
7 To the County Board of County:

8 I hereby certify that in the foregoing entitled action the following named
9 persons rendered services and attended before me in the capacity stated. I further
10 certify that they the following named persons are severally entitled to the amounts
11 specified below for services, attendance and travel, that the services were actually
12 and necessarily rendered, and that the action was prosecuted in good faith:

13 A.B. (constable or sheriff), actually and necessarily traveled in serving the
14 herein, miles, and attended court days, and is entitled to \$.... for other just
15 and lawful services in the cause, and in all is entitled to \$.....

16 Dated this day of, (year)

NOTE: 1997 Wis. Act 253 deleted the stricken "they" without showing it as stricken
and inserted the underscored "the" without showing it as underscored. The change was
intended.

17 —SECTION 148. 62.09 (7) (e) of the statutes is amended to read:

18 62.09 (7) (e) Whenever a city official in that official's official capacity is
19 proceeded against or obliged to proceed before any court, board or commission, to
20 defend or maintain his or her official position, or because of some act arising out of
21 the performance of that official's official duties, and that official has prevailed in such
22 proceeding, or the council has ordered the proceeding discontinued, the council may

1 provide for payment to such official such sum as it sees fit, to reimburse the official
2 for the expenses reasonably incurred for costs and attorney fees.

NOTE: Inserts necessary word for proper grammar.

3 ~~SECTION 149.~~ 66.076 (1) (a) of the statutes, as affected by 1997 Wisconsin Acts
4 53 and 213, is amended to read:

5 66.076 (1) (a) In addition to all other methods provided by law, any
6 municipality may construct, acquire or lease, extend or improve any plant and
7 equipment within or without its corporate limits for the collection, transportation,
8 storage, treatment and disposal of sewage or storm water and surface water,
9 including the lateral, main and interceptor sewers necessary in connection
10 therewith, and any town, village or city may arrange for the service to be furnished
11 by a metropolitan sewerage district or joint sewerage system. Except as provided in
12 s. 66.60 (6m), payment for a sewerage project or service described in this paragraph,
13 or any part of the ~~such~~ project or service, may be provided from the general fund, from
14 taxation, special assessments, sewerage service charges, or from the proceeds of
15 either municipal obligations, revenue bonds or from any combination of these
16 enumerated methods of financing.

NOTE: Each "or" is added to correct grammar. The interaction of the treatments by
1997 Wis. Acts 53 and 213 renders "such" surplusage.

17 ~~SECTION 150.~~ 66.91 (5) (d) 2. of the statutes is amended to read:

18 66.91 (5) (d) 2. Any city, town or village may collect and tax charges made by
19 it to users in the same manner as water rates are taxed and collected under s. 66.069
20 (1) or 66.071 (1) (e). Charges taxed under this subdivision are a lien upon the
21 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.

~~1~~
~~2~~
3 **SECTION 151.** 70.11 (12) (a) of the statutes, as affected by 1997 Wisconsin Act
4 27, is amended to read:

5 70.11 (12) (a) Property owned by units which are organized in this state of the
6 following organizations: the Salvation Army, the Boy Scouts of America, the Boys'
7 Clubs of America, the Girl Scouts or Camp Fire Girls or any person as trustee for
8 them of property used for the purposes of those organizations, provided no pecuniary
9 profit results to any individual owner or member. ~~(a) Property owned by units which
10 are organized in this state of the following organizations: the Boy Scouts of America,
11 the Boys' Clubs of America, the Girl Scouts or Camp Fire Girls or any person as
12 trustee for them of property used for the purposes of those organizations, provided
13 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.

12 ~~SECTION 152.~~ 70.395 (2) (dg) of the statutes, as affected by 1997 Wisconsin Act
13 27, is amended to read:

14 70.395 (2) (dg) Each person constructing a metalliferous mining site shall pay
15 to the department of revenue for deposit in the investment and local impact fund, as
16 a construction fee, an amount sufficient to make the construction period payments
17 under par. (d) 5. in respect to that site. Any person paying a construction fee under
18 this paragraph may credit against taxes due under s. 70.375 an amount equal to the
19 payments that the taxpayer has made under this paragraph, provided that the credit
20 does not reduce the taxpayer's liability under s. 70.375 below the amount needed to
21 make the first-dollar payments under subds. par. (d) 1., 2. and 2m. for that year in

X

1 respect to the taxpayer's mine. Any amount not creditable because of that limitation
2 in any year may be carried forward.

NOTE: Inserts correct cross-reference. There is no s. 70.395 (2) (dg) 1., 2. and 2m.
Section 70.395 (2) (d) relates to payments under that section.

3 ~~SECTION 153.~~ 70.44 (1) of the statutes, as affected by 1997 Wisconsin Acts 35
4 and 250, is amended to read:

5 70.44 (1) Real or personal property omitted from assessment in any of the 2
6 next previous years, unless previously reassessed for the same year or years, shall
7 be entered once additionally for each previous year of such omission, designating
8 each such additional entry as omitted for the year ~~----~~ of omission and affixing a just
9 valuation to each entry for a former year as the same should then have been assessed
10 according to the assessor's best judgment, and taxes shall be apportioned, using the
11 net tax rate as provided in s. 70.43, and collected on the tax roll for such entry. This
12 section shall not apply to manufacturing property assessed by the department of
13 revenue under s. 70.995.

NOTE: The stricken blank was inserted by 1997 Wis. Act 250, but was rendered
surplusage by the treatment of this provision by 1997 Wis. Act 35.

14 ~~SECTION 154.~~ 70.45 of the statutes as affected by 1997 Wisconsin Act 237 is
15 amended to read:

16 **70.45 Return and examination of rolls.** When the assessment rolls have
17 been completed in cities of the 1st class, they shall be delivered to the commissioner
18 of assessments, in all other cities to the city clerk, in villages to the village clerk and
19 in towns to the town clerk. At least 15 days before the first day on which the
20 assessment rolls are open for examination, these officials shall have published a
21 class 1 notice if applicable, or posted notice, under ch. 985, in anticipation of the roll
22 delivery as provided in s. 70.50, that on certain days, therein named, the assessment

1 rolls will be open for examination by the taxable inhabitants, which notice may
2 assign a day or days for each ward, where there are separate assessment rolls for
3 wards, for the inspection of rolls. The assessor shall be present for at least 2 hours
4 while the assessment roll is open for inspection. Instructional material under s.
5 73.03 ~~(52)~~ (54) shall be available at the meeting. On examination the commissioner
6 of assessments, assessor or assessors may make changes that are necessary to
7 perfect the assessment roll or rolls, and after the corrections are made the roll or rolls
8 shall be submitted by the commissioner of assessments or clerk of the municipality
9 to the board of review.

NOTE: Inserts 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.

10 **SECTION 155.** 70.46 (4) of the statutes, as created by 1997 Wisconsin Act 237,
11 is amended to read:

12 70.46 (4) No board of review may be constituted unless it includes at least one
13 voting member who, within 2 years of the board's first meeting, has attended a
14 training session under s. 73.03 ~~(54)~~ (55) and unless that member is the municipality's
15 chief executive officer or that officer's designee. The municipal clerk shall provide
16 an affidavit to the department of revenue stating whether the requirement under
17 this subsection has been fulfilled.

NOTE: Inserts 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.

18 **SECTION 156.** 70.995 (12) (a) of the statutes, as affected by 1997 Wisconsin Acts
19 35 and 250, is amended to read:

20 70.995 (12) (a) The department of revenue shall prescribe a standard
21 manufacturing property report form that shall be submitted annually for each real

1 estate parcel and each personal property account on or before March 1 by all
2 manufacturers whose property is assessed under this section. The report form shall
3 contain all information ~~deemed~~ considered necessary by the department and shall
4 include, without limitation, income and operating statements, fixed asset schedules
5 and a report of new construction or demolition. Failure to submit the report shall
6 result in denial of any right of redetermination by the state board of assessors or the
7 tax appeals commission. If any property is omitted or understated in the assessment
8 roll in any of the next 5 previous years, the assessor shall enter the value of the
9 omitted or understated property once for each previous year of the omission or
10 understatement. The assessor shall designate each additional entry as omitted or
11 understated for the year ~~---~~ of omission or understatement. The assessor shall affix
12 a just valuation to each entry for a former year as it should have been assessed
13 according to the assessor's best judgment. Taxes shall be apportioned and collected
14 on the tax roll for each entry, on the basis of the net tax rate for the year of the
15 omission, taking into account credits under s. 79.10, and interest shall be added at
16 the rate of 0.0267% per day for the period of time between the date when the form
17 is required to be submitted and the date when the assessor affixes the just valuation.

NOTE: The stricken blank was inserted by 1997 Wis. Act 250, but was rendered
surplusage by the treatment of this provision by 1997 Wis. Act 35.

18 ~~SECTION 157.~~ 71.05 (6) (b) 25. of the statutes is amended to read:

19 71.05 (6) (b) 25. All gains that are not excluded from taxation under subd. 9.,
20 on business assets or on assets used in farming, including shares in a corporation or
21 trust that meets the standards under s. 182.001 (1), or both, held more than one year,
22 that are sold or otherwise disposed of to persons who are related to the seller or
23 transferor by blood, marriage or adoption within the 3rd degree of kinship as that

SECTION 157

1 ~~term is used in s. 852.03 (2)~~ determined under s. 990.001 (16), as computed under the
2 Internal Revenue Code, not including amounts treated as ordinary income for
3 federal income tax purposes because of the recapture of depreciation or any other
4 reason.

NOTE: Section 852.03 (2) was repealed by 1997 Wis. Act 188 and is recreated as s.
990.001 (16) by this bill. See also the treatment of s. 990.001 (16) by this bill.

5 ~~SECTION 158.~~ 71.07 (8) (a) 2. of the statutes, as created by 1997 Wisconsin Act
6 27, is reenacted to read:

7 71.07 (8) (a) 2. If the taxpayer is an individual, the taxpayer files an individual
8 return, and has adjusted gross income of at least \$30,000 but less than \$31,000 in
9 the year to which the claim relates, the amount obtained by subtracting from \$25
10 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.

11 ~~SECTION 159.~~ 71.78 (1m), (2) and (3) of the statutes, as created by 1997
12 Wisconsin Act 323, are renumbered 71.78 (1m) (a), (b) and (c) and amended to read:

13 71.78 (1m) (a) No person, except the person who filed the return or claim, may
14 inspect a return or claim that is filed under this chapter unless that person does so
15 in performing the duties of his or her position. Violation of this ~~subsection~~ paragraph
16 by a state employe is grounds for dismissal.

17 (b) If any person is charged with a violation of ~~sub. (1m) par. (a)~~, the secretary
18 of revenue shall notify each taxpayer whose return or claim was improperly
19 inspected by that person.

20 (c) Any person who is notified under ~~sub. (2) par. (b)~~ may bring an action for
21 damages in regard to the inspection.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and conforms
cross-references. Section 71.78 (2) and (3) previously existed.

1 ~~SECTION 160.~~ 71.83 (2) (a) 3m. of the statutes, as created by 1997 Wisconsin Act
2 323, is amended to read:

3 71.83 (2) (a) 3m. 'Browsing in records.' Any person who violates s. 71.78 (1m)
4 (a) shall upon conviction be fined not less than \$100 nor more than \$500 or
5 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.

6 ~~SECTION 161.~~ 73.0301 (1) (d) 1. of the statutes, as created by 1997 Wisconsin Act
7 237, is amended to read:

8 73.0301 (1) (d) 1. An approval specified in s. ~~29.09 (11r)~~ 29.024 (2r).

NOTE: This bill renumbers s. 29.09 (11r) to be s. 29.024 (2r).

9 ~~SECTION 162.~~ 75.105 (3) of the statutes, as created by 1997 Wisconsin Act 27,
10 is amended to read:

11 75.105 (3) ADMINISTRATION. Upon the cancellation of all or a portion of real
12 property taxes under sub. (2), the county treasurer shall execute and provide to the
13 owner of the property a statement identifying the property for which taxes have been
14 ~~eancelled~~ canceled and shall enter on the tax certificate the date upon which the
15 taxes were ~~eancelled~~ canceled and the amount of taxes ~~eancelled~~ canceled.

NOTE: Inserts preferred spelling.

16 ~~SECTION 163.~~ 75.16 (form) of the statutes is amended to read:

17 75.16 (form)

18 To all to whom these presents shall come, greeting:

19 Whereas,, treasurer of the county of, has deposited in the office of the
20 county clerk of the county of, in the state of Wisconsin, a tax certificate of said
21 county, whereby it appears, as the fact is, that the following described piece (or
22 pieces) or parcel (or parcels) of land lying and being situated in the county of, to

SECTION 163

1 wit: (Here describe the lands) was (or were) included in the tax certificate issued to
 2 the county of on ~~August 15~~, (year) (date), for the nonpayment of real
 3 property taxes, special assessments, special charges or special taxes, in the amount
 4 of dollars and cents, in the whole, which sum was the amount assessed and due
 5 and unpaid on said tract (or several tracts) of land, and whereas it further appears,
 6 as the fact is, that the owner (or owners) or claimant (or claimants) of said land has
 7 (or have) not redeemed from said certificate the lands which were included as
 8 aforesaid, and said lands continue to remain unredeemed, whereby said described
 9 lands have become forfeited and the said county is entitled to a conveyance thereof:

10 Now, therefore, know all by these presents that the county of, in said state,
 11 and the state of Wisconsin, in conformity to law, have given and hereby do give, grant
 12 and convey the tract (or several tracts) of land above described, together with the
 13 hereditaments and appurtenances, to the said county of and its assigns, to their
 14 sole use and benefit forever.

15 In testimony whereof, I,, the clerk of the county of, have executed this deed
 16 pursuant to and in virtue of the authority in me vested by the statutes of the state
 17 of Wisconsin, and for and on behalf of said state and the county of aforesaid, and
 18 have hereunto subscribed my name officially and affixed the seal of the said (name
 19 it), at in said county of, this day of, (year)

20 [L. S.]

21 A. B.

22 (Here give official designation.)

23 Done in presence of

24

25

NOTE: Under the prior statute, tax certificates were issued on August 15, but are now issued on September 1 under s. 74.57. The specific date is eliminated to accommodate possible future changes.

1 —**SECTION 164.** 77.79 (title) of the statutes is amended to read:

2 **77.79 (title) Relation to subchapter subch. III.**

NOTE: Inserts abbreviation consistent with current style.

3 —**SECTION 165.** The treatment of 83.08 (1) of the statutes by 1997 Wisconsin Act
4 253 is not repealed by 1997 Wisconsin Act 282. Both treatments stand.

NOTE: There is no conflict of substance.

5 —**SECTION 166.** 84.095 of the statutes, as created by 1997 Wisconsin Act 91, is
6 renumbered 84.093.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 282 also created a provision numbered s. 84.095.

7 —**SECTION 167.** 94.64 (6) of the statutes, as affected by 1997 Wisconsin Act 27, is
8 amended to read:

9 **94.64 (6) RECORDS.** A person who manufactures, sells or distributes fertilizer
10 in this state shall keep records showing the grades and quantities of fertilizer
11 manufactured, sold or distributed in this state. The person shall keep the records
12 relating to the 12 months covered by a report under ~~par. sub. (5)~~ (a) 1. for at least 24
13 months following the date of filing the report. The person shall make the records
14 available to the department for inspection and copying upon request.

NOTE: Inserts the correct cross-reference. There is no s. 94.64 (6) (a) 1. Reporting is required under s. 94.64 (5) (a) 1.

15 —**SECTION 168.** 95.60 (4s) (b) of the statutes, as created by 1997 Wisconsin Act 27,
16 is amended to read:

17 **95.60 (4s) (b)** In consultation with the department of natural resources,
18 promulgate rules specifying fish health standards and requirements for certifying
19 that fish meet those standards for the purpose of s. ~~29.53~~ 29.736.

NOTE: Inserts correct cross-reference. 1997 Wis. Act 248 renumbered s. 29.53 to s. 29.736.

1 ~~SECTION 169.~~ 100.209 of the statutes, as created by 1997 Wisconsin Act 260, is
2 renumbered 100.2095.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act 111 renumbered s. 134.42 to be s. 100.209.

3 ~~SECTION 170.~~ 100.26 (2) of the statutes, as affected by 1997 Wisconsin Acts 253
4 and 283, is amended to read:

5 100.26 (2) Any person violating s. 100.02 shall be fined not less than \$50 nor
6 more than \$3,000 or imprisoned for not less than 30 days nor more than ~~3~~ 4 years and
7 6 months or both.

NOTE: The stricken "3" was inserted by 1997 Wis. Act 253, but was rendered without effect by the treatment of this provision by 1997 Wis. Act 283.

8 ~~SECTION 171.~~ 101.132 (2)(c) 2. of the statutes, as affected by 1997 Wisconsin Act
9 237, section 347, is amended to read:

10 101.132 (2) (c) 2. The department may grant a variance from the requirements
11 relating to exterior accessibility under par. (a) 1. or (b), or from administrative rules
12 promulgated under par. (e) 2. ~~or 3.~~, if the person designing, constructing or
13 remodeling the housing shows that meeting those requirements is impractical
14 because of the terrain or unusual characteristics of the site. The department shall
15 use a slope analysis of the undisturbed site for covered multifamily housing under
16 par. (a) or the existing site for remodeling under par. (b) to determine the minimum
17 number of accessible entrances at each site, with a minimum goal of exterior
18 accessibility of 50% of the dwelling units of covered multifamily housing at one site.
19 The department may impose specific conditions in granting a variance to promote
20 exterior accessibility of the housing to persons with disabilities. If the department

1 finds that exterior accessibility is impractical as to all dwelling units at a site, it may
2 grant a waiver from the requirements under par. (a) 1. or (b).

NOTE: There is no s. 101.132 (2) (e) 3.

3 ~~SECTION 172.~~ The treatment of 104.07 (2) of the statutes by 1997 Wisconsin Act
4 112 is not repealed by 1997 Wisconsin Act 237. Both treatments stand.

NOTE: There is no conflict of substance.

5 ~~SECTION 173.~~ The treatment of 114.33 (6) of the statutes by 1997 Wisconsin Act
6 253 is not repealed by 1997 Wisconsin Act 282. Both treatments stand.

NOTE: There is no conflict of substance.

7 ~~SECTION 174.~~ 115.28 (21) of the statutes is repealed.

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

8 ~~SECTION 175.~~ 115.28 (24) of the statutes is amended to read:

9 115.28 (24) PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to
10 local community organizations under sub. (21) and to school boards under ss. 115.36
11 and 115.362, and in awarding grants from federal funds received under 20 USC 2301
12 to 2471, 20 USC 4601 to 4665 and 29 USC 1602 (b) (1), to programs that provide more
13 than one of the educational services specified under ~~sub. (21)~~, s. 115.36, 115.362,
14 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471, 20 USC 4601 to 4665
15 or 29 USC 1602 (b) (1).

NOTE: See the previous section of this bill.

16 ~~SECTION 176.~~ 115.42 of the statutes, as created by 1997 Wisconsin Act 298, is
17 renumbered 115.425.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 1997 Wis. Act
237 also creates a provision numbered s. 115.42.

18 ~~SECTION 177.~~ The treatment of 116.032 (1) of the statutes by 1997 Wisconsin
19 Act 237 is not repealed by 1997 Wisconsin Act 238. Both treatments stand.

NOTE: There is no conflict of substance.

1 —SECTION 178. The treatment of 116.08 (4) of the statutes by 1997 Wisconsin Act
2 164 is not repealed by 1997 Wisconsin Act 238. Both treatments stand.

NOTE: There is no conflict of substance.

3 —SECTION 179. The treatment of 117.05 (1m) of the statutes by 1997 Wisconsin
4 Act 27 is not repealed by 1997 Wisconsin Act 286. Both treatments stand.

NOTE: There is no conflict of substance.

5 —SECTION 180. The treatment of 117.05 (9) (a) (intro.) of the statutes by 1997
6 Wisconsin Act 27 is not repealed by 1997 Wisconsin Act 286. Both treatments stand.

NOTE: There is no conflict of substance.

7 —SECTION 181. 117.05 (9) (b) of the statutes, as affected by 1997 Wisconsin Acts
8 27 and 286, is amended to read:

9 117.05 (9) (b) The clerk of the school district ordering the dissolution or
10 requesting review shall pay the fee under par. (a) 3. or 4. to the state superintendent.
11 The clerk of each affected school district shall pay the fee under par. (a) 1. to the
12 ~~department~~ state superintendent. The ~~department~~ state superintendent shall
13 allocate the fee under par. (a) 1. among the school districts from which territory is
14 being detached to create a new school district if there is more than one such school
15 district. The secretary of the board shall forward the fees collected under par. (a) 1.
16 and 5. to the state superintendent.

NOTE: 1997 Wis. Act 286 inserted the stricken language without taking into
account the treatment of this provision by 1997 Wis. Act 27. 1997 Wis. Act 27 changed
the other references to department contained in this paragraph to state superintendent.

17 —SECTION 182. The treatment of 117.30 (1) of the statutes by 1997 Wisconsin Act
18 27 is not repealed by 1997 Wisconsin Act 286. Both treatments stand.

NOTE: There is no conflict of substance.

19 —SECTION 183. 118.30 (2) (b) 1. of the statutes, as affected by 1997 Wisconsin Act
20 164, is amended to read:

1 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under
2 subch. V of ch. 115, the school board shall comply with s. 115.77 (1) (1m) (bg).

NOTE: Corrects cross-reference. There is no s. 115.77 (1) (bg).

3 ~~SECTION 184.~~ The treatment of 119.04 (1) of the statutes by 1997 Wisconsin Acts
4 77, 113 and 240 is not repealed by 1997 Wisconsin Act 335. All treatments stand.

NOTE: There is no conflict of substance.

5 ~~SECTION 185.~~ The treatment of 121.14 (1) of the statutes by 1997 Wisconsin Act
6 164 is not repealed by 1997 Wisconsin Act 240. Both treatments stand.

NOTE: There is no conflict of substance.

7 ~~SECTION 186.~~ 121.15 (3m) (b) of the statutes, as affected by 1997 Wisconsin Acts
8 113 and 237, is amended to read:

9 121.15 (3m) (b) ~~May 15, 1999~~ Annually by May 15, the department, the
10 department of administration and the legislative fiscal bureau shall jointly certify
11 to the joint committee on finance an estimate of the amount necessary to appropriate
12 under s. 20.255 (2) (ac) in the following school year to ensure that the sum of state
13 school aids and the school levy tax credit under s. 79.10 (4) equals two-thirds of
14 partial school revenues.

Act 113, s. 40, repealed by Act 237, s. 727 p.

NOTE: The stricken language was inserted by 1997 Wis. Act 237, but rendered surplusage by the treatment of this provision by 1997 Wis. Act 113.

15 ~~SECTION 187.~~ 121.90 (2) (intro) and (a) of the statutes, as affected by 1997
16 Wisconsin Acts ^{113,} 237 and 286, are amended to read:

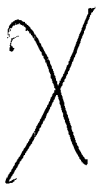
17 121.90 (2) "State aid" means aid under ss. 121.08, 121.09 and 121.105 and
18 subch. VI, as calculated for the current school year on October 15 under s. 121.15 (4),
19 and ~~payments made to the school district~~ ^{amounts under s. 79.025(4) for} the current school year ~~under s. 121.15 (4)~~

20 ~~and~~ except that "state aid" excludes all of the following:

X

SECTION 187

- 1 (a) Any additional aid that a school district receives as a result of ss. 121.07 (6)
2 (e) 1. and (7) (e) 1. and 121.105 (3) for school district consolidations that are effective
3 on or after July 1, 1995, as determined by the department. "State aid" also includes
4 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. "Amounts" is changed to "payments" for the purpose of making the cross-reference more specific by using the same term used in s. 79.095. School district is added to clarify that this provision does not refer to those payments to other local governmental units under s. 79.092(4). "79.095" is changed to "79.095 (4)" to specify the part within that statute that relates to payments.

- 5 —SECTION 188. The treatment of 121.905 (3) (a) of the statutes by 1997 Wisconsin
6 Acts 113 and 164 is not repealed by 1997 Wisconsin Act 286. All treatments stand.

NOTE: There is no conflict of substance.

- 7 —SECTION 189. The treatment of 121.905 (3) (b) of the statutes by 1997 Wisconsin
8 Act 164 is not repealed by 1997 Wisconsin Act 286. All treatments stand.

NOTE: There is no conflict of substance.

- 9 —SECTION 190. The treatment of 121.91 (3) (c) of the statutes by 1997 Wisconsin
10 Act 113 is not repealed by 1997 Wisconsin Act 237. Both treatments stand.

NOTE: There is no conflict of substance.

- 11 —SECTION 191. 128.17 (1) (d) of the statutes is amended to read:

12 128.17 (1) (d) Wages, including pension, welfare and vacation benefits, due to
13 workmen, clerks, traveling or city salesmen salespersons or servants, which have
14 been earned within 3 months before the date of the commencement of the
15 proceedings, not to exceed \$600 to each claimant.

NOTE: Replaces gender specific word form.

- 16 —SECTION 192. 138.09 (1m) (b) 2. b. of the statutes, as affected by 1997 Wisconsin
17 Act 237, is amended to read:



1 138.09 (1m) (b) 2. b. The division may disclose information under subd. 1. a.
2 to the department of ~~industry, labor and job~~ workforce development in accordance
3 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.

4 —**SECTION 193.** 138.12 (3) (d) 2. b. of the statutes, as affected by 1997 Wisconsin
5 Act 237, is amended to read:

6 138.12 (3) (d) 2. b. The division may disclose information under subd. 1. a. to
7 the department of ~~industry, labor and job~~ workforce development in accordance with
8 a memorandum of understanding under s. 49.857.

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

9 —**SECTION 194.** 146.34 (1) (j) of the statutes, as affected by 1997 Wisconsin Act
10 188, is amended to read:

11 146.34 (1) (j) “Relative” means a parent, grandparent, stepparent, brother,
12 sister, first cousin, nephew or niece; or uncle or aunt within the 3rd degree of kinship
13 as computed under s. ~~852.03 (2), 1995 stats. 990.001 (16)~~. This relationship may be
14 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.

15 —**SECTION 195.** 146.40 (1) (d) of the statutes, as affected by 1997 Wisconsin Act
16 156, is amended to read:

17 146.40 (1) (d) “Nurse’s assistant” means an individual who performs routine
18 patient care duties delegated by a registered nurse or licensed practical nurse who
19 supervises the individual, for the direct health care of a patient or resident. “Nurse’s
20 assistant” does not mean an individual who is licensed, permitted, certified or
21 registered under subch. ~~X~~ XI of ch. 440 or ch. 441, 448, 449, 450, 451, 455 or 459 or

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1 an individual whose duties primarily involve skills that are different than those
2 taught in instructional and competency evaluation programs for nurse's assistants
3 certified under sub. (3) or evaluated by competency evaluation programs for nurse's
4 assistants approved under sub. (3m).

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

5 — **SECTION 196.** The treatment of 146.81 (1) (em) of the statutes by 1997
6 Wisconsin Act 75 is not repealed by 1997 Wisconsin Act 175. Both treatments stand.

NOTE: There is no conflict of substance.

7 — **SECTION 197.** 146.81 (1) (hp) of the statutes, as created by 1997 Wisconsin Act
8 156, is amended to read:

9 146.81 (1) (hp) A massage therapist or bodyworker issued a license of
10 registration under subch. ~~X~~ XI of ch. 440.

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

11 — **SECTION 198.** 146.82 (2) (a) 18. of the statutes, as created by 1997 Wisconsin Act
12 272, is renumbered 146.82 (2) (a) 18m.

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

13 — **SECTION 199.** 153.01 (4d) of the statutes, as created by 1997 Wisconsin Act 231,
14 is repealed.

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

15 — **SECTION 200.** 157.061 (7) of the statutes, as affected by 1997 Wisconsin Act 188,
16 is amended to read:

17 157.061 (7) "Family member" means a spouse or an individual related by blood,
18 marriage or adoption within the 3rd degree of kinship as computed under s. ~~852.03~~
19 ~~(2), 1995 stats.~~ 990.001 (16).

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