

SECTION 137. 71.28 (1dm) (k) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.28 (1dm) (k) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4) ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill. ✓

SECTION 138. 71.28 (1dx) (a) 2. of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.28 (1dx) (a) 2. "Development zone" means a development zone under s. 560.70, a development opportunity zone under s. 560.795, an enterprise development zone under s. 560.797, an agricultural development zone under s. 560.798, or an airport development zone under s. ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

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SECTION 139. 71.28 (1dx) (b) (intro.) of the statutes, as affected by 2005 Wisconsin Act 25, is amended to read:

71.28 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4), any person may claim as a credit against the taxes otherwise due under this chapter the following amounts:

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

→ (9) *****NOTE: See my change in action phrase. CJS

SECTION 140. 71.28 (1dx) (c) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.28 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, or if the person becomes ineligible for tax benefits under s. 560.795 (3), that person may not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill. ✓

SECTION 141. 71.28 (1dx) (d) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

strike 71.28 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4) for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

→ (H) ***NOTE: See my change to cited text. CJS

from s. 71.28(4)(a)

SECTION 142. The treatment of 71.28 (4) (a) of the statutes by 2005 Wisconsin Act 25 is not repealed by 2005 Wisconsin Act 452. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 71.28 (4) (ad) 1., as renumbered by 2005 Wis. Act 452, reads:

1. Except as provided in subs. 2. and 3., any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under subs. (1dj) and (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (d), (df), and (dh). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

SECTION 143. The treatment of 71.28 (4) (am) 1. of the statutes by 2005 Wisconsin Act 25 is not repealed by 2005 Wisconsin Act 452. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 71.28 (4) (am) 1. reads:

1. In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (d), (df), and (dh) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this subdivision. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this subdivision. Section 41 (h) of the Internal Revenue Code does not apply to the credit under this subdivision.

SECTION 144. The treatment^s of 71.34 (1) (g) of the statutes by 2005 Wisconsin Acts 74, 361 and 479^{are} is not repealed by 2005 Wisconsin Act 483. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor^s s. 71.34 (1) (g) reads:

(g) An addition shall be made for credits computed by a tax-option corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1dm), (1ds), (1dx), (3), (3g), (3n), (3t), (3w), (5b), (5e), (5f), (5g), and (5h) and passed through to shareholders. ✓

SECTION 145. The treatment^s of 71.45 (2) (a) 10. of the statutes by 2005 Wisconsin Acts 74, 361 and 479^{are} is not repealed by 2005 Wisconsin Act 483. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor^s s. 71.45 (2) (a) 10. reads:

10. By adding to federal taxable income the amount of credit computed under s. 71.47 (1dd) to (1dx), (3n), (3w), (5b), (5e), (5f), (5g), and (5h) and not passed through by a partnership, limited liability company, or tax-option corporation that has added that amount to the partnership's, limited liability company's, or tax-option corporation's income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under s. 71.47 (1), (3), (3t), (4), and (5).

SECTION 146. 71.47 (1dm) (a) 1. of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dm) (a) 1. "Certified" means entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4).

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill. ✓

SECTION 147. 71.47 (1dm) (a) 3. of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dm) (a) 3. "Development zone" means a development opportunity zone under s. 560.795 (1) (e) and (f) or 560.798, or an airport development zone under s. ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

SECTION 148. 71.47 (1dm) (f) 1. of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dm) (f) 1. A copy of a verification from the department of commerce that the claimant may claim tax benefits under s. 560.795 (3) (a) 4. or is certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4).

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

SECTION 149. 71.47 (1dm) (j) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dm) (j) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits becomes ineligible for such tax benefits, or if a person's certification under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, that person may claim no credits under this subsection for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years, and that person may carry over no unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which the person becomes ineligible for tax benefits, the taxable year that includes the day on which the certification is revoked, or succeeding taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

SECTION 150. 71.47 (1dm) (k) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dm) (k) If a person who is entitled under s. 560.795 (3) (a) 4. to claim tax benefits or certified under s. 560.795 (5), 560.798 (3), or ~~560.799~~ 560.7995 (4) ceases business operations in the development zone during any of the taxable years

that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill. ✓

SECTION 151. 71.47 (1dx) (a) 2. of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dx) (a) 2. "Development zone" means a development zone under s. 560.70, a development opportunity zone under s. 560.795 or an enterprise development zone under s. 560.797, an agricultural development zone under s. 560.798, or an airport development zone under s. ~~560.799~~ 560.7995.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill. ✓

SECTION 152. 71.47 (1dx) (b) (intro.) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dx) (b) *Credit.* (intro.) Except as provided in pars. (be) and (bg) and in s. 73.03 (35), and subject to s. 560.785, for any taxable year for which the person is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4), any person may claim as a credit against the taxes otherwise due under this chapter the following amounts:

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

SECTION 153. 71.47 (1dx) (c) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dx) (c) *Credit precluded.* If the certification of a person for tax benefits under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4) is revoked, or if the person becomes ineligible for tax benefits under s. 560.795 (3), that person may

not claim credits under this subsection for the taxable year that includes the day on which the certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years and that person may not carry over unused credits from previous years to offset tax under this chapter for the taxable year that includes the day on which certification is revoked; the taxable year that includes the day on which the person becomes ineligible for tax benefits; or succeeding taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

SECTION 154. 71.47 (1dx) (d) of the statutes, as affected by 2005 Wisconsin Act 487, is amended to read:

71.47 (1dx) (d) *Carry-over precluded.* If a person who is entitled under s. 560.795 (3) to claim tax benefits or certified under s. 560.765 (3), 560.797 (4), 560.798 (3), or ~~560.799~~ 560.7995 (4) for tax benefits ceases business operations in the development zone during any of the taxable years that that zone exists, that person may not carry over to any taxable year following the year during which operations cease any unused credits from the taxable year during which operations cease or from previous taxable years.

NOTE: Section 560.799, as created by 2005 Wis. Act 487, is renumbered s. 560.7995 by this bill.

SECTION 155. The treatment of 71.47 (4) (a) of the statutes by 2005 Wisconsin Act 25 is not repealed by 2005 Wisconsin Act 452. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor ^{s.} 71.47 (4) (ad) 1., as renumbered by 2005 Wis. Act 452, reads:

1. Except as provided in subds. 2. and 3., any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department

From 71.47(4)(a)

permits its revocation, except as provided in par. (af), and except that "qualified research expenses" does not include compensation used in computing the credit under subs. (1dj) and (1dx), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (d), (df), and (dh). Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph.

SECTION 156. The treatment of 71.47 (4) (am) of the statutes by 2005 Wisconsin Act 25 is not repealed by 2005 Wisconsin Act 452. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor ⁵s. 71.47 (4) (am) reads:

(am) *Development zone additional research credit.* In addition to the credit under par. (ad), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5 percent of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the Internal Revenue Code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560, except that a taxpayer may elect the alternative computation under section 41 (c) (4) of the Internal Revenue Code and that election applies until the department permits its revocation and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base amount, as defined in section 41 (c) of the Internal Revenue Code, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1. and 2., (d), (df), and (dh) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of commerce verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (h) of the Internal Revenue Code does not apply to the credit under this paragraph. No credit may be claimed under this paragraph for taxable years that begin on January 1, 1998, or thereafter. Credits under this paragraph for taxable years that begin before January 1, 1998, may be carried forward to taxable years that begin on January 1, 1998, or thereafter.

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SECTION 157. The treatment of 71.935 (1) (a) of the statutes by 2005 Wisconsin Act 25 is not repealed by 2005 Wisconsin Act 454. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor ⁵s. 71.935 (1) (a) reads:

(a) "Debt" means a parking citation of at least \$20 that is unpaid and for which there has been no court appearance by the date specified in the citation or, if no date is specified, that is unpaid for at least 28 days; an unpaid fine, fee, restitution or forfeiture of at least \$20; and any other debt that is at least \$20, including debt related to property taxes, if the debt has been reduced to a judgment or the municipality or county to which

④ *****NOTE: See my change in action phrase. CJS

the debt is owed has provided the debtor reasonable notice and an opportunity to be heard with regard to the debt.

SECTION 158. The treatment^s of 77.92 (4) of the statutes by 2005 Wisconsin Acts 74, 361 and 479 ^{are} is not repealed by 2005 Wisconsin Act 483. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor^s s. 77.92 (4) reads:

(4) "Net business income," with respect to a partnership, means taxable income as calculated under section 703 of the Internal Revenue Code; plus the items of income and gain under section 702 of the Internal Revenue Code, including taxable state and municipal bond interest and excluding nontaxable interest income or dividend income from federal government obligations; minus the items of loss and deduction under section 702 of the Internal Revenue Code, except items that are not deductible under s. 71.21; plus guaranteed payments to partners under section 707 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de), (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (3g), (3s), (3n), (3t), (3w), (5b), (5e), (5f), (5g), and (5h); and plus or minus, as appropriate, transitional adjustments, depreciation differences, and basis differences under s. 71.05 (13), (15), (16), (17), and (19); but excluding income, gain, loss, and deductions from farming. "Net business income," with respect to a natural person, estate, or trust, means profit from a trade or business for federal income tax purposes and includes net income derived as an employee as defined in section 3121 (d) (3) of the Internal Revenue Code.

SECTION 159. 101.985 (4) of the statutes is amended to read:

as created by 2005 Wisconsin Act 456

101.985 (4) **CRIMINAL BACKGROUND CHECK.** Upon receipt of an application for a license under sub. (1), (2) (a), or (3), the department, with the assistance of the department of justice, shall conduct a background investigation of the applicant to determine if the information provided by the applicant under sub. (7) (a) 10. is true and if the applicant has any arrests or convictions tending to indicate that the applicant is not adequately qualified and able to provide services authorized under the license applied for.

B

NOTE: Inserts missing article.

④ *****NOTE: See my change in action phrase. Also, the Act 456 treatment has a delayed effective date that necessitates a

SECTION 160. The treatment of 111.01 (2) of the statutes by 2005 Wisconsin Act 253 is not repealed by 2005 Wisconsin Act 441. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor^s s. 111.01 (2) reads:

(2) Industrial peace, regular and adequate income for the employee, and uninterrupted production of goods and services are promotive of all of these interests. They are largely dependent upon the maintenance of fair, friendly, and mutually satisfactory employment relations and the availability of suitable machinery for the peaceful adjustment of whatever controversies may arise. It is recognized that certain

a delayed effective date provision in this bill as well. CJS

employers, including farmers, farmer cooperatives, and unincorporated farmer cooperative associations, in addition to their general employer problems, face special problems arising from perishable commodities and seasonal production which require adequate consideration. It is also recognized that whatever may be the rights of disputants with respect to each other in any controversy regarding employment relations, they should not be permitted, in the conduct of their controversy, to intrude directly into the primary rights of 3rd parties to earn a livelihood, transact business, and engage in the ordinary affairs of life by any lawful means and free from molestation, interference, restraint, or coercion.

SECTION 161. 115.76 (12) (b) 2. of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

115.76 (12) (b) 2. The state, a county, or a child welfare agency, if a child was made a ward of the state, county, or child welfare agency under ch. 880, 2003 stats., or ch. 54 or ch. 880, 2003 stats., or if a child has been placed in the legal custody or guardianship of the state, county, or child welfare agency under ch. 48 or ch. 767.

NOTE: Places cross-references in correct order according to current style.

SECTION 162. 146.34 (1) (d) of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

146.34 (1) (d) "Guardian" means the person named by the court under ch. 880, 2003 stats., or ch. 48 or 54 or ch. 880, 2003 stats., having the duty and authority of guardianship.

NOTE: Places cross-references in correct order according to current style.

SECTION 163. 146.82 (2) (a) 7. of the statutes, as affected by 2005 Wisconsin Act 388, is amended to read:

146.82 (2) (a) 7. To an elder-adult-at-risk agency designated under s. 46.90 (2) or other investigating agency under s. 46.90 for purposes of s. 46.90 (4) and (5) or to an adult-at-risk agency designated under s. 55.02 for purposes of s. 55.043 (1d). The health care provider may release information by initiating contact with the elder-adult-at-risk agency or adult-at-risk agency without receiving a request for

release of the information from the elder-adult-at-risk agency or adult-at-risk agency.

NOTE: 2005 Wis. Act 388 created substantively identical provisions requiring each county to create an adult-at risk-agency by amending s. 55.02 to read in part: "Each county board shall designate an agency to serve as the adult-at-risk agency for purposes of s. 55.043," and by creating s. 55.043 (1d) to read: "Each county board shall designate an agency as the adult-at-risk agency for the purposes of this section." 2005 Wis. Act 264 repealed and recreated s. 55.02, removing the requirement of designating the board from that section, but leaving the requirement under s.55.043 (1d). This provision is amended accordingly.

SECTION 164. 146.82 (2) (a) 9. a. of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

146.82 (2) (a) 9. a. In this subdivision, "abuse" has the meaning given in s. 51.62 (1) (ag); "neglect" has the meaning given in s. 51.62 (1) (br); and "parent" has the meaning given in s. 48.02 (13), except that "parent" does not include the parent of a minor whose custody is transferred to a legal custodian, as defined in s. 48.02 (11), or for whom a guardian is appointed under s. 880.33, 2003 stats., or s. 54.10 or s. 880.33, 2003 stats.

NOTE: Places cross-references in correct order according to current style.

SECTION 165. 146.82 (2) (a) 9. c. of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

146.82 (2) (a) 9. c. If the patient, regardless of age, has a guardian appointed under s. 880.33, 2003 stats., or s. 54.10 or s. 880.33, 2003 stats., or if the patient is a minor with developmental disability, as defined in s. 51.01 (5) (a), who has a parent or has a guardian appointed under s. 48.831 and does not have a guardian appointed under s. 880.33, 2003 stats., or s. 54.10 or s. 880.33, 2003 stats., information concerning the patient that is obtainable by staff members of the agency or nonprofit corporation with which the agency has contracted is limited, except as provided in subd. 9. e., to the nature of an alleged rights violation, if any; the name, birth date

and county of residence of the patient; information regarding whether the patient was voluntarily admitted, involuntarily committed or protectively placed and the date and place of admission, placement or commitment; and the name, address and telephone number of the guardian of the patient and the date and place of the guardian's appointment or, if the patient is a minor with developmental disability who has a parent or has a guardian appointed under s. 48.831 and does not have a guardian appointed under s. 880.33, 2003 stats., or s. 54.10 or s. 880.33, 2003 stats., the name, address and telephone number of the parent or guardian appointed under s. 48.831 of the patient.

NOTE: Places cross-references in correct order according to current style.

✓ **SECTION 166.** 182.0715 (2r) of the statutes, as created by 2005 Wisconsin Act 425, is renumbered 182.0175 (2r). ✓

NOTE: Corrects transposed numbers. There is no s. 182.0715. ✓

SECTION 167. 193.471 (2) (a) 5. of the statutes is amended to read:

193.471 (2) (a) 5. In the case of acts or omissions committed in an official capacity, as defined in sub. (1) (a) 1. or 2., the potential litigant reasonably believed that the acts or omissions were in the best interests of the cooperative or predecessor cooperative, as applicable, and, in the case of acts or omissions committed in an official capacity, as defined in sub. (1) (e) (a) 3. or 4., the potential litigant reasonably believed that the conduct was not opposed to the best interests of the cooperative or predecessor cooperative, as applicable. If the acts or omissions relate to conduct as a director, officer, trustee, employee, or agent of an employee benefit plan, the conduct is not considered to be opposed to the best interests of the cooperative or predecessor cooperative if the potential litigant reasonably believed that the conduct

④ **** NOTE: Should the action phrase include "as created by 2005 Wisconsin Act 441_s"? CJS

was in the best interests of the participants or beneficiaries of the employee benefit plan.

NOTE: Corrects cross-reference. There is no s. 193.471 (1) (c) 3. or 4. "Official capacity" is defined in s. 193.471 (1) (a).

SECTION 168. 214.37 (4) (k) 1. of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

214.37 (4) (k) 1. An affidavit stating that the person has standing under s. 867.01 (3) (ac) or 867.02 (2) (ac) to petition for summary settlement or assignment of a decedent's estate or that the person is an heir of the decedent, or was guardian, as defined in s. 880.01 (3), 2003 stats., or s. 54.01 (10) or s. 880.01 (3), 2003 stats., of the decedent at the time of the decedent's death, and may obtain transfer of property of a decedent under s. 867.03.

NOTE: Places cross-references in correct order according to current style.

SECTION 169. 215.26 (8) (e) 1. of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

215.26 (8) (e) 1. Submits an affidavit stating that the person has standing under s. 867.01 (3) (ac) or 867.02 (2) (ac) to petition for summary settlement or assignment of a decedent's estate or that the person is an heir of the decedent, or was guardian, as defined in s. 880.01 (3), 2003 stats., or s. 54.01 (10) or s. 880.01 (3), 2003 stats., of the decedent at the time of the decedent's death, and may obtain transfer of property of a decedent under s. 867.03; and

NOTE: Places cross-references in correct order according to current style.

SECTION 170. 218.04 (1) (a) of the statutes, as affected by 2005 Wisconsin Acts 158 and 462, is amended to read:

218.04 (1) (a) "Collection agency" means any person engaging in the business of collecting or receiving for payment for others of any account, bill or other

indebtedness. It shall not include attorneys at law authorized to practice in this state and resident herein, banks, express companies, state savings banks, state savings and loan associations, insurers and their agents, trust companies, district attorneys acting under s. 971.41, persons contracting with district attorneys under s. 971.41 (5),[✓] real estate brokers, and real estate salespersons.

NOTE: The underscored comma was removed by 2005 Wis. Act 158 but was required by the addition of text by 2005 Wis. Act 462. The stricken comma was inserted by 2005 Wis. Act 462 but was rendered surplusage by 2005 Wis. Act 158. ✓

SECTION 171. 234.63 (2) (b) of the statutes, as created by 2005 Wisconsin Act 487, is amended to read:

234.63 (2) (b) The limits in ss. 234.18 (1), 234.40, 234.50, 234.60, 234.61, 234.65, and 234.66 do not apply to bonds issued under par. (a).

NOTE: Corrects cross-reference consistent with s. 234.66 (3) (b). Section 234.18 is not divided into subsections. ✓

SECTION 172. 253.15 (8) of the statutes, as created by 2005 Wisconsin Act 165, is amended to read:

253.15 (8) Identification of shaken or impacted babies. The department of health and family services shall identify all infants and young children who have shaken baby syndrome or who are impacted babies and all infants and young children who have died as a result of being shaken or thrown by using the statewide automated child welfare information system established under s. 46.03 (7) (g) (7g) and child fatality information compiled by the department of justice. For each infant or young child so identified, the department of health and family services shall document the age, sex, and other characteristics of the infant or young child that are relevant to the prevention of shaken baby syndrome and impacted babies and, if known, the age, sex, employment status, and residence of the person who shook or threw the infant or young child, the relationship of that person to the infant or young

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child, and any other characteristics of that person that are relevant to the prevention of shaken baby syndrome and impacted babies.

NOTE: Inserts correct cross-reference. Section 46.03 (7) (g) was renumbered to s. 46.03 (7g) by 2005 Wis. Act 406. ✓

SECTION 173. 255.05 (1) (b) of the statutes is amended to read:

255.05 (1) (b) "Nonprofit corporation" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).
~~"Nonprofit corporation" means a nonstock corporation organized under ch. 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).~~

NOTE: The text of the provision was printed twice. The correct text is shown in the published volumes.

SECTION 174. 281.35 (1) (b) 2. of the statutes is amended to read:

281.35 (1) (b) 2. If subd. 1. does not apply, the highest average daily water loss over any 30-day period that is reported to the department or the public service commission under sub. (3) (c) or s. 281.17 (1), 2001 stats., or s. 30.18 (6) (c), 196.98, 281.34, or 281.41 ~~or s. 281.17 (1), 2001 stats.~~ ✓

NOTE: Places cross-references in correct order in accordance with current style.

SECTION 175. 292.15 (7) (d) of the statutes is amended to read:

292.15 (7) (d) A solid waste facility that was licensed under ~~s. 289.31~~ or s. 144.44, 1993 stats., or s. 289.31. ✓

NOTE: Places cross-references in correct order in accordance with current style.

SECTION 176. 292.23 (3) (f) of the statutes is amended to read:

292.23 (3) (f) Subsection (2) does not apply to a solid waste facility that was licensed under ~~s. 289.31~~ or s. 144.44, 1993 stats., or s. 289.31.

NOTE: Places cross-references in correct order in accordance with current style.

SECTION 177. 301.03 (3c) of the statutes is amended to read:

⑨ ~~NOTE:~~
Should the
action phrase
"as created by
2005 Wisconsin
Act 418" be
CJS?

301.03 (3c) If requested by the department of health and family services, contract with that department to supervise and provide services to persons who are conditionally transferred or discharged under s. 51.37 (9), conditionally released under s. 971.17 (3), or placed on supervised release under s. 980.06 (2), 1997 stats., or s. 980.08.

NOTE: Inserts a serial comma. The change is shown in the printed volumes.

SECTION 178. 301.03 (20) of the statutes, as created by 2005 Wisconsin Act 451, is renumbered 301.03 (20m).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 431 also created a provision numbered s. 301.03 (20).

SECTION 179. 301.48 (2) (b) 2. of the statutes, as created by 2005 Wisconsin Act

431, is amended to read:

STET: leave as typed

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

5

NOTE: Section 980.10 was repealed by 2005 Wis. Act 434, which changed all existing cross-references to s. 980.10 to s. 980.10, 2003 stats.

SECTION 180. 301.48 (3) (c) of the statutes, as created by 2005 Wisconsin Act

431, is amended to read:

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

9 ***** Note: A delayed effective date is needed

because the provision was created with a delayed effective date. CJS

9

***NOTE: A delayed effective date is needed. ~~the~~ ~~provision~~ ~~was~~ ~~created~~ ~~with~~ ~~a~~ ~~delayed~~ ~~effective~~ ~~date.~~

because the provision was created with a delayed effective date. CJS

release, or supervised release. In creating inclusion zones for a person on supervised release, the department shall consider s. 980.08 (7) (9). 5r

NOTE: Section 980.08 (7), as created by 2005 Wis. Act 431, is renumbered s. 980.08 (9) by this bill.

SECTION 181. 343.16 (5) (a) of the statutes is amended to read:

343.16 (5) (a) The secretary may require any applicant for a license or any licensed operator to submit to a special examination by such persons or agencies as the secretary may direct to determine incompetency, physical or mental disability, disease, or any other condition that might prevent such applicant or licensed person from exercising reasonable and ordinary control over a motor vehicle. If the department requires the applicant to submit to an examination, the applicant shall pay for the examination. If the department receives an application for a renewal or duplicate license after voluntary surrender under s. 343.265 or receives a report from a physician, advanced practice nurse prescriber certified under s. 441.16 (2), or optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests within a one-year period for any combination of violations of s. 346.63 (1) or (5) or a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally recognized American Indian tribe or band in this state in conformity with s. ~~346.63 (1) or (5)~~, or s. 346.63 (1m), 1985 stats., or s. 346.63 (1) or (5), 346.63 (2) or (6) or, 940.25, or s. 940.09 where the offense involved the use of a vehicle, the department shall determine, by interview or otherwise, whether the operator should submit to an examination under this section. The examination may consist of an assessment. If the examination indicates that education or treatment for a disability, disease or condition concerning the use of alcohol, a controlled substance or a controlled substance analog is appropriate, the department may order a driver safety plan in

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~~scribble~~

④ ***** NOTE: The cross references are not in a simple list ~~change remaining~~ and -75- your proposed LRB-0495/Plins changes ~~change remaining~~ "s. 346.63 (1) or (5)" which you have struck ~~is correct~~ goes with in conformity with "s. 346.63 (1m), 1985 stats." does not go with that phrase.

accordance with s. 343.30 (1q). If there is noncompliance with assessment or the driver safety plan, the department shall revoke the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

INS
75-X

NOTE: Places cross-references in correct order in accordance with current style and corrects the citation form.

SECTION 182. 343.61 (6) (c) of the statutes, as created by 2005 Wisconsin Act 466, is renumbered 343.71 (5) (c).

NOTE: 2005 Wis. Act 397 renumbered the remainder of s. 343.61 (6) to 343.71 (5).

has affected by 2605 Wisconsin Act 397

SECTION 183. 343.64 (1) (e) of the statutes is amended to read:

343.64 (1) (e) Such applicant does not have a place of business as required by s. 343.72 (5) 343.61 (4) (b);

NOTE: Inserts correct cross-reference. Section 343.72 (5) was renumbered s. 343.61 (4) (b) by 2005 Wis. Act 397.

SECTION 184. 351.02 (1) (a) 3. of the statutes is amended to read:

351.02 (1) (a) 3. Driving or operating a motor vehicle in violation of s. 346.63 (1) or (2) or s. 346.63 (1m), 1985 stats., or s. 346.63 (1) or (2).

NOTE: Places cross-references in correct order in accordance with current style.

SECTION 185. 560.799 of the statutes, as created by 2005 Wisconsin Act 487, is renumbered 560.7995.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 361 also created a provision numbered s. 560.799.

SECTION 186. 560.85 (3) (a) of the statutes is amended to read:

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

NOTE: Places cross-references in correct order in accordance with current style.

***** NOTE: I added a scored comma to the cited text and made a scored period plain.
SECTION 187. 609.01 (4) of the statutes is amended to read:

***** NOTE: I deleted the treatment of s. 343.64 (1) (e). 2005 Wis. Act 397 renumbered and amended the provision and, in so doing, removed the cross-reference that this bill proposed to correct. CJS

***** NOTE: A cross-reference in s. 234.63 (3) (a) still has to be treated. CJS

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609.01 (4) "Preferred provider plan" means a health care plan offered by an organization established under ch. 185 or 193, 611, 613, or 614 or issued a certificate of authority under ch. 618 that makes available to its enrollees, without referral and for consideration other than predetermined periodic fixed payments, coverage of either comprehensive health care services or a limited range of health care services, regardless of whether the health care services are performed by participating or nonparticipating providers.

section
section
NOTE: 2005 Wis. Act 441, s. 107, provides that "600.03 (37m) of the statutes, as affected by 2005 Wisconsin Act ... (Senate Bill 617), is amended." Senate Bill 617 was vetoed in its entirety. Senate Bill 617 renumbered s. 609.01 (4) to 600.03 (37m) and amended the provision. This bill effectuates the purpose of Act 441, s. 107, by amending s. 609.01 (4) to insert the language inserted by Act 441, s. 107 into s. 600.03 (37m).

section
SECTION 188. 616.09 (1) (c) 1. of the statutes, as affected by 2005 Wisconsin Act 441, is amended to read:

616.09 (1) (c) 1. Plans authorized under s. 616.06 are subject to ch. 185 or 193, as applicable, except that ss. 185.03 (5) and (6), 185.05 (1) (c), 185.55, 185.61, 185.62, 185.63, 185.64, 185.71 to 185.76, 185.81, ~~193.151~~, 193.215 (2) (a) 2., 193.225, 193.301 (9), 193.801, 193.805, 193.905 to 193.971, and those provisions applicable to cooperatives or unincorporated cooperative associations with stock do not apply.

NOTE: There is no s. 193.151.

SECTION 189. 632.899 of the statutes is amended to read:

632.899 Medical savings accounts study. If the federal government enacts legislation providing for a federal income tax exemption for amounts deposited in a medical savings account and for any interest, dividends or other gain that accrues in the account if redeposited in the account, the commissioner shall conduct a study, to be completed within 4 years after the enactment of the federal legislation, of individuals and groups that had coverage under a high cost-share health plan, as

AAAA NOTE: See my change to correct list structure (I confirmed with Chris Sundberg that nothing else was intended by Act 441, section 107). Does revisor's note need to mention this? CJS

defined in s. 632.898 (1) (c), 1995 stats., and that terminated that coverage in order to enroll in a health benefit plan that was not a high cost-share health plan, as defined in s. 632.898 (1) (c), 1995 stats. The commissioner shall submit a report of all findings, conclusions and recommendations to the appropriate standing committees in the manner provided under section s. 13.172 (3) of the statutes.

NOTE: Corrects citation form. The correction has been made in the printed volumes.

SECTION 190. 700.27 (2) (d) of the statutes, as created by 2005 Wisconsin Act 216, is amended to read:

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

NOTE: Inserts correct cross-reference. 2005 Wis. Act 387 renumbered ch. 880 to ch. 54.

SECTION 191. 701.20 (2) (L) 1. of the statutes, as affected by 2005 Wisconsin Act 10, is amended to read:

701.20 (2) (L) 1. A court-appointed guardian of a beneficiary who is adjudicated incompetent, as defined in s. 880.01 (4) under ch. 54.

NOTE: Inserts language and cross-reference regarding incompetency adopted by 2005 Wis. Act 387, which renumbered the guardianship statute from ch. 880 to ch. 54 and extensively revised the chapter.

SECTION 192. 706.11 (4) of the statutes is amended to read:

706.11 (4) Subsection (1) does not apply to a 2nd mortgage assigned to or executed to the department of veterans affairs under s. 45.79 (3) (a) 1. or s. 45.80 (4) (a) 1., 1989 stats., or 45.37 (3). S.

NOTE: 1999 Wis. Act 63 renumbered s. 45.79 (3) (a) 1. to s. 45.79 (3) (a). 2005 Wis. Act 22 repealed and recreated ch. 45, recreating the language of s. 45.79 (3) (a) as s. 45.37 (3). The cross-references are placed in the correct order in accordance with current style.

→ S. **** NOTE: See my change. CJS

SECTION 193. 757.05 (1) (a) of the statutes, as affected by 2005 Wisconsin Acts 25, 60 and 455, is amended to read:

757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of state laws or municipal or county ordinances involving nonmoving traffic violations, violations under s. 343.51 (1m) (b), or safety belt use violations under s. 347.48 (2m), there shall be imposed in addition a penalty surcharge under ch. 814 in an amount of 25 26 percent of the fine or forfeiture imposed. If multiple offenses are involved, the penalty surcharge shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty surcharge shall be reduced in proportion to the suspension.

NOTE: 2005 Wis. Act 4 replaced "25%" with "26 percent" to make a substantive change and to change the form of how percentages are written consistent with current style. 2005 Wis. Act 4 replaced "25%" with "25 percent" only to change the form of how percentages are written consistent with current style. This amendment clarifies that the substantive change is given effect.

SECTION 194. 758.19 (6) (a) of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

758.19 (6) (a) In this subsection, "guardian ad litem costs" means the costs of guardian ad litem compensation that a county incurs under ch. 880, 2003 stats., ch. 48, 54, 55, 767, or 938 ~~or ch. 880, 2003 stats.~~, that the county has final legal responsibility to pay, or that the county is unable to recover from another person and

① *****NOTE:
See my changes in note. CJS

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that does not exceed the per hour rate established for time spent in court by private attorneys under s. 977.08 (4m) (b).

NOTE: Places cross-references in correct order in accordance with current style.

SECTION 195. 758.19 (6) (d) 1. of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

758.19 (6) (d) 1. The total cost of guardian ad litem compensation that the county incurred under ch. 880, 2003 stats., and chs. 48, 54, 55, 767, and 938 and ch. 880, 2003 stats., in the previous calendar year.

NOTE: Places cross-references in correct order in accordance with current style.

SECTION 196. 767.225 (1n) (b) 3. of the statutes, as affected by 2005 Wisconsin Act 342, section 1, and 2005 Wisconsin Act 443, section 90, is amended to read:

225
767.23 (1n) (b) 3. If the court or circuit court commissioner requires one party to cover the child under a health insurance policy or plan under sub. (1) (k), the court or circuit court commissioner shall order the party to provide to the other party a health insurance identification card for the child. Section ~~767.25 (4m) (bm) 2. and 3.~~ 767.513 (2m) (b) and (c) applies to a failure to comply with a temporary order under this subdivision.

NOTE: 2005 Wis. Act 443 renumbered s. 767.25 (4m) to s. 767.513.

SECTION 197. 767.23 (1) (ap) of the statutes, as affected by 2005 Wisconsin Act 174, section 2, and 2005 Wisconsin Act 443, section 90, is amended to read:

225
767.23 (1) (ap) Upon the request of a party, granting periods of electronic communication to a party in a manner consistent with s. ~~767.24~~ 767.41. The court or circuit court commissioner shall make a determination under this paragraph within 30 days after the request for a temporary order regarding periods of electronic communication is filed.

NOTE: 2005 Wis. Act 443 renumbered s. 767.24 to s. 767.41.

**** NOTE:
See my
changes
CJS

9 ~~###~~ **NOTES:**
See my change -
correct? **CJS**

SECTION 198. 767.24 (2) (e) 1. of the statutes, as created by 2005 Wisconsin Act 471, is renumbered 767.41 (2) (e) 1.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 443 renumbered the remainder of s. 767.24 to s. 767.41

SECTION 199. 767.24 (5) (c) of the statutes, as created by 2005 Wisconsin Act 471, is renumbered 767.41 (5) (c).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 443 renumbered the remainder of s. 767.24 to s. 767.41

SECTION 200. 767.325 (3m) of the statutes, as created by 2005 Wisconsin Act 471, is renumbered 767.451 (3m) and amended to read:

767.451 (3m) REINSTATEMENT OF FORMER PHYSICAL PLACEMENT ALLOCATION AND SCHEDULE. If a party is a service member, as defined in s. ~~767.24~~ 767.41 (2) (e) 1., and the court modifies an order of physical placement on the basis that the service member has been or will be called to active duty in the U.S. armed forces, notwithstanding sub. (1) the court shall require in the order that the allocation of periods of physical placement and, if applicable, the physical placement schedule that were in effect before the modification are reinstated immediately upon the service member's discharge or release from active duty.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 443 renumbered the remainder of s. 767.325 to s. 767.451. Corrects a cross-reference.

SECTION 201. The treatment of 767.325 (5m) ^{Act} (a) of the statutes by 2005 Wisconsin Act 443 is not repealed by 2005 Wisconsin ⁵ 471. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 767.451 (5m) (a), as renumbered from s. 767.325 (5m) (a) by 2005 Wis. Act 443, reads:

(a) Subject to pars. (b) and (c), in all actions to modify legal custody or physical placement orders, the court shall consider the factors under s. 767.41 (5) (am), subject to s. 767.41 (5) (bm), and shall make its determination in a manner consistent with s. 767.41.

SECTION 202. 767.325 (5m) (c) of the statutes, as created by 2005 Wisconsin Act 471, is renumbered 767.451 (5m) (c) and amended to read:

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767.325 (5m) (c) In an action to modify a legal custody order, if a party is a service member, as defined in s. ~~767.24~~ 767.41 (2) (e) 1., the court may not consider as a factor in making a determination whether the service member has been or may be called to active duty in the U.S. armed forces and consequently is, or in the future will be or may be, absent from the service member's home.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b) and corrects cross-reference. 2005 Wis. Act 443 renumbered the remainder of s. 767.325 to s. 767.451 and renumbered s. 767.24 to s. 767.41. ✓

9) ***NOTE:
See my change.
CJS

SECTION 203. 767.451 (5m) (b) of the statutes, as affected by 2005 Wisconsin Act 101, section 3, and 2005 Wisconsin Act 443, section 161, is amended to read:

767.451 (5m) (b) In determining the best interest of the child under this section, in addition to the factor under s. ~~767.24~~ 767.41 (5) (am) 12m., the court shall consider whether a stepparent of the child has a criminal record and whether there is evidence that a stepparent of the child has engaged in abuse, as defined in s. 813.122 (1) (a), of the child or any other child or neglected the child or any other child.

NOTE: 2005 Wis. Act 443 renumbered s. 767.24 to s. 767.41. ✓

SECTION 204. 767.513 (2m) (title) of the statutes is created to read: ✓

767.513 (2m) (title) HEALTH INSURANCE IDENTIFICATION CARD.

NOTE: All other subsections of s. 767.513 have titles. 2005 Act 443 renumbered 767.25 (4m) to be 767.513 and created titles for all the existing subsections, as renumbered. 2005 Wis. Act 342 created 767.25 (4m) (bm), which as a result of the Act 443 renumbering became 767.513 (2m). ✓

SECTION 205. 767.513 (2m) (a) and (c) of the statutes, as affected by 2005 Wisconsin Act 342, section 1, and 2005 Wisconsin Act 443, section 104, are amended to read:

767.513 (2m) (a) The court shall order a parent who is required to provide health insurance coverage for a child under this subsection section to provide to the

other parent a health insurance identification card evidencing the child's health insurance coverage.

(c) If the other parent is unable to obtain a health insurance identification card for the child in the manner provided in ~~subd. 2.~~ par. (b), the intentional failure to comply with the order to provide the card by the parent so ordered constitutes a contempt of court, punishable under ch. 785.

NOTE: Amends cross-references to reflect the renumbering of the provision by 2005 Wis. Act 443.

SECTION 206. 767.57 (1e) (a) of the statutes, as affected by 2005 Wisconsin Act 443, section ¹²⁹129, is amended to read:

For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under ~~par.~~ sub. (1) (c), the department or its designee shall collect an annual fee of \$35. The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

NOTE: Corrects cross-reference. ✓

9/11/11 Note:
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SECTION 207. 767.57 (3) (a) of the statutes, as affected by 2005 Wisconsin Act 387, section 194, and 2005 Wisconsin Act 443, section 132, is amended to read:

767.57 (3) (a) If maintenance or support, or both, are ordered to be paid for the benefit of any individual who is committed by court order to an institution, who is in confinement, or whose legal custody is vested by court order under ch. 48 or 938 in an agency, department, relative, or other entity, the court may order that the maintenance or support be paid to the relative, agency, institution, welfare department, or other entity having legal or actual custody of the individual, and that it be used for the person's care and maintenance, without the appointment of a guardian in this state.

NOTE: Inserts comma deleted by 2005 Wis. Act 387 but required to accommodate the treatment by 2005 Wis. Act 443.

SECTION 208. 779.50 (4) (g) of the statutes is amended to read:

779.50 (4) (g) For collecting and paying over all sums upon the sale, 5% of the sums collected or \$10 dollars, whichever is less.

NOTE: Deletes unnecessary word.

SECTION 209. 813.123 (2) (b) of the statutes, as affected by 2005 Wis. Act 10, is amended to read:

813.123 (2) (b) The court may go forward with a petition filed under sub. (6) if the individual at risk has been adjudicated incompetent under ch. 880, 2003 stats., or ch. 54, notwithstanding an objection by an individual at risk who is the subject of the petition, or an objection by the guardian of the individual at risk.

NOTE: Inserts correct cross-reference. 2005 Wis. Act 387 renumbered ch. 880 to ch. 54.

SECTION 210. The treatment of 813.123 (3) (b) of the statutes by 2005 Wisconsin Act 387 is not repealed by 2005 Wisconsin Act 388. Both treatments stand.

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NOTE:
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NOTE: There is no conflict of substance. As merged by the revisor s. 813.123 (3) (b) reads:

(b) The court or circuit court commissioner, on its or his or her own motion or the motion of any party, shall order that a guardian ad litem be appointed for the individual at risk, if the petition under sub. (6) was filed by a person other than the individual at risk, and may order that a guardian ad litem be appointed in other instances when justice so requires.

SECTION 211. The treatment of 813.123 (4) (a) 2. a. of the statutes by 2005 Wisconsin Act 387 is not repealed by 2005 Wisconsin Act 388. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 813.123 (4) (a) 2. a. reads:

a. That the respondent has interfered with or, based on prior conduct of the respondent, may interfere with an investigation of the individual at risk, or the delivery of protective services to or a protective placement of the individual at risk under ch. 55, or the delivery of services to an elder adult at risk under s. 46.90 (5m); and that the interference complained of, if continued, would make it difficult to determine whether abuse, financial exploitation, neglect, or self-neglect has occurred, is occurring, or may recur.

SECTION 212. 813.123 (6) (c) of the statutes, as affected by 2005 Wisconsin Acts 264 and 388 is amended to read:

813.123 (6) (c) That the respondent interfered with or, based on prior conduct of the respondent, may interfere with an investigation of the elder adult at risk under s. 46.90 (5), an investigation of the adult at risk under s. 55.043 ~~or~~, the delivery of protective services to the individual at risk ~~or~~, a protective placement of the individual at risk under ch. 55, or the delivery of services to the elder adult at risk under s. 46.90 (5m); or that the respondent engaged in, or threatened to engage in, the abuse, financial exploitation, neglect, stalking, or harassment of an individual at risk or mistreatment of an animal.

NOTE: The stricken material is removed and the underscored material inserted for correct grammar.

SECTION 213. 813.123 (7) of the statutes, as affected by 2005 Wisconsin Acts 264 and 388 is amended to read:

813.123 (7) INTERFERENCE ORDER. Any order under ~~or ch. 55~~ sub. (4) (ar) 1. or 2. or (5) (ar) 1. or 2. also shall prohibit the respondent from intentionally preventing a representative or employee of the county protective services agency from meeting, communicating, or being in visual or audio contact with the adult at risk, except as provided in the order.

NOTE: The stricken material was inserted 2005 Wis. Act 264 but rendered surplusage by 2005 Wis. Act 388.

SECTION 214. 814.04 (intro.) of the statutes, as affected by Supreme Court Order 03-06 and 2005 Wisconsin Acts 155, 325, 443 and 458 is amended to read:

814.04 Items of costs. (intro.) Except as provided in ss. 93.20, 100.195 (5m) (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 115.80 (9), 281.36 (2) (b) 1., 767.553 (4) (d), 769.313, ~~814.025~~, 802.05, 814.245, 895.035 (4), ~~895.506~~, 895.443 (3), 895.444 (2), 895.445 (3), 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b), and 995.10 (3), when allowed costs shall be as follows:

NOTE: 2005 Wis. Act 155 inserted "814.025" without showing it as underscored and deleted "814.245" without showing it as stricken. No change was intended. "895.506" is placed in numerical order.

SECTION 215. The treatment of 814.65 (1) of the statutes by 2005 Wisconsin Act 54 is not repealed by 2005 Wisconsin Act 455. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 814.65 (1) reads:

(1) COURT COSTS. In a municipal court action, except for an action for a first violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the time of the violation, or for a violation of an ordinance in conformity with s. 343.51 (1m) (b) or 347.48 (2m), the municipal judge shall collect a fee of not less than \$15 nor more than \$28 on each separate matter, whether it is on default of appearance, a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter. Of each fee received by the judge under this subsection, the municipal treasurer shall pay monthly \$5 to the secretary of administration for deposit in the general fund and shall retain the balance for the use of the municipality.

④ ****NOTE:
 The Act 458 treatment has a delayed effective date that will require a delayed effective date provision to be added to this bill. The Act 458 treatment also contains scoring of pre-existing text - do you need to mention that in the note?
 CJS

SECTION 216. 842.25 of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

842.25 Share of individual adjudicated incompetent. The share of any ward shall be paid to the guardian of the estate of the ward, except under s. 880.04 (2), 2003 stats., or s. 54.12 (1) or s. 880.04 (2), 2003 stats.

NOTE: Places cross-references in correct order according to current style.

SECTION 217. 854.13 (2) (f) of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

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

NOTE: Places cross-references in correct order according to current style.

SECTION 218. 867.03 (1c) of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

867.03 (1c) DEFINITION. In this section, "guardian" has the meaning given in s. 880.01 (3), 2003 stats., or s. 54.01 (10) or s. 880.01 (3), 2003 stats.

NOTE: Places cross-references in correct order according to current style.

SECTION 219. The treatment of 880.33 (9) of the statutes by 2005 Wisconsin Act 387 is not repealed by 2005 Wisconsin ^{Act} 451. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 54.25 (2) (c) 1. g., as renumbered ~~from s. 880.33 (9)~~ by 2005 Wis. Act 387, reads:

g. The right to register to vote or to vote in an election, if the court finds that the individual is incapable of understanding the objective of the elective process. Also, in accordance with s. 6.03 (3), any elector of a municipality may petition the circuit court for a determination that an individual residing in the municipality is incapable of understanding the objective of the elective process and thereby ineligible to register to vote or to vote in an election. This determination shall be made by the court in accordance with the procedures specified in this paragraph. If a petition is filed under this subd. 1. g., the finding of the court shall be limited to a determination as to voting eligibility. The appointment of a guardian is not required for an individual whose sole limitation is ineligibility to vote. The determination of the court shall be communicated in writing by

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Confirms renumbering by the revisor under s. 13.93 (1)(b).

the clerk of court to the election official or agency charged under s. 6.48, 6.92, 6.925, 6.93, or 7.52 (5) with the responsibility for determining challenges to registration and voting that may be directed against that elector. The determination may be reviewed as provided in s. 54.64 (2) and any subsequent determination of the court shall be likewise communicated by the clerk of court. ✓

SECTION 220. 880.331 (4) (am) of the statutes, as created by 2005 Wisconsin Act 264, is renumbered 54.40 (4) (am). ✓

NOTE: 2005 Wis. Act 387 renumbered s. 880.331 (4) to s. 54.40 (4). ✓

SECTION 221. 880.331 (4) (ar) of the statutes, as created by 2005 Wisconsin Act 264, is renumbered 54.40 (4) (ar). ✓

NOTE: 2005 Wis. Act 387 renumbered s. 880.331 (4) to s. 54.40 (4). ✓

SECTION 222. 880.331 (4) (dm) of the statutes, as created by 2005 Wisconsin Act 264, is renumbered 54.40 (4) (dm). ✓

NOTE: 2005 Wis. Act 387 renumbered s. 880.331 (4) to s. 54.40 (4). ✓

SECTION 223. 880.331 (4) (dr) of the statutes, as created by 2005 Wisconsin Act 264, is renumbered 54.40 (4) (h). ✓

NOTE: 2005 Wis. Act 387 created an identical provision as s. 54.40 (4) (h) and renumbered s. 880.331 (4) to s. 54.40 (4). ✓

SECTION 224. 880.331 (4) (ds) of the statutes, as created by 2005 Wisconsin Act 264, is renumbered 54.40 (4) (ds) and amended to read: ✓

(ds) Notify the guardian of the right to be present at and participate in the hearing, to present and cross-examine witnesses, to receive a copy of any evaluation under s. 55.11 (1) (intro.) or (2), and to secure and present a report on an independent evaluation under s. ~~880.33 (2) (b)~~ 54.42 (3). ✓

NOTE: 2005 Wis. Act 387 renumbered s. 880.331 (4) to s. 54.40 (4) and renumbered s. 880.33 (2) (b) to s. 54.42 (3). ✓

SECTION 225. ~~893.27~~ (5) of the statutes, as affected by 2005 Wisconsin Acts 155 and 447, is amended to read: ✓

893.27 (5) NOTICE TO BIOLOGICAL FATHERS. Subject to sub. (3) (b), the court shall make reasonable efforts to identify and notify any person who has filed a declaration

344

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← E component

move to p 88 as shown

AAAA NOTE:
See my changes
in action phrase. Correct? CJS

of paternal interest under s. 48.025, any person who has acknowledged paternity of the child under s. ~~767.62~~ 767.805 (1), and any person who has been adjudged to be the father of the juvenile in a judicial proceeding unless the person's parental rights have been terminated.

NOTE: Corrects cross-reference. Section 767.62 was renumbered s. 767.805 by 2005 Wis. Act 443.

SECTION 226. 895.446 (4) of the statutes, as affected by 2005 Wisconsin Acts 155 and 447, is amended to read:

895.446 (4) Any recovery under this section shall be reduced by the amount recovered as restitution under ss. 800.093 and 973.20 and ch. 938 for the same act or as recompense under s. ~~939.13~~ 969.13 (5) (a) for the same act.

NOTE: Inserts correct cross-reference consistent with the remainder of 2005 Wis. Act 447. There is no s. 939.13 (5) (a).

NOTE: There is no conflict of substance. As merged by the revisor s. 943.245 (3m) reads:

SECTION 227. 905.04 (4) (am) of the statutes, as affected by 2005 Wisconsin Act 387, is amended to read:

905.04 (4) (am) *Proceedings for guardianship.* There is no privilege under this rule as to information contained in a statement concerning the mental condition of the patient furnished to the court by a physician or psychologist under s. ~~54.36~~ (1) or s. 880.33 (1), 2003 stats or s. 54.36 (1).

NOTE: Places cross-references in correct order according to current style..

SECTION 228. 938.345 (1) (e) of the statutes, as affected by 2005 Wisconsin Acts 344 and 387, is amended to read:

938.345 (1) (e) Place any juvenile not found under ch. 880, 2003 stats., ch. 46, 49, 51, 54, or 115 or ~~ch. 880, 2003 stats.~~, to have a developmental disability or a

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9 AAAA NOTE: See my change to scored text. CJS

mental illness or to be a child with a disability, as defined in s. 115.76 (5), in a facility that exclusively treats one or more of those categories of juveniles.

NOTE: Places cross-references in correct order according to current style.

SECTION 229. 940.43 (5) of the statutes is amended to read:

INS 89-X

940.43 (5) Where the act is committed by any person who has suffered any prior conviction for any violation under s. 943.30, 1979 stats., ss. 940.42 to 940.45, ~~s. 943.30, 1979 stats.~~, or any federal statute or statute of any other state which, if the act prosecuted was committed in this state, would be a violation under ss. 940.42 to 940.45.

NOTE: Places cross-references in correct order in accordance with current style.

SECTION 230. 940.45 (5) of the statutes is amended to read:

940.45 (5) Where the act is committed by any person who has suffered any prior conviction for any violation under s. 943.30, 1979 stats., ss. 940.42 to 940.45, ~~s. 943.30, 1979 stats.~~, or any federal statute or statute of any other state which, if the act prosecuted was committed in this state, would be a violation under ss. 940.42 to 940.45.

NOTE: Places cross-references in correct order in accordance with current style.

SECTION 231. The treatment of 943.245 (3m) of the statutes by 2005 Wisconsin Act 447 is not repealed by 2005 Wisconsin Act 462. Both treatments stand.

(3m) Any recovery under this section shall be reduced by the amount recovered as restitution for the same act under ss. 800.093 and 973.20 or as recompense under s. 969.13 (5) (a) for the same act and by any amount collected in connection with the act and paid to the plaintiff under a deferred prosecution agreement under s. 971.41.

SECTION 232. 948.01 (5) (am) of the statutes, as created by 2005 Wisconsin Act

948.01 (5) (a) 2, is renumbered 435

NOTE: Renumbers provision relating to intentional touching to correspond with s. 948.01 (5) (a) (intro.), relating to intentional touching consistent with the treatment of s. 940.225 (5) (b) 1. (intro.) and b. by 2005 Wis. Act 435.

SECTION 233. 948.075 (3) of the statutes is amended to read:

<Insert note from p. 88>

948.075 (3) Proof that the actor did an act, other than use a computerized communication system to communicate with the individual, to effect the actor's intent under sub. (1) (1r) shall be necessary to prove that intent.

NOTE: Inserts correct cross-reference. 2005 Wis. Act 433 renumbered s. 948.075 (1) to s. 948.075 (1r). ✓

SECTION 234. 971.41 (3) of the statutes, as created by 2005 Wisconsin Act 462, is repealed and recreated to read:

971.41 (3) CONDITIONS OF PROGRAM. A deferred prosecution agreement to which this section applies may require an offender to do any of the following:

(a) Pay money owed for the worthless check or other order issued in violation of s. 943.24 to the district attorney for remittance to the payee of the worthless check or order.

(b) Make other payments for restitution for the offense, including payments to reimburse any person for fees assessed by a financial institution in connection with the person attempting to present the worthless check or other order.

(c) Pay administrative fees assessed under sub. (7).

(d) Pay for and successfully complete a class or counseling regarding financial management.

NOTE: Corrects numbering errors in 2005 Wis. Act 462 that resulted in there being 2 provisions numbered s. 971.41 (3) (b). The second of the 2 provisions is now numbered s. 971.41 (3) (d). No changes to text are made. e two

SECTION 235. 980.01 (1j) of the statutes, as created by 2005 Wisconsin Acts 434, is amended to read:

980.01 (1j) "Incarceration" includes confinement in a secured juvenile correctional facility, as defined in s. 938.02 (15m) (10p), or a secured child-caring institution residential care center for children and youth, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), if the person was placed

PLAIN ✓

stricken text and to

④ **** NOTE:
See my change to
note. CJS

in the facility for being adjudicated delinquent under s. 48.34, 1993 stats., or under s. 938.183 or 938.34 on the basis of a sexually violent offense.

NOTE: Corrects cross-references and conforms text to changes in defined terms made by 2005 Wis. Act 434

SECTION 236. 980.02 (1) (b) 3. of the statutes, as created by 2005 Wisconsin Acts 434, is amended to read:

980.02 (1) (b) 3. The county in which the person is in custody under a sentence, a placement to a secured juvenile correctional facility, as defined in s. 938.02 (15m), (10p) or a secured child-caring institution residential care center for children and youth, as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or a commitment order.

PLAIN

NOTE: Corrects cross-references and conforms text to changes in defined terms made by 2005 Wis. Act 434.

SECTION 237. 980.07 (7) of the statutes, as created by 2005 Wisconsin Act 431, is renumbered 980.07 (9).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis Act 434 amended s. 980.07 (6m) which resulted in it being divided into 3 separate subsections, s. 980.08 (6m), (7), (8).

SECTION 238. 2005 Wisconsin Act 387, section 372 is amended by replacing

"54.50 (4) (d) ~~CESSATION OF POWERS.~~" with "54.50 (4) ~~CESSATION OF POWERS.~~"

INS
91-X

Text should be CS with only the initial "C" upper cased.

NOTE: Removes incorrect paragraph designation. 2005 Wis. Act 387, § 372 renumbered s. 880.15 (3) to s. 54.40 (4). Former s. 880.13 (5) was not divided into paragraphs.

SECTION 239. 2005 Wisconsin Act 441, section 20, is amended by replacing "telecommunication service, gas, light, heat, or power" with "telecommunications service, gas, light, heat, or power".

NOTE: A comma was inserted without underscoring. The change was intended. The stricken "telecommunication" should have been "telecommunications."

SECTION 240. 2005 Wisconsin Act 443, section 265, is amended by replacing

④ **** NOTE: See my changes. Also, the Act 431 treatment has a delayed effective date that necessitates adding a delayed effective date for the treatment in this bill. CJS

④ **** NOTE:
See my change to
note. CJS

49.299 (6) (b)	767.45 (5) (c) and (6r)	767.80 (5) (c) and (6r)
----------------	-------------------------	-------------------------

with

48.299 (6) (b)	767.45 (5) (c) and (6r)	767.80 (5) (c) and (6r)
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NOTE: Corrects statute citation in 1st column of the 2005 Wis. Act 443 cross-reference change table.

SECTION 241. 2005 Wisconsin Act 444, section 46, is amended by replacing “court shall hold a hearing, and appoint counsel” with “court shall hold a hearing, and appoint counsel”.

of the minors (use 2x)

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

SECTION 242. 2005 Wisconsin Act 451, section 85m, is amended by replacing “s. 6.86 (1) or, (2), or (2m)” with “s. 6.86 (1) or, (2), or (2m)”.

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

SECTION 243. 2005 Wisconsin Act 458, section 5, is amended by replacing “100.195 (5m) (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 115.80 (9), 281.36 (2) (b) 1., 767.33 (4) (d), 769.313, 814.025, 814.245, 895.035 (4), 895.10 (3), 895.75 (3), 895.77 (2), 895.79 (3), 895.80 (3), 943.212 (2) (b), 943.245 (2) (d),” with “100.195 (5m) (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 115.80 (9), 281.36 (2) (b) 1., 767.33 (4) (d), 769.313, 814.025, 814.245, 895.035 (4), 895.10 (3), 895.75 (3), 895.77 (2), 895.79 (3), 895.80 (3), 943.212 (2) (b), 943.245 (2) (d),”.

NOTE: Preexisting text was underscored.

SECTION 244. Nonstatutory provisions.

(1) The renumbering of section 880.24 (3) (a) by 2005 Wisconsin Act 264 is void.

④ **** NOTE: See my changes to cited text. CJS

first

of the minors (use 2x)

score comma

of the statutes

Should s. 880.24 (3)(b) also be listed here?

④ **** NOTE: I scored a comma that was not present in the preexisting text. Please review. CJS

④ **** NOTE: Should a revisor's note be added? CJS

Z

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

Analysis by the Legislative Reference Bureau

current

Q This revisor's correction bill is explained in the NOTES provided by the revisor of statutes in the body of the bill. In accordance with a change in drafting style, commas before the last item in a series are added throughout this bill. "Which" is replaced by "that" where grammatically correct. This bill is not intended to make any substantive changes.

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

SECTION 1. The treatment of 6.03 (1) (a) of the statutes by 2005 Wisconsin Act 149 is not repealed by 2005 Wisconsin Act 387. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 6.03 (1) (a) reads:

(a) Any person who is incapable of understanding the objective of the elective process or who is under guardianship, unless the court has determined that the person is competent to exercise the right to vote.

SECTION 2. The treatment of 13.172 (1) of the statutes by 2005 Wisconsin Act 74 is not repealed by 2005 Wisconsin Act 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 13.172 (1) reads:

(1) In this section, "agency" means an office, department, agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, and any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, or 234.

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FROM THE
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9-1

SECTION 1. The treatment of 6.875 (6) of the statutes by 2005 Wisconsin Act 149, section 24, is not repealed by 2005 Wisconsin Act 451, section 86. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 6.875 (6) (a) and (b), as established by the renumbering and amendment of s. 6.875 (6) by 2005 Wis. Act 149, read:

(a) Special voting deputies in each municipality shall, not later than 5 p.m. on the Friday preceding an election, arrange one or more convenient times with the administrator of each nursing home, qualified retirement home, and qualified community-based residential facility in the municipality from which one or more occupants have filed an application under s. 6.86 to conduct absentee voting for the election. The time may be no earlier than the 4th Monday preceding the election and no later than 5 p.m. on the Monday preceding the election. The municipal clerk shall post a notice at the home or facility indicating the date and time that absentee voting will take place at that home or facility. The notice shall be posted as soon as practicable after arranging the visit but in no case less than 24 hours before the visit. At the designated time, 2 deputies appointed under sub. (4) shall visit the home or facility.

(b) The municipal clerk or executive director of the board of election commissioners shall issue a supply of absentee ballots to the deputies sufficient to provide for the number of valid applications for an absentee ballot received by the clerk, and a reasonable additional number of ballots. The deputies may exercise the authority granted to the chief inspector under s. 7.41 to regulate the conduct of observers for purposes of the application of s. 7.41, the home or facility shall be treated as a polling place. The municipal clerk or executive director shall keep a careful record of all ballots issued to the deputies and shall require the deputies to return every ballot issued to them.

****NOTE: This bill section replaces sections 10 to 12 in the original bill. Per your instructions, section 10 has been changed to a straight merger and section 12 has been deleted. (After we talked on the phone about it, you determined that the material in s. 6.985 (6) (a) that would have been struck by section 10 fit better there than in s. 6.875 (6) (c) 2., where section 12 would have scored it in). Since section 11 was a merger too I combined it with section 10 to form this single new section. Please review the action phrase and introductory note carefully—did I use appropriate phrasing for the situation?

Also, shouldn't the text be shown of all the subunits of s. 6.875 (6) that were produced by 2005 Wis. Act 149, section 24, just as has been done in the treatments of, e.g., ss. 6.875 (4), 7.30 (4) (b) 2., and 9.01 (1) (a)? (In those cases, all the subunits were shown even though the later enacted act did not affect all of them.) If not, it seems like something should be added to the note listing the subunits that are not shown and explaining why they are not shown (so that the bill section does not seem to imply that pars. (a) and (b) constitute the whole of s. 6.875 (6)). And, in any event, it seems like the treatments of ss. 6.875 (4) and (6), 7.30 (4) (b) 2., and 9.01 (1) (a) and any other similar bill sections should be consistent in approach. CJS

****NOTE: Jeff Kuesel would like to correct a typographical error in s. 6.985 (6) (b). The sentence reading "The deputies may exercise the authority granted to the chief inspector under s. 7.41 to regulate the conduct of observers for purposes of the application

I have also spoken to Jeff Kuesel and he agrees with this too.

is it OK that not all
<PLAIN>

have been shown, in contrast to what

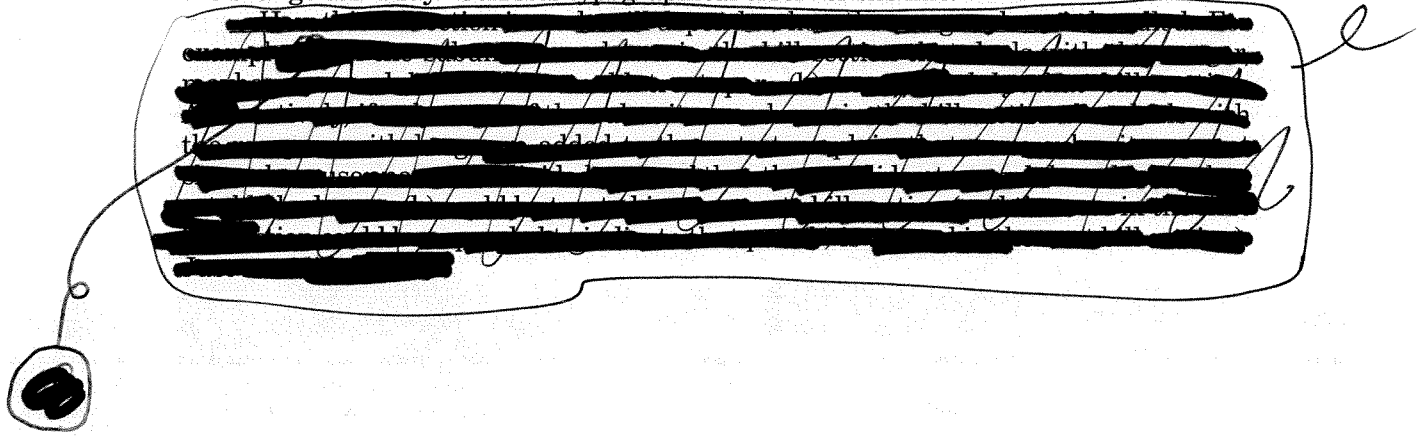
should

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to the treatment here?

? Also, should

of s. 7.41, the home or facility shall be treated as a polling place.” was actually drafted as two sentences reading “The deputies may exercise the authority granted to the chief inspector under s. 7.41 to regulate the conduct of observers. For purposes of the application of s. 7.41, the home or facility shall be treated as a polling place.” A copy of the relevant page of drafting record is enclosed. Jeff proposes that the revisor’s note for the change could say “Corrects typographical error” or the like. CJS



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INS 16-X

***NOTE: I made changes suggested by Gordon Malaise.

Gordon asks that the same correction also be made in ss. 46.215 (1p), 46.22 (1) (dp), 46.23 (3) (ed), and s. 938.396 (1j) (a) (intro.). The first three of those statutes were treated in the original version of this bill, but those treatments were removed at your request (because they were affected by 2005 Wis. Act 264, which is one of the bills Deborah Kennedy is reconciling). Should the treatment of this statute have been removed as well— it is similar to the removed treatments? Or should the removed treatments be restored? As for s. 938.396 (1j) (a) (intro.), it is treated in the other correction bill, and we could add Gordon's correction to it there—OK? CJS

INS 28-X

***NOTE: I made changes suggested by Pam Kahler. The proposed version had some technical problems (“, 1997 stats.,” should have been followed by “and ss.” or “or ss.”). In addition, it is unclear whether the proposed version ~~is~~ intended to resolve an ambiguity in the structure of the list that was present in the preexisting text of the statute. Specifically, it was not clear whether the list, in its preexisting form, should be read “[s. 49.19], [s. 49.20, 1997 stats., and 49.30] or [253.05]” or “[s. 49.19], [s. 49.20, 1997 stats.,] and [49.30 or 253.05]” or some other way. Pam has resolved the ambiguity after reviewing the substantive content of the relevant statutes. The revisor's note will need adjusting. CJS

INS 74-X

***NOTE: See my NOTE following the treatment of s. 980.08 (7). CMH (CMH is Cathlene; she changed the new subsection number from (9) to (5r).)

INS 75-X

***NOTE: I think that this statute should be left alone. The order of the cross-references and their citation form is not incorrect; rather they reflect the following well-formed list structure:

...or if the department has a report of 2 or more arrests within a one-year period for any combination of violations of ([s. 346.63 (1) or (5)] or [a local ordinance in conformity with s. 346.63 (1) or (5)] or [a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) or (5)]), or (s. 346.63 (1m), 1985 stats.), or (s. 346.63 (2) or (6) or 940.25), or (s. 940.09) where the offense involved the use of a vehicle...

CJS

INS 89-X

****NOTE: Gordon Malaise proposes that instead of moving the x-ref, you strike it out altogether. He explains: "Section 938.345 (1) (e) will only be effective going forward, *i.e.*, the juvenile court will not place a child with a disability unless that finding is made under ch. 54. Children adjudicated under ch. 880 will already have been placed under prior law. See, e.g., s. 48.345 (intro.), the parallel provision under the Children' Code, which does *not* have a cross-reference to ch. 880, 2003 stats." And Gordon suggests rewriting the revisor's note to say: "Eliminates unnecessary cross-reference to prior law."

INS 91-X

****NOTE: Bruce: Since this subsection creates a condition of supervised release, I moved it to a more logical place under s. 980.08. CMH

(CMH is Cathlene; she changed the new subsection number from (9) to (5r) and made a corresponding change in the treatment of s. 301.48 (3) (c) by the bill.)