



[Handwritten initials]

P2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

*Revisor's Bill
Do NOT Gen Cat
Do NOT Sort*

******NOTE: Should the action phrases for the treatments of ss. 29.194(1) and 48.42(2m) be adjusted in the same way as the action phrases for the treatments of ss. 767.41(1)(a) and 938.18(1)(a) have been? CJS*

1

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

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:

******NOTE: Any deletions or additions that are not accompanied by a note from me were made per instructions you e-mailed me at one time or another after placing the bill in the New Bills folder. CJS*

6

SECTION 1. The treatment of 6.03 (1) (a) of the statutes by 2005 Wisconsin Act

7

149 is not repealed by 2005 Wisconsin Act 387.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.

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2 74 is not repealed by 2005 Wisconsin Act 335.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

3 **SECTION 3.** The treatment of 13.62 (2) of the statutes by 2005 Wisconsin Act 74
4 is not repealed by 2005 Wisconsin Act 335. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 13.62 (2) reads:

(2) "Agency" means any board, commission, department, office, society, institution of higher education, council, or committee in the state government, or any authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 232, 233, 234, or 237, except that the term does not include a council or committee of the legislature.

5 **SECTION 4.** The treatment of 13.95 (intro.) of the statutes by 2005 Wisconsin
6 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. 13.95 (intro.) reads:

13.95 Legislative fiscal bureau. (intro.) There is created a bureau to be known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau shall be strictly nonpartisan and shall at all times observe the confidential nature of the research requests received by it; however, with the prior approval of the requester in each instance, the bureau may duplicate the results of its research for distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's designated employees shall at all times, with or without notice, have access to all state agencies, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, and the Fox River Navigational System Authority, and to any books, records, or other documents maintained by such agencies or authorities and relating to their expenditures, revenues, operations, and structure.

7 **SECTION 5.** The treatment of 15.07 (1) (cm) of the statutes by 2005 Wisconsin
8 Act 25 is not repealed by 2005 Wisconsin Act 76. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 15.07 (1) (cm) reads:

(cm) The term of one member of the ethics board shall expire on each May 1. The terms of 3 members of the development finance board appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of every odd-numbered year. The terms of the 3 members of the land and water conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1. The term of the member of the land and water conservation board appointed under s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of members of the real estate board shall expire on July 1. The terms of the appraiser members of the real estate appraisers board and the terms of the auctioneer and auction company representative members of the auctioneer board shall expire on May 1 in an even-numbered year. The terms of the members of the cemetery board shall expire on July 1 in an even-numbered year. The term of the student member of the Board of Regents of the University of Wisconsin System who is at least 24 years old shall expire on May 1 of every even-numbered year.

****NOTE: Section 15.07 (1) (cm) has also been affected by 2007 Wis. Act 1, with a funny delayed effective date. How do you want to handle that? CJS

1 **SECTION 6.** The treatment of 16.002 (2) of the statutes by 2005 Wisconsin Act
2 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. 16.002 (2) reads:

(2) "Departments" means constitutional offices, departments, and independent agencies and includes all societies, associations, and other agencies of state government for which appropriations are made by law, but not including authorities created in subch. II of ch. 114 or subch. III of ch. 149 and in chs. 231, 232, 233, 234, 235, and 237.

3 **SECTION 7.** The treatment of 16.004 (4) of the statutes by 2005 Wisconsin Act
4 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. 16.004 (4) reads:

(4) FREEDOM OF ACCESS. The secretary and such employees of the department as the secretary designates may enter into the offices of state agencies and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs. 231, 233, 234, and 237, and may examine their books and accounts and any other matter that in the secretary's judgment should be examined and may interrogate the agency's employees publicly or privately relative thereto.

5 **SECTION 8.** The treatment of 16.004 (5) of the statutes by 2005 Wisconsin Act
6 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. 16.004 (5) reads:

(5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and authorities created under subch. II of ch. 114 or subch. III of ch. 149 and under chs. 231, 233, 234, and 237, and their officers and employees, shall cooperate with the secretary and shall comply with every request of the secretary relating to his or her functions.

1 **SECTION 9.** The treatment of 16.004 (12) (a) of the statutes by 2005 Wisconsin
2 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. 16.004 (12)
(a) reads:

(a) In this subsection, "state agency" means an association, authority, board, department, commission, independent agency, institution, office, society, or other body in state government created or authorized to be created by the constitution or any law, including the legislature, the office of the governor, and the courts, but excluding the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, and the Fox River Navigational System Authority.

3 **SECTION 10.** The treatment of 16.045 (1) (a) of the statutes by 2005 Wisconsin
4 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. 16.045 (1) (a)
reads:

(a) "Agency" means an office, department, independent 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, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 232, 233, 234, 235, or 237.

5 **SECTION 11.** 16.22 (2) (k) of the statutes is amended to read:

6 16.22 (2) (k) Coordinate its activities with the activities of the corporation, the
7 federal ACTION agency established under 42 USC 5041 and any state agency that
8 administers federal financial assistance under 42 USC 9901 to 9912 or any other
9 federal financial assistance program with which coordination would be appropriate.

NOTE: Section 42 USC 5041 was repealed by P.L. 103-82, which provided that the
functions of the ACTION agency be transferred to the corporation.

10 **SECTION 12.** 16.25 (5) of the statutes, as affected by 2005 Wisconsin Act 142,
11 is amended to read:

12 16.25 (5) The board shall establish by rule a process by which a volunteer fire
13 fighter, first provider responder, or emergency medical technician may appeal to the
14 board any decision made by the department or by an individual or organization
15 under contract with the board under sub. (4) that affects a substantial interest of the

1 volunteer fire fighter, first responder, or emergency medical technician under the
2 program.

NOTE: Inserts correct terminology.

3 ~~SECTION 13.~~ The treatment of 16.41 (4) of the statutes by 2005 Wisconsin Act
4 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. 16.41 (4) reads:

(4) In this section, "authority" means a body created under subch. II of ch. 114 or subch. III of ch. 149 or under ch. 231, 233, 234, or 237.

5 ~~SECTION 14.~~ The treatment of 16.52 (7) of the statutes by 2005 Wisconsin Act
6 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. 16.52 (7) reads:

(7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency that is authorized to maintain a contingent fund under s. 20.920 may establish a petty cash account from its contingent fund. The procedure for operation and maintenance of petty cash accounts and the character of expenditures therefrom shall be prescribed by the secretary. In this subsection, "agency" means an office, department, independent 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, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237.

7 ~~SECTION 15.~~ 16.526 (2) of the statutes is amended to read:

8 16.526 (2) The net proceeds of revenue obligations issued under subch. II of ch.
9 18, as authorized under this section, shall be deposited in a fund in the state treasury,
10 or an account maintained by a trustee, created under s. 18.57 (1). The moneys shall
11 be applied for ancillary payments and for the provision of reserves, as determined
12 by the building commission, and for the payment of part or all of the state's unfunded
13 prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under
14 s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, as determined by the
15 department, and any remainder shall be paid into a retirement liability obligation
16 redemption fund created under s. 18.562 (3).

NOTE: Inserts missing "s."

The change is in the printed statutes.

1 **SECTION 16.** The treatment of 16.528 (1) (a) of the statutes by 2005 Wisconsin
2 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. 16.528 (1) (a) reads:

(a) "Agency" means an office, department, independent 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, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237.

3 **SECTION 17.** The treatment of 16.53 (2) of the statutes by 2005 Wisconsin Act
4 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. 16.53 (2) reads:

(2) **IMPROPER INVOICES.** If an agency receives an improperly completed invoice, the agency shall notify the sender of the invoice within 10 working days after it receives the invoice of the reason it is improperly completed. In this subsection, "agency" means an office, department, independent 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, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237.

5 **SECTION 18.** The treatment of 16.54 (9) (a) 1. of the statutes by 2005 Wisconsin
6 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. 16.54 (9) (a) 1. reads: 

1. "Agency" means an office, department, independent 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, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237.

7 **SECTION 19.** The treatment of 16.70 (2) of the statutes by 2005 Wisconsin Act
8 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. 16.70 (2) reads:

(2) "Authority" means a body created under subch. II of ch. 114 or subch. III of ch. 149 or under ch. 231, 232, 233, 234, 235, or 237.

9 **SECTION 20.** 16.75 (1m) of the statutes, as affected by 2005 Wisconsin Acts 74
10 and 335, is amended to read:

1 16.75 (1m) The department shall award each order or contract for materials,
2 supplies or equipment on the basis of life cycle cost estimates, whenever such action
3 is appropriate. Each authority other than the University of Wisconsin Hospitals and
4 Clinics Authority and, the Wisconsin Aerospace Authority, and the Health Insurance
5 Risk-Sharing Plan Authority shall award each order or contract for materials,
6 supplies or equipment on the basis of life cycle cost estimates, whenever such action
7 is appropriate. The terms, conditions and evaluation criteria to be applied shall be
8 incorporated in the solicitation of bids or proposals. The life cycle cost formula may
9 include, but is not limited to, the applicable costs of energy efficiency, acquisition and
10 conversion, money, transportation, warehousing and distribution, training,
11 operation and maintenance, and disposition or resale. The department shall prepare
12 documents containing technical guidance for the development and use of life cycle
13 cost estimates, and shall make the documents available to local governmental units.

NOTE: Corrects punctuation.

14 **SECTION 21.** The treatment of 16.765 (1) of the statutes by 2005 Wisconsin Act
15 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. 16.765 (1)
reads:

(1) Contracting agencies, the University of Wisconsin Hospitals and Clinics
Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace
Authority, the Health Insurance Risk-Sharing Plan Authority, and the Bradley Center
Sports and Entertainment Corporation shall include in all contracts executed by them
a provision obligating the contractor not to discriminate against any employee or
applicant for employment because of age, race, religion, color, handicap, sex, physical
condition, developmental disability as defined in s. 51.01 (5), sexual orientation as
defined in s. 111.32 (13m), or national origin and, except with respect to sexual
orientation, obligating the contractor to take affirmative action to ensure equal
employment opportunities.

16 **SECTION 22.** The treatment of 16.765 (2) of the statutes by 2005 Wisconsin Act
17 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. 16.765 (2)
reads:

(2) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, and the Bradley Center Sports and Entertainment Corporation shall include the following provision in every contract executed by them: "In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause".

1 **SECTION 23.** The treatment of 16.765 (4) of the statutes by 2005 Wisconsin Act
2 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. 16.765 (4) reads:

(4) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, and the Bradley Center Sports and Entertainment Corporation shall take appropriate action to revise the standard government contract forms under this section.

3 **SECTION 24.** The treatment of 16.765 (5) of the statutes by 2005 Wisconsin Act
4 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. 16.765 (5) reads:

(5) The head of each contracting agency and the boards of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, and the Bradley Center Sports and Entertainment Corporation shall be primarily responsible for obtaining compliance by any contractor with the nondiscrimination and affirmative action provisions prescribed by this section, according to procedures recommended by the department. The department shall make recommendations to the contracting agencies and the boards of directors of the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, and the Bradley Center Sports and Entertainment Corporation for improving and making more effective the nondiscrimination and affirmative action provisions of contracts. The department shall promulgate such rules as may be necessary for the performance of its functions under this section.

5 **SECTION 25.** The treatment of 16.765 (6) of the statutes by 2005 Wisconsin Act
6 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. 16.765 (6) reads:

(6) The department may receive complaints of alleged violations of the nondiscrimination provisions of such contracts. The department shall investigate and determine whether a violation of this section has occurred. The department may delegate this authority to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports and Entertainment Corporation for processing in accordance with the department's procedures.

1 **SECTION 26.** The treatment of 16.765 (7) (intro.) of the statutes by 2005
2 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. 16.765 (7) (intro.) reads:

(7) (intro.) When a violation of this section has been determined by the department, the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports and Entertainment Corporation, the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports and Entertainment Corporation shall:

3 **SECTION 27.** The treatment of 16.765 (7) (d) of the statutes by 2005 Wisconsin
4 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. 16.765 (7) (d) reads:

(d) Direct the violating party to take immediate steps to prevent further violations of this section and to report its corrective action to the contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports and Entertainment Corporation.

5 **SECTION 28.** The treatment of 16.765 (8) of the statutes by 2005 Wisconsin Act
6 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. 16.765 (8) reads:

(8) If further violations of this section are committed during the term of the contract, the contracting agency, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports and Entertainment Corporation may permit the violating party to complete the contract, after complying with this section, but thereafter the contracting agency, the Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports and Entertainment Corporation shall request the department to place the name of the party on the ineligible list for state contracts, or the contracting agency, the

Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, or the Bradley Center Sports and Entertainment Corporation may terminate the contract without liability for the uncompleted portion or any materials or services purchased or paid for by the contracting party for use in completing the contract.

1 **SECTION 29.** The treatment of 16.85 (2) of the statutes by 2005 Wisconsin Act
2 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. 16.85 (2) reads:

(2) To furnish engineering, architectural, project management, and other building construction services whenever requisitions therefor are presented to the department by any agency. The department may deposit moneys received from the provision of these services in the account under s. 20.505 (1) (kc) or in the general fund as general purpose revenue — earned. In this subsection, “agency” means an office, department, independent 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, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 233, 234, or 237.

3 **SECTION 30.** The treatment of 16.865 (8) of the statutes by 2005 Wisconsin Act
4 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. 16.865 (8) reads:

(8) Annually in each fiscal year, allocate as a charge to each agency a proportionate share of the estimated costs attributable to programs administered by the agency to be paid from the appropriation under s. 20.505 (2) (k). The department may charge premiums to agencies to finance costs under this subsection and pay the costs from the appropriation on an actual basis. The department shall deposit all collections under this subsection in the appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs, and the cost of insurance contracts under sub. (5). In this subsection, “agency” means an office, department, independent 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, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 231, 232, 233, 234, 235, or 237.

5 **SECTION 31.** The treatment of 16.997 (2) (b) of the statutes by 2005 Wisconsin
6 Act 25 is not repealed by 2005 Wisconsin Act 344. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 16.997 (2) (b) reads: 

(b) Establish eligibility requirements for an educational agency to participate in the program established under sub. (1) and to receive additional telecommunications access under s. 16.998, including a requirement that a charter school sponsor use data lines and video links to benefit pupils attending the charter school and a requirement that

Internet access to material that is harmful to children, as defined in s. 948.11 (1) (b), is blocked on the computers of juvenile correctional facilities that are served by data links and video links subsidized under this section.

1 **SECTION 32.** The treatment of 16.997 (2) (f) of the statutes by 2005 Wisconsin
2 Act 25 is not repealed by 2005 Wisconsin Act 344. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 16.997 (2) (f) ←
reads:

(f) Ensure that juvenile correctional facilities that receive access under this section to data lines and video links or that receive additional access under s. 16.998 to data lines, video links, and bandwidth use those data lines and video links and that bandwidth only for educational purposes.

3 **SECTION 33.** 19.36 (13) of the statutes, as created by 2005 Wisconsin Act 59, is
4 amended to read:

5 19.36 (13) FINANCIAL IDENTIFYING INFORMATION. An authority shall not provide
6 access to personally identifiable data that contains an individual's account or
7 customer number with a financial institution, as defined in s. ~~895.505~~ 134.97 (1) (b),
8 including credit card numbers, debit card numbers, checking account numbers, or
9 draft account numbers, unless specifically required by law.

NOTE: Corrects cross-reference. Section 895.505 was renumbered to s. 134.97 by
2005 Wis. Act 155.

10 **SECTION 34.** 20.370 (4) (kr) of the statutes, as created by 2005 Wisconsin Act
11 288, is amended to read:

12 20.370 (4) (kr) *Commercial fish protection and Great Lakes resource*
13 *surcharges.* All moneys received from commercial fish protection surcharges under
14 s. 29.984 and from Great Lakes resource surcharges under s. ~~29.99~~ 29.9905 for
15 research relating to Great Lakes fish.

NOTE: Section 29.99, as created by 2005 Wis. Act 288, is renumbered to s. 29.9905
by this bill.

16 **SECTION 35.** 20.380 (1) (ig) of the statutes, as created by 2005 Wisconsin Act
17 260, is amended to read:

1 20.380 (1) (ig) *Golf promotion*. All moneys received under s. 341.14 (6r) (b) ~~9~~.
2 9m. a. for the purpose of promoting golf in this state.

NOTE: Section 341.14 (6r) (b) 9., as created by 2005 Wis. Act 260, is renumbered
s. 341.14 (6r) (b) 9m. by this bill.

3 ~~SECTION 36~~. 20.380 (1) (ir) of the statutes, as created by 2005 Wisconsin Act
4 260, is amended to read:

5 20.380 (1) (ir) *Payments to the WPGA Junior Foundation*. All moneys received
6 under s. 341.14 (6r) (b) ~~9~~. 9m. b. for payments to the WPGA Junior Foundation, Inc.
7 under s. 41.24.

NOTE: Section 341.14 (6r) (b) 9., as created by 2005 Wis. Act 260, is renumbered
s. 341.14 (6r) (b) 9m. by this bill.

8 ~~SECTION 37~~. 20.410 (3) (d) of the statutes, as created by 2005 Wisconsin Act 234,
9 is renumbered 20.410 (3) (dm).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act
25 renumbered s. 20.505 (6) (d) to s. 20.410 (3) (d). ←

10 ~~SECTION 38~~. 20.835 (2) (cm) of the statutes, as created by 2005 Wisconsin Act
11 361, is renumbered 20.835 (2) (co) and amended to read:

12 20.835 (2) (co) *Enterprise zone jobs credit*. A sum sufficient to make the
13 payments under ss. 71.07 (3w) (c) 1., 71.28 (3w) (c) 1., and 71.47 (3w) (c) 1.

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). A provision
numbered 20.835 (2) (cm) previously existed. Inserts missing "and." ←

14 ~~SECTION 39~~. 20.907 (5) (e) 6. of the statutes is amended to read:

15 20.907 (5) (e) 6. Advances from ~~child caring institutions~~ residential care
16 centers for children and youth and counties and moneys receivable from counties
17 under s. 46.037.

NOTE: The term "child caring institution" was changed to "residential care center
for children and youth" ~~in~~ 2001 Act 59.

***NOTE: Inserted by GMM

by Wis.

1 ~~SECTION 40.~~ 24.61 (2) (a) 10. of the statutes, as created by 2005 Wisconsin Act
2 335, is renumbered 24.61 (2) (a) 10m.

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act ←
352 also created a provision numbered s. 24.61 (2) (a) 10.

3 ~~SECTION 41.~~ 25.17 (3) (dm) of the statutes is amended to read:

4 25.17 (3) (dm) Make loans secured by mortgages upon unencumbered and
5 wholly or partly improved real property in the United States or Canada, or upon
6 leasehold estates in improved real property therein. Real property and leasehold
7 estates shall not be deemed to be encumbered within the meaning of this paragraph
8 by reason of the existence of unpaid assessments and taxes not delinquent, mineral,
9 oil or timber rights, easements or rights-of-way for public highways, private roads,
10 railroad, telegraph, telephone, electric light and power lines, drains, sewers or other
11 similar easements or rights-of-way, lines liens for service and maintenance of water
12 rights when not delinquent, party wall agreements, building restrictions, or other
13 restrictive covenants or conditions, with or without a reversionary clause, or leases
14 under which rents or profits are reserved to the owner. No such loan shall exceed ~~75%~~
15 75 percent of the then fair market value, including buildings, if any, mortgages to
16 secure the same. If the value of the buildings constitutes any part of the security,
17 such buildings shall be kept insured to an amount which, together with ~~75%~~ 75
18 percent of the value of the land, shall equal or exceed the loan. The foregoing
19 limitations and restrictions shall not apply to loans made under ch. 219 or real estate
20 loans which are insured in whole or in part by the federal housing administration or
21 commercial mortgage insurers.

NOTE: Corrects spelling consistent with s. 25.17 (3) (bh). This provision was
created by chapter 39, Laws of 1975, reproducing the phrase "liens for service and
maintenance of water rights when not delinquent" word-for-word from the previously
existing s. 25.17 (3) (bh), except that "line" replaced "lien." The percent symbol is replaced
consistent with current style.

1 —SECTION 42. 25.40 (1) (a) 22. of the statutes, as created by 2005 Wisconsin Act
2 260, is renumbered 25.40 (1) (a) 23. and amended to read:

3 25.40 (1) (a) 23. Moneys received under s. 341.14 (6r) (b) ~~9.~~ 9m. that are
4 deposited in the general fund and credited to the appropriation accounts under s.
5 20.380 (1) (ig) and (ir).

NOTE: 2005 Wis. Act 199 also created a provision numbered s. 25.40 (1) (a) 22.
Section 341.14 (6r) (b) 9., as created by 2005 Wis. Act 260, is renumbered s. 341.14 (6r)
(b) 9m. by this bill.

6 —SECTION 43. 25.40 (3) (b) of the statutes, as created by 2005 Wisconsin Act 85,
7 is renumbered 25.40 (3) (b) (intro.) and amended to read:

8 25.40 (3) (b) (intro.) Beginning on July 1, 2007, no moneys may be appropriated
9 from the transportation fund except for purposes related to any of the following:

10 1. The planning, design, construction, reconstruction, expansion,
11 rehabilitation, maintenance, or operation of highway, airport, harbor, ferry, railroad,
12 bicycle, or pedestrian facilities or service, or any costs attendant to such planning,
13 design, construction, reconstruction, expansion, rehabilitation, maintenance, or
14 operation; ~~the.~~

15 2. The acquisition of transportation facilities or property necessary to construct
16 or enlarge transportation facilities, or costs attendant to such acquisition or to
17 disposal of any acquired facility or property; ~~costs.~~

18 3. Costs associated with utility facilities within the rights-of-way of
19 transportation facilities or with radio communications facilities and equipment
20 owned or leased by, and services provided by, the department of transportation and
21 used for law enforcement; ~~aids.~~

22 4. Aids or assistance to cities, villages, towns, or counties for transportation
23 purposes; ~~the.~~

1 5. The expenditure of federal transportation aid received by the state for any
2 purpose for which the aid is provided or the provision of matching or supplemental
3 funds associated with such aid, or the expenditure of funds derived from gifts or
4 grants received by the department of transportation for any purpose for which the
5 gift or grant is provided; ~~state.~~

6 6. State enforcement of traffic laws; transportation.

7 7. Transportation safety programs; the.

8 8. The administration of laws related to motor vehicles, driver licensing, or
9 aeronautics; ~~the.~~

10 9. The payment of principal and interest on bonds issued for highway, railroad,
11 or harbor improvements or other transportation facilities; ~~the.~~

12 10. The general costs of administration of the department of transportation;
13 ~~the.~~

14 11. The costs of administration of the taxes and fees that are deposited in the
15 transportation fund; ~~terminal.~~

16 12. Terminal tax distribution payments under s. 76.24 (2) (a); tourism.

17 13. Tourism promotion under s. 20.380 (1) (w); transfers.

18 14. Transfers to the conservation fund for motor fuel tax collections on the use
19 of fuel by snowmobiles, all-terrain vehicles, and motorboats; ~~any.~~

20 15. Any refunds of transportation fund taxes and fees authorized by law; or any.

21 16. Any other program administered by the department of transportation on
22 January 10, 2005 2006.

NOTE: Renumbers provisions pursuant to s. 13.93 (1) (a) and (b) to place a series
in tabular form for consistency with current style and improved readability. ~~Date~~ was
printed incorrectly in the printed volumes. *The date*

****NOTE: I made changes in last line of cited text and in note, per instructions you
relayed via the phone. Please review. CJS

1 SECTION 44. 28.025 (1) of the statutes, as created by 2005 Wisconsin Act 166,
2 is amended to read:

3 28.025 (1) In this section, "forested property" means forested property owned
4 by this state and ~~and~~ under the jurisdiction of the department from which timber is
5 harvested.

NOTE: Deletes repeated word.

The repeated "and" is not shown in the printed statutes.

6 SECTION 45. The treatment of 29.194 (1) of the statutes by 2005 Wisconsin Act
7 243 is not repealed by 2005 Wisconsin Act 283. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 29.194 (1) (a),
as renumbered from s. 29.194 (1) by 2005 Wis. Act 283, reads: ←

(a) Notwithstanding ss. 29.024 (2) and 29.228 (1) (a), the department shall issue a resident fishing license, resident small game hunting license or resident deer hunting license to a qualified student applying for the license. A qualified student is a person who exhibits proof that he or she is a registered full-time student who is present in this state attending a public or private college or university that is located in this state and that offers an associate degree or a bachelor's degree or that he or she is a citizen of a foreign country temporarily residing in this state while attending a high school located in this state or an agricultural short course at the University of Wisconsin System.

8 SECTION 46. 29.235 (2) of the statutes, as affected by 2005 Wisconsin Act 25,
9 is renumbered 29.235 (2) (intro.) and amended to read:

10 29.235 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES.
11 (intro.) A resident conservation patron license confers upon the licensee all the
12 combined privileges conferred by ~~a~~ all of the following:

- 13 (a) A resident small game hunting license, ~~a~~.
- 14 (b) A resident deer hunting license, ~~a~~.
- 15 (c) A resident wild turkey hunting license, ~~a~~.
- 16 (d) A resident archer hunting license, ~~a~~.
- 17 (e) A waterfowl hunting stamp, ~~a~~.
- 18 (f) A pheasant hunting stamp, ~~a~~.
- 19 (g) A wild turkey hunting stamp, ~~a~~.

1 (h) A resident annual fishing license, ~~an~~.

2 (i) An inland waters trout stamp, ~~a~~.

3 (j) A Great Lakes trout and salmon stamp, ~~a~~.

4 (k) A sturgeon hook and line tag, ~~and a~~.

5 (L) A trapping license.

NOTE: Renumbers provision pursuant to s. 13.93 (1) (a) and (b) to place a series in tabular form for consistency with current style and improved readability.

6 **SECTION 47.** 29.235 (2m) of the statutes, as affected by 2005 Wisconsin Acts 25
7 and 284, is renumbered 29.235 (2m) (intro.) and amended to read:

8 29.235 (2m) AUTHORIZATION; NONRESIDENT HUNTING, FISHING, AND TRAPPING
9 PRIVILEGES. (intro.) A nonresident conservation patron license confers upon the
10 licensee ~~all~~ the combined privileges conferred by ~~a~~ all of the following:

11 (a) A nonresident small game hunting license, ~~a~~.

12 (b) A nonresident deer hunting license, ~~a~~.

13 (c) A nonresident wild turkey hunting license, ~~a~~.

14 (d) A nonresident archer hunting license, ~~a~~.

15 (e) A waterfowl hunting stamp, ~~a~~.

16 (f) A pheasant hunting stamp, ~~a~~.

17 (g) A wild turkey hunting stamp, ~~a~~.

18 (h) A nonresident annual fishing license, ~~an~~.

19 (i) An inland waters trout stamp, ~~a~~.

20 (j) A Great Lakes trout and salmon stamp, ~~and a~~.

21 (k) A sturgeon hook and line tag, ~~and a~~.

22 (L) A trapping license.

NOTE: Renumbers provision pursuant to s. 13.93 (1) (a) and (b) to place a series in tabular form for consistency with current style and improved readability.

1 **SECTION 48.** 29.405 (a), (b) and (c) of the statutes, as created by 2005 Wisconsin
2 Act 291, are renumbered 29.405 (1), (2) and (3).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b), correcting a
numbering error. ←

3 **SECTION 49.** 29.889 (7m) (ar) (intro.) of the statutes, as created by 2005
4 Wisconsin Act 82, is amended to read:

5 29.889 (7m) (ar) *Exemption; land not required to be open to hunting.* (intro.)
6 The requirement under par. (a) does not apply to a person to whom the department
7 grants a shooting permit for deer causing damage that is issued as an abatement
8 measure recommended under this section if all of the following apply:

NOTE: Inserts missing text as shown by drafting records and consistent with the
creation of s. 29.885 (4r) by 2005 Wis. Act 82.

9 **SECTION 50.** 29.972 of the statutes, as created by 2005 Wisconsin Act 288, is
10 renumbered 29.973.

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act
282 also created a provision numbered s. 29.972. ←

11 **SECTION 51.** 29.987 (1) (a) of the statutes, as affected by 2005 Wisconsin Act
12 288, is amended to read:

13 29.987 (1) (a) If a court imposes a fine or forfeiture for a violation of a provision
14 of this chapter or an order issued under this chapter, other than for a violation
15 specified under s. ~~29.99~~ 29.9905 (1) (a), the court shall impose a natural resources
16 surcharge under ch. 814 equal to 75 percent of the amount of the fine or forfeiture.

NOTE: Section 29.99, as created by 2005 Wis. Act 288, is renumbered to s. 29.9905
by this bill.

17 **SECTION 52.** 29.99 of the statutes, as created by 2005 Wisconsin Act 288, is
18 renumbered 29.9905.

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act
282 also created a provision numbered s. 29.99. ←

1 — **SECTION 53.** 29.99 (3) of the statutes, as created by 2005 Wisconsin Act 282, is
2 amended to read:

3 29.99 (3) If any deposit is made for an offense to which this section applies, the
4 person making the deposit shall also deposit a sufficient amount to include the
5 wildlife violator compact surcharge under this section. If the deposit is forfeited, the
6 amount of the wildlife violator compact surcharge shall be transmitted to the
7 secretary of administration under ~~par. (d)~~ sub. (4). If the deposit is returned, the
8 wildlife violator compact surcharge shall also be returned.

NOTE: Inserts the correct cross-reference.

9 — **SECTION 54.** 31.385 (2) (e) of the statutes is repealed.

NOTE: Repeals obsolete transition provision.

10 — **SECTION 55.** 41.24 (2) of the statutes, as created by 2005 Wisconsin Act 260, is
11 amended to read:

12 41.24 (2) The agreement under this section shall require that the WPGA Junior
13 Foundation, Inc. provide, without fee and as a condition of receiving payments
14 specified under this section, any license or other approval required for use of any logo,
15 trademark, trade name, word, or symbol to be used on or in association with special
16 group registration plates under s. 341.14 (6r) (f) ~~56~~ 55m.

NOTE: Section 341.14 (6r) (f) 56., as created by 2005 Wis. Act 260, is renumbered
s. 341.14 (6r) (f) 55m. by this bill.

17 — **SECTION 56.** The treatment of 43.12 (1) of the statutes by 2005 Wisconsin Act
18 226 is not repealed by 2005 Wisconsin Act 420. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 43.12 (1) reads:

(1) By March 1 of each year, a county that does not maintain a consolidated public library for the county under s. 43.57 and that contains residents who are not residents of a municipality that maintains a public library under s. 43.52 or 43.53 shall pay to each public library in the county and to each public library in an adjacent county, other than a county with a population of at least 500,000, an amount that is equal to at least 70% of the amount computed by multiplying the number of loans reported under sub. (2) by the amount that results from dividing the total operational expenditures of the library during the calendar year for which the number of loans are reported, not including capital

expenditures or expenditures of federal funds, by the total number of loans of material made by the public library during the calendar year for which the loans are reported. The library board of the public library entitled to a payment under this subsection may direct the county to credit all or a portion of the payment to a county library service or library system for shared services.

1 — **SECTION 57.** 43.15 (5) of the statutes, as created by 2005 Wisconsin Act 420, is
2 renumbered 43.15 (5m).

NOTE: 2005 Wis. Act 226 also created a provision numbered s. 43.15 (5).

3 — **SECTION 58.** 44.45 (4) (b) of the statutes is amended to read:

4 44.45 (4) (b) The list is not a rule under s. ~~227.13~~ 227.01 (13). The state
5 historical society shall publish the list as an appendix to the rules promulgated under
6 s. 44.36.

NOTE: Corrects cross-reference. "Rule" is defined at s. 227.01 (13). Section 227.13 is not related to defining or determining what a rule is, but rather provides for agencies to use informal conferences and consultations to obtain the viewpoint and advice of interested persons and to appoint committees to advise it with respect to contemplated rule making.

7 — **SECTION 59.** 46.043 (1) of the statutes is amended to read:

8 46.043 (1) In addition to inpatient and outpatient services provided at mental
9 health institutes under ss. 51.05 and 51.07, the department may authorize mental
10 health institutes to offer services other than inpatient mental health services when
11 the department determines that community services need to be supplemented.
12 Services that may be offered under this section include mental health outpatient
13 treatment and services, day programming, consultation and services in residential
14 facilities, including group homes, ~~child caring institutions~~ residential care centers
15 for children and youth, and community-based residential facilities.

NOTE: The term "child caring institution" was changed to "residential care center for children and youth" by 2001 Act 59.

***NOTE: Inserted by GMM

16 — **SECTION 60.** The treatment of 46.10 (2) of the statutes by 2005 Wisconsin Act
17 264 is not repealed by 2005 Wisconsin Act 434. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 46.10 (2) reads:

(2) Except as provided in subs. (2m) and (14) (b) and (c), any person, including but not limited to a person admitted, committed, protected, or placed under s. 975.01, 1977 stats., s. 975.02, 1977 stats., s. 975.17, 1977 stats., s. 55.05 (5), 2003 stats., and 55.06, 2003 stats., and ss. 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.055, 55.12, 55.13, 55.135, 971.14 (2) and (5), 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services and supplies provided by any institution in this state including University of Wisconsin Hospitals and Clinics, in which the state is chargeable with all or part of the person's care, maintenance, services and supplies, any person receiving care and services from a county department established under s. 51.42 or 51.437 or from a facility established under s. 49.73, and any person receiving treatment and services from a public or private agency under s. 980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003 stats., or s. 971.17 (3) (d) or (4) (e) or 980.08 (4) (g) and the person's property and estate, including the homestead, and the spouse of the person, and the spouse's property and estate, including the homestead, and, in the case of a minor child, the parents of the person, and their property and estates, including their homestead, and, in the case of a foreign child described in s. 48.839 (1) who became dependent on public funds for his or her primary support before an order granting his or her adoption, the resident of this state appointed guardian of the child by a foreign court who brought the child into this state for the purpose of adoption, and his or her property and estate, including his or her homestead, shall be liable for the cost of the care, maintenance, services and supplies in accordance with the fee schedule established by the department under s. 46.03 (18). If a spouse, widow or minor, or an incapacitated person may be lawfully dependent upon the property for their support, the court shall release all or such part of the property and estate from the charges that may be necessary to provide for those persons. The department shall make every reasonable effort to notify the liable persons as soon as possible after the beginning of the maintenance, but the notice or the receipt thereof is not a condition of liability.

***NOTE: I removed the treatment of s. 46.215 (1p) because it is included in LRB-0495 now. CJS

***NOTE: I removed the treatment of s. 46.23 (3) (ed) because it is included in LRB-0495 now. CJS

1 **SECTION 61.** 46.261 (2) (a) 2. of the statutes is amended to read:
2 46.261 (2) (a) 2. A county or, in a county having a population of 500,000 or more,
3 the department, on behalf of a child in the legal custody of a county department under
4 s. 46.215, 46.22 or 46.23 or the department under s. 48.48 (17) or on behalf of a child
5 who was removed from the home of a relative, as defined under s. 48.02 (15), as a
6 result of a judicial determination that continuance in the home of a relative would
7 be contrary to the child's welfare for any reason when such child is placed in a
8 licensed ~~child caring institution~~ residential care center for children and youth by the

1 county department or the department. Reimbursement shall be made by the state
2 pursuant to subd. 1.

NOTE: The term "child caring institution" was changed to "residential care center
for children and youth" by 2001 Act 59.

****NOTE: Inserted by GMM

3 ~~SECTION 62.~~ The treatment of 48.371 (3) (d) of the statutes by 2005 Wisconsin
4 Act 232 is not repealed by 2005 Wisconsin Act 277. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 48.371 (3) (d)
reads: ←

(d) Any involvement of the child, whether as victim or perpetrator, in sexual
intercourse or sexual contact in violation of s. 940.225, 948.02, 948.025, or 948.085,
prostitution in violation of s. 944.30, sexual exploitation of a child in violation of s. 948.05,
or causing a child to view or listen to sexual activity in violation of s. 948.055, if the
information is necessary for the care of the child or for the protection of any person living
in the foster home, treatment foster home, group home, or residential care center for
children and youth.

5 ~~SECTION 63.~~ The treatment of 48.396 (1) of the statutes by 2005 Wisconsin Act
6 344 is not repealed by 2005 Wisconsin Act 434. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 48.396 (1)
reads:

(1) Law enforcement officers' records of children shall be kept separate from
records of adults. Law enforcement officers' records of the adult expectant mothers of
unborn children shall be kept separate from records of other adults. Law enforcement
officers' records of children and the adult expectant mothers of unborn children shall not
be open to inspection or their contents disclosed except under sub. (1b), (1d), (5), or (6) or
s. 48.293 or by order of the court. This subsection does not apply to the representatives
of newspapers or other reporters of news who wish to obtain information for the purpose
of reporting news without revealing the identity of the child or adult expectant mother
involved, to the confidential exchange of information between the police and officials of
the school attended by the child or other law enforcement or social welfare agencies, or
to children 10 years of age or older who are subject to the jurisdiction of the court of
criminal jurisdiction. A public school official who obtains information under this
subsection shall keep the information confidential as required under s. 118.125 and a
private school official who obtains information under this subsection shall keep the
information confidential in the same manner as is required of a public school official
under s. 118.125. A law enforcement agency that obtains information under this
subsection shall keep the information confidential as required under this subsection and
s. 938.396 (1) (a). A social welfare agency that obtains information under this subsection
shall keep the information confidential as required under ss. 48.78 and 938.78.

7 ~~SECTION 64.~~ The treatment of 48.42 (2m) of the statutes by 2005 Wisconsin Act
8 277 is not repealed by 2005 Wisconsin Act 293. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective 7-1-2006, s. 48.42 (2m) (a), as renumbered from s. 48.42 (2m) by 2005 Wis. Act 293, reads: ←

(a) *Parent as a result of sexual assault.* Except as provided in this paragraph, notice is not required to be given to a person who may be the father of a child conceived as a result of a sexual assault in violation of s. 940.225 (1), (2) or (3), 948.02 (1) or (2), 948.025, or 948.085 if a physician attests to his or her belief that a sexual assault as specified in this paragraph has occurred or if the person who may be the father of the child has been convicted of sexual assault as specified in this paragraph for conduct which may have led to the child's conception. A person who under this paragraph is not given notice does not have standing to appear and contest a petition for the termination of his parental rights, present evidence relevant to the issue of disposition, or make alternative dispositional recommendations. This paragraph does not apply to a person who may be the father of a child conceived as a result of a sexual assault in violation of s. 948.02 (1) or (2) if that person was under 18 years of age at the time of the sexual assault.

1 **SECTION 65.** 48.423 (1) of the statutes, as affected by 2005 Wisconsin Act 293,
2 is amended to read:

3 **48.423 (1) RIGHTS TO PATERNITY DETERMINATION.** If a person appears at the
4 hearing and claims that he is the father of the child, the court shall set a date for a
5 hearing on the issue of paternity or, if all parties agree, the court may immediately
6 commence hearing testimony concerning the issue of paternity. The court shall
7 inform the person claiming to be the father of the child of any right to counsel under
8 s. 48.23. The person claiming to be the father of the child must prove paternity by
9 clear and convincing evidence. A person who establishes his paternity of the child
10 under this section may further participate in the termination of parental rights
11 proceeding only if the person meets the conditions specified in sub. (2) or meets a
12 condition specified in s. 48.42 (2) or (b) or (bm).

NOTE: Corrects citation error.

13 **SECTION 66.** The treatment of 48.685 (1) (c) of the statutes by 2005 Wisconsin
14 Act 184 is not repealed by 2005 Wisconsin Act 277. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 48.685 (1) (c) reads: ←

(c) "Serious crime" means a violation of s. 940.19 (3), 1999 stats., a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1), 948.30, or 948.53 or a violation of the law of any other state or United States jurisdiction

that would be a violation of s. 940.19 (3), 1999 stats., or a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1), 948.30, or 948.53 if committed in this state.

1 — **SECTION 67.** The treatment of 48.981 (1) (b) of the statutes by 2003 Wisconsin
2 Act 33, section 1189r, is not repealed by 2005 Wisconsin Act 344. Both treatments
3 stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 48.981 (1) (b) reads:

(b) "Community placement" means probation; extended supervision; parole; aftercare; conditional transfer into the community under s. 51.35 (1); conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 residential care center for children and youth or a Type 2 juvenile correctional facility authorized under s. 938.539 (5); conditional release under s. 971.17; supervised release under s. 980.06 or 980.08; participation in the community residential confinement program under s. 301.046, the intensive sanctions program under s. 301.048, the corrective sanctions program under s. 938.533, the intensive supervision program under s. 938.534, or the serious juvenile offender program under s. 938.538; or any other placement of an adult or juvenile offender in the community under the custody or supervision of the department of corrections, the department of health and family services, a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 or any other person under contract with the department of corrections, the department of health and family services or a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 to exercise custody or supervision over the offender.

4 — **SECTION 68.** The treatment of 49.45 (6m) (ag) (intro.) of the statutes by 2005
5 Wisconsin Act 107 is not repealed by 2005 Wisconsin Act 253. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 49.45 (6m) (ag) (intro.) reads: 

(ag) Payment for care provided in a facility under this subsection made under s. 20.435 (4) (b), (gp), (o), (pa), or (w) shall, except as provided in pars. (bg), (bm), and (br), be determined according to a prospective payment system updated annually by the department. The payment system shall implement standards that are necessary and proper for providing patient care and that meet quality and safety standards established under subch. II of ch. 50 and ch. 150. The payment system shall reflect all of the following:

6 — **SECTION 69.** 49.497 (1m) (a) of the statutes, as affected by 2005 Wisconsin Act
7 254, is amended to read:
8 49.497 (1m) (a) If, after notice that an incorrect payment was made, a recipient,
9 or parent of a minor recipient, who is liable for repayment of an incorrect payment
10 fails to repay the incorrect payment or enter into, or comply with, an agreement for

1 repayment, the department may bring an action to enforce the liability or may issue
2 an order to compel payment of the liability. Any person aggrieved by an order issued
3 by the department under this paragraph may appeal the order as a contested case
4 under ch. 227 by filing with the department a request for a hearing within 30 days
5 after the date of the order. The only issue at the hearing shall be the determination
6 by the department that the person has not repaid the incorrect payment or entered
7 into, or complied with, an agreement for repayment. ~~If, after notice that an incorrect~~
8 ~~payment was made, a recipient, or parent of a minor recipient, who is liable for~~
9 ~~repayment of an incorrect payment fails to repay the incorrect payment or enter into,~~
10 ~~or comply with, an agreement for repayment, the department may bring an action~~
11 ~~to enforce the liability or may issue an order to compel payment of the liability. Any~~
12 ~~person aggrieved by an order issued by the department under this paragraph may~~
13 ~~appeal the order as a contested case under ch. 227 by filing with the department a~~
14 ~~request for a hearing within 30 days after the date of the order. The only issue at~~
15 ~~hearing shall be the determination by the department that the person has not repaid~~
16 ~~the incorrect payment or entered into, or complied with, an agreement for~~
17 ~~repayment.~~

The repeated language is not shown in the printed statutes.

NOTE: The text of s. 49.497 (1m) (a) was inadvertently repeated in the treatment of that provision by 2005 Wis. Act 254.

18 **SECTION 70.** The treatment of 50.065 (1) (e) 2. of the statutes by 2005 Wisconsin
19 Act 184 is not repealed by 2005 Wisconsin Act 277. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 50.065 (1) (e) 2. reads: 

2. For the purposes of an entity that serves persons under the age of 18, "serious crime" includes a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05, 948.055, 948.06, 948.07, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1), 948.30, or 948.53 or a violation of the law of any other state or United States jurisdiction that would be a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05, 948.055, 948.06, 948.07, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1), 948.30, or 948.53 if committed in this state.

1 — **SECTION 71.** 50.09 (1) (f) 1. of the statutes, as affected by 2005 Wisconsin Act
2 187, is amended to read:

3 50.09 (1) (f) 1. 'Privacy for visits by spouse.' If both spouses are residents of the
4 same facility, they shall be permitted to share a room unless medically
5 contraindicated as documented by the resident's physician or advanced practice
6 nurse prescriber in the resident's medical record.

NOTE: The single quote marks were inserted without being underscored. No
change was intended.

7 — **SECTION 72.** 50.14 (4) of the statutes, as affected by 2005 Wisconsin Acts 25 and
8 49, is amended to read:

9 50.14 (4) Sections 77.59 (1) to (5m), (6) (intro.), (a) and (c) and (7) to (10), 77.60
10 (1) to (7), (9) and (10), 77.61 (9) and (12) to (14) and 77.62, as they apply to the taxes
11 under subch. III of ch. 77, apply to the assessment under this section, except that the
12 amount of any assessment collected under s. 77.59 (7) in excess of \$13,800,000 ~~45~~
13 percent in a fiscal year shall be deposited in the Medical Assistance trust fund.

NOTE: The stricken text was inserted by 2005 Wis. Act 49 but rendered without
effect by the treatment by 2005 Wis. Act 25.

14 — **SECTION 73.** The treatment of 50.39 (3) of the statutes by 2005 Wisconsin Act
15 22 is not repealed by 2005 Wisconsin Act 344. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 50.39 (3) reads:

(3) Facilities governed by ss. 45.50, 48.62, 49.70, 49.72, 50.02, 51.09, and 252.10,
juvenile correctional facilities as defined in s. 938.02 (10p), correctional institutions
governed by the department of corrections under s. 301.02, and the offices and clinics of
persons licensed to treat the sick under chs. 446, 447, and 448 are exempt from ss. 50.32
to 50.39. Sections 50.32 to 50.39 do not abridge the rights of the medical examining board,
physical therapists affiliated credentialing board, podiatrists affiliated credentialing
board, dentistry examining board, pharmacy examining board, chiropractic examining
board, and board of nursing in carrying out their statutory duties and responsibilities.

16 — **SECTION 74.** The treatment of 51.05 (2) of the statutes by 2005 Wisconsin Act
17 344 is not repealed by 2005 Wisconsin Act 387. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 51.05 (2) reads:

(2) ADMISSIONS AUTHORIZED BY COUNTIES. The department may not accept for admission to a mental health institute any resident person, except in an emergency, unless the county department under s. 51.42 in the county where the person has residence authorizes the care under s. 51.42 (3) (as). Patients who are committed to the department under s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17, 975.06, or 980.06, admitted by the department under s. 975.17, 1977 stats., or are transferred from a juvenile correctional facility or a secured residential care center for children and youth to a state treatment facility under s. 51.35 (3) or from a jail or prison to a state treatment facility under s. 51.37 (5) are not subject to this section.

1 **SECTION 75.** The treatment of 51.30 (4) (b) 8m. of the statutes by 2005
2 Wisconsin Act 387 is not repealed by 2005 Wisconsin Act 434. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 51.30 (4) (b) 8m. reads:

8m. To appropriate examiners and facilities in accordance with s. 54.36 (3), 971.17 (2) (e), (4) (c), and (7) (c). The recipient of any information from the records shall keep the information confidential except as necessary to comply with s. 971.17.

3 **SECTION 76.** 51.42 (3) (aw) 1. d. of the statutes, as affected by 2005 Wisconsin
4 Acts 431 and 434, is amended to read:

5 51.42 (3) (aw) 1. d. Provide treatment and services that are specified in a
6 conditional release plan approved by a court for a person who is a county resident and
7 is conditionally released under s. 971.17 (3) or (4) or that are specified in a supervised
8 release plan approved by a court under s. 980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003
9 stats., or s. 980.08 (b) (4) (g). If the county department provides treatment and
10 services under this subdivision, the department of health and family services shall,
11 from the appropriation under s. 20.435 (2) (bj), pay the county department for the
12 costs of the treatment and services.

NOTE: Deletes the paragraph designation of a cross-reference inserted by 2005 Wis. Act 431, but rendered surplusage by the removal of the subsection portion of the cross-reference by 2005 Wis. Act 434.

13 **SECTION 77.** The treatment of 51.61 (1) (o) of the statutes by 2005 Wisconsin
14 Act 387 is not repealed by 2005 Wisconsin Act 434. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 51.61 (1) (o) reads:

(o) Except as otherwise provided, have a right not to be filmed or taped, unless the patient signs an informed and voluntary consent that specifically authorizes a named



individual or group to film or tape the patient for a particular purpose or project during a specified time period. The patient may specify in the consent periods during which, or situations in which, the patient may not be filmed or taped. If a patient is adjudicated incompetent, the consent shall be granted on behalf of the patient by the patient's guardian. A patient in Goodland Hall at the Mendota Mental Health Institute, or a patient detained or committed under ch. 980 and placed in a facility specified under s. 980.065, may be filmed or taped for security purposes without the patient's consent, except that such a patient may not be filmed in patient bedrooms or bathrooms without the patient's consent unless the patient is engaged in dangerous or disruptive behavior. A treatment activity involving a patient committed or detained under ch. 980 may be filmed or taped if the purpose of the recording is to assess the quality of the treatment activity or to facilitate clinical supervision of the staff involved in the treatment activity.

SECTION 78. 59.10 (3) (cm) 1. of the statutes, as created by 2005 Wisconsin Act

100, is amended to read:

59.10 (3) (cm) 1. 'Number of supervisors; redistricting.' Except as provided in subd. 3, following the enactment of a decennial supervisory district plan under par. (b), the board may decrease the number of supervisors. In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted. In the redistricting plan, the board shall adhere to the requirements under par. (b) 2. and 3. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. No plan may be enacted under this subdivision during review of the sufficiency of a petition filed under subd. 2. nor after a referendum is scheduled on such a petition. However, if the electors of the county reject a change in the number of supervisory districts under subd. 2., the board may then take action under this subdivision except

1 as provided in subd. 3. The county clerk shall file a certified copy of any redistricting
2 plan enacted under this subdivision with the secretary of state.

NOTE: 2005 Wis. Act 235 repealed s. 59.10 (3) (b) 3.

3 ~~SECTION 79.~~ 59.35 (5) of the statutes, as affected by 2005 Wisconsin Act 127,
4 is amended to read:

5 59.35 (5) A person holding office under this section may also serve as ~~a~~ an
6 emergency medical technician, a first responder, a fire fighter or a chief, deputy chief
7 or assistant chief of a fire department.

NOTE: Inserts correct article.

8 ~~SECTION 80.~~ 60.61 (4) (e) of the statutes, as created by 2005 Wisconsin Act 208,
9 is renumbered 60.61 (4) (f).

NOTE: 2005 Wis. Act 171 also created a provision numbered s. 60.61 (4) (e).

10 ~~SECTION 81.~~ 66.0403 (1) (h) of the statutes is amended to read:

11 66.0403 (1) (h) "Owner" means at least one owner, as defined under s. 66.0217
12 (1) ~~(e)~~ (d), of a property or the personal representative of at least one owner.

NOTE: Corrects cross-reference. "Owner" is defined at s. 66.0217 (1) (d).

13 ~~SECTION 82.~~ 70.111 (3m) of the statutes is amended to read:

14 70.111 (3m) CHARTER SPORT FISHING BOATS. Motorboats, and the equipment
15 used on them, which are regularly employed in carrying persons for hire for sport
16 fishing in and upon the outlying waters, as defined in s. 29.001 (63), and the rivers
17 and tributaries specified in s. ~~29.191 (5)~~ 29.2285 (2) (a) 1. and 2. if the owner and all
18 operators are licensed under s. 29.512 or under s. 29.514 or both and by the U.S. coast
19 guard to operate the boat for that purpose.

NOTE: Section 29.191 (5) was renumbered s. 29.2285 (2) by 2005 Wis. Act 25.

20 ~~SECTION 83.~~ 71.07 (3w) (c) 1. of the statutes, as created by 2005 Wisconsin Act
21 361, is amended to read:

1 71.07 (3w) (c) 1. If the allowable amount of the claim under this subsection
2 exceeds the taxes otherwise due on the claimant's income under s. 71.02, the amount
3 of the claim that is not used to offset those taxes shall be certified by the department
4 of revenue to the department of administration for payment by check, share draft,
5 or other draft drawn from the appropriation under s. 20.835 (2) ~~(cm)~~ (co).

NOTE: Section 20.835 (2) (cm), as created by 2005 Wis. Act 361, is renumbered to
s. 20.835 (2) (co) by this bill.

6 — **SECTION 84.** 71.08 (1) (intro.) of the statutes, as affected by 2005 Wisconsin Act
7 479, is amended to read:

8 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married
9 couple filing jointly, trust, or estate under s. 71.02, not considering the credits under
10 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2fd), ~~(3e), (3e)~~, (3m),
11 (3n), (3s), (3t), (3w), (5b), (5d), (5e), (5f), (6), (6e), and (9e), 71.28 (1dd), (1de), (1di),
12 (1dj), (1dL), (1ds), (1dx), (1fd), (2m), (3), (3n), (3t), and (3w), and 71.47 (1dd), (1de),
13 (1di), (1dj), (1dL), (1ds), (1dx), (1fd), (2m), (3), (3n), (3t), and (3w), and subchs. VIII
14 and IX and payments to other states under s. 71.07 (7), is less than the tax under this
15 section, there is imposed on that natural person, married couple filing jointly, trust
16 or estate, instead of the tax under s. 71.02, an alternative minimum tax computed
17 as follows:

NOTE: The creation of s. 71.07 (3c) and (3e) was removed from 2005 Wis. Act 361
by the governor's partial veto. 2005 Wis. Act 483 amended this subsection to insert "(5f),"
but 2005 Wis. Act 479 repealed and recreated the provision without taking the Act 483
treatment into account.

18 — **SECTION 85.** 71.10 (5g) of the statutes, as created by 2005 Wisconsin Act 71, is
19 renumbered 71.10 (5m).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act
25 also created a provision numbered s. 71.10 (5g). ←

1 **SECTION 86.** The treatment of 71.10 (6) (a) of the statutes by 2005 Wisconsin
2 Act 25 is not repealed by 2005 Wisconsin Act 49. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.10 (6) (a) reads:

(a) *Joint returns.* Persons filing a joint return are jointly and severally liable for the tax, interest, penalties, fees, additions to tax and additional assessments under this chapter applicable to the return. Except as provided in par. (e), a person shall be relieved of liability in regard to a joint return in the manner specified in section 6015 (a) to (d) and (f) of the Internal Revenue Code.

3 **SECTION 87.** The treatment of 71.10 (6) (b) of the statutes by 2005 Wisconsin
4 Act 25 is not repealed by 2005 Wisconsin Act 49. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.10 (6) (b) reads:

(b) *Separate returns.* Except as provided in par. (e), a spouse filing a separate return may be relieved of liability for the tax, interest, penalties, fees, additions to tax and additional assessments under this chapter in the manner specified in section 66 (c) of the Internal Revenue Code. The department may not apply ch. 766 in assessing a taxpayer with respect to marital property income the taxpayer did not report if that taxpayer failed to notify the taxpayer's spouse about the amount and nature of the income before the due date, including extensions, for filing the return for the taxable year in which the income was derived. The department shall include all of that marital property income in the gross income of the taxpayer and exclude all of that marital property income from the gross income of the taxpayer's spouse.

5 **SECTION 88.** The treatment of 71.10 (6m) (a) of the statutes by 2005 Wisconsin
6 Act 25 is not repealed by 2005 Wisconsin Act 49. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.10 (6m) (a) reads:

(a) Except as provided in par. (c), a formerly married or remarried person filing a return for a period during which the person was married may be relieved of liability for the tax, interest, penalties, fees, additions to tax and additional assessments under this chapter from that period as if the person were a spouse under section 66 (c) of the Internal Revenue Code. The department may not apply ch. 766 in assessing the former spouse of the person with respect to marital property income that the former spouse did not report if that former spouse failed to notify the person about the amount and nature of the income before the due date, including extensions, for filing the return for the taxable year during which the income was derived. The department shall include all of that marital property income in the gross income of the former spouse and exclude all of that marital property income from the gross income of the person.

7 **SECTION 89.** The treatment of 71.26 (1) (be) of the statutes by 2005 Wisconsin
8 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. 71.26 (1) (be) reads:

(be) *Certain authorities.* Income of the University of Wisconsin Hospitals and Clinics Authority, of the Health Insurance Risk-Sharing Plan Authority, of the Fox River Navigational System Authority, and of the Wisconsin Aerospace Authority.

1 — **SECTION 90.** 71.28 (3w) (c) 1. of the statutes, as created by 2005 Wisconsin Act
2 361, is amended to read:

3 71.28 (3w) (c) 1. If the allowable amount of the claim under this subsection
4 exceeds the taxes otherwise due on the claimant's income under s. 71.23, the amount
5 of the claim that is not used to offset those taxes shall be certified by the department
6 of revenue to the department of administration for payment by check, share draft,
7 or other draft drawn from the appropriation under s. 20.835 (2) ~~(cm)~~ (co).

NOTE: Section 20.835 (2) (cm), as created by 2005 Wis. Act 361, is renumbered to s. 20.835 (2) (co) by this bill.

8 — **SECTION 91.** The treatments of 71.34 (1) (g) of the statutes by 2005 Wisconsin
9 Acts 74 and 361 are not repealed by 2005 Wisconsin Act 479. All treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, 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), and (5g) and passed through to shareholders.

****NOTE: Section 71.34 (1) (g) was also affected by 2005 Wis. Act 483, after this part of bill was drafted. Action phrase and cited text need to be updated to merge the Act 483 treatment with the others. CJS

Act 483
treatments
included
CRP-0496/P1

10 — **SECTION 92.** 71.47 (3w) (c) 1. of the statutes, as created by 2005 Wisconsin Act
11 361, is amended to read:

12 71.47 (3w) (c) 1. If the allowable amount of the claim under this subsection
13 exceeds the taxes otherwise due on the claimant's income under s. 71.43, the amount
14 of the claim that is not used to offset those taxes shall be certified by the department
15 of revenue to the department of administration for payment by check, share draft,
16 or other draft drawn from the appropriation under s. 20.835 (2) ~~(cm)~~ (co).

NOTE: Section 20.835 (2) (cm), as created by 2005 Wis. Act 361, is renumbered to s. 20.835 (2) (co) by this bill.

1 **SECTION 93.** The treatment of 71.93 (5) of the statutes by 2005 Wisconsin Act
2 25 is not repealed by 2005 Wisconsin Act 59. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 71.93 (5) reads:

(5) DEBTOR CHARGED FOR COSTS. Each debtor shall be charged for administration expenses, and the amounts charged shall be credited to the department's appropriation under s. 20.566 (1) (h). The department may set off amounts charged to the debtor under this subsection against any refund owed to the debtor, in the manner provided in sub. (3). Annually on or before November 1, the department shall review its costs incurred during the previous fiscal year in administering state agency setoffs and reductions and shall adjust its subsequent charges to each debtor to reflect that experience.

3 **SECTION 94.** The treatment of 71.935 (5) of the statutes by 2005 Wisconsin Act
4 25 is not repealed by 2005 Wisconsin Act 59. Both treatments stand.

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

(5) Each debtor shall be charged for administration expenses, and the amounts charged shall be credited to the appropriation account under s. 20.566 (1) (h). The department may set off amounts charged to the debtor under this subsection against any refund owed to the debtor, in the manner provided in sub. (3). Annually on or before November 1, the department shall review its costs incurred during the previous fiscal year in administering setoffs and reductions under this section and shall adjust its subsequent charges to each debtor to reflect that experience.

5 **SECTION 95.** The treatment of 74.25 (1) (b) 1. of the statutes by 2005 Wisconsin
6 Act 241 is not repealed by 2005 Wisconsin Act 418. All treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor s. 74.25 (1) (b) 1. reads: 

1. Except as provided in subd. 3., pay in full to each taxing jurisdiction within the district all personal property taxes included in the tax roll which have not previously been paid to, or retained by, that taxing jurisdiction, except that the treasurer shall pay the state's proportionate share to the county. As part of that distribution, the taxation district treasurer shall allocate to each tax incremental district within the taxation district and each environmental remediation tax incremental district created by the taxation district its proportionate share of personal property taxes. The taxation district treasurer shall also distribute to the county the proportionate share of personal property taxes for each environmental remediation tax incremental district created by the county.

7 **SECTION 96.** The treatment of 74.30 (1) (i) of the statutes by 2005 Wisconsin Act
8 241 is not repealed by 2005 Wisconsin Act 418. All treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor s. 74.30 (1) (i) reads: 

(i) Except as provided in par. (k), pay in full to each taxing jurisdiction within the district all personal property taxes included in the tax roll which have not previously been paid to, or retained by, each taxing jurisdiction, except that the treasurer shall pay the

state's proportionate share to the county. As part of that distribution, the taxation district treasurer shall allocate to each tax incremental district within the taxation district and each environmental remediation tax incremental district created by the taxation district its proportionate share of personal property taxes. The taxation district treasurer shall also distribute to the county the proportionate share of personal property taxes for each environmental remediation tax incremental district created by the county.

1 ~~SECTION 97.~~ 76.636 (1) (b) of the statutes, as created by 2005 Wisconsin Act 259,
2 is renumbered 76.636 (1) (b) (intro.) and amended to read:

3 76.636 (1) (b) (intro.) "Development zone" means ~~a~~ any of the following:

4 1. A development zone under s. 560.70,~~a.~~

5 2. A development opportunity zone under s. 560.795,~~an.~~

6 3. An enterprise development zone under s. 560.797,~~or an.~~

7 4. An agricultural development zone under s. 560.798.

NOTE: Renumbers provision pursuant to s. 13.93 (1) (a) and (b) to place a series in tabular form for consistency with current style and improved readability.

8 ~~SECTION 98.~~ 76.636 (1) (e) of the statutes, as created by 2005 Wisconsin Act 259,
9 is renumbered 76.636 (1) (e) (intro.) and amended to read:

10 76.636 (1) (e) (intro.) "Member of a targeted group" means ~~a~~ any of the
11 following, if the person has been certified in the manner under s. 71.47 (1dj) (am) 3.
12 by a designated local agency, as defined in s. 71.47 (1dj) (am) 2.:

13 1. A person who resides in an area designated by the federal government as an
14 economic revitalization area,~~a.~~

15 2. A person who is employed in an unsubsidized job but meets the eligibility
16 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
17 ~~a.~~

18 3. A person who is employed in a trial job, as defined in s. 49.141 (1) (n),~~a.~~

19 4. A person who is eligible for child care assistance under s. 49.155,~~a.~~

20 5. A person who is a vocational rehabilitation referral,~~an.~~

- 1 6. An economically disadvantaged youth,~~an.~~
- 2 7. An economically disadvantaged veteran,~~a.~~
- 3 8. A supplemental security income recipient,~~a.~~
- 4 9. A general assistance recipient,~~an.~~
- 5 10. An economically disadvantaged ex-convict,~~a.~~
- 6 11. A qualified summer youth employee, as defined in 26 USC 51 (d) (7),~~a.~~
- 7 12. A dislocated worker, as defined in 29 USC 2801 (9),~~or a.~~
- 8 13. A food stamp recipient, ~~if the person has been certified in the manner under~~
- 9 ~~s. 71.47 (1dj) (am) 3. by a designated local agency, as defined in s. 71.47 (1dj) (am) 2.~~

NOTE: Renumbers provision pursuant to s. 13.93 (1) (a) and (b) to place a series in tabular form for consistency with current style and improved readability.

10 SECTION 99. 76.636 (4) of the statutes, as created by 2005 Wisconsin Act 259,
11 is renumbered 76.636 (4) (intro.) and amended to read:

12 76.636 (4) CREDIT PRECLUDED. (intro.) If the certification of a person for tax
13 benefits under s. 560.765 (3), 560.797 (4), or 560.798 (3) is revoked, or if the person
14 becomes ineligible for tax benefits under s. 560.795 (3), that person may not claim
15 do any of the following:

16 (a) Claim credits under this section for any of the following:

17 1. The taxable year that includes the day on which the certification is revoked;
18 ~~the.~~

19 2. The taxable year that includes the day on which the person becomes
20 ineligible for tax benefits;~~or succeeding.~~

21 3. Succeeding taxable years ~~and that person may not carry.~~

22 (b) Carry over unused credits from previous years to offset the fees under s.
23 76.60, 76.63, 76.65, 76.66, or 76.67 for any of the following:

1 1. The taxable year that includes the day on which certification is revoked; the,

2 2. The taxable year that includes the day on which the person becomes
3 ineligible for tax benefits; ~~or succeeding.~~

4 3. Succeeding taxable years.

NOTE: Renumbers provision pursuant to s. 13.93 (1) (a) and (b) to place series in tabular form for consistency with current style and improved readability.

5 — **SECTION 100.** 77.52 (2) (a) 10. of the statutes, as affected by 2005 Wisconsin Acts
6 149 and 344, is amended to read:

7 77.52 (2) (a) 10. Except for services provided by veterinarians and except for
8 installing or applying tangible personal property that, subject to par. (ag), when
9 installed or applied, will constitute an addition or capital improvement of real
10 property, the repair, service, alteration, fitting, cleaning, painting, coating, towing,
11 inspection, and maintenance of all items of tangible personal property unless, at the
12 time of that the repair, service, alteration, fitting, cleaning, painting, coating,
13 towing, inspection, or maintenance, a sale in this state of the type of property
14 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected, or
15 maintained would have been exempt to the customer from sales taxation under this
16 subchapter, other than the exempt sale of a motor vehicle or truck body to a
17 nonresident under s. 77.54 (5) (a) and other than nontaxable sales under s. 77.51
18 (14r). juvenile The tax imposed under this subsection applies to the repair, service,
19 alteration, fitting, cleaning, painting, coating, towing, inspection, or maintenance of
20 items listed in par. (ag), regardless of whether the installation or application of
21 tangible personal property related to the items is an addition to or a capital
22 improvement of real property, except that the tax imposed under this subsection does
23 not apply to the original installation or the complete replacement of an item listed

1 in par. (ag), if that the installation or replacement is a real property construction
2 activity under s. 77.51 (2).

NOTE: 2005 Wis. Act 149 replaced "such" with "the" in 2 places, and 2005 Wis. Act 344 replaced the same "such" with "that." Act 344 inserted "juvenile" in material that was recreated as s. 77.52 (2) (ag) 39. (intro.). See the next SECTION of this bill.

3 ~~SECTION 101.~~ 77.52 (2) (ag) 39. of the statutes, as created by 2005 Wisconsin
4 Act 149, is repealed and recreated to read:

5 77.52 (2) (ag) 39. Equipment in offices, business facilities, schools, and
6 hospitals but not in residential facilities including personal residences, apartments,
7 long-term care facilities, as defined under s. 16.009 (1) (em), state institutions, as
8 defined under s. 101.123 (1) (i), Type 1 juvenile correctional facilities, as defined in
9 s. 938.02 (19), or similar facilities including, by way of illustration but not of
10 limitation, all of the following:

- 11 a. Lamps.
- 12 b. Chandeliers.
- 13 c. Fans.
- 14 d. Venetian blinds.
- 15 e. Canvas awnings.
- 16 f. Office and business machines.
- 17 g. Ice and milk dispensers.
- 18 h. Beverage-making equipment.
- 19 i. Vending machines.
- 20 j. Soda fountains.
- 21 k. Steam warmers and tables.
- 22 L. Compressors.
- 23 m. Condensing units and evaporative condensers.

1 n. Pneumatic conveying systems.

NOTE: Corrects numbering errors in 2005 Wis. Act 149 that resulted in there being 3 provisions numbered 77.52 (2) (ag) 39. f. and 3 provisions numbered 77.52 (2) (ag) 39. g. No changes to text are made except that "secured" is replaced with "juvenile" in s. 77.52 (2) (ag) 39. (intro.) to effect a change made by 2005 Wis. Act 344 to s. 77.52 (2) (a) 10. that did not take the treatment by Act 149 into account.

2 — **SECTION 102.** The treatment of 77.54 (9a) (a) of the statutes by 2005 Wisconsin
3 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. 77.54 (9a) (a) reads:

(a) This state or any agency thereof, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, the Health Insurance Risk-Sharing Plan Authority, and the Fox River Navigational System Authority.

4 — **SECTION 103.** The treatment of 77.82 (4g) (b) of the statutes by 2005 Wisconsin
5 Act 64 is not repealed by 2005 Wisconsin Act 299. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the ~~Revisor~~, s. 77.82 (4g) (b) ← reads:

(b) If an owner of land that is designated as managed forest land under an order that takes effect before April 28, 2004, wishes to have designated as managed forest land an additional parcel of land that is at least 3 acres in size, that does not satisfy the requirements in sub. (1), and that is contiguous to any of that designated land, the owner may withdraw the designated land from the original order and may petition the department under sub. (2) for a new order covering both the withdrawn land and the additional land. The withdrawal tax and the withdrawal fee under s. 77.88 (5) and (5m) do not apply to a withdrawal under this paragraph.

6 — **SECTION 104.** The treatment of 84.01 (13) of the statutes by 2005 Wisconsin Act
7 89 is not repealed by 2005 Wisconsin Act 410. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the ~~Revisor~~, s. 84.01 (13) ← reads:

(13) **ENGINEERING SERVICES.** The department may engage such engineering, consulting, surveying, or other specialized services as it deems advisable. Any engagement of services under this subsection is exempt from ss. 16.70 to 16.75, 16.755 to 16.82, and 16.85 to 16.89, but ss. 16.528, 16.752, 16.753, and 16.754 apply to such engagement. Any engagement involving an expenditure of \$3,000 or more shall be by formal contract approved by the governor. The department shall conduct a uniform cost-benefit analysis, as defined in s. 16.70 (3g), of each proposed engagement under this subsection that involves an estimated expenditure of more than \$25,000 in accordance with standards prescribed by rule of the department. The department shall review periodically, and before any renewal, the continued appropriateness of contracting pursuant to each engagement under this subsection that involves an estimated expenditure of more than \$25,000.

1 **SECTION 105.** 84.1034 of the statutes, as created by 2005 Wisconsin Act 338,
2 is renumbered 84.10345.

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act 238 also created a provision numbered s. 84.1034. ←

3 **SECTION 106.** The treatment of 95.21 (2) (a) of the statutes by 2005 Wisconsin
4 Act 236 is not repealed by 2005 Wisconsin Act 240. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 95.21 (2) (a) reads: ←

(a) *Requirement for vaccination.* Except as provided in s. 174.054 or sub. (9) (d), the owner of a dog shall have the dog vaccinated against rabies by a veterinarian or, if a veterinarian is physically present at the location the vaccine is administered, by a veterinary technician, pursuant to s. 453.05 (2) (d), at no later than 5 months of age and revaccinated within one year after the initial vaccination. If the owner obtains the dog or brings the dog into this state after the dog has reached 5 months of age, the owner shall have the dog vaccinated against rabies within 30 days after the dog is obtained or brought into the state unless the dog has been vaccinated as evidenced by a current certificate of rabies vaccination from this state or another state. The owner of a dog shall have the dog revaccinated against rabies by a veterinarian or, if a veterinarian is physically present at the location the vaccine is administered, by a veterinary technician, pursuant to s. 453.05 (2) (d), before the date that the immunization expires as stated on the certificate of vaccination or, if no date is specified, within 3 years after the previous vaccination.

5 **SECTION 107.** 95.55 (5) (bg) 4. of the statutes, as created by 2005 Wisconsin Act
6 359, is amended to read:

7 95.55 (5) (bg) 4. Before ~~to~~ January 1, 2003, the owner offered for sale the
8 opportunity to hunt as authorized under the license.

NOTE: Deletes unnecessary word.

9 **SECTION 108.** 100.525 (2) (a) (intro.) of the statutes, as created by 2005
10 Wisconsin Act 261, is amended to read:

11 100.525 (2) (a) (intro.) Obtain, or attempt to obtain, a telephone record that
12 pertains to a customer who is a resident of this state, without the customer's consent,
13 by doing any of the following:

NOTE: Inserts missing article.

14 **SECTION 109.** 100.54 (1) (a) of the statutes, as created by 2005 Wisconsin Act
15 140, is amended to read:

1 100.54 (1) (a) "Business day" means a business day, as defined in s. 421.301 (6),
2 that is not a legal holiday under s. ~~895.20~~ 995.20 or a federal legal holiday.

NOTE: Corrects cross-reference. Section 895.20 was renumbered to s. 995.20 by 2005 Wis. Act 155.

3 ~~SECTION 110.~~ 100.54 (8) (d) of the statutes, as created by 2005 Wisconsin Act
4 140, is amended to read:

5 100.54 (8) (d) A child support agency acting pursuant to 42 USC ~~651-669b~~ 651
6 to 669b.

NOTE: Makes citation form consistent with other statutes to allow electronic linking.

7 ~~SECTION 111.~~ The treatment of 101.177 (1) (d) of the statutes by 2005 Wisconsin
8 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. 101.177 (1) (d) reads:

(d) "State agency" means any 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, the Wisconsin Housing and Economic Development Authority, the Bradley Center Sports and Entertainment Corporation, the University of Wisconsin Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, and the Wisconsin Health and Educational Facilities Authority, but excluding the Health Insurance Risk-Sharing Plan Authority.

9 ~~SECTION 112.~~ The treatment of 102.29 (1) of the statutes by 2005 Wisconsin Act
10 172 is not repealed by 2005 Wisconsin Act 253. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the ~~Revisor~~, s. 102.29 (1) reads:

(1) The making of a claim for compensation against an employer or compensation insurer for the injury or death of an employee shall not affect the right of the employee, the employee's personal representative, or other person entitled to bring action, to make claim or maintain an action in tort against any other party for such injury or death, hereinafter referred to as a 3rd party; nor shall the making of a claim by any such person against a 3rd party for damages by reason of an injury to which ss. 102.03 to 102.64 are applicable, or the adjustment of any such claim, affect the right of the injured employee or the employee's dependents to recover compensation. The employer or compensation insurer who shall have paid or is obligated to pay a lawful claim under this chapter shall have the same right to make claim or maintain an action in tort against any other party for such injury or death. If the department pays or is obligated to pay a claim under s. 102.81 (1), the department shall also have the right to maintain an action in tort against any other party for the employee's injury or death. However, each shall give to the other reasonable notice and opportunity to join in the making of such claim or the instituting

of an action and to be represented by counsel. If a party entitled to notice cannot be found, the department shall become the agent of such party for the giving of a notice as required in this subsection and the notice, when given to the department, shall include an affidavit setting forth the facts, including the steps taken to locate such party. Each shall have an equal voice in the prosecution of said claim, and any disputes arising shall be passed upon by the court before whom the case is pending, and if no action is pending, then by a court of record or by the department. If notice is given as provided in this subsection, the liability of the tort-feasor shall be determined as to all parties having a right to make claim, and irrespective of whether or not all parties join in prosecuting such claim, the proceeds of such claim shall be divided as follows: After deducting the reasonable cost of collection, one-third of the remainder shall in any event be paid to the injured employee or the employee's personal representative or other person entitled to bring action. Out of the balance remaining, the employer, insurance carrier, or, if applicable, uninsured employers fund shall be reimbursed for all payments made by it, or which it may be obligated to make in the future, under this chapter, except that it shall not be reimbursed for any payments made or to be made under s. 102.18 (1) (bp), 102.22, 102.35 (3), 102.57, or 102.60. Any balance remaining shall be paid to the employee or the employee's personal representative or other person entitled to bring action. If both the employee or the employee's personal representative or other person entitled to bring action, and the employer, compensation insurer, or department, join in the pressing of said claim and are represented by counsel, the attorney fees allowed as a part of the costs of collection shall be, unless otherwise agreed upon, divided between such attorneys as directed by the court or by the department. A settlement of any 3rd-party claim shall be void unless said settlement and the distribution of the proceeds thereof is approved by the court before whom the action is pending and if no action is pending, then by a court of record or by the department.

1 **SECTION 113.** 102.29 (4) of the statutes is amended to read:

2 102.29 (4) If the employer and the 3rd party are insured by the same insurer,
3 or by the insurers who are under common control, the employer's insurer shall
4 promptly notify the parties in interest and the department. If the employer has
5 assumed the liability of the 3rd party, it shall give similar notice, in default of which
6 any settlement with an injured employee or beneficiary is void. This subsection does
7 not prevent the employer or compensation insurer from sharing in the proceeds of
8 any ~~3rd party~~ 3rd-party claim or action, as set forth in sub. (1).

NOTE: Corrects spelling.

9 **SECTION 114.** The treatments of 102.81 (2) of the statutes by 2005 Wisconsin
10 Acts 172 and 253 are not repealed by 2005 Wisconsin Act 410. All treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 102.81 (2) reads:

(2) The department may retain an insurance carrier or insurance service organization to process, investigate and pay claims under this section and may obtain

excess or stop-loss reinsurance with an insurance carrier authorized to do business in this state in an amount that the secretary determines is necessary for the sound operation of the uninsured employers fund. In cases involving disputed claims, the department may retain an attorney to represent the interests of the uninsured employers fund and to make appearances on behalf of the uninsured employers fund in proceedings under ss. 102.16 to 102.29. Section 20.930 and all provisions of subch. IV of ch. 16, except 16.753, do not apply to an attorney hired under this subsection. The charges for the services retained under this subsection shall be paid from the appropriation under s. 20.445 (1) (rp). The cost of any reinsurance obtained under this subsection shall be paid from the appropriation under s. 20.445 (1) (sm).

1 **SECTION 115.** 106.52 (3) (am) 1. of the statutes, as affected by 2005 Wisconsin
2 Act 354, section 6, is renumbered 106.52 (3) (am) 1. (intro.) and amended to read:

3 106.52 (3) (am) 1. (intro.) Subject to subds. 2., 3., and 4., no person may refuse
4 do any of the following:

5 a. Refuse to permit entrance into, or use of, or otherwise deny the full and equal
6 enjoyment of any public place of accommodation or amusement to a person with a
7 disability or to a service animal trainer because the person with a disability or the
8 trainer is accompanied by a service animal; ~~charge.~~

9 b. Charge a person with a disability or a service animal trainer a higher price
10 than the regular rate, including a deposit or surcharge, for the full and equal
11 enjoyment of any public place of accommodation or amusement because the person
12 with a disability or the trainer is accompanied by a service animal; ~~or directly.~~

13 c. Directly or indirectly publish, circulate, display, or mail any written
14 communication that the communicator knows is to the effect that entrance into, or
15 use of, or the full and equal enjoyment of any of the facilities of the public place of
16 accommodation or amusement will be denied to a person with a disability or a service
17 animal trainer because the person with a disability or the trainer is accompanied by
18 a service animal or that the patronage of a person with a disability or a service animal
19 trainer is unwelcome, objectionable, or unacceptable because the person with a
20 disability or the trainer is accompanied by a service animal.

NOTE: Renumbers provision pursuant to s. 13.93 (1) (a) and (b) to place a series in tabular form for consistency with current style and improved readability.

1 **SECTION 116.** 108.05 (1) (n) (intro.) of the statutes, as affected by 2005
2 Wisconsin Act 86, is amended to read:

3 108.05 (1) (n) (intro.) Each eligible employee shall be paid benefits for each
4 week of total unemployment ~~which~~ that commences on or after December 29, 2002,
5 and before January 1, 2006, at the weekly benefit rate specified in this paragraph.
6 Unless sub. (1m) applies, the weekly benefit rate shall equal 4% of the employee's
7 base period wages ~~which~~ that were paid during that quarter of the employee's base
8 period in which the employee was paid the highest total wages, rounded down to the
9 nearest whole dollar, except that, if that amount is less than the minimum amount
10 shown in the following schedule, no benefits are payable to the employee and, if that
11 amount is more than the maximum amount shown in the following schedule, the
12 employee's weekly benefit rate shall be the maximum amount shown in the following
13 schedule and except that, if the employee's benefits are exhausted during any week
14 under s. 108.06 (1), the employee shall be paid the remaining amount of benefits
15 payable to the employee in lieu of the amount shown in the following schedule: [See
16 Figure 108.05 (1) (n) following]

NOTE: 2005 Wis. Act 86 inserted "which" without showing it as underscored and deleted "that" without showing it as stricken. No change was intended.

17 **SECTION 117.** 108.068 (8) of the statutes, as affected by 2005 Wisconsin Act 86,
18 is amended to read:

19 108.068 (8) The department shall treat a limited liability company that files
20 proof under sub. (7) as a partnership or sole proprietorship under this chapter
21 beginning on the same date that the federal internal revenue service treats the
22 company as a partnership or sole proprietorship for federal tax purposes, except that

1 for benefit purposes the treatment shall apply to benefit years in existence on or
2 beginning on or after the date that the federal internal revenue service treats the
3 company as a partnership or sole proprietorship for federal tax purposes if the
4 benefit year to which the treatment is to be applied has not ended on the date that
5 the department first has notice of a benefit eligibility issue that relates to treatment
6 of that limited liability company.

NOTE: Inserts "limited" consistent with the treatment of s. 108.068 (2) by 2005 Wis.
Act 86, which inserted language in that provision that was otherwise identical to the
language inserted in this provision by Act 86.

7 **SECTION 118.** The treatment of 114.135 (2) of the statutes by 2005 Wisconsin
8 Act 335 is not repealed by 2005 Wisconsin Act 387. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 114.135 (2)
reads:

(2) NOTICE; CLAIM FOR DAMAGES. In case of any airport landing field or landing and
take-off strip, or spaceport or spacecraft launch or landing area, owned by any city,
village, town, or county or any union of them, the commission or other body in charge of
the operation and control of the airport, landing field, or landing and take-off strip, or
spaceport or spacecraft launch or landing area, may prepare and record without charge
with the register of deeds plans and specifications showing the protection privileges
sought as described in sub. (1). The commission or other body in charge shall send by
registered mail with return receipt to each owner at his or her last-known address a
notice stating that the plans and specifications have been recorded with the register of
deeds' office, stating the county, time of recording, the record number, and a brief
description of the parcel of land or interest therein affected. If the address of the owner
cannot be ascertained or the registered letter is returned unclaimed, notice shall be sent
by registered mail to the person in possession of the premises. If no person is in
possession, then the notice shall be posted in a conspicuous place on the land involved and
published as a class 3 notice, under ch. 985, in the area affected. The right of the owner
to claim for damages for the protection regulations imposed in the plans and
specifications, or the removal of obstructions shall be forever barred, unless the owner
files a claim for damages with the commission or other body in charge within 6 months
from the receipt of the notice from the commission, or other body in charge, or the posting
and last publication. The claim shall be verified and shall state the amount of damages
claimed. The commission or other body in charge may pay the damages, if it has available
funds, and the payment shall operate as a conveyance. If no claims for payment are filed
or if payment is made, the commission or other body in charge shall file an affidavit for
each parcel involved setting forth the rights acquired which shall be recorded by the
register of deeds without charge and when so recorded has the same effect as any recorded
instrument. If any owner is a minor or is adjudicated incompetent, the notice may be sent
by registered mail to the owner's guardian, if he or she has one, and if there is none the
circuit court of the county in which the land, or a larger part, is located shall upon
application of the commission or other body in charge appoint a guardian to receive the
notice, and to protect the rights of the owner. Any funds payable to the owner shall be
cared for in the manner provided in ch. 54. If the commission or other body in charge

determines that the damages claimed are excessive, it shall so report to the governing body that established the airport, landing field or landing and take-off strip, or spaceport or spacecraft launch or landing area, in question and with its consent may acquire in the name of the governmental body the protection privilege desired in the manner set forth in sub. (1) or it may deposit with the county clerk an award and notify the owner of the land involved in the method specified in this subsection. The landowner may accept the award without prejudice to his or her right to claim and contest for a greater sum. The landowner may, within a period of 6 months after notice of the award, proceed as provided in ch. 32 to have the damages appraised.

1 ~~SECTION 119.~~ 115.76 (14) of the statutes, as affected by 2005 Wisconsin Act 258,
2 is renumbered 115.76 (14) (a) (intro.) and amended to read:

3 115.76 (14) (a) (intro.) "Related services" means transportation and such
4 developmental, corrective, and other supportive services ~~(as may be required to~~
5 ~~assist a child with a disability to benefit from special education, including~~
6 ~~speech-language all of the following:~~

7 1. ~~Speech-language pathology and audiology services; interpreting.~~

8 2. ~~Interpreting services; psychological.~~

9 3. ~~Psychological services; physical.~~

10 4. ~~Physical and occupational therapy; recreation.~~

11 5. ~~Recreation, including therapeutic recreation; social.~~

12 6. ~~Social work services; school.~~

13 7. ~~School~~ nursing services designed to enable a child with a disability to receive
14 a free appropriate public education as described in the child's individualized
15 education program; ~~counseling.~~

16 8. ~~Counseling~~ services, including rehabilitative counseling; ~~orientation.~~

17 9. ~~Orientation~~ and mobility services; ~~medical.~~

18 10. ~~Medical~~ services for diagnostic and evaluative purposes only; ~~and the.~~

19 11. ~~The early identification and assessment of disabling conditions in children)~~
20 ~~as may be required to assist a child with a disability to benefit from special education.~~

1 (b) "Related services" does not include a medical device that is surgically
2 implanted or the replacement of such a device.

NOTE: Renumbers provision pursuant to s. 13.93 (1) (a) and (b) to place a series in tabular form and to allow removal of parentheses for consistency with current style and improved readability.

3 — **SECTION 120.** 118.07 (3) of the statutes, as created by 2005 Wisconsin Act 221,
4 is amended to read:

5 118.07 (3) The department shall make available to school districts, private
6 schools, and charter schools information about meningococcal disease, including the
7 causes and symptoms of the disease, how it is spread, and how to obtain additional
8 information about the disease and the availability, effectiveness, and risks of
9 vaccinations against the disease. The department may do so by posting the
10 information on its Internet site. At the beginning of the 2006-07 to 2011-12 school
11 years, each school board and the governing body of each private school and each
12 charter school shall provide the parents and guardians of pupils enrolled in grades
13 6 to 12 in the school district or school with the information. At the beginning of the
14 ~~2012~~ 2012-13 school year and each school year thereafter, each school board and the
15 governing body of each private school and each charter school shall provide the
16 parents and guardians of pupils enrolled in grade 6 in the school district or school
17 with the information.

NOTE: Corrects form of reference to school year.

18 **SECTION 121.** 118.13 (1) of the statutes, as affected by 2005 Wisconsin Act 346,
19 is amended to read:

20 118.13 (1) Except as provided in s. 120.13 ~~(38)~~ (37m), no person may be denied
21 admission to any public school or be denied participation in, be denied the benefits
22 of or be discriminated against in any curricular, extracurricular, pupil services,

1 recreational or other program or activity because of the person's sex, race, religion,
2 national origin, ancestry, creed, pregnancy, marital or parental status, sexual
3 orientation or physical, mental, emotional or learning disability.

NOTE: Section 120.13 (38), as created by 2005 Wis. Act 346, is renumbered s. 120.13
(37m) by this bill.

4 **SECTION 122.** 119.04 (1) of the statutes, as affected by 2005 Wisconsin Acts 99,
5 290 and 346, is amended to read:

6 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
7 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
8 115.345, 115.361, 115.38 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07,
9 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162,
10 118.163, 118.164, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245,
11 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and
12 (15) to (26), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37),
13 (37m), and (38), 120.14, and 120.25 are applicable to a 1st class city school district
14 and board.

NOTE: 2005 Wis. Acts 290 and 346 both created provisions numbered s. 120.13 (38)
and added cross-references to this provision. Section 120.13 (38), as created by 2005 Wis.
Act 346, is renumbered s. 120.13 (37m) by this bill.

15 **SECTION 123.** 119.22 of the statutes, as affected by 2005 Wisconsin Act 346, is
16 amended to read:

17 **119.22 Sex discrimination in physical education or physical training**
18 **prohibited.** Except as provided in s. 120.13 ~~(38)~~ (37m), courses in physical
19 education or physical training may not discriminate on the basis of sex in the
20 provision of necessary facilities, equipment, instruction or financial support, or the
21 opportunity to participate in any physical education or training activity as provided
22 in 20 USC 1681 et seq.

NOTE: Section 120.13 (38), as created by 2005 Wis. Act 346, is renumbered s. 120.13 (37m) by this bill.

1 ~~SECTION 124.~~ 120.13 (38) of the statutes, as created by 2005 Wisconsin Act 346,
2 is renumbered 120.13 (37m).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act 290 also created a provision numbered s. 120.13 (38). ←

3 ~~SECTION 125.~~ 138.052 (8) of the statutes is amended to read:

4 138.052 (8) This section does not apply to a loan insured, or committed to be
5 insured, or secured by mortgage or trust deed insured by the U.S. secretary of
6 housing and urban development, insured, guaranteed or committed to be insured or
7 guaranteed under 38 USC ~~1801 to 1827~~ 3701 to 3727 or insured or committed to be
8 insured under 7 USC 1921 to 1995.

NOTE: Public Law 102-83 renumbered 38 USC 1801 to 1827 to 38 USC 3701 to 3727.

9 ~~SECTION 126.~~ 153.05 (2r) (intro.) of the statutes, as created by 2005 Wisconsin
10 Act 228, section 20, is amended to read:

11 153.05 (2r) (intro.) Notwithstanding s. 16.75 (1), (2), and (3m), from the
12 appropriation account under s. 20.515 (1) (ut) the department of employee trust
13 funds may expend up to \$150,000, and from the appropriation accounts under s.
14 20.435 (1) (hg) and (hi) the department of health and family services, in its capacity
15 as a public health authority, may expend moneys, to contract jointly with a data
16 organization to perform services under this chapter that are specified for the data
17 organization under sub. (1) (c) or, if s. 153.455 (4) applies, for the department of
18 health and family services to perform or contract for the performance of these
19 services. As a condition of the contract under this subsection, all of the following
20 apply:

NOTE: Inserts missing article.