

1       **SECTION 127.** 153.05 (2r) (intro.) of the statutes, as affected by 2005 Wisconsin  
2 Act 228, section 20m, is amended to read:

3           153.05 (2r) (intro.) Notwithstanding s. 16.75 (1), (2), and (3m), from the  
4 appropriation accounts under s. 20.435 (1) (hg) and (hi) the department of health and  
5 family services, in its capacity as a public health authority, may expend moneys, to  
6 contract jointly with a data organization to perform services under this chapter that  
7 are specified for the data organization under sub. (1) (c) or, if s. 153.455 (4) applies,  
8 for the department of health and family services to perform or contract for the  
9 performance of these services. As a condition of the contract under this subsection,  
10 all of the following apply:

NOTE: Inserts missing article.

11       **SECTION 128.** 165.72 (1) (e) of the statutes is renumbered 165.72 (1) (bt) and  
12 amended to read:

13           165.72 (1) (bt) “Secure Juvenile detention officer” has the meaning given in s.  
14 165.85 (2) (f) (bt).

NOTE: 2005 Wis. Act 344 renumbered s. 165.85 (2) (f) to be s. 165.85 (2) (bt) and replaced “secured” with “juvenile” in that provision.

15       **SECTION 129.** 165.72 (4) of the statutes is amended to read:

16           165.72 (4) PAYMENT LIMITATIONS. A reward under sub. (3) may not exceed \$1,000  
17 for the arrest and conviction of any one person. The department may not make any  
18 reward payment to a law enforcement officer, jail officer, secure juvenile detention  
19 officer, pharmacist, or department employee.

NOTE: See previous SECTION, which changes term used in s. 165.72 from “secure detention officer” to “juvenile detention officer.”

20       **SECTION 130.** The treatment of 165.76 (1) (a) of the statutes by 2005 Wisconsin  
21 Act 277 is not repealed by 2005 Wisconsin Act 344. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 165.76 (1) (a) reads:

(a) Is in a juvenile correctional facility, as defined in s. 938.02 (10p), or a secured residential care center for children and youth, as defined in s. 938.02 (15g), or on probation, extended supervision, parole, supervision, or aftercare supervision on or after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.085.

1 **SECTION 131.** 165.85 (1) of the statutes is amended to read:

2 165.85 (1) FINDINGS AND POLICY. The legislature finds that the administration  
3 of criminal justice is of statewide concern, and that law enforcement work is of vital  
4 importance to the health, safety, and welfare of the people of this state and is of such  
5 a nature as to require training, education, and the establishment of standards of a  
6 proper professional character. The public interest requires that these standards be  
7 established and that this training and education be made available to persons who  
8 seek to become law enforcement, tribal law enforcement, jail or secure juvenile  
9 detention officers, persons who are serving as these officers in a temporary or  
10 probationary capacity, and persons already in regular service.

NOTE: 2003 Wis. Act 344 changed the defined term "secure detention officer" to "juvenile detention officer" for purposes of ss. 165.85 and 165.86, but failed to change various usages of that defined term throughout ss. 165.85 and 165.86. This SECTION and the next 11 SECTIONS other than SECTION 134 change "secure detention officer" to "juvenile detention officer" wherever found in ss. 165.85 and 165.96.

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

*Disagree with the Section 131 change. This is a change to the law.*

11 **SECTION 132.** 165.85 (3) (c) of the statutes is amended to read:

12 165.85 (3) (c) Except as provided under sub. (3m) (a), certify persons as being  
13 qualified under this section to be law enforcement, tribal law enforcement, jail or  
14 secure juvenile detention officers. Prior to being certified under this paragraph, a  
15 tribal law enforcement officer shall agree to accept the duties of law enforcement  
16 officers under the laws of this state.

17 **SECTION 133.** 165.85 (3) (cm) of the statutes is amended to read:

1           165.85 (3) (cm) Decertify law enforcement, tribal law enforcement, jail or  
2   secure juvenile detention officers who terminate employment or are terminated, who  
3   violate or fail to comply with a rule or order of the board relating to curriculum or  
4   training, who fail to pay court-ordered payments of child or family support,  
5   maintenance, birth expenses, medical expenses, or other expenses related to the  
6   support of a child or former spouse, or who fail to comply, after appropriate notice,  
7   with a subpoena or warrant issued by the department of workforce development or  
8   a county child support agency under s. 59.53 (5) and related to paternity or child  
9   support proceedings. The board shall establish procedures for decertification in  
10   compliance with ch. 227, except that decertification for failure to pay court-ordered  
11   payments of child or family support, maintenance, birth expenses, medical expenses,  
12   or other expenses related to the support of a child or former spouse or for failure to  
13   comply, after appropriate notice, with a subpoena or warrant issued by the  
14   department of workforce development or a county child support agency under s.  
15   59.53 (5) and related to paternity or child support proceedings shall be done as  
16   provided under sub. (3m) (a).

17   — **SECTION 134.** The treatments of 165.85 (3) (d) of the statutes by 2005 Wisconsin  
18   Acts 60 and 344 are not repealed by 2005 Wisconsin Act 414. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 165.85 (3) (d)  
reads:

(d) Establish minimum curriculum requirements for preparatory courses and programs, and recommend minimum curriculum requirements for recertification and advanced courses and programs, in schools operated by or for this state or any political subdivision of the state for the specific purpose of training law enforcement recruits, law enforcement officers, tribal law enforcement recruits, tribal law enforcement officers, jail officer recruits, jail officers, juvenile detention officer recruits, or juvenile detention officers in areas of knowledge and ability necessary to the attainment of effective performance as an officer, and ranging from subjects such as first aid, patrolling, statutory authority, techniques of arrest, protocols for official action by off-duty officers, firearms, and recording custodial interrogations, to subjects designed to provide a better understanding of ever-increasing complex problems in law enforcement such as human relations, civil rights, constitutional law, and supervision, control, and maintenance of a

jail or juvenile detention facility. The board shall appoint a 13-member advisory curriculum committee consisting of 6 chiefs of police and 6 sheriffs to be appointed on a geographic basis of not more than one chief of police and one sheriff from any one of the 8 state administrative districts together with the director of training of the Wisconsin state patrol. This committee shall advise the board in the establishment of the curriculum requirements.

1        ~~SECTION 135.~~ 165.85 (4) (ap) of the statutes is amended to read:

2            165.85 (4) (ap) Jail officers serving under permanent appointment prior to July  
3        2, 1983, are not required to meet any requirement of pars. (b) and (c) as a condition  
4        of tenure or continued employment as either a jail officer or a secure juvenile  
5        detention officer. The failure of any such officer to fulfill those requirements does not  
6        make that officer ineligible for any promotional examination for which he or she is  
7        otherwise eligible. Any such officer may voluntarily participate in programs to fulfill  
8        those requirements.

9        ~~SECTION 136.~~ 165.85 (4) (at) of the statutes is amended to read:

10           165.85 (4) (at) Any person certified as a jail officer on July 1, 1994, is certified  
11        as a secure juvenile detention officer and remains certified as a secure juvenile  
12        detention officer subject to annual recertification requirements under par. (bn) 3.  
13        and the board's decertification authority under sub. (3) (cm).

14        ~~SECTION 137.~~ 165.85 (4) (b) 3. of the statutes is amended to read:

15           165.85 (4) (b) 3. No person may be appointed as a secure juvenile detention  
16        officer, except on a temporary or probationary basis, unless the person has  
17        satisfactorily completed a preparatory program of secure juvenile detention officer  
18        training approved by the board and has been certified by the board as being qualified  
19        to be a secure juvenile detention officer. The program shall include at least 120 hours  
20        of training. The training program shall devote at least 16 hours to methods of  
21        supervision of special needs inmates, including inmates who may be emotionally  
22        distressed, mentally ill, suicidal, developmentally disabled, or alcohol or drug

1 abusers. The period of temporary or probationary employment established at the  
2 time of initial employment shall not be extended by more than one year for an officer  
3 lacking the training qualifications required by the board. ~~Secure~~ Juvenile detention  
4 officer training programs including municipal, county, and state programs meeting  
5 standards of the board shall be acceptable as meeting these training requirements.

6 ~~SECTION 138.~~ 165.85 (4) (bn) 3. (intro.) of the statutes is amended to read:

7 165.85 (4) (bn) 3. (intro.) No person may continue as a ~~secure~~ juvenile detention  
8 officer, except on a temporary or probationary basis, unless that person completes  
9 annual recertification training. The officer shall complete at least 24 hours each  
10 fiscal year beginning in the later of the following:

11 ~~SECTION 139.~~ 165.85 (4) (c) of the statutes is amended to read:

12 165.85 (4) (c) In addition to the requirements of pars. (b) and (bn), the board  
13 may, by rule, fix such other minimum qualifications for the employment of law  
14 enforcement, tribal law enforcement, jail or ~~secure~~ juvenile detention officers as  
15 relate to the competence and reliability of persons to assume and discharge the  
16 responsibilities of law enforcement, tribal law enforcement, jail or ~~secure~~ juvenile  
17 detention officers, and the board shall prescribe the means for presenting evidence  
18 of fulfillment of these requirements.

19 ~~SECTION 140.~~ 165.85 (4) (dm) of the statutes is amended to read:

20 165.85 (4) (dm) The board may provide, by rule, that parts of the jail officer  
21 preparatory training and the ~~secure~~ juvenile detention officer preparatory training  
22 are identical and count toward either training requirement.

23 ~~SECTION 141.~~ 165.85 (5) (a) of the statutes is amended to read:

24 165.85 (5) (a) The board may authorize and approve law enforcement, jail or  
25 ~~secure~~ juvenile detention officer training programs conducted by an agency of a

1 political subdivision or an agency of the state when their programs meet the  
2 standards required by the board. No authority granted in this paragraph extends  
3 to the board selecting a site for a state police, jail or ~~secure~~ juvenile detention officer  
4 academy and expending funds thereon without further legislation.

5 — **SECTION 142.** 165.85 (5) (b) of the statutes is amended to read:

6 165.85 (5) (b) The board shall authorize the reimbursement to each political  
7 subdivision of approved expenses incurred by officers who satisfactorily complete  
8 training at schools certified by the board. Reimbursement of these expenses for law  
9 enforcement officer, jail officer and ~~secure~~ juvenile detention officer preparatory  
10 training shall be for approved tuition, living, and travel expenses for the first 400  
11 hours of law enforcement preparatory training and for the first 120 hours of jail or  
12 ~~secure~~ juvenile detention officer preparatory training. Reimbursement of approved  
13 expenses for completion of annual recertification training under sub. (4) (bn) shall  
14 include at least \$160 per officer thereafter. Funds may also be distributed for  
15 attendance at other training programs and courses or for training services on a  
16 priority basis to be decided by the department of justice.

17 — **SECTION 143.** 165.86 (2) (a) of the statutes is amended to read:

18 165.86 (2) (a) Identify and coordinate all preparatory and recertification  
19 training activities in law enforcement in the state, and expand the coordinated  
20 program to the extent necessary to supply the training required for all recruits in the  
21 state under the preparatory training standards and time limits set by the board and  
22 for law enforcement officers, jail officers and ~~secure~~ juvenile detention officers in this  
23 state.

24 — **SECTION 144.** 167.31 (2) (d) of the statutes, as affected by 2005 Wisconsin Act  
25 253, is amended to read:

1           167.31 (2) (d) Except as provided in sub. (4) (a), (bg), (cg), (e), and (g), no person  
2 may discharge a firearm or shoot a bolt or an arrow from a bow or crossbow from or  
3 across a highway or within 50 feet of the center of a roadway.

NOTE: See the note to the next SECTION of this bill.

4           SECTION 145. 167.31 (4) (bg) of the statutes is created to read:

5           167.31 (4) (bg) 1. Subsection (2) (a), (b), (c), and (d) does not apply to a state  
6 employee or agent, or to a federal employee or agent, who is acting within the scope  
7 of his or her employment or agency, who is authorized by the department of natural  
8 resources to take animals in the wild for the purpose of controlling the spread of  
9 disease in animals and who is hunting in an area designated by the department of  
10 natural resources as a chronic wasting disease eradication zone, except that this  
11 subdivision does not authorize the discharge of a firearm or the shooting of a bolt or  
12 arrow from a bow or crossbow across a state trunk highway, county trunk highway,  
13 or paved town highway.

14           1g. Subsection (2) (b) and (c) does not apply to a landowner, a family member  
15 of the landowner, or an employee of the landowner who is using a firearm, bow, or  
16 crossbow to shoot wild animals from a farm tractor or an implement of husbandry  
17 on the landowner's land that is located in an area designated by the department of  
18 natural resources as a chronic wasting disease eradication zone.

19           2. This paragraph does not apply after June 30, 2010.

NOTE: 2005 Wis. Act 253 repealed s. 167.31 (4) (bg) due to the fact that the sunset  
date of June 30, 2004 had passed and the provision was of no effect. However, 2005 Wis.  
Act 286 amended the sunset date in subd. 2. from June 30, 2004, to June 30, 2010,  
reviving the provision. *The provision is in the printed statutes.*

20           SECTION 146. 167.31 (4) (bt) 3. of the statutes, as created by 2005 Wisconsin Act  
21 345, is amended to read:

1           167.31 (4) (bt) 3. The vehicle is not an all-terrain vehicle, as defined in s. 340.01  
2           ~~(2) (g)~~ (2g).

NOTE: Corrects cross-reference. "All-terrain vehicle" is defined in s. 340.01 (2g).  
There is no s. 340.01 (2) (g).

3           **SECTION 147.** 220.02 (2) (g) of the statutes, as created by 2005 Wisconsin Act  
4           215, is renumbered 220.02 (2) (i).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act  
158 also created a provision numbered s. 220.02 (2) (g). ←

5           **SECTION 148.** 220.02 (2) (h) of the statutes, as created by 2005 Wisconsin Act  
6           215, is renumbered 220.02 (2) (g).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act  
158 created an identical provision numbered s. 220.02 (2) (g). ←

7           **SECTION 149.** The treatment of 230.03 (3) 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. 230.03 (3)  
reads:

(3) "Agency" means any board, commission, committee, council, or department in  
state government or a unit thereof created by the constitution or statutes if such board,  
commission, committee, council, department, unit, or the head thereof, is authorized to  
appoint subordinate staff by the constitution or statute, except a legislative or judicial  
board, commission, committee, council, department, or unit thereof or an authority  
created under subch. II of ch. 114 or subch. III of ch. 149 or under ch. 231, 232, 233, 234,  
235, or 237. "Agency" does not mean any local unit of government or body within one or  
more local units of government that is created by law or by action of one or more local units  
of government.

9           **SECTION 150.** 234.59 (3) (d) of the statutes, as affected by 2005 Wisconsin Act  
10           75, section 24, is renumbered 234.59 (3) (e).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wisconsin  
Act 75, section 24, renumbered s. 234.59 (3) (e) to s. 234.59 (3) (d) and 2005 Wisconsin Act  
75, section 23d, created a separate provision numbered s. 234.59 (3) (d). ←

11           **SECTION 151.** 252.05 (4) of the statutes, as affected by 2005 Wisconsin Act 198,  
12           is amended to read:

13           252.05 (4) Reports under subs. (1) and (2) shall state so far as known the name,  
14           sex, age, and residence of the person, the communicable disease and other facts the



1 department or local health officer requires. Report forms, including forms  
2 appropriate for reporting under s. 95.22 (1m), may be furnished by the department  
3 and distributed by the local health officer.

NOTE: Inserts correct cross-reference. There is no s. 95.22 (1m).

4 ~~SECTION 152.~~ 252.15 (5) (a) 11. of the statutes, as affected by 2005 Wisconsin  
5 Acts 155 and 187, is amended to read:

6 252.15 (5) (a) 11. To a person, including a person exempted from civil liability  
7 under the conditions specified under s. 895.48, 895.4802, or 895.4803, who renders  
8 to the victim of an emergency or accident emergency care during the course of which  
9 the emergency caregiver is significantly exposed to the emergency or accident victim,  
10 if a physician or advanced practice nurse prescriber, based on information provided  
11 to the physician or advanced practice nurse prescriber, determines and certifies in  
12 writing that the emergency caregiver has been significantly exposed and if the  
13 certification accompanies the request for disclosure.

NOTE: Inserts missing comma.

14 ~~SECTION 153.~~ 252.15 (5m) (a) of the statutes, as affected by 2005 Wisconsin Acts  
15 155 and 187, is amended to read:

16 252.15 (5m) (a) If a person, including a person exempted from civil liability  
17 under the conditions specified under s. 895.48, 895.4802, or 895.4803, who renders  
18 to the victim of an emergency or accident emergency care during the course of which  
19 the emergency caregiver is significantly exposed to the emergency or accident victim  
20 and the emergency or accident victim subsequently dies prior to testing for the  
21 presence of HIV, antigen or nonantigenic products of HIV, or an antibody to HIV; if  
22 a physician or advanced practice nurse prescriber, based on information provided to  
23 the physician or advanced practice nurse prescriber, determines and certifies in

1 writing that the emergency caregiver has been significantly exposed; and if the  
2 certification accompanies the request for testing and disclosure. Testing of a corpse  
3 under this paragraph shall be ordered by the coroner, medical examiner, or physician  
4 who certifies the victim's cause of death under s. 69.18 (2) (b), (c) or (d).

NOTE: Inserts missing comma.

5 **SECTION 154.** 254.61 (3m) (c) of the statutes, as created by 2005 Wisconsin Act  
6 348, is renumbered 254.61 (3m) (c) (intro.) and amended to read:

7 254.61 (3m) (c) (intro.) The event is sponsored by ~~a~~ any of the following:

8 1. A church;

9 2. A religious, fraternal, youth, or patriotic organization or service club;

10 3. A civic organization;

11 4. A parent-teacher organization;

12 5. A senior citizen center or organization;~~or.~~

13 6. An adult day care center.

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.

14 **SECTION 155.** 281.48 (4g) of the statutes, as affected by 2005 Wisconsin Act 347,  
15 is amended to read:

16 281.48 (4g) RULES ON SERVICING. The department shall promulgate rules  
17 relating to servicing septic tanks, soil absorption fields, holding tanks, grease  
18 interceptors, privies, and other components of private sewage systems in order to  
19 protect the public health against unsanitary and unhealthful practices and  
20 conditions, and to protect the surface waters and groundwaters of the state from  
21 contamination by septage. The rules shall comply with ch. 160. The rules shall apply  
22 to all septage disposal, whether undertaken pursuant to a license or a license  
23 ~~exemption~~ exemption under sub. (3). The rules shall require each person with a

1 license under sub. (3) to maintain records of the location of private sewage systems  
2 serviced and the volume of septage disposed of and location of that disposal.

NOTE: Corrects spelling.

*The correct spelling is shown  
in the printed statutes.*

\*\*\*NOTE: See my change in cited text. CJS

3 **SECTION 156.** The treatment of 301.03 (19) of the statutes by 2005 Wisconsin  
4 Act 431 is not repealed by 2005 Wisconsin Act 434. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor s. 301.03 (19)  
reads:

(19) Subject to sub. (20), work to minimize, to the greatest extent possible, the  
residential population density of sex offenders, as defined in s. 302.116 (1) (b), who are  
on probation, parole, or extended supervision or placed on supervised release under s.  
980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003 stats., or s. 980.08 (4) (g).


5 **SECTION 157.** 301.12 (14) (a) of the statutes is amended to read:

6 301.12 (14) (a) Except as provided in pars. (b) and (c), liability of a person  
7 specified in sub. (2) or s. 301.03 (18) for care and maintenance of persons under 17  
8 years of age in residential, nonmedical facilities such as group homes, foster homes,  
9 treatment foster homes, child caring institutions residential care centers for children  
10 and youth and juvenile correctional institutions is determined in accordance with  
11 the cost-based fee established under s. 301.03 (18). The department shall bill the  
12 liable person up to any amount of liability not paid by an insurer under s. 632.89 (2)  
13 or (2m) or by other 3rd-party benefits, subject to rules which include formulas  
14 governing ability to pay promulgated by the department under s. 301.03 (18). Any  
15 liability of the resident not payable by any other person terminates when the  
16 resident reaches age 17, unless the liable person has prevented payment by any act  
17 or omission.

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


\*\*\*NOTE: Inserted by GMM

- 1        **SECTION 158.** The treatment of 301.26 (4) (d) 2. of the statutes by 2005  
2        Wisconsin 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. 301.26 (4) (d)  
2. reads: 

2. Beginning on July 1, 2005, and ending on June 30, 2006, the per person daily cost assessment to counties shall be \$203 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), \$203 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), \$234 for care in a residential care center for children and youth, \$157 for care in a group home for children, \$47 for care in a foster home, \$83 for care in a treatment foster home, \$81 for departmental corrective sanctions services, and \$32 for departmental aftercare services.

- 3        **SECTION 159.** The treatment of 301.26 (4) (d) 3. of the statutes by 2005  
4        Wisconsin 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. 301.26 (4) (d)  
3. reads: 

3. Beginning on July 1, 2006, and ending on June 30, 2007, the per person daily cost assessment to counties shall be \$209 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), \$209 for care for juveniles transferred from a juvenile correctional institution under s. 51.35 (3), \$244 for care in a residential care center for children and youth, \$163 for care in a group home for children, \$50 for care in a foster home, \$87 for care in a treatment foster home, \$82 for departmental corrective sanctions services, and \$33 for departmental aftercare services.

- 5        **SECTION 160.** The treatments of 341.135 (1) of the statutes by 2005 Wisconsin  
6        Acts 25 and 260 are not repealed by 2005 Wisconsin Act 472. All treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 341.135 (1)  
reads:

(1) DESIGN. Every 10th year, the department shall establish new designs of registration plates to be issued under ss. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3) (a) 1. and (am). Any design for registration plates issued for automobiles and for vehicles registered on the basis of gross weight shall comply with the applicable design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c) to (e). The designs for registration plates specified in this subsection shall be as similar in appearance as practicable during each 10-year design interval. Except as provided in ss. 341.13 (2r) and 341.14 (1), each registration plate issued under s. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) during each 10-year design interval shall be of the design established under this subsection. The department may not redesign registration plates for the special groups under s. 341.14 (6r) (f) 53., 54., or 55. until July 1, 2010. Except for registration plates issued under s. 341.14 (6r) (f) 53., 54., or 55., the first design cycle for registration plates issued under ss. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3) (a) 1. and (am) began July 1, 2000.

1        — **SECTION 161.** The treatment of 341.135 (2) (a) 2. of the statutes by 2005  
2        Wisconsin Act 25 is not repealed by 2005 Wisconsin Act 472. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 341.135 (2)  
(a) 2. reads:

2. Notwithstanding s. 341.13 (3), beginning with registrations initially effective on July 1, 2010, upon receipt of a completed application to initially register a vehicle under s. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), or (6r), or s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) or 341.26 (2) or (3) (a) 1. or (am), or to renew the registration of a vehicle under those sections for which a registration plate has not been issued during the previous 10 years, the department shall issue and deliver prepaid to the applicant 2 new registration plates of the design established for that 10-year period under sub. (1).

3        — **SECTION 162.** The treatment of 341.135 (2) (am) of the statutes by 2005  
4        Wisconsin Act 25 is not repealed by 2005 Wisconsin Act 472. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 341.135 (2)  
(am) reads:

(am) Notwithstanding s. 341.13 (3) and (3m), beginning with registrations initially effective on July 1, 2000, upon receipt of a completed application to renew the registration of a vehicle registered under s. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), or (6r), except s. 341.14 (6r) (f) 53., 54., or 55., or s. 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c) for which a registration plate of the design established under sub. (1) has not been issued, the department may issue and deliver prepaid to the applicant 2 new registration plates of the design established under sub. (1). This paragraph does not apply to registration plates issued under s. 341.14 (6r) (f) 52., 1997 stats. This paragraph does not apply after June 30, 2010.

5        — **SECTION 163.** The treatment of 341.135 (2) (e) of the statutes by 2005 Wisconsin  
6        Act 25 is not repealed by 2005 Wisconsin Act 472. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the revisor, s. 341.135 (2)  
(e) reads:

(e) The department shall issue new registration plates of the design established under sub. (1) for every vehicle registered under s. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c), or 341.26 (2) or (3) (a) 1. or (am) after July 1, 2010.

7        — **SECTION 164.** 341.14 (6r) (b) 9. of the statutes, as created by 2005 Wisconsin  
8        Act 260, is renumbered 341.14 (6r) (b) 9m., and 341.14 (6r) (b) 9m. (intro.), as  
9        renumbered, is amended to read:

10        341.14 **(6r)** (b) 9m. (intro.) An additional fee of \$25 that is in addition to the fee  
11        under subd. 2. shall be charged for the issuance or renewal of a plate issued on an  
12        annual basis for the special group specified under par. (f) ~~56~~ 55m. An additional fee

1 of \$50 that is in addition to the fee under subd. 2. shall be charged for the issuance  
2 or renewal of a plate issued on the biennial basis for the special group specified under  
3 par. (f) ~~56~~ 55m. if the plate is issued or renewed during the first year of the biennial  
4 registration period or \$25 for the issuance or renewal if the plate is issued or renewed  
5 during the 2nd year of the biennial registration period. To the extent permitted  
6 under ch. 71, the fee under this subdivision is deductible as a charitable contribution  
7 for purposes of the taxes under ch. 71. All moneys received under this subdivision,  
8 in excess of \$43,600 for the initial costs of production of the special group plate under  
9 par. (f) ~~56~~ 55m., shall be deposited in the general fund and credited as follows:

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act  
25 also created a provision numbered 341.14 (6r) (b) 9. Section 341.14 (6r) (f) 56., as  
created by 2005 Wis. Act 260, is renumbered s. 341.14 (6r) (f) 55m. by this bill.

10 **SECTION 165.** 341.14 (6r) (c) of the statutes, as affected by 2005 Wisconsin Acts  
11 109 and 260, is amended to read:

12 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the  
13 name of the applicable authorized special group, a symbol representing the special  
14 group, not exceeding one position, and identifying letters or numbers or both, not  
15 exceeding 6 positions and not less than one position. The department shall specify  
16 the design for special group plates, but the department shall consult the president  
17 of the University of Wisconsin System before specifying the word or symbol used to  
18 identify the special groups under par. (f) 35. to 47., the secretary of natural resources  
19 before specifying the word or symbol used to identify the special group under par. (f)  
20 50., the chief executive officer of the professional football team and an authorized  
21 representative of the league of professional football teams described in s. 229.823 to  
22 which that team belongs before specifying the design for the applicable special group  
23 plate under par. (f) 55. and, the department of veterans affairs before specifying the

1 design for the special group plates under par. (f) 49d., 49h., and 49s., and the  
2 department of tourism and chief executive officer of the organization specified in par.  
3 (f) ~~56~~ 55m. before specifying the design and word or symbol used to identify the  
4 special group name for special group plates under par. (f) ~~56~~ 55m. Special group  
5 plates under par. (f) 50. shall be as similar as possible to regular registration plates  
6 in color and design.

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

7 ~~SECTION 166.~~ 341.14 (6r) (f) 56. of the statutes, as created by 2005 Wisconsin  
8 Act 260, is renumbered 341.14 (6r) (f) 55m.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act  
25 also created a provision numbered 341.14 (6r) (f) 56.

9 ~~SECTION 167.~~ 341.14 (6r) (fm) 7. of the statutes, as affected by 2005 Wisconsin  
10 Act 25, section 2247r, and 2005 Wisconsin Acts 109, 199 and 260, is amended to read:

11 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups  
12 may only be special groups designated by the department under this paragraph. The  
13 authorized special groups enumerated in par. (f) shall be limited solely to those  
14 special groups specified under par. (f) on October 1, 1998. This subdivision does not  
15 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,  
16 19m., 49d., 49h., 49s., 54., 55., 55m., 56 and 57.

NOTE: 2005 Wis. Act 25, s. 2247r inserted "19m." 2005 Wis. Act 109 stated that it  
amended 341.14 (6r) (fm) 7. as affected by Act 25, s. 2247r., but it did not include "19m.",  
although 2005 Wis. Act 199 did. Acts 25 and 260 both created provisions numbered  
341.14 (6r) (fm) 56. This bill renumbers 341.14 (6r) (fm) 56., as created by 2005 Wis. Act  
260, to 341.14 (6r) (fm) 55m.

17 ~~SECTION 168.~~ 343.06 (1) (L) of the statutes, as created by 2005 Wisconsin Act  
18 387, is renumbered 343.06 (1) (m).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act  
126 also created a provision numbered s. 343.06 (1) (L).

1       — **SECTION 169.** 343.07 (7) of the statutes, as created by 2005 Wisconsin Act 294,  
2 is amended to read:

3           **343.07 (7) PENALTY FOR RESTRICTION VIOLATIONS.** (a) Notwithstanding s. 343.43  
4 (1) (d) and (3m), any person who violates sub. ~~(1)~~ (1g) (a), (bm), or (d) or (4) (b) 1. or  
5 2. shall be required to forfeit \$50 for the first offense and not less than \$50 nor more  
6 than \$100 for each subsequent offense.

7           (b) Upon receiving notice of a person's conviction for a violation of sub. ~~(1)~~ (1g)  
8 (a), (bm), or (d) or (4) (b) 1. or 2., the department shall notify any adult sponsor who  
9 has signed for the person under s. 343.15 (1) of the conviction.

NOTE: Section 343.07 (1) was renumbered s. 343.07 (1g) by 2005 Wis. Act 149.

10       — **SECTION 170.** 343.16 (1) (b) 3. (intro.) and b. of the statutes are amended to read:

11           **343.16 (1) (b) 3. (intro.)** At least annually, the department shall conduct an  
12 on-site inspection of the 3rd-party tester to determine compliance with the contract  
13 and with department and federal standards for testing applicants for commercial  
14 driver licenses and with department standards for testing applicants for school bus  
15 endorsements. At least annually, the department shall also evaluate testing given  
16 by the 3rd-party tester by one of the following means:

17           b. The department shall retest a sample of drivers who were examined by the  
18 3rd-party tester to compare the pass and fail results.

NOTE: Inserts missing term.

19       — **SECTION 171.** 343.71 (5) of the statutes, as created by 2005 Wisconsin Act 397,  
20 section 62, is renumbered 343.71 (6).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act  
397 renumbered s. 343.61 (6) to also be s. 343.71 (5).

21       — **SECTION 172.** 346.65 (2) (bm) and (cm) of the statutes, as created by 2005  
22 Wisconsin Act 389, are amended to read:



1           346.65 (2) (bm) In Winnebago County, if the number of convictions under ss.  
2           940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,  
3           revocations, and other convictions counted under s. 343.307 (1) within a 10-year  
4           period, equals 2, except that suspensions, revocations, or convictions arising out of  
5           the same incident or occurrence shall be counted as one, the fine shall be the same  
6           as under par. ~~(b)~~ (am) 2., but the period of imprisonment shall be not less than 5 days,  
7           except that if the person successfully completes a period of probation that includes  
8           alcohol and other drug treatment, the period of imprisonment shall be not less than  
9           5 nor more than 7 days. A person may be sentenced under this paragraph or under  
10          par. (cm) or sub. (2j) (bm) or (cm) or (3r) once in his or her lifetime.

11          (cm) In Winnebago County, if the number of convictions under ss. 940.09 (1) and  
12          940.25 in the person's lifetime, plus the total number of suspensions, revocations,  
13          and other convictions counted under s. 343.307 (1) within a 10-year period, equals  
14          3, except that suspensions, revocations, or convictions arising out of the same  
15          incident or occurrence shall be counted as one, the fine shall be the same as under  
16          par. ~~(e)~~ (am) 3., but the period of imprisonment shall be not less than 30 days, except  
17          that if the person successfully completes a period of probation that includes alcohol  
18          and other drug treatment, the period of imprisonment shall be not less than 10 days.  
19          A person may be sentenced under this paragraph or under par. (bm) or sub. (2j) (bm)  
20          or (cm) or (3r) once in his or her lifetime.

NOTE: Inserts correct cross-references. Section 346.65 (2) (a) to (e) was  
renumbered s. 346.65 (2) (am) 1. to 5. by 2005 Wis. Act 149.


21          — **SECTION 173.** 346.65 (2j) (bm) and (cm) of the statutes, as created by 2005  
22          Wisconsin Act 389, are amended to read:

1           346.65 (2j) (bm) In Winnebago County, if the number of convictions under ss.  
2           940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,  
3           revocations, and other convictions counted under s. 343.307 (1) within a 10-year  
4           period, equals 2, except that suspensions, revocations, or convictions arising out of  
5           the same incident or occurrence shall be counted as one, the fine shall be the same  
6           as under par. (b) (am) 2., but the period of imprisonment shall be not less than 5 days,  
7           except that if the person successfully completes a period of probation that includes  
8           alcohol and other drug treatment, the period of imprisonment shall be not less than  
9           5 nor more than 7 days. A person may be sentenced under this paragraph or under  
10          par. (cm) or sub. (2) (bm) or (cm) or (3r) once in his or her lifetime.

11          (cm) In Winnebago County, if the number of convictions under ss. 940.09 (1) and  
12          940.25 in the person's lifetime, plus the total number of suspensions, revocations,  
13          and other convictions counted under s. 343.307 (1) within a 10-year period, equals  
14          3 or more, except that suspensions, revocations, or convictions arising out of the same  
15          incident or occurrence shall be counted as one, the fine shall be the same as under  
16          par. (e) (am) 3., but the period of imprisonment shall be not less than 30 days, except  
17          that if the person successfully completes a period of probation that includes alcohol  
18          and other drug treatment, the period of imprisonment shall be not less than 10 days.  
19          A person may be sentenced under this paragraph or under par. (bm) or sub. (2) (bm)  
20          or (cm) or (3r) once in his or her lifetime.


NOTE: Inserts correct cross-references. Section 346.65 (2j) (a) to (c) was  
renumbered s. 346.65 (2j) (am) 1. to 3. by 2005 Wis. Act 149.

21          **SECTION 174.** The treatment of 347.50 (1) of the statutes by 2005 Wisconsin Act  
22          106 is not repealed by 2005 Wisconsin Act 193. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, effective  
6-1-2006, s. 347.50 (1) reads: 

(1) Any person violating ss. 347.35 to 347.49, except s. 347.385 (5), s. 347.413 (1) or s. 347.415 (1m), (2) and (3) to (5) or s. 347.417 (1) or s. 347.475 or s. 347.48 (2m) or (4) or s. 347.489, may be required to forfeit not less than \$10 nor more than \$200.

1        **SECTION 175.** The treatment of 348.21 (3) (intro.) of the statutes by 2005  
2        Wisconsin Act 167 is not repealed by 2005 Wisconsin Act 364. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 348.21 (3) (intro.) reads: 

(3) Except as provided in sub. (3g), any person violating s. 348.15 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized under s. 348.17 (3) or (5) or in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

3        **SECTION 176.** 348.21 (3) (b) 1. of the statutes is renumbered 348.21 (3) (b) 1.  
4        (intro.) and amended to read:

5            348.21 (3) (b) 1. (intro.) For the first conviction, a forfeiture of not less than \$50  
6        nor more than \$200 plus an amount equal to: 1 whichever of the following applies:

7            a. One cent for each pound of total excess load when the total excess is not over  
8        2,000 pounds; 2.

9            b. Two cents for each pound of total excess load if the excess is over 2,000 pounds  
10       and not over 3,000 pounds; 3.

11           c. Three cents for each pound of total excess load if the excess is over 3,000  
12       pounds and not over 4,000 pounds; 5.

13           d. Five cents for each pound of total excess load if the excess is over 4,000  
14       pounds and not over 5,000 pounds; 7.

15           e. Seven cents for each pound of total excess load if the excess is over 5,000  
16       pounds.

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.

17        **SECTION 177.** 348.21 (3) (b) 2. of the statutes is renumbered 348.21 (3) (b) 2.  
18        (intro.) and amended to read:

1           348.21 (3) (b) 2. (intro.) For the 2nd and each subsequent conviction within a  
2 12-month period, a forfeiture of not less than \$100 nor more than \$300, plus an  
3 amount equal to: ~~2~~ whichever of the following applies:

4           a. Two cents for each pound of total excess load when the total excess is not over  
5 2,000 pounds; ~~4.~~

6           b. Four cents for each pound of total excess load if the excess is over 2,000  
7 pounds and not over 3,000 pounds; ~~6.~~

8           c. Six cents for each pound of total excess load if the excess is over 3,000 and  
9 not over 4,000 pounds; ~~8.~~

10           d. Eight cents for each pound of total excess load if the excess is over 4,000  
11 pounds and not over 5,000 pounds; ~~10.~~

12           e. Ten cents for each pound of total excess load if the excess is over 5,000 pounds.

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.

13        ~~SECTION 178.~~ 348.21 (3g) (intro.) of the statutes, as created by 2005 Wisconsin  
14 Act 167, is amended to read:

15           348.21 (3g) (intro.) Any person who, while operating a vehicle combination that  
16 has 6 or more axles and that is transporting raw forest products, violates s. 348.15  
17 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a  
18 declaration issued under s. 348.175 or authorized ~~under s. 348.17 (4)~~ or in an  
19 overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

NOTE: 2005 Wis. Act 364 repealed s. 348.17 (4).

20        ~~SECTION 179.~~ 348.21 (3g) (intro.) of the statutes, as affected by 2005 Wisconsin  
21 Act 167, section 7, is amended to read:

22           348.21 (3g) (intro.) Any person who, while operating a vehicle combination that  
23 has 6 or more axles and that is transporting raw forest products, violates s. 348.15

1 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or authorized  
2 under ~~s. 348.17 (4)~~ or in an overweight permit issued under s. 348.26 or 348.27 may  
3 be penalized as follows:

NOTE: 2005 Wis. Act 364 repealed s. 348.17 (4).

4 **SECTION 180.** 348.21 (3g) (a) of the statutes, as created by 2005 Wisconsin Act  
5 167, is renumbered 348.21 (3g) (a) (intro.) and amended to read:

6 348.21 (3g) (a) (intro.) For a first conviction or a 2nd conviction within a  
7 12-month period, a forfeiture of not less than \$150 nor more than \$250 plus an  
8 amount equal to: ~~6~~ whichever of the following applies:

9 1. Six cents for each pound of total excess load when the total excess is less than  
10 2,000 pounds; ~~8.~~

11 2. Eight cents for each pound of total excess load if the excess is 2,000 pounds  
12 or more and not over 3,000 pounds; ~~9.~~

13 3. Nine cents for each pound of total excess load if the excess is over 3,000  
14 pounds and not over 4,000 pounds; ~~10.~~

15 4. Ten cents for each pound of total excess load if the excess is over 4,000 pounds  
16 and not over 5,000 pounds; ~~11.~~

17 5. Eleven cents for each pound of total excess load if the excess is over 5,000  
18 pounds.

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.

19 **SECTION 181.** 348.21 (3g) (b) of the statutes, as created by 2005 Wisconsin Act  
20 167, is renumbered 348.21 (3g) (b) (intro.) and amended to read:

21 348.21 (3g) (b) (intro.) For the 3rd and each subsequent conviction within a  
22 12-month period, a forfeiture of not less than \$500 nor more than \$550, plus an  
23 amount equal to: ~~20~~ whichever of the following applies:

1           1. Twenty cents for each pound of total excess load when the total excess is 3,000  
2 pounds or less; ~~21.~~

3           2. Twenty-one cents for each pound of total excess load if the excess is over  
4 3,000 pounds and not over 4,000 pounds; ~~22.~~

5           3. Twenty-two cents for each pound of total excess load if the excess is over  
6 4,000 pounds and not over 5,000 pounds; ~~23.~~

7           4. Twenty-three cents for each pound of total excess load if the excess is over  
8 5,000 pounds.

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.

9           **SECTION 182.** 402.318 (title) of the statutes is amended to read:

10           **402.318 (title) ~~Third party~~ Third-party beneficiaries of warranties,**  
11 **express or implied.**

NOTE: Corrects spelling.

12           **SECTION 183.** 440.142 (2) of the statutes, as affected by 2005 Wisconsin Act 198,  
13 is renumbered 450.145 (1m) and amended to read:

14           450.145 (1m) Except as provided in s. ~~450.145~~ sub. (2), a pharmacist or  
15 pharmacy may not report personally identifying information concerning an  
16 individual who is dispensed a prescription or who purchases a nonprescription drug  
17 product as specified in sub. (1) (a), (b), or (c).

NOTE: The remainder of s. 440.142 was renumbered to s. 450.145.

18           **SECTION 184.** Subchapter XI of chapter 440 [precedes 440.980] of the statutes,  
19 as created by 2005 Wisconsin Act 292, is renumbered subchapter XII of chapter 440  
20 [precedes 440.9805].

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Subchapter VII of chapter 440, as created by 2005 Wis. Act 25, was renumbered subchapter XI of chapter 440 by the revisor under s. 13.93 (1) (b).

1        ~~SECTION 185.~~ 440.980 of the statutes, as created by 2005 Wisconsin Act 292,  
2 is renumbered 440.9805.

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Section 440.70 as created by 2005 Wis. Act 25, was renumbered 440.98 by the revisor under s. 13.93 (1) (b).

3        ~~SECTION 186.~~ Subchapter XII of chapter 440 [precedes 440.99] of the statutes  
4 is renumbered subchapter XIII of chapter 440 [precedes 440.99].

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). Subchapter XII of chapter 440 is renumbered subchapter XIII of chapter 440 to accommodate the renumbering of subchapter XI of chapter 440 by this bill.

5        ~~SECTION 187.~~ 441.15 (2) (intro.) of the statutes, as affected by 2005 Wisconsin  
6 Acts 96 and 292, is amended to read:

7            441.15 (2) (intro.) Except as provided in sub. (2m) and s. 250.042 (4) (b), no  
8 person may engage in the practice of nurse-midwifery unless each of the following  
9 conditions is satisfied:

NOTE: Inserts "and" required by the merger of the treatments of s. 441.15 (2) (intro.) by 2005 Wis. Acts 96 and 292.

10        ~~SECTION 188.~~ 441.15 (2m) of the statutes, as created by 2005 Wisconsin Act 292,  
11 is amended to read:

12            441.15 (2m) Subsection (2) does not apply to a person granted a license to  
13 practice midwifery under subch. ~~XI~~ XII of ch. 440.

NOTE: Subchapter XI of chapter 440, as created by 2005 Wis. Act 477, is renumbered to subchapter XII of chapter 440 by this bill.

14        ~~SECTION 189.~~ 448.03 (2) (a) of the statutes, as affected by 2005 Wisconsin Act  
15 292, is amended to read:

16            448.03 (2) (a) Any person lawfully practicing within the scope of a license,  
17 permit, registration, certificate or certification granted to practice midwifery under  
18 subch. ~~XI~~ XII of ch. 440, to practice professional or practical nursing or  
19 nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice

1 dentistry or dental hygiene under ch. 447, to practice optometry under ch. 449, to  
2 practice acupuncture under ch. 451 or under any other statutory provision, or as  
3 otherwise provided by statute.

NOTE: Subchapter XI of chapter 440, as created by 2005 Wis. Act 292, is  
renumbered to subchapter XII of chapter 440 by this bill.

4 ~~SECTION 190.~~ 448.08 (3) of the statutes is amended to read:

5 448.08 (3) BILLING FOR TESTS PERFORMED BY THE STATE LABORATORY OF HYGIENE.  
6 A person other than a state or local government agency who charges a patient, other  
7 person or ~~3rd party~~ 3rd-party payer for services performed by the state laboratory  
8 of hygiene shall identify the actual amount charged by the state laboratory of  
9 hygiene and shall restrict charges for those services to that amount.

NOTE: Corrects spelling.

10 ~~SECTION 191.~~ 449.18 (8) of the statutes is renumbered 449.18 (6) (cm).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act  
297 changed cross-references to s. 449.18 (8) to s. 449.18 (6) (cm), but did not treat s.  
449.18 (8). ←

11 ~~SECTION 192.~~ 450.11 (4m) of the statutes, as created by 2005 Wisconsin Act 195,  
12 is renumbered 450.11 (4g).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act  
196 also created a provision numbered s. 450.11 (4m). ←

13 ~~SECTION 193.~~ 452.135 (2) (a) (intro.) of the statutes, as affected by 2005  
14 Wisconsin Act 87, is amended to read:

15 452.135 (2) (a) (intro.) Except as provided in ~~sub-~~ par. (b), a broker shall provide  
16 to a client a copy of the following written disclosure statement not later than the time  
17 the broker enters into an agency agreement with the client:

NOTE: Corrects cross-reference.

*The cross-reference is shown  
correctly in the printed statutes.*

18 ~~SECTION 194.~~ 560.275 (2) (c) of the statutes, as affected by 2005 Wisconsin Act  
19 97, is amended to read:



1           560.275 (2) (c) *Bridge grants and loans*. The department may make a grant  
2 or loan from the appropriation under s. 20.143 (1) (c) or (ie) to a person who has  
3 received early stage financing from 3rd parties or a grant from the federal  
4 government to fund early stage research and development and who has sought  
5 additional early stage financing from 3rd parties or applied for an additional grant  
6 from the federal government to fund early stage research and development. A grant  
7 or loan under this paragraph shall be for the purpose of funding professional  
8 activities necessary to maintain the project research and management team and  
9 funding basic operations until the applicant's additional ~~3rd-party~~ 3rd-party  
10 financing request or federal grant application is approved or denied.

NOTE: Corrects spelling.

11        **SECTION 195.** 560.799 (1) (bm) 1. of the statutes, as created by 2005 Wisconsin  
12 Act 361, is amended to read:

13           560.799 (1) (bm) 1. A business' employees in ~~a economic~~ an enterprise zone.

NOTE: Inserts correct term consistent with the remainder of 2005 Wis. Act 361.  
Inserts correct article after governor's partial veto.

14        **SECTION 196.** 705.04 (2) (intro.) of the statutes, as affected by 2005 Wisconsin  
15 Acts 216 and 387, is amended to read:

16           705.04 (2) (intro.) If the account is a P.O.D. account, on the death of the original  
17 payee or the survivor of 2 or more original payees, ~~54~~ all of the following apply:

NOTE: Deletes language inserted by 2005 Wis. Act 387 but rendered surplusage by  
2005 Wis. Act 216.

18        **SECTION 197.** 705.04 (2) (f) of the statutes, as created by 2005 Wisconsin Act  
19 216, is amended to read:

20           705.04 (2) (f) Payment may be made to a minor P.O.D. beneficiary only in  
21 accordance with a procedure approved under ch. ~~880~~ 54.

NOTE: Chapter 880 is renumbered ch. 54 by 2005 Wis. Act 387.

1 ~~SECTION 198.~~ 705.20 (4) of the statutes, as created by 2005 Wisconsin Act 216,  
2 is renumbered 705.10 (4).

NOTE: Confirms renumbering by the Revisor under s. 13.93 (1) (b). 2005 Wis. Act 206 renumbered s. 705.20 to s. 705.10. ←

3 ~~SECTION 199.~~ 752.03 (3) of the statutes is repealed.

NOTE: Repeals obsolete transition provision.

4 ~~SECTION 200.~~ 752.03 (4) of the statutes is renumbered 752.03 and amended to  
5 read:

6 **752.03 Number of judges.** Beginning on August 1, 1994, there There shall  
7 be 16 court of appeals judges. Three judges shall be elected from the district specified  
8 in s. 752.17, 4 judges shall be elected from each of the 2 districts specified in ss. 752.13  
9 and 752.15 and 5 judges shall be elected from the district specified in s. 752.19.

NOTE: As a result of the repeal of ss. 752.03 (3) by this bill, this provision does not have multiple subsections. Obsolete transition language is deleted.

10 ~~SECTION 201.~~ The treatment of <sup>767.41(1)(a) as renumbered</sup> ~~767.05(2)~~ of the statutes by 2005 Wisconsin Act  
11 <sup>section 53</sup> 130 is not repealed by 2005 Wisconsin Act 443. <sup>section 29</sup> Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 767.41 (1) (a), as renumbered from s. 767.05 (2) by 2005 Wis. Act 443, reads: ←

④ **NOTE:**  
I added "as renumbered" phrase.  
CJS

(a) Subject to ch. 822, the question of a child's custody may be determined as an incident of any action affecting the family or in an independent action for custody. The effect of any determination of a child's custody is not binding personally against any parent or guardian unless the parent or guardian has been made personally subject to the jurisdiction of the court in the action as provided under ch. 801 or has been notified under s. 822.08, as provided in s. 822.06. Nothing in this chapter may be construed to foreclose a person other than a parent who has physical custody of a child from proceeding under ch. 822.

12 ~~SECTION 202.~~ The treatment of 767.325 (5m) of the statutes by 2005 Wisconsin  
13 Act 101 is not repealed by 2005 Wisconsin Act 443. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 767.451 (5m) (a), as renumbered from s. 767.325 (5m) by 2005 Wis. Acts 101 and 443, reads:

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

done in

LRB-0495

and 803.05 (1) and 804.05 (3)(b)5., etc. ~~Do you want to restore it here?~~ CJS

1 SECTION 203. 767.80 (2) (title) of the statutes, as created by 2005 Wisconsin Act  
2 443, is amended to read:

3 767.80 (2) (title) CERTAIN AGREEMENTS NOT ~~A~~ A BAR TO ACTION.

NOTE: Corrects capitalization.

\*\*\*NOTE: See my change to text. CJS

4 SECTION 204. 801.14 (3) of the statutes is amended to read:

5 801.14 (3) In any action in which there are unusually large numbers of  
6 defendants, the court, upon motion or on its own initiative, may order that service  
7 of the pleadings of the defendants and replies thereto need not be made as between  
8 the defendants and that any ~~cross-claim~~ cross claim, counterclaim, or matter  
9 constituting an avoidance or affirmative defense contained therein shall be deemed  
10 to be denied or avoided by all other parties and that the filing of any such pleading  
11 and service thereof upon the plaintiff constitutes due notice of it to the parties. A copy  
12 of every such order shall be served upon the parties in such manner and form as the  
13 court directs.

NOTE: Corrects spelling.

14 SECTION 205. 802.01 (1) of the statutes, ~~as affected by 2005 Wisconsin Act 253,~~  
15 is amended to read:

16 802.01 (1) PLEADINGS. There shall be a complaint and an answer; a reply to a  
17 counterclaim denominated as such; an answer to a ~~cross-claim~~ cross claim, if the  
18 answer contains a ~~cross-claim~~ cross claim; a 3rd-party complaint, if a person who  
19 was not an original party is summoned under s. 803.05, and a 3rd-party answer, if  
20 a 3rd-party complaint is served. No other pleading shall be allowed, except that the  
21 court may order a further pleading to a reply or to any answer.

NOTE: Corrects spelling.

\*\*\*NOTE: Please review my changes in action phrase and text. CJS

→ (P) \*\*\* NOTE: ~~Remove~~ You removed "as affected by 2005 Wisconsin Act 253" from the action phrase here but ~~not~~ stated it in the treatments of ss. 802.08(1) and 803.02(1)

1       —**SECTION 206.** 802.04 (1) of the statutes is amended to read:

2           802.04 (1) **CAPTION.** Every pleading shall contain a caption setting forth the  
3 name of the court, the venue, the title of the action, the file number, and a designation  
4 as in s. 802.01 (1). If a pleading contains motions, or an answer or reply contains  
5 ~~cross-claims~~ cross claims or counterclaims, the designation in the caption shall state  
6 their existence. In the complaint the caption of the action shall include the  
7 standardized description of the case classification type and associated code number  
8 as approved by the director of state courts, and the title of the action shall include  
9 the names and addresses of all the parties, indicating the representative capacity,  
10 if any, in which they sue or are sued and, in actions by or against a corporation, the  
11 corporate existence and its domestic or foreign status shall be indicated. In pleadings  
12 other than the complaint, it is sufficient to state the name of the first party on each  
13 side with an appropriate indication of other parties. Every pleading commencing an  
14 action under s. 814.61 (1) (a) or 814.62 (1) or (2) and every complaint filed under s.  
15 814.61 (3) shall contain in the caption, if the action includes a claim for a money  
16 judgment, a statement of whether the amount claimed is greater than the amount  
17 under s. 799.01 (1) (d).

NOTE: Corrects spelling.

18       —**SECTION 207.** 802.06 (1) of the statutes, as affected by Supreme Court Order  
19 03-06 and 2005 Wisconsin Act 442, is amended to read:

20           802.06 (1) **WHEN PRESENTED.** Except when a court dismisses an action or special  
21 proceeding under s. 802.05 (4), a defendant shall serve an answer within 20 days  
22 after the service of the complaint upon the defendant. If a guardian ad litem is  
23 appointed for a defendant, the guardian ad litem shall have 20 days after  
24 appointment to serve the answer. A party served with a pleading stating a

1 ~~cross-claim~~ cross claim against the party shall serve an answer thereto within 20  
2 days after the service upon the party. The plaintiff shall serve a reply to a  
3 counterclaim in the answer within 20 days after service of the answer. The state or  
4 an agency of the state or an officer, employee, or agent of the state shall serve an  
5 answer to the complaint or to a ~~cross-claim~~ cross claim or a reply to a counterclaim  
6 within 45 days after service of the pleading in which the claim is asserted. If any  
7 pleading is ordered by the court, it shall be served within 20 days after service of the  
8 order, unless the order otherwise directs. If a defendant in the action is an insurance  
9 company, or if any cause of action raised in the original pleading, ~~cross-claim~~ cross  
10 claim, or counterclaim is founded in tort, the periods of time to serve a reply or answer  
11 shall be 45 days. The service of a motion permitted under sub. (2) alters these periods  
12 of time as follows, unless a different time is fixed by order of the court: if the court  
13 denies the motion or postpones its disposition until the trial on the merits, the  
14 responsive pleading shall be served within 10 days after notice of the court's action;  
15 or if the court grants a motion for a more definite statement, the responsive pleading  
16 shall be served within 10 days after the service of the more definite statement.

NOTE: Corrects spelling.

17 — **SECTION 208.** 802.06 (2) (a) (intro.) of the statutes is amended to read:

18 802.06 (2) (a) (intro.) Every defense, in law or fact, except the defense of  
19 improper venue, to a claim for relief in any pleading, whether a claim, counterclaim,  
20 ~~cross-claim~~ cross claim, or 3rd-party claim, shall be asserted in the responsive  
21 pleading thereto if one is required, except that the following defenses may at the  
22 option of the pleader be made by motion:

NOTE: Corrects spelling.

23 **SECTION 209.** 802.07 (title) of the statutes is amended to read:

1           **802.07 (title) Counterclaim and ~~cross-claim~~ cross claim.**

NOTE: Corrects spelling.

2           ~~SECTION 210.~~ 802.07 (4) and (5) of the statutes are amended to read:

3           802.07 (4) JOINDER OF ADDITIONAL PARTIES. Persons other than those made  
4 parties to the original action may be made parties to a counterclaim or ~~cross-claim~~  
5 cross claim in accordance with ss. 803.03 to 803.05.

6           (5) SEPARATE TRIALS; SEPARATE JUDGMENTS. If the court orders separate trials as  
7 provided in s. 805.05 (2), judgment on a counterclaim or ~~cross-claim~~ cross claim may  
8 be rendered in accordance with s. 806.01 (2) when the court has jurisdiction so to do,  
9 even if the claims of the opposing party have been dismissed or otherwise disposed  
10 of.

NOTE: Corrects spelling.           stet: leave as typed  
\*\*\*NOTE: Please review my changes to action phrase and text. CJS

11           ~~SECTION 211.~~ 802.08 (1) of the statutes, as affected by 2005 Wisconsin Act 253,  
12 is amended to read:

13           802.08 (1) AVAILABILITY. A party may, within 8 months of the filing of a  
14 summons and complaint or within the time set in a scheduling order under s. 802.10,  
15 move for summary judgment on any claim, counterclaim, ~~cross-claim~~ cross claim, or  
16 3rd-party claim which is asserted by or against the party. Amendment of pleadings  
17 is allowed as in cases where objection or defense is made by motion to dismiss.

NOTE: Corrects spelling.

\*\*\*NOTE: Please review my changes to action phrase and text. CJS

18           ~~SECTION 212.~~ 803.02 (1) of the statutes, as affected by 2005 Wisconsin Act 253,  
19 is amended to read:

20           803.02 (1) A party asserting a claim to relief as an original claim, counterclaim,  
21 ~~cross-claim~~ cross claim, or 3rd-party claim, may join, either as independent or as

stet: leave as typed

1 alternate claims, as many claims, legal or equitable, as the party has against an  
2 opposing party.

NOTE: Corrects spelling.

\*\*\*NOTE: Please review my changes to action phrase and text. CJS

3 **SECTION 213.** 803.05 (1) of the statutes, as affected by 2005 Wisconsin Act 253,

4 is amended to read:

5 803.05 (1) At any time after commencement of the action, a defending party,  
6 as a 3rd-party plaintiff, may cause a summons and complaint to be served upon a  
7 person not a party to the action who is or may be liable to the defending party for all  
8 or part of the plaintiff's claim against the defending party, or who is a necessary party  
9 under s. 803.03. The 3rd-party plaintiff need not obtain leave to implead if he or she  
10 serves the 3rd-party summons and 3rd-party complaint not later than 6 months  
11 after the summons and complaint are filed or the time set in a scheduling order under  
12 s. 802.10; thereafter, the 3rd-party plaintiff must obtain leave on motion upon notice  
13 to all parties to the action. The person served with the summons and 3rd-party  
14 complaint, hereinafter called the 3rd-party defendant, shall make defenses to the  
15 3rd-party plaintiff's claim as provided in s. 802.06 and counterclaims against the  
16 3rd-party plaintiff and ~~cross-claims~~ cross claims against any other defendant as  
17 provided in s. 802.07. The 3rd-party defendant may assert against the plaintiff any  
18 defenses which the 3rd-party plaintiff has to the plaintiff's claim. The 3rd-party  
19 defendant may also assert any claim against the plaintiff if the claim is based upon  
20 the same transaction, occurrence or series of transactions or occurrences as is the  
21 plaintiff's claim against the 3rd-party plaintiff. The plaintiff may assert any claim  
22 against the 3rd-party defendant if the claim is based upon the same transaction,  
23 occurrence or series of transactions or occurrences as is the plaintiff's claim against

as affected by 2005 Wisconsin Act 253, keep

↑ stat: leave as typed

1 the 3rd-party plaintiff, and the 3rd-party defendant thereupon shall assert defenses  
2 as provided in s. 802.06 and counterclaims and ~~cross-claims~~ cross claims as provided  
3 in s. 802.07.

NOTE: Corrects spelling.

\*\*\*\*NOTE: Please review my changes to action phrase and text. CJS

4 ~~SECTION 214.~~ 803.07 of the statutes is amended to read:

5 **803.07 Interpleader.** Persons having claims against the plaintiff may be  
6 joined as defendants and required to interplead when their claims are such that the  
7 plaintiff is or may be exposed to double or multiple liability. It is not ground for  
8 objection to the joinder that the claims of the several claimants or the titles on which  
9 their claims depend do not have a common origin or are not identical but are adverse  
10 to and independent of one another, or that the plaintiff avers that the plaintiff is not  
11 liable in whole or in part to any or all of the claimants. A defendant exposed to similar  
12 liability may obtain such interpleader by way of ~~cross-claim~~ cross claim or  
13 counterclaim. The provisions of this section supplement and do not in any way limit  
14 the joinder of parties permitted in s. 803.04.

NOTE: Corrects spelling.

15 ~~SECTION 215.~~ 804.05 (3) (b) 5. of the statutes, as affected by 2005 Wisconsin Act  
16 253, is amended to read:

*[Handwritten signature]*

↑  
stet: leave as typed

17 804.05 (3) (b) 5. In this subsection, the terms "defendant" and "plaintiff"  
18 include officers, directors and managing agents of corporate defendants and  
19 corporate plaintiffs, or other persons designated under sub. (2) (e), as appropriate.  
20 A defendant who asserts a counterclaim or a ~~cross-claim~~ cross claim shall not be  
21 considered a plaintiff within the meaning of this subsection, but a 3rd-party plaintiff  
22 under s. 803.05 (1) shall be so considered with respect to the 3rd-party defendant.

NOTE: Corrects spelling.



④ ~~NOTE~~ NOTE: You removed "as affected by 2005 Wisconsin Act 253" here but stated it in numerous other places. Do you want to restore it here? CJS

~~NOTE: Please review my changes in action phrase and text. CJS~~

1 ~~SECTION 216.~~ 805.04 (3) of the statutes, as affected by 2005 Wisconsin Act 253,  
2 is amended to read:

3 805.04 (3) COUNTERCLAIM, ~~CROSS CLAIM~~ CROSS CLAIM AND 3RD-PARTY CLAIM. This  
4 section applies to the voluntary dismissal of any counterclaim, ~~cross-claim~~ cross  
5 claim, or 3rd-party claim. A voluntary dismissal by the claimant alone shall be made  
6 before a responsive pleading is served, or if there is none, before the introduction of  
7 evidence at the trial or hearing.

NOTE: Corrects spelling.

~~NOTE: Please review my changes in action phrase and text. CJS~~

8 ~~SECTION 217.~~ 805.05 (2) of the statutes, as affected by 2005 Wisconsin Act 253,  
9 is amended to read:

↑ stet: leave as typed

10 805.05 (2) SEPARATE TRIALS. The court, in furtherance of convenience or to avoid  
11 prejudice, or when separate trials will be conducive to expedition or economy, or  
12 pursuant to s. 803.04 (2) (b), may order a separate trial of any claim, ~~cross-claim~~  
13 cross claim, counterclaim, or 3rd-party claim, or of any number of claims, always  
14 preserving inviolate the right of trial in the mode to which the parties are entitled.

NOTE: Corrects spelling.

~~NOTE: Please review my changes in action phrase and text. CJS~~

15 ~~SECTION 218.~~ 805.14 (9) of the statutes, as affected by 2005 Wisconsin Act 253,  
16 is amended to read:

↑ stet: leave as typed

17 805.14 (9) INVOLUNTARY DISMISSAL OF COUNTERCLAIM, ~~CROSS CLAIM~~ CROSS CLAIM  
18 OR 3RD-PARTY CLAIM. This section applies to counterclaims, ~~cross-claims~~ cross claims,  
19 and 3rd-party claims.

NOTE: Corrects spelling.

~~NOTE: Please review my changes in action phrase and text. CJS~~

20 ~~SECTION 219.~~ 812.17 of the statutes is amended to read:

1           **812.17 Impleader.** When the answer of the garnishee discloses that any 3rd  
2 person claims the debt or property in the garnishee's hands and the name and  
3 residence of such claimant the court may order that such claimant be impleaded as  
4 a defendant in the garnishment action and that notice thereof, setting forth the facts,  
5 with a copy of such order and answer be served upon the ~~3rd person~~ 3rd-person  
6 claimant, and that after such service is made the garnishee may pay or deliver to the  
7 officer or the clerk such debt or property and have a receipt therefor, which shall be  
8 a complete discharge from all liability for the amount so paid or property so delivered.  
9 Such notice shall be served as required for service of a summons. Upon such service  
10 being made such claimant shall be deemed a defendant in the garnishee action, and  
11 within 20 days shall answer setting forth the claimant's claim or any defense which  
12 that the garnishee might have made.

NOTE: Corrects spelling.

13           ~~SECTION 220.~~ 814.75 (1g) of the statutes, as created by 2005 Wisconsin Act 433,  
14 is renumbered 814.75 (1j).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act  
288 also created a provision numbered 814.75 (1g).

15           ~~SECTION 221.~~ 814.75 (1r) of the statutes, as affected by 2005 Wisconsin Act 433,  
16 is renumbered 814.75 (1m).

NOTE: 2005 Wis. Act 288 renumbered s. 814.75 (1) to 814.75 (1m). 2005 Wis. Act  
433 renumbered 814.75 (1) to 814.75 (1r). The revisor under s. 13.93 (1) (b) numbers the  
provision 814.75 (1m).

17           ~~SECTION 222.~~ 814.75 (13m) of the statutes, as created by 2005 Wisconsin Act  
18 288, is amended to read:

19           814.75 (**13m**) The Great Lakes resource surcharge under s. ~~29.99~~ 29.9905.

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

1       — **SECTION 223.** 814.76 (1g) of the statutes, as created by 2005 Wisconsin Act 433,  
2 is renumbered 814.76 (1j).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 288 also created a provision numbered 814.76 (1g).

3       — **SECTION 224.** 814.76 (1r) of the statutes, as affected by 2005 Wisconsin Act 433,  
4 section 13, is renumbered 814.76 (1m).

NOTE: 2005 Wis. Act 288 renumbered s. 814.76 (1) to 814.76 (1m). 2005 Wis. Act 433 renumbered 814.76 (1) to 814.76 (1r). The revisor under s. 13.93 (1) (b) numbers the provision 814.76 (1m).

5       — **SECTION 225.** 814.76 (10m) of the statutes, as created by 2005 Wisconsin Act  
6 288, is amended to read:

7       814.76 (10m) The Great Lakes resource surcharge under s. ~~29.99~~ 29.9905.

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

8       — **SECTION 226.** 814.77 (6m) of the statutes, as created by 2005 Wisconsin Act 288,  
9 is amended to read:

10       814.77 (6m) The Great Lakes resource surcharge under s. ~~29.99~~ 29.9905.

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

11       — **SECTION 227.** 822.31 (1) of the statutes, as affected by 2005 Wisconsin Act 130,  
12 is amended to read:

13       822.31 (1) “Judicial day” means each day except Saturday, Sunday, or a legal  
14 holiday under s. ~~895.20~~ 995.20.

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

15       — **SECTION 228.** 867.046 (1m) of the statutes, as affected by 2005 Wisconsin Acts  
16 206 and 216, is amended to read:

17       867.046 (1m) UPON DEATH; GENERALLY. If a domiciliary of this state dies who  
18 immediately prior to death had an interest in property in this state, including an

1 interest in survivorship marital property or an interest in property passing under s.  
2 ~~705.20~~ 705.10 (1), or if a person not domiciled in this state dies having an interest  
3 in property in this state, including an interest in survivorship marital property or an  
4 interest in property passing under s. ~~705.20~~ 705.10 (1), upon petition of the  
5 decedent's spouse, a beneficiary of a marital property agreement or, a TOD  
6 beneficiary, or a beneficiary of a transfer under s. ~~705.20~~ 705.10 (1) to the court of the  
7 county of domicile of the decedent or, if the decedent was not domiciled in this state,  
8 of any county where the property is situated, the court shall issue a certificate under  
9 the seal of the court. The certificate shall set forth the fact of the death of the  
10 decedent, the termination or transfer of the decedent's interest in the property, the  
11 interest of the petitioner in the property and any other facts essential to a  
12 determination of the rights of persons interested. The certificate is prima facie  
13 evidence of the facts recited, and if the certificate relates to an interest in real  
14 property or to a debt secured by an interest in real property, the petitioner shall  
15 record a certified copy or duplicate original of the certificate in the office of the  
16 register of deeds in each county in this state in which the real property is located.

NOTE: Section 705.20 was renumbered to s. 705.10 by 2005 Wis. Act 206. Corrects  
punctuation.

17 **SECTION 229.** 867.046 (2) (intro.) of the statutes, as affected by 2005 Wisconsin  
18 Acts 206 and 216, is amended to read:

19 867.046 (2) UPON DEATH; INTEREST IN PROPERTY. (intro.) As an alternative to sub.  
20 (1m), upon the death of any person having an interest in any real property, a vendor's  
21 interest in a land contract, an interest in a savings or checking account, an interest  
22 in a security, a mortgagee's interest in a mortgage, or an interest in property passing  
23 under s. ~~705.20~~ 705.10 (1), including an interest in survivorship marital property, the

1 decedent's spouse, a beneficiary of a marital property agreement or, a TOD  
2 beneficiary, or a beneficiary of a transfer under s. ~~705.20~~ 705.10 (1) may obtain  
3 evidence of the termination of that interest of the decedent and confirmation of the  
4 petitioner's interest in the property by providing to the register of deeds of the county  
5 in which the property is located the certified death certificate for the decedent and,  
6 on applications supplied by the register of deeds for that purpose, all of the following  
7 information:

NOTE: Section 705.20 was renumbered to s. 705.10 by 2005 Wis. Act 206. Corrects  
punctuation.

8 ~~SECTION 230.~~ 867.046 (2) (k) of the statutes, as created by 2005 Wisconsin Act  
9 216, is amended to read:

10 867.046 (2) (k) In the case of a transfer under s. ~~705.20~~ 705.10 (1), except as  
11 described in par. (i) or (j), a copy of the document described in s. ~~705.20~~ 705.10 (1).

NOTE: Section 705.20 was renumbered to s. 705.10 by 2005 Wis. Act 206.

12 ~~SECTION 231.~~ 879.09 of the statutes, as affected by 2005 Wisconsin Acts 216 and  
13 387, is amended to read:

14 **879.09 Notice requirement satisfied by waiver of notice.** Persons who  
15 are not minors or individuals adjudicated incompetent, on behalf of themselves, and  
16 appointed guardians ad litem and guardians of the estate on behalf of themselves  
17 and those whom they represent, may in writing waive the service of notice upon them  
18 and consent to the hearing of any matter without notice. An attorney, or  
19 attorney-in-fact, for a person in the military service may waive notice on behalf of  
20 himself or herself but cannot waive notice on behalf of the person in the military  
21 service. Waiver of notice by any person is equivalent to timely service of notice.

NOTE: Deletes unnecessary comma.

1        ~~SECTION 232.~~ 880.01 (8m) of the statutes, as created by 2005 Wisconsin Act 264,  
2 is renumbered 54.01 (28).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 387 created the same provision as s. 54.01 (28) and renumbered the remainder of s. 880.01 to s. 54.01.

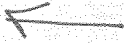
3        ~~SECTION 233.~~ 880.07 (2m) of the statutes, as created by 2005 Wisconsin Act 264,  
4 is renumbered 54.34 (2m).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 387 rennumbers the remainder of s. 880.07 to s. 54.34.

5        ~~SECTION 234.~~ 880.33 (2) (f) of the statutes, as created by 2005 Wisconsin Act  
6 264, is renumbered 54.44 (5m).

NOTE: Confirms renumbering by the revisor under s. 13.93 (1) (b). 2005 Wis. Act 387 renumbered s. 880.33 to multiple locations in ch. 54 but did not take into account the creation of s. 880.33 (2) (f) by 2005 Wis. Act 264. It is moved to s. 54.44 (5) for proximity to provisions relating to who may be present at a guardianship hearing.

7        ~~SECTION 235.~~ The treatment of 893.587 of the statutes by 2005 Wisconsin Act  
8 155 is not repealed by 2005 Wisconsin Act 277. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the Revisor, s. 893.587 reads: 

**893.587 Sexual assault of a child; limitation.** An action to recover damages for injury caused by an act that would constitute a violation of s. 948.02, 948.025, 948.06, 948.085, or 948.095 or would create a cause of action under s. 895.442 shall be commenced before the injured party reaches the age of 35 years or be barred.

9        ~~SECTION 236.~~ 895.07 (7) (i) of the statutes, as created by 2005 Wisconsin Act  
10 201, is amended to read:

11           895.07 (7) (i) If the contractor rejects the supplemental offer made by the  
12 supplier to remedy the construction defect or to settle the claim by monetary  
13 payment or a combination of each, the contractor shall, within 15 working days after  
14 receiving the offer, serve written notice of the contractor's rejection on the supplier.  
15 The notice shall include the reasons for the contractor's rejection of the supplier's  
16 supplemental settlement offer. If the contractor believes the supplier's  
17 supplemental settlement offer is unreasonable, the contractor shall set forth the

1 reasons why the contractor believes the supplemental settlement offer is  
2 unreasonable. If the supplier declines to make a supplemental offer, or if the  
3 contractor rejects the supplemental offer, the contractor may bring an action against  
4 the supplier for the claim described in the notice of claim without further notice.

NOTE: Inserts missing article.

5 ~~SECTION 237.~~ 895.497 (title) of the statutes, as created by 2005 Wisconsin Act  
6 322, is amended to read:

7 **895.497 (title) Liability Civil liability exemption: furnishing safety**  
8 **services relating to child safety restraint systems.**

NOTE: Conforms form of title to the other titles in ch. 895 relating to civil liability  
exemptions, as affected by 2005 Wis. Act 155.

9 ~~SECTION 238.~~ 895.506 (title) of the statutes, as created by 2005 Wisconsin Act  
10 325, is amended to read:

11 **895.506 (title) Liability Civil liability exemption: weight gain and**  
12 **obesity claims.**

NOTE: Conforms form of title to the other titles in ch. 895 relating to civil liability  
exemptions, as affected by 2005 Wis. Act 155.

13 ~~SECTION 239.~~ 895.507 of the statutes, as created by 2005 Wisconsin Act 138,  
14 is renumbered 134.98.

NOTE: 2005 Wis. Act 155 revises ch. 895 to include only provisions related to limits  
on liability and miscellaneous court provisions and renumbers s. 895.505, relating to  
disposal of records containing personal information, to s. 134.97. Section 895.507  
relating to notice of unauthorized acquisition of personal information, is renumbered  
134.98 so the section continues to be located with the former s. 895.505 in the statutes.

15 **SECTION 240.** 895.81 of the statutes, as created by 2005 Wisconsin Act 212, is  
16 renumbered 895.472.

NOTE: *Confirms renumbering by the revision under s. 13.93(1)(b),*  
2005 Wis. Act 155 revises ch. 895 to create 2 subchapters and to reorganize  
the chapter accordingly. Section 895.81, Indemnification of a financial institution, is  
moved so it is not located in subchapter II, Exemptions From Liability, and is located in  
subchapter I, Damages, Liability, and Miscellaneous Provisions Regarding Actions in  
Courts.

1        ~~SECTION 241.~~ The treatment of 905.04 (4) (a) of the statutes by 2005 Wisconsin  
2 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. 905.04 (4) (a) reads:

(a) *Proceedings for hospitalization, guardianship, protective services, or protective placement or for control, care, or treatment of a sexually violent person.* There is no privilege under this rule as to communications and information relevant to an issue in proceedings to hospitalize the patient for mental illness, to appoint a guardian in this state, for court-ordered protective services or protective placement, for review of guardianship, protective services, or protective placement orders, or for control, care, or treatment of a sexually violent person under ch. 980, if the physician, registered nurse, chiropractor, psychologist, social worker, marriage and family therapist, or professional counselor in the course of diagnosis or treatment has determined that the patient is in need of hospitalization, guardianship, protective services, or protective placement or control, care, and treatment as a sexually violent person.

3        ~~SECTION 242.~~ 938.08 (3) (a) (intro.) of the statutes, as affected by 2005  
4 Wisconsin Act 344, is amended to read:

5            938.08 (3) (a) (intro.) In addition to the law enforcement authority under sub.  
6 (2), department personnel designated by the department, and personnel of an agency  
7 contracted with under s. 301.08 (1) (b) 3. and designated by agreement between the  
8 agency and the department, ~~and personnel of a county contracted with under s.~~  
9 ~~301.08 (1) (b) 4. and designated by agreement between the county and the~~  
10 ~~department~~ have the power of law enforcement authorities to take a juvenile into  
11 physical custody under the following conditions:

NOTE: Section 301.08 (1) (b) 4. was repealed by 2005 Wis. Act 344, leaving the stricken language without effect.

12        ~~SECTION 243.~~ 938.17 (1) (b) of the statutes is amended to read:

13            938.17 (1) (b) If the court orders the juvenile to serve a period of incarceration  
14 of less than 6 months, the juvenile may serve that period of incarceration only in a  
15 secure juvenile detention facility.

NOTE: <sup>by Wis.</sup> The term "secure detention facility" was changed to "juvenile detention facility" ~~in~~ 2005 Act 344.

\*\*\*\*NOTE: Inserted by GMM