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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

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***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.

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

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7 149 is not repealed by 2005 Wisconsin Act 387.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2           74 is not repealed by 2005 Wisconsin Act 335.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4           is not repealed by 2005 Wisconsin Act 335.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.

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.

7           **SECTION 9.** The treatment of 16.004 (12) (a) 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. 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.

1           **SECTION 10.** The treatment of 16.045 (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. 16.045 (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.

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

4           16.22 (2) (k) Coordinate its activities with the activities of the corporation, ~~the~~  
5 ~~federal ACTION agency established under 42 USC 5041~~ and any state agency that  
6 administers federal financial assistance under 42 USC 9901 to 9912 or any other  
7 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.

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

10           16.25 (5) The board shall establish by rule a process by which a volunteer fire  
11 fighter, first ~~provider~~ responder, or emergency medical technician may appeal to the  
12 board any decision made by the department or by an individual or organization  
13 under contract with the board under sub. (4) that affects a substantial interest of the  
14 volunteer fire fighter, first responder, or emergency medical technician under the  
15 program.

NOTE: Inserts correct terminology.

1           **SECTION 13.** The treatment of 16.41 (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. 16.41 (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.

3           **SECTION 14.** The treatment of 16.52 (7) 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. 16.52 (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.

5           **SECTION 15.** 16.526 (2) of the statutes is amended to read:

6           **16.526 (2)** The net proceeds of revenue obligations issued under subch. II of ch.  
7       18, as authorized under this section, shall be deposited in a fund in the state treasury,  
8       or an account maintained by a trustee, created under s. 18.57 (1). The moneys shall  
9       be applied for ancillary payments and for the provision of reserves, as determined  
10      by the building commission, and for the payment of part or all of the state's unfunded  
11      prior service liability under s. 40.05 (2) (b) and the state's unfunded liability under  
12      s. 40.05 (4) (b), (bc), and (bw) and subch. IX of ch. 40, as determined by the  
13      department, and any remainder shall be paid into a retirement liability obligation  
14      redemption fund created under s. 18.562 (3).

NOTE: Inserts missing "s." The change is in the printed statutes.

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

1           **SECTION 17.** The treatment of 16.53 (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. 16.53 (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.

3           **SECTION 18.** The treatment of 16.54 (9) (a) 1. 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. 16.54 (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.

5           **SECTION 19.** The treatment of 16.70 (2) 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. 16.70 (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.

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

9           16.75 (1m) The department shall award each order or contract for materials,  
10           supplies or equipment on the basis of life cycle cost estimates, whenever such action

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

NOTE: Corrects punctuation.

12 **SECTION 21.** The treatment of 16.765 (1) of the statutes by 2005 Wisconsin Act  
13 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.

14 **SECTION 22.** The treatment of 16.765 (2) 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 (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:

18           **20.380 (1) (ig)** *Golf promotion.* All moneys received under s. 341.14 (6r) (b) ~~9~~  
19 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.

1           **SECTION 36.** 20.380 (1) (ir) of the statutes, as created by 2005 Wisconsin Act  
2 260, is amended to read:

3           20.380 (1) (ir) *Payments to the WPGA Junior Foundation.* All moneys received  
4 under s. 341.14 (6r) (b) 9. 9m. b. for payments to the WPGA Junior Foundation, Inc.  
5 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.

6           **SECTION 37.** 20.410 (3) (d) of the statutes, as created by 2005 Wisconsin Act 234,  
7 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).

8           **SECTION 38.** 20.835 (2) (cm) of the statutes, as created by 2005 Wisconsin Act  
9 361, is renumbered 20.835 (2) (co) and amended to read:

10           20.835 (2) (co) *Enterprise zone jobs credit.* A sum sufficient to make the  
11 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."

12           **SECTION 39.** 20.907 (5) (e) 6. of the statutes is amended to read:  
13 20.907 (5) (e) 6. Advances from ~~child caring institutions~~ residential care  
14 centers for children and youth and counties and moneys receivable from counties  
15 under s. 46.037.

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

16           **SECTION 40.** 24.61 (2) (a) 10. of the statutes, as created by 2005 Wisconsin Act  
17 335, 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.

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

1           25.17 (3) (dm) Make loans secured by mortgages upon unencumbered and  
2 wholly or partly improved real property in the United States or Canada, or upon  
3 leasehold estates in improved real property therein. Real property and leasehold  
4 estates shall not be deemed to be encumbered within the meaning of this paragraph  
5 by reason of the existence of unpaid assessments and taxes not delinquent, mineral,  
6 oil or timber rights, easements or rights-of-way for public highways, private roads,  
7 railroad, telegraph, telephone, electric light and power lines, drains, sewers or other  
8 similar easements or rights-of-way, lines liens for service and maintenance of water  
9 rights when not delinquent, party wall agreements, building restrictions, or other  
10 restrictive covenants or conditions, with or without a reversionary clause, or leases  
11 under which rents or profits are reserved to the owner. No such loan shall exceed ~~75%~~  
12 75 percent of the then fair market value, including buildings, if any, mortgages to  
13 secure the same. If the value of the buildings constitutes any part of the security,  
14 such buildings shall be kept insured to an amount which, together with ~~75%~~ 75  
15 percent of the value of the land, shall equal or exceed the loan. The foregoing  
16 limitations and restrictions shall not apply to loans made under ch. 219 or real estate  
17 loans which are insured in whole or in part by the federal housing administration or  
18 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.

19           **SECTION 42.** 25.40 (1) (a) 22. of the statutes, as created by 2005 Wisconsin Act  
20 260, is renumbered 25.40 (1) (a) 23. and amended to read:

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

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

6           25.40 (3) (b) (intro.) Beginning on July 1, 2007, no moneys may be appropriated  
7 from the transportation fund except for purposes related to any of the following:

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

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

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

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

22           5. The expenditure of federal transportation aid received by the state for any  
23 purpose for which the aid is provided or the provision of matching or supplemental

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

4 6. State enforcement of traffic laws; ~~transportation.~~

5 7. Transportation safety programs; ~~the.~~

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

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

10 10. The general costs of administration of the department of transportation;  
11 the.

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

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

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

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

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

19 16. Any other program administered by the department of transportation on  
20 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. The date was  
printed incorrectly in the printed volumes.

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

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

NOTE: Deletes repeated word. The repeated "and" is not shown in the printed statutes.

4           **SECTION 45.** The treatment of 29.194 (1) (a), as renumbered, of the statutes by  
5 2005 Wisconsin Act 243, section 1, is not repealed by 2005 Wisconsin Act 283, section  
6 1. 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.

*OK* **\*\*\*\*NOTE:** Consistent with this bill's treatment of ss. ~~767.18 (1) (a)~~ and 938.18 (1) (a), I changed the statute number given in the action phrase to be the current number.  
CJS

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

9           **29.235 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES.**

10 (intro.) A resident conservation patron license confers upon the licensee ~~all~~ the  
11 combined privileges conferred by ~~a~~ all of the following:

12           (a) A resident small game hunting license, ~~a~~.

13           (b) A resident deer hunting license, ~~a~~.

14           (c) A resident wild turkey hunting license, ~~a~~.

15           (d) A resident archer hunting license, ~~a~~.

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

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

- 1           (g) A wild turkey hunting stamp, ~~a.~~  
2           (h) A resident annual fishing license, ~~an.~~  
3           (i) An inland waters trout stamp, ~~a.~~  
4           (j) A Great Lakes trout and salmon stamp, ~~a.~~  
5           (k) A sturgeon hook and line tag, ~~and a.~~  
6           (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.

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

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

- 12           (a) A nonresident small game hunting license, ~~a.~~  
13           (b) A nonresident deer hunting license, ~~a.~~  
14           (c) A nonresident wild turkey hunting license, ~~a.~~  
15           (d) A nonresident archer hunting license, ~~a.~~  
16           (e) A waterfowl hunting stamp, ~~a.~~  
17           (f) A pheasant hunting stamp, ~~a.~~  
18           (g) A wild turkey hunting stamp, ~~a.~~  
19           (h) A nonresident annual fishing license, ~~an.~~  
20           (i) An inland waters trout stamp, ~~a.~~  
21           (j) A Great Lakes trout and salmon stamp, ~~and a.~~  
22           (k) A sturgeon hook and line tag, ~~and a.~~  
23           (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 Wis. Act 59.

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.

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

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

1           **SECTION 62.** The treatment of 48.371 (3) (d) of the statutes by 2005 Wisconsin  
2 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.

3           **SECTION 63.** The treatment of 48.396 (1) of the statutes by 2005 Wisconsin Act  
4 344 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.

5           **SECTION 64.** The treatment of 48.42 (2m) (a), as renumbered, of the statutes  
6 by 2005 Wisconsin Act 277, section 9, is not repealed by 2005 Wisconsin Act 293,  
7 section 29. 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.

~~\*\*\*\*NOTE: See my note under section 45 of the bill. CJS~~

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.