

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

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

NOTE: Corrects form of reference to school year.

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

18           118.13 (1) Except as provided in s. 120.13 (~~38~~) (37m), no person may be denied  
19 admission to any public school or be denied participation in, be denied the benefits  
20 of or be discriminated against in any curricular, extracurricular, pupil services,  
21 recreational or other program or activity because of the person's sex, race, religion,  
22 national origin, ancestry, creed, pregnancy, marital or parental status, sexual  
23 orientation or physical, mental, emotional or learning disability.

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

1           **SECTION 122.** 119.04 (1) of the statutes, as affected by 2005 Wisconsin Acts 99,  
2           290 and 346, is amended to read:

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

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

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

14          **119.22 Sex discrimination in physical education or physical training**  
15          **prohibited.** Except as provided in s. 120.13 ~~(38)~~ (37m), courses in physical  
16          education or physical training may not discriminate on the basis of sex in the  
17          provision of necessary facilities, equipment, instruction or financial support, or the  
18          opportunity to participate in any physical education or training activity as provided  
19          in 20 USC 1681 et seq.

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

20          **SECTION 124.** 120.13 (38) of the statutes, as created by 2005 Wisconsin Act 346,  
21          is renumbered 120.13 (37m).

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

1           **SECTION 125.** 138.052 (8) of the statutes is amended to read:

2           138.052 (8) This section does not apply to a loan insured, or committed to be  
3 insured, or secured by mortgage or trust deed insured by the U.S. secretary of  
4 housing and urban development, insured, guaranteed or committed to be insured or  
5 guaranteed under 38 USC ~~1801 to 1827~~ 3701 to 3727 or insured or committed to be  
6 insured under 7 USC 1921 to 1995.

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

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

9           153.05 (2r) (intro.) Notwithstanding s. 16.75 (1), (2), and (3m), from the  
10 appropriation account under s. 20.515 (1) (ut) the department of employee trust  
11 funds may expend up to \$150,000, and from the appropriation accounts under s.  
12 20.435 (1) (hg) and (hi) the department of health and family services, in its capacity  
13 as a public health authority, may expend moneys, to contract jointly with a data  
14 organization to perform services under this chapter that are specified for the data  
15 organization under sub. (1) (c) or, if s. 153.455 (4) applies, for the department of  
16 health and family services to perform or contract for the performance of these  
17 services. As a condition of the contract under this subsection, all of the following  
18 apply:

NOTE: Inserts missing article.

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

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

NOTE: Inserts missing article.

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

11           165.72 (1) (bt) "Secure Juvenile detention officer" has the meaning given in s.  
12 165.85 (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.

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

14           165.72 (4) PAYMENT LIMITATIONS. A reward under sub. (3) may not exceed \$1,000  
15 for the arrest and conviction of any one person. The department may not make any  
16 reward payment to a law enforcement officer, jail officer, secure juvenile detention  
17 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."

18           **SECTION 130.** The treatment of 165.76 (1) (a) of the statutes by 2005 Wisconsin  
19 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.

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:

18           165.85 (3) (cm) Decertify law enforcement, tribal law enforcement, jail or  
19 secure juvenile detention officers who terminate employment or are terminated, who  
20 violate or fail to comply with a rule or order of the board relating to curriculum or  
21 training, who fail to pay court-ordered payments of child or family support,

1 maintenance, birth expenses, medical expenses, or other expenses related to the  
2 support of a child or former spouse, or who fail to comply, after appropriate notice,  
3 with a subpoena or warrant issued by the department of workforce development or  
4 a county child support agency under s. 59.53 (5) and related to paternity or child  
5 support proceedings. The board shall establish procedures for decertification in  
6 compliance with ch. 227, except that decertification for failure to pay court-ordered  
7 payments of child or family support, maintenance, birth expenses, medical expenses,  
8 or other expenses related to the support of a child or former spouse or for failure to  
9 comply, after appropriate notice, with a subpoena or warrant issued by the  
10 department of workforce development or a county child support agency under s.  
11 59.53 (5) and related to paternity or child support proceedings shall be done as  
12 provided under sub. (3m) (a).

13 **SECTION 134.** The treatments of 165.85 (3) (d) of the statutes by 2005 Wisconsin  
14 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.

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

1           165.85 (4) (ap) Jail officers serving under permanent appointment prior to July  
2           2, 1983, are not required to meet any requirement of pars. (b) and (c) as a condition  
3           of tenure or continued employment as either a jail officer or a secure juvenile  
4           detention officer. The failure of any such officer to fulfill those requirements does not  
5           make that officer ineligible for any promotional examination for which he or she is  
6           otherwise eligible. Any such officer may voluntarily participate in programs to fulfill  
7           those requirements.

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

9           165.85 (4) (at) Any person certified as a jail officer on July 1, 1994, is certified  
10          as a secure juvenile detention officer and remains certified as a secure juvenile  
11          detention officer subject to annual recertification requirements under par. (bn) 3.  
12          and the board's decertification authority under sub. (3) (cm).

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

14          165.85 (4) (b) 3. No person may be appointed as a secure juvenile detention  
15          officer, except on a temporary or probationary basis, unless the person has  
16          satisfactorily completed a preparatory program of secure juvenile detention officer  
17          training approved by the board and has been certified by the board as being qualified  
18          to be a secure juvenile detention officer. The program shall include at least 120 hours  
19          of training. The training program shall devote at least 16 hours to methods of  
20          supervision of special needs inmates, including inmates who may be emotionally  
21          distressed, mentally ill, suicidal, developmentally disabled, or alcohol or drug  
22          abusers. The period of temporary or probationary employment established at the  
23          time of initial employment shall not be extended by more than one year for an officer  
24          lacking the training qualifications required by the board. Secure Juvenile detention

1 officer training programs including municipal, county, and state programs meeting  
2 standards of the board shall be acceptable as meeting these training requirements.

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

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

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

9 165.85 (4) (c) In addition to the requirements of pars. (b) and (bn), the board  
10 may, by rule, fix such other minimum qualifications for the employment of law  
11 enforcement, tribal law enforcement, jail or secure juvenile detention officers as  
12 relate to the competence and reliability of persons to assume and discharge the  
13 responsibilities of law enforcement, tribal law enforcement, jail or secure juvenile  
14 detention officers, and the board shall prescribe the means for presenting evidence  
15 of fulfillment of these requirements.

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

17 165.85 (4) (dm) The board may provide, by rule, that parts of the jail officer  
18 preparatory training and the secure juvenile detention officer preparatory training  
19 are identical and count toward either training requirement.

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

21 165.85 (5) (a) The board may authorize and approve law enforcement, jail or  
22 secure juvenile detention officer training programs conducted by an agency of a  
23 political subdivision or an agency of the state when their programs meet the  
24 standards required by the board. No authority granted in this paragraph extends



1 to the board selecting a site for a state police, jail or secure juvenile detention officer  
2 academy and expending funds thereon without further legislation.

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

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

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

16 165.86 (2) (a) Identify and coordinate all preparatory and recertification  
17 training activities in law enforcement in the state, and expand the coordinated  
18 program to the extent necessary to supply the training required for all recruits in the  
19 state under the preparatory training standards and time limits set by the board and  
20 for law enforcement officers, jail officers and secure juvenile detention officers in this  
21 state.

22 **SECTION 144.** 167.31 (2) (d) of the statutes, as affected by 2005 Wisconsin Act  
23 253, 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.

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 Wis. Act 59.

18 **SECTION 158.** The treatment of 301.26 (4) (d) 2. of the statutes by 2005  
19 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.

1           **SECTION 159.** The treatment of 301.26 (4) (d) 3. 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)  
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.

3           **SECTION 160.** The treatments of 341.135 (1) of the statutes by 2005 Wisconsin  
4   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.

5           **SECTION 161.** The treatment of 341.135 (2) (a) 2. of the statutes by 2005  
6   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).

1           **SECTION 162.** The treatment of 341.135 (2) (am) 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) (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.

3           **SECTION 163.** The treatment of 341.135 (2) (e) of the statutes by 2005 Wisconsin  
4           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.

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

8           341.14 (6r) (b) 9m. (intro.) An additional fee of \$25 that is in addition to the fee  
9           under subd. 2. shall be charged for the issuance or renewal of a plate issued on an  
10          annual basis for the special group specified under par. (f) ~~56~~ 55m. An additional fee  
11          of \$50 that is in addition to the fee under subd. 2. shall be charged for the issuance  
12          or renewal of a plate issued on the biennial basis for the special group specified under  
13          par. (f) ~~56~~ 55m. if the plate is issued or renewed during the first year of the biennial



1 registration period or \$25 for the issuance or renewal if the plate is issued or renewed  
2 during the 2nd year of the biennial registration period. To the extent permitted  
3 under ch. 71, the fee under this subdivision is deductible as a charitable contribution  
4 for purposes of the taxes under ch. 71. All moneys received under this subdivision,  
5 in excess of \$43,600 for the initial costs of production of the special group plate under  
6 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.

7 **SECTION 165.** 341.14 (6r) (c) of the statutes, as affected by 2005 Wisconsin Acts  
8 109 and 260, is amended to read:

9 341.14 **(6r)** (c) Special group plates shall display the word "Wisconsin", the  
10 name of the applicable authorized special group, a symbol representing the special  
11 group, not exceeding one position, and identifying letters or numbers or both, not  
12 exceeding 6 positions and not less than one position. The department shall specify  
13 the design for special group plates, but the department shall consult the president  
14 of the University of Wisconsin System before specifying the word or symbol used to  
15 identify the special groups under par. (f) 35. to 47., the secretary of natural resources  
16 before specifying the word or symbol used to identify the special group under par. (f)  
17 50., the chief executive officer of the professional football team and an authorized  
18 representative of the league of professional football teams described in s. 229.823 to  
19 which that team belongs before specifying the design for the applicable special group  
20 plate under par. (f) 55. ~~and~~, the department of veterans affairs before specifying the  
21 design for the special group plates under par. (f) 49d., 49h., and 49s., and the  
22 department of tourism and chief executive officer of the organization specified in par.  
23 (f) ~~56~~ 55m. before specifying the design and word or symbol used to identify the

1 special group name for special group plates under par. (f) ~~56~~ 55m. Special group  
2 plates under par. (f) 50. shall be as similar as possible to regular registration plates  
3 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.

4 **SECTION 166.** 341.14 (6r) (f) 56. of the statutes, as created by 2005 Wisconsin  
5 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.

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

8 341.14 (6r) (fm) 7. After October 1, 1998, additional authorized special groups  
9 may only be special groups designated by the department under this paragraph. The  
10 authorized special groups enumerated in par. (f) shall be limited solely to those  
11 special groups specified under par. (f) on October 1, 1998. This subdivision does not  
12 apply to the special groups specified under par. (f) 3m., 6m., 9g., 9m., 12g., 12m.,  
13 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.

14 **SECTION 168.** 343.06 (1) (L) of the statutes, as created by 2005 Wisconsin Act  
15 387, 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).

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

18 343.07 (7) PENALTY FOR RESTRICTION VIOLATIONS. (a) Notwithstanding s. 343.43  
19 (1) (d) and (3m), any person who violates sub. ~~(1)~~ (1g) (a), (bm), or (d) or (4) (b) 1. or

1 2. shall be required to forfeit \$50 for the first offense and not less than \$50 nor more  
2 than \$100 for each subsequent offense.

3 (b) Upon receiving notice of a person's conviction for a violation of sub. ~~(1)~~ (1g)  
4 (a), (bm), or (d) or (4) (b) 1. or 2., the department shall notify any adult sponsor who  
5 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.

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

7 343.16 (1) (b) 3. (intro.) At least annually, the department shall conduct an  
8 on-site inspection of the 3rd-party tester to determine compliance with the contract  
9 and with department and federal standards for testing applicants for commercial  
10 driver licenses and with department standards for testing applicants for school bus  
11 endorsements. At least annually, the department shall also evaluate testing given  
12 by the 3rd-party tester by one of the following means:

13 b. The department shall retest a sample of drivers who were examined by the  
14 3rd-party tester to compare the pass and fail results.

NOTE: Inserts missing term.

15 **SECTION 171.** 343.71 (5) of the statutes, as created by 2005 Wisconsin Act 397,  
16 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).

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

19 346.65 (2) (bm) In Winnebago County, if the number of convictions under ss.  
20 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,  
21 revocations, and other convictions counted under s. 343.307 (1) within a 10-year  
22 period, equals 2, except that suspensions, revocations, or convictions arising out of

1 the same incident or occurrence shall be counted as one, the fine shall be the same  
2 as under par. ~~(b)~~ (am) 2., but the period of imprisonment shall be not less than 5 days,  
3 except that if the person successfully completes a period of probation that includes  
4 alcohol and other drug treatment, the period of imprisonment shall be not less than  
5 5 nor more than 7 days. A person may be sentenced under this paragraph or under  
6 par. (cm) or sub. (2j) (bm) or (cm) or (3r) once in his or her lifetime.

7 (cm) In Winnebago County, if the number of convictions under ss. 940.09 (1) and  
8 940.25 in the person's lifetime, plus the total number of suspensions, revocations,  
9 and other convictions counted under s. 343.307 (1) within a 10-year period, equals  
10 3, except that suspensions, revocations, or convictions arising out of the same  
11 incident or occurrence shall be counted as one, the fine shall be the same as under  
12 par. ~~(e)~~ (am) 3., but the period of imprisonment shall be not less than 30 days, except  
13 that if the person successfully completes a period of probation that includes alcohol  
14 and other drug treatment, the period of imprisonment shall be not less than 10 days.  
15 A person may be sentenced under this paragraph or under par. (bm) or sub. (2j) (bm)  
16 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.

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

19 346.65 **(2j)** (bm) In Winnebago County, if the number of convictions under ss.  
20 940.09 (1) and 940.25 in the person's lifetime, plus the total number of suspensions,  
21 revocations, and other convictions counted under s. 343.307 (1) within a 10-year  
22 period, equals 2, except that suspensions, revocations, or convictions arising out of  
23 the same incident or occurrence shall be counted as one, the fine shall be the same

1 as under par. ~~(b)~~ (am) 2., but the period of imprisonment shall be not less than 5 days,  
2 except that if the person successfully completes a period of probation that includes  
3 alcohol and other drug treatment, the period of imprisonment shall be not less than  
4 5 nor more than 7 days. A person may be sentenced under this paragraph or under  
5 par. (cm) or sub. (2) (bm) or (cm) or (3r) once in his or her lifetime.

6 (cm) In Winnebago County, if the number of convictions under ss. 940.09 (1) and  
7 940.25 in the person's lifetime, plus the total number of suspensions, revocations,  
8 and other convictions counted under s. 343.307 (1) within a 10-year period, equals  
9 3 or more, except that suspensions, revocations, or convictions arising out of the same  
10 incident or occurrence shall be counted as one, the fine shall be the same as under  
11 par. ~~(e)~~ (am) 3., but the period of imprisonment shall be not less than 30 days, except  
12 that if the person successfully completes a period of probation that includes alcohol  
13 and other drug treatment, the period of imprisonment shall be not less than 10 days.  
14 A person may be sentenced under this paragraph or under par. (bm) or sub. (2) (bm)  
15 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.

16 **SECTION 174.** The treatment of 347.50 (1) of the statutes by 2005 Wisconsin Act  
17 106 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.

18 **SECTION 175.** The treatment of 348.21 (3) (intro.) of the statutes by 2005  
19 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:

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

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

5           a. One cent for each pound of total excess load when the total excess is not over  
6 2,000 pounds; 2.

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

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

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

13           e. Seven cents for each pound of total excess load if the excess is over 5,000  
14 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.

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

17           348.21 (3) (b) 2. (intro.) For the 2nd and each subsequent conviction within a  
18 12-month period, a forfeiture of not less than \$100 nor more than \$300, plus an  
19 amount equal to: 2 whichever of the following applies:

20           a. Two cents for each pound of total excess load when the total excess is not over  
21 2,000 pounds; 4.

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

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

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

7           **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.

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

10           348.21 (3g) (intro.) Any person who, while operating a vehicle combination that  
11 has 6 or more axles and that is transporting raw forest products, violates s. 348.15  
12 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a  
13 declaration issued under s. 348.175 or authorized ~~under s. 348.17 (4)~~ or in an  
14 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).

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

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

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

1           **SECTION 180.** 348.21 (3g) (a) of the statutes, as created by 2005 Wisconsin Act  
2 167, is renumbered 348.21 (3g) (a) (intro.) and amended to read:

3           348.21 (**3g**) (a) (intro.) For a first conviction or a 2nd conviction within a  
4 12-month period, a forfeiture of not less than \$150 nor more than \$250 plus an  
5 amount equal to: ~~6~~ whichever of the following applies:

6           1. Six cents for each pound of total excess load when the total excess is less than  
7 2,000 pounds; ~~8.~~

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

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

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

14           5. Eleven cents for each pound of total excess load if the excess is over 5,000  
15 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.

16           **SECTION 181.** 348.21 (3g) (b) of the statutes, as created by 2005 Wisconsin Act  
17 167, is renumbered 348.21 (3g) (b) (intro.) and amended to read:

18           348.21 (**3g**) (b) (intro.) For the 3rd and each subsequent conviction within a  
19 12-month period, a forfeiture of not less than \$500 nor more than \$550, plus an  
20 amount equal to: ~~20~~ whichever of the following applies:

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



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

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

5           4. Twenty-three cents for each pound of total excess load if the excess is over  
6           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.

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

8           **402.318 (title) ~~Third party~~ Third-party beneficiaries of warranties,**  
9           **express or implied.**

NOTE: Corrects spelling.

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

12           **450.145 (1m)** Except as provided in s. ~~450.145~~ sub. (2), a pharmacist or  
13           pharmacy may not report personally identifying information concerning an  
14           individual who is dispensed a prescription or who purchases a nonprescription drug  
15           product as specified in sub. (1) (a), (b), or (c).

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

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

19           **SECTION 185.** 440.980 of the statutes, as created by 2005 Wisconsin Act 292,  
20           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).

1           **SECTION 186.** Subchapter XII of chapter 440 [precedes 440.99] of the statutes  
2 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.

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

5           441.15 (2) (intro.) Except as provided in sub. (2m) and s. 250.042 (4) (b), no  
6 person may engage in the practice of nurse-midwifery unless each of the following  
7 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.

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

10           441.15 (2m) Subsection (2) does not apply to a person granted a license to  
11 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.

12           **SECTION 189.** 448.03 (2) (a) of the statutes, as affected by 2005 Wisconsin Act  
13 292, is amended to read:

14           448.03 (2) (a) Any person lawfully practicing within the scope of a license,  
15 permit, registration, certificate or certification granted to practice midwifery under  
16 subch. XI XII of ch. 440, to practice professional or practical nursing or  
17 nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice  
18 dentistry or dental hygiene under ch. 447, to practice optometry under ch. 449, to

1 practice acupuncture under ch. 451 or under any other statutory provision, or as  
2 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.

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

4 448.08 (3) BILLING FOR TESTS PERFORMED BY THE STATE LABORATORY OF HYGIENE.  
5 A person other than a state or local government agency who charges a patient, other  
6 person or ~~3rd party~~ 3rd-party payer for services performed by the state laboratory  
7 of hygiene shall identify the actual amount charged by the state laboratory of  
8 hygiene and shall restrict charges for those services to that amount.

NOTE: Corrects spelling.

9 **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).

10 **SECTION 192.** 450.11 (4m) of the statutes, as created by 2005 Wisconsin Act 195,  
11 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).

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

14 452.135 (2) (a) (intro.) Except as provided in sub. par. (b), a broker shall provide  
15 to a client a copy of the following written disclosure statement not later than the time  
16 the broker enters into an agency agreement with the client:

NOTE: Corrects cross-reference. The cross-reference is shown correctly in the printed statutes.

17 **SECTION 194.** 560.275 (2) (c) of the statutes, as affected by 2005 Wisconsin Act  
18 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-economie~~ 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 767.41 (1) (a), as renumbered, of the statutes  
11 by 2005 Wisconsin Act 130, section 5, is not repealed by 2005 Wisconsin Act 443,  
12 section 29. 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:

(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.

13           **SECTION 202.** 767.80 (2) (title) of the statutes, as created by 2005 Wisconsin Act  
14 443, is amended to read:

15           767.80 (2) (title) CERTAIN AGREEMENTS NOT ~~A~~ A BAR TO ACTION.

NOTE: Corrects capitalization.

16           **SECTION 203.** 801.14 (3) of the statutes is amended to read:

1           801.14 (3) In any action in which there are unusually large numbers of  
2 defendants, the court, upon motion or on its own initiative, may order that service  
3 of the pleadings of the defendants and replies thereto need not be made as between  
4 the defendants and that any ~~cross-claim~~ cross claim, counterclaim, or matter  
5 constituting an avoidance or affirmative defense contained therein shall be deemed  
6 to be denied or avoided by all other parties and that the filing of any such pleading  
7 and service thereof upon the plaintiff constitutes due notice of it to the parties. A copy  
8 of every such order shall be served upon the parties in such manner and form as the  
9 court directs.

NOTE: Corrects spelling.

10           **SECTION 204.** 802.01 (1) of the statutes, as affected by 2005 Wisconsin Act 253,  
11 is amended to read:

12           802.01 (1) PLEADINGS. There shall be a complaint and an answer; a reply to a  
13 counterclaim denominated as such; an answer to a ~~cross-claim~~ cross claim, if the  
14 answer contains a ~~cross-claim~~ cross claim; a 3rd-party complaint, if a person who  
15 was not an original party is summoned under s. 803.05, and a 3rd-party answer, if  
16 a 3rd-party complaint is served. No other pleading shall be allowed, except that the  
17 court may order a further pleading to a reply or to any answer.

NOTE: Corrects spelling.

18           **SECTION 205.** 802.04 (1) of the statutes is amended to read:

19           802.04 (1) CAPTION. Every pleading shall contain a caption setting forth the  
20 name of the court, the venue, the title of the action, the file number, and a designation  
21 as in s. 802.01 (1). If a pleading contains motions, or an answer or reply contains  
22 ~~cross-claims~~ cross claims or counterclaims, the designation in the caption shall state  
23 their existence. In the complaint the caption of the action shall include the

1 standardized description of the case classification type and associated code number  
2 as approved by the director of state courts, and the title of the action shall include  
3 the names and addresses of all the parties, indicating the representative capacity,  
4 if any, in which they sue or are sued and, in actions by or against a corporation, the  
5 corporate existence and its domestic or foreign status shall be indicated. In pleadings  
6 other than the complaint, it is sufficient to state the name of the first party on each  
7 side with an appropriate indication of other parties. Every pleading commencing an  
8 action under s. 814.61 (1) (a) or 814.62 (1) or (2) and every complaint filed under s.  
9 814.61 (3) shall contain in the caption, if the action includes a claim for a money  
10 judgment, a statement of whether the amount claimed is greater than the amount  
11 under s. 799.01 (1) (d).

NOTE: Corrects spelling.

12 **SECTION 206.** 802.06 (1) of the statutes, as affected by Supreme Court Order  
13 03-06 and 2005 Wisconsin Act 442, is amended to read:

14 802.06 (1) WHEN PRESENTED. Except when a court dismisses an action or special  
15 proceeding under s. 802.05 (4), a defendant shall serve an answer within 20 days  
16 after the service of the complaint upon the defendant. If a guardian ad litem is  
17 appointed for a defendant, the guardian ad litem shall have 20 days after  
18 appointment to serve the answer. A party served with a pleading stating a  
19 ~~cross-claim~~ cross claim against the party shall serve an answer thereto within 20  
20 days after the service upon the party. The plaintiff shall serve a reply to a  
21 counterclaim in the answer within 20 days after service of the answer. The state or  
22 an agency of the state or an officer, employee, or agent of the state shall serve an  
23 answer to the complaint or to a ~~cross-claim~~ cross claim or a reply to a counterclaim  
24 within 45 days after service of the pleading in which the claim is asserted. If any

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

NOTE: Corrects spelling.

11 **SECTION 207.** 802.06 (2) (a) (intro.) of the statutes is amended to read:

12 802.06 (2) (a) (intro.) Every defense, in law or fact, except the defense of  
13 improper venue, to a claim for relief in any pleading, whether a claim, counterclaim,  
14 ~~cross-claim~~ cross claim, or 3rd-party claim, shall be asserted in the responsive  
15 pleading thereto if one is required, except that the following defenses may at the  
16 option of the pleader be made by motion:

NOTE: Corrects spelling.

17 **SECTION 208.** 802.07 (title) of the statutes is amended to read:

18 **802.07 (title) Counterclaim and ~~cross-claim~~ cross claim.**

NOTE: Corrects spelling.

19 **SECTION 209.** 802.07 (4) and (5) of the statutes are amended to read:

20 802.07 (4) JOINDER OF ADDITIONAL PARTIES. Persons other than those made  
21 parties to the original action may be made parties to a counterclaim or ~~cross-claim~~  
22 cross claim in accordance with ss. 803.03 to 803.05.



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

NOTE: Corrects spelling.

6           **SECTION 210.** 802.08 (1) of the statutes, as affected by 2005 Wisconsin Act 253,  
7 is amended to read:

8           802.08 (1) AVAILABILITY. A party may, within 8 months of the filing of a  
9 summons and complaint or within the time set in a scheduling order under s. 802.10,  
10 move for summary judgment on any claim, counterclaim, ~~cross-claim~~ cross claim, or  
11 3rd-party claim which is asserted by or against the party. Amendment of pleadings  
12 is allowed as in cases where objection or defense is made by motion to dismiss.

NOTE: Corrects spelling.

13           **SECTION 211.** 803.02 (1) of the statutes, as affected by 2005 Wisconsin Act 253,  
14 is amended to read:

15           803.02 (1) A party asserting a claim to relief as an original claim, counterclaim,  
16 ~~cross-claim~~ cross claim, or 3rd-party claim, may join, either as independent or as  
17 alternate claims, as many claims, legal or equitable, as the party has against an  
18 opposing party.

NOTE: Corrects spelling.

19           **SECTION 212.** 803.05 (1) of the statutes, as affected by 2005 Wisconsin Act 253,  
20 is amended to read:

21           803.05 (1) At any time after commencement of the action, a defending party,  
22 as a 3rd-party plaintiff, may cause a summons and complaint to be served upon a

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

NOTE: Corrects spelling.

21 **SECTION 213.** 803.07 of the statutes is amended to read:

22 **803.07 Interpleader.** Persons having claims against the plaintiff may be  
23 joined as defendants and required to interplead when their claims are such that the  
24 plaintiff is or may be exposed to double or multiple liability. It is not ground for

1 objection to the joinder that the claims of the several claimants or the titles on which  
2 their claims depend do not have a common origin or are not identical but are adverse  
3 to and independent of one another, or that the plaintiff avers that the plaintiff is not  
4 liable in whole or in part to any or all of the claimants. A defendant exposed to similar  
5 liability may obtain such interpleader by way of ~~eross-claim~~ cross claim or  
6 counterclaim. The provisions of this section supplement and do not in any way limit  
7 the joinder of parties permitted in s. 803.04.

NOTE: Corrects spelling.

8 **SECTION 214.** 804.05 (3) (b) 5. of the statutes, as affected by 2005 Wisconsin Act  
9 253, is amended to read:

10 804.05 (3) (b) 5. In this subsection, the terms "defendant" and "plaintiff"  
11 include officers, directors and managing agents of corporate defendants and  
12 corporate plaintiffs, or other persons designated under sub. (2) (e), as appropriate.  
13 A defendant who asserts a counterclaim or a ~~eross-claim~~ cross claim shall not be  
14 considered a plaintiff within the meaning of this subsection, but a 3rd-party plaintiff  
15 under s. 803.05 (1) shall be so considered with respect to the 3rd-party defendant.

NOTE: Corrects spelling.

16 **SECTION 215.** 805.04 (3) of the statutes, as affected by 2005 Wisconsin Act 253,  
17 is amended to read:

18 805.04 (3) COUNTERCLAIM, ~~CROSS-CLAIM~~ CROSS CLAIM AND 3RD-PARTY CLAIM. This  
19 section applies to the voluntary dismissal of any counterclaim, ~~eross-claim~~ cross  
20 claim, or 3rd-party claim. A voluntary dismissal by the claimant alone shall be made  
21 before a responsive pleading is served, or if there is none, before the introduction of  
22 evidence at the trial or hearing.

NOTE: Corrects spelling.

1           **SECTION 216.** 805.05 (2) of the statutes, as affected by 2005 Wisconsin Act 253,  
2 is amended to read:

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

NOTE: Corrects spelling.

8           **SECTION 217.** 805.14 (9) of the statutes, as affected by 2005 Wisconsin Act 253,  
9 is amended to read:

10           **805.14 (9) INVOLUNTARY DISMISSAL OF COUNTERCLAIM, ~~CROSS-CLAIM~~ CROSS CLAIM**  
11 **OR 3RD-PARTY CLAIM.** This section applies to counterclaims, ~~cross-claims~~ cross claims,  
12 and 3rd-party claims.

NOTE: Corrects spelling.

13           **SECTION 218.** 812.17 of the statutes is amended to read:

14           **812.17 Impleader.** When the answer of the garnishee discloses that any 3rd  
15 person claims the debt or property in the garnishee's hands and the name and  
16 residence of such claimant the court may order that such claimant be impleaded as  
17 a defendant in the garnishment action and that notice thereof, setting forth the facts,  
18 with a copy of such order and answer be served upon the ~~3rd person~~ 3rd-person  
19 claimant, and that after such service is made the garnishee may pay or deliver to the  
20 officer or the clerk such debt or property and have a receipt therefor, which shall be  
21 a complete discharge from all liability for the amount so paid or property so delivered.  
22 Such notice shall be served as required for service of a summons. Upon such service  
23 being made such claimant shall be deemed a defendant in the garnishee action, and

1 within 20 days shall answer setting forth the claimant's claim or any defense which  
2 that the garnishee might have made.

NOTE: Corrects spelling.

3 **SECTION 219.** 814.75 (1g) of the statutes, as created by 2005 Wisconsin Act 433,  
4 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).

5 **SECTION 220.** 814.75 (1r) of the statutes, as affected by 2005 Wisconsin Act 433,  
6 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).

7 **SECTION 221.** 814.75 (13m) of the statutes, as created by 2005 Wisconsin Act  
8 288, is amended to read:

9 **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.

10 **SECTION 222.** 814.76 (1g) of the statutes, as created by 2005 Wisconsin Act 433,  
11 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).

12 **SECTION 223.** 814.76 (1r) of the statutes, as affected by 2005 Wisconsin Act 433,  
13 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).

14 **SECTION 224.** 814.76 (10m) of the statutes, as created by 2005 Wisconsin Act  
15 288, is amended to read:

16 **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.

1           **SECTION 225.** 814.77 (6m) of the statutes, as created by 2005 Wisconsin Act 288,  
2 is amended to read:

3           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.

4           **SECTION 226.** 822.31 (1) of the statutes, as affected by 2005 Wisconsin Act 130,  
5 is amended to read:

6           822.31 **(1)** "Judicial day" means each day except Saturday, Sunday, or a legal  
7 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.

8           **SECTION 227.** 867.046 (1m) of the statutes, as affected by 2005 Wisconsin Acts  
9 206 and 216, is amended to read:

10           867.046 **(1m)** UPON DEATH; GENERALLY. If a domiciliary of this state dies who  
11 immediately prior to death had an interest in property in this state, including an  
12 interest in survivorship marital property or an interest in property passing under s.  
13 ~~705.20~~ 705.10 (1), or if a person not domiciled in this state dies having an interest  
14 in property in this state, including an interest in survivorship marital property or an  
15 interest in property passing under s. ~~705.20~~ 705.10 (1), upon petition of the  
16 decedent's spouse, a beneficiary of a marital property agreement or, a TOD  
17 beneficiary, or a beneficiary of a transfer under s. ~~705.20~~ 705.10 (1) to the court of the  
18 county of domicile of the decedent or, if the decedent was not domiciled in this state,  
19 of any county where the property is situated, the court shall issue a certificate under  
20 the seal of the court. The certificate shall set forth the fact of the death of the  
21 decedent, the termination or transfer of the decedent's interest in the property, the  
22 interest of the petitioner in the property and any other facts essential to a

1 determination of the rights of persons interested. The certificate is prima facie  
2 evidence of the facts recited, and if the certificate relates to an interest in real  
3 property or to a debt secured by an interest in real property, the petitioner shall  
4 record a certified copy or duplicate original of the certificate in the office of the  
5 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.

6 **SECTION 228.** 867.046 (2) (intro.) of the statutes, as affected by 2005 Wisconsin  
7 Acts 206 and 216, is amended to read:

8 867.046 (2) UPON DEATH; INTEREST IN PROPERTY. (intro.) As an alternative to sub.  
9 (1m), upon the death of any person having an interest in any real property, a vendor's  
10 interest in a land contract, an interest in a savings or checking account, an interest  
11 in a security, a mortgagee's interest in a mortgage, or an interest in property passing  
12 under s. ~~705.20~~ 705.10 (1), including an interest in survivorship marital property, the  
13 decedent's spouse, a beneficiary of a marital property agreement or, a TOD  
14 beneficiary, or a beneficiary of a transfer under s. ~~705.20~~ 705.10 (1) may obtain  
15 evidence of the termination of that interest of the decedent and confirmation of the  
16 petitioner's interest in the property by providing to the register of deeds of the county  
17 in which the property is located the certified death certificate for the decedent and,  
18 on applications supplied by the register of deeds for that purpose, all of the following  
19 information:

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

20 **SECTION 229.** 867.046 (2) (k) of the statutes, as created by 2005 Wisconsin Act  
21 216, is amended to read:

1           867.046 (2) (k) In the case of a transfer under s. ~~705.20~~ 705.10 (1), except as  
2 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.

3           **SECTION 230.** 879.09 of the statutes, as affected by 2005 Wisconsin Acts 216 and  
4 387, is amended to read:

5           **879.09 Notice requirement satisfied by waiver of notice.** Persons who  
6 are not minors or individuals adjudicated incompetent, on behalf of themselves, and  
7 appointed guardians ad litem and guardians of the estate on behalf of themselves  
8 and those whom they represent, may in writing waive the service of notice upon them  
9 and consent to the hearing of any matter without notice. An attorney, or  
10 attorney-in-fact, for a person in the military service may waive notice on behalf of  
11 himself or herself but cannot waive notice on behalf of the person in the military  
12 service. Waiver of notice by any person is equivalent to timely service of notice.

NOTE: Deletes unnecessary comma.

13           **SECTION 231.** 880.01 (8m) of the statutes, as created by 2005 Wisconsin Act 264,  
14 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.

15           **SECTION 232.** 880.07 (2m) of the statutes, as created by 2005 Wisconsin Act 264,  
16 is renumbered 54.34 (2m).

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

17           **SECTION 233.** 880.33 (2) (f) of the statutes, as created by 2005 Wisconsin Act  
18 264, 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.



1           **SECTION 234.** The treatment of 893.587 of the statutes by 2005 Wisconsin Act  
2 155 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.

3           **SECTION 235.** 895.07 (7) (i) of the statutes, as created by 2005 Wisconsin Act  
4 201, is amended to read:

5           895.07 (7) (i) If the contractor rejects the supplemental offer made by the  
6 supplier to remedy the construction defect or to settle the claim by monetary  
7 payment or a combination of each, the contractor shall, within 15 working days after  
8 receiving the offer, serve written notice of the contractor's rejection on the supplier.  
9 The notice shall include the reasons for the contractor's rejection of the supplier's  
10 supplemental settlement offer. If the contractor believes the supplier's  
11 supplemental settlement offer is unreasonable, the contractor shall set forth the  
12 reasons why the contractor believes the supplemental settlement offer is  
13 unreasonable. If the supplier declines to make a supplemental offer, or if the  
14 contractor rejects the supplemental offer, the contractor may bring an action against  
15 the supplier for the claim described in the notice of claim without further notice.

NOTE: Inserts missing article.

16           **SECTION 236.** 895.497 (title) of the statutes, as created by 2005 Wisconsin Act  
17 322, is amended to read:

18           **895.497 (title) Liability Civil liability exemption: furnishing safety**  
19 **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.