

ASSEMBLY BILL 573 (LRB -0590)

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

2009

- 11-10. A. Introduced by **LAW REVISION COMMITTEE**.
- 11-10. A. Read first time and referred to committee on Rules 514

2010

- 01-13. A. Placed on calendar 1-19-2010 by committee on Rules.
- 01-19. A. Read a second time 582
- 01-19. A. Ordered to a third reading 582
- 01-19. A. Rules suspended 582
- 01-19. A. Read a third time and **passed** 582
- 01-19. A. Ordered immediately messaged 582
- 01-19. S. Received from Assembly 491
- 01-25. S. Read first time and referred to committee on Ethics Reform and Government Operations 506
- 02-10. S. Public hearing held.
- 02-10. S. Executive action taken.
- 02-10. S. Report concurrence recommended by committee on Ethics Reform and Government Operations, Ayes 5, Noes 0 552
- 02-10. S. Available for scheduling.
- 02-18. S. Placed on calendar 2-23-2010 pursuant to Senate Rule 18(1) 572
- 02-23. S. Read a second time.
- 02-23. S. Ordered to a third reading.
- 02-23. S. Rules suspended.
- 02-23. S. Read a third time and **concurred in**.
- 02-23. S. Ordered immediately messaged.
- 02-23. A. Received from Senate concurred in 681

2009
ENROLLED BILL

09en A B-573

ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

09-0590/2

Amendments to above (if none, write "NONE"): NONE

Corrections - show date (if none, write "NONE"): NONE

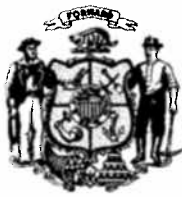
Topic Correction Bill

2-24-10

Date

SR Miller

Enrolling Drafter



2009 ASSEMBLY BILL 573

November 10, 2009 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Rules.

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 (Correction Bill).

Analysis by the Legislative Reference Bureau

This correction bill, prepared by the Legislative Reference Bureau under s. 13.92 (1) (bm) 1. and 2. and (2) (i) and (L), stats., is explained in the NOTES in the body of the bill. In accordance with current drafting style, commas before the last item in a series are added throughout this bill. "Which" is replaced by "that" where grammatically correct. This bill is not intended to make any substantive changes.

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

6 **SECTION 1.** 5.05 (1) (c) of the statutes, as affected by 2007 Wisconsin Act 1, is
7 amended to read:

ASSEMBLY BILL 573**SECTION 1**

1 5.05 (1) (c) Bring civil actions to require a forfeiture for any violation of chs. 5
2 to 12, subch. III of ch. 13, or subch. III of ch. 19 or a license revocation for any violation
3 of subch. III of ch. 13 for which the offender is subject to a revocation. The board may
4 compromise and settle any civil action or potential action brought or authorized to
5 be brought by it which, in the opinion of the board, constitutes a minor violation, a
6 violation caused by excusable neglect, or which for other good cause shown, should
7 not in the public interest be prosecuted under such chapter. Notwithstanding s.
8 778.06, a civil action or proposed civil action authorized under this paragraph may
9 be settled for such sum as may be agreed between the parties. Any settlement made
10 by the board shall be in such amount as to deprive the alleged violator of any benefit
11 of his or her wrongdoing and may contain a penal component to serve as a deterrent
12 to future violations. In settling civil actions or proposed civil actions, the board shall
13 treat comparable situations in a comparable manner and shall assure that any
14 settlement bears a reasonable relationship to the severity of the offense or alleged
15 offense. Except as otherwise provided in sub. (2m) (c) 15. and 16. and ss. 5.08, 5.081,
16 ~~19.535~~, and 19.59 (8), forfeiture and license revocation actions brought by the board
17 shall be brought in the circuit court for the county where the defendant resides, or
18 if the defendant is a nonresident of this state, in circuit court for the county wherein
19 the violation is alleged to occur. For purposes of this paragraph, a person other than
20 a natural person resides within a county if the person's principal place of operation
21 is located within that county. Whenever the board enters into a settlement
22 agreement with an individual who is accused of a civil violation of chs. 5 to 12, subch.
23 III of ch. 13, or subch. III of ch. 19 or who is investigated by the board for a possible
24 civil violation of one of those provisions, the board shall reduce the agreement to
25 writing, together with a statement of the board's findings and reasons for entering

ASSEMBLY BILL 573

1 into the agreement and shall retain the agreement and statement in its office for
2 inspection.

NOTE: Section 19.535 was repealed by 2007 Wis. Act 1.

3 **SECTION 2.** The treatment of 6.47 (1) (b) of the statutes by 2005 Wisconsin Act
4 277 is not repealed by 2005 Wisconsin Act 278. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau s. 6.47 (1) (b) reads:

(b) "Offense relating to domestic abuse, sexual assault, or stalking" means an
offense specified in s. 940.19, 940.20 (1m), 940.201, 940.22, 940.225, 940.32, 947.013,
948.02, 948.025, 948.06, 948.085, 948.09, or 948.095.

5 **SECTION 3.** 6.47 (8) (d) of the statutes is repealed.

NOTE: Section 6.47 (8) (d) provides that the municipal clerk shall provide access
to names and addresses on voter lists to clerks of circuit court for the purpose of creating
master jury lists under s. 756.04 (5) (a). Supreme Court Order 08-01 repealed s. 756.04
(5) (a) rendering s. 6.47 (8) (d) without effect.

6 **SECTION 4.** 6.97 (title) of the statutes is amended to read:

7 **6.97 (title) Voting procedure for individuals not providing required**
8 **identification proof of residence.**

NOTE: Conforms title to text of section. 2005 Wis. Act 451 amended s. 6.97, stats.,
to substitute "proof of residence" for "identification."

9 **SECTION 5.** 7.37 (13) of the statutes is amended to read:

10 **7.37 (13) CLOSING OF POLLS.** For each polling place, the municipal clerk shall
11 designate an official of the municipality who shall position himself or herself at the
12 end of the line of individuals waiting to vote, if any, at the time that the polls officially
13 close. The official may be an inspector or special registration deputy appointed under
14 s. 6.55 (6) who serves at that polling place, an employee of the municipal clerk or a
15 police officer. Only individuals in line ahead of the official shall be permitted to vote
16 under s. 6.78 (4).

NOTE: Corrects punctuation. The corrected text is printed in the 2007-08 Statutes.

17 **SECTION 6.** 10.62 (intro.) of the statutes is amended to read:

ASSEMBLY BILL 573

SECTION 6

1 **10.62 Elections Government accountability board; spring primary and**
2 **election.** (intro.) The following subsections set forth, in chronological order, dates
3 relating to the spring primary and election or occurrences during the spring period
4 that affect the ~~elections~~ government accountability board:

NOTE: 2007 Wis. Act 1 replaced “elections board” with “government accountability board” throughout the statutes.

5 **SECTION 7.** 10.68 (2) (b) of the statutes is amended to read:

6 10.68 (2) (b) *Friday after 1st Tuesday in January.* 4:30 p.m., on the Friday after
7 the 1st Tuesday in January, or the following Monday if Tuesday is a holiday, is the
8 deadline for candidates for state office or municipal judge to file statements of
9 economic interests with the ~~ethics~~ government accountability board unless the
10 deadline for filing is extended. See s. 19.43 (4).

NOTE: 2007 Wis. Act 1 replaced “ethics board” with “government accountability board” throughout the statutes.

11 **SECTION 8.** 10.72 (intro.) of the statutes is amended to read:

12 **10.72 Elections Government accountability board; September**
13 **primary and general election.** (intro.) The following subsections set forth, in
14 chronological order, dates relating to the September primary and general election or
15 occurrences during the fall period that affect the ~~elections~~ government
16 accountability board:

NOTE: 2007 Wis. Act 1 replaced “elections board” with “government accountability board” throughout the statutes.

17 **SECTION 9.** 10.72 (8) (a) 2. of the statutes is amended to read:

18 10.72 (8) (a) 2. Following the canvass, the ~~elections~~ government accountability
19 board issues certificates of election. See s. 7.70 (5) (a).

NOTE: 2007 Wis. Act 1 replaced “elections board” with “government accountability board” throughout the statutes.

20 **SECTION 10.** 10.78 (2) (c) of the statutes is amended to read:

ASSEMBLY BILL 573

1 10.78 (2) (c) *Friday after 2nd Tuesday in July.* 4:30 p.m., on the Friday after
2 the 2nd Tuesday in July, is the deadline for candidates for state office to file
3 statements of economic interests with the ~~ethics~~ government accountability board
4 unless the deadline for filing is extended. See s. 19.43 (4).

NOTE: 2007 Wis. Act 1 replaced "ethics board" with "government accountability board" throughout the statutes.

5 **SECTION 11.** 10.82 (1) (title) of the statutes is amended to read:

6 10.82 (1) (title) ~~ELECTIONS~~ GOVERNMENT ACCOUNTABILITY BOARD.

NOTE: 2007 Wis. Act 1 replaced "elections board" with "government accountability board" throughout the statutes.

7 **SECTION 12.** 15.197 (12) (i) of the statutes is amended to read:

8 15.197 (12) (i) A representative of the ~~council-on~~ board for people with
9 developmental disabilities.

NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the "council on developmental disabilities" attached to the department of health and family services to be the "board for people with developmental disabilities" attached to the department of administration.

10 **SECTION 13.** 15.197 (24) (title) of the statutes is renumbered 15.207 (24) (title).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. The remainder of s. 15.197 (24) was renumbered to s. 15.207 (24) by 2007 Wis. Act 20.

11 **SECTION 14.** 16.527 (4) (h) 2. (intro.) of the statutes, as created by 2007
12 Wisconsin Act 20, is amended to read:

13 16.527 (4) (h) 2. (intro.) Subd. 1. shall not apply if either of the ~~follow~~ following
14 occurs:

NOTE: Corrects spelling.

15 **SECTION 15.** The treatment of 16.75 (1m) of the statutes by 2007 Wisconsin Act
16 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 16.75 (1m) reads:

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

ASSEMBLY BILL 573**SECTION 15**

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

1 **SECTION 16.** 16.848 (2) (gc) of the statutes, as created by 2007 Wisconsin Act
2 20, is amended to read:

3 16.848 (2) (gc) Subsection (1) does not apply to property that is subject to sale
4 by the department of military affairs under s. ~~21.19 (3) or 21.42 (3)~~ 321.03 (2) (b).

NOTE: Corrects cross-reference. Section 21.19 (3) (a) was renumbered s. 321.03 (2) (b) by 2007 Wis. Act 200. The remainder of s. 21.19 (3) and s. 21.42 (3) were repealed by 2007 Wis. Act 200.

5 **SECTION 17.** 16.9645 (1) (b) of the statutes, as created by 2007 Wisconsin Act
6 79, is amended to read:

7 16.9645 (1) (b) “Dispatch center” has the meaning given for “public safety
8 answering point” in s. ~~146.70~~ 256.35 (1) (gm).

NOTE: Corrects cross-reference. Section 146.70 (1) (gm) was renumbered s. 256.35 (1) (gm) by 2007 Wis. Act 130.

9 **SECTION 18.** 16.9645 (1) (d) of the statutes, as created by 2007 Wisconsin Act
10 79, is amended to read:

11 16.9645 (1) (d) “Public safety agency” has the meaning given in s. ~~146.70~~ 256.35
12 (1) ~~(gm)~~ (g).

NOTE: Corrects cross-reference and transcription error. Section 146.70 (1) (g) was renumbered s. 256.35 (1) (g) by 2007 Wis. Act 130. As the result of an error in transcribing 2007 Wis. Act 79, “s. 146.70 (1) (g),” as shown in Act 79, was printed as “s. 146.70 (1) (gm)” in the 2007-08 Statutes.

13 **SECTION 19.** 18.06 (7) (title) of the statutes is created to read:

14 18.06 (7) (title) SPECIAL PROCEDURES.

ASSEMBLY BILL 573

NOTE: Reinserts title inadvertently deleted from the statutes by 2005 Wis. Act 22.
The title is printed in the 2007–08 Statutes.

1 **SECTION 20.** 18.06 (8) (ar) 2. (intro.) of the statutes, as created by 2007
2 Wisconsin Act 20, is amended to read:

3 18.06 **(8)** (ar) 2. (intro.) ~~Subd.~~ Subdivision 1. shall not apply if either of the
4 ~~follow~~ following occurs:

NOTE: Corrects spelling and citation form.

5 **SECTION 21.** 18.55 (6) (e) 2. (intro.) of the statutes, as created by 2007 Wisconsin
6 Act 20, is amended to read:

7 18.55 **(6)** (e) 2. (intro.) Subdivision 1. shall not apply if either of the ~~follow~~
8 following occurs:

NOTE: Corrects spelling.

9 **SECTION 22.** The treatment of 20.155 (3) (q) of the statutes by 2007 Wisconsin
10 Act 20 is not repealed by 2007 Wisconsin Act 130. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 20.155 (3) (q) reads:

(q) *General program operations and grants.* From the wireless 911 fund, all
moneys received under s. 256.35 (3m) (f) 1. to administer and make grants under s. 256.35
(3m) (d) and supplemental grants under s. 256.35 (3m) (e). No moneys may be
encumbered or expended from this appropriation after April 1, 2009.

11 **SECTION 23.** The treatment of 20.435 (5) (ke) of the statutes by 2007 Wisconsin
12 Act 20 is not repealed by 2007 Wisconsin Act 130. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 20.435 (1) (ke), as renumbered from s. 20.435 (5) (ke) by 2008 Wisconsin Act
28, reads:

(ke) *American Indian health projects.* The amounts in the schedule for grants for
American Indian health projects under s. 250.20 (5). All moneys transferred from the
appropriation account under s. 20.505 (8) (hm) 18b. shall be credited to this appropriation
account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each
year shall revert to the appropriation account under s. 20.505 (8) (hm).

13 **SECTION 24.** 20.435 (7) (o) of the statutes, as affected by 2007 Wisconsin Act 20,
14 is amended to read:

ASSEMBLY BILL 573**SECTION 24**

1 20.435 (7) (o) *Federal aid; community aids.* All federal moneys received in
2 amounts pursuant to allocation plans developed by the department for the provision
3 or purchase of services authorized under par. (b); all federal temporary assistance for
4 needy families moneys received under 42 USC 601 to 619 that are authorized to be
5 used to purchase or provide social services under 42 USC 1397 to 1397e; all
6 unanticipated federal social services block grant funds received under 42 USC 1397
7 to 1397e, in accordance with s. 46.49 (2); and all federal moneys received under 42
8 USC 1396 to 1396v in reimbursement of the cost of preventing out-of-home
9 placements of children, for distribution under s. 46.40. Disbursements from this
10 appropriation may be made directly to counties for social and mental hygiene
11 services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with
12 federal requirements for the ~~dispersal~~ disbursal of federal funds.

NOTE: 2007 Wis. Act 20 replaced “disbursal” with “dispersal” without strikes and
underscores. The change was unintended.

13 **SECTION 25.** 20.437 (1) (o) of the statutes, as created by 2007 Wisconsin Act 20,
14 is amended to read:

15 20.437 (1) (o) *Federal aid; children and family aids.* All federal moneys
16 received in amounts pursuant to allocation plans developed by the department for
17 the provision or purchase of services authorized under par. (b); all federal moneys
18 received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985;
19 all federal temporary assistance for needy families moneys received under 42 USC
20 601 to 619 that are authorized to be used to purchase or provide social services under
21 42 USC 1397 to 1397e; all unanticipated federal social services block grant funds
22 received under 42 USC 1397 to 1397e, in accordance with s. 48.568; for distribution
23 under s. 48.563. Disbursements from this appropriation may be made directly to

ASSEMBLY BILL 573

1 counties for services to children and families under s. 49.32 (2) (b) or 49.325 or
2 directly to counties in accordance with federal requirements for the ~~dispersal~~
3 disbursal of federal funds.

NOTE: Corrects spelling.

4 **SECTION 26.** 20.445 (1) (cr) of the statutes, as affected by 2007 Wisconsin Act
5 20, is amended to read:

6 20.445 (1) (cr) *State supplement to employment opportunity demonstration*
7 *projects.* The amounts in the schedule for the purpose of providing state funds to
8 supplement, on a one-to-one matching basis, federal employment opportunity
9 demonstration project funds received under 42 USC 1315 or from other federal or
10 private foundation sources, to be allocated under s. ~~49.32 (11)~~ 103.005 (21).

NOTE: Corrects cross-reference. Section 49.32 (11) was renumbered s. 103.005 (21)
by 2007 Wis. Act 20.

11 **SECTION 27.** 20.566 (2) (b) of the statutes, as created by 2007 Wisconsin Act 20,
12 is renumbered 20.566 (2) (bm).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 4 also created a provision numbered 20.566 (2) (b).

13 **SECTION 28.** 20.566 (3) (gm) of the statutes, as affected by 2007 Wisconsin Act
14 20, is amended to read:

15 20.566 (3) (gm) *Reciprocity agreement and publications.* The amounts in the
16 schedule to provide services for the Minnesota income tax reciprocity agreement
17 under s. 71.10 (7) and for publications except as provided in par. (g) and sub. (2) ~~(b)~~
18 (bm). All moneys received by the department of revenue in return for the provision
19 of these services shall be credited to this appropriation. Notwithstanding s. 20.001
20 (3) (a), at the end of the 2006–07 fiscal year, the unencumbered balance of this
21 appropriation account shall lapse to the general fund.

ASSEMBLY BILL 573**SECTION 28**

NOTE: Corrects cross-reference. Section 20.566 (2) (b), as created by 2007 Wis. Act 20, is renumbered to s. 20.566 (2) (bm) by this bill.

1 **SECTION 29.** The treatment of 20.907 (5) (e) 6. of the statutes by 2007 Wisconsin
2 Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 20.907 (5) (e) 6. reads:

6. Advances from residential care centers for children and youth and counties and moneys receivable from counties under s. 49.343.

3 **SECTION 30.** 20.923 (4) (intro.) of the statutes is amended to read:

4 **20.923 (4) STATE AGENCY POSITIONS.** (intro.) State agency heads, the
5 administrator of the division of merit recruitment and selection in the office of state
6 employment relations and commission chairpersons and members shall be identified
7 and limited in number in accordance with the standardized nomenclature contained
8 in this subsection, and shall be assigned to the executive salary groups listed in pars.
9 (a) to ~~(i)~~ (h). Except for positions specified in par. (c) 3m. and sub. (12), all unclassified
10 division administrator positions enumerated under s. 230.08 (2) (e) shall be
11 assigned, when approved by the joint committee on employment relations, by the
12 director of the office of state employment relations to one of 10 executive salary
13 groups. The joint committee on employment relations, by majority vote of the full
14 committee, may amend recommendations for initial position assignments and
15 changes in assignments to the executive salary groups submitted by the director of
16 the office of state employment relations. All division administrator assignments and
17 amendments to assignments of administrator positions approved by the committee
18 shall become part of the compensation plan. Whenever a new unclassified division
19 administrator position is created, the appointing authority may set the salary for the
20 position until the joint committee on employment relations approves assignment of
21 the position to an executive salary group. If the committee approves assignment of

ASSEMBLY BILL 573

1 the position to an executive salary group having a salary range minimum or
2 maximum inconsistent with the salary paid to the incumbent at the time of such
3 approval, the incumbent's salary shall be adjusted by the appointing authority to
4 conform with the committee's action, effective on the date of that action. Positions
5 are assigned as follows:

NOTE: Corrects cross-reference. Section 20.923 (4) (i) was repealed by 2007 Wis.
Act 20.

6 **SECTION 31.** 29.179 (4) of the statutes, as affected by 2007 Wisconsin Act 65,
7 section 13, is amended to read:

8 29.179 (4) Notwithstanding ss. 29.164 (3) (cr), 29.177 (5) (b), 29.184 (6) (b), and
9 29.192 (4), a minor who is transferred an approval under this section shall retain all
10 preference points that he or she has previously accumulated for that type of approval.

NOTE: Inserts missing word and corrects punctuation.

11 **SECTION 32.** 29.194 (title) and (1) (title) of the statutes, as affected by 2007
12 Wisconsin Acts 23 and 51, are amended to read:

13 **29.194 (title) Approvals for students and members of the armed forces,**
14 **~~or reserves, or national guard.~~ (1) (title) CERTAIN RESIDENT LICENSES MAY BE**
15 **ISSUED TO STUDENTS AND MEMBERS OF THE ARMED FORCES, ~~OR~~ RESERVES, OR NATIONAL**
16 **GUARD.**

NOTE: The stricken "or" was inserted by 2007 Wis. Act 51 but was rendered
surplusage by the treatment by 2007 Wis. Act 23.

17 **SECTION 33.** 29.194 (1) (b) of the statutes, as affected by 2007 Wisconsin Acts
18 23 and 51, is amended to read:

19 29.194 (1) (b) The department shall treat a qualified member of the armed
20 forces, ~~or~~ a qualified member of a reserve unit of the U.S. armed forces, or a qualified
21 member of the national guard as a resident for purposes of determining the member's
22 eligibility for and cost of obtaining a hunting, trapping, or fishing approval under this

ASSEMBLY BILL 573**SECTION 33**

1 chapter. A qualified member of the armed forces is a person who exhibits proof that
2 he or she is in active service in the U.S. armed forces or in forces incorporated in the
3 U.S. armed forces and that he or she is stationed in this state. A qualified member
4 of a reserve unit of the U.S. armed forces is a person who exhibits proof that he or
5 she is a member of a reserve unit of the U.S. armed forces located in this state. A
6 qualified member of the national guard is a person who exhibits proof that he or she
7 is a member of the Wisconsin national guard.

NOTE: The stricken "or" was inserted by 2007 Wis. Act 51 but was rendered
surplusage by the treatment by 2007 Wis. Act 23.

8 **SECTION 34.** 29.194 (1) (c) of the statutes, as created by 2007 Wisconsin Act 51,
9 is amended to read:

10 29.194 (1) (c) In addition to being able to qualify under par. (b), for purposes
11 of qualifying for a resident hunting or fishing approval, a member of the armed forces
12 not stationed in this state or a member of a reserve unit of the U.S. armed forces not
13 located in this state shall be treated as a resident if the member was a resident at
14 the time he or she entered active service.

NOTE: Inserts missing word.

15 **SECTION 35.** 30.133 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
16 is amended to read:

17 30.133 (1) ~~(a)~~ Beginning on April 9, 1994, and except as provided in s. 30.1355
18 30.1335, no owner of riparian land that abuts a navigable water may grant by an
19 easement or by a similar conveyance any riparian right in the land to another person,
20 except for the right to cross the land in order to have access to the navigable water.
21 This right to cross the land may not include the right to place any structure or
22 material, including a boat docking facility, as defined in s. 30.1335 (1) (a), in the
23 navigable water.

ASSEMBLY BILL 573

NOTE: 2007 Wis. Act 20 inserted “(a)” without underscores or renumbering. No change was intended. A correct cross-reference is inserted. There is no s. 30.1355.

1 **SECTION 36.** 30.1335 (3) (b) of the statutes, as created by 2007 Wisconsin Act
2 20, is amended to read:

3 30.1335 **(3)** (b) If a marina condominium as described in par. (a) contains more
4 than 300 boat slips, the declarant shall make at least 40 percent of the total number
5 of boat slips in the marina condominium available for rent or for transient use by the
6 public. When the declarant conveys title to, or another interest in, a condominium
7 unit that is affected by this restriction on use, the declarant shall include a statement
8 of the restriction in the instrument of conveyance.

NOTE: Inserts missing word.

9 **SECTION 37.** 30.625 (1) (a) of the statutes is amended to read:

10 30.625 **(1)** (a) Rent or lease a motorboat for operation by a person who will be
11 operating a motorboat for the first time in each calendar year and who does not hold
12 a valid certificate issued under s. 30.74 (1) unless the person engaged in the rental
13 or leasing gives the person instruction on how to operate a ~~t~~ motorboat in the manner
14 established by the department under under s. 30.74 (1) (am).

NOTE: The letter “t” is left over from the incomplete striking through of the word
“watercraft” by 2005 Wis Act 356, section 1d. The change was printed in the 2007-08
Statutes.

15 **SECTION 38.** 35.84 (figure) line 18. of the statutes is repealed.

NOTE: This line provides for distribution of publications to the Revisor of Statutes
Bureau, which was eliminated by 2007 Wis. Act 20.

16 **SECTION 39.** 36.25 (47) of the statutes, as created by 2007 Wisconsin Act 208,
17 is renumbered 36.25 (48).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 20 also created a provision numbered s. 36.25 (47).

18 **SECTION 40.** 36.59 (7) of the statutes, as affected by 2007 Wisconsin Act 20,
19 section 731m, is renumbered 36.59 (7m).

ASSEMBLY BILL 573**SECTION 40**

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. 2007 Wis. Act 20, section 736x, creates a provision also numbered s. 36.59 (7).

1 **SECTION 41.** 40.08 (1r) of the statutes, as affected by 2007 Wisconsin Act 131,
2 section 26, is renumbered 40.08 (1u).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. Section 13 of 2007 Wis. Act 131 created a provision numbered s. 40.08 (1r), and section 26 of that act renumbered s. 40.80 (2r) (b) to s. 40.08 (1r), resulting in 2 provisions with the same number.

3 **SECTION 42.** 40.08 (1u) (title) of the statutes is created to read:
4 **40.08 (1u)** (title) DEFERRED COMPENSATION PLAN ASSETS.

NOTE: All other subsections in s. 40.08 have titles. 2007 Wis. Act 131, section 26, renumbered s. 40.80 (2r) (b) to s. 40.08 (1r), but did not provide a title for the renumbered subsection. This bill rennumbers s. 40.08 (1r), as renumbered from s. 40.80 (2r) (b) by 2007 Wis. Act 131, section 26, to be s. 40.08 (1u).

5 **SECTION 43.** The treatment of 43.30 (1b) of the statutes by 2007 Wisconsin Act
6 34 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 43.30 (1b) (intro.) and (a), as renumbered and amended from s. 43.30 (1b) by 2007 Wis. Act 34, read:

(1b) In this section:

(a) “Custodial parent” includes any parent other than a parent who has been denied periods of physical placement with a child under s. 767.41 (4).

7 **SECTION 44.** 46.03 (38) of the statutes, as created by 2007 Wisconsin Act 104,
8 is amended to read:

9 **46.03 (38)** AUTOMATIC EXTERNAL DEFIBRILLATOR INSTRUCTION. Approve
10 individuals, organizations, or institutions of higher education to provide instruction
11 in the use of an automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1)
12 (cr), for persons who are required as a condition of licensure, certification, or
13 registration to have current proficiency in the use of an automatic external
14 defibrillator.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15 (1) (cr) by 2007 Wis. Act 130.

ASSEMBLY BILL 573

1 **SECTION 45.** 46.21 (2m) (c) of the statutes, as affected by 2007 Wisconsin Acts
2 20 and 45, is amended to read:

3 46.21 **(2m)** (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
4 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), and 253.07
5 (3) (c), a subunit of a county department of human services or tribal agency acting
6 under this subsection may exchange confidential information about a client, without
7 the informed consent of the client, with any other subunit of the same county
8 department of human services or tribal agency, with a resource center, a care
9 management organization, or a family long-term care district, with an
10 elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral
11 for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person
12 providing services to the client under a purchase of services contract with the county
13 department of human services or tribal agency or with a resource center, a care
14 management organization, or a family long-term care district, if necessary to enable
15 an employee or service provider to perform his or her duties, or to enable the county
16 department of human services or tribal agency to coordinate the delivery of services
17 to the client. An agency that releases information under this paragraph shall
18 document that a request for information was received and what information was
19 provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act
45 repealed and recreated the provision without taking the change in terminology into
account.

20 **SECTION 46.** 46.215 (1m) of the statutes, as affected by 2007 Wisconsin Acts 20
21 and 45, is amended to read:

22 46.215 **(1m)** EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.
23 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,

ASSEMBLY BILL 573**SECTION 46**

1 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
2 services or tribal agency acting under this section may exchange confidential
3 information about a client, without the informed consent of the client, with any other
4 subunit of the same county department of social services or tribal agency, with a
5 resource center, a care management organization, or a ~~family~~ long-term care
6 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
7 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
8 lg., or with a person providing services to the client under a purchase of services
9 contract with the county department of social services or tribal agency or with a
10 resource center, a care management organization, or a ~~family~~ long-term care
11 district, if necessary to enable an employee or service provider to perform his or her
12 duties, or to enable the county department of social services or tribal agency to
13 coordinate the delivery of services to the client. An agency that releases information
14 under this subsection shall document that a request for information was received
15 and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act
45 repealed and recreated the provision without taking the change in terminology into
account.

16 **SECTION 47.** The treatment of 46.215 (1p) of the statutes by 2007 Wisconsin Act
17 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-08, s. 46.215 (1p) reads:

(1p) EXCHANGE OF INFORMATION; STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and (2), and 938.78 (2) (a), a county department under this section may enter the content of any record kept or information received by that county department into the statewide automated child welfare information system established under s. 48.47 (7g).

ASSEMBLY BILL 573

1 **SECTION 48.** The treatment of 46.22 (1) (b) 2. e. of the statutes by 2007
2 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

 NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-08, s. 46.22 (1) (b) 2. e. reads:

 e. To make payments in such manner as the department of children and families
may determine for training of recipients, former recipients and potential recipients of aid
in programs established under s. 49.193, 1997 stats., and s. 49.26 (1).

3 **SECTION 49.** 46.22 (1) (dm) of the statutes, as affected by 2007 Wisconsin Acts
4 20 and 45, is amended to read:

5 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
6 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
7 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
8 services or tribal agency acting under this subsection may exchange confidential
9 information about a client, without the informed consent of the client, with any other
10 subunit of the same county department of social services or tribal agency, with a
11 resource center, a care management organization, or a family long-term care
12 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
13 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
14 lg., or with a person providing services to the client under a purchase of services
15 contract with the county department of social services or tribal agency or with a
16 resource center, a care management organization, or a family long-term care
17 district, if necessary to enable an employee or service provider to perform his or her
18 duties, or to enable the county department of social services or tribal agency to
19 coordinate the delivery of services to the client. An agency that releases information
20 under this paragraph shall document that a request for information was received
21 and what information was provided.

 NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act

ASSEMBLY BILL 573**SECTION 49**

45 repealed and recreated the provision without taking the change in terminology into account.

1 **SECTION 50.** The treatment of 46.22 (1) (dp) of the statutes by 2007 Wisconsin
2 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 46.22 (1) (dp) reads:

(dp) *Exchange of information; statewide automated child welfare information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and (2), and 938.78 (2) (a), a county department under this section may enter the content of any record kept or information received by that county department into the statewide automated child welfare information system established under s. 48.47 (7g).

3 **SECTION 51.** 46.23 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20
4 and 45, is amended to read:

5 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.
6 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
7 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of
8 human services or tribal agency acting under this section may exchange confidential
9 information about a client, without the informed consent of the client, with any other
10 subunit of the same county department of human services or tribal agency, with a
11 resource center, a care management organization, or a ~~family~~ long-term care
12 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
13 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
14 lg., or with a person providing services to the client under a purchase of services
15 contract with the county department of human services or tribal agency or with a
16 resource center, a care management organization, or a ~~family~~ long-term care
17 district, if necessary to enable an employee or service provider to perform his or her
18 duties, or to enable the county department of human services or tribal agency to
19 coordinate the delivery of services to the client. An agency that releases information

ASSEMBLY BILL 573

1 under this paragraph shall document that a request for information was received
2 and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed “family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act 45 repealed and recreated the provision without taking the change in terminology into account.

3 **SECTION 52.** The treatment of 46.23 (3) (ed) of the statutes by 2007 Wisconsin
4 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 46.23 (3) (ed) reads:

(ed) *Exchange of information; statewide automated child welfare information system.* Notwithstanding ss. 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and (2), and 938.78 (2) (a), a county department under this section may enter the content of any record kept or information received by that county department into the statewide automated child welfare information system established under s. 48.47 (7g).

5 **SECTION 53.** The treatment of 46.261 (2) (a) 2. of the statutes by 2007 Wisconsin
6 Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 48.645 (2) (a) 2., as renumbered from s. 46.261 (2) (a) 2. by 2007 Wis. Act 20, reads:

2. A county or, in a county having a population of 500,000 or more, the department, on behalf of a child in the legal custody of a county department under s. 46.215, 46.22, or 46.23 or the department under s. 48.48 (17) or on behalf of a child who was removed from the home of a relative as a result of a judicial determination that continuance in the home of a relative would be contrary to the child’s welfare for any reason when the child is placed in a licensed residential care center for children and youth by the county department or the department. Reimbursement shall be made by the state as provided in subd. 1.

7 **SECTION 54.** 46.283 (6) (a) 2. of the statutes, as affected by 2007 Wisconsin Act
8 20, is amended to read:

9 46.283 (6) (a) 2. At least one-fourth of the members of the governing board shall
10 be individuals who belong to a client group served by the resource center or their
11 family members, guardians, or other advocates. The proportion of these board
12 members who belong to each client group, or their family members, guardians, or
13 advocates, shall be the same, respectively, as the proportion of individuals in this

ASSEMBLY BILL 573**SECTION 54**

1 state who receive services under s. 46.2805 to 46.2895 and belong to each client
2 group.

NOTE: Reinserts necessary word that was stricken by 2007 Wis. Act 20. The phrase
"individuals who belong to a client group served by the resource center" was inserted by
Act 20 without scoring. The insertion was intended. See also SECTION 218 of this bill.

3 **SECTION 55.** 46.2895 (13) of the statutes, as affected by 2007 Wisconsin Act 20,
4 is amended to read:

5 46.2895 (13) DISSOLUTION. Subject to the performance of the contractual
6 obligations of a long-term care district and if first approved by the secretary of the
7 department, the long-term care district may be dissolved by the joint action of the
8 long-term care district board and each county or tribe or band that created the
9 long-term care district and has not withdrawn or been removed from the district
10 under sub. (14). If ~~the~~ a long-term care district that is created by one county or tribe
11 or band is dissolved, the property of the district shall be transferred to the county or
12 tribe or band that created it. If a long-term care district is created by more than one
13 county or tribe or band, all of the counties or tribes or bands that created the district
14 and that have not withdrawn or been removed from the district under sub. (14) shall
15 agree on the apportioning of the long-term care district's property before the district
16 may be dissolved. If the long-term care district operates a care management
17 organization under s. 46.284, disposition of any remaining funds in the risk reserve
18 under s. 46.284 (5) (e) shall be made under the terms of the district's contract with
19 the department.

NOTE: Deletes unnecessary word.

20 **SECTION 56.** 46.40 (14m) of the statutes is amended to read:

21 46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS. Before December 1 of each year,
22 each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each

ASSEMBLY BILL 573

1 tribal governing body shall submit to the department a proposed budget for the
2 expenditure of funds allocated under this section, ~~distributed under s. 46.45 (2) (a)~~
3 or carried forward under s. 46.45 (3) (a). The proposed budget shall be submitted on
4 a form developed by the department and approved by the department of
5 administration.

NOTE: Deletes obsolete cross-reference. Section 46.45 (2) (a) was renumbered s. 48.565 (2) (a) by 2007 Wis. Act 20 so as to place responsibility for the distribution of unspent *children and family aids* under the Department of Children and Families. As such, funds distributed under s. 48.565 (2) would not be included in a county's *community aids* budget submitted to the Department of Health Services under s. 46.40 (14m).

6 **SECTION 57.** 48.299 (6) (b) of the statutes is amended to read:

7 48.299 (6) (b) The state or the attorney responsible for support enforcement
8 who receives a referral under par. (a) shall perform the duties specified under s.
9 ~~767.45~~ 767.80 (5) (c) and (6r).

NOTE: Section 767.45 was renumbered s. 767.80 by 2005 Wis. Act 443.

10 **SECTION 58.** 48.47 (7g) of the statutes, as affected by 2007 Wisconsin Act 20,
11 section 809, and 2007 Wisconsin Act 96, section 30, is amended to read:

12 48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Establish
13 a statewide automated child welfare information system. Notwithstanding ss.
14 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,
15 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and
16 (2), and 938.78 (2) (a), the department may enter the content of any record kept or
17 information received by the department into the statewide automated child welfare
18 information system, and a county department under s. 46.215, 46.22, or 46.23, the
19 department, or any other organization that has entered into an information sharing
20 and access agreement with the department or any of those county departments and
21 that has been approved for access to the statewide automated child welfare

ASSEMBLY BILL 573**SECTION 58**

1 information system by the department may have access to information that is
2 maintained in that system, if necessary to enable the county department,
3 department, or organization to perform its duties under this chapter, ch. 46, 51, 55,
4 or 938, or 42 USC 670 to 679b to or to coordinate the delivery of services under this
5 chapter, ch. 46, 51, 55, or 938, or 42 USC 670 to 679b.

NOTE: Deletes unnecessary word.

6 **SECTION 59.** 48.48 (17) (c) 4. of the statutes is amended to read:

7 48.48 (17) (c) 4. Is living in a foster home, treatment foster home, group home,
8 residential care center for children and youth, or subsidized guardianship home
9 under s. 48.62 (5).

NOTE: Deletes unnecessary comma inserted by 2005 Wis. Act 25. The change was
printed in 2007-08 Statutes.

10 **SECTION 60.** 48.57 (3) (a) 4. of the statutes is amended to read:

11 48.57 (3) (a) 4. Is living in a foster home, treatment foster home, group home,
12 residential care center for children and youth, or subsidized guardianship home
13 under s. 48.62 (5).

NOTE: Deletes unnecessary comma inserted by 2005 Wis. Act 25. The change was
printed in the 2007-08 Statutes.

14 **SECTION 61.** 48.67 (3) of the statutes, as created by 2007 Wisconsin Act 104, is
15 amended to read:

16 48.67 (3) (a) That all day care center licensees, and all employees of a day care
17 center, who provide care and supervision for children have current proficiency in the
18 use of an automated external defibrillator, as defined in s. ~~446.50~~ 256.15 (1) (cr),
19 achieved through instruction provided by an individual, organization, or institution
20 of higher education that is approved under s. 46.03 (38) to provide such instruction.

ASSEMBLY BILL 573

1 (b) That all staff members of a group home who provide care for the residents
2 of the group home have current proficiency in the use of an automated external
3 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction
4 provided by an individual, organization, or institution of higher education that is
5 approved under s. 46.03 (38) to provide such instruction.

6 (c) That all staff members of a shelter care facility who provide care and
7 supervision for children have current proficiency in the use of an automated external
8 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction
9 provided by an individual, organization, or institution of higher education that is
10 approved under s. 46.03 (38) to provide such instruction and that all shelter care
11 facilities have readily available on the premises of the shelter care facility a staff
12 member or other person who has that proficiency.

13 (d) That all child welfare agencies that operate a residential care center for
14 children and youth have in each building housing residents of the residential care
15 center for children and youth when those residents are present at least one staff
16 member who has current proficiency in the use of an automated external
17 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction
18 provided by an individual, organization, or institution of higher education that is
19 approved under s. 46.03 (38) to provide such instruction.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15
(1) (cr) by 2007 Wis. Act 130.

20 **SECTION 62.** 49.45 (3) (m) 2. of the statutes, as created by 2007 Wisconsin Act
21 104, is amended to read:

22 49.45 (3) (m) 2. A person who is certified to provide transportation by
23 specialized medical vehicle under sub. (2) (a) 11. shall ensure that every person who

ASSEMBLY BILL 573**SECTION 62**

1 drives or serves as an attendant to passengers on a specialized medical vehicle,
2 before driving or serving as an attendant, has current proficiency in the use of an
3 automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved
4 through instruction provided by an individual, organization, or institution of higher
5 education that is approved under s. 46.03 (38) to provide such instruction.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15
(1) (cr) by 2007 Wis. Act 130.

6 **SECTION 63.** 49.45 (6m) (i) 1. of the statutes is amended to read:

7 49.45 **(6m)** (i) 1. On or after October 1, 1981, medical assistance payment for
8 inpatient nursing care may only be provided for persons receiving skilled,
9 intermediate, or limited levels of nursing care as these levels are defined under s.
10 ~~HFS~~ DHS 132.13, Wis. Adm. Code.

NOTE: The “HFS” administrative code was renumbered “DHS” by the legislative
reference bureau under s. 13.92 (4) (b) 1. to reflect the name change of the Department
of Health and Family Services to the Department of Health Services. The change is
printed in the 2007–08 Statutes.

11 **SECTION 64.** The treatment of 49.47 (4) (b) 1. of the statutes by 2007 Wisconsin
12 Act 11 is not repealed by 2007 Wisconsin Act 20. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau s. 49.47 (4) (b) 1. reads:

1. Subject to par. (bc), a home and the land used and operated in connection
therewith or in lieu thereof a manufactured home or mobile home, if the home,
manufactured home, or mobile home is used as the person’s or his or her family’s place
of abode.

13 **SECTION 65.** 49.471 (8) (g) 1. of the statutes, as created by 2007 Wisconsin Act
14 20, is amended to read:

15 49.471 **(8)** (g) 1. The individual or pregnant woman was covered by a group
16 health plan that was provided by a subscriber through his or her employer, and the
17 subscriber’s employment ended for a reason other than voluntary termination,

ASSEMBLY BILL 573

1 unless the voluntary termination was a result of the incapacitation of the subscriber
2 or because ~~on~~ of an immediate family member's health condition.

NOTE: Inserts correct word.

3 **SECTION 66.** The treatment of 49.855 (3) of the statutes by 2007 Wisconsin Act
4 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 49.855 (3) reads:

(3) Receipt of a certification by the department of revenue shall constitute a lien, equal to the amount certified, on any state tax refunds or credits owed to the obligor. The lien shall be foreclosed by the department of revenue as a setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the obligor that the state intends to reduce any state tax refund or credit due the obligor by the amount the obligor is delinquent under the support, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20 days the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. Within 10 days after receiving a request for hearing under this subsection, the court shall set the matter for hearing. Pending further order by the court or a circuit court commissioner, the department of children and families or its designee, whichever is appropriate, is prohibited from disbursing the obligor's state tax refund or credit. A circuit court commissioner may conduct the hearing. The sole issues at that hearing shall be whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld from a tax refund or credit shall be paid to the obligor or held for future support or maintenance, except that the obligor's ability to pay shall also be an issue at the hearing if the obligation relates to an order under s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor's income was at or below the poverty line established under 42 USC 9902 (2).

5 **SECTION 67.** The treatment of 49.855 (4m) (b) of the statutes by 2007 Wisconsin
6 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 49.855 (4m) (b) reads:

(b) The department of revenue may provide a certification that it receives under sub. (1), (2m), (2p), or (2r) to the department of administration. Upon receipt of the certification, the department of administration shall determine whether the obligor is a vendor or is receiving any other payments from this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s. 45.40 (1), this chapter, or ch. 46, 108, or 301. If the department of administration determines that the obligor is a vendor or is receiving payments from this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s. 45.40 (1), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount certified from those payments and shall notify the obligor that the state intends to reduce any payments due the obligor by the amount the obligor is delinquent under the support, maintenance, or receiving and disbursing fee order or obligation, by the outstanding amount for past support, medical expenses, or birth

ASSEMBLY BILL 573**SECTION 67**

expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20 days after receipt of the notice the obligor may request a hearing before the circuit court rendering the order under which the obligation arose. An obligor may, within 20 days after receiving notice, request a hearing under this paragraph. Within 10 days after receiving a request for hearing under this paragraph, the court shall set the matter for hearing. A circuit court commissioner may conduct the hearing. Pending further order by the court or circuit court commissioner, the department of children and families or its designee, whichever is appropriate, may not disburse the payments withheld from the obligor. The sole issues at the hearing are whether the obligor owes the amount certified and, if not and it is a support or maintenance order, whether the money withheld shall be paid to the obligor or held for future support or maintenance, except that the obligor's ability to pay is also an issue at the hearing if the obligation relates to an order under s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that the obligor's income was at or below the poverty line established under 42 USC 9902 (2).

1 **SECTION 68.** The treatment of 50.14 (4) of the statutes by 2007 Wisconsin Act
2 95 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 50.14 (4) reads:

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

3 **SECTION 69.** 50.36 (5) of the statutes, as created by 2007 Wisconsin Act 104, is
4 amended to read:

5 50.36 (5) Before providing emergency services in a hospital, medical and
6 nursing personnel shall have proficiency in the use of an automated external
7 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction
8 provided by an individual, organization, or institution of higher education that is
9 approved under s. 46.03 (38) to provide such instruction.

NOTE: Corrects cross-reference. Section 146.50 (1) (cr) was renumbered s. 256.15 (1) (cr) by 2007 Wis. Act 130.

10 **SECTION 70.** 51.42 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20
11 and 45, is amended to read:

12 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
13 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3)

ASSEMBLY BILL 573

1 (c), and 938.78 (2) (a), any subunit of a county department of community programs
2 or tribal agency acting under this section may exchange confidential information
3 about a client, without the informed consent of the client, with any other subunit of
4 the same county department of community programs or tribal agency, with a
5 resource center, a care management organization, or a ~~family~~ long-term care
6 district, or with any person providing services to the client under a purchase of
7 services contract with the county department of community programs or tribal
8 agency or with a resource center, care management organization, or ~~family~~
9 long-term care district, if necessary to enable an employee or service provider to
10 perform his or her duties, or to enable the county department of community
11 programs or tribal agency to coordinate the delivery of services to the client. Any
12 agency releasing information under this paragraph shall document that a request
13 was received and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act
45 repealed and recreated the provision without taking the change in terminology into
account.

14 **SECTION 71.** 51.437 (4r) (b) of the statutes, as affected by 2007 Wisconsin Acts
15 20 and 45, is amended to read:

16 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
17 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),
18 any subunit of a county department of developmental disabilities services or tribal
19 agency acting under this section may exchange confidential information about a
20 client, without the informed consent of the client, with any other subunit of the same
21 county department of developmental disabilities services or tribal agency, with a
22 resource center, a care management organization, or a ~~family~~ long-term care
23 district; or with any person providing services to the client under a purchase of

ASSEMBLY BILL 573

SECTION 71

1 services contract with the county department of developmental disabilities services
2 or tribal agency or with a resource center, a care management organization, or a
3 ~~family long-term~~ care district, if necessary to enable an employee or service provider
4 to perform his or her duties, or to enable the county department of developmental
5 disabilities services or tribal agency to coordinate the delivery of services to the
6 client. Any agency releasing information under this paragraph shall document that
7 a request was received and what information was provided.

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. Act 20 changed
“family care district” to “long-term care district” throughout the statutes. 2007 Wis. Act
45 repealed and recreated the provision without taking the change in terminology into
account.

8 **SECTION 72.** 51.437 (14r) (title), (a) (intro.), 1., 7. and (b) and (c) of the statutes
9 are amended to read:

10 51.437 **(14r)** (title) DUTIES OF THE ~~COUNCIL ON~~ BOARD FOR PEOPLE WITH
11 DEVELOPMENTAL DISABILITIES. (a) (intro.) The ~~council on~~ board for people with
12 developmental disabilities shall:

13 1. Designate appropriate state or local agencies for the administration of
14 programs and fiscal resources made available to the ~~council on~~ board for people with
15 developmental disabilities under federal legislation affecting the delivery of services
16 to the developmentally disabled.

17 7. Notify the governor regarding membership requirements of the ~~council~~
18 board and if vacancies on the ~~council~~ board remain unfilled for a significant period
19 of time.

20 (b) The ~~council~~ board may establish such reasonable procedures as are
21 essential to the conduct of the affairs of the ~~council~~ board.

ASSEMBLY BILL 573

1 (c) The ~~council on~~ board for people with developmental disabilities may or, if
2 requested by the governor, shall coordinate recommendations of the ~~council~~ board
3 and the public to the governor regarding ~~council~~ board membership.

NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the “council on developmental disabilities” attached to the department of health and family services to be the “board for people with developmental disabilities” attached to the department of administration.

4 **SECTION 73.** 51.45 (13) (j) of the statutes, as affected by 2007 Wisconsin Act 20,
5 is amended to read:

6 51.45 (13) (j) Upon the filing of a petition for recommitment under par. (h), the
7 court shall fix a date for a recommitment hearing within 10 days and assure that the
8 person sought to be recommitted is represented by counsel by referring the person
9 to the state public defender, who shall appoint counsel for ~~for~~ the person without a
10 determination of indigency, as provided in s. 51.60. The provisions of par. (e) relating
11 to notice and to access to records, names of witnesses, and summaries of their
12 testimony shall apply to recommitment hearings under this paragraph. At the
13 recommitment hearing, the court shall proceed as provided under pars. (f) and (g).

NOTE: Deletes unnecessary repeated word inserted by 2007 Wis. Act 20.

14 **SECTION 74.** 51.62 (2) (a) 2. of the statutes is amended to read:

15 51.62 (2) (a) 2. The ~~council on~~ board for people with developmental disabilities
16 and the council on mental health.

NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the “council on developmental disabilities” attached to the department of health and family services to be the “board for people with developmental disabilities” attached to the department of administration.

17 **SECTION 75.** 51.62 (2) (b) 2. a. of the statutes is amended to read:

18 51.62 (2) (b) 2. a. The ~~council on~~ board for people with developmental
19 disabilities and the council on mental health.

NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the “council on developmental disabilities” attached to

ASSEMBLY BILL 573**SECTION 75**

the department of health and family services to be the “board for people with developmental disabilities” attached to the department of administration.

1 **SECTION 76.** 54.46 (5) (title) of the statutes, as affected by 2005 Wisconsin Act
2 387, section 360, is renumbered 54.46 (4) (title).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2005 Wis. Act 387 renumbered s. 880.13 (title) to s. 54.46 (5) (title), but
renumbered the remainder of s. 880.13 to s. 54.46 (4).

3 **SECTION 77.** 55.001 of the statutes, as affected by 2005 Wisconsin Acts 264 and
4 388, is amended to read:

5 **55.001 Declaration of policy.** The legislature recognizes that many citizens
6 of the state, because of serious and persistent mental illness, degenerative brain
7 disorder ~~disorders~~, developmental disabilities, or other like incapacities, are in need
8 of protective services or protective placement. Except as provided in s. 49.45 (30m)
9 (a), the protective services or protective placement should, to the maximum degree
10 of feasibility under programs, services and resources that the county board of
11 supervisors is reasonably able to provide within the limits of available state and
12 federal funds and of county funds required to be appropriated to match state funds,
13 allow the individual the same rights as other citizens, and at the same time protect
14 the individual from financial exploitation, abuse, neglect, and self-neglect. This
15 chapter is designed to establish those protective services and protective placements,
16 to assure their availability to all individuals when in need of them, and to place the
17 least possible restriction on personal liberty and exercise of constitutional rights
18 consistent with due process and protection from abuse, financial exploitation,
19 neglect, and self-neglect.

NOTE: “Disorder” was inserted in the singular form by 2005 Wis. Act 264 and in
the plural form by 2005 Wis. Act 388. The singular is used in all other statutes.

20 **SECTION 78.** The treatment of 55.10 (4) (a) of the statutes by 2007 Wisconsin
21 Act 20 is not repealed by 2007 Wisconsin Act 45. Both treatments stand.

ASSEMBLY BILL 573

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 55.10 (4) (a) reads:

(a) *Counsel.* The individual sought to be protected has the right to counsel whether or not the individual is present at the hearing on the petition. The court shall require representation by full legal counsel whenever the petition alleges that the individual is not competent to refuse psychotropic medication under s. 55.14, the individual sought to be protected requested such representation at least 72 hours before the hearing, the guardian ad litem or any other person states that the individual sought to be protected is opposed to the petition, or the court determines that the interests of justice require it. If the individual sought to be protected or any other person on his or her behalf requests but is unable to obtain legal counsel, the court shall refer the individual to the state public defender as provided under s. 55.105 for appointment of legal counsel. If the individual sought to be protected is represented by counsel appointed under s. 977.08 in a proceeding for the appointment of a guardian under ch. 54, the court shall order the counsel appointed under s. 977.08 to represent under this section the individual sought to be protected.

1 **SECTION 79.** 55.135 (1) of the statutes, as affected by 2007 Wisconsin Acts 20
2 and 45, is amended to read:

3 55.135 (1) If, from personal observation of, or a reliable report made by a person
4 who identifies himself or herself to, a sheriff, police officer, fire fighter, guardian, if
5 any, or authorized representative of a county department or an agency with which
6 it contracts under s. 55.02 (2), it appears probable that an individual is so totally
7 incapable of providing for his or her own care or custody as to create a substantial
8 risk of serious physical harm to himself or herself or others as a result of
9 developmental disability, degenerative brain disorder, serious and persistent mental
10 illness, or other like incapacities if not immediately placed, the individual who
11 personally made the observation or to whom the report is made may take into custody
12 and transport the individual to an appropriate medical or protective placement
13 facility. The person making emergency protective placement shall prepare a
14 statement at the time of detention providing specific factual information concerning
15 the person's observations or reports made to the person and the basis for emergency
16 placement. The statement shall be filed with the director of the facility and with any
17 petition under s. 55.075. At the time of emergency protective placement the

ASSEMBLY BILL 573**SECTION 79**

1 individual shall be informed by the director of the facility or the director's designee,
2 orally and in writing, of his or her right to contact an attorney and a member of his
3 or her immediate family and the right to have an attorney provided at public
4 expense, as provided under s. ~~967.06 and ch. 977, if the individual is a minor or is~~
5 ~~indigent~~ 55.105. The director or designee shall also provide the individual with a
6 copy of the statement by the person making emergency protective placement.

NOTE: 2007 Wis. Act 45 repealed and recreated this provision without taking the treatment by Act 20 into account. The change made by 2007 Wis. Act 20 replaced the stricken language in the then existing s. 55.135 (1) with the cross-reference to s. 55.105, which was created by Act 20 to make specific provision for attorneys in ch. 55 actions. The cross-reference to s. 55.105 is reinserted.

7 **SECTION 80.** 55.14 (7) of the statutes, as affected by 2007 Wisconsin Acts 20 and
8 45, is amended to read:

9 55.14 (7) Upon the filing of a petition under this section, the court shall ~~appoint~~
10 make a referral for appointment of legal counsel as ~~required~~ provided under s. 55.10
11 (4) ~~(a)~~ 55.105. A petition under this section shall be heard within 30 days after it is
12 filed.

NOTE: 2007 Wis. Act 45 repealed and recreated this provision without taking the treatment by 2007 Wis. Act 20 into account. This provision reinserts the changes made by Act 20.

13 **SECTION 81.** 55.19 (1m) (title) of the statutes is created to read:

14 55.19 (1m) (title) COUNTY AGREEMENT.

NOTE: Section 55.19 (1m) was repealed and recreated by 2007 Wis. Act 45 without a title. The previous title is restored. All other subsections of s. 55.19 have titles. The subject matter of s. 55.19 (1m) was unchanged. The title is printed in the 2007-08 Statutes.

15 **SECTION 82.** 66.0137 (4) of the statutes, as affected by 2009 Wisconsin Act 28,
16 is amended to read:

17 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
18 a village provides health care benefits under its home rule power, or if a town

ASSEMBLY BILL 573

1 provides health care benefits, to its officers and employees on a self-insured basis,
2 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
3 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4), (5),
4 and (6), 632.885, 632.895 (9) to (17), 632.896, and 767.513 (4).

NOTE: The underscored comma was printed in the 2007-08 Statutes and is confirmed here.

5 **SECTION 83.** The treatment of 66.0230 (1) (a) of the statutes by 2007 Wisconsin
6 Act 20 is not repealed by 2007 Wisconsin Act 43. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau s. 66.0230 (1) (a) reads:

66.0230 (1) (a) In addition to the method described in s. 66.0229 (1) and subject to subs. (2), (3), and (4) and to ss. 66.0301 (6) (d) and 66.0307 (7), all or part of a town may consolidate with a contiguous city or village by ordinance passed by a two-thirds vote of all of the members of each board or council and ratified by the electors at a referendum held in each municipality.

7 **SECTION 84.** 66.0420 (2) (a) of the statutes, as created by 2007 Wisconsin Act
8 42, is amended to read:

9 66.0420 (2) (a) “Affiliate”,” when used in relation to any person, means another
10 person who owns or controls, is owned or controlled by, or is under common
11 ownership or control with such person.

NOTE: Places comma before quotation mark consistent with current style.

12 **SECTION 85.** 66.0617 (9) (a) of the statutes, as affected by 2007 Wisconsin Acts
13 44 and 96, is amended to read:

14 66.0617 (9) (a) Subject to pars. (b), (c), and (d), and with regard to an impact
15 fee that is collected after April 10, 2006, an ordinance enacted under this section shall
16 specify that impact fees that are collected by a municipality within 7 years of the
17 effective date of the ordinance, but are not used within 10 years after the effective
18 date of the ordinance to pay the capital costs for which they were imposed, shall be
19 refunded to the current owner of the property with respect to which the impact fees

ASSEMBLY BILL 573**SECTION 85**

1 were imposed, along with any interest that has accumulated, as described in sub. (8).
2 The ordinance shall specify, by type of public facility, reasonable time periods within
3 which impact fees must be spent or refunded under this subsection, subject to the
4 10-year limit in this paragraph and the extended time period specified in par. (b).
5 In determining the length of the time periods under the ordinance, a municipality
6 shall consider what are appropriate planning and financing periods for the
7 particular types of public facilities for which the impact fees are imposed.

NOTE: Deletes extraneous period inadvertently retained when striking material in
2007 Wis. Act 44.

8 **SECTION 86.** The treatment of 66.0617 (9) (b) of the statutes by 2007 Wisconsin
9 Act 44 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 66.0617 (9) (b) reads:

(b) The 10-year time limit for using impact fees that is specified under par. (a) may
be extended for 3 years if the municipality adopts a resolution stating that, due to
extenuating circumstances or hardship in meeting the 10-year limit, it needs an
additional 3 years to use the impact fees that were collected. The resolution shall include
detailed written findings that specify the extenuating circumstances or hardship that led
to the need to adopt a resolution under this paragraph.

10 **SECTION 87.** 67.12 (12) (a) of the statutes, as affected by 2009 Wisconsin Act 28,
11 is amended to read:

12 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
13 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
14 limited to paying any general and current municipal expense, and refunding any
15 municipal obligations, including interest on them. Each note, plus interest if any,
16 shall be repaid within 10 years after the original date of the note, except that notes
17 issued under this section for purposes of ss. 119.498, 145.245 (12m), 281.58, 281.59,
18 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of the capital costs
19 of a metropolitan sewerage district, or issued by a 1st class city or a county having

ASSEMBLY BILL 573

1 a population of 500,000 or more, to pay unfunded prior service liability with respect
2 to an employee retirement system, shall be repaid within 20 years after the original
3 date of the note.

NOTE: Inserts necessary comma.

4 **SECTION 88.** The treatment of 71.07 (3w) (a) 6. of the statutes by 2007 Wisconsin
5 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.07 (3w) (a) 6. reads:

6. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. "Zone payroll" does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

6 **SECTION 89.** 71.26 (2) (a) 5. of the statutes, as affected by 2007 Wisconsin Act
7 226, is amended to read:

8 71.26 (2) (a) 5. Plus the amount of losses from the sale or other disposition of
9 assets the gain from which would be wholly exempt income, as defined in sub. (3) (L),
10 if the assets were sold or otherwise disposed of at a gain and minus deductions, as
11 computed under the Internal Revenue Code as modified under sub. (3).

NOTE: Deletes unnecessary comma. The change is printed in the 2007-08 Statutes.

12 **SECTION 90.** The treatment of 71.28 (3w) (a) 6. of the statutes by 2007 Wisconsin
13 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.28 (3w) (a) 6. reads:

6. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. "Zone payroll" does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

14 **SECTION 91.** The treatment of 71.47 (3w) (a) 6. of the statutes by 2007 Wisconsin
15 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.47 (3w) (a) 6. reads:

6. "Zone payroll" means the amount of state payroll that is attributable to wages paid to full-time employees for services that are performed in an enterprise zone. "Zone

ASSEMBLY BILL 573**SECTION 91**

payroll” does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

1 **SECTION 92.** 73.03 (2a) of the statutes, as affected by 2007 Wisconsin Acts 20
2 and 86, is amended to read:

3 **73.03 (2a)** To prepare and publish, in electronic form and on the Internet,
4 assessment manuals. The manual shall discuss and illustrate accepted assessment
5 methods, techniques and practices with a view to more nearly uniform and more
6 consistent assessments of property at the local level. The manual shall be amended
7 by the department from time to time to reflect advances in the science of assessment,
8 court decisions concerning assessment practices, costs, and statistical and other
9 information considered valuable to local assessors by the department. The manual
10 shall incorporate standards for the assessment of all types of renewable energy
11 resource systems used in this state as soon as such systems are used in sufficient
12 numbers and sufficient data exists to allow the formulation of valid guidelines. The
13 manual shall incorporate standards, which the department of revenue and the state
14 historical society of Wisconsin shall develop, for the assessment of nonhistoric
15 property in historic districts and for the assessment of historic property, including
16 but not limited to property that is being preserved or restored; property that is
17 subject to a protective easement, covenant or other restriction for historic
18 preservation purposes; property that is listed in the national register of historic
19 places in Wisconsin or in this state’s register of historic places and property that is
20 designated as a historic landmark and is subject to restrictions imposed by a
21 municipality or by a landmarks commission. The manual shall incorporate general
22 guidelines about ways to determine whether property is taxable in part under s.
23 70.1105 and examples of the ways that s. 70.1105 applies in specific situations. The

ASSEMBLY BILL 573

1 manual shall state that assessors are required to comply with s. 70.32 (1g) and shall
2 suggest procedures for doing so. The manual or a supplement to it shall specify per
3 acre value guidelines for each municipality for various categories of agricultural land
4 based on the income that could be generated from its estimated rental for
5 agricultural use, as defined by rule, and capitalization rates established by rule. The
6 manual shall include guidelines for classifying land as agricultural land, as defined
7 in s. 70.32 (2) (c) 1g., and guidelines for distinguishing between land and
8 improvements to land. The manual shall specify the evidence to be exchanged under
9 s. 70.47 (7) (c) and (16) (c). The cost of the development, preparation, and Internet
10 publication of the manual and of revisions and amendments to it shall be paid from
11 the appropriation under s. 20.566 (2) ~~(b)~~ (bm).

NOTE: Corrects cross-reference. Section 20.566 (2) (b), as created by 2007 Wis. Act
20, is renumbered to s. 20.566 (2) (bm) by this bill.

12 **SECTION 93.** The treatment of 76.636 (1) (e) of the statutes by 2007 Wisconsin
13 Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau and amended in the next section of this bill, s. 76.636 (1) (e) reads:

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

1. A person who resides in an area designated by the federal government as an
economic revitalization area.
2. A person who is employed in an unsubsidized job but meets the eligibility
requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position.
3. A person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real
work, real pay project position under s. 49.147 (3m).
4. A person who is eligible for child care assistance under s. 49.155.
5. A person who is a vocational rehabilitation referral.
6. An economically disadvantaged youth.
7. An economically disadvantaged veteran.
8. A supplemental security income recipient.
9. A general assistance recipient.

ASSEMBLY BILL 573

SECTION 93

10. An economically disadvantaged ex-convict.

11. A qualified summer youth employee, as defined in 26 USC 51 (d) (7).

12. A dislocated worker, as defined in 29 USC 2801 (9).

13. A food stamp recipient.

1 **SECTION 94.** 76.636 (1) (e) 3. of the statutes, as affected by 2007 Wisconsin Act
2 20, section 2162, and 2007 Wisconsin Act 97, section 98, is amended to read:

3 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
4 (1) (n), or in a real work, real pay project position under s. 49.147 (3m),

NOTE: The inserted comma was deleted by 2007 Wis. Act 97, but is necessary to
accommodate the treatment by 2007 Wis. Act 20. The deleted comma was inserted by Act
20 but was rendered surplusage by the treatment by Act 97.

5 **SECTION 95.** 79.10 (7m) (c) of the statutes, as created by 2007 Wisconsin Act
6 190, is renumbered 79.10 (7m) (cm).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 20 also created a provision numbered s. 79.10 (7m) (c).

7 **SECTION 96.** 84.1023 of the statutes, as created by 2007 Wisconsin Act 163, is
8 renumbered 84.1019.

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 30 also created a provision numbered s. 84.1023.

9 **SECTION 97.** 84.1024 of the statutes, as created by 2007 Wisconsin Act 161, is
10 renumbered 84.1018.

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 6 also created a provision numbered s. 84.1024.

11 **SECTION 98.** 100.55 of the statutes, as created by 2007 Wisconsin Act 176, is
12 renumbered 100.57.

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92
(1) (bm) 2. 2007 Wis. Act 76 also created a provision numbered s. 100.55.

13 **SECTION 99.** 101.16 (3r) (f) and (g) of the statutes, as created by 2007 Wisconsin
14 Act 203, are amended to read:

15 101.16 (3r) (f) A 3rd party that issues a surety bond, a letter of credit, or general
16 liability insurance to a retail supplier for purposes of this subsection shall provide

ASSEMBLY BILL 573

1 written notice to the retail supplier and to the department at least 60 days before
2 canceling, revoking, suspending, or failing to renew the bond, letter, or insurance.

3 (g) A retail supplier that cancels or fails to renew a surety bond, a letter of
4 credit, or general liability insurance shall notify the department at least 60 days
5 before cancelling or failing to renew the bond, letter, or insurance. Upon receipt of
6 the notice, the department shall revoke the retail supplier's license issued under sub.
7 (3g).

NOTE: Inserts articles for proper sentence agreement.

8 **SECTION 100.** 101.66 (1m) (bn) of the statutes, as created by 2007 Wisconsin Act
9 208, is amended to read:

10 101.66 **(1m)** (bn) A person may not provide a written certification under par.
11 (b) unless the person has been issued a certificate of accomplishment evidencing
12 certification or recertification under the lumber grading training program under s.
13 36.25 ~~(47)~~ (48) and the person has received the certificate within the 5 years before
14 providing the written certification. The person shall attach to the written
15 certification a copy of his or her certificate of accomplishment.

NOTE: Section 36.25 (47), as created by 2007 Wis. Act 208, is renumbered to s. 36.25
(48) by this bill.

16 **SECTION 101.** 101.977 (2) (bn) of the statutes, as created by 2007 Wisconsin Act
17 208, is amended to read:

18 101.977 **(2)** (bn) A person may not provide a written certification under par. (b)
19 unless the person has been issued a certificate of accomplishment evidencing
20 certification or recertification under the lumber grading training program under s.
21 36.25 ~~(47)~~ (48) and the person has received the certificate within the 5 years before
22 providing the written certification. The person shall attach to the written
23 certification a copy of his or her certificate of accomplishment.

ASSEMBLY BILL 573**SECTION 101**

NOTE: Section 36.25 (47), as created by 2007 Wis. Act 208, is renumbered to s. 36.25 (48) by this bill.

1 **SECTION 102.** 102.17 (1) (cg) 3. of the statutes is amended to read:

2 102.17 (1) (cg) 3. The ~~subunit of the department that obtains a social security~~
3 ~~number or a federal employer identification number under subd. 1. of workforce~~
4 ~~development~~ may not disclose the ~~social security number or the federal employer~~
5 ~~identification number~~ any information received under subd. 1. to any person except
6 to the department of revenue for the sole purpose of requesting certifications under
7 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
8 ~~child and spousal support program under~~ of children and families for purposes of
9 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

10 **SECTION 103.** 102.17 (1) (cm) of the statutes is amended to read:

11 102.17 (1) (cm) The department of workforce development shall deny, suspend,
12 restrict, refuse to renew, or otherwise withhold a license under par. (c) for failure of
13 the applicant or agent to pay court-ordered payments of child or family support,
14 maintenance, birth expenses, medical expenses, or other expenses related to the
15 support of a child or former spouse or for failure of the applicant or agent to comply,
16 after appropriate notice, with a subpoena or warrant issued by the department of
17 children and families or a county child support agency under s. 59.53 (5) and related
18 to paternity or child support proceedings, as provided in a memorandum of
19 understanding entered into under s. 49.857. Notwithstanding par. (c), an action
20 taken under this paragraph is subject to review only as provided in the memorandum
21 of understanding entered into under s. 49.857 and not as provided in ch. 227.

ASSEMBLY BILL 573

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

1 **SECTION 104.** 102.33 (2) (b) 5. of the statutes is amended to read:

2 102.33 (2) (b) 5. The requester is the ~~subunit of the department that~~
3 ~~administers child and spousal support~~ of children and families or a county child
4 support agency under s. 59.53 (5), the request is made under s. 49.22 (2m), and the
5 request is limited to the name and address of the employee who is the subject of the
6 record, the name and address of the employee's employer, and any financial
7 information about that employee contained in the record.

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

8 **SECTION 105.** 103.275 (2) (bg) 3. of the statutes is amended to read:

9 103.275 (2) (bg) 3. The ~~subunit of the department that obtains a social security~~
10 ~~number or a federal employer identification number under subd. 1. of workforce~~
11 ~~development~~ may not disclose the ~~social security number or the federal employer~~
12 ~~identification number~~ any information received under subd. 1. to any person except
13 to the department of revenue for the sole purpose of requesting certifications under
14 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
15 ~~child and spousal support program under~~ of children and families for purposes of
16 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch. 49 was transferred from the Department of Workforce Development to the Department of Children and Families by 2007 Wisconsin Act 20.

17 **SECTION 106.** 103.275 (2) (bm) of the statutes is amended to read:

18 103.275 (2) (bm) The department of workforce development shall deny,
19 suspend, restrict, refuse to renew, or otherwise withhold a house-to-house employer
20 certificate for failure of the applicant or house-to-house employer to pay

ASSEMBLY BILL 573**SECTION 106**

1 court-ordered payments of child or family support, maintenance, birth expenses,
2 medical expenses, or other expenses related to the support of a child or former spouse
3 or for failure of the applicant or house-to-house employer to comply, after
4 appropriate notice, with a subpoena or warrant issued by the department of children
5 and families or a county child support agency under s. 59.53 (5) and related to
6 paternity or child support proceedings, as provided in a memorandum of
7 understanding entered into under s. 49.857. Notwithstanding sub. (7) and s. 103.005
8 (10), an action taken under this paragraph is subject to review only as provided in
9 the memorandum of understanding entered into under s. 49.857 and not as provided
10 in sub. (7) and ch. 227.

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.

11 **SECTION 107.** 103.91 (2) (b) 3. of the statutes is amended to read:

12 103.91 (2) (b) 3. The ~~subunit of the department that obtains a social security~~
13 ~~number or a federal employer identification number under subd. 1. of workforce~~
14 ~~development~~ may not disclose ~~the social security number or the federal employer~~
15 ~~identification number~~ any information received under subd. 1. to any person except
16 to the department of revenue for the sole purpose of requesting certifications under
17 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
18 ~~child and spousal support program under~~ of children and families for purposes of
19 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.

20 **SECTION 108.** 103.91 (4) (b) of the statutes is amended to read:

ASSEMBLY BILL 573

1 103.91 (4) (b) The department of workforce development shall deny, suspend,
2 restrict, refuse to renew, or otherwise withhold a certificate of registration under sub.
3 (1) for failure of the applicant or registrant to pay court-ordered payments of child
4 or family support, maintenance, birth expenses, medical expenses, or other expenses
5 related to the support of a child or former spouse or for failure of the applicant or
6 registrant to comply, after appropriate notice, with a subpoena or warrant issued by
7 the department of children and families or a county child support agency under s.
8 59.53 (5) and related to paternity or child support proceedings, as provided in a
9 memorandum of understanding entered into under s. 49.857. Notwithstanding s.
10 103.005 (10), an action taken under this paragraph is subject to review only as
11 provided in the memorandum of understanding entered into under s. 49.857 and not
12 as provided in ch. 227.

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.

13 **SECTION 109.** 103.92 (1) (b) 3. of the statutes is amended to read:

14 103.92 (1) (b) 3. ~~The subunit of the department that obtains a social security~~
15 ~~number or a federal employer identification number under subd. 1. of workforce~~
16 ~~development may not disclose the social security number or the federal employer~~
17 ~~identification number~~ any information received under subd. 1. to any person except
18 to the department of revenue for the sole purpose of requesting certifications under
19 s. 73.0301 or ~~on the request of the subunit of the department that administers the~~
20 ~~child and spousal support program under~~ of children and families for purposes of
21 administering s. 49.22 (2m).

NOTE: The responsibility for administering the child support program under ch.
49 was transferred from the Department of Workforce Development to the Department
of Children and Families by 2007 Wisconsin Act 20.