

2009 DRAFTING REQUEST

Bill

Received: **10/27/2008**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Reference Bureau**

By/Representing: **Bruce**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **State Govt - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Don.Dyke@legis.wisconsin.gov**

Carbon copy (CC:) to: **Laura.Rose@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Revisor's correction bill

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 10/27/2008	csicilia 10/31/2008		_____			
/P1	csicilia 03/17/2009	csicilia 03/04/2009	jfrantze 10/31/2008	_____	sbasford 03/04/2009		
		csicilia 03/17/2009	jfrantze 03/04/2009	_____			
/P2		csicilia 08/04/2009	jfrantze 03/18/2009	_____	sbasford 03/18/2009		

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/P3		csicilia 08/24/2009	jfrantze 08/05/2009	_____	sbasford 08/05/2009		
/1		csicilia 10/21/2009	rschluet 08/24/2009	_____	lparisi 08/24/2009		
/2			jfrantze 10/21/2009	_____	mbarman 10/21/2009	mbarman 10/21/2009	

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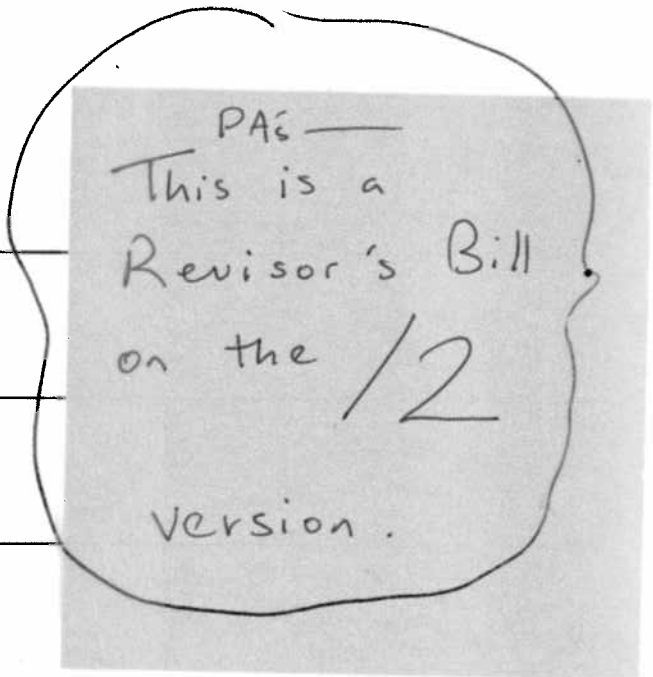
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Jo
10/21

Jo/RE
10/21

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/P2		csicilia 08/04/2009	jfrantze 03/18/2009				
/P3			jfrantze 08/05/2009				

PA's -
This is a Revisor's bill
on the 1 version.
Please follow the
Special procedures that
apply.
Thanks,
Chris

cjs
8/24
09

1

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<END>

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P3 cjs 8/4
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Jb Jph
8/5 <END>

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P2 *ajs* *3/17*
09 *js* *3/17*
3/17 *ph*
3/18
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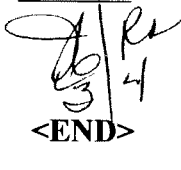
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/P1		csicilia 3/4/08	jfrantze 10/31/2008	_____			
FE Sent For:			 3/4	 3/4 <END>			

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: CJS/BJH) (Date: 3 / 4 / 09)



Please transfer the drafting file for
2007 LRB -3789 ; -4423 ; and -4428 to the drafting file
for 2009 LRB -0590

← none of these were introduced

☞ The final version of the 2007 draft and the final Request Sheet will copied on yellow paper, and returned to the original 2007 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

☞ For research purposes, because the 2007 draft was incorporated into a new 2009 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2009 drafting file. This request form will be inserted into the "guts" of the 2009 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

--- OR ---

Please copy the drafting file for
2009 LRB (include the version) and place it in the
drafting file for 2009 LRB

☞ For research purposes, because the original 2009 draft was incorporated into another 2009 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2009 drafting file. This request form will be inserted into the "guts" of the new 2009 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

☞ The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

Siciliano, Chris

From: Hoesly, Bruce
Sent: Thursday, October 02, 2008 1:44 PM
To: Siciliano, Chris
Subject: 09 Correction Bills

Please regenerate the following 07 correction bills as 09 bills.

1. Combine 3789/2, 4423/1, 4428/p1 and 2228/P2ins (when it is final) as a new p1.
2. 2378/4 as a p1
3. 4343/1 as a /1. This is the veto bill. Last year we kept the reconciliation for possible overrides in even though it was not the same session as the vetoes. I'm thinking they can be removed because the time to override is passed. What do you think?
4. 4306/1 as a /1

Bruce J. Hoesly
Revising Attorney/Code Editor
Legislative Reference Bureau

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

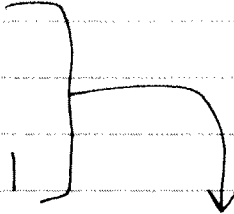
Legal (608-266-3561)

LRB

09-0590/P1

Compile :

07-3789/2
07-4423/1
07-4428/P1

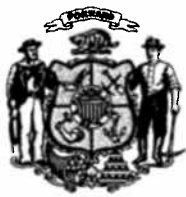


as 09-0590/P1

AND THEN :

Add to 09-0590/P1

07-4428/P2 ins



← stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

bill's in correct seq ✓
CA 07 ✓
ST 09 ✓
x-reb 11 ✓
Stat comp ✓
check autobills ✓

Revisor's bill
Do NOT Gen Cat
Do NOT Sort

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:

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

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. 6.97 (title) of the statutes is amended to read:

4 **6.97 (title) Voting procedure for individuals not providing required**
5 **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."

6 SECTION 3. 10.62 (intro.) of the statutes is amended to read:

7 **10.62 Elections Government accountability board; spring primary and**
8 **election.** (intro.) The following subsections set forth, in chronological order, dates
9 relating to the spring primary and election or occurrences during the spring period
10 that affect the ~~elections~~ government accountability board:

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

11 SECTION 4. 10.68 (2) (b) of the statutes is amended to read:

12 10.68 (2) (b) *Friday after 1st Tuesday in January.* 4:30 p.m., on the Friday after
13 the 1st Tuesday in January, or the following Monday if Tuesday is a holiday, is the
14 deadline for candidates for state office or municipal judge to file statements of
15 economic interests with the ~~ethics~~ government accountability board unless the
16 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.

17 SECTION 5. 10.72 (intro.) of the statutes is amended to read:

18 **10.72 Elections Government accountability board; September**
19 **primary and general election.** (intro.) The following subsections set forth, in
20 chronological order, dates relating to the September primary and general election or

1 occurrences during the fall period that affect the elections government
2 accountability board:

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

3 **SECTION 6.** 10.72 (8) (a) 2. of the statutes is amended to read:

4 10.72 (8) (a) 2. Following the canvass, the elections government accountability
5 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.

6 **SECTION 7.** 10.78 (2) (c) of the statutes is amended to read:

7 10.78 (2) (c) *Friday after 2nd Tuesday in July.* 4:30 p.m., on the Friday after
8 the 2nd Tuesday in July, is the deadline for candidates for state office to file
9 statements of economic interests with the ethics government accountability board
10 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.

11 **SECTION 8.** 10.82 (1) (title) of the statutes is amended to read:

12 10.82 (1) (title) ~~ELECTIONS~~ GOVERNMENT ACCOUNTABILITY BOARD

no Scoring

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

13 **SECTION 9.** 15.197 (12) (i) of the statutes is amended to read:

14 15.197 (12) (i) A representative of the ~~council on~~ board for people with
15 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.

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

NOTE: The remainder of s. 15.197 (24) was renumbered to s. 15.207 (24) by 2007 Wis. Act 20.

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

3 16.527 (4) (h) 2. (intro.) Subd. 1. shall not apply if either of the follow following
4 occurs:

NOTE: Corrects spelling.

5 SECTION 12. The treatment of 16.75 (1m) of the statutes by 2007 Wisconsin Act
6 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. 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.

INS 1

7 SECTION 13. 18.06 (8) (ar) 2. (intro.) of the statutes, as created by 2007
8 Wisconsin Act 20, is amended to read:

9 18.06 (8) (ar) 2. (intro.) ~~Subd.~~ 1. shall not apply if either of the follow following
10 occurs:

NOTE: Corrects spelling.

11 SECTION 14. 18.55 (6) (e) 2. (intro.) of the statutes, as created by 2007 Wisconsin
12 Act 20, is amended to read:

13 18.55 (6) (e) 2. (intro.) (Subd.) 1. shall not apply if either of the follow following
14 occurs:

NOTE: Corrects spelling.

Subd. 1.1
Subdivision

changes made 1/2 version

These changes were added after bill had been typed - they need to be added on. /P2 version, not here

1 **SECTION 15.** The treatment of 20.143 (3) (j) of the statutes by 2007 Wisconsin
2 Act 20 is not repealed by 2007 Wisconsin Act 225. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 10-1-09, s. 20.143 (3) (j) reads:

(j) *Safety and building operations.* The amounts in the schedule for the purposes of chs. 101, 145, and 168 and ss. 167.35, 236.12 (2) (a), 236.13 (1) (d) and (2m), and 236.335, for the purpose of transferring the amounts in the schedule under par. (kg) to the appropriation account under par. (kg), and for the purpose of transferring the amounts in the schedule under par. (km) to the appropriation account under par. (km). All moneys received under ch. 145, ss. 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973 (7), 167.35 (2) (f), and 236.12 (7), except moneys received under s. 101.9208 (2m), and all moneys transferred under 2005 Wisconsin Act 45, section 76 (6), shall be credited to this appropriation.

3 **SECTION 16.** The treatment of 20.155 (3) (q) of the statutes by 2007 Wisconsin
4 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.

5 **SECTION 17.** 20.435 (4) (bm) of the statutes, as affected by 2007 Wisconsin Act
6 20, section 386, is amended to read:

7 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
8 *administration; contract costs, insurer reports, and resource centers.* Medical

9 *Assistance, food stamps, and Badger Care administration; contract costs, reports,*
10 *and resource centers.* Biennially, the amounts in the schedule to provide a portion

11 of the state share of administrative contract costs for the Medical Assistance
12 program under subch. IV of ch. 49 and the Badger Care health care program under
13 s. 49.665 and to provide the state share of administrative costs for the food stamp
14 program under s. 49.79, other than payments to counties and tribal governing bodies
15 under s. 49.78 (8), to develop and implement a registry of recipient immunizations,
16 to reimburse 3rd parties for their costs under s. 49.475, for costs associated with

1 outreach activities, and for services of resource centers under s. 46.283. No state
 2 positions may be funded in the department of health and family services from this
 3 appropriation, except positions for the performance of duties under a contract in
 4 effect before January 1, 1987, related to the administration of the Medical Assistance
 5 program between the subunit of the department primarily responsible for
 6 administering the Medical Assistance program and another subunit of the
 7 department. Total administrative funding authorized for the program under s.
 8 49.665 may not exceed 10% of the amounts budgeted under pars. ~~(be)~~, (p), and (x).

NOTE: 2007 Wis. Act 20 repealed s. 20.435 (4) (bc).

9 SECTION 18. 20.435 (4) (bm) of the statutes, as affected by 2007 Wisconsin Act
 10 20, sections 386 and 9121 (6) (a), is amended to read:

11 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
 12 *administration; contract costs, insurer reports, and resource centers.* **Medical**

13 *Assistance, food stamps, and Badger Care administration; contract costs, reports,*
 14 *and resource centers.* Biennially, the amounts in the schedule to provide a portion

15 of the state share of administrative contract costs for the Medical Assistance
 16 program under subch. IV of ch. 49 and the Badger Care health care program under
 17 s. 49.665 and to provide the state share of administrative costs for the food stamp
 18 program under s. 49.79, other than payments to counties and tribal governing bodies
 19 under s. 49.78 (8), to develop and implement a registry of recipient immunizations,
 20 to reimburse 3rd parties for their costs under s. 49.475, for costs associated with
 21 outreach activities, and for services of resource centers under s. 46.283. No state
 22 positions may be funded in the department of health services from this
 23 appropriation, except positions for the performance of duties under a contract in
 24 effect before January 1, 1987, related to the administration of the Medical Assistance

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1 program between the subunit of the department primarily responsible for
2 administering the Medical Assistance program and another subunit of the
3 department. Total administrative funding authorized for the program under s.
4 49.665 may not exceed 10% of the amounts budgeted under pars. ~~(be)~~, (p), and (x).

NOTE: 2007 Wis. Act 20 repealed s. 20.435 (4) (bc).

5 **SECTION 19.** 20.435 (5) (am) of the statutes, as affected by 2007 Wisconsin Act
6 20, is amended to read:

7 20.435 (5) (am) *Services, reimbursement and payment related to human*
8 *immunodeficiency virus.* The amounts in the schedule for the purchase of services
9 under s. 252.12 (2) (a) for individuals with respect to human immunodeficiency virus
10 and related infections, including hepatitis C virus infection, to subsidize premium
11 ~~330~~ payments under ss. 252.16 and 252.17, for grants for the prevention of human
12 immunodeficiency virus infection and related infections, including hepatitis C virus
13 infection, under s. 252.12 (2) (c) 2. and 3., to reimburse or supplement the
14 reimbursement of the cost of AZT, pentamidine and certain other drugs under s.
15 49.686, and to pay for premiums and drug copayments under the pilot program
16 under s. 49.686 (6).

NOTE: The stricken "330" was inserted by 2007 Wis. Act 20 without being
underscored. No change was intended.

17 **SECTION 20.** The treatment of 20.435 (5) ~~(ke)~~ of the statutes by 2007 Wisconsin
18 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 (5) (ke) 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).

1 **SECTION 21.** 20.435 (7) (o) of the statutes, as affected by 2007 Wisconsin Act 20,
2 is amended to read:

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

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

15 **SECTION 22.** 20.437 (1) (o) of the statutes, as created by 2007 Wisconsin Act 20,
16 is amended to read:

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

1 received under 42 USC 1397 to 1397e, in accordance with s. 48.568; for distribution
 2 under s. 48.563. Disbursements from this appropriation may be made directly to
 3 counties for services to children and families under s. 49.32 (2) (b) or 49.325 or
 4 directly to counties in accordance with federal requirements for the dispersal
 5 disbursal of federal funds.

NOTE: Corrects spelling.

INS 2

6 **SECTION 23.** 20.505 (8) (hm) 21. of the statutes, as created by Wisconsin Act 20,
 7 is amended to read:

8 20.505 (8) (hm) 21. The amount transferred to s. 20.435 (3) (kz), 2005 stats.,
 9 shall be \$500,000 in fiscal year 2007-08.

NOTE: Inserts correct cross-reference. Section 20.435 (3) (kz) was renumbered
 20.437 (1) (kz) by 2007 Wis. Act 20, effective 7-1-08.

10 **SECTION 24.** 20.566 (2) (b) of the statutes, as created by 2007 Wisconsin Act 20,
 11 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).

12 **SECTION 25.** 20.566 (3) (gm) of the statutes, as affected by 2007 Wisconsin Act
 13 20, is amended to read:

14 20.566 (3) (gm) *Reciprocity agreement and publications.* The amounts in the
 15 schedule to provide services for the Minnesota income tax reciprocity agreement
 16 under s. 71.10 (7) and for publications except as provided in par. (g) and sub. (2) (~~b~~)
 17 (bm). All moneys received by the department of revenue in return for the provision
 18 of these services shall be credited to this appropriation. Notwithstanding s. 20.001
 19 (3) (a), at the end of the 2006-07 fiscal year, the unencumbered balance of this
 20 appropriation account shall lapse to the general fund.

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.

INS 3

1 **SECTION 26.** 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 27.** 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
22 the position to an executive salary group having a salary range minimum or

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

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

5 **SECTION 28.** 29.179 (4) of the statutes, as affected by 2007 Wisconsin Act 65,
6 section 13, is amended to read:

7 29.179 (4) Notwithstanding ss. 29.164 (3) (cr), 29.177 (5) (b), 29.184 (6) (b), and
8 29.192 (4), a minor who is transferred an approval under this section shall retain all
9 preference points that he or she has previously accumulated for that type of approval.
score comma

NOTE: Inserts missing word and corrects punctuation.

10 **SECTION 29.** 29.194 (title) and (1) (title) of the statutes, as affected by 2007
11 Wisconsin Acts 23 and 51, are amended to read:

12 **29.194 (title) Approvals for students and members of the armed forces,**
13 **~~or~~ reserves, or national guard. (1) (title) CERTAIN RESIDENT LICENSES MAY BE**
14 **ISSUED TO STUDENTS AND MEMBERS OF THE ARMED FORCES, ~~OR~~ RESERVES, OR NATIONAL**
15 **GUARD.**

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

16 **SECTION 30.** 29.194 (1) (b) of the statutes, as affected by 2007 Wisconsin Acts
17 23 and 51, is amended to read:

18 29.194 (1) (b) The department shall treat a qualified member of the armed
19 forces, ~~or~~ a qualified member of a reserve unit of the U.S. armed forces, or a qualified
20 member of the national guard as a resident for purposes of determining the member's
21 eligibility for and cost of obtaining a hunting, trapping, or fishing approval under this
22 chapter. A qualified member of the armed forces is a person who exhibits proof that

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

7 **SECTION 31.** 29.194 (1) (c) of the statutes, as created by 2007 Wisconsin Act 51,
8 is amended to read:

9 29.194 (1) (c) In addition to being able to qualify under par. (b), for purposes
10 of qualifying for a resident hunting or fishing approval, a member of the armed forces
11 not stationed in this state or a member of a reserve unit of the U.S. armed forces not
12 located in this state shall be treated as a resident if the member was a resident at
13 the time he or she entered active service.

NOTE: Inserts missing word.

14 **SECTION 32.** 30.133 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
15 is amended to read:

16 30.133 (1) ~~(a)~~ Beginning on April 9, 1994, and except as provided in s. ~~30.1355~~
17 30.1335, no owner of riparian land that abuts a navigable water may grant by an
18 easement or by a similar conveyance any riparian right in the land to another person,
19 except for the right to cross the land in order to have access to the navigable water.
20 This right to cross the land may not include the right to place any structure or
21 material, including a boat docking facility, as defined in s. 30.1335 (1) (a), in the
22 navigable water.

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 33.** 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 34.** 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. ✓

15 **SECTION 35.** 36.25 (47) of the statutes, as created by 2007 Wisconsin Act 208,
16 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).

17 **SECTION 36.** 36.59 (7) of the statutes, as affected by 2007 Wisconsin Act 20, ✓
18 section 731m, is renumbered 36.59 (7m).

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).

X

1 SECTION 37. 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 38. 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 renumbers 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 39. 40.51 (8) of the statutes, as affected by 2007 Wisconsin Act 36, is
6 amended to read:

7 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
8 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
9 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to
10 (5) (6), 632.895 (5m) and (8) to (15), and 632.896.

NOTE: The stricken language was inserted by 2007 Wis. Act 36 without being shown as underscored and the underscored language was deleted. No change was intended.

11 SECTION 40. The treatment of 43.30 (1b) of the statutes by 2007 Wisconsin Act
12 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:

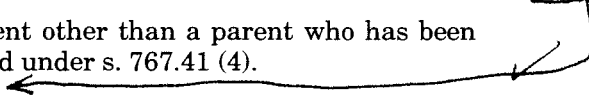
(1b) In this section:

(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).

13 SECTION 41. 46.21 (2m) (c) of the statutes, as affected by 2007 Wisconsin Acts
14 20 and 45, is amended to read:

15 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
16 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), and 253.07

INS
4



1 (3) (c), a subunit of a county department of human services or tribal agency acting
2 under this subsection may exchange confidential information about a client, without
3 the informed consent of the client, with any other subunit of the same county
4 department of human services or tribal agency, with a resource center, a care
5 management organization, or a ~~family~~ long-term care district, with an
6 elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral
7 for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person
8 providing services to the client under a purchase of services contract with the county
9 department of human services or tribal agency or with a resource center, a care
10 management organization, or a ~~family~~ long-term care district, if necessary to enable
11 an employee or service provider to perform his or her duties, or to enable the county
12 department of human services or tribal agency to coordinate the delivery of services
13 to the client. An agency that releases information under this paragraph shall
14 document that a request for information was received and what information was
15 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 42.** 46.215 (1m) of the statutes, as affected by 2007 Wisconsin Acts 20
17 and 45, is amended to read:

18 46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.
19 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
20 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
21 services or tribal agency acting under this section may exchange confidential
22 information about a client, without the informed consent of the client, with any other
23 subunit of the same county department of social services or tribal agency, with a

1 resource center, a care management organization, or a family long-term care
2 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
3 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
4 lg., or with a person providing services to the client under a purchase of services
5 contract with the county department of social services or tribal agency or with a
6 resource center, a care management organization, or a family long-term care
7 district, if necessary to enable an employee or service provider to perform his or her
8 duties, or to enable the county department of social services or tribal agency to
9 coordinate the delivery of services to the client. An agency that releases information
10 under this subsection shall document that a request for information was received
11 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.

12 **SECTION 43.** The treatment of 46.215 (1p) of the statutes by 2007 Wisconsin Act
13 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).

14 **SECTION 44.** The treatment of 46.22 (1) (b) 2. e. of the statutes by 2007
15 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).



1 **SECTION 45.** 46.22 (1) (dm) of the statutes, as affected by 2007 Wisconsin Acts
2 20 and 45, is amended to read:

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



20 **SECTION 46.** The treatment of 46.22 (1) (dp) of the statutes by 2007 Wisconsin
21 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).

1 **SECTION 47.** 46.23 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20
2 and 45, is amended to read:

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

1 **SECTION 48.** The treatment of 46.23 (3) (ed) 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. 46.23 (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).

3 **SECTION 49.** The treatment of 46.261 (2) (a) 2. of the statutes by 2007 Wisconsin
4 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.

5 **SECTION 50.** 46.283 (6) (a) 2. of the statutes, as affected by 2007 Wisconsin Act
6 20, is amended to read:

7 46.283 (6) (a) 2. At least one-fourth of the members of the governing board shall
8 be individuals who belong to a client group served by the resource center or their
9 family members, guardians, or other advocates. The proportion of these board
10 members who belong to each client group, or their family members, guardians, or
11 advocates, shall be the same, respectively, as the proportion of individuals in this
12 state who receive services under s. 46.2805 to 46.2895 and belong to each client
13 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.



1 **SECTION 51.** 46.2895 (13) of the statutes, as affected by 2007 Wisconsin Act 20,
2 is amended to read:

3 46.2895 (13) DISSOLUTION. Subject to the performance of the contractual
4 obligations of a long-term care district and if first approved by the secretary of the
5 department, the long-term care district may be dissolved by the joint action of the
6 long-term care district board and each county or tribe or band that created the
7 long-term care district and has not withdrawn or been removed from the district
8 under sub. (14). If ~~the~~ a long-term care district that is created by one county or tribe
9 or band is dissolved, the property of the district shall be transferred to the county or
10 tribe or band that created it. If a long-term care district is created by more than one
11 county or tribe or band, all of the counties or tribes or bands that created the district
12 and that have not withdrawn or been removed from the district under sub. (14) shall
13 agree on the apportioning of the long-term care district's property before the district
14 may be dissolved. If the long-term care district operates a care management
15 organization under s. 46.284, disposition of any remaining funds in the risk reserve
16 under s. 46.284 (5) (e) shall be made under the terms of the district's contract with
17 the department.

NOTE: Deletes unnecessary word.

INS
5

18 **SECTION 52.** 48.47 (7g) of the statutes, as affected by 2007 Wisconsin Act 20,
19 section 809, and 2007 Wisconsin Act 96, section 30, is amended to read:

20 48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Establish
21 a statewide automated child welfare information system. Notwithstanding ss.
22 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,
23 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and
24 (2), and 938.78 (2) (a), the department may enter the content of any record kept or

1 information received by the department into the statewide automated child welfare
 2 information system, and a county department under s. 46.215, 46.22, or 46.23, the
 3 department, or any other organization that has entered into an information sharing
 4 and access agreement with the department or any of those county departments and
 5 that has been approved for access to the statewide automated child welfare
 6 information system by the department may have access to information that is
 7 maintained in that system, if necessary to enable the county department,
 8 department, or organization to perform its duties under this chapter, ch. 46, 51, 55,
 9 or 938, or 42 USC 670 to 679b ~~to~~ or to coordinate the delivery of services under this
 10 chapter, ch. 46, 51, 55, or 938, or 42 USC 670 to 679b.

NOTE: Deletes unnecessary word.

INS
6

11 **SECTION 53.** 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.

INS
7

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 54.** 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,
 18 unless the voluntary termination was a result of the incapacitation of the subscriber
 19 or because ~~on~~ of an immediate family member's health condition.

NOTE: Inserts correct word.

A
(from pp. 59-60)

1 **SECTION 55.** The treatment of 49.855 (3) of the statutes by 2007 Wisconsin Act
2 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).

3 **SECTION 56.** The treatment of 49.855 (4m) (b) 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. 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 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 57.** 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.

INS
8

3 **SECTION 58.** 51.42 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20
4 and 45, is amended to read:

5 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
6 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3)
7 (c), and 938.78 (2) (a), any subunit of a county department of community programs
8 or tribal agency acting under this section may exchange confidential information
9 about a client, without the informed consent of the client, with any other subunit of
10 the same county department of community programs or tribal agency, with a
11 resource center, a care management organization, or a family long-term care
12 district, or with any person providing services to the client under a purchase of
13 services contract with the county department of community programs or tribal
14 agency or with a resource center, care management organization, or family
15 long-term care district, if necessary to enable an employee or service provider to
16 perform his or her duties, or to enable the county department of community
17 programs or tribal agency to coordinate the delivery of services to the client. Any

1 agency releasing information under this paragraph shall document that a request
2 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.

3 **SECTION 59.** 51.437 (4r) (b) of the statutes, as affected by 2007 Wisconsin Acts
4 20 and 45, is amended to read:

5 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
6 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),
7 any subunit of a county department of developmental disabilities services or tribal
8 agency acting under this section may exchange confidential information about a
9 client, without the informed consent of the client, with any other subunit of the same
10 county department of developmental disabilities services or tribal agency, with a
11 resource center, a care management organization, or a ~~family~~ long-term care
12 district, or with any person providing services to the client under a purchase of
13 services contract with the county department of developmental disabilities services
14 or tribal agency or with a resource center, a care management organization, or a
15 family long-term care district, if necessary to enable an employee or service provider
16 to perform his or her duties, or to enable the county department of developmental
17 disabilities services or tribal agency to coordinate the delivery of services to the
18 client. Any agency releasing information under this paragraph shall document that
19 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.

and

1 SECTION 60. 51.437 (14r) (title), (a) (intro.), 1.67. and (b) and (c) of the statutes
2 are amended to read:

3 51.437 (14r) (title) DUTIES OF THE COUNCIL ON BOARD FOR PEOPLE WITH
4 DEVELOPMENTAL DISABILITIES. (a) (intro.) The council on board for people with
5 developmental disabilities shall:

6 1. Designate appropriate state or local agencies for the administration of
7 programs and fiscal resources made available to the council on board for people with
8 developmental disabilities under federal legislation affecting the delivery of services
9 to the developmentally disabled.

10 7. Notify the governor regarding membership requirements of the council
11 board and if vacancies on the council board remain unfilled for a significant period
12 of time.

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

15 (c) The council on board for people with developmental disabilities may or, if
16 requested by the governor, shall coordinate recommendations of the council board
17 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.

18 SECTION 61. 51.62 (2) (a) 2. of the statutes is amended to read:

19 51.62 (2) (a) 2. The council on board for people with developmental disabilities
20 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.

INS
9

1 **SECTION 62.** 51.62 (2) (b) 2. a. of the statutes is amended to read:

2 51.62 (2) (b) 2. a. The ~~council on~~ board for people with developmental
3 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 the department of health and family services to be the "board for people with developmental disabilities" attached to the department of administration.

4 **SECTION 63.** The treatment of 55.10 (4) (a) of the statutes by 2007 Wisconsin
5 Act 20 is not repealed by 2007 Wisconsin Act 45. Both treatments stand.

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.

6 **SECTION 64.** 55.135 (1) of the statutes, as affected by 2007 Wisconsin Acts 20
7 and 45, is amended to read:

8 55.135 (1) If, from personal observation of, or a reliable report made by a person
9 who identifies himself or herself to, a sheriff, police officer, fire fighter, guardian, if
10 any, or authorized representative of a county department or an agency with which
11 it contracts under s. 55.02 (2), it appears probable that an individual is so totally
12 incapable of providing for his or her own care or custody as to create a substantial
13 risk of serious physical harm to himself or herself or others as a result of
14 developmental disability, degenerative brain disorder, serious and persistent mental
15 illness, or other like incapacities if not immediately placed, the individual who

1 personally made the observation or to whom the report is made may take into custody
2 and transport the individual to an appropriate medical or protective placement
3 facility. The person making emergency protective placement shall prepare a
4 statement at the time of detention providing specific factual information concerning
5 the person's observations or reports made to the person and the basis for emergency
6 placement. The statement shall be filed with the director of the facility and with any
7 petition under s. 55.075. At the time of emergency protective placement the
8 individual shall be informed by the director of the facility or the director's designee,
9 orally and in writing, of his or her right to contact an attorney and a member of his
10 or her immediate family and the right to have an attorney provided at public
11 expense, as provided under s. ~~967.06 and ch. 977~~, if the individual is a minor or is
12 indigent 55.105. The director or designee shall also provide the individual with a
13 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.

14 **SECTION 65.** 55.14 (7) of the statutes, as affected by 2007 Wisconsin Acts 20 and
15 45, is amended to read:

16 55.14 (7) Upon the filing of a petition under this section, the court shall ~~appoint~~
17 make a referral for appointment of legal counsel as required provided under s. 55.10
18 (4) ~~(a)~~ 55.105. A petition under this section shall be heard within 30 days after it is
19 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.



1 **SECTION 66.** 66.0137 (4) of the statutes, as affected by 2007 Wisconsin Act 36,
2 is amended to read:

3 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
4 a village provides health care benefits under its home rule power, or if a town
5 provides health care benefits, to its officers and employees on a self-insured basis,
6 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
7 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) ~~and,~~
8 (5), and (6), 632.895 (9) to (15), 632.896, and ~~767.25 (4m) (d) 767.513 (4)~~.

NOTE: The stricken language was inserted by 2007 Wis. Act 36 without being shown as underscored and the underscored language was deleted. No change was intended.



9 **SECTION 67.** The treatment of 66.0230 (1) (a) of the statutes by 2007 Wisconsin
10 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.



11 **SECTION 68.** The treatment of 66.0301 (1) (a) of the statutes by 2007 Wisconsin
12 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. 66.0301 (1) (a) reads:

(a) Except as provided in pars. (b) and (c), in this section "municipality" means the state or any department or agency thereof, or any city, village, town, county, school district, public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, solid waste management system created under s. 59.70 (2), local exposition district created under subch. II of ch. 229, local professional baseball park district created under subch. III of ch. 229, local professional football stadium district created under subch. IV of ch. 229, a local cultural arts district created under subch. V of ch. 229, long-term care district under s. 46.2895, water utility district, mosquito control district, municipal electric company, county or city transit commission, commission created by contract under this section, taxation district, regional planning commission, or city-county health department.

1 **SECTION 69.** 66.0420 (2) (a) of the statutes, as created by 2007 Wisconsin Act
2 42, is amended to read:

3 66.0420 (2) (a) "Affiliate²," when used in relation to any person, means another
4 person who owns or controls, is owned or controlled by, or is under common
5 ownership or control with such person.

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

6 **SECTION 70.** 66.0617 (9) (a) of the statutes, as affected by 2007 Wisconsin Acts
7 44 and 96, is amended to read:

8 66.0617 (9) (a) Subject to~~r~~ pars. (b), (c), and (d), and with regard to an impact
9 fee that is collected after April 10, 2006, an ordinance enacted under this section shall
10 specify that impact fees that are collected by a municipality within 7 years of the
11 effective date of the ordinance, but are not used within 10 years after the effective
12 date of the ordinance to pay the capital costs for which they were imposed, shall be
13 refunded to the current owner of the property with respect to which the impact fees
14 were imposed, along with any interest that has accumulated, as described in sub. (8).
15 The ordinance shall specify, by type of public facility, reasonable time periods within
16 which impact fees must be spent or refunded under this subsection, subject to the
17 10-year limit in this paragraph and the extended time period specified in par. (b).
18 In determining the length of the time periods under the ordinance, a municipality
19 shall consider what are appropriate planning and financing periods for the
20 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.

21 **SECTION 71.** The treatment of 66.0617 (9) (b) of the statutes by 2007 Wisconsin
22 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.

1 **SECTION 72.** 67.12 (12) (a) of the statutes, as affected by 2007 Wisconsin Acts
2 115 and 188, is amended to read:

3 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
4 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
5 limited to paying any general and current municipal expense, and refunding any
6 municipal obligations, including interest on them. Each note, plus interest if any,
7 shall be repaid within 10 years after the original date of the note, except that notes
8 issued under this section for purposes of ss. 119.498, 145.245 (12m), 281.58, 281.59,
9 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of the capital costs
10 of a metropolitan sewerage district, or issued by a county having a population of
11 500,000 or more to pay unfunded prior service liability with respect to an employee
12 retirement system shall be repaid within 20 years after the original date of the note.

NOTE: Inserts necessary comma.

13 **SECTION 73.** The treatment of 71.05 (6) (a) 15. of the statutes by 2007 Wisconsin
14 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, s. 71.05 (6) (a) 15. reads:

15 15. The amount of the credits computed under s. 71.07 (2dd), (2de), (2di), (2dj),
16 (2dL), (2dm), (2dr), (2ds), (2dx), (3g), (3h), (3n), (3p), (3s), (3t), (3w), (5e), (5f), (5h), (5i),
(5j), and (5k) and not passed through by a partnership, limited liability company, or
tax-option corporation that has added that amount to the partnership's, company's, or
tax-option corporation's income under s. 71.21 (4) or 71.34 (1) (g).

15 **SECTION 74.** The treatment of 71.07 (3w) (a) 6. of the statutes by 2007 Wisconsin
16 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

This change was added after bill had been typed - needs to be added on /P2 version, not here.

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.

1 SECTION 75. The treatment of 71.08 (1) (intro.) of the statutes by 2007
2 Wisconsin 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, s. 71.08 (1) (intro.) reads:

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

3 SECTION 76. The treatment of 71.28 (3w) (a) 6. of the statutes by 2007 Wisconsin
4 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.

5 SECTION 77. The treatment of 71.47 (3w) (a) 6. of the statutes by 2007 Wisconsin
6 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 payroll" does not include the amount of wages paid to any full-time employees that exceeds \$100,000.

7 SECTION 78. 73.03 (2a) of the statutes, as affected by 2007 Wisconsin Acts 20
8 and 86, is amended to read:

9 73.03 (2a) To prepare and publish, in electronic form and on the Internet,
10 assessment manuals. The manual shall discuss and illustrate accepted assessment

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1 methods, techniques and practices with a view to more nearly uniform and more
2 consistent assessments of property at the local level. The manual shall be amended
3 by the department from time to time to reflect advances in the science of assessment,
4 court decisions concerning assessment practices, costs, and statistical and other
5 information considered valuable to local assessors by the department. The manual
6 shall incorporate standards for the assessment of all types of renewable energy
7 resource systems used in this state as soon as such systems are used in sufficient
8 numbers and sufficient data exists to allow the formulation of valid guidelines. The
9 manual shall incorporate standards, which the department of revenue and the state
10 historical society of Wisconsin shall develop, for the assessment of nonhistoric
11 property in historic districts and for the assessment of historic property, including
12 but not limited to property that is being preserved or restored; property that is
13 subject to a protective easement, covenant or other restriction for historic
14 preservation purposes; property that is listed in the national register of historic
15 places in Wisconsin or in this state's register of historic places and property that is
16 designated as a historic landmark and is subject to restrictions imposed by a
17 municipality or by a landmarks commission. The manual shall incorporate general
18 guidelines about ways to determine whether property is taxable in part under s.
19 70.1105 and examples of the ways that s. 70.1105 applies in specific situations. The
20 manual shall state that assessors are required to comply with s. 70.32 (1g) and shall
21 suggest procedures for doing so. The manual or a supplement to it shall specify per
22 acre value guidelines for each municipality for various categories of agricultural land
23 based on the income that could be generated from its estimated rental for
24 agricultural use, as defined by rule, and capitalization rates established by rule. The
25 manual shall include guidelines for classifying land as agricultural land, as defined

1 in s. 70.32 (2) (c) 1g., and guidelines for distinguishing between land and
 2 improvements to land. The manual shall specify the evidence to be exchanged under
 3 s. 70.47 (7) (c) and (16) (c). The cost of the development, preparation, and Internet
 4 publication of the manual and of revisions and amendments to it shall be paid from
 5 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.

6 **SECTION 79.** The treatment of 76.636 (1) (e) of the statutes by 2007 Wisconsin
 7 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.
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.

8 **SECTION 80.** 76.636 (1) (e) 3. of the statutes, as affected by 2007 Wisconsin Act
 9 20, section 2162, and 2007 Wisconsin Act 97, section 98, is amended to read:

10 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
 11 (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. ✓

1 **SECTION 81.** 77.92 (4) of the statutes, as affected by 2007 Wisconsin Act 20, is
2 amended to read:

3 77.92 (4) "Net business income," with respect to a partnership, means taxable
4 income as calculated under section 703 of the Internal Revenue Code; plus the items
5 of income and gain under section 702 of the Internal Revenue Code, including taxable
6 state and municipal bond interest and excluding nontaxable interest income or
7 dividend income from federal government obligations; minus the items of loss and
8 deduction under section 702 of the Internal Revenue Code, except items that are not
9 deductible under s. 71.21; plus guaranteed payments to partners under section 707
10 (c) of the Internal Revenue Code; plus the credits claimed under s. 71.07 (2dd), (2de),
11 (2di), (2dj), (2dL), (2dm), (2dr), (2ds), (2dx), (3g), (3h), (~~3s~~), (3n), (3p), (3s), (3t), (3w),
12 (5e), (5f), (5g), (5h), (5i), (5j), and (5k); and plus or minus, as appropriate, transitional
13 adjustments, depreciation differences, and basis differences under s. 71.05 (13), (15),
14 (16), (17), and (19); but excluding income, gain, loss, and deductions from farming.
15 "Net business income," with respect to a natural person, estate, or trust, means profit
16 from a trade or business for federal income tax purposes and includes net income
17 derived as an employee as defined in section 3121 (d) (3) of the Internal Revenue
18 Code.

NOTE: Places cross-references in sequential order consistent with current style. ✓

19 **SECTION 82.** The treatment of 79.04 (2) (a) of the statutes by 2007 Wisconsin
20 Act 19 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. 79.04 (2) (a) reads:

(a) Annually, except for production plants that begin operation after December 31, 2003, or begin operation as a repowered production plant after December 31, 2003, and except as provided in sub. (4m), the department of administration, upon certification by

the department of revenue, shall distribute from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats., to any county having within its boundaries a production plant, general structure, or substation, used by a light, heat or power company assessed under s. 76.28 (2) or 76.29 (2), except property described in s. 66.0813 unless the production plant or substation is owned or operated by a local governmental unit that is located outside of the municipality in which the production plant or substation is located, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825 an amount determined by multiplying by 6 mills in the case of property in a town and by 3 mills in the case of property in a city or village the first \$125,000,000 of the amount shown in the account, plus leased property, of each public utility except qualified wholesale electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding year for "production plant, exclusive of land," "general structures," and "substations," in the case of light, heat and power companies, electric cooperatives or municipal electric companies, for all property within the municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and less the value of treatment plant and pollution abatement equipment, as defined under s. 70.11 (21), as determined by the department of revenue plus an amount from the shared revenue account or, for the distribution in 2003, from the appropriation under s. 20.835 (1) (t), 2003 stats., determined by multiplying by 6 mills in the case of property in a town, and 3 mills in the case of property in a city or village, of the total original cost of production plant, general structures, and substations less depreciation, land and approved waste treatment facilities of each qualified wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property within the municipality. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$125,000,000. The amount distributable to a county under this subsection and sub. (6) in any year shall not exceed \$100 times the population of the county, increased annually by \$25 per person beginning in 2009.



1 **SECTION 83.** 79.10 (7m) (a) 1. and 2. and (b) 1. and 2. of the statutes, as affected
2 by 2007 Wisconsin Act 190, are amended to read:

3 79.10 **(7m)** (a) 1. Except as provided in par. (e) **(cm)**, the amount determined
4 under sub. (4) shall be distributed by the department of administration to the
5 counties on the 4th Monday in July.

6 2. Except as provided in par. (e) **(cm)**, the county treasurer shall settle for the
7 amounts distributed under this paragraph on the 4th Monday in July with each
8 municipality and taxing jurisdiction in the county not later than August 20. Failure
9 to settle timely under this subdivision subjects the county treasurer to the penalties
10 under s. 74.31.

1 (b) 1. Except as provided in par. (e) (cm), the amount determined under sub. (5)
2 with respect to claims filed for which the municipality has furnished notice under
3 sub. (1m) by March 1 shall be distributed from the appropriation under s. 20.835 (3)
4 (q) by the department of administration to the county in which the municipality is
5 located on the 4th Monday in March.

6 2. Except as provided in par. (e) (cm), the county treasurer shall settle for the
7 amounts distributed on the 4th Monday in March under this paragraph with each
8 taxation district and each taxing jurisdiction within the taxation district not later
9 than April 15. Failure to settle timely under this subdivision subjects the county
10 treasurer to the penalties under s. 74.31.

NOTE: Section 79.10 (7m) (c), as created by 2007 Wis. Act 190, is renumbered to s.
79.10 (7m) (cm) by this bill.

11 **SECTION 84.** 79.10 (7m) (c) of the statutes, as created by 2007 Wisconsin Act
12 190, 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).

13 **SECTION 85.** 84.1023 of the statutes, as created by 2007 Wisconsin Act 163, is
14 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.

15 **SECTION 86.** 84.1024 of the statutes, as created by 2007 Wisconsin Act 161, is
16 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.

17 **SECTION 87.** 100.55 of the statutes, as created by 2007 Wisconsin Act 176, is
18 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.

1 **SECTION 88.** The treatment of 101.02 (20) (a) of the statutes by 2007 Wisconsin
2 Act 63 is not repealed by 2007 Wisconsin Act 203. Both treatments stand. ✓

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 101.02 (20) (a) reads:

(a) For purposes of this subsection, "license" means a license, permit or certificate of certification or registration issued by the department under ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m). ✓

3 **SECTION 89.** The treatment of 101.02 (21) (a) of the statutes by 2007 Wisconsin
4 Act 63 is not repealed by 2007 Wisconsin Act 203. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 101.02 (21) (a) reads:

(a) In this subsection, "license" means a license, permit or certificate of certification or registration issued by the department under s. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10 (6m). ✓

5 **SECTION 90.** 101.16 (3r) (f) and (g) of the statutes, as created by 2007 Wisconsin
6 Act 203, are amended to read:

7 101.16 (3r) (f) A 3rd party that issues a surety bond, a letter of credit, or general
8 liability insurance to a retail supplier for purposes of this subsection shall provide
9 written notice to the retail supplier and to the department at least 60 days before
10 canceling, revoking, suspending, or failing to renew the bond, letter, or insurance.

11 (g) A retail supplier that cancels or fails to renew a surety bond, a letter of
12 credit, or general liability insurance shall notify the department at least 60 days
13 before cancelling or failing to renew the bond, letter, or insurance. Upon receipt of
14 the notice, the department shall revoke the retail supplier's license issued under sub.
15 (3g).

NOTE: Inserts articles for proper sentence agreement.