



(SOON)
State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0590/PD P2
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Insert

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.

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.

Confirms renumbering by the legislative reference bureau under s. 13.92 (1)(b) 2.

✓

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.

7 **SECTION 13.** 16.848 (2) (gc) of the statutes, as created by 2007 Wisconsin Act
8 20, is amended to read:

9 16.848 (2) (gc) Subsection (1) does not apply to property that is subject to sale
10 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.

11 **SECTION 14.** 16.9645 (1) (b) of the statutes, as created by 2007 Wisconsin Act
12 79, is amended to read:

13 16.9645 (1) (b) "Dispatch center" has the meaning given for "public safety
14 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.

1 SECTION 15. 16.9645 (1) (d) of the statutes, as created by 2007 Wisconsin Act
2 79, is amended to read:

3 (gm) (gm) 16.9645 (1) (d) "Public safety agency" has the meaning given in s. 146.70 256.35
4 (1) (g) PLAIN

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

5 SECTION 16. 18.06 (8) (ar) 2. (intro.) of the statutes, as created by 2007
6 Wisconsin Act 20, is amended to read: strike

7 18.06 (8) (ar) 2. (intro.) Subd. 1. shall not apply if either of the follow following
8 occurs: Subdivision

NOTE: Corrects spelling and citation form

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

9 SECTION 17. 18.55 (6) (e) 2. (intro.) of the statutes, as created by 2007 Wisconsin
10 Act 20, is amended to read:

11 18.55 (6) (e) 2. (intro.) Subd. 1. shall not apply if either of the follow following
12 occurs: Subdivision PLAIN

s. 146.70 (1) (gm) in the 2007-08 statutes.

NOTE: Corrects spelling.

13 SECTION 18. The treatment of 20.143 (3) (j) of the statutes by 2007 Wisconsin
14 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.

15 SECTION 19. The treatment of 20.155 (3) (q) of the statutes by 2007 Wisconsin
16 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.

1 **SECTION 20.** 20.435 (4) (bm) of the statutes, as affected by 2007 Wisconsin Act
2 20, section 386, is amended to read:

3 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
4 *administration; contract costs, insurer reports, and resource centers.* Biennially, the
5 amounts in the schedule to provide a portion of the state share of administrative
6 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the
7 Badger Care health care program under s. 49.665 and to provide the state share of
8 administrative costs for the food stamp program under s. 49.79, other than payments
9 to counties and tribal governing bodies under s. 49.78 (8), to develop and implement
10 a registry of recipient immunizations, to reimburse 3rd parties for their costs under
11 s. 49.475, for costs associated with outreach activities, and for services of resource
12 centers under s. 46.283. No state positions may be funded in the department of
13 health and family services from this appropriation, except positions for the
14 performance of duties under a contract in effect before January 1, 1987, related to
15 the administration of the Medical Assistance program between the subunit of the
16 department primarily responsible for administering the Medical Assistance
17 program and another subunit of the department. Total administrative funding
18 authorized for the program under s. 49.665 may not exceed 10% of the amounts
19 budgeted under pars. ~~(bc)~~, (p), and (x). ✓

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

20 **SECTION 21.** 20.435 (4) (bm) of the statutes, as affected by 2007 Wisconsin Act
21 20, sections 386 and 9121 (6) (a), is amended to read:

1 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
2 *administration; contract costs, insurer reports, and resource centers.* Biennially, the
3 amounts in the schedule to provide a portion of the state share of administrative
4 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the
5 Badger Care health care program under s. 49.665 and to provide the state share of
6 administrative costs for the food stamp program under s. 49.79, other than payments
7 to counties and tribal governing bodies under s. 49.78 (8), to develop and implement
8 a registry of recipient immunizations, to reimburse 3rd parties for their costs under
9 s. 49.475, for costs associated with outreach activities, and for services of resource
10 centers under s. 46.283. No state positions may be funded in the department of
11 health services from this appropriation, except positions for the performance of
12 duties under a contract in effect before January 1, 1987, related to the administration
13 of the Medical Assistance program between the subunit of the department primarily
14 responsible for administering the Medical Assistance program and another subunit
15 of the department. Total administrative funding authorized for the program under
16 s. 49.665 may not exceed 10% of the amounts budgeted under pars. ~~(bc)~~, (p), and (x).

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

17 **SECTION 22.** 20.435 (5) (am) of the statutes, as affected by 2007 Wisconsin Act
18 20, is amended to read:

19 20.435 (5) (am) *Services, reimbursement and payment related to human*
20 *immunodeficiency virus.* The amounts in the schedule for the purchase of services
21 under s. 252.12 (2) (a) for individuals with respect to human immunodeficiency virus
22 and related infections, including hepatitis C virus infection, to subsidize premium
23 ~~330~~ payments under ss. 252.16 and 252.17, for grants for the prevention of human
24 immunodeficiency virus infection and related infections, including hepatitis C virus

1 infection, under s. 252.12 (2) (c) 2. and 3., to reimburse or supplement the
2 reimbursement of the cost of AZT, pentamidine and certain other drugs under s.
3 49.686, and to pay for premiums and drug copayments under the pilot program
4 under s. 49.686 (6).

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

5 **SECTION 23.** The treatment of 20.435 (5) (ke) of the statutes by 2007 Wisconsin
6 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).

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

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

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

3 20.437 (1) (o) *Federal aid; children and family aids.* All federal moneys
4 received in amounts pursuant to allocation plans developed by the department for
5 the provision or purchase of services authorized under par. (b); all federal moneys
6 received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985;
7 all federal temporary assistance for needy families moneys received under 42 USC
8 601 to 619 that are authorized to be used to purchase or provide social services under
9 42 USC 1397 to 1397e; all unanticipated federal social services block grant funds
10 received under 42 USC 1397 to 1397e, in accordance with s. 48.568; for distribution
11 under s. 48.563. Disbursements from this appropriation may be made directly to
12 counties for services to children and families under s. 49.32 (2) (b) or 49.325 or
13 directly to counties in accordance with federal requirements for the ~~dispersal~~
14 disbursal of federal funds.

NOTE: Corrects spelling.

15 **SECTION 26.** 20.445 (1) (cr) of the statutes, as affected by 2007 Wisconsin Act
16 20, is amended to read:

17 20.445 (1) (cr) *State supplement to employment opportunity demonstration*
18 *projects.* The amounts in the schedule for the purpose of providing state funds to
19 supplement, on a one-to-one matching basis, federal employment opportunity
20 demonstration project funds received under 42 USC 1315 or from other federal or
21 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.

1 **SECTION 27.** 20.505 (8) (hm) 21. of the statutes, as created by Wisconsin Act 20,
2 is amended to read:

3 20.505 (8) (hm) 21. The amount transferred to s. 20.435 (3) (kz), 2005 stats.,
4 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.

5 **SECTION 28.** 20.566 (2) (b) of the statutes, as created by 2007 Wisconsin Act 20,
6 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).

7 **SECTION 29.** 20.566 (3) (gm) of the statutes, as affected by 2007 Wisconsin Act
8 20, is amended to read:

9 20.566 (3) (gm) *Reciprocity agreement and publications.* The amounts in the
10 schedule to provide services for the Minnesota income tax reciprocity agreement
11 under s. 71.10 (7) and for publications except as provided in par. (g) and sub. (2) (~~b~~)
12 (bm). All moneys received by the department of revenue in return for the provision
13 of these services shall be credited to this appropriation. Notwithstanding s. 20.001
14 (3) (a), at the end of the 2006-07 fiscal year, the unencumbered balance of this
15 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.

16 **SECTION 30.** 20.866 (2) (uup) of the statutes, as affected by 2007 Wisconsin Act
17 20, is amended to read:

18 20.866 (2) (uup) *Transportation; Marquette interchange and I 94 north-south*
19 *corridor reconstruction projects.* From the capital improvement fund, a sum
20 sufficient for the department of transportation to fund the Marquette interchange
21 reconstruction project under s. 84.014, as provided under s. 84.555, and the

1 reconstruction of the I 94 north-south corridor, as provided under s. 84.555 (1m) ~~(a)~~.
2 The state may contract public debt in an amount not to exceed \$303,300,000 for these
3 purposes.

NOTE: Section 84.555 (1m) (a) was renumbered 84.555 (1m) by 2007 Wis. Act 100.

4 **SECTION 31.** The treatment of 20.907 (5) (e) 6. of the statutes by 2007 Wisconsin
5 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.

6 **SECTION 32.** 20.923 (4) (intro.) of the statutes is amended to read:

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

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

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

8 **SECTION 33.** 29.179 (4) of the statutes, as affected by 2007 Wisconsin Act 65,
9 section 13, is amended to read:

10 29.179 (4) Notwithstanding ss. 29.164 (3) (cr), 29.177 (5) (b), 29.184 (6) (b), and
11 29.192 (4), a minor who is transferred an approval under this section shall retain all
12 preference points that he or she has previously accumulated for that type of approval.

NOTE: Inserts missing word and corrects punctuation.

13 **SECTION 34.** 29.194 (title) and (1) (title) of the statutes, as affected by 2007
14 Wisconsin Acts 23 and 51, are amended to read:

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

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

19 **SECTION 35.** 29.194 (1) (b) of the statutes, as affected by 2007 Wisconsin Acts
20 23 and 51, is amended to read:

1 29.194 (1) (b) The department shall treat a qualified member of the armed
2 forces, ~~or~~ a qualified member of a reserve unit of the U.S. armed forces, or a qualified
3 member of the national guard as a resident for purposes of determining the member's
4 eligibility for and cost of obtaining a hunting, trapping, or fishing approval under this
5 chapter. A qualified member of the armed forces is a person who exhibits proof that
6 he or she is in active service in the U.S. armed forces or in forces incorporated in the
7 U.S. armed forces and that he or she is stationed in this state. A qualified member
8 of a reserve unit of the U.S. armed forces is a person who exhibits proof that he or
9 she is a member of a reserve unit of the U.S. armed forces located in this state. A
10 qualified member of the national guard is a person who exhibits proof that he or she
11 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.

12 **SECTION 36.** 29.194 (1) (c) of the statutes, as created by 2007 Wisconsin Act 51,
13 is amended to read:

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

NOTE: Inserts missing word.

19 **SECTION 37.** 30.133 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
20 is amended to read:

21 30.133 (1) (~~a~~) Beginning on April 9, 1994, and except as provided in s. ~~30.1355~~
22 30.1335, no owner of riparian land that abuts a navigable water may grant by an
23 easement or by a similar conveyance any riparian right in the land to another person,

1 except for the right to cross the land in order to have access to the navigable water.
2 This right to cross the land may not include the right to place any structure or
3 material, including a boat docking facility, as defined in s. 30.1335 (1) (a), in the
4 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.

5 **SECTION 38.** 30.1335 (3) (b) of the statutes, as created by 2007 Wisconsin Act
6 20, is amended to read:

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

NOTE: Inserts missing word.

13 **SECTION 39.** 30.625 (1) (a) of the statutes is amended to read:

14 30.625 (1) (a) Rent or lease a motorboat for operation by a person who will be
15 operating a motorboat for the first time in each calendar year and who does not hold
16 a valid certificate issued under s. 30.74 (1) unless the person engaged in the rental
17 or leasing gives the person instruction on how to operate a ~~t~~ motorboat in the manner
18 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.*

19 **SECTION 40.** 36.25 (47) of the statutes, as created by 2007 Wisconsin Act 208,
20 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).

1 **SECTION 41.** 36.59 (7) of the statutes, as affected by 2007 Wisconsin Act 20,
2 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).

3 **SECTION 42.** 40.08 (1r) of the statutes, as affected by 2007 Wisconsin Act 131,
4 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.

5 **SECTION 43.** 40.08 (1u) (title) of the statutes is created to read:

6 **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).

7 **SECTION 44.** 40.51 (8) of the statutes, as affected by 2007 Wisconsin Act 36, is
8 amended to read:

9 **40.51 (8)** Every health care coverage plan offered by the state under sub. (6)
10 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
11 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to
12 ~~(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.

13 **SECTION 45.** The treatment of 43.30 (1b) of the statutes by 2007 Wisconsin Act
14 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).

1 **SECTION 46.** 46.03 (38) of the statutes, as created by 2007 Wisconsin Act 104,
2 is amended to read:

3 **46.03 (38) AUTOMATIC EXTERNAL DEFIBRILLATOR INSTRUCTION.** Approve
4 individuals, organizations, or institutions of higher education to provide instruction
5 in the use of an automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1)
6 (cr), for persons who are required as a condition of licensure, certification, or
7 registration to have current proficiency in the use of an automatic external
8 defibrillator.

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

9 **SECTION 47.** 46.21 (2m) (c) of the statutes, as affected by 2007 Wisconsin Acts
10 20 and 45, is amended to read:

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

1 department of human services or tribal agency to coordinate the delivery of services
2 to the client. An agency that releases information under this paragraph shall
3 document that a request for information was received and what information was
4 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.

5 **SECTION 48.** 46.215 (1m) of the statutes, as affected by 2007 Wisconsin Acts 20
6 and 45, is amended to read:

7 46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.
8 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
9 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
10 services or tribal agency acting under this section may exchange confidential
11 information about a client, without the informed consent of the client, with any other
12 subunit of the same county department of social services or tribal agency, with a
13 resource center, a care management organization, or a family long-term care
14 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
15 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)
16 lg., or with a person providing services to the client under a purchase of services
17 contract with the county department of social services or tribal agency or with a
18 resource center, a care management organization, or a family long-term care
19 district, if necessary to enable an employee or service provider to perform his or her
20 duties, or to enable the county department of social services or tribal agency to
21 coordinate the delivery of services to the client. An agency that releases information
22 under this subsection shall document that a request for information was received
23 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 49.** The treatment of 46.215 (1p) 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. 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).

3 **SECTION 50.** The treatment of 46.22 (1) (b) 2. e. of the statutes by 2007
4 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).

5 **SECTION 51.** 46.22 (1) (dm) of the statutes, as affected by 2007 Wisconsin Acts
6 20 and 45, is amended to read:

7 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
8 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
9 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
10 services or tribal agency acting under this subsection may exchange confidential
11 information about a client, without the informed consent of the client, with any other
12 subunit of the same county department of social services or tribal agency, with a
13 resource center, a care management organization, or a family long-term care
14 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency
15 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)

1 lg., or with a person providing services to the client under a purchase of services
2 contract with the county department of social services or tribal agency or with a
3 resource center, a care management organization, or a ~~family~~ long-term care
4 district, if necessary to enable an employee or service provider to perform his or her
5 duties, or to enable the county department of social services or tribal agency to
6 coordinate the delivery of services to the client. An agency that releases information
7 under this paragraph shall document that a request for information was received
8 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.

9 **SECTION 52.** The treatment of 46.22 (1) (dp) of the statutes by 2007 Wisconsin
10 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).

11 **SECTION 53.** 46.23 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20
12 and 45, is amended to read:

13 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.
14 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
15 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of
16 human services or tribal agency acting under this section may exchange confidential
17 information about a client, without the informed consent of the client, with any other
18 subunit of the same county department of human 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 human 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 human services or tribal agency to
9 coordinate the delivery of services to the client. An agency that releases information
10 under this paragraph 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 54.** The treatment of 46.23 (3) (ed) of the statutes by 2007 Wisconsin
13 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).

14 **SECTION 55.** The treatment of 46.261 (2) (a) 2. of the statutes by 2007 Wisconsin
15 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.

1 **SECTION 56.** 46.283 (6) (a) 2. of the statutes, as affected by 2007 Wisconsin Act
2 20, is amended to read:

3 46.283 (6) (a) 2. At least one-fourth of the members of the governing board shall
4 be individuals who belong to a client group served by the resource center or their
5 family members, guardians, or other advocates. The proportion of these board
6 members who belong to each client group, or their family members, guardians, or
7 advocates, shall be the same, respectively, as the proportion of individuals in this
8 state who receive services under s. 46.2805 to 46.2895 and belong to each client
9 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 46.283 of the statutes.~~

See also SECTION * of this bill.

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10 **SECTION 57.** 46.2895 (13) of the statutes, as affected by 2007 Wisconsin Act 20,
11 is amended to read:

12 46.2895 (13) DISSOLUTION. Subject to the performance of the contractual
13 obligations of a long-term care district and if first approved by the secretary of the
14 department, the long-term care district may be dissolved by the joint action of the
15 long-term care district board and each county or tribe or band that created the
16 long-term care district and has not withdrawn or been removed from the district
17 under sub. (14). If ~~the~~ a long-term care district that is created by one county or tribe
18 or band is dissolved, the property of the district shall be transferred to the county or
19 tribe or band that created it. If a long-term care district is created by more than one
20 county or tribe or band, all of the counties or tribes or bands that created the district

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1 and that have not withdrawn or been removed from the district under sub. (14) shall
2 agree on the apportioning of the long-term care district's property before the district
3 may be dissolved. If the long-term care district operates a care management
4 organization under s. 46.284, disposition of any remaining funds in the risk reserve
5 under s. 46.284 (5) (e) shall be made under the terms of the district's contract with
6 the department.

NOTE: Deletes unnecessary word.

7 **SECTION 58.** 46.40 (14m) of the statutes is amended to read:

8 **46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS.** Before December 1 of each year,
9 each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each
10 tribal governing body shall submit to the department a proposed budget for the
11 expenditure of funds allocated under this section, ~~distributed under s. 46.45 (2) (a)~~
12 or carried forward under s. 46.45 (3) (a). The proposed budget shall be submitted on
13 a form developed by the department and approved by the department of
14 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).

15 **SECTION 59.** 48.47 (7g) of the statutes, as affected by 2007 Wisconsin Act 20,
16 section 809, and 2007 Wisconsin Act 96, section 30, is amended to read:

17 **48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM.** Establish
18 a statewide automated child welfare information system. Notwithstanding ss.
19 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,
20 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and
21 (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.

11 **SECTION 60.** 48.48 (17) (c) 4. of the statutes is amended to read:

12 48.48 (17) (c) 4. Is living in a foster home, treatment foster home, group home,,
 13 residential care center for children and youth, or subsidized guardianship home
 14 under s. 48.62 (5).

NOTE: Deletes unnecessary comma inserted by 2005 Wis. Act 25. ~~The change is~~
 shown in the printed volumes. *The change was printed in the 2007-08 statutes.*
 2007-08 =

15 **SECTION 61.** 48.57 (3) (a) 4. of the statutes is amended to read:

16 48.57 (3) (a) 4. Is living in a foster home, treatment foster home, group home,,
 17 residential care center for children and youth, or subsidized guardianship home
 18 under s. 48.62 (5).

NOTE: Deletes unnecessary comma inserted by 2005 Wis. Act 25. The change ~~is~~
 shown in the printed volumes. *was made in the 2007-08 statutes.*
 2007-08 =

19 **SECTION 62.** 48.62 (2) of the statutes is amended to read:

20 48.62 (2) A relative,, or a guardian of a child who provides care and
 21 maintenance for the child is not required to obtain the license specified in this
 22 section. The department, county department, or licensed child welfare agency as

1 provided in s. 48.75 may issue a license to operate a foster home or a treatment foster
2 home to a relative who has no duty of support under s. 49.90 (1) (a) and who requests
3 a license to operate a foster home or treatment foster home for a specific child who
4 is either placed by court order or who is the subject of a voluntary placement
5 agreement under s. 48.63. The department, a county department, or a licensed child
6 welfare agency may, at the request of a guardian appointed under s. 48.977 or 48.978,
7 ch. 54, or ch. 880, 2003 stats., license the guardian's home as a foster home or
8 treatment foster home for the guardian's minor ward who is living in the home and
9 who is placed in the home by court order. Relatives with no duty of support and
10 guardians appointed under s. 48.977 or 48.978, ch. 54, or ch. 880, 2003 stats., who
11 are licensed to operate foster homes or treatment foster homes are subject to the
12 department's licensing rules.

NOTE: The stricken commas were inserted by 2005 Wis. Act 387, but rendered surplusage by 2005 Wis. Act 232.

13 **SECTION 63.** 48.67 (3) of the statutes, as created by 2007 Wisconsin Act 104, is
14 amended to read:

15 48.67 (3) (a) That all day care center licensees, and all employees of a day care
16 center, who provide care and supervision for children have current proficiency in the
17 use of an automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr),
18 achieved through instruction provided by an individual, organization, or institution
19 of higher education that is approved under s. 46.03 (38) to provide such instruction.

20 (b) That all staff members of a group home who provide care for the residents
21 of the group home have current proficiency in the use of an automated external
22 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction

1 provided by an individual, organization, or institution of higher education that is
2 approved under s. 46.03 (38) to provide such instruction.

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

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

17 **SECTION 64.** The treatment of 49.24 (1) of the statutes by 2007 Wisconsin Act
18 20, section 1474, is not repealed by 2007 Wisconsin Act 20, section 1474d. Both
19 treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-08 or on the date stated in the notice in the Wisconsin
Administrative Register under s. 49.24 (4), whichever is later, s. 49.24 (1) reads:

(1) From the appropriation under s. 20.437 (2) (k), the department shall provide
child support incentive payments to counties. Total payments under this subsection may
not exceed \$5,690,000 per year.

1 **SECTION 65.** 49.45 (3) (m) 2. of the statutes, as created by 2007 Wisconsin Act
2 104, is amended to read:

3 49.45 (3) (m) 2. A person who is certified to provide transportation by
4 specialized medical vehicle under sub. (2) (a) 11. shall ensure that every person who
5 drives or serves as an attendant to passengers on a specialized medical vehicle,
6 before driving or serving as an attendant, has current proficiency in the use of an
7 automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved
8 through instruction provided by an individual, organization, or institution of higher
9 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.

10 **SECTION 66.** The treatment of 49.47 (4) (b) 1. of the statutes by 2007 Wisconsin
11 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.

12 **SECTION 67.** 49.471 (8) (g) 1. of the statutes, as created by 2007 Wisconsin Act
13 20, is amended to read:

14 49.471 (8) (g) 1. The individual or pregnant woman was covered by a group
15 health plan that was provided by a subscriber through his or her employer, and the
16 subscriber's employment ended for a reason other than voluntary termination,
17 unless the voluntary termination was a result of the incapacitation of the subscriber
18 or because ~~on~~ of an immediate family member's health condition.

NOTE: Inserts correct word.

1 **SECTION 68.** 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 69.** 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 70.** 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 71.** 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 72.** 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)
14 (c), and 938.78 (2) (a), any subunit of a county department of community programs
15 or tribal agency acting under this section may exchange confidential information

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

12 **SECTION 73.** 51.437 (4r) (b) of the statutes, as affected by 2007 Wisconsin Acts
13 20 and 45, is amended to read:

14 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
15 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),
16 any subunit of a county department of developmental disabilities services or tribal
17 agency acting under this section may exchange confidential information about a
18 client, without the informed consent of the client, with any other subunit of the same
19 county department of developmental disabilities services or tribal agency, with a
20 resource center, a care management organization, or a family long-term care
21 district, or with any person providing services to the client under a purchase of
22 services contract with the county department of developmental disabilities services
23 or tribal agency or with a resource center, a care management organization, or a

1 ~~family~~ long-term care district, if necessary to enable an employee or service provider
2 to perform his or her duties, or to enable the county department of developmental
3 disabilities services or tribal agency to coordinate the delivery of services to the
4 client. Any agency releasing information under this paragraph shall document that
5 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.

6 **SECTION 74.** 51.437 (14r) (title), (a) (intro.), 1., 7. and (b) and (c) of the statutes
7 are amended to read:

8 51.437 **(14r)** (title) ~~DUTIES OF THE COUNCIL ON~~ BOARD FOR PEOPLE WITH
9 DEVELOPMENTAL DISABILITIES. (a) (intro.) ~~The council on board for people with~~
10 developmental disabilities shall:

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

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

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

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

1 **SECTION 75.** 51.45 (13) (j) of the statutes, as affected by 2007 Wisconsin Act 20,
2 is amended to read:

3 51.45 (13) (j) Upon the filing of a petition for recommitment under par. (h), the
4 court shall fix a date for a recommitment hearing within 10 days and assure that the
5 person sought to be recommitted is represented by counsel by referring the person
6 to the state public defender, who shall appoint counsel for for the person without a
7 determination of indigency, as provided in s. 51.60. The provisions of par. (e) relating
8 to notice and to access to records, names of witnesses, and summaries of their
9 testimony shall apply to recommitment hearings under this paragraph. At the
10 recommitment hearing, the court shall proceed as provided under pars. (f) and (g).

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

11 **SECTION 76.** 51.62 (2) (a) 2. of the statutes is amended to read:

12 51.62 (2) (a) 2. The ~~council on~~ board for people with developmental disabilities
13 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.

14 **SECTION 77.** 51.62 (2) (b) 2. a. of the statutes is amended to read:

15 51.62 (2) (b) 2. a. The ~~council on~~ board for people with developmental
16 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.

17 **SECTION 78.** The treatment of 55.10 (4) (a) of the statutes by 2007 Wisconsin
18 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.

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

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

15 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
16 a village provides health care benefits under its home rule power, or if a town
17 provides health care benefits, to its officers and employees on a self-insured basis,
18 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
19 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and,
20 (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. *The first underscored comma is shown in the printed 2007-08 statutes and confirmed here.*

- 1 **SECTION 82.** The treatment of 66.0230 (1) (a) of the statutes by 2007 Wisconsin
2 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.

- 3 **SECTION 83.** The treatment of 66.0301 (1) (a) of the statutes by 2007 Wisconsin
4 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.

- 5 **SECTION 84.** 66.0420 (2) (a) of the statutes, as created by 2007 Wisconsin Act
6 42, is amended to read:
7 66.0420 (2) (a) "Affiliate", when used in relation to any person, means another
8 person who owns or controls, is owned or controlled by, or is under common
9 ownership or control with such person.

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

- 10 **SECTION 85.** 66.0617 (9) (a) of the statutes, as affected by 2007 Wisconsin Acts
11 44 and 96, is amended to read:

1 66.0617 (9) (a) Subject to pars. (b), (c), and (d), and with regard to an impact
2 fee that is collected after April 10, 2006, an ordinance enacted under this section shall
3 specify that impact fees that are collected by a municipality within 7 years of the
4 effective date of the ordinance, but are not used within 10 years after the effective
5 date of the ordinance to pay the capital costs for which they were imposed, shall be
6 refunded to the current owner of the property with respect to which the impact fees
7 were imposed, along with any interest that has accumulated, as described in sub. (8).
8 The ordinance shall specify, by type of public facility, reasonable time periods within
9 which impact fees must be spent or refunded under this subsection, subject to the
10 10-year limit in this paragraph and the extended time period specified in par. (b).
11 In determining the length of the time periods under the ordinance, a municipality
12 shall consider what are appropriate planning and financing periods for the
13 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.

14 **SECTION 86.** The treatment of 66.0617 (9) (b) of the statutes by 2007 Wisconsin
15 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.

16 **SECTION 87.** 67.12 (12) (a) of the statutes, as affected by 2007 Wisconsin Acts
17 115 and 188, is amended to read:

18 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
19 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not

1 limited to paying any general and current municipal expense, and refunding any
 2 municipal obligations, including interest on them. Each note, plus interest if any,
 3 shall be repaid within 10 years after the original date of the note, except that notes
 4 issued under this section for purposes of ss. 119.498, 145.245 (12m), 281.58, 281.59,
 5 281.60, 281.61, and 292.72, issued to raise funds to pay a portion of the capital costs
 6 of a metropolitan sewerage district, or issued by a county having a population of
 7 500,000 or more to pay unfunded prior service liability with respect to an employee
 8 retirement system shall be repaid within 20 years after the original date of the note.

NOTE: Inserts necessary comma.

9 ~~SECTION 88.~~ The treatment of 71.05 (6) (a) 15. of the statutes by 2007 Wisconsin
 10 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. The amount of the credits computed under s. 71.07 (2dd), (2de), (2di), (2dj),
 (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).

11 ~~SECTION 89.~~ The treatment of 71.07 (3w) (a) 6. of the statutes by 2007 Wisconsin
 12 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.

13 ~~SECTION 90.~~ The treatment of 71.07 (3w) (bm) 4. of the statutes by 2007
 14 Wisconsin Act 20, section 1974, is not repealed by 2007 Wisconsin Act 100. Both
 15 treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
 bureau, s. 71.07 (3w) (bm), as consolidated and renumbered from s. 71.07 (3w) (bm)
 (intro.) and 4. by 2007 Wis. Act 20, reads:

(bm) *Filing supplemental claims.* In addition to the credit under par. (b) and
 subject to the limitations provided in this subsection and s. 560.799, a claimant may claim

as a credit against the tax imposed under s. 71.02 or 71.08 an amount equal to the amount the claimant paid in the taxable year to upgrade or improve the job-related skills of any of the claimant's full-time employees, to train any of the claimant's full-time employees on the use of job-related new technologies, or to provide job-related training to any full-time employee whose employment with the claimant represents the employee's first full-time job. This subdivision does not apply to employees who do not work in an enterprise zone.

1 **SECTION 91.** 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 92.** 71.26 (2) (a) 5. of the statutes, as affected by 2007 Wisconsin Act
4 226, is amended to read:

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

NOTE: Deletes unnecessary comma. The change is shown in the printed volumes.

Printed in the 2007-08 statutes

9 **SECTION 93.** The treatment of 71.28 (3w) (a) 6. of the statutes by 2007 Wisconsin
10 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.