



SOON  
State of Wisconsin  
2009 - 2010 LEGISLATURE

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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

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**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.

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**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.

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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.**

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

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

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

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

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

NOTE: Corrects spelling and citation form.

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.) Subdivision 1. shall not apply if either of the ~~follow~~  
12 following occurs:

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, sections 386 and 9121 (6) (a), 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 services from this appropriation, except positions for the performance of  
14          duties under a contract in effect before January 1, 1987, related to the administration  
15          of the Medical Assistance program between the subunit of the department primarily  
16          responsible for administering the Medical Assistance program and another subunit  
17          of the department. Total administrative funding authorized for the program under  
18          s. 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).

19           **SECTION 21.** 20.435 (5) (am) of the statutes, as affected by 2007 Wisconsin Act  
20           20, is amended to read:

1           20.435 (5) (am) *Services, reimbursement and payment related to human*  
 2           *immunodeficiency virus.* The amounts in the schedule for the purchase of services  
 3           under s. 252.12 (2) (a) for individuals with respect to human immunodeficiency virus  
 4           and related infections, including hepatitis C virus infection, to subsidize premium  
 5           ~~330~~ payments under ss. 252.16 and 252.17, for grants for the prevention of human  
 6           immunodeficiency virus infection and related infections, including hepatitis C virus  
 7           infection, under s. 252.12 (2) (c) 2. and 3., to reimburse or supplement the  
 8           reimbursement of the cost of AZT, pentamidine and certain other drugs under s.  
 9           49.686, and to pay for premiums and drug copayments under the pilot program  
 10          under s. 49.686 (6).

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

11          **SECTION 22.** The treatment of 20.435 (5) (ke) of the statutes by 2007 Wisconsin  
 12          Act 20 is not repealed by 2007 Wisconsin Act 130. Both treatments stand.

s. 20.435 (1)(ke),  
 as renumbered  
 from

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 20.435 (5) (ke) reads:

by 2008 Wisconsin Act 28,

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

13          **SECTION 23.** 20.435 (7) (o) of the statutes, as affected by 2007 Wisconsin Act 20,  
 14          is amended to read:

15               20.435 (7) (o) *Federal aid; community aids.* All federal moneys received in  
 16               amounts pursuant to allocation plans developed by the department for the provision  
 17               or purchase of services authorized under par. (b); all federal temporary assistance for  
 18               needy families moneys received under 42 USC 601 to 619 that are authorized to be  
 19               used to purchase or provide social services under 42 USC 1397 to 1397e; all  
 20               unanticipated federal social services block grant funds received under 42 USC 1397



1 to 1397e, in accordance with s. 46.49 (2); and all federal moneys received under 42  
2 USC 1396 to 1396v in reimbursement of the cost of preventing out-of-home  
3 placements of children, for distribution under s. 46.40. Disbursements from this  
4 appropriation may be made directly to counties for social and mental hygiene  
5 services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with  
6 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.

7 **SECTION 24.** 20.437 (1) (o) of the statutes, as created by 2007 Wisconsin Act 20,  
8 is amended to read:

9 20.437 (1) (o) *Federal aid; children and family aids.* All federal moneys  
10 received in amounts pursuant to allocation plans developed by the department for  
11 the provision or purchase of services authorized under par. (b); all federal moneys  
12 received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985;  
13 all federal temporary assistance for needy families moneys received under 42 USC  
14 601 to 619 that are authorized to be used to purchase or provide social services under  
15 42 USC 1397 to 1397e; all unanticipated federal social services block grant funds  
16 received under 42 USC 1397 to 1397e, in accordance with s. 48.568; for distribution  
17 under s. 48.563. Disbursements from this appropriation may be made directly to  
18 counties for services to children and families under s. 49.32 (2) (b) or 49.325 or  
19 directly to counties in accordance with federal requirements for the ~~dispersal~~  
20 disbursal of federal funds.

NOTE: Corrects spelling.

21 **SECTION 25.** 20.445 (1) (cr) of the statutes, as affected by 2007 Wisconsin Act  
22 20, is amended to read:

1           20.445 (1) (cr) *State supplement to employment opportunity demonstration*  
2 *projects.* The amounts in the schedule for the purpose of providing state funds to  
3 supplement, on a one-to-one matching basis, federal employment opportunity  
4 demonstration project funds received under 42 USC 1315 or from other federal or  
5 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.

6           **SECTION 26.** 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 27.** 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 28.** 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.

1       **SECTION 29.** 20.866 (2) (uup) of the statutes, as affected by 2007 Wisconsin Act  
2       20, is amended to read:

3           20.866 (2) (uup) *Transportation; Marquette interchange and I 94 north-south*  
4       *corridor reconstruction projects.* From the capital improvement fund, a sum  
5       sufficient for the department of transportation to fund the Marquette interchange  
6       reconstruction project under s. 84.014, as provided under s. 84.555, and the  
7       reconstruction of the I 94 north-south corridor, as provided under s. 84.555 (1m) (a).  
8       The state may contract public debt in an amount not to exceed \$303,300,000 for these  
9       purposes.

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

10       **SECTION 30.** The treatment of 20.907 (5) (e) 6. of the statutes by 2007 Wisconsin  
11       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.

12       **SECTION 31.** 20.923 (4) (intro.) of the statutes is amended to read:  
13       20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the  
14       administrator of the division of merit recruitment and selection in the office of state  
15       employment relations and commission chairpersons and members shall be identified  
16       and limited in number in accordance with the standardized nomenclature contained  
17       in this subsection, and shall be assigned to the executive salary groups listed in pars.  
18       (a) to ~~(i)~~ (h). Except for positions specified in par. (c) 3m. and sub. (12), all unclassified  
19       division administrator positions enumerated under s. 230.08 (2) (e) shall be  
20       assigned, when approved by the joint committee on employment relations, by the  
21       director of the office of state employment relations to one of 10 executive salary  
22       groups. The joint committee on employment relations, by majority vote of the full

1 committee, may amend recommendations for initial position assignments and  
2 changes in assignments to the executive salary groups submitted by the director of  
3 the office of state employment relations. All division administrator assignments and  
4 amendments to assignments of administrator positions approved by the committee  
5 shall become part of the compensation plan. Whenever a new unclassified division  
6 administrator position is created, the appointing authority may set the salary for the  
7 position until the joint committee on employment relations approves assignment of  
8 the position to an executive salary group. If the committee approves assignment of  
9 the position to an executive salary group having a salary range minimum or  
10 maximum inconsistent with the salary paid to the incumbent at the time of such  
11 approval, the incumbent's salary shall be adjusted by the appointing authority to  
12 conform with the committee's action, effective on the date of that action. Positions  
13 are assigned as follows:

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

14 **SECTION 32.** 29.179 (4) of the statutes, as affected by 2007 Wisconsin Act 65,  
15 section 13, is amended to read:

16 29.179 (4) Notwithstanding ss. 29.164 (3) (cr), 29.177 (5) (b), 29.184 (6) (b), and  
17 29.192 (4), a minor who is transferred an approval under this section shall retain all  
18 preference points that he or she has previously accumulated for that type of approval.

NOTE: Inserts missing word and corrects punctuation.

19 **SECTION 33.** 29.194 (title) and (1) (title) of the statutes, as affected by 2007  
20 Wisconsin Acts 23 and 51, are amended to read:

21 **29.194 (title) Approvals for students and members of the armed forces,**  
22 **or reserves, or national guard. (1) (title) CERTAIN RESIDENT LICENSES MAY BE**

1 ISSUED TO STUDENTS AND MEMBERS OF THE ARMED FORCES, ~~OR~~ RESERVES, OR NATIONAL  
2 GUARD.

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

3 **SECTION 34.** 29.194 (1) (b) of the statutes, as affected by 2007 Wisconsin Acts  
4 23 and 51, is amended to read:

5 29.194 (1) (b) The department shall treat a qualified member of the armed  
6 forces, ~~or~~ a qualified member of a reserve unit of the U.S. armed forces, or a qualified  
7 member of the national guard as a resident for purposes of determining the member's  
8 eligibility for and cost of obtaining a hunting, trapping, or fishing approval under this  
9 chapter. A qualified member of the armed forces is a person who exhibits proof that  
10 he or she is in active service in the U.S. armed forces or in forces incorporated in the  
11 U.S. armed forces and that he or she is stationed in this state. A qualified member  
12 of a reserve unit of the U.S. armed forces is a person who exhibits proof that he or  
13 she is a member of a reserve unit of the U.S. armed forces located in this state. A  
14 qualified member of the national guard is a person who exhibits proof that he or she  
15 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.

16 **SECTION 35.** 29.194 (1) (c) of the statutes, as created by 2007 Wisconsin Act 51,  
17 is amended to read:

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

NOTE: Inserts missing word.

1           **SECTION 36.** 30.133 (1) of the statutes, as affected by 2007 Wisconsin Act 20,  
2 is amended to read:

3           30.133 (1) ~~(a)~~ Beginning on April 9, 1994, and except as provided in s. ~~30.1355~~  
4 30.1335, no owner of riparian land that abuts a navigable water may grant by an  
5 easement or by a similar conveyance any riparian right in the land to another person,  
6 except for the right to cross the land in order to have access to the navigable water.  
7 This right to cross the land may not include the right to place any structure or  
8 material, including a boat docking facility, as defined in s. 30.1335 (1) (a), in the  
9 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.

10           **SECTION 37.** 30.1335 (3) (b) of the statutes, as created by 2007 Wisconsin Act  
11 20, is amended to read:

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

NOTE: Inserts missing word.

18           **SECTION 38.** 30.625 (1) (a) of the statutes is amended to read:

19           30.625 (1) (a) Rent or lease a motorboat for operation by a person who will be  
20 operating a motorboat for the first time in each calendar year and who does not hold  
21 a valid certificate issued under s. 30.74 (1) unless the person engaged in the rental

1 or leasing gives the person instruction on how to operate a † motorboat in the manner  
2 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.

3 **SECTION 39.** 36.25 (47) of the statutes, as created by 2007 Wisconsin Act 208,  
4 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).

5 **SECTION 40.** 36.59 (7) of the statutes, as affected by 2007 Wisconsin Act 20,  
6 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).

7 **SECTION 41.** 40.08 (1r) of the statutes, as affected by 2007 Wisconsin Act 131,  
8 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.

9 **SECTION 42.** 40.08 (1u) (title) of the statutes is created to read:  
10 **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).

11 **SECTION 43.** 40.51 (8) of the statutes, as affected by 2007 Wisconsin Act 36, is  
12 amended to read:

13 **40.51 (8)** Every health care coverage plan offered by the state under sub. (6)  
14 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)  
15 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to  
16 ~~(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.

1           **SECTION 44.** The treatment of 43.30 (1b) of the statutes by 2007 Wisconsin Act  
2 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).

3           **SECTION 45.** 46.03 (38) of the statutes, as created by 2007 Wisconsin Act 104,  
4 is amended to read:

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

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

11           **SECTION 46.** 46.21 (2m) (c) of the statutes, as affected by 2007 Wisconsin Acts  
12 20 and 45, is amended to read:

13           46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78  
14 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), and 253.07  
15 (3) (c), a subunit of a county department of human services or tribal agency acting  
16 under this subsection may exchange confidential information about a client, without  
17 the informed consent of the client, with any other subunit of the same county  
18 department of human services or tribal agency, with a resource center, a care



1 management organization, or a family long-term care district, with an  
2 elder-adult-at-risk agency, an adult-at-risk agency, or any agency to which referral  
3 for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person  
4 providing services to the client under a purchase of services contract with the county  
5 department of human services or tribal agency or with a resource center, a care  
6 management organization, or a family long-term care district, if necessary to enable  
7 an employee or service provider to perform his or her duties, or to enable the county  
8 department of human services or tribal agency to coordinate the delivery of services  
9 to the client. An agency that releases information under this paragraph shall  
10 document that a request for information was received and what information was  
11 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 47.** 46.215 (1m) of the statutes, as affected by 2007 Wisconsin Acts 20  
13 and 45, is amended to read:

14 46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE. Notwithstanding ss.  
15 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,  
16 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social  
17 services or tribal agency acting under this section may exchange confidential  
18 information about a client, without the informed consent of the client, with any other  
19 subunit of the same county department of social services or tribal agency, with a  
20 resource center, a care management organization, or a family long-term care  
21 district, with an elder-adult-at-risk agency, an adult-at-risk agency, or any agency  
22 to which referral for investigation is made under s. 46.90 (5) (a) 1. or 55.043 (1r) (a)  
23 1g., or with a person providing services to the client under a purchase of services

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

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

8 **SECTION 48.** The treatment of 46.215 (1p) of the statutes by 2007 Wisconsin Act  
9 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).

10 **SECTION 49.** The treatment of 46.22 (1) (b) 2. e. of the statutes by 2007  
11 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).

12 **SECTION 50.** 46.22 (1) (dm) of the statutes, as affected by 2007 Wisconsin Acts  
13 20 and 45, is amended to read:

14 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.  
15 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,

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

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

16 **SECTION 51.** The treatment of 46.22 (1) (dp) of the statutes by 2007 Wisconsin  
17 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 52.** 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.

20           **SECTION 53.** The treatment of 46.23 (3) (ed) 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. 46.23 (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).

1           **SECTION 54.** The treatment of 46.261 (2) (a) 2. 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. 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.

3           **SECTION 55.** 46.283 (6) (a) 2. of the statutes, as affected by 2007 Wisconsin Act  
4 20, is amended to read:

5           46.283 (6) (a) 2. At least one-fourth of the members of the governing board shall  
6 be individuals who belong to a client group served by the resource center or their  
7 family members, guardians, or other advocates. The proportion of these board  
8 members who belong to each client group, or their family members, guardians, or  
9 advocates, shall be the same, respectively, as the proportion of individuals in this  
10 state who receive services under s. 46.2805 to 46.2895 and belong to each client  
11 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 193 of this bill.

12           **SECTION 56.** 46.2895 (13) of the statutes, as affected by 2007 Wisconsin Act 20,  
13 is amended to read:

1           46.2895 (13) DISSOLUTION. Subject to the performance of the contractual  
2 obligations of a long-term care district and if first approved by the secretary of the  
3 department, the long-term care district may be dissolved by the joint action of the  
4 long-term care district board and each county or tribe or band that created the  
5 long-term care district and has not withdrawn or been removed from the district  
6 under sub. (14). If ~~the~~ a long-term care district that is created by one county or tribe  
7 or band is dissolved, the property of the district shall be transferred to the county or  
8 tribe or band that created it. If a long-term care district is created by more than one  
9 county or tribe or band, all of the counties or tribes or bands that created the district  
10 and that have not withdrawn or been removed from the district under sub. (14) shall  
11 agree on the apportioning of the long-term care district's property before the district  
12 may be dissolved. If the long-term care district operates a care management  
13 organization under s. 46.284, disposition of any remaining funds in the risk reserve  
14 under s. 46.284 (5) (e) shall be made under the terms of the district's contract with  
15 the department.

NOTE: Deletes unnecessary word.

16           **SECTION 57.** 46.40 (14m) of the statutes is amended to read:

17           46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS. Before December 1 of each year,  
18 each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each  
19 tribal governing body shall submit to the department a proposed budget for the  
20 expenditure of funds allocated under this section, ~~distributed under s. 46.45 (2) (a)~~  
21 or carried forward under s. 46.45 (3) (a). The proposed budget shall be submitted on  
22 a form developed by the department and approved by the department of  
23 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

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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).

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

3           48.47 (7g) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. Establish  
4 a statewide automated child welfare information system. Notwithstanding ss.  
5 46.2895 (9), 48.396 (1) and (2) (a), 48.78 (2) (a), 48.981 (7), 49.45 (4), 49.83, 51.30,  
6 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 252.15, 253.07 (3) (c), 938.396 (1) (a) and  
7 (2), and 938.78 (2) (a), the department may enter the content of any record kept or  
8 information received by the department into the statewide automated child welfare  
9 information system, and a county department under s. 46.215, 46.22, or 46.23, the  
10 department, or any other organization that has entered into an information sharing  
11 and access agreement with the department or any of those county departments and  
12 that has been approved for access to the statewide automated child welfare  
13 information system by the department may have access to information that is  
14 maintained in that system, if necessary to enable the county department,  
15 department, or organization to perform its duties under this chapter, ch. 46, 51, 55,  
16 or 938, or 42 USC 670 to 679b ~~to~~ or to coordinate the delivery of services under this  
17 chapter, ch. 46, 51, 55, or 938, or 42 USC 670 to 679b.

NOTE: Deletes unnecessary word.

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

19           48.48 (17) (c) 4. Is living in a foster home, treatment foster home, group home,  
20 residential care center for children and youth, or subsidized guardianship home  
21 under s. 48.62 (5).

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

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

2           48.57 (3) (a) 4. Is living in a foster home, treatment foster home, group home,  
3 residential care center for children and youth, or subsidized guardianship home  
4 under s. 48.62 (5).

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

5           **SECTION 61.** 48.62 (2) of the statutes is amended to read:

6           48.62 (2) A relative,<sup>,</sup> or a guardian of a child who provides care and  
7 maintenance for the child is not required to obtain the license specified in this  
8 section. The department, county department, or licensed child welfare agency as  
9 provided in s. 48.75 may issue a license to operate a foster home or a treatment foster  
10 home to a relative who has no duty of support under s. 49.90 (1) (a) and who requests  
11 a license to operate a foster home or treatment foster home for a specific child who  
12 is either placed by court order or who is the subject of a voluntary placement  
13 agreement under s. 48.63. The department, a county department, or a licensed child  
14 welfare agency may, at the request of a guardian appointed under s. 48.977 or 48.978,  
15 ch. 54, or ch. 880, 2003 stats., license the guardian's home as a foster home or  
16 treatment foster home for the guardian's minor ward who is living in the home and  
17 who is placed in the home by court order. Relatives with no duty of support and  
18 guardians appointed under s. 48.977 or 48.978, ch. 54, or ch. 880, 2003 stats., who  
19 are licensed to operate foster homes or treatment foster homes are subject to the  
20 department's licensing rules.

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

21           **SECTION 62.** 48.67 (3) of the statutes, as created by 2007 Wisconsin Act 104, is  
22 amended to read:



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

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

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

18           (d) That all child welfare agencies that operate a residential care center for  
19 children and youth have in each building housing residents of the residential care  
20 center for children and youth when those residents are present at least one staff  
21 member who has current proficiency in the use of an automated external  
22 defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved through instruction  
23 provided by an individual, organization, or institution of higher education that is  
24 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.

1        ~~SECTION 63.~~ The treatment of 49.24 (1) of the statutes by 2007 Wisconsin Act  
2        20, section 1474, is not repealed by 2007 Wisconsin Act 20, section 1474d. Both  
3        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.

4        **SECTION 64.** 49.45 (3) (m) 2. of the statutes, as created by 2007 Wisconsin Act  
5        104, is amended to read:

6            49.45 (3) (m) 2. A person who is certified to provide transportation by  
7        specialized medical vehicle under sub. (2) (a) 11. shall ensure that every person who  
8        drives or serves as an attendant to passengers on a specialized medical vehicle,  
9        before driving or serving as an attendant, has current proficiency in the use of an  
10       automated external defibrillator, as defined in s. ~~146.50~~ 256.15 (1) (cr), achieved  
11       through instruction provided by an individual, organization, or institution of higher  
12       education that is approved under s. 46.03 (38) to provide such instruction.

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

13        **SECTION 65.** The treatment of 49.47 (4) (b) 1. of the statutes by 2007 Wisconsin  
14        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.

15        **SECTION 66.** 49.471 (8) (g) 1. of the statutes, as created by 2007 Wisconsin Act  
16        20, is amended to read:

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

NOTE: Inserts correct word.

6           **SECTION 67.** The treatment of 49.855 (3) of the statutes by 2007 Wisconsin Act  
7 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).

8           **SECTION 68.** The treatment of 49.855 (4m) (b) of the statutes by 2007 Wisconsin  
9 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 69.** 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 70.** 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.

1           **SECTION 71.** 51.42 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20  
2 and 45, is amended to read:

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

18           **SECTION 72.** 51.437 (4r) (b) of the statutes, as affected by 2007 Wisconsin Acts  
19 20 and 45, is amended to read:

20           51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,  
21 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),  
22 any subunit of a county department of developmental disabilities services or tribal  
23 agency acting under this section may exchange confidential information about a

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

12 **SECTION 73.** 51.437 (14r) (title), (a) (intro.), 1., 7. and (b) and (c) of the statutes  
13 are amended to read:

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

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

21 7. Notify the governor regarding membership requirements of the ~~council~~  
22 board and if vacancies on the ~~council~~ board remain unfilled for a significant period  
23 of time.

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

3 (c) The ~~council on board for people with~~ developmental disabilities may or, if  
4 requested by the governor, shall coordinate recommendations of the ~~council~~ board  
5 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.

6 **SECTION 74.** 51.45 (13) (j) of the statutes, as affected by 2007 Wisconsin Act 20,  
7 is amended to read:

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

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

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

17 51.62 (2) (a) 2. The ~~council on~~ board for people with developmental disabilities  
18 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.

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

1           51.62 (2) (b) 2. a. ~~The council on~~ board for people with developmental  
2 disabilities and the council on mental health.

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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.

3           **SECTION 77.** The treatment of 55.10 (4) (a) of the statutes by 2007 Wisconsin  
4 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.

5           **SECTION 78.** 55.135 (1) of the statutes, as affected by 2007 Wisconsin Acts 20  
6 and 45, is amended to read:

7           55.135 (1) If, from personal observation of, or a reliable report made by a person  
8 who identifies himself or herself to, a sheriff, police officer, fire fighter, guardian, if  
9 any, or authorized representative of a county department or an agency with which  
10 it contracts under s. 55.02 (2), it appears probable that an individual is so totally  
11 incapable of providing for his or her own care or custody as to create a substantial  
12 risk of serious physical harm to himself or herself or others as a result of  
13 developmental disability, degenerative brain disorder, serious and persistent mental  
14 illness, or other like incapacities if not immediately placed, the individual who  
15 personally made the observation or to whom the report is made may take into custody



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

13 **SECTION 79.** 55.14 (7) of the statutes, as affected by 2007 Wisconsin Acts 20 and  
 14 45, is amended to read:

15 55.14 (7) Upon the filing of a petition under this section, the court shall ~~appoint~~  
 16 make a referral for appointment of legal counsel as required provided under s. ~~55.10~~  
 17 ~~(4)(a)~~ 55.105. A petition under this section shall be heard within 30 days after it is  
 18 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.

19 **SECTION 80.** 66.0137 (4) of the statutes, as affected by 2007 Wisconsin Act 36,  
 20 is amended to read:

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*Insert*

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

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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.

7           **SECTION 81.** The treatment of 66.0230 (1) (a) of the statutes by 2007 Wisconsin  
 8 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.

9           **SECTION 82.** The treatment of 66.0301 (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. 66.0301 (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.

11           **SECTION 83.** 66.0420 (2) (a) of the statutes, as created by 2007 Wisconsin Act  
 12 42, is amended to read:

1           66.0420 (2) (a) “Affiliate”, when used in relation to any person, means another  
2 person who owns or controls, is owned or controlled by, or is under common  
3 ownership or control with such person.

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

4           **SECTION 84.** 66.0617 (9) (a) of the statutes, as affected by 2007 Wisconsin Acts  
5 44 and 96, is amended to read:

6           66.0617 (9) (a) Subject to pars. (b), (c), and (d), and with regard to an impact  
7 fee that is collected after April 10, 2006, an ordinance enacted under this section shall  
8 specify that impact fees that are collected by a municipality within 7 years of the  
9 effective date of the ordinance, but are not used within 10 years after the effective  
10 date of the ordinance to pay the capital costs for which they were imposed, shall be  
11 refunded to the current owner of the property with respect to which the impact fees  
12 were imposed, along with any interest that has accumulated, as described in sub. (8).  
13 The ordinance shall specify, by type of public facility, reasonable time periods within  
14 which impact fees must be spent or refunded under this subsection, subject to the  
15 10-year limit in this paragraph and the extended time period specified in par. (b).  
16 In determining the length of the time periods under the ordinance, a municipality  
17 shall consider what are appropriate planning and financing periods for the  
18 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.

19           **SECTION 85.** The treatment of 66.0617 (9) (b) of the statutes by 2007 Wisconsin  
20 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 86. 67.12 (12) (a) of the statutes, as affected by 2007 Wisconsin Acts

2 115 and 188<sup>comma stays</sup> is amended to read: <sup>e</sup> and 2009 Wisconsin Act 28

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 <sup>1st class city or a</sup> county having a population of  
11 500,000 or more <sup>3</sup> to pay unfunded prior service liability with respect to an employee  
12 retirement system <sup>3</sup> shall be repaid within 20 years after the original date of the note.

NOTE: Inserts necessary comma.

13 SECTION 87. The treatment of 71.07 (3w) (a) 6. of the statutes by 2007 Wisconsin  
14 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.

15 SECTION 88. The treatment of 71.07 (3w) (bm) 4. of the statutes by 2007  
16 Wisconsin Act 20, section 1974, is not repealed by 2007 Wisconsin Act 100. Both  
17 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 89.** 71.26 (2) (a) 5. of the statutes, as affected by 2007 Wisconsin Act  
2 226, is amended to read:

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

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

7           **SECTION 90.** The treatment of 71.28 (3w) (a) 6. of the statutes by 2007 Wisconsin  
8 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.

9           **SECTION 91.** The treatment of 71.28 (3w) (bm) 4. of the statutes by 2007  
10 Wisconsin Act 20, section 2047, is not repealed by 2007 Wisconsin Act 100. Both  
11 treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.28 (3w) (bm), as consolidated and renumbered from s. 71.28 (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. 71.23 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 92.** The treatment of 71.47 (3w) (a) 6. of the statutes by 2007 Wisconsin  
2 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.

3           **SECTION 93.** The treatment of 71.47 (3w) (bm) 4. of the statutes by 2007  
4 Wisconsin Act 20, section 2103, is not repealed by 2007 Wisconsin Act 100. Both  
5 treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.47 (3w) (bm), as consolidated and renumbered from s. 71.47 (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. 71.43 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.

6           **SECTION 94.** 73.03 (2a) of the statutes, as affected by 2007 Wisconsin Acts 20  
7 and 86, is amended to read:

8           **73.03 (2a)** To prepare and publish, in electronic form and on the Internet,  
9 assessment manuals. The manual shall discuss and illustrate accepted assessment  
10 methods, techniques and practices with a view to more nearly uniform and more  
11 consistent assessments of property at the local level. The manual shall be amended  
12 by the department from time to time to reflect advances in the science of assessment,  
13 court decisions concerning assessment practices, costs, and statistical and other  
14 information considered valuable to local assessors by the department. The manual  
15 shall incorporate standards for the assessment of all types of renewable energy  
16 resource systems used in this state as soon as such systems are used in sufficient

1 numbers and sufficient data exists to allow the formulation of valid guidelines. The  
2 manual shall incorporate standards, which the department of revenue and the state  
3 historical society of Wisconsin shall develop, for the assessment of nonhistoric  
4 property in historic districts and for the assessment of historic property, including  
5 but not limited to property that is being preserved or restored; property that is  
6 subject to a protective easement, covenant or other restriction for historic  
7 preservation purposes; property that is listed in the national register of historic  
8 places in Wisconsin or in this state's register of historic places and property that is  
9 designated as a historic landmark and is subject to restrictions imposed by a  
10 municipality or by a landmarks commission. The manual shall incorporate general  
11 guidelines about ways to determine whether property is taxable in part under s.  
12 70.1105 and examples of the ways that s. 70.1105 applies in specific situations. The  
13 manual shall state that assessors are required to comply with s. 70.32 (1g) and shall  
14 suggest procedures for doing so. The manual or a supplement to it shall specify per  
15 acre value guidelines for each municipality for various categories of agricultural land  
16 based on the income that could be generated from its estimated rental for  
17 agricultural use, as defined by rule, and capitalization rates established by rule. The  
18 manual shall include guidelines for classifying land as agricultural land, as defined  
19 in s. 70.32 (2) (c) 1g., and guidelines for distinguishing between land and  
20 improvements to land. The manual shall specify the evidence to be exchanged under  
21 s. 70.47 (7) (c) and (16) (c). The cost of the development, preparation, and Internet  
22 publication of the manual and of revisions and amendments to it shall be paid from  
23 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.

1           **SECTION 95.** The treatment of 76.636 (1) (e) 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 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.

3           **SECTION 96.** 76.636 (1) (e) 3. of the statutes, as affected by 2007 Wisconsin Act  
4 20, section 2162, and 2007 Wisconsin Act 97, section 98, is amended to read:

5           76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141  
6 (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.

7           **SECTION 97.** The treatment of ~~79.04 (2) (a)~~ of the statutes by 2007 Wisconsin  
8 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 98.** 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 99.** 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 100.** 84.1023 of the statutes, as created by 2007 Wisconsin Act 163,  
14 is 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 101.** 84.1024 of the statutes, as created by 2007 Wisconsin Act 161,  
16 is 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 102.** 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.