


State of Wisconsin


LEGISLATIVE REFERENCE BUREAU


RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 03/04/2009 (Per: CJS/BJH)

Compile Draft – Appendix A **... Part 02 of 05**

A  The 2007 drafting file for
LRB-3789

C  The 2007 drafting file for
LRB-4428

B  The 2007 drafting file for
LRB-4423

2007 LRB-3789 has been transferred to the drafting file for

2009 LRB-0590



(SOON)
State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-3789/P1

BJH:cjs:ms

Slays

P2

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Revisor's Bill
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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).

Analysis by the Legislative Reference Bureau ^{Stats. ↗}

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

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

INS
A

6 **SECTION 1.** 6.97 (title) of the statutes is amended to read:
7 **6.97 (title) Voting procedure for individuals not providing required**
8 **identification proof of residence.**

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

1 SECTION 2. 10.62 (intro.) of the statutes is amended to read:

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

NOTE: 2007 Wis. Act 1 replaced "Elections Board" with "Governmental Accountability Board" throughout the statutes.

6 SECTION 3. 10.72 (intro.) of the statutes is amended to read:

7 **10.72 Elections Government accountability board; September**
8 **primary and general election.** (intro.) The following subsections set forth, in
9 chronological order, dates relating to the September primary and general election or
10 occurrences during the fall period that affect the elections government
11 accountability board:

NOTE: 2007 Wis. Act 1 replaced "Elections Board" with "Governmental Accountability Board" throughout the statutes.

12 SECTION 4. 10.72 (8) (a) 2. of the statutes is amended to read:

13 10.72 (8) (a) 2. Following the canvass, the elections government accountability
14 board issues certificates of election. See s. 7.70 (5) (a).

NOTE: 2007 Wis. Act 1 replaced "Elections Board" with "Governmental Accountability Board" throughout the statutes.

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

16 10.82 (1) (title) ELECTIONS GOVERNMENTAL ACCOUNTABILITY BOARD.

NOTE: 2007 Wis. Act 1 replaced "Elections Board" with "Governmental Accountability Board" throughout the statutes.

17 SECTION 6. 15.197 (12) (i) of the statutes is amended to read:

18 15.197 (12) (i) A representative of the ~~council on~~ board for people with
19 developmental disabilities.

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B

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OC

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

1 **SECTION 7.** 15.197 (24) (title) of the statutes is renumbered 15.207 (24) (title).

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

2 **SECTION 8.** 16.527 (4) (h) 2. (intro.) of the statutes, as created by 2007 Wisconsin
3 Act 20, is amended to read:

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

NOTE: Corrects spelling.

6 **SECTION 9.** 18.06 (8) (ar) 2. (intro.) of the statutes, as created by 2007 Wisconsin
7 Act 20, is amended to read:

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

NOTE: Corrects spelling.

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

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

NOTE: Corrects spelling.

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D

14 **SECTION 11.** 20.435 (5) (am) of the statutes, as affected by 2007 Wisconsin Act
15 20, is amended to read:

16 20.435 (5) (am) *Services, reimbursement and payment related to human*
17 *immunodeficiency virus.* The amounts in the schedule for the purchase of services
18 under s. 252.12 (2) (a) for individuals with respect to human immunodeficiency virus
19 and related infections, including hepatitis C virus infection, to subsidize premium

1 330 payments under ss. 252.16 and 252.17, for grants for the prevention of human
2 immunodeficiency virus infection and related infections, including hepatitis C virus
3 infection, under s. 252.12 (2) (c) 2. and 3., to reimburse or supplement the
4 reimbursement of the cost of AZT, pentamidine and certain other drugs under s.
5 49.686, and to pay for premiums and drug copayments under the pilot program
6 under s. 49.686 (6).

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

7 **SECTION 12.** 20.435 (7) (o) of the statutes, as affected by 2007 Wisconsin Act 20,
8 is amended to read:

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

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

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

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

NOTE: Corrects spelling.

13 **SECTION 14.** 20.566 (2) (b) of the statutes, as created by 2007 Wisconsin Act 20,
14 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).

15 **SECTION 15.** 20.566 (3) (gm) of the statutes, as affected by 2007 Wisconsin Act
16 20, is amended to read:

17 20.566 (3) (gm) *Reciprocity agreement and publications.* The amounts in the
18 schedule to provide services for the Minnesota income tax reciprocity agreement
19 under s. 71.10 (7) and for publications except as provided in par. (g) and sub. (2) (~~b~~)
20 (bm). All moneys received by the department of revenue in return for the provision
21 of these services shall be credited to this appropriation. Notwithstanding s. 20.001
22 (3) (a), at the end of the 2006-07 fiscal year, the unencumbered balance of this
23 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 16.** 20.923 (4) (intro.) of the statutes is amended to read:

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

1 conform with the committee's action, effective on the date of that action. Positions
2 are assigned as follows:

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E

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

3 **SECTION 17.** 30.133 (1) of the statutes, as affected by 2007 Wisconsin Act 20,
4 is amended to read:

5 30.133 (1) (a) Beginning on April 9, 1994, and except as provided in s. ~~30.1355~~
6 30.1335, no owner of riparian land that abuts a navigable water may grant by an
7 easement or by a similar conveyance any riparian right in the land to another person,
8 except for the right to cross the land in order to have access to the navigable water.
9 This right to cross the land may not include the right to place any structure or
10 material, including a boat docking facility, as defined in s. 30.1335 (1) (a), in the
11 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.

12 **SECTION 18.** 30.1335 (3) (b) of the statutes, as created by 2007 Wisconsin Act
13 20, is amended to read:

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

NOTE: Inserts missing word.

20 **SECTION 19.** 30.625 (1) (a) of the statutes is amended to read:

1 30.625 (1) (a) Rent or lease a motorboat for operation by a person who will be
 2 operating a motorboat for the first time in each calendar year and who does not hold
 3 a valid certificate issued under s. 30.74 (1) unless the person engaged in the rental
 4 or leasing gives the person instruction on how to operate a motorboat in the manner
 5 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.

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

8 **SECTION 21.** 40.51 (8) of the statutes, as affected by 2007 Wisconsin Act 36, is
 9 amended to read:

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



14 **SECTION 22.** 46.283 (6) (a) 2. of the statutes, as affected by 2007 Wisconsin Act
 15 20, is amended to read:

16 46.283 (6) (a) 2. At least one-fourth of the members of the governing board shall
 17 be individuals who belong to a client group served by the resource center or their
 18 family members, guardians, or other advocates. The proportion of these board
 19 members who belong to each client group, or their family members, guardians, or
 20 advocates, shall be the same, respectively, as the proportion of individuals in this

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

NOTE: Reinserts necessary word that was stricken by 2007 Wis. Act 20. The phrase
“individuals who belong to a client group served by the resource center” was inserted by
Act 20 without scoring. The insertion was intended.

3 **SECTION 23.** 46.2895 (13) of the statutes, as affected by 2007 Wisconsin Act 20,
4 is amended to read:

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

NOTE: Deletes unnecessary word.

20 **SECTION 24.** The treatment of 49.24 (1) of the statutes by 2007 Wisconsin Act
21 20, section 1474, is not repealed by 2007 Wisconsin Act 20, section 1474d. Both
22 treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective July 1, 2008, or on the date stated in the notice in the Wisconsin Administrative Register under s. 49.24 (4), whichever is later s. 49.24 (1) reads:

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

1 SECTION 25. 49.47 (4) (b) 1. of the statutes is amended to read:

2 SECTION 26. The treatment of 49.47 (4) (b) 1. of the statutes by 2007 Wisconsin
3 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.

4 SECTION 27. 49.471 (8) (g) 1. of the statutes, as created by 2007 Wisconsin Act
5 20, is amended to read:

6 49.471 (8) (g) 1. The individual or pregnant woman was covered by a group
7 health plan that was provided by a subscriber through his or her employer, and the
8 subscriber's employment ended for a reason other than voluntary termination,
9 unless the voluntary termination was a result of the incapacitation of the subscriber
10 or because ~~on~~ of an immediate family member's health condition.

NOTE: Inserts correct word.

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lrs G

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SECTION 28. 51.437 (14r) (title), (a) (intro.), 1., 7. and (b) and (c) of the statutes
are amended to read:

13 51.437 (14r) (title) DUTIES OF THE ~~COUNCIL ON~~ BOARD FOR PEOPLE WITH
14 DEVELOPMENTAL DISABILITIES. (a) (intro.) The ~~council on~~ board for people with
15 developmental disabilities shall:

16 1. Designate appropriate state or local agencies for the administration of
17 programs and fiscal resources made available to the ~~council on~~ board for people with

1 developmental disabilities under federal legislation affecting the delivery of services
2 to the developmentally disabled.

3 7. Notify the governor regarding membership requirements of the ~~council~~
4 board and if vacancies on the ~~council~~ board remain unfilled for a significant period
5 of time.

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

8 (c) The ~~council-on~~ board for people with developmental disabilities may or, if
9 requested by the governor, shall coordinate recommendations of the ~~council~~ board
10 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.

11 **SECTION 29.** 51.62 (2) (a) 2. of the statutes is amended to read:

12 51.62 (2) (a) 2. The ~~council-on~~ board for people with developmental disabilities
13 and the council on mental health.

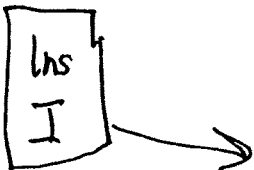
NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the "council on developmental disabilities" attached to the department of health and family services to be the "board for people with developmental disabilities" attached to the department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

14 **SECTION 30.** 51.62 (2) (b) 2. a. of the statutes is amended to read:

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

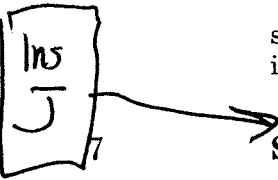
NOTE: 2007 Wis. Act 20, section 52b, renumbered s. 15.197 (11n) to s. 15.105 (8) and amended the provision, changing the "council on developmental disabilities" attached to the department of health and family services to be the "board for people with developmental disabilities" attached to the department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

17 **SECTION 31.** 66.0137 (4) of the statutes, as affected by 2007 Wisconsin Act 36,
18 is amended to read:



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).

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.

 SECTION 32. 73.03 (2a) of the statutes, as affected by 2007 Wisconsin Acts 20
 8 and 86, is amended to read:

9 73.03 (2a) To prepare and publish, in electronic form and on the Internet,
 10 assessment manuals. The manual shall discuss and illustrate accepted assessment
 11 methods, techniques and practices with a view to more nearly uniform and more
 12 consistent assessments of property at the local level. The manual shall be amended
 13 by the department from time to time to reflect advances in the science of assessment,
 14 court decisions concerning assessment practices, costs, and statistical and other
 15 information considered valuable to local assessors by the department. The manual
 16 shall incorporate standards for the assessment of all types of renewable energy
 17 resource systems used in this state as soon as such systems are used in sufficient
 18 numbers and sufficient data exists to allow the formulation of valid guidelines. The
 19 manual shall incorporate standards, which the department of revenue and the state
 20 historical society of Wisconsin shall develop, for the assessment of nonhistoric
 21 property in historic districts and for the assessment of historic property, including
 22 but not limited to property that is being preserved or restored; property that is
 23 subject to a protective easement, covenant or other restriction for historic

1 preservation purposes; property that is listed in the national register of historic
2 places in Wisconsin or in this state's register of historic places and property that is
3 designated as a historic landmark and is subject to restrictions imposed by a
4 municipality or by a landmarks commission. The manual shall incorporate general
5 guidelines about ways to determine whether property is taxable in part under s.
6 70.1105 and examples of the ways that s. 70.1105 applies in specific situations. The
7 manual shall state that assessors are required to comply with s. 70.32 (1g) and shall
8 suggest procedures for doing so. The manual or a supplement to it shall specify per
9 acre value guidelines for each municipality for various categories of agricultural land
10 based on the income that could be generated from its estimated rental for
11 agricultural use, as defined by rule, and capitalization rates established by rule. The
12 manual shall include guidelines for classifying land as agricultural land, as defined
13 in s. 70.32 (2) (c) 1g., and guidelines for distinguishing between land and
14 improvements to land. The manual shall specify the evidence to be exchanged under
15 s. 70.47 (7) (c) and (16) (c). The cost of the development, preparation, and Internet
16 publication of the manual and of revisions and amendments to it shall be paid from
17 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.

18 **SECTION 33.** The treatment of 79.04 (2) (a) of the statutes by 2007 Wisconsin
19 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.



SECTION 34. 115.395 (2) of the statutes, as created by 2007 Wisconsin Act 20,

2 is amended to read:

3 115.395 (2) Beginning in the 2008-09 school year, the board may apply to the
 4 department of administration for an annual grant of up to \$10,000,000 to implement
 5 initiatives to improve pupil academic achievement in all grades, such as employing
 6 licensed teachers to tutor pupils who are struggling academically, or employing
 7 persons to coordinate the district's instructional programs and provide ongoing
 8 professional development for teachers. The board shall submit with its application
 9 a plan for the department of administration's approval describing the initiatives for
 10 which the grant will be used, describing the research showing that the initiatives
 11 have a positive effect on pupil academic achievement, and including criteria for
 12 evaluating the effectiveness of the initiatives, such as high school graduation rates
 13 or the results of the statewide pupil assessments under ~~ch. s.~~ s. 118.30.

NOTE: Corrects citation form.

1 **SECTION 35.** 115.42 (2) (c) of the statutes, as created by 2007 Wisconsin Act 20,
2 is amended to read:

3 115.42 (2) (c) The amount of each grant under par. (a) shall be \$5,000 in any
4 school year in which the recipient is employed in a school in which at least 60 percent
5 of the pupils enrolled are eligible for a free or reduced-price lunch under 42 USC
6 1758 (6) (b).

NOTE: Corrects cross-reference. There is no 42 USC 1758 (6). 42 USC 1758 (b) relates to eligibility for free and reduced price lunches.

7 **SECTION 36.** 120.13 (2) (g) of the statutes, as affected by 2007 Wisconsin Act 36,
8 is amended to read:

9 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
10 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
11 632.85, 632.853, 632.855, 632.87 (4) ~~and~~, (5), and (6), 632.895 (9) to (15), 632.896, and
12 ~~767.25 (4m) (d)~~ 767.513 (4).

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

13 **SECTION 37.** 185.981 (4t) of the statutes, as affected by 2007 Wisconsin Act 36,

14 is amended to read:

15 185.981 (4t) A sickness care plan operated by a cooperative association is
16 subject to ss. 252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85,
17 632.853, 632.855, 632.87 (2m), (3), (4), ~~and~~ (5), and (6), 632.895 (10) to (15), and
18 632.897 (10) and chs. 149 and 155.

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.

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1 **SECTION 38.** 185.983 (1) (intro.) of the statutes, as affected by 2007 Wisconsin
2 Act 36, is amended to read:

3 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
4 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
5 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93,
6 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853,
7 632.855, 632.87 (2m), (3), (4), ~~and (5), and (6)~~, 632.895 (5) and (9) to (15), 632.896, and
8 632.897 (10) and chs. 609, 630, 635, 645, and 646, but the sponsoring association
9 shall:

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.

10 **SECTION 39.** 285.48 (4) (b) of the statutes is amended to read:

11 285.48 (4) (b) The implementation of low-income weatherization and energy
12 conservation measures, including programs established under s. 16.957 (2) (a) ~~or (b)~~
13 or programs under s. 196.374.

NOTE: Section 16.957 (2) (b) was repealed eff. 7-1-07 by 2005 Wis. Act 141.

14 **SECTION 40.** 301.46 (4) (a) 10m. of the statutes, as created by 2007 Wisconsin
15 Act 20, is amended to read:

16 301.46 (4) (a) 10m. The department of children and families.

NOTE: Inserts missing word.

17 **SECTION 41.** The treatment of 342.14 (1r) of the statutes by 2007 Wisconsin Act
18 20 is not repealed by 2007 Wisconsin Act 33. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau s. 342.14 (1r) reads:

(1r) Upon filing an application under sub. (1) or (3), an environmental impact fee of \$9, by the person filing the application. All moneys collected under this subsection shall be credited to the environmental fund for environmental management. This subsection does not apply after December 31, 2009. This subsection does not apply to an application for a certificate of title for a neighborhood electric vehicle.

1 **SECTION 42.** The treatment of 343.235 (3) (a) of the statutes by 2007 Wisconsin
2 Act 20 is not repealed by 2007 Wisconsin Act 27. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective May 11, 2008, or on the date stated in the notice provided by the secretary of transportation and published in the Wisconsin Administrative Register under 85.515 (2) (b), whichever is later, s. 343.235 (3) (a) reads:

(a) A law enforcement agency, a state authority, a district attorney, a driver licensing agency of another jurisdiction, a federal governmental agency, or the commission to perform a legally authorized function.

3 **SECTION 43.** 348.01 (2) (ax) of the statutes, as created by 2007 Wisconsin Act
4 16, is amended to read:

5 348.01 (2) (ax) "Forestry biomass" ~~has the meaning given in s. 26.385 (1) means~~
6 byproducts and waste generated by the practice of forestry on forestry lands.

NOTE: Section 26.385 was repealed by 2007 Wis. Act 20. The definition contained in s. 26.385 (1), 2005 stats., replaces the cross-reference to that provision.

7 **SECTION 44.** 450.071 (1) of the statutes, as created by 2007 Wisconsin Act 20,
8 is amended to read:

9 450.071 (1) No person may engage in the wholesale distribution of a
10 prescription drug in this state without obtaining a license from the board for each
11 facility from which the person distributes prescription drugs. The board shall
12 exempt a manufacturer that distributes prescription drugs or ~~devises~~ devices
13 manufactured by the manufacturer from licensing and other requirements under
14 this section to the extent the license or requirement is not required under federal law
15 or regulation, unless the board determines that it is necessary to apply a requirement
16 to a manufacturer.

NOTE: Corrects spelling.

17 **SECTION 45.** 560.35 (1) (a) to (d) of the statutes are renumbered 560.29 (2) (a)
18 1. to 4.

NOTE: 2007 Wis. Act 20 renumbered s. 560.35 (1) (intro.) to 560.29 (2) (a) (intro.) and renumbered the remainder of s. 560.35 to s. 560.29 (2) but did not treat s. 560.35 (1) (a) to (d).

1 **SECTION 46.** 708.10 (2) (title) of the statutes is amended to read:

2 708.10 (2) (title) LOAN FUND ~~DISPERSAL~~ DISBURSAL.

NOTE: Corrects spelling.

3 **SECTION 47.** 801.52 of the statutes, as affected by 2007 Wisconsin Act 1, is
4 amended to read:

5 **801.52 Discretionary change of venue.** The court may at any time, upon
6 its own motion, the motion of a party or the stipulation of the parties, change the
7 venue to any county in the interest of justice or for the convenience of the parties or
8 witnesses, except that venue in a civil action to impose a forfeiture for a violation of
9 chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 or for a violation of any other
10 law arising from or in relation to the official functions of the subject of the
11 investigation or any matter that involves elections, ethics, or lobbying regulation
12 under chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, may be changed only
13 as provided in s. 971.223 (1) and (2) or in the same manner that is authorized for a
14 change in the venue of a criminal trial under s. 971.22. This section does not apply
15 to proceedings under ch. 980.

NOTE: Inserts missing article.

16 **SECTION 48.** 938.21 (2) (c) of the statutes is amended to read:

17 938.21 (2) (c) Prior to the commencement of the hearing, the court shall inform
18 the juvenile of the allegations that have been or may be made, the nature and
19 possible consequences of this hearing as compared to possible future hearings, the
20 provisions of s. 938.18 if applicable, the right to counsel under s. 938.23 regardless
21 of ability to pay if the juvenile is not yet represented by counsel, the right to remain

1 silent, the fact that the silence may not be adversely considered by the court, the
2 right to confront and cross-examine witnesses, and the right to present witnesses.

NOTE: The word "commissioner" preceding "court" was stricken by 2005 Wis. Act 344, section 200, but the final "r" was not struck.

3 **SECTION 49.** 949.20 (4) 1. and 2. of the statutes, as created by 2007 Wisconsin
4 Act 20, are renumbered 949.20 (4) (a) and (b).

NOTE: Confirms renumbering by the legislative reference bureau under s. 13.92 (1) (bm) 2. to conform numbering to current style.

5 **SECTION 50.** 961.41 (1m) (hm) (intro.) of the statutes is amended to read:

6 961.41 (1m) (hm) *Certain other schedule I controlled substances and ketamine.*
7 (intro.) If the person violates this subsection with respect to gamma-hydroxybutyric
8 acid, gamma-butyrolactone, 1,4-butanediol,
3,4-methylenedioxymethamphetamine,
9 4-bromo-2,5-dimethoxy-beta-phenylethylamine, 4-methylthioamphetamine,
10 ketamine, or a controlled substance analog of gamma-hydroxybutyric acid,
11 gamma-butyrolactone, 1,4-butanediol, 3,4-methylenedioxymethamphetamine,
12 4-bromo-2,5-dimethoxy-beta-phenylethylamine, or 4-methylthioamphetamine is
13 subject to the following penalties if the amount possessed, with intent to
14 manufacture, distribute, or deliver is:
15

NOTE: Inserts commas deleted by 2005 Wis. Act 52 without being shown as stricken. No change was intended.

16 **SECTION 51.** 971.19 (12) of the statutes, as created by 2007 Wisconsin Act 1, is
17 amended to read:

18 971.19 (12) Except as provided in s. 971.223, in an action for a violation of chs.
19 5 to 12, subch. III of ch. 13, or subch. III of ch. 19, or for a violation of any other law
20 arising from or in relation to the official functions of the subject of the investigation
21 or any matter that involves elections, ethics, or lobbying regulation under ~~subch. chs.~~

1 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 a defendant who is a resident of this
2 state shall be tried in circuit court for the county where the defendant resides. For
3 purposes of this subsection, a person other than a natural person resides within a
4 county if the person's principal place of operation is located within that county.

NOTE: Corrects citation form.

5 **SECTION 52.** 2005 Wisconsin Act 25, section 1474t is amended by replacing
6 "TEMPORARY RECYCLING SURCHARGE" with "RECYCLING SURCHARGE".

NOTE: "TEMPORARY" was inserted into chapter 77 (title) by 2005 Wis. Act 25
without being underscored. No change was intended. "TEMPORARY" was not printed
in the 2005-06 Statutes.

7 **SECTION 53.** 2007 Wisconsin Act 1, section 7 is amended by replacing "5.05 (1)
8 (e) Delegate to ~~its executive director~~ its legal counsel" with "5.05 (1) (e) Delegate to
9 ~~its executive director~~ its legal counsel".

NOTE: "Its" was inserted without being shown as underscored. The change was
intended.

10 **SECTION 54.** 2007 Wisconsin Act 15, section 2 is amended by replacing "This
11 act takes effect on the first day of the 2nd month beginning after the effective date
12 of this subsection." with "This act takes effect on the first day of the 2nd month
13 beginning after publication."

NOTE: Clarifies effective date by inserting language consistent with current style.

14 **SECTION 55.** 2007 Wisconsin Act 20, section 342 is amended by replacing
15 "~~46.481 48.481~~ and 2007 Wisconsin Act (this act), section ~~9121 9155~~ (9u)" with
16 "~~46.481 48.481~~ and 2007 Wisconsin Act (this act), section ~~9121 9155~~ (9u)".

NOTE: Previously existing text was underscored.

17 **SECTION 56.** 2007 Wisconsin Act 20, section 1293 is amended by replacing
18 "48.57 (3) (a) 3. (intro.)" with "48.57 (3) (a) 3." in 2 places.

NOTE: There is no s. 48.357 (3) (a) 3. (intro.). 2007 Wis. Act 20, section 1293 amends
the text of s. 48.57 (3) (a) 3.

1 **SECTION 57.** 2007 Wisconsin Act 20, section 1313 is amended by replacing
2 “944.30, 944.31, or 944.33” with “944.30, 944.31, or 944.33”.

 NOTE: The comma was inserted without being underscored. The change was
intended.

3 **SECTION 58.** 2007 Wisconsin Act 20, section 1596 is amended by replacing “~~par.~~
4 pars. (cm) and (cr)” with “~~par.~~ pars. (cm) and (cr)”.

 NOTE: The period was inserted without being underscored. The change was
intended.

5 **SECTION 59.** 2007 Wisconsin Act 20, section 2041 is amended by replacing
6 “~~individuals full-time employees~~ that exceeds \$100,000.” with “~~individual~~ full-time
7 employees that exceeds \$100,000.”.

 NOTE: An “s” was added to “individual” that did not exist in the statute.

8 **SECTION 60.** 2007 Wisconsin Act 20, section 2512 is amended by replacing
9 “79.10 (2) (a) NOTICE TO MUNICIPALITIES. On or before December 1” with “79.10 (2)
10 (a) On or before December 1”.

 NOTE: The subsection title was shown as if it was the paragraph title. It should
not have been shown.

11 **SECTION 61.** 2007 Wisconsin Act 20, section 9448 (1) is amended by replacing
12 “the amendment of section 343.50 (8) (a) and (b) of the statutes” with “the
13 amendment of section 343.50 (8) (a) of the statutes”.

 NOTE: Sections 9448 (1) and 9455 (2) 2007 of Wis. Act 20, contain conflicting
effective date provisions for the amendment of s. 343.50 (8) (b) by Act 20. Drafting records
indicate section 9455 (2) is correct.

14 **SECTION 62.** 2007 Wisconsin Act 20, section 9455 (2) is amended by replacing
15 “48.57 (3) (a) 3. (intro.)” with “48.57 (3) (a) 3.”.

 NOTE: There is no s. 48.57 (3) (a) 3. (intro.). 2007 Wis. Act 20, section 1293 amends
the text of s. 48.57 (3) (a) 3.

16 **SECTION 63.** 2007 Wisconsin Act 27, section 1 is amended by replacing “the
17 department and its agents, the department of justice, and peace officers” with “the
18 department and its agents, the department of justice, and peace officers”.

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NOTE: The comma was inserted without being underscored. The change was intended.

1 SECTION 64. Effective dates. This act takes effect on the day after publication,

2 except as follows:

20.435(4)(bm) (by ^{CS} SECTION *)

3 (1) The treatment of sections 15.197 (24) (title), 20.435 (7) (o), 20.437 (1) (o),
4 40.51 (8), ^{SS. 135(1), 55.14(7),} 66.0137 (4), 120.13 (2) (g), 185.981 (4t), 185.983 (1) (intro.), and 301.46 (4)

5 (a) 10m., of the statutes take ^s effect on July 1, 2008.

6 (2) The treatment of section 450.071 (1) of the statutes takes effect on June 1,
7 2008.

8 (END)

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SAW

prepared by the Legislative Reference Bureau under s. 13.92(1)(bm)1. and 2. and (2)(i) and (L)

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

Analysis by the Legislative Reference Bureau

Current

This correction bill is explained in the NOTES in the body of the bill. In accordance with a change in drafting style, commas before the last item in a series are added throughout this bill. "Which" is replaced by "that" where grammatically correct. This bill is not intended to make any substantive changes.

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

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SECTION 1. 5.05 (1) (c), as affected by 2007 Wisconsin Act 1, of the statutes is amended to read:
5.05 (1) (c) Bring civil actions to require a forfeiture for any violation of chs. 5 to 12, subch. III of ch. 13, or subch. III of ch. 19 or a license revocation for any violation of subch. III of ch. 13 for which the offender is subject to a revocation. The board may compromise and settle any civil action or potential action brought or authorized to be brought by it which, in the opinion of the board, constitutes a minor violation, a violation caused by excusable neglect, or which for other good cause shown, should not in the public interest be prosecuted under such chapter. Notwithstanding s. 778.06, a civil action or proposed civil action authorized under this paragraph may be settled for such sum as may be agreed between the parties. Any settlement made



1 by the board shall be in such amount as to deprive the alleged violator of any benefit
 2 of his or her wrongdoing and may contain a penal component to serve as a deterrent
 3 to future violations. In settling civil actions or proposed civil actions, the board shall
 4 treat comparable situations in a comparable manner and shall assure that any
 5 settlement bears a reasonable relationship to the severity of the offense or alleged
 6 offense. Except as otherwise provided in sub. (2m) (c) 15. and 16. and ss. 5.08, 5.081,
 7 ~~19.535~~, and 19.59 (8), forfeiture and license revocation actions brought by the board
 8 shall be brought in the circuit court for the county where the defendant resides, or
 9 if the defendant is a nonresident of this state, in circuit court for the county wherein
 10 the violation is alleged to occur. For purposes of this paragraph, a person other than
 11 a natural person resides within a county if the person's principal place of operation
 12 is located within that county. Whenever the board enters into a settlement
 13 agreement with an individual who is accused of a civil violation of chs. 5 to 12, subch.
 14 III of ch. 13, or subch. III of ch. 19 or who is investigated by the board for a possible
 15 civil violation of one of those provisions, the board shall reduce the agreement to
 16 writing, together with a statement of the board's findings and reasons for entering
 17 into the agreement and shall retain the agreement and statement in its office for
 18 inspection.

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

end insA

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

20 10.68 (2) (b) *Friday after 1st Tuesday in January.* 4:30 p.m., on the Friday after
 21 the 1st Tuesday in January, or the following Monday if Tuesday is a holiday, is the
 22 deadline for candidates for state office or municipal judge to file statements of
 23 economic interests with the ethics government accountability board unless the
 24 deadline for filing is extended. See s. 19.43 (4).

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

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SECTION 3. 10.78 (2) (c) of the statutes is amended to read:

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

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

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SECTION 4. 15.01 (6) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

~~15.01 (6) "Division," "bureau," "section" and "unit" means the subunits of a department or an independent agency, whether specifically created by law or created by the head of the department or the independent agency for the more economic and efficient administration and operation of the programs assigned to the department or independent agency. The office of justice assistance in the department of administration, the office of energy independence in the department of administration, the office of the Wisconsin Covenant Scholars Program in the department of administration, and the office of credit unions in the department of financial institutions have the meaning of "division" under this subsection. The office of the long-term care ombudsman under the board on aging and long-term care and the office of educational accountability in the department of public instruction have the meaning of "bureau" under this subsection.~~

NOTE: The office of justice assistance is "attached to" the department of administration under s. 15.105 (19) rather than being "in" the department.

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

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

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

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

21 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
 22 *administration; contract costs, insurer reports, and resource centers.* Medical
 23 Assistance, food stamps, and Badger Care administration; contract costs, reports,
 24 and resource centers. Biennially, the amounts in the schedule to provide a portion

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

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

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15 **SECTION 7.** 29.194 (title) and (1) (title) of the statutes, as affected by 2007
 16 Wisconsin Acts 23 and 51, are amended to read:

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

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

21 **SECTION 8.** 29.194 (1) (b) of the statutes, as affected by 2007 Wisconsin Acts 23
 22 and 51, is amended to read:

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

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

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

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

NOTE: Inserts missing word.

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

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21 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
 22 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), and 253.07
 23 (3) (c), a subunit of a county department of human services or tribal agency acting

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

LFS: Copy/paste
to locations indicated
on pgs. 8, 9, 10, 11
15

NOTE: Reinserts terminology change made by 2007 Wis. Act 20. period starts
 Care district to "long-term care district" throughout the statutes. 2007 Wis Act 45 repealed and recreated
 SECTION 11. 46.215 (1m) of the statutes, as affected by 2007 Wisconsin Acts 20

16 and 45, is amended to read:

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

the provision without taking the change in terminology into account

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

NOTE: Reinserts term change made by 2007 Wis. Act 20.

terminology

Sentence copy/pasted from pg 7

10 **SECTION 12.** 46.22 (1) (dm) of the statutes, as affected by 2007 Wisconsin Acts
 11 20 and 45, is amended to read:

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

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

NOTE: Reinserts ~~term~~ change made by 2007 Wis. Act 20.

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5 SECTION 13. 46.23 (3) (e) of the statutes, as affected by 2007 Wisconsin Acts 20
6 and 45, is amended to read: ✓

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

NOTE: Reinserts ~~term~~ change made by 2007 Wis. Act 20.

Handwritten note in a box: "sentence copy / pasted from pg 7" with an arrow pointing to the word "term" in the note above.

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1 SECTION 14. 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 ~~term~~ change made by 2007 Wis. Act 20.

terminology

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18 SECTION 15. 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
24 client, without the informed consent of the client, with any other subunit of the same

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↑ effective July 1, 2008 ↑

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

NOTE: Reinserts ~~term~~ change made by 2007 Wis. Act 20.

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11 SECTION 16. The treatment of 55.10 (4) (a) of the statutes by 2007 Wisconsin

12 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 s. 55.10 (4) (a) reads:

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55.10(4) (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.

13 SECTION 17. 55.135 (1) of the statutes, as affected by 2007 Wisconsin Acts 20
14 and 45, is amended to read:

15 55.135 (1) If, from personal observation of, or a reliable report made by a
16 person who identifies himself or herself to, a sheriff, police officer, fire fighter,

1 guardian, if any, or authorized representative of a county department or an agency
 2 with which it contracts under s. 55.02 (2), it appears probable that an individual is
 3 so totally incapable of providing for his or her own care or custody as to create a
 4 substantial risk of serious physical harm to himself or herself or others as a result
 5 of developmental disability, degenerative brain disorder, serious and persistent
 6 mental illness, or other like incapacities if not immediately placed, the individual
 7 who personally made the observation or to whom the report is made may take into
 8 custody and transport the individual to an appropriate medical or protective
 9 placement facility. The person making emergency protective placement shall
 10 prepare a statement at the time of detention providing specific factual information
 11 concerning the person's observations or reports made to the person and the basis for
 12 emergency placement. The statement shall be filed with the director of the facility
 13 and with any petition under s. 55.075. At the time of emergency protective placement
 14 the individual shall be informed by the director of the facility or the director's
 15 designee, orally and in writing, of his or her right to contact an attorney and a
 16 member of his or her immediate family and the right to have an attorney provided
 17 at public expense, as provided under s. ~~967.06 and ch. 977~~, if the individual is a minor
 18 ~~or is indigent~~ 55.105. The director or designee shall also provide the individual with
 19 a 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.

20 SECTION 18. 55.14 (7) of the statutes, as affected by 2007 Wisconsin Act 20 [✓] and
 21 45, is [✓] amended to read:

1 55.14 (7) Upon the filing of a petition under this section, the court shall appoint
 2 make a referral for appointment of legal counsel as required provided under s. 55.10
 3 (4) (a) 55.105. A petition under this section shall be heard within 30 days after it is
 4 filed.

This provision reinserts the changes made by Act 20.

NOTE: 2007 Wis. Act 45 repealed and recreated this provision without taking the treatment by 2007 Wis. Act 20 into account. ~~The underscored language, which, was inserted by 2007 Wis. Act 20 to incorporate the terms of s. 55.105, which was created by Act 20 to make specific provision for attorneys in ch. 55 actions, is repealed. ~~It is replaced by group 9 reinsert the language inserted by Act 20.~~~~

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5 SECTION 19. 66.0420 (2) (a) of the statutes, as created by 2007 Wisconsin Act
 6 42, is amended to read:

7 66.0420 (2) (a) "Affiliate", when used in relation to any person, means
 another person who owns or controls, is owned or controlled by, or is under common
 ownership or control with such person.

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

10 SECTION 20. The treatment of 66.0230 (1) (a) of the statutes by 2007 Wisconsin
 11 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 (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.

12 SECTION 21. The treatment of 66.0301 (1) (a) of the statutes by 2007 Wisconsin
 13 Act 20 is not repealed by 2007 Wisconsin Act 43. Both treatments stand.

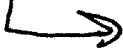
NOTE: There is no conflict of substance. As merged by the legislative reference bureau s. 66.0301 (1) (a) reads:

(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,

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municipal electric company, county or city transit commission, commission created by contract under this section, taxation district, regional planning commission, or city-county health department.

1 ✓ **SECTION 22.** 70.32 (2) (c) 1m. of the statutes is amended to read:
 2 70.32 (2) (c) 1m. "Other," as it relates to par. (a) 7., means buildings and
 3 improvements; including any residence for the farm operator's spouse, children,
 4 parents, or grandparents; and the land necessary for the location and convenience
 5 of those ~~building~~ buildings and improvements.

NOTE: Corrects spelling.

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6 **SECTION 23.** 108.151 (7) (h) of the statutes, as affected by 2007 Wisconsin Act
 7 59, is amended to read:

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8 108.151 (7) (h) If the payroll of an employer for any quarter is adjusted to
 9 decrease the amount of the payroll after ~~a~~ an employment and wage report for the
 10 employer is filed under s. 108.205 (1), the department shall refund any assessment
 11 that is overpaid by the employer under this subsection as a result of the adjustment.

us: add struck space on each side of this "a".

NOTE: Inserts correct article.

12 **SECTION 24.** 154.30 (3) (b) 4. of the statutes, as created by 2007 Wisconsin Act
 13 58, is amended to read:

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14 154.30 (3) (b) 4. An individual for whom a determination is made ~~under~~ by the
 15 probate court under par. (c) 2. b. that the individual and the decedent were estranged
 16 at the time of death.

NOTE: Deletes unnecessary word.

17 **SECTION 25.** The treatment of 20.435 (4) (jz) of the statutes by 2007 Wisconsin
 18 Act 39, section 1, is not repealed by 2007 Wisconsin Act 20, section 393. Both
 19 treatments stand.

NOTE: There is no conflict of substance.

move to page 5 at the location indicated on page 5


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SECTION 26. 2007 Wisconsin Act 59, section 23^g is amended by replacing

"ending on June 29, 2008," with "ending on June 28, 2008,".

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NOTE: Incorrect text was shown stricken.

3 SECTION 27. Effective date. ^S This act takes effect ~~on the day after publication except~~

4 ~~as follows:~~
 (1) The treatment of sections 20.435 (4) (bm) (by SECTION 6), 55.135 (1), and
 5 55.14 (7) of the statutes takes effect on July 1, 2008.

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SECTION 1. 2007 Wisconsin Act 39, section 2^e is amended by replacing "(jz) Medical Assistance and Badger Care cost sharing and employer penalty assessments. All moneys received ~~from~~ in cost sharing from medical assistance recipients, including payments under s. 49.665 (5) ~~and~~, all moneys received from penalty assessments under s. 49.665 (7) (b) 2., and 90 percent of all moneys received from penalty assessments under s. 49.471 (9) (c) to be used for the Badger Care health care program under s. 49.665 and for the Medical Assistance program under subch. IV of ch. 49." with "(jz) Medical Assistance and Badger Care cost sharing and employer penalty assessments. All moneys received in cost sharing from medical assistance recipients, including payments under s. 49.665 (5), ~~and~~ all moneys received from penalty assessments under s. 49.665 (7) (b) 2., and 90 percent of all moneys received from penalty assessments under s. 49.471 (9) (c) to be used for the Badger Care health care program under s. 49.665 and for the Medical Assistance program under subch. IV of ch. 49."

NOTE: 2007 Wis. Act 39, section 2, provides that s. 20.435 (2) (jz) is amended as affected by 2007 Wis. Act 20 and Act 39, section 1. However, Act 39, section 2, showed text that ~~was~~ stricken by Act 20, section 393, ~~as stricken~~ and ~~it~~ showed text that ~~was~~ underscored by Act 20, section 393, as underscored.

had already been

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