




# 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 B** **... Part 02 of 02**

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-4423** has been transferred to the drafting file for

**2009 LRB-0590**



LRB-4423/PT  
BJH:cjs:j  
stays

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).

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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. The treatment of 16.75 (1m) of the statutes by 2007 Wisconsin Act  
7 20 is not repealed by 2007 Wisconsin Act 97.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.

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2 Act 20 is not repealed by 2007 Wisconsin Act 97.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

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

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

3           **SECTION 3.** 29.179 (4) of the statutes, as affected by 2007 Wisconsin Act 65,  
4 section 13, is amended to read:

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

NOTE: Inserts missing word and corrects punctuation.

8           **SECTION 4.** The treatment of 43.30 (1b) of the statutes by 2007 Wisconsin Act  
9 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).

10           **SECTION 5.** The treatment of 46.215 (1p) of the statutes by 2007 Wisconsin Act  
11 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).

1           **SECTION 6.** The treatment of 46.22 (1) (b) 2. e. of the statutes by 2007 Wisconsin  
2 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

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

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

3           **SECTION 7.** The treatment of 46.22 (1) (dp) of the statutes by 2007 Wisconsin  
4 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

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

5           **SECTION 8.** The treatment of 46.23 (3) (ed) of the statutes by 2007 Wisconsin  
6 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

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

7           **SECTION 9.** The treatment of 46.261 (2) (a) 2. of the statutes by 2007 Wisconsin  
8 Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

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

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

1           **SECTION 10.** 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 11.** The treatment of 49.855 (3) of the statutes by 2007 Wisconsin Act  
19 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).

- 1           **SECTION 12.** The treatment of 49.855 (4m) (b) of the statutes by 2007 Wisconsin  
2   Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 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 13.** 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 14.** 66.0617 (9) (a) of the statutes, as affected by 2007 Wisconsin Acts  
4 44 and 96, is amended to read:

5           66.0617 (9) (a) Subject to pars. (b), (c), and (d), and with regard to an impact  
6 fee that is collected after April 10, 2006, an ordinance enacted under this section shall  
7 specify that impact fees that are collected by a municipality within 7 years of the  
8 effective date of the ordinance, but are not used within 10 years after the effective  
9 date of the ordinance to pay the capital costs for which they were imposed, shall be  
10 refunded to the current owner of the property with respect to which the impact fees  
11 were imposed, along with any interest that has accumulated, as described in sub. (8).  
12 The ordinance shall specify, by type of public facility, reasonable time periods within  
13 which impact fees must be spent or refunded under this subsection, subject to the  
14 10-year limit in this paragraph and the extended time period specified in par. (b).  
15 In determining the length of the time periods under the ordinance, a municipality  
16 shall consider what are appropriate planning and financing periods for the  
17 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.

18           **SECTION 15.** The treatment of 66.0617 (9) (b) of the statutes by 2007 Wisconsin  
19 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 16.** The treatment of 71.05 (6) (a) 15. of the statutes by 2007 Wisconsin  
2 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.05 (6) (a) 15. reads:

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

3           **SECTION 17.** The treatment of 71.07 (3w) (a) 6. of the statutes by 2007 Wisconsin  
4 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.07 (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.

5           **SECTION 18.** The treatment of 71.07 (3w) (bm) 4. of the statutes by 2007  
6 Wisconsin Act 20, section 1974, is not repealed by 2007 Wisconsin Act 100. Both  
7 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 19.** The treatment of 71.08 (1) (intro.) of the statutes by 2007  
2 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.08 (1) (intro.) reads:

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

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

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

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

5           **SECTION 21.** The treatment of 71.28 (3w) (bm) 4. of the statutes by 2007  
6 Wisconsin Act 20, section 2047, is not repealed by 2007 Wisconsin Act 100. Both  
7 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.

8           **SECTION 22.** The treatment of 71.47 (3w) (a) 6. of the statutes by 2007 Wisconsin  
9 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.

1           **SECTION 23.** The treatment of 71.47 (3w) (bm) 4. of the statutes by 2007  
2   Wisconsin Act 20, section 2103, is not repealed by 2007 Wisconsin Act 100. Both  
3   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.

4           **SECTION 24.** The treatment of 76.636 (1) (e) of the statutes by 2007 Wisconsin  
5   Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau 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.

1           **SECTION 25.** 76.636 (1) (e) 3. of the statutes, as affected by 2007 Wisconsin Act  
2           20, section 2162, and 2007 Wisconsin Act 97, section 98, is amended to read:

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

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

5           **SECTION 26.** 77.92 (4) of the statutes, as affected by 2007 Wisconsin Act 20, is  
6           amended to read:

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

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

1           **SECTION 27.** The treatment of 153.05 (2r) (intro.) of the statutes by 2007  
 2           Wisconsin Act 20 sections 2898h and 9121 (6) (a), is not repealed by 2007 Wisconsin  
 3           Act 97, section 127. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 153.05 (2r) (intro.) reads:

(2r) Notwithstanding s. 16.75 (1), (2), and (3m), from the appropriation account under s. 20.515 (1) (ut) the department of employee trust funds may expend up to \$150,000, and from the appropriation accounts under s. 20.435 (1) (hg) and (hi) the department of health services, in its capacity as a public health authority, may expend moneys, to contract with a data organization to perform services under this chapter that are specified for the data organization under sub. (1) (c) or, if s. 153.455 (4) applies, for the department of health services to perform or contract for the performance of these services. As a condition of the contract under this subsection, all of the following apply:

4           **SECTION 28.** 165.25 (4) (ar) of the statutes, as affected by 2007 Wisconsin Acts  
 5           76 and 96, is amended to read:

6           165.25 (4) (ar) The department of justice shall furnish all legal services  
 7           required by the department of agriculture, trade and consumer protection relating  
 8           to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,  
 9           100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42,  
 10          100.50, and 100.51, and 100.55, and chs. 126, 136, 344, 704, 707, and 779, together  
 11          with any other services as are necessarily connected to the legal services.

NOTE: Places "and" in proper location. Corrects punctuation.

12          **SECTION 29.** The treatment of 165.85 (3) (cm) of the statutes by 2007 Wisconsin  
 13          Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 165.85 (3) (cm) reads:

(cm) Decertify law enforcement, tribal law enforcement, jail or juvenile detention officers who terminate employment or are terminated, who violate or fail to comply with a rule or order of the board relating to curriculum or training, who fail to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse, or who fail to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings. The board shall establish procedures for decertification in compliance with ch. 227, except that decertification for failure to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or for failure

to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings shall be done as provided under sub. (3m) (a).

1           **SECTION 30.** The treatment of 253.15 (8) of the statutes by 2007 Wisconsin Act  
2           20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 253.15 (8) reads:

(8) IDENTIFICATION OF SHAKEN OR IMPACTED BABIES. The department of health services shall identify all infants and young children who have shaken baby syndrome or who are impacted babies and all infants and young children who have died as a result of being shaken or thrown by using the statewide automated child welfare information system established under s. 48.47 (7g) and child fatality information compiled by the department of justice. For each infant or young child so identified, the department of health services shall document the age, sex, and other characteristics of the infant or young child that are relevant to the prevention of shaken baby syndrome and impacted babies and, if known, the age, sex, employment status, and residence of the person who shook or threw the infant or young child, the relationship of that person to the infant or young child, and any other characteristics of that person that are relevant to the prevention of shaken baby syndrome and impacted babies.

3           **SECTION 31.** 301.48 (2) (b) 2. of the statutes, as affected by 2007 Wisconsin Acts  
4           20 and 96, is amended to read:

5           301.48 (2) (b) 2. A court discharges the person under ~~s. 980.10, 2003 stats. or~~  
6           s. 980.09 (4). This subdivision does not apply if the person was on supervised release  
7           immediately before being discharged.

NOTE: 2007 Wis. Act 20 deleted the cross-reference to s. 980.10 from this provision. 2007 Wis. Act 96, a correction bill, changed the location of the cross-reference within the provision to conform to current style and allow for proper electronic linking but without taking the treatment of Act 20 into account and without intending to recreate a deleted cross-reference.

8           **SECTION 32.** The treatment of 301.48 (3) (c) 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, s. 301.48 (3) (c) reads:

(c) For each person who is subject to global positioning system tracking under this section, the department shall create individualized exclusion and inclusion zones for the person, if necessary to protect public safety. In creating exclusion zones, the department shall focus on areas where children congregate, with perimeters of 100 to 250 feet, and on areas where the person has been prohibited from going as a condition of probation, extended supervision, parole, conditional release, supervised release, or lifetime supervision. In creating inclusion zones for a person on supervised release, the department shall consider s. 980.08 (9).

1           **SECTION 33.** The treatment of 348.21 (3g) (intro.) of the statutes by 2007  
2   Wisconsin Act 20, section 3435m, is not repealed by 2007 Wisconsin Act 97, section  
3   178. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 348.21 (3g) (intro.) reads:

(3g) Any person who, while operating a vehicle combination that is transporting raw forest products, violates s. 348.15 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

4           **SECTION 34.** The treatment of 767.57 (1e) (a) of the statutes by 2007 Wisconsin  
5   Act 20, section 3734, is not repealed by 2007 Wisconsin Act 96. Both treatments  
6   stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 767.57 (1e) (a) reads:

(a) For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under sub. (1) (c), the department or its designee shall collect an annual fee of \$65 from a party ordered to make payments. The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

7           **SECTION 35.** The treatment of 767.57 (1e) (a) of the statutes by 2007 Wisconsin  
8   Act 20, section 3735, is not repealed by 2007 Wisconsin Act 96. Both treatments  
9   stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 767.57 (1e) (a) reads:

(a) For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under sub. (1) (c), the department or its designee shall collect an annual fee of \$65 from a party ordered to make payments. The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in

the appropriation account under s. 20.437 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

1           **SECTION 36.** 804.05 (3) (b) 5. of the statutes, as affected by 2007 Wisconsin Act  
2 97, is amended to read:

3           804.05 (3) (b) 5. In this subsection, the terms “defendant” and “plaintiff”  
4 include officers, directors, and managing agents of corporate defendants and  
5 corporate plaintiffs, or other persons designated under sub. (2) (e), as appropriate.  
6 A defendant who asserts a counterclaim or a cross-claim shall not be considered a  
7 plaintiff within the meaning of this subsection, but a 3rd-party plaintiff under s.  
8 803.05 (1) shall be so considered with respect to the 3rd-party defendant.

NOTE: The underscored comma was deleted by 2007 Wis. Act 97 without being shown as stricken. No change was intended.

9           **SECTION 37.** 895.51 (1) (bm) of the statutes, as created by 2007 Wisconsin Act  
10 79, is renumbered 895.51 (1) (dr).

NOTE: Places definition in alphabetical order consistent with current style.

11           **SECTION 38.** The treatment of 938.355 (6) (d) 1. of the statutes by 2007  
12 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 938.355 (6) (d) 1. reads:

1. Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

1           **SECTION 39.** The treatment of 938.355 (6m) (a) 1g. of the statutes by 2007  
2 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 938.355 (6m) (a) 1g. reads:

1g. Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. The use of placement in a juvenile detention facility or in a juvenile portion of a county jail as a sanction under this subdivision is subject to the adoption of a resolution by the county board of supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

3           **SECTION 40.** 2007 Wisconsin Act 20, section 1713 is amended by replacing "s.  
4 767.89 (3) (e) 1. or 767.805 (4) (d) 1. or 767.89 (3) (e) 1." with "s. 767.805 (4) (d) 1. or  
5 767.89 (3) (e) 1.".

NOTE: Text that was not preexisting was shown as stricken.

6           **SECTION 41.** 2007 Wisconsin Act 20, section 1716 is amended by replacing "s.  
7 767.89 (3) (e) 1. or 767.805 (4) (d) 1. or 767.89 (3) (e) 1." with "s. 767.805 (4) (d) 1. or  
8 767.89 (3) (e) 1.".

NOTE: Text that was not preexisting was shown as stricken.

9           **SECTION 42.** 2007 Wisconsin Act 20, section 1968 is amended by replacing  
10 "individuals full-time employees that exceeds \$100,000." with "individual full-time  
11 employees that exceeds \$100,000.".

NOTE: The "s" in "individuals" was not preexisting, but was shown as stricken.

12           **SECTION 43.** 2007 Wisconsin Act 20, section 2041 is amended by replacing  
13 "individuals full-time employees that exceeds \$100,000." with "individual full-time  
14 employees that exceeds \$100,000.".

NOTE: The "s" in "individuals" was not preexisting, but was shown as stricken.







## 2007 BILL

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.** The treatment of 16.75 (1m) of the statutes by 2007 Wisconsin Act  
7         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:

**BILL****SECTION 1**

(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.

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

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

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

3           **SECTION 3.** 29.179 (4) of the statutes, as affected by 2007 Wisconsin Act 65,  
4 section 13, is amended to read:

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

NOTE: Inserts missing word and corrects punctuation.

8           **SECTION 4.** The treatment of 43.30 (1b) of the statutes by 2007 Wisconsin Act  
9 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).

10           **SECTION 5.** The treatment of 46.215 (1p) of the statutes by 2007 Wisconsin Act  
11 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:

**BILL**

(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).

1           **SECTION 6.** The treatment of 46.22 (1) (b) 2. e. of the statutes by 2007 Wisconsin  
2 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

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

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

3           **SECTION 7.** The treatment of 46.22 (1) (dp) of the statutes by 2007 Wisconsin  
4 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

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

5           **SECTION 8.** The treatment of 46.23 (3) (ed) of the statutes by 2007 Wisconsin  
6 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

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

7           **SECTION 9.** The treatment of 46.261 (2) (a) 2. of the statutes by 2007 Wisconsin  
8 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:

**BILL**

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

1           **SECTION 10.** 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 11.** The treatment of 49.855 (3) of the statutes by 2007 Wisconsin Act  
19 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:

**BILL**

(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).

1           **SECTION 12.** The treatment of 49.855 (4m) (b) of the statutes by 2007 Wisconsin  
2 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

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

**BILL**

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 13.** 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 14.** 66.0617 (9) (a) of the statutes, as affected by 2007 Wisconsin Acts  
4 44 and 96, is amended to read:

5           66.0617 (9) (a) Subject to pars. (b), (c), and (d), and with regard to an impact  
6 fee that is collected after April 10, 2006, an ordinance enacted under this section shall  
7 specify that impact fees that are collected by a municipality within 7 years of the  
8 effective date of the ordinance, but are not used within 10 years after the effective  
9 date of the ordinance to pay the capital costs for which they were imposed, shall be  
10 refunded to the current owner of the property with respect to which the impact fees  
11 were imposed, along with any interest that has accumulated, as described in sub. (8).  
12 The ordinance shall specify, by type of public facility, reasonable time periods within  
13 which impact fees must be spent or refunded under this subsection, subject to the  
14 10-year limit in this paragraph and the extended time period specified in par. (b).  
15 In determining the length of the time periods under the ordinance, a municipality  
16 shall consider what are appropriate planning and financing periods for the  
17 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.

18           **SECTION 15.** The treatment of 66.0617 (9) (b) of the statutes by 2007 Wisconsin  
19 Act 44 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

**BILL**

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 16.** The treatment of 71.05 (6) (a) 15. of the statutes by 2007 Wisconsin  
2 Act 20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.05 (6) (a) 15. reads:

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

3           **SECTION 17.** The treatment of 71.07 (3w) (a) 6. of the statutes by 2007 Wisconsin  
4 Act 20 is not repealed by 2007 Wisconsin Act 100. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.07 (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.

5           **SECTION 18.** The treatment of 71.07 (3w) (bm) 4. of the statutes by 2007  
6 Wisconsin Act 20, section 1974, is not repealed by 2007 Wisconsin Act 100. Both  
7 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.



**BILL****SECTION 19**

1           **SECTION 19.** The treatment of 71.08 (1) (intro.) of the statutes by 2007  
2 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 71.08 (1) (intro.) reads:

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

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

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

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

5           **SECTION 21.** The treatment of 71.28 (3w) (bm) 4. of the statutes by 2007  
6 Wisconsin Act 20, section 2047, is not repealed by 2007 Wisconsin Act 100. Both  
7 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.

8           **SECTION 22.** The treatment of 71.47 (3w) (a) 6. of the statutes by 2007 Wisconsin  
9 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

**BILL**

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

1           **SECTION 23.** The treatment of 71.47 (3w) (bm) 4. of the statutes by 2007  
2           Wisconsin Act 20, section 2103, is not repealed by 2007 Wisconsin Act 100. Both  
3           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.

4           **SECTION 24.** The treatment of 76.636 (1) (e) of the statutes by 2007 Wisconsin  
5           Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau 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.

**BILL****SECTION 25**

1           **SECTION 25.** 76.636 (1) (e) 3. of the statutes, as affected by 2007 Wisconsin Act  
2           20, section 2162, and 2007 Wisconsin Act 97, section 98, is amended to read:

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

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

5           **SECTION 26.** 77.92 (4) of the statutes, as affected by 2007 Wisconsin Act 20, is  
6           amended to read:

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

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

**BILL**

1           **SECTION 27.** The treatment of 153.05 (2r) (intro.) of the statutes by 2007  
2    Wisconsin Act 20, sections 2898h and 9121 (6) (a), is not repealed by 2007 Wisconsin  
3    Act 97, section 127. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 153.05 (2r) (intro.) reads:

(2r) Notwithstanding s. 16.75 (1), (2), and (3m), from the appropriation account under s. 20.515 (1) (ut) the department of employee trust funds may expend up to \$150,000, and from the appropriation accounts under s. 20.435 (1) (hg) and (hi) the department of health services, in its capacity as a public health authority, may expend moneys, to contract with a data organization to perform services under this chapter that are specified for the data organization under sub. (1) (c) or, if s. 153.455 (4) applies, for the department of health services to perform or contract for the performance of these services. As a condition of the contract under this subsection, all of the following apply:

4           **SECTION 28.** 165.25 (4) (ar) of the statutes, as affected by 2007 Wisconsin Acts  
5    76 and 96, is amended to read:

6           165.25 (4) (ar) The department of justice shall furnish all legal services  
7    required by the department of agriculture, trade and consumer protection relating  
8    to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,  
9    100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42,  
10   100.50, ~~and~~ 100.51, and 100.55, and chs. 126, 136, 344, 704, 707, and 779, together  
11   with any other services as are necessarily connected to the legal services.

NOTE: Places "and" in proper location. Corrects punctuation.

12           **SECTION 29.** The treatment of 165.85 (3) (cm) of the statutes by 2007 Wisconsin  
13    Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 165.85 (3) (cm) reads:

(cm) Decertify law enforcement, tribal law enforcement, jail or juvenile detention officers who terminate employment or are terminated, who violate or fail to comply with a rule or order of the board relating to curriculum or training, who fail to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse, or who fail to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings. The board shall establish procedures for decertification in compliance with ch. 227, except that decertification for failure to pay court-ordered payments of child or family support, maintenance, birth expenses, medical expenses, or other expenses related to the support of a child or former spouse or for failure

**BILL****SECTION 29**

to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to paternity or child support proceedings shall be done as provided under sub. (3m) (a).

1           **SECTION 30.** The treatment of 253.15 (8) of the statutes by 2007 Wisconsin Act  
2           20 is not repealed by 2007 Wisconsin Act 96. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 253.15 (8) reads:

(8) IDENTIFICATION OF SHAKEN OR IMPACTED BABIES. The department of health services shall identify all infants and young children who have shaken baby syndrome or who are impacted babies and all infants and young children who have died as a result of being shaken or thrown by using the statewide automated child welfare information system established under s. 48.47 (7g) and child fatality information compiled by the department of justice. For each infant or young child so identified, the department of health services shall document the age, sex, and other characteristics of the infant or young child that are relevant to the prevention of shaken baby syndrome and impacted babies and, if known, the age, sex, employment status, and residence of the person who shook or threw the infant or young child, the relationship of that person to the infant or young child, and any other characteristics of that person that are relevant to the prevention of shaken baby syndrome and impacted babies.

3           **SECTION 31.** 301.48 (2) (b) 2. of the statutes, as affected by 2007 Wisconsin Acts  
4           20 and 96, is amended to read:

5           301.48 (2) (b) 2. A court discharges the person under ~~s. 980.10, 2003 stats. or~~  
6           s. 980.09 (4). This subdivision does not apply if the person was on supervised release  
7           immediately before being discharged.

NOTE: 2007 Wis. Act 20 deleted the cross-reference to s. 980.10 from this provision. 2007 Wis. Act 96, a correction bill, changed the location of the cross-reference within the provision to conform to current style and allow for proper electronic linking but without taking the treatment of Act 20 into account and without intending to recreate a deleted cross-reference.

8           **SECTION 32.** The treatment of 301.48 (3) (c) 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, s. 301.48 (3) (c) reads:

(c) For each person who is subject to global positioning system tracking under this section, the department shall create individualized exclusion and inclusion zones for the person, if necessary to protect public safety. In creating exclusion zones, the department shall focus on areas where children congregate, with perimeters of 100 to 250 feet, and on areas where the person has been prohibited from going as a condition of probation, extended supervision, parole, conditional release, supervised release, or lifetime supervision. In creating inclusion zones for a person on supervised release, the department shall consider s. 980.08 (9).

**BILL**

1           **SECTION 33.** The treatment of 348.21 (3g) (intro.) of the statutes by 2007  
2           Wisconsin Act 20, section 3435m, is not repealed by 2007 Wisconsin Act 97, section  
3           178. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 348.21 (3g) (intro.) reads:

(3g) Any person who, while operating a vehicle combination that is transporting raw forest products, violates s. 348.15 or 348.16 or any weight limitation posted as provided in s. 348.17 (1) or in a declaration issued under s. 348.175 or authorized in an overweight permit issued under s. 348.26 or 348.27 may be penalized as follows:

4           **SECTION 34.** The treatment of 767.57 (1e) (a) of the statutes by 2007 Wisconsin  
5           Act 20, section 3734, is not repealed by 2007 Wisconsin Act 96. Both treatments  
6           stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 767.57 (1e) (a) reads:

(a) For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under sub. (1) (c), the department or its designee shall collect an annual fee of \$65 from a party ordered to make payments. The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in the appropriation account under s. 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

7           **SECTION 35.** The treatment of 767.57 (1e) (a) of the statutes by 2007 Wisconsin  
8           Act 20, section 3735, is not repealed by 2007 Wisconsin Act 96. Both treatments  
9           stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-08, s. 767.57 (1e) (a) reads:

(a) For receiving and disbursing maintenance, child support, or family support payments, including payments in arrears, and for maintaining the records required under sub. (1) (c), the department or its designee shall collect an annual fee of \$65 from a party ordered to make payments. The court shall order each party ordered to make payments to pay the fee in each year for which payments are ordered or in which an arrearage in any of those payments is owed. In directing the manner of payment, the court shall order that the fee be withheld from income and sent to the department or its designee, as provided under s. 767.75. Fees under this paragraph shall be deposited in

**BILL****SECTION 35**

the appropriation account under s. 20.437 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party ordered to make payments of the requirement to pay, and the amount of, the fee. If the fee under this paragraph is not paid when due, the department or its designee may not deduct the fee from any maintenance, child or family support, or arrearage payment, but may move the court for a remedial sanction under ch. 785.

1           **SECTION 36.** 804.05 (3) (b) 5. of the statutes, as affected by 2007 Wisconsin Act  
2 97, is amended to read:

3           804.05 (3) (b) 5. In this subsection, the terms “defendant” and “plaintiff”  
4 include officers, directors, and managing agents of corporate defendants and  
5 corporate plaintiffs, or other persons designated under sub. (2) (e), as appropriate.  
6 A defendant who asserts a counterclaim or a cross-claim shall not be considered a  
7 plaintiff within the meaning of this subsection, but a 3rd-party plaintiff under s.  
8 803.05 (1) shall be so considered with respect to the 3rd-party defendant.

NOTE: The underscored comma was deleted by 2007 Wis. Act 97 without being shown as stricken. No change was intended.

9           **SECTION 37.** 895.51 (1) (bm) of the statutes, as created by 2007 Wisconsin Act  
10 79, is renumbered 895.51 (1) (dr).

NOTE: Places definition in alphabetical order consistent with current style.

11           **SECTION 38.** The treatment of 938.355 (6) (d) 1. of the statutes by 2007  
12 Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 938.355 (6) (d) 1. reads:

1. Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

**BILL**

1           **SECTION 39.** The treatment of 938.355 (6m) (a) 1g. of the statutes by 2007  
2           Wisconsin Act 20 is not repealed by 2007 Wisconsin Act 97. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 938.355 (6m) (a) 1g. reads:

1g. Placement of the juvenile in a juvenile detention facility or juvenile portion of a county jail that meets the standards promulgated by the department by rule or in a place of nonsecure custody, for not more than 10 days and the provision of educational services consistent with his or her current course of study during the period of placement. The juvenile shall be given credit against the period of detention or nonsecure custody imposed under this subdivision for all time spent in secure detention in connection with the course of conduct for which the detention or nonsecure custody was imposed. The use of placement in a juvenile detention facility or in a juvenile portion of a county jail as a sanction under this subdivision is subject to the adoption of a resolution by the county board of supervisors under s. 938.06 (5) authorizing the use of those placements as a sanction. If the court orders placement of the juvenile in a place of nonsecure custody under the supervision of the county department, the court shall order the juvenile into the placement and care responsibility of the county department as required under 42 USC 672 (a) (2) and shall assign the county department primary responsibility for providing services to the juvenile.

3           **SECTION 40.** 2007 Wisconsin Act 20, section 1713 is amended by replacing "s.  
4           767.89 (3) (e) 1. or 767.805 (4) (d) 1. or 767.89 (3) (e) 1." with "s. 767.805 (4) (d) 1. or  
5           767.89 (3) (e) 1.".

NOTE: Text that was not preexisting was shown as stricken.

6           **SECTION 41.** 2007 Wisconsin Act 20, section 1716 is amended by replacing "s.  
7           767.89 (3) (e) 1. or 767.805 (4) (d) 1. or 767.89 (3) (e) 1." with "s. 767.805 (4) (d) 1. or  
8           767.89 (3) (e) 1.".

NOTE: Text that was not preexisting was shown as stricken.

9           **SECTION 42.** 2007 Wisconsin Act 20, section 1968 is amended by replacing  
10           "individuals full-time employees that exceeds \$100,000." with "individual full-time  
11           employees that exceeds \$100,000.".

NOTE: The "s" in "individuals" was not preexisting, but was shown as stricken.

12           **SECTION 43.** 2007 Wisconsin Act 20, section 2041 is amended by replacing  
13           "individuals full-time employees that exceeds \$100,000." with "individual full-time  
14           employees that exceeds \$100,000.".

NOTE: The "s" in "individuals" was not preexisting, but was shown as stricken.



