

2013 Assembly Bill 562 (LRB -0595)

An Act relating to: affecting various provisions of the statutes to make corrections and reconcile conflicts (Corrections Bill).

2013

12-12.	A.	Introduced by Law Revision Committee.	497
12-12.	A.	Read first time and referred to Committee on Judiciary	497
12-19.	A.	Public hearing held	
12-19.	A.	Executive action taken	

2014

01-07.	A.	Report passage recommended by Committee on Judiciary, Ayes 8, Noes 0	514
01-07.	A.	Referred to Committee on Rules	514
01-08.	A.	Placed on calendar 1-14-2014 by Committee on Rules	
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01-14.	A.	Ordered to a third reading	527
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01-14.	A.	Read a third time and passed	527
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01-15.	S.	Read first time and referred to committee on Senate Organization	575
01-15.	S.	Available for scheduling	
02-06.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 5, Noes 0	639
02-06.	S.	Placed on calendar 2-11-2014 pursuant to Senate Rule 18(1)	639
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SB

2013
ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

13-0595/2

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

2-13-14
Date

SR Miller
Enrolling Drafter



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0595/2
BJH:cjs:ph

2013 ASSEMBLY BILL 562

December 12, 2013 - Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Judiciary.

1 AN ACT relating to: affecting various provisions of the statutes to make
2 corrections and reconcile conflicts (Corrections Bill).

Analysis by the Legislative Reference Bureau

This correction bill was prepared by the Legislative Reference Bureau under s.
13.92 (1) (bm) 1. and 2. and (2) (i) and (L), stats. Specific changes are explained in
the NOTES in the body of the bill.

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

3 SECTION 1. 5.05 (10) of the statutes is amended to read:

4 5.05 (10) STATE ELECTION ADMINISTRATION PLAN. With the assistance of the
5 election administration council and approval of the joint committee on finance as
6 provided in this subsection, the board shall adopt and modify as necessary a state
7 plan that meets the requirements of P.L. 107-252 to enable participation by this
8 state in federal financial assistance programs authorized under that law. The board
9 shall adopt the plan and any modifications only after publishing a class I 1 notice

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1 under ch. 985 or posting on the Internet a statement describing the proposed plan
2 or modification and receiving public comment thereon. After approval of the
3 proposed plan or any modification of the plan by the board, the board shall submit
4 the proposed plan or modification to the joint committee on finance for the approval
5 of the committee. The board may adopt the proposed plan or modification only if the
6 committee approves the proposed plan or modification.

NOTE: Conforms text to ch. 985.

7 **SECTION 2.** 6.45 (1) of the statutes is amended to read:

8 6.45 (1) After the deadline for revision of the registration list, the municipal
9 clerk shall make copies of the list for election use. ~~The registration list and any~~
10 ~~supplemental lists which are prepared at polling places or other registration~~
11 ~~locations under s. 6.55, shall be open to public inspection. Under the regulations~~
12 ~~prescribed by the municipal clerk, any person may copy the registration list at the~~
13 ~~office of the clerk. A registration list maintained at a polling place may be examined~~
14 ~~by any person who is observing the proceedings under s. 7.41 when such use does not~~
15 ~~interfere with the conduct of the election.~~

NOTE: 1999 Wis. Act 49 divided the then existing sub. (1) into subs. (1) and (1m),
leaving only the first sentence above in sub. (1). As the result of an error in transcribing
1999 Wis. Act 49, the stricken text incorrectly repeats the language of sub. (1m) and is
removed.

16 **SECTION 3.** 11.06 (1) (jm) of the statutes, as affected by 2011 Wisconsin Act 32,
17 is amended to read:

18 11.06 (1) (jm) A copy of any separate schedule prepared or received pursuant
19 to an escrow agreement under s. 11.16 (5). A candidate or personal campaign
20 committee receiving contributions under such an agreement and attaching a
21 separate schedule under this paragraph may indicate the percentage of the total
22 contributions received, and disbursements made without itemization, except that

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1 amounts received from any contributor pursuant to the agreement who makes any
2 separate contribution to the candidate or personal campaign committee during the
3 calendar year of receipt as indicated in the schedule shall be aggregated and itemized
4 if required under par. (a) or (b).

NOTE: Removes comma and adds "and" for correct grammar.

5 **SECTION 4.** 13.94 (4) (a) 1. of the statutes, as affected by 2011 Wisconsin Act 10,
6 is amended to read:

7 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
8 credentialing board, commission, independent agency, council or office in the
9 executive branch of state government; all bodies created by the legislature in the
10 legislative or judicial branch of state government; any public body corporate and
11 politic created by the legislature including specifically the Fox River Navigational
12 System Authority, the Lower Fox River Remediation Authority, the Wisconsin
13 Aerospace Authority, and the Wisconsin Economic Development Corporation, a
14 professional baseball park district, a local professional football stadium district, a
15 local cultural arts district and a long-term care district under s. 46.2895; every
16 Wisconsin works agency under subch. III of ch. 49; every provider of medical
17 assistance under subch. IV of ch. 49; technical college district boards; every county
18 department under s. 51.42 or 51.437; every nonprofit corporation or cooperative or
19 unincorporated cooperative association to which moneys are specifically
20 appropriated by state law; and every corporation, institution, association or other
21 organization which receives more than 50% of its annual budget from appropriations
22 made by state law, including subgrantee or subcontractor recipients of such funds.

NOTE: Deletes unnecessary word.

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SECTION 5

1 **SECTION 5.** 15.145 (5) (intro.) of the statutes, as affected by 2011 Wisconsin Act
2 32, is amended to read:

3 15.145 (5) COUNCIL ON OFFENDER REENTRY. (intro.) There is created a council on
4 offender reentry which is attached to the department of corrections under s. 15.03,
5 which shall have the duties, responsibilities, and powers set forth under s. 301.095.
6 The council shall consist of ~~22~~ 21 members, and the appointed members shall serve
7 for 2-year terms and may be appointed for a maximum of 2 consecutive terms. The
8 chairperson of the council shall be the secretary of corrections or the reentry director,
9 as decided by the secretary of corrections. The chairperson may appoint
10 subcommittees and the council shall meet no less frequently than 4 times per year
11 at a date and location to be determined by the chairperson. Members of the council
12 shall include the secretary of corrections, or his or her designee; the secretary of
13 workforce development, or his or her designee; the secretary of health services, or his
14 or her designee; the secretary of children and families, or his or her designee; the
15 secretary of transportation, or his or her designee; the attorney general, or his or her
16 designee; the chairperson of the parole commission, or his or her designee; the state
17 superintendent of public instruction; the reentry director as appointed by the
18 secretary of corrections; a current or former judge, as appointed by the director of
19 state courts; an individual who has been previously convicted of, and incarcerated
20 for, a crime in Wisconsin, as appointed by the secretary of corrections; and the
21 following persons, as appointed by the governor:

NOTE: 2011 Wis. Act 32 eliminated one of the members of the council without
changing the number of members.

22 **SECTION 6.** 16.301 (intro.) of the statutes, as affected by 2011 Wisconsin Act 32,
23 section 3450m, is amended to read:

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1 **16.301 Definitions.** (intro.) In ~~this subchapter~~ ss. 16.301 to 16.315:

NOTE: Corrects cross-reference. Sections 16.301 to 16.315 were renumbered from ss. 560.9801 to 560.9815, which made up an entire subchapter. Sections 16.301 to 16.315 were renumbered to be a part of subchapter I of Chapter 16 and the definitions in s. 16.301 do not apply to the entire subchapter.

2 **SECTION 7.** 16.50 (3) (b) of the statutes, as affected by 2011 Wisconsin Acts 10
3 and 32, is amended to read:

4 16.50 (3) (b) No change in the number of full-time equivalent positions
5 authorized through the biennial budget process or other legislative act may be made
6 without the approval of the joint committee on finance, except for position changes
7 made by the governor under s. 16.505 (1) (c), (2), or (2j), by the investment board
8 under s. 16.505 (2g), or by the board of regents of the University of Wisconsin System
9 under s. 16.505 (2m) or (2p).

NOTE: Inserts missing commas.

10 **SECTION 8.** The treatment of 16.505 (1) (intro.) of the statutes by 2011
11 Wisconsin Act 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 16.505 (1) (intro.) reads:

(1) Except as provided in subs. (2), (2g), (2j), (2m), and (2p), no position, as defined in s. 230.03 (11), regardless of funding source or type, may be created or abolished unless authorized by one of the following:

12 **SECTION 9.** 16.70 (11m) of the statutes is repealed.

NOTE: Section 16.70 (11m) defines "recyclable material" in s. 16.70, but the term does not appear in s. 16.70.

13 **SECTION 10.** 16.75 (8) (a) 1. and 2. of the statutes are renumbered 16.75 (8) (am)
14 and (bm).

NOTE: Section 16.75 (8) does not have multiple paragraphs as currently numbered.

15 **SECTION 11.** 16.75 (10e) (b) of the statutes, as affected by 2011 Wisconsin Act
16 32, is amended to read:

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1 16.75 (10e) (b) If s. 16.855 (10s) (a) provides an applicable standard for the type
2 of ~~agency energy~~ consuming equipment being purchased and the purchase will cost
3 more than \$5,000 per unit the department, any other designated purchasing agent
4 under s. 16.71 (1), any agency making purchases under s. 16.74, and any authority
5 may not purchase that type of energy consuming equipment unless the specifications
6 for the equipment meet the applicable standards. If there is an applicable standard
7 under s. 16.855 (10s) (a), but the energy consuming equipment meeting that
8 standard is not reasonably available, the department, purchasing agent, agency, or
9 authority shall ensure, for purchases over \$5,000 per unit, that the energy
10 consuming equipment that is purchased maximizes energy efficiency to the extent
11 technically and economically feasible. The department, purchasing agent, agency,
12 or authority shall not determine that energy consuming equipment that meets the
13 applicable standard under s. 16.855 (10s) (a) either is not reasonably available on the
14 basis of cost alone or is not cost-effective unless the difference in the cost of the
15 purchase and installation of the equipment that meets the standard and the
16 equipment that would otherwise be installed is greater than the difference in the cost
17 of operating the equipment that meets the standard and the equipment that would
18 otherwise be installed over the anticipated life of the equipment.

NOTE: Inserts correct word as indicated by drafting records for 2011 Wis. Act 32.

19 **SECTION 12.** 16.85 (1) of the statutes, as affected by 2011 Wisconsin Act 32,
20 section 267, is amended to read:

21 16.85 (1) To take charge of and supervise all engineering or architectural
22 services or construction work, as defined in s. 16.87 (1) (a), performed by, or for, the
23 state, or any department, board, institution, commission, or officer of the state,
24 including nonprofit-sharing corporations organized for the purpose of assisting the

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1 state in the construction and acquisition of new buildings or improvements and
2 additions to existing buildings as contemplated under ss. 13.488, 36.09, and 36.11,
3 except work to be performed for the University of Wisconsin System with respect to
4 a building, structure, or facility involving a cost of less than \$500,000 that is funded
5 entirely with the proceeds of gifts or grants made to the system, and except the
6 engineering, architectural, and construction work of the department of
7 transportation; and the engineering service performed by the department of safety
8 and professional services, department of revenue, public service commission,
9 department of health services, and other departments, boards, and commissions
10 when the service is not related to the maintenance, and construction and planning,
11 of the physical properties of the state.

NOTE: Text inserted by 2011 Wis. Act 32, section 266, was removed by Act 32, section 267, without being shown as stricken. Drafting records show that no change was intended. Also makes a cross-reference more specific. "Construction work" is defined in s. 16.87 (1) (a).

12 **SECTION 13.** 16.854 (2) (intro.) of the statutes is amended to read:

13 16.854 (2) (intro.) Subject to the requirements of s. 16.82 (7), the department
14 may, upon request of any local professional baseball park district, if the district has
15 entered into a lease agreement with the department under s. 16.82 (7), take charge
16 of and supervise engineering or architectural services or construction work, as
17 defined in s. 16.87 (1) (a), performed by, or for, the district for compensation to be
18 agreed upon between the department and the district. In connection with such
19 services or work, the department may furnish engineering, architectural, project
20 management and other building construction services whenever requisitions
21 therefor are presented to the department by the district. If the district has entered
22 into a lease agreement with the department under s. 16.82 (7), the department may
23 also assist the district, upon request of the district, in letting contracts for

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1 engineering, architectural or construction work authorized by law and in
2 supervising the work done thereunder. The department may award any such
3 contract for any combination or division of work it designates and may consider any
4 factors in awarding a contract including price, time for completion of work and the
5 qualifications and past performance of a contractor. In awarding contracts under
6 this section for the construction of baseball park facilities, as defined in s. 229.65 (1),
7 the department shall ensure that any person who is awarded a contract agrees, as
8 a condition to receiving the contract, that his or her goal shall be to ensure that at
9 least 25% of the employees hired because of the contract will be minority group
10 members and at least 5% of the employees hired because of the contract will be
11 women. It shall also be a goal of the department to ensure that at least 25% of the
12 aggregate dollar value of contracts awarded for the construction of such facilities in
13 the following areas are awarded to minority businesses and at least 5% of the
14 aggregate dollar value of contracts awarded for the construction of such facilities in
15 the following areas are awarded to women's businesses:

NOTE: Makes cross-reference more specific. "Construction work" is defined in s.
16.87 (1) (a).

16 **SECTION 14.** 20.505 (1) (gr) of the statutes, as affected by 2011 Wisconsin Act
17 32, section 406, is amended to read:

18 20.505 (1) (gr) *Disabled veteran-owned, woman-owned, and minority business*
19 *certification fees.* All moneys received from fees collected under s. 16.283 (3) (c) for
20 the costs of certifying disabled veteran-owned businesses under s. 16.283; all
21 moneys received from fees collected under s. 16.285 (1) (bm), for the costs of certifying
22 woman-owned businesses under s. ~~6.285~~ 16.285; and all moneys received from fees

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1 collected under s. 16.287 (2) (dm) for the costs of certifying minority businesses under
2 s. 16.287.

NOTE: Corrects cross-reference. 2011 Wis. Act 32 renumbered s. 560.035 to s. 16.285, but the cross-reference in this provision was changed from s. 560.035 (1) to s. 6.285. There is no s. 6.285.

3 **SECTION 15.** The treatment of 20.923 (8) of the statutes by 2011 Wisconsin Act
4 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 20.923 (8) reads:

(8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3) (b), 15.04 (2), 230.04 (16), and 551.601 (1) shall be set by the appointing authority. The salary shall not exceed the maximum of the salary range one range below the salary range of the executive salary group to which the department or agency head is assigned. The positions of assistant secretary of state, assistant state treasurer and associate director of the historical society shall be treated as unclassified deputies for pay purposes under this subsection. The salary of the deputy director of the office of business development in the department of administration is assigned to executive salary group 2.

5 **SECTION 16.** 23.0917 (6m) (d) of the statutes is amended to read:

6 23.0917 (6m) (d) The procedures under ~~pars.~~ par. (a) and ~~(b)~~ apply to any land
7 acquisition under sub. (5m).

NOTE: 23.0917 (6m) (b) of the statutes was repealed by 2011 Wis. Act 32.

8 **SECTION 17.** 25.49 (intro.) and (1) of the statutes, as affected by 2011 Wisconsin
9 Act 32, are consolidated, renumbered 25.49 and amended to read:

10 **25.49 Economic development fund.** There is established a separate
11 nonlapsible trust fund designated as the economic development fund, to consist of:
12 (1) ~~The~~ the surcharge imposed under subch. VII of ch. 77.

NOTE: Section 25.49 does not have multiple subsections.

13 **SECTION 18.** The treatment of 36.09 (1) (j) of the statutes by 2011 Wisconsin Act
14 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, effective 7-1-15, s. 36.09 (1) (j) reads:

(j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91, the board shall establish salaries for persons prior to July 1 of each year for the next fiscal year, and shall designate

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the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the salaries of employees under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. The granting of salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the secretary of administration and director of the office of state employment relations concerning the amounts of any salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12-month period ending on the preceding June 30.

- 1 **SECTION 19.** The treatment of 40.05 (4) (b) of the statutes by 2011 Wisconsin
2 Act 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 40.05 (4) (b) reads:

(b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5) and subch. V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6. or 10., be converted, at the employee's highest basic pay rate he or she received while employed by the state, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. Any supplemental compensation that is paid to a state employee who is classified under the state classified civil service as a teacher, teacher supervisor, or education director for the employee's completion of educational courses that have been approved by the employee's employer is considered as part of the employee's basic pay for purposes of this paragraph. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured dependents of an eligible employee who is deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. Upon conversion of an employee's unused sick leave to credits under this paragraph or par. (bf), the employee or, if the employee is deceased, the employee's surviving insured dependents may initiate deductions from those credits or may elect to delay initiation of deductions from those credits, but only if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy during the period beginning on the date of the conversion and ending on the date on which the employee or surviving insured dependents later elect to initiate deductions from those credits. If an employee or an employee's surviving insured dependents elect to delay initiation of deductions from those credits, an employee or the employee's surviving insured dependents may only later elect to initiate deductions from those credits during the annual enrollment period under par. (be). A health insurance plan or policy is considered comparable if it provides

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hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

1 **SECTION 20.** The treatment of 40.05 (5) (b) 4. of the statutes by 2011 Wisconsin
2 Act 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 40.05 (5) (b) 4. reads:

4. The accrual and crediting of sick leave shall be determined in accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 238.04 (8), and 757.02 (5) and subch. V of ch. 111.

3 **SECTION 21.** The treatment of 40.62 (2) of the statutes by 2011 Wisconsin Act
4 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 40.62 (2) reads:

(2) Sick leave accumulation shall be determined in accordance with rules of the department, any collective bargaining agreement under subch. V of ch. 111, and ss. 13.121 (4), 36.30, 49.825 (4) (d) and (5) (d), 49.826 (4) (d), 230.35 (2), 233.10, 238.04 (8), 757.02 (5) and 978.12 (3).

5 **SECTION 22.** 41.57 (5) (title) of the statutes, as affected by 2011 Wisconsin Act
6 32, is repealed.

NOTE: See the next section of this bill.

7 **SECTION 23.** 41.57 (5) (intro.), (c) and (d) of the statutes, as affected by 2011
8 Wisconsin Act 32, sections 1224, 1227 and 1228, are renumbered 41.57 (intro.), (1)
9 and (2).

NOTE: Section 41.57, as affected by 2011 Wis. Act 32, does not have multiple subsections and sub. (5) does not have paragraphs (a) and (b). See also SECTION 76 and the previous section of this bill.

10 **SECTION 24.** 62.50 (13) of the statutes is amended to read:

11 62.50 (13) NOTICE OF DISCHARGE OR SUSPENSION: APPEALS. The chief discharging
12 or suspending for a period exceeding 5 days any member of the force shall give
13 written notice of the discharge or suspension to the member and, at the same time
14 that the notice is given, and shall also give the member any exculpatory evidence in
15 the chief's possession related to the discharge or suspension. The chief shall also
16 immediately report the notice of the discharge or suspension to the secretary of the

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1 board of fire and police commissioners together with a complaint setting forth the
2 reasons for the discharge or suspension and the name of the complainant if other
3 than the chief. Within 10 days after the date of service of the notice of a discharge
4 or suspension order the members so discharged or suspended may appeal from the
5 order of discharge or suspension or discipline to the board of fire and police
6 commissioners, by filing with the board a notice of appeal in the following or similar
7 form:

8 To the honorable board of fire and police commissioners:

9 Please take notice that I appeal from the order or decision of the chief of the
10 department, discharging (or suspending) me from service, which order of discharge
11 (or suspension) was made on the day of, (year).

NOTE: Deletes repeated "and" and creates a title. All the other subsections in this section have titles.

12 **SECTION 25.** 66.0506 (1) of the statutes, as affected by 2011 Wisconsin Act 32,
13 is amended to read:

14 66.0506 (1) In this section, "local governmental unit" means any city, village,
15 town, county, metropolitan sewerage district, long-term care district, transit
16 authority under s. 59.58 (7) or 66.1039, local cultural arts district under subch. V of
17 ch. 229, or any other political subdivision of the state, or instrumentality of one or
18 more political subdivisions of the state.

NOTE: Sections 59.58 (7) and 66.1039 were repealed by 2011 Wis. Act 32.

19 **SECTION 26.** 71.28 (1dm) (k) of the statutes, as affected by 2011 Wisconsin Act
20 32, is amended to read:

21 71.28 (1dm) (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s.
22 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),
23 ~~239.398~~ 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009

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1 stats., or s. 560.7995 (4), 2009 stats., ceases business operations in the development
2 zone during any of the taxable years that that zone exists, that person may not carry
3 over to any taxable year following the year during which operations cease any
4 unused credits from the taxable year during which operations cease or from previous
5 taxable years.

NOTE: Corrects cross-reference. There is no s. 239.398. Section 238.398 (3) was renumbered from s. 560.798 (3) by 2011 Wis. Act 32.

6 **SECTION 27.** 79.043 (title) of the statutes is repealed.

NOTE: All provisions of s. 79.043 were renumbered or repealed by 2011 Wis. Act 32.

7 **SECTION 28.** 93.42 (1) of the statutes, as affected by 2011 Wisconsin Act 32, is
8 renumbered 93.42.

NOTE: Following the repeal of s. 93.42 (3) by 2011 Wis. Act 32, this provision no longer has multiple subsections.

9 **SECTION 29.** 103.50 (2m) (b) 1. of the statutes, as affected by 2011 Wisconsin
10 Act 32, is amended to read:

11 103.50 (2m) (b) 1. The laborer, worker, mechanic or truck driver is employed
12 to go to the source of mineral aggregate such as sand, gravel or stone and deliver that
13 mineral aggregate to the site of a project that is subject to this section by depositing
14 the material directly in final place, from the transporting ~~the~~ vehicle or through
15 spreaders from the transporting vehicle.

NOTE: Makes the phrase "the transporting vehicle" inserted by 2011 Wis. Act 32 consistent with the previously existing "the transporting vehicle."

16 **SECTION 30.** 111.70 (1) (j) of the statutes, as affected by 2011 Wisconsin Act 10,
17 is amended to read:

18 111.70 (1) (j) "Municipal employer" means any city, county, village, town,
19 metropolitan sewerage district, school district, long-term care district, ~~transit~~
20 authority under s. 59.58 (7) or ~~66.1039~~, local cultural arts district created under

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1 subch. V of ch. 229, or any other political subdivision of the state, or instrumentality
2 of one or more political subdivisions of the state, that engages the services of an
3 employee and includes any person acting on behalf of a municipal employer within
4 the scope of the person's authority, express or implied.

NOTE: Sections 59.58 (7) and 66.1039 were repealed by 2011 Wis. Act 32.

5 **SECTION 31.** 111.70 (4) (cg) 6. am. of the statutes, as created by 2011 Wisconsin
6 Act 32, is amended to read:

7 111.70 (4) (cg) 6. am. Upon receipt of a petition under subd. 6. a. to initiate
8 arbitration, the commission shall determine, with or without a formal hearing,
9 whether arbitration should be commenced. If in determining whether an impasse
10 exists the commission finds that the procedures under this paragraph have not been
11 complied with and compliance would tend to result in a settlement, it may order
12 compliance before ordering arbitration. The validity of any arbitration award or
13 collective bargaining agreement is not affected by failure to comply with the
14 procedures. Prior to the close of the investigation each party shall submit in writing
15 to the commission its single final offer containing its final proposals on all issues in
16 dispute that are subject to interest arbitration under this subdivision. If a party fails
17 to submit a single, ultimate final offer, the commission shall use the last written
18 position of the party. Such final offers may include only mandatory subjects of
19 bargaining, except that a permissive subject of bargaining may be included by a
20 party if the other party does not object and is then treated as a mandatory subject.
21 At that time, the parties shall submit to the commission a stipulation, in writing,
22 with respect to all matters that they agree to include in the new or amended collective
23 bargaining agreement. The commission, after determining that arbitration should
24 be commenced, shall issue an order requiring arbitration and immediately submit

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1 to the parties a list of 7 arbitrators. The parties shall alternately strike names from
2 the list until one name is left and that person shall be appointed arbitrator. The
3 petitioning party shall notify the commission in writing of the identity of the
4 arbitrator. The commission shall then formally appoint the arbitrator and submit
5 to him or her the final offers of the parties. The final offers are public documents and
6 the commission shall make them available. In lieu of a single arbitrator and upon
7 request of both parties, the commission shall appoint a tripartite arbitration panel
8 consisting of one member selected by each of the parties and a neutral person
9 designated by the commission who shall serve as a chairperson. An arbitration panel
10 has the same powers and duties provided in this section as any other appointed
11 arbitrator, and all arbitration decisions by a panel shall be determined by majority
12 vote. In lieu of selection of the arbitrator by the parties and upon request of both
13 parties, the commission shall establish a procedure for randomly selecting names of
14 arbitrators. Under the procedure, the commission shall submit a list of 7 arbitrators
15 to the parties. Each party shall strike one name from the list. From the remaining
16 5 names, the commission shall randomly appoint an arbitrator. Unless both parties
17 to an arbitration proceeding otherwise agree in writing, every individual whose
18 name is submitted by the commission for appointment as an arbitrator must be a
19 resident of this state at the time of submission and every individual who is
20 designated as an arbitration panel chairperson must be a resident of this state at the
21 time of designation.

NOTE: Inserts missing word. e

22 **SECTION 32.** 111.81 (15) of the statutes is repealed.

NOTE: Section 111.81 (15) defines "professional employee" in subchapter V of Chapter 111, but the term does not appear in subchapter V. e

ASSEMBLY BILL 562**SECTION 33**

1 **SECTION 33.** 111.815 (1) of the statutes, as affected by 2011 Wisconsin Acts 10
2 and 32, is amended to read:

3 111.815 (1) In the furtherance of this subchapter, the state shall be considered
4 as a single employer and employment relations policies and practices throughout the
5 state service shall be as consistent as practicable. The office shall negotiate and
6 administer collective bargaining agreements. To coordinate the employer position
7 in the negotiation of agreements, the office shall maintain close liaison with the
8 legislature relative to the negotiation of agreements and the fiscal ramifications of
9 those agreements. Except with respect to the collective bargaining ~~unit~~ units
10 specified in s. 111.825 (1r), and (1t),, the office is responsible for the employer
11 functions of the executive branch under this subchapter, and shall coordinate its
12 collective bargaining activities with operating state agencies on matters of agency
13 concern. The legislative branch shall act upon those portions of tentative
14 agreements negotiated by the office that require legislative action. With respect to
15 the collective bargaining units specified in s. 111.825 (1r), the Board of Regents of the
16 University of Wisconsin System is responsible for the employer functions under this
17 subchapter. With respect to the collective bargaining units specified in s. 111.825
18 (1t), the chancellor of the University of Wisconsin-Madison is responsible for the
19 employer functions under this subchapter. With respect to the collective bargaining
20 unit specified in s. 111.825 (1r) (ef), the governing board of the charter school
21 established by contract under s. 118.40 (2r) (cm) is responsible for the employer
22 functions under this subchapter.

NOTE: Removes unnecessary commas, adds "and" to correct grammar, and changes
a singular word form to the plural for sentence agreement.

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1 **SECTION 34.** 111.815 (2) of the statutes, as affected by 2011 Wisconsin Acts 10
2 and 32, is amended to read:

3 111.815 (2) The director of the office shall, together with the appointing
4 authorities or their representatives, represent the state in its responsibility as an
5 employer under this subchapter except with respect to negotiations in the collective
6 bargaining ~~unit~~ units specified in s. 111.825 (1r), and (1t). The director of the office
7 shall establish and maintain, wherever practicable, consistent employment
8 relations policies and practices throughout the state service.

NOTE: Removes unnecessary commas, adds "and" to correct grammar, and changes
a singular word form to the plural for sentence agreement.

9 **SECTION 35.** 111.825 (3) of the statutes, as affected by 2011 Wisconsin Acts 10
10 and 32, is amended to read:

11 111.825 (3) The commission shall assign employees to the appropriate
12 collective bargaining units set forth in subs. (1), (1r), (1t), and (2).

NOTE: Inserts missing comma.

13 **SECTION 36.** 111.825 (4) of the statutes, as affected by 2011 Wisconsin Acts 10
14 and 32, is amended to read:

15 111.825 (4) Any labor organization may petition for recognition as the exclusive
16 representative of a collective bargaining unit specified in sub. (1), (1r), (1t), or (2) in
17 accordance with the election procedures set forth in s. 111.83, provided the petition
18 is accompanied by a 30% showing of interest in the form of signed authorization
19 cards. Each additional labor organization seeking to appear on the ballot shall file
20 petitions within 60 days of the date of filing of the original petition and prove,
21 through signed authorization cards, that at least 10% of the employees in the
22 collective bargaining unit want it to be their representative.

NOTE: Inserts missing comma.

ASSEMBLY BILL 562**SECTION 37**

1 **SECTION 37.** 111.83 (7) (b) of the statutes, as created by 2011 Wisconsin Act 32,
2 is renumbered 111.83 (7).

NOTE: Section 111.83 (7) does not have multiple paragraphs as currently
numbered.

3 **SECTION 38.** The treatment of 111.84 (2) (c) of the statutes by 2011 Wisconsin
4 Act 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-15, s. 111.84 (2) (c) reads:

(c) To refuse to bargain collectively on matters set forth in s. 111.91 (1) or (3),
whichever is appropriate, with the duly authorized officer or agent of the employer which
is the recognized or certified exclusive collective bargaining representative of employees
specified in s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the
certified exclusive collective bargaining representative of employees specified in s. 111.81
(7) (ar) to (f) in an appropriate collective bargaining unit. Such refusal to bargain shall
include, but not be limited to, the refusal to execute a collective bargaining agreement
previously orally agreed upon.

5 **SECTION 39.** 111.85 (5) (b) of the statutes, as created by 2011 Wisconsin Act 32,
6 is renumbered 111.85 (5).

NOTE: Section 111.85 (5) does not have multiple paragraphs as currently
numbered.

7 **SECTION 40.** 111.91 (2) (g) of the statutes is repealed.

NOTE: Section 111.91 (2) (g), which reads as follows, was rendered without effect
by the repeal of s. 40.05 (2n) by 2011 Wis. Act 10.

111.91 (2) (g) An increase in benefit adjustment contribution rates under s. 40.05
(2n) (a) 3.

8 **SECTION 41.** The treatment of 111.92 (1) (a) of the statutes by 2011 Wisconsin
9 Act 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-15, s. 111.92 (1) (a) 1. reads:

1. Any tentative agreement reached between the office and any labor organization
representing a collective bargaining unit specified in s. 111.825 (1) or (2) (d) or (e) shall,
after official ratification by the labor organization, be submitted by the office to the joint
committee on employment relations, which shall hold a public hearing before
determining its approval or disapproval.

10 **SECTION 42.** The treatment of 111.93 (3) of the statutes by 2011 Wisconsin Act
11 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, effective 7-1-15, s. 111.93 (3) (a) reads:

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(a) If a collective bargaining agreement exists between the employer and a labor organization representing employees in a collective bargaining unit under s. 111.825 (1) (g), the provisions of that agreement shall supersede the provisions of civil service and other applicable statutes, as well as rules and policies of the University of Wisconsin-Madison and the board of regents of the University of Wisconsin System, related to wages, fringe benefits, hours, and conditions of employment whether or not the matters contained in those statutes, rules, and policies are set forth in the collective bargaining agreement.

1 **SECTION 43.** 125.34 (2) of the statutes, as affected by 2011 Wisconsin Act 32,
2 is amended to read:

3 125.34 (2) Except as provided in ss. 125.29 (3m) (b) and (c), 125.295 (1) (e) and
4 (g), and 125.30 (4), no fermented malt beverages may be sold, transported, or
5 delivered to a retailer unless, prior to such sale, transport, or delivery, the fermented
6 malt beverages are first unloaded at, physically at rest at, and only then distributed
7 from a wholesaler's warehouse premises covered by both a wholesaler's permit
8 issued under s. 125.28 and an alcohol beverage warehouse permit issued under s.
9 125.19, which premises shall be in this state. This ~~paragraph~~ subsection does not
10 apply to a wholesaler issued a wholesaler's permit under s. 125.28 (1) (b) with respect
11 to fermented malt beverages transported and delivered from a warehouse in an
12 adjoining state unless the wholesaler's warehouse in the adjoining state is located
13 on premises in the adjoining state used for the manufacture of fermented malt
14 beverages.

NOTE: Corrects cross-reference.

15 **SECTION 44.** 146.38 (3) (dm) of the statutes is amended to read:

16 146.38 (3) (dm) With regard to an action under s. 895.441, to a court of record
17 after issuance of a subpoena; and

NOTE: The repeal of s. 146.38 (3) (e) by 2011 Wisconsin Act 2 requires the insertion of "and" at the end of this provision.

18 **SECTION 45.** 165.76 (1) (g) of the statutes is amended to read:

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SECTION 45

1 165.76 (1) (g) Has been required by a court under s. 51.20 (13) (cr), 938.34 (15m)
2 (15), 971.17 (1m) (a), 973.047, or 980.063 to provide a biological specimen to the state
3 crime laboratories for deoxyribonucleic acid analysis.

NOTE: Corrects cross-reference. Section 938.34 (15) requires DNA samples in certain cases. Section 938.34 (15m) requires sex offender reporting in certain cases.

4 SECTION 46. 175.49 (3) (a) 2. of the statutes, as created by 2011 Wisconsin Act
5 35, is amended to read:

6 175.49 (3) (a) 2. The former federal law enforcement officer has been found by
7 the state, or by a certified firearms instructor if such an instructor is qualified to
8 conduct a firearms qualification test for active law enforcement officers in the state,
9 to meet the standards for qualification in firearms training for active law
10 enforcement officers to carry a firearm of the type under subd. 1., that are established
11 by the state or, if the state does not establish standards, by any law enforcement
12 agency in the state.

NOTE: Inserts missing word.

13 SECTION 47. 196.203 (1g) (c) of the statutes, as affected by 2011 Wisconsin Act
14 22, is amended to read:

15 196.203 (1g) (c) An alternative telecommunications utility that is a local
16 government telecommunications utility is subject to s. 196.204 (5).

NOTE: Corrects cross-reference. 2011 Wis. Act 22 renumbered two paragraphs of s. 196.204 (5) to s. 196.204 (1m) and (2m), which constitute all of s. 196.204 after the treatment by Act 22.

17 SECTION 48. The treatment of 230.08 (4) (a) of the statutes by 2011 Wisconsin
18 Act 10 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference bureau, s. 230.08 (4) (a) reads:

(a) The number of administrator positions specified in sub. (2) (e) includes all administrator positions specifically authorized by law to be employed outside the classified service in each department, board or commission and the historical society, and any other managerial position determined by an appointing authority. In this paragraph, "department" has the meaning given under s. 15.01 (5), "board" means the educational

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communications board, government accountability board, investment board, public defender board and technical college system board and "commission" means the employment relations commission and the public service commission. Notwithstanding sub. (2) (z), no division administrator position exceeding the number authorized in sub. (2) (e) may be created in the unclassified service.

1 **SECTION 49.** 230.09 (2) (g) of the statutes, as affected by 2011 Wisconsin Acts
2 10 and 32, is amended to read:

3 230.09 (2) (g) When filling a new or vacant position, if the director determines
4 that the classification for a position is different than that provided for by the
5 legislature as established by law or in budget determinations, or as authorized by the
6 joint committee on finance under s. 13.10, or as specified by the governor creating
7 positions under s. 16.505 (1) (c) or (2) or, or is different than that of the previous
8 incumbent, the director shall notify the administrator and the secretary of
9 administration. The administrator shall withhold action on the selection and
10 certification process for filling the position. The secretary of administration shall
11 review the position to determine that sufficient funds exist for the position and that
12 the duties and responsibilities of the proposed position reflect the intent of the
13 legislature as established by law or in budget determinations, the intent of the joint
14 committee on finance acting under s. 13.10, the intent of the governor creating
15 positions under s. 16.505 (1) (c) or (2) or. The administrator may not proceed with
16 the selection and certification process until the secretary of administration has
17 authorized the position to be filled.

NOTE: "Or" was inserted by 2011 Wis. Act 32 but rendered surplusage by the
treatment by 2011 Wis. Act 10.

18 **SECTION 50.** 230.34 (1) (ar) of the statutes, as affected by 2011 Wisconsin Acts
19 10 and 32, is amended to read:

20 230.34 (1) (ar) Paragraphs (a) and (am) apply to all employees with permanent
21 status in class in the classified service and all employees who have served with the

1 state as an assistant district attorney for a continuous period of 12 months or more
2 (ar).

NOTE: "(ar)" was inserted by 2011 Wis. Act 32 but rendered surplusage by the treatment by 2011 Wis. Act 10.

3 SECTION 51. 238.345 (1) (a) of the statutes, as affected by 2011 Wisconsin Act
4 32, section 3426, is amended to read:

5 238.345 (1) (a) The designation of an area as a development zone shall be
6 effective for 240 months, beginning on the day the ~~department~~ corporation notifies
7 the local governing body under s. 238.325 (3) of the designation.

NOTE: All references to "department" in s. 238.345 were changed to "corporation" by 2011 Wis. Act 32.

8 SECTION 52. 238.395 (1) (i) of the statutes, as created by 2011 Wisconsin Act 37,
9 section 2, is amended to read:

10 238.395 (1) (i) An area in the city of Beloit, the legal description of which is
11 provided to the ~~department~~ corporation by the local governing body of the city of
12 Beloit.

NOTE: Section 238.395 (1) (i) was created as s. 560.795 (1) (i) by 2011 Wis. Act 37 and renumbered to s. 238.395 (1) (i) by the legislative reference bureau under s. 13.92 (1) (bm) 2, consistent with the renumbering of s. 560.795 to s. 238.395 by 2011 Wis. Act 32. All references to "department" in s. 238.395 were changed to "corporation" by Act 32. See also SECTION 76 of this bill.

13 SECTION 53. 238.395 (2) (e) 3. of the statutes, as created by 2011 Wisconsin Act
14 37, section 5, is amended to read:

15 238.395 (2) (e) 3. The ~~department~~ corporation may extend the designation of
16 an area under sub. (1) (i) as a development opportunity zone for an additional 60
17 months if the ~~department~~ corporation determines that an extension will support
18 economic development within the city. If the ~~department~~ corporation grants an
19 extension under this subdivision, the limit for tax benefits for the development
20 opportunity zone under sub. (1) (i) is increased by \$5,000,000.

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NOTE: Section 238.395 (2) (e) 3. was created as s. 560.795 (2) (e) 3. by 2011 Wis. Act 37 and renumbered to s. 238.395 (2) (e) 3. by the legislative reference bureau under s. 13.92 (1) (bm) 2. consistent with the renumbering of s. 560.795 to s. 238.395 by 2011 Wis. Act 32. All references to "department" in s. 238.395 were changed to "corporation" by Act 32. See also SECTION 76 of this bill.

1 **SECTION 54.** 238.399 (3) (d) of the statutes, as created by 2011 Wisconsin Act
2 26, section 2, is amended to read:

3 238.399 (3) (d) Notwithstanding pars. (b) and (c), the ~~department~~ corporation
4 shall designate as enterprise zones at least 3 areas comprising political subdivisions
5 whose populations total less than 5,000 and at least 2 areas comprising political
6 subdivisions whose populations total 5,000 or more but less than 30,000. In
7 designating an enterprise zone under this paragraph, the ~~department~~ corporation
8 may consider indicators of an area's economic need and the effect of designation on
9 other economic development activities.

NOTE: Section 238.399 (3) (d) was created as s. 560.799 (3) (d) by 2011 Wis. Act 26 and renumbered to s. 238.399 (3) (d) by the legislative reference bureau under s. 13.92 (1) (bm) 2. consistent with the renumbering of s. 560.799 to s. 238.399 by 2011 Wis. Act 32. All references to "department" in s. 560.799 were changed to "corporation" by Act 32. See also SECTION 76 of this bill.

10 **SECTION 55.** 256.01 (7) and (8) of the statutes are amended to read:

11 256.01 (7) "Emergency medical technician — intermediate" means an
12 individual who is licensed by the department as an emergency medical technician —
13 intermediate under ~~sub. s. 256.15~~ (5).

14 (8) "Emergency medical technician — paramedic" means an individual who is
15 specially trained in emergency cardiac, trauma and other lifesaving or emergency
16 procedures in a training program or course of instruction prescribed by the
17 department and who is examined and licensed as an emergency medical technician
18 — paramedic under ~~sub. s. 256.15~~ (5).

NOTE: Corrects cross-reference. Section 256.01 (7) and (8) were renumbered from s. 146.50 (1) (g) and (h) by 2007 Wis. Act 130 without taking into consideration the renumbering by that act of s. 146.50 (5) to s. 256.15 (5).

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SECTION 56

1 **SECTION 56.** 287.11 (2m) (a) 2. of the statutes is amended to read:

2 287.11 (**2m**) (a) 2. "Cost of selling processed material" means the net cost,
3 including any storage costs, of selling processed material to a broker, dealer, or
4 manufacturing facility, plus any cost of transporting the processed material from the
5 waste processing facility to the destination specified by the broker, dealer, or
6 manufacturing facility, less the portion of any state financial assistance received
7 under s. 287.23 or ~~287.25~~ attributable to the processed material.

NOTE: Corrects cross-reference. Section 287.25 was repealed by 2011 Wis. Act 32.
Adds serial commas.

8 **SECTION 57.** 560.08 (title) of the statutes is repealed.

NOTE: The remainder of the section was repealed or renumbered to another section
by 2011 Wis. Act 32.

9 **SECTION 58.** The treatment of 560.70 (7) (b) 2. of the statutes by 2011 Wisconsin
10 Act 32 is not repealed by 2011 Wisconsin Act 37. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 238.30 (7) (b) 2., as renumbered from s. 560.70 (7) (b) 2. by 2011 Wis. Act 32,
reads:

2. With respect to the development opportunity zones under s. 238.395 (1) (g), (h),
and (i), "tax benefits" means the development zone credits under ss. 71.07 (2dx), 71.28
(1dx), 71.47 (1dx), and 76.636 and the development zones capital investment credit under
ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

11 **SECTION 59.** The treatment of 560.795 (3) (a) 4. of the statutes by 2011
12 Wisconsin Act 32 is not repealed by 2011 Wisconsin Act 37. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 238.395 (3) (a) 4., as renumbered by 2011 Wis. Act 32, reads:

4. Any person that is conducting or that intends to conduct economic activity in a
development opportunity zone under sub. (1) (e), (f), (g), (h), or (i) and that, in conjunction
with the local governing body of the city in which the development opportunity zone is
located, submits a project plan as described in par. (b) to the corporation shall be entitled
to claim tax benefits while the area is designated as a development opportunity zone.

13 **SECTION 60.** The treatment of 560.799 (3) (a) of the statutes by 2011 Wisconsin
14 Act 26 is not repealed by 2011 Wisconsin Act 32. Both treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 238.399 (3) (a), as renumbered from s. 560.799 (3) (a) by 2011 Wis. Act 32, reads:

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(a) The corporation may designate not more than 20 enterprise zones.

1 **SECTION 61.** 904.16 (1) (b) of the statutes, as created by 2011 Wisconsin Act 2,
2 is amended to read:

3 904.16 (1) (b) "Regulatory agency" means the department of ~~regulation and~~
4 ~~licensing safety and professional services~~ or the division within the department of
5 health services that conducts quality assurance activities related to health care
6 providers.

NOTE: The department of regulation and licensing was renamed the department
of safety and professional services by 2011 Wis. Act 32.

7 **SECTION 62.** 938.35 (1m) of the statutes is amended to read:

8 938.35 (1m) FUTURE CRIMINAL PROCEEDINGS BARRED. Disposition by the court
9 assigned to exercise jurisdiction under this chapter and ch. 48 of any allegation
10 under s. 938.12 or 938.13 (12) shall bar any future proceeding on the same matter
11 in criminal court when the juvenile attains 17 years of age. This ~~paragraph~~
12 ~~subsection~~ does not affect proceedings in criminal court that have been transferred
13 under s. 938.18.

NOTE: Corrects cross-reference.

14 **SECTION 63.** 948.605 (2) (b) 3. of the statutes is amended to read:

15 948.605 (2) (b) 3. That A person possessing a gun that is not loaded and is any
16 of the following:

17 a. Encased; ~~or~~.

18 b. In a locked firearms rack that is on a motor vehicle;

NOTE: Revises sentence structure for proper agreement with s. 948.605 (2) (b)
(intro.).

19 **SECTION 64.** 961.41 (3g) (c) of the statutes is amended to read:

20 961.41 (3g) (c) *Cocaine and cocaine base.* If a person ~~possess~~ possesses or
21 attempts to possess cocaine or cocaine base, or a controlled substance analog of

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SECTION 64

1 cocaine or cocaine base, the person shall be fined not more than \$5,000 and may be
2 imprisoned for not more than one year in the county jail upon a first conviction and
3 is guilty of a Class I felony for a 2nd or subsequent offense. For purposes of this
4 paragraph, an offense is considered a 2nd or subsequent offense if, prior to the
5 offender's conviction of the offense, the offender has at any time been convicted of any
6 felony or misdemeanor under this chapter or under any statute of the United States
7 or of any state relating to controlled substances, controlled substance analogs,
8 narcotic drugs, marijuana, or depressant, stimulant, or hallucinogenic drugs.

NOTE: Inserts correct word form.

9 SECTION 65. 2011 Wisconsin Act 10, sections 157 and 158 are amended by
10 replacing "49.472 (4) (b) (intro.)" with "49.472 (4) (b)" in 4 places.

NOTE: There is no s. 49.472 (4) (b) (intro.). The amended text is s. 49.472 (4) (b).

11 SECTION 66. 2011 Wisconsin Act 21, section 39 is amended by replacing "to
12 which the proposed rule is referred" with "to which the proposed rule is referred".

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

13 SECTION 67. 2011 Wisconsin Act 23, section 60 is amended by replacing
14 "~~residence corroborating~~" with "residence, corroborating".

NOTE: A comma was removed without being stricken. The change was intended.

15 SECTION 68. 2011 Wisconsin Act 32, section 44p is amended by replacing "(10)
16 (c)," with "(10) (c)".

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

17 SECTION 69. 2011 Wisconsin Act 32, section 1400 is amended by replacing
18 "2010-11" with "2010-2011".

NOTE: The correct text was not reflected in the text that was stricken.

19 SECTION 70. 2011 Wisconsin Act 32, section 1506m is amended by replacing
20 "county, multicounty" with "county, multicounty".

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

1 **SECTION 71.** 2011 Wisconsin Act 32, section 2081 is amended by replacing “2009
2 stats.” with “2009 stats.”.

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

3 **SECTION 72.** 2011 Wisconsin Act 32, section 2875p is amended by replacing
4 “sub. (5).” with “sub. (5).”.

NOTE: A previously existing comma was shown as underscored. No change was intended.

5 **SECTION 73.** 2011 Wisconsin Act 32, section 3136 is amended by replacing “sub.
6 (1), may” with “sub. (1), may”.

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

7 **SECTION 74.** 2011 Wisconsin Act 32, section 3454m is amended by replacing
8 “16.305 (1) (intro.) and (c) (intro.) and (4), as renumbered, are amended” with “16.305
9 (1) (intro.) and (2) (c) (intro.) and (4), as renumbered, are amended”.

NOTE: 2011 Wis. Act 32, section 3454m, amends s. 16.305 (2) (c) (intro.), as renumbered, not s. 16.305 (1) (c) (intro.). There is no s. 16.305 (1) (c).

10 **SECTION 75.** 2011 Wisconsin Act 38, section 83 is amended by replacing
11 “granting or revoking” with “granting, or revoking”.

NOTE: A comma was deleted without being shown as stricken. The change was intended.

12 **SECTION 76. Renumbering and cross-reference changes under s. 13.92**
13 **(1) (bm) 2., stats.** Each statute listed in column A is renumbered to the statute
14 number in column B, and cross-references to the renumbered statute are changed
15 in the statutes listed in column C to agree with the renumbered statute, under
16 section 13.92 (1) (bm) 2. of the statutes:

NOTE: Confirms renumbering and corresponding cross-reference changes under s. 13.92 (1) (bm) 2.

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A Statute Renumbered	B New Statute Number	C Statutes in Which Cross-References are Changed
29.184 (9), as affected by 2011 Wisconsin Act 28, section 10	29.184 (9) (a)	none
44.57 (title)	41.57 (title)	none
71.05 (6) (b) 47., as created by 2011 Wisconsin Act 5	71.05 (6) (b) 47m.	none
165.25 (12), as created by 2011 Wisconsin Act 35	165.25 (12m)	175.60 (1) (f) 2.
227.138 (6) (a), as affected by 2011 Wisconsin Act 21, section 22	227.137 (6) (a)	none
560.081 (title) and (1)	238.127 (title) and (1)	none
560.13 (title)	238.13 (title)	none
560.795 (1) (i), as created by 2011 Wisconsin Act 37	238.395 (1) (i)	none

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560.795 (2) (b) 9., as created by 2011 Wisconsin Act 37	238.395 (2) (b) 9.	none
560.795 (2) (e) 3., as created by 2011 Wisconsin Act 37	238.395 (2) (e) 3.	none
560.799 (3) (d), as created by 2011 Wisconsin Act 26	238.399 (3) (d)	none
560.9806 (title)	16.306 (title)	none
943.13 (1e) (f), (g)	943.13 (1e) (cr), (cv)	none

1 **SECTION 77. Corrections of obvious typographical errors under s. 35.17,**
 2 **stats.** In the sections of the statutes listed in Column A, the text shown in Column
 3 B was changed to the text shown in column C to correct obvious typographical errors
 4 under s. 35.17 of the statutes:

NOTE: Confirms the correction of obvious typographical errors in the statutes
 under s. 35.17.

A Statute Affected	B Erroneous text	C Corrected text
5.62 (1) (a), as affected by 2011 Wis. Act 32	5.655. 5. The	5.655. The
20.285 (1) (s), as affected by 2011 Wis. Act 32	From the r environmental	From the environmental

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20.435 (4) (gr), as created by 2011 Wis. Act 32	maintenance program	maintenance programs
20.435 (7) (hc), as created by 2011 Wis. Act 32	the the	the
20.511 (1) (h), as affected by 2011 Wis. Act 32	records for supplies	records, for supplies
20.566 (1) (hp), 2009 stats.	(5j), (i)	(5j) (i)
23.0913 (2), as created by 2011 Wis. Act 32	the the	the
23.119 (1) (b), 2009 stats.	all terrain	all-terrain
29.171 (4) (b) (intro.), 2009 stats.	except as provide	except as provided
36.54 (2) (b), as affected by 2011 Wis. Act 32	(rc) the environmental	(rc), the environmental
71.07 (2dr) (a), as affected by 2011 Wis. Act 32	560.765 (3) 2009 stats.	560.765 (3), 2009 stats.
71.28 (1dm) (a) 1., as affected by 2011 Wis. Act 32	s. or 560.7995 (4), 2009 stats.	or s. 560.7995 (4), 2009 stats.

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Chapter 77 (title), as affected by 2011 Wis. Act 32, section 2177m.	DRY CLEANING FEES;	DRY CLEANING FEES
100.45 (1) (dm), as affected by 2011 Wis. Act 10	society or other body	society, or other body
101.149 (6) (b), 2009 stats.	par. (5) (c)	sub. (5) (c)
111.70 (4) (cg) 7r. (intro.), as created by 2011 Wis. Act 32	under by this	under this
118.60 (4) (d) (intro.), as created by 2011 Wis. Act 32	and (4m) (a)	and sub. (4m) (a)
119.23 (4) (d) (intro.), as created by 2011 Wis. Act 32	and (4m) (a)	and sub. (4m) (a)
252.133 (2), 2009 stats.	the the	the
253.07 (4) (a), as affected by 2011 Wis. Act 32,	F In each	In each
281.36 (5) (intro.), 2009 stats.	an nonfederal	a nonfederal

