



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

Appendix A ... segment III

LRB BILL HISTORY RESEARCH APPENDIX

The drafting file for 2011 LRB-3469 (For: LRB)

has been transferred to the drafting file for

2013 LRB-0595 (For: LRB)



RESEARCH APPENDIX - **PLEASE KEEP WITH THE DRAFTING FILE**

Date Transfer Requested: 11/21/2012 (Per: CJS)

The attached draft was incorporated into the new draft listed above. For research purposes the attached materials were added, as a appendix, to the new drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3469/1
BJH:cjs:rs

2011 BILL

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

BILL

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

BILL

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.

BILL**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:

BILL

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:

BILL**SECTION 11**

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

BILL

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

BILL**SECTION 13**

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

BILL

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. 20.866 (1) (u) of the statutes, as affected by 2011 Wisconsin Act 32,
4 is amended to read:

5 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
6 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (s), 20.190 (1)
7 (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e),
8 20.255 (1) (d), 20.285 (1) (d), (je), and (gj), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7)
9 (aa), (ac), (ag), (aq), (ar), (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs), (ct), (ea),
10 (eq), and (er), 20.395 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3)
11 (e), 20.435 (2) (ee), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505
12 (4) (es), (et), (ha), and (hb) and (5) (c), (g), and (kc), 20.855 (8) (a), and 20.867 (1) (a)
13 and (b) and (3) (a), (b), (bb), (bc), (bd), (be), (bf), (bg), (bh), (bi), (bj), (~~bk~~), (bm), (bn),
14 (bp), (bq), (br), (bu), (bv), (g), (h), (i), (kd), and (q) for the payment of principal,
15 interest, premium due, if any, and payment due, if any, under an agreement or
16 ancillary arrangement entered into under s. 18.06 (8) (a) relating to any public debt
17 contracted under subchs. I and IV of ch. 18.

NOTE: There is no s. 20.867 (3) (bk).

18 SECTION 16. The treatment of 20.923 (8) of the statutes by 2011 Wisconsin Act
19 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

BILL

SECTION 16

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.

1 **SECTION 17.** 23.0917 (6m) (d) of the statutes is amended to read:

2 23.0917 (6m) (d) The procedures under ~~pars. par. (a) and (b)~~ apply to any land
3 acquisition under sub. (5m).

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

4 **SECTION 18.** 25.49 (intro.) and (1) of the statutes, as affected by 2011 Wisconsin
5 Act 32, are consolidated, renumbered 25.49 and amended to read:

6 **25.49 Economic development fund.** There is established a separate
7 nonlapsible trust fund designated as the economic development fund, to consist of:
8 ~~(1) The the~~ surcharge imposed under subch. VII of ch. 77.

NOTE: Section 25.49 does not have multiple subsections.

9 **SECTION 19.** The treatment of 36.09 (1) (j) of the statutes by 2011 Wisconsin Act
10 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 7-1-13, 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 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.

BILL

1 **SECTION 20.** 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 hospital and medical benefits that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

3 **SECTION 21.** The treatment of 40.05 (5) (b) 4. 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, 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.

5 **SECTION 22.** The treatment of 40.62 (2) of the statutes by 2011 Wisconsin Act
6 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:

BILL

SECTION 22

(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).

1 **SECTION 23.** 41.57 (5) (title) of the statutes, as affected by 2011 Wisconsin Act
2 32, is repealed.

NOTE: See the next section of this bill.

3 **SECTION 24.** 41.57 (5) (intro.), (c) and (d) of the statutes, as affected by 2011
4 Wisconsin Act 32, sections 1224, 1227 and 1228, are renumbered 41.57 (intro.), (1)
5 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 80 and the previous section of this bill.

6 **SECTION 25.** 62.50 (13) of the statutes is amended to read:

7 **62.50 (13) NOTICE OF DISCHARGE OR SUSPENSION; APPEALS.** The chief discharging
8 or suspending for a period exceeding 5 days any member of the force shall give
9 written notice of the discharge or suspension to the member and, at the same time
10 that the notice is given, and shall also give the member any exculpatory evidence in
11 the chief's possession related to the discharge or suspension. The chief shall also
12 immediately report the notice of the discharge or suspension to the secretary of the
13 board of fire and police commissioners together with a complaint setting forth the
14 reasons for the discharge or suspension and the name of the complainant if other
15 than the chief. Within 10 days after the date of service of the notice of a discharge
16 or suspension order the members so discharged or suspended may appeal from the
17 order of discharge or suspension or discipline to the board of fire and police
18 commissioners, by filing with the board a notice of appeal in the following or similar
19 form:

20 To the honorable board of fire and police commissioners:

BILL

1 Please take notice that I appeal from the order or decision of the chief of the ...
2 department, discharging (or suspending) me from service, which order of discharge
3 (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.

4 **SECTION 26.** 66.0506 (1) of the statutes, as affected by 2011 Wisconsin Act 32,
5 is amended to read:

6 66.0506 (1) In this section, “local governmental unit” means any city, village,
7 town, county, metropolitan sewerage district, long-term care district, transit
8 authority under s. ~~59.58 (7)~~ or ~~66.1039~~, local cultural arts district under subch. V of
9 ch. 229, or any other political subdivision of the state, or instrumentality of one or
10 more political subdivisions of the state.

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

11 **SECTION 27.** 71.28 (1dm) (k) of the statutes, as affected by 2011 Wisconsin Act
12 32, is amended to read:

13 71.28 (1dm) (k) If a person who is entitled under s. 238.395 (3) (a) 4. or s.
14 560.795 (3) (a) 4., 2009 stats., to claim tax benefits or certified under s. 238.395 (5),
15 ~~239.398~~ 238.398 (3), or 238.3995 (4) or s. 560.795 (5), 2009 stats., s. 560.798 (3), 2009
16 stats., or s. 560.7995 (4), 2009 stats., ceases business operations in the development
17 zone during any of the taxable years that that zone exists, that person may not carry
18 over to any taxable year following the year during which operations cease any
19 unused credits from the taxable year during which operations cease or from previous
20 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.

21 **SECTION 28.** 79.043 (title) of the statutes is repealed.

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

BILL

SECTION 29

1 **SECTION 29.** 93.42 (1) of the statutes, as affected by 2011 Wisconsin Act 32, is
2 renumbered 93.42.

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

3 **SECTION 30.** 103.50 (2m) (b) 1. of the statutes, as affected by 2011 Wisconsin
4 Act 32, is amended to read:

5 103.50 (2m) (b) 1. The laborer, worker, mechanic or truck driver is employed
6 to go to the source of mineral aggregate such as sand, gravel or stone and deliver that
7 mineral aggregate to the site of a project that is subject to this section by depositing
8 the material directly in final place, from the transporting ~~the~~ vehicle or through
9 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.”

10 **SECTION 31.** 111.70 (1) (j) of the statutes, as affected by 2011 Wisconsin Act 10,
11 is amended to read:

12 111.70 (1) (j) “Municipal employer” means any city, county, village, town,
13 metropolitan sewerage district, school district, long-term care district, ~~transit~~
14 ~~authority under s. 59.58 (7) or 66.1039~~, local cultural arts district created under
15 subch. V of ch. 229, or any other political subdivision of the state, or instrumentality
16 of one or more political subdivisions of the state, that engages the services of an
17 employee and includes any person acting on behalf of a municipal employer within
18 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.

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

BILL

1 111.70 (4) (cg) 6. am. Upon receipt of a petition under subd. 6. a. to initiate
2 arbitration, the commission shall determine, with or without a formal hearing,
3 whether arbitration should be commenced. If in determining whether an impasse
4 exists the commission finds that the procedures under this paragraph have not been
5 complied with and compliance would tend to result in a settlement, it may order
6 compliance before ordering arbitration. The validity of any arbitration award or
7 collective bargaining agreement is not affected by failure to comply with the
8 procedures. Prior to the close of the investigation each party shall submit in writing
9 to the commission its single final offer containing its final proposals on all issues in
10 dispute that are subject to interest arbitration under this subdivision. If a party fails
11 to submit a single, ultimate final offer, the commission shall use the last written
12 position of the party. Such final offers may include only mandatory subjects of
13 bargaining, except that a permissive subject of bargaining may be included by a
14 party if the other party does not object and is then treated as a mandatory subject.
15 At that time, the parties shall submit to the commission a stipulation, in writing,
16 with respect to all matters that they agree to include in the new or amended collective
17 bargaining agreement. The commission, after determining that arbitration should
18 be commenced, shall issue an order requiring arbitration and immediately submit
19 to the parties a list of 7 arbitrators. The parties shall alternately strike names from
20 the list until one name is left and that person shall be appointed arbitrator. The
21 petitioning party shall notify the commission in writing of the identity of the
22 arbitrator. The commission shall then formally appoint the arbitrator and submit
23 to him or her the final offers of the parties. The final offers are public documents and
24 the commission shall make them available. In lieu of a single arbitrator and upon
25 request of both parties, the commission shall appoint a tripartite arbitration panel

BILL**SECTION 32**

1 consisting of one member selected by each of the parties and a neutral person
2 designated by the commission who shall serve as a chairperson. An arbitration panel
3 has the same powers and duties provided in this section as any other appointed
4 arbitrator, and all arbitration decisions by a panel shall be determined by majority
5 vote. In lieu of selection of the arbitrator by the parties and upon request of both
6 parties, the commission shall establish a procedure for randomly selecting names of
7 arbitrators. Under the procedure, the commission shall submit a list of 7 arbitrators
8 to the parties. Each party shall strike one name from the list. From the remaining
9 5 names, the commission shall randomly appoint an arbitrator. Unless both parties
10 to an arbitration proceeding otherwise agree in writing, every individual whose
11 name is submitted by the commission for appointment as an arbitrator must be a
12 resident of this state at the time of submission and every individual who is
13 designated as an arbitration panel chairperson must be a resident of this state at the
14 time of designation.

NOTE: Inserts missing word.

15 **SECTION 33.** 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.

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

18 111.815 (1) In the furtherance of this subchapter, the state shall be considered
19 as a single employer and employment relations policies and practices throughout the
20 state service shall be as consistent as practicable. The office shall negotiate and
21 administer collective bargaining agreements. To coordinate the employer position
22 in the negotiation of agreements, the office shall maintain close liaison with the
23 legislature relative to the negotiation of agreements and the fiscal ramifications of

BILL

1 those agreements. Except with respect to the collective bargaining ~~unit~~ units
2 specified in s. 111.825 (1r), and (1t), the office is responsible for the employer
3 functions of the executive branch under this subchapter, and shall coordinate its
4 collective bargaining activities with operating state agencies on matters of agency
5 concern. The legislative branch shall act upon those portions of tentative
6 agreements negotiated by the office that require legislative action. With respect to
7 the collective bargaining units specified in s. 111.825 (1r), the Board of Regents of the
8 University of Wisconsin System is responsible for the employer functions under this
9 subchapter. With respect to the collective bargaining units specified in s. 111.825
10 (1t), the chancellor of the University of Wisconsin-Madison is responsible for the
11 employer functions under this subchapter. With respect to the collective bargaining
12 unit specified in s. 111.825 (1r) (ef), the governing board of the charter school
13 established by contract under s. 118.40 (2r) (cm) is responsible for the employer
14 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.

15 **SECTION 35.** 111.815 (2) of the statutes, as affected by 2011 Wisconsin Acts 10
16 and 32, is amended to read:

17 111.815 (2) The director of the office shall, together with the appointing
18 authorities or their representatives, represent the state in its responsibility as an
19 employer under this subchapter except with respect to negotiations in the collective
20 bargaining ~~unit~~ units specified in s. 111.825 (1r), and (1t). The director of the office
21 shall establish and maintain, wherever practicable, consistent employment
22 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.

BILL**SECTION 36**

1 **SECTION 36.** 111.825 (3) of the statutes, as affected by 2011 Wisconsin Acts 10
2 and 32, is amended to read:

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

NOTE: Inserts missing comma.

5 **SECTION 37.** 111.825 (4) of the statutes, as affected by 2011 Wisconsin Acts 10
6 and 32, is amended to read:

7 111.825 (4) Any labor organization may petition for recognition as the exclusive
8 representative of a collective bargaining unit specified in sub. (1), (1r), (1t), or (2) in
9 accordance with the election procedures set forth in s. 111.83, provided the petition
10 is accompanied by a 30% showing of interest in the form of signed authorization
11 cards. Each additional labor organization seeking to appear on the ballot shall file
12 petitions within 60 days of the date of filing of the original petition and prove,
13 through signed authorization cards, that at least 10% of the employees in the
14 collective bargaining unit want it to be their representative.

NOTE: Inserts missing comma.

15 **SECTION 38.** 111.83 (7) (b) of the statutes, as created by 2011 Wisconsin Act 32,
16 is renumbered 111.83 (7).

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

17 **SECTION 39.** The treatment of 111.84 (2) (c) 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, effective 7-1-13, 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

BILL

include, but not be limited to, the refusal to execute a collective bargaining agreement previously orally agreed upon.

1 **SECTION 40.** 111.85 (5) (b) of the statutes, as created by 2011 Wisconsin Act 32,
2 is renumbered 111.85 (5).

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

3 **SECTION 41.** 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.

4 **SECTION 42.** The treatment of 111.92 (1) (a) of the statutes by 2011 Wisconsin
5 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 7-1-13, 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.

6 **SECTION 43.** The treatment of 111.93 (3) of the statutes by 2011 Wisconsin Act
7 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 7-1-13, s. 111.93 (3) (a) reads:

(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.

8 **SECTION 44.** 125.34 (2) of the statutes, as affected by 2011 Wisconsin Act 32,
9 is amended to read:

10 125.34 (2) Except as provided in ss. 125.29 (3m) (b) and (c), 125.295 (1) (e) and
11 (g), and 125.30 (4), no fermented malt beverages may be sold, transported, or
12 delivered to a retailer unless, prior to such sale, transport, or delivery, the fermented

BILL**SECTION 44**

1 malt beverages are first unloaded at, physically at rest at, and only then distributed
2 from a wholesaler's warehouse premises covered by both a wholesaler's permit
3 issued under s. 125.28 and an alcohol beverage warehouse permit issued under s.
4 125.19, which premises shall be in this state. This ~~paragraph~~ subsection does not
5 apply to a wholesaler issued a wholesaler's permit under s. 125.28 (1) (b) with respect
6 to fermented malt beverages transported and delivered from a warehouse in an
7 adjoining state unless the wholesaler's warehouse in the adjoining state is located
8 on premises in the adjoining state used for the manufacture of fermented malt
9 beverages.

NOTE: Corrects cross-reference.

10 **SECTION 45.** 146.38 (3) (dm) of the statutes is amended to read:

11 146.38 (3) (dm) With regard to an action under s. 895.441, to a court of record
12 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.

13 **SECTION 46.** 165.76 (1) (g) of the statutes is amended to read:

14 165.76 (1) (g) Has been required by a court under s. 51.20 (13) (cr), 938.34 (~~15m~~)
15 (15), 971.17 (1m) (a), 973.047, or 980.063 to provide a biological specimen to the state
16 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.

17 **SECTION 47.** 175.49 (3) (a) 2. of the statutes, as created by 2011 Wisconsin Act
18 35, is amended to read:

19 175.49 (3) (a) 2. The former federal law enforcement officer has been found by
20 the state, or by a certified firearms instructor if such an instructor is qualified to
21 conduct a firearms qualification test for active law enforcement officers in the state,
22 to meet the standards for qualification in firearms training for active law

BILL

1 enforcement officers to carry a firearm of the type under subd. 1., that are established
2 by the state or, if the state does not establish standards, by any law enforcement
3 agency in the state.

NOTE: Inserts missing word.

4 **SECTION 48.** 196.203 (1g) (c) of the statutes, as affected by 2011 Wisconsin Act
5 22, is amended to read:

6 196.203 (1g) (c) An alternative telecommunications utility that is a local
7 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.

8 **SECTION 49.** The treatment of 230.08 (4) (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, 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
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.

10 **SECTION 50.** 230.09 (2) (g) of the statutes, as affected by 2011 Wisconsin Acts
11 10 and 32, is amended to read:

12 230.09 (2) (g) When filling a new or vacant position, if the director determines
13 that the classification for a position is different than that provided for by the
14 legislature as established by law or in budget determinations, or as authorized by the
15 joint committee on finance under s. 13.10, or as specified by the governor creating
16 positions under s. 16.505 (1) (c) or (2) or, or is different than that of the previous

BILL**SECTION 50**

1 incumbent, the director shall notify the administrator and the secretary of
2 administration. The administrator shall withhold action on the selection and
3 certification process for filling the position. The secretary of administration shall
4 review the position to determine that sufficient funds exist for the position and that
5 the duties and responsibilities of the proposed position reflect the intent of the
6 legislature as established by law or in budget determinations, the intent of the joint
7 committee on finance acting under s. 13.10, the intent of the governor creating
8 positions under s. 16.505 (1) (c) or (2) ~~or~~. The administrator may not proceed with
9 the selection and certification process until the secretary of administration has
10 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.

11 **SECTION 51.** 230.34 (1) (ar) of the statutes, as affected by 2011 Wisconsin Acts
12 10 and 32, is amended to read:

13 230.34 (1) (ar) Paragraphs (a) and (am) apply to all employees with permanent
14 status in class in the classified service and all employees who have served with the
15 state as an assistant district attorney for a continuous period of 12 months or more
16 (~~ar~~).

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

17 **SECTION 52.** 238.345 (1) (a) of the statutes, as affected by 2011 Wisconsin Act
18 32, section 3426, is amended to read:

19 238.345 (1) (a) The designation of an area as a development zone shall be
20 effective for 240 months, beginning on the day the ~~department~~ corporation notifies
21 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.

BILL

1 **SECTION 53.** 238.395 (1) (i) of the statutes, as created by 2011 Wisconsin Act 37,
2 section 2, is amended to read:

3 **238.395 (1) (i)** An area in the city of Beloit, the legal description of which is
4 provided to the ~~department~~ corporation by the local governing body of the city of
5 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 80 of this bill.

6 **SECTION 54.** 238.395 (2) (e) 3. of the statutes, as created by 2011 Wisconsin Act
7 32, section 5, is amended to read:

8 **238.395 (2) (e) 3.** The ~~department~~ corporation may extend the designation of
9 an area under sub. (1) (i) as a development opportunity zone for an additional 60
10 months if the ~~department~~ corporation determines that an extension will support
11 economic development within the city. If the ~~department~~ corporation grants an
12 extension under this subdivision, the limit for tax benefits for the development
13 opportunity zone under sub. (1) (i) is increased by \$5,000,000.

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 80 of this bill.

14 **SECTION 55.** 238.399 (3) (d) of the statutes, as created by 2011 Wisconsin Act
15 26, section 2, is amended to read:

16 **238.399 (3) (d)** Notwithstanding pars. (b) and (c), the ~~department~~ corporation
17 shall designate as enterprise zones at least 3 areas comprising political subdivisions
18 whose populations total less than 5,000 and at least 2 areas comprising political
19 subdivisions whose populations total 5,000 or more but less than 30,000. In
20 designating an enterprise zone under this paragraph, the ~~department~~ corporation

BILL**SECTION 55**

1 may consider indicators of an area's economic need and the effect of designation on
2 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 80 of this bill.

3 **SECTION 56.** 256.01 (7) and (8) of the statutes are amended to read:

4 256.01 (7) "Emergency medical technician — intermediate" means an
5 individual who is licensed by the department as an emergency medical technician —
6 intermediate under ~~sub. s. 256.15~~ s. 256.15 (5).

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

12 **SECTION 57.** 287.11 (2m) (a) 2. of the statutes is amended to read:

13 287.11 (2m) (a) 2. "Cost of selling processed material" means the net cost,
14 including any storage costs, of selling processed material to a broker, dealer, or
15 manufacturing facility, plus any cost of transporting the processed material from the
16 waste processing facility to the destination specified by the broker, dealer, or
17 manufacturing facility, less the portion of any state financial assistance received
18 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.

BILL

1 **SECTION 58.** 343.50 (4) of the statutes, as affected by 2011 Wisconsin Act 23,
2 section 134, and 2011 Wisconsin Act 32, section 3177, is amended to read:

3 **343.50 (4) APPLICATION.** The application for an identification card shall include
4 any information required under ss. 85.103 (2) and 343.14 (2) (a), (b), (bm), (br), (em),
5 and (er), and such further information as the department may reasonably require to
6 enable it to determine whether the applicant is entitled by law to an identification
7 card. Except with respect to renewals by mail or electronic means as authorized
8 under sub. (6), and except as provided in sub. (4g), the department shall, as part of
9 the application process for original issuance or renewal of an identification card, take
10 a photograph of the applicant to comply with sub. (3). ~~Except as provided in sub. (4g),~~
11 ~~no~~ Misrepresentations in violation of s. 343.14 (5) are punishable as provided in s.
12 343.14 (9).

NOTE: The stricken text was inserted by 2011 Wis. Act 23 but rendered without
effect by the treatment by 2011 Wis. Act 32.

13 **SECTION 59.** The treatment of 343.50 (6) of the statutes by 2011 Wisconsin Act
14 23, section 142, is not repealed by 2011 Wisconsin Act 32, section 3181. Both
15 treatments stand.

NOTE: There is no conflict of substance. As merged by the legislative reference
bureau, s. 343.50 (6) reads:

(6) RENEWAL. At least 30 days prior to the expiration of an identification card, the department shall provide to the card holder notice of renewal of the card either by mail at the card holder's last-known address or, if desired by the card holder, by any electronic means offered by the department. The department shall include with the notice information, as developed by all organ procurement organizations in cooperation with the department, that promotes anatomical donations and which relates to the anatomical donation opportunity available under s. 343.175. The fee for a renewal identification card shall be \$18 except that, if the identification card holder satisfies the requirements for an applicant specified in sub. (5) (a) 3., there shall be no fee for renewal of the identification card. The renewal identification card shall be valid for 8 years, except that a card that is issued to a person who is not a United States citizen and who provides documentary proof of legal status as provided under s. 343.14 (2) (er) shall expire on the date that the person's legal presence in the United States is no longer authorized. If the documentary proof as provided under s. 343.14 (2) (er) does not state the date that the person's legal presence in the United States is no longer authorized, then the card shall be valid for 8 years. The department may renew an identification card by mail or by any

BILL**SECTION 59**

electronic means available to the department, but the department may not make consecutive renewals by mail or electronic means.

1 **SECTION 60.** 440.42 (5) (a) 1. of the statutes is amended to read:

2 440.42 (5) (a) 1. A person that is exempt from filing a federal annual
3 information return under section 6033 (a) ~~(2)~~ (3) (A) (i) and (iii) and (C) (i) of the
4 internal revenue code.

NOTE: Corrects cross-reference. Under Public Law 109-222 paragraph (2) was designated as paragraph (3) and a new paragraph (2) was inserted.

5 **SECTION 61.** 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.

6 **SECTION 62.** The treatment of 560.70 (7) (b) 2. of the statutes by 2011 Wisconsin
7 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).

8 **SECTION 63.** The treatment of 560.795 (3) (a) 4. of the statutes by 2011
9 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.

10 **SECTION 64.** The treatment of 560.799 (3) (a) of the statutes by 2011 Wisconsin
11 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:

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

BILL

1 **SECTION 65.** 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 66.** 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 67.** 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 68.** 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
22 cocaine or cocaine base, the person shall be fined not more than \$5,000 and may be

BILL**SECTION 68**

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

NOTE: Inserts correct word form.

8 **SECTION 69.** 2011 Wisconsin Act 10, sections 157 and 158 are amended by
9 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).

10 **SECTION 70.** 2011 Wisconsin Act 21, section 39 is amended by replacing "to
11 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.

12 **SECTION 71.** 2011 Wisconsin Act 23, section 60 is amended by replacing
13 "~~residence corroborating~~" with "~~residence, corroborating~~".

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

14 **SECTION 72.** 2011 Wisconsin Act 32, section 44p is amended by replacing "(10)
15 (c)," with "(10) (c),".

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

16 **SECTION 73.** 2011 Wisconsin Act 32, section 1400 is amended by replacing
17 "~~2010-11~~" with "~~2010-2011~~".

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

18 **SECTION 74.** 2011 Wisconsin Act 32, section 1506m is amended by replacing
19 "county, multicounty" with "county, multicounty".

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

BILL

1 **SECTION 75.** 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 76.** 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 77.** 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 78.** 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 79.** 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 80. 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.

BILL**SECTION 80**

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

BILL

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 81. 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

BILL

SECTION 81

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.

BILL

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

