

# State of Wisconsin



1995 Senate Bill 675

Date of enactment: **June 6, 1996**  
Date of publication\*: **June 20, 1996**

## 1995 WISCONSIN ACT 417

**AN ACT relating to:** repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions, deleting, replacing or otherwise modifying language which discriminates on the basis of sex, reconciling conflicts and repelling unintended repeals (Revisor's Correction Bill).

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

**SECTION 1.** 13.83 (1) (f) 2. of the statutes is amended to read:

13.83 (1) (f) 2. If the joint legislative council approves a project under par. (e) 1. or 2., it may contract for a consultant or project staff director having expertise in the subject matter of the project and it shall specify the date for the final report of the project to the joint legislative council.

NOTE: Corrects error in transcribing 1993 Wis. Act 52.

**SECTION 2.** 13.90 (6) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

13.90 (6) The joint committee on legislative organization shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy, the governor and the secretary of administration, no later than September 15 of each even-numbered year, a strategic plan for the utilization of information technology to carry out the functions of the legislature and legislative service agencies, as defined in ~~section s.~~ 16.70 (6) of the statutes. The plan shall address the business needs of the legislature and legislative service agencies and shall identify all resources relating to information tech-

nology which the legislature and legislative service agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also identify any changes in the functioning of the legislature and legislative service agencies under the plan.

NOTE: Replaces superfluous language pursuant to s. 13.93 (1) (d).

**SECTION 3.** 15.405 (17) (b) of the statutes, as affected by 1995 Wisconsin Act 225, is amended to read:

15.405 (17) (b) There is created a barbering and cosmetology examining board in the department of regulation and licensing. The barbering and cosmetology examining board shall consist of 9 members appointed for 4-year terms. Four members shall be licensed barbers or cosmetologists, 2 members shall be public members, one member shall be a representative of a private school of barbering or cosmetology, one member shall be a representative of a public school of barbering or cosmetology and one member shall be a licensed electrologist. Except for the 2 members representing schools, no member may be connected with or have any financial interest in a barbering or ~~cosmetologist~~ cosmetology school. This paragraph applies after June 30, 1994.

NOTE: Corrects error in transcribing 1987 Wis. Act 265.

\* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

**SECTION 4.** 16.385 (4) (a) of the statutes, as affected by 1995 Wisconsin Act 27, section 3199, is amended to read:

16.385 (4) (a) A household may apply after September 30 and before May 16 of any year for heating assistance from the county department under s. 46.215 (1) (n) or 46.22 (1) (b) 4. 4m. a. to e. or from another local governmental agency or a private nonprofit organization with which the department contracts to administer the heating assistance program, and shall have the opportunity to do so on a form prescribed by the department for that purpose.

NOTE: Inserts correct cross-reference. There is no s. 46.22 (1) (b) 4. a. to e.

**SECTION 5.** 16.971 (4) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

16.971 (4) (a) The department may license or authorize executive branch agencies to license computer programs developed by executive branch agencies to the federal government, other states, and municipalities. Any agency other than an executive branch agency may license a computer program developed by that agency to the federal government, other states and municipalities.

NOTE: Deletes comma consistent with current style.

**SECTION 6.** The amendments of 20.435 (1) (gm) of the statutes by 1995 Wisconsin Act 27 are not repealed by 1995 Wisconsin Act 98. All amendments stand.

NOTE: There is no conflict of substance.

**SECTION 7.** 20.435 (7) (kd) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

20.435 (7) (kd) *Rehabilitation teaching aids.* All moneys transferred from the appropriation under s. 20.445 (5) (hd) to provide assistance under the rehabilitation teaching program for blind and visually impaired persons under s. 46.293 (1) ~~(a)~~.

NOTE: Corrects cross-reference. There is no s. 46.293 (1) (a).

**SECTION 8.** 20.835 (4) (g) of the statutes, as affected by 1995 Wisconsin Act 56, is amended to read:

20.835 (4) (g) *County taxes.* All moneys received from the taxes imposed under s. 77.70 for distribution to the counties that enact an ordinance imposing taxes under that section and for interest payments on refunds under s. 77.76 (3), except that 1.5% of those tax revenues collected under that section shall be credited to the appropriation account under s. 20.566 (1) (g).

NOTE: The underscored language was inserted by 1995 Wis. Act 56 without being shown as underscored. The change was intended.

**SECTION 9.** 21.19 (12) of the statutes is amended to read:

21.19 (12) The adjutant general shall provide from the appropriation under s. 20.465 (1) (c) a United States flag to the next of kin of each deceased member of the national guards guard who dies as a result of state service under s. 21.11.

NOTE: Corrects error in transcribing 1993 Wis. Act 16.

**SECTION 10.** 23.09 (17m) (h) (intro.) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

23.09 (17m) (h) (intro.) If the amount of the unencumbered balance in a county's wildlife management fund account exceeds either of the following, the department may demand that the county repay to ~~the department~~ the excess amount to the department:

NOTE: Deletes redundant phrase inserted by 1995 Wis. Act 27.

**SECTION 11.** 23.196 (2) (b) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

23.196 (2) (b) For the purpose of establishing the Willow flowage project, the department may expend up to an amount equal to the total amount available for the purchase of land. For purposes of ss. 23.09 (2r) (a) ~~1~~ and 23.0915 (1), moneys expended under this paragraph shall be treated as moneys expended for the lower Wisconsin state riverway acquisition.

NOTE: An early version of 1995 Wis. Act 27 renumbered s. 23.09 (2r) (a) to be s. 23.09 (2r) (a) 1. As enacted, 1995 Wisconsin Act 27 did not include this renumbering, but s. 23.196 (2) (b) was not changed accordingly.

**SECTION 12.** 24.66 (5) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

24.66 (5) (a) Every application for a loan under this section by a municipality shall be accompanied by a certified copy under the hand of the proper clerk of a recorded resolution adopted by the municipality applying for or approving the loan, levying, except as provided in par. (b), upon all the taxable property of the municipality a direct annual tax for the purpose of paying and sufficient to pay the principal and interest on the proposed loan as they become due. In a 1st class city school district, the application shall be accompanied by a certified copy of a resolution, adopted by the board of school directors, stating that it is the intention of the board of school directors to include in its budget transmitted to the common council under s. 119.16 (8) (b) a written notice specifying the amount of money necessary to pay the principal and interest on the loan as they become due. Every application for a loan under this subsection by a cooperative educational service agency shall be accompanied by a copy of a recorded resolution adopted by the school board of each school district for which the loan is sought, certified by the school district clerk of that school district, levying upon all taxable property of the school district a direct annual tax for the purpose of paying and sufficient to pay the school district's share of the principal and interest on the proposed loan as they become due. ~~Every application for a loan under this subsection by a cooperative educational service agency shall be accompanied by a copy of a recorded resolution adopted by the school board of each school district for which the loan is sought, certified by the school district clerk of that school district, levying upon all taxable property of the school district a direct annual tax for the purpose of paying and sufficient~~

to pay the school district's share of the principal and interest on the proposed loan as they become due. The levy imposed by the municipality shall be void if the board declines to make the loan; otherwise it shall remain valid and irrevocable until the loan and all interest on the loan are fully paid.

NOTE: The stricken language was inadvertently repeated by 1995 Wis. Act 27.

**SECTION 13.** 27.065 (3) of the statutes is amended to read:

27.065 (3) PARKWAYS AND STREETS, IMPROVE. The county board may improve all or any portion of the county's system of streets and parkways by causing the same to be leveled, graded, paved or improved in any other manner, and sidewalks, curbs or gutters or either installed, cause water and sewer mains and laterals, and lighting mains and fixtures, fences, bridges, culverts, viaducts and flood control dams erected and constructed therein, and cause the parkway portions thereof to be planted, seeded or sodded. The county board may establish the grade of all streets and parkways in areas not already established and change and reestablish the same as it deems expedient. Whenever it shall change or alter the permanently established grade of any street or parkway, any person thereby sustaining damages to property owned on the affected street shall have a right to recover ~~such~~ the damages in the manner set forth in this section. The grade of all streets and parkways shall be established and described and the adoption of such grades and all alterations thereof shall be recorded by the county clerk. No street or parkway shall be worked until the grade thereof is established and recorded in the office of the county clerk.

NOTE: Corrects error in transcribing 1991 Wis. Act 316.

**SECTION 14.** 29.05 (2) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

29.05 (2) ADDITIONAL ARREST POWERS. In addition to the arrest powers under sub. (1), a conservation warden who has completed a program of law enforcement training approved by the law enforcement standards board, has been certified as qualified to be a law enforcement officer under s. 165.85 (4) (b) 1. and has complied with any applicable requirements under s. 165.85 (4) (bn) 1. while on duty and in uniform or on duty and upon display of proper credentials may assist another law enforcement agency as defined under s. 165.83 (1) (b) including making an arrest at the request of the agency, may arrest a person pursuant to an arrest warrant concerning the commission of a felony or may arrest a person who has committed a crime in the presence of the warden. If the conservation warden makes an arrest without the presence of another law enforcement agency, the conservation warden shall cause the person arrested to be delivered to the chief of police or sheriff in the jurisdiction where the arrest is made, along with the documents and reports pertaining to the arrest. The conservation warden

shall be available as a witness for the state. A conservation warden may not conduct investigations for violations of state law except as authorized in sub. (3) and ss. ~~23.11 (4) and~~ 41.41 (12) ~~and 23.11 (4)~~. A conservation warden acting under the authority of this subsection is considered an employe of the department and is subject to its direction, benefits and legal protection. The authority granted in this section does not apply to county conservation wardens or special conservation wardens.

NOTE: Reverses order of cross-references consistent with current style.

**SECTION 15.** 29.52 (4) (d) of the statutes is amended to read:

29.52 (4) (d) "Private fish hatchery, Class D" means any Class A or Class B licensee who transfers fish produced, reared or possessed by the licensee under ~~such a~~ a Class A or Class B license to the licensee's holding or rearing ponds situated on lands owned or leased by the licensee but not included in the licensee's Class A or Class B license.

NOTE: Corrects error in transcribing 1991 Wis. Act 316.

**SECTION 16.** 32.05 (9) (a) 2. of the statutes is amended to read:

32.05 (9) (a) 2. In cases where the amount of the award appealed from is increased on appeal, such amount shall be paid by the condemnor making tender of the amount to one of the appellant owners or appellant parties of interest in the same manner governing the tender of a basic award. In ~~the event that~~ the event that a determination on appeal reduces the amount of the appealed award, those parties who joined in the appeal shall be liable, jointly and severally, to the condemning authority.

NOTE: Inserts missing words and a comma.

**SECTION 17.** 36.25 (36) of the statutes, as created by 1995 Wisconsin Act 101, is renumbered 36.25 (35m).

NOTE: 1995 Wis. Act 27 also created a s. 36.25 (36).

**SECTION 18.** The treatment of 40.02 (22) (g) of the statutes by 1995 Wisconsin Act 88 is not repealed by 1995 Wisconsin Act 89. Both treatments stand.

NOTE: There is no conflict of substance.

**SECTION 19.** 46.215 (1m) of the statutes, as created by 1995 Wisconsin Act 64, is amended to read:

46.215 (1m) EXCHANGE OF INFORMATION. Notwithstanding ss. 48.78 (2) (a), 49.45 (4), ~~49.53 (1m)~~ 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and 253.07 (3) (c), any subunit of the county department of social services acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services or with any person providing services to the client under a purchase of services contract with the county department of social services, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of social services to coordinate the delivery of services to the client.

NOTE: Section 49.53 was renumbered to be s. 49.83 by 1995 Wis. Act 27. The amendment of the cross-reference in this provision is made consistent with the treatment of all cross-references to s. 49.53 (1m) by 1995 Wis. Act 27.

**SECTION 20.** 46.22 (1) (dm) of the statutes, as created by 1995 Wisconsin Act 64, is amended to read:

46.22 (1) (dm) *Exchange of information.* Notwithstanding ss. 48.78 (2) (a), 49.45 (4), ~~49.53 (1m)~~ 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and 253.07 (3) (c), any subunit of the county department of social services acting under this subsection may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of social services or with any person providing services to the client under a purchase of services contract with the county department of social services, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of social services to coordinate the delivery of services to the client.

NOTE: Section 49.53 was renumbered to be s. 49.83 by 1995 Wis. Act 27. The amendment of the cross-reference in this provision is made consistent with the treatment of all cross-references to s. 49.53 (1m) by 1995 Wis. Act 27.

**SECTION 21.** The amendment of 46.23 (3) (e) of the statutes by 1995 Wisconsin Act 27 is not repealed by 1995 Wisconsin Act 64. Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 22.** 46.26 (4) (eg) of the statutes is repealed.

NOTE: 1995 Wis. Act 27 repealed all of s. 46.26 except this provision. The intent of Act 27 was to repeal all of s. 46.26.

**SECTION 23.** 48.30 (9) of the statutes, as affected by 1995 Wisconsin Act 77, is amended to read:

48.30 (9) If a court commissioner conducts the plea hearing and accepts an admission of the alleged facts in a petition brought under s. 48.13, the judge shall review the admission at the beginning of the dispositional hearing by addressing the parties and making the ~~inquires in~~ inquiries set forth in sub. (8).

NOTE: Corrects spelling error.

**SECTION 24.** 49.027 (2) (a) 1. b. of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

49.027 (2) (a) 1. b. The department shall determine the total amount of general relief reimbursements that were paid under s. 49.035, 1993 stats., for costs incurred in 1994, to all counties that are eligible to receive a relief block grant under this section.

NOTE: Inserts missing word.

**SECTION 25.** 49.33 (2) of the statutes, as affected by 1995 Wisconsin Act 27, section 2043, and 1995 Wisconsin Act 289, is amended to read:

49.33 (2) **CONTRACTS.** County departments under ss. 46.215, 46.22 and 46.23 shall annually enter into a contract with the department detailing the reasonable cost of administering the income maintenance programs and the food stamp program under 7 USC 2011 to 2029 when so appointed by the department. Contracts created under

this section control the distribution of payments under s. 20.445 (3) (de) and (nL) in accordance with the reimbursement method established under ~~s. 49.33 sub.~~ (8). The department may reduce its payment to any county under s. 20.445 (3) (de) and (nL) if federal reimbursement is withheld due to audits, quality control samples or program reviews.

NOTE: Corrects form of cross-reference.

**SECTION 26.** 49.45 (2) (a) 1. of the statutes is amended to read:

49.45 (2) (a) 1. Exercise responsibility relating to fiscal matters, the eligibility for benefits under standards set forth in ss. 49.46 to 49.47 and general supervision of the medical assistance program;

NOTE: Replaces punctuation consistent with current style and the remainder of s. 49.45 (2) (a).

**SECTION 27.** 49.45 (2) (a) 2. of the statutes is amended to read:

49.45 (2) (a) 2. Employ necessary personnel under the classified service for the efficient and economical performance of the program and shall supply residents of this state with information concerning the program and procedures;

NOTE: Replaces punctuation consistent with current style and the remainder of s. 49.45 (2) (a).

**SECTION 28.** 49.45 (2) (a) 3. of the statutes is amended to read:

49.45 (2) (a) 3. Determine the eligibility of persons for medical assistance, rehabilitative and social services under ss. 49.46, 49.468 and 49.47 and rules and policies adopted by the department and may designate this function to the county department under s. 46.215 or 46.22;

NOTE: Replaces punctuation consistent with current style and the remainder of s. 49.45 (2) (a).

**SECTION 29.** 49.45 (2) (a) 4. of the statutes is amended to read:

49.45 (2) (a) 4. To the extent funds are available under s. 20.435 (1) (bm), certify all proper charges and claims for administrative services to the department of administration for payment and the department of administration shall draw its warrant forthwith;

NOTE: Replaces punctuation consistent with current style and the remainder of s. 49.45 (2) (a).

**SECTION 30.** 49.45 (2) (a) 5. of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

49.45 (2) (a) 5. Cooperate with the division for learning support, equity and advocacy in the department of education to carry out the provisions of Title XIX;

NOTE: Replaces punctuation consistent with current style and the remainder of s. 49.45 (2) (a).

**SECTION 31.** 49.45 (2) (a) 6. of the statutes is amended to read:

49.45 (2) (a) 6. Appoint such advisory committees as are necessary and proper;

NOTE: Replaces punctuation consistent with current style and the remainder of s. 49.45 (2) (a).

**SECTION 32.** 51.42 (3) (as) 1. of the statutes, as affected by 1995 Wisconsin Acts 27 and 77, is amended to read:

51.42 (3) (as) 1. A county department of community programs shall authorize all care of any patient in a state, local or private facility under a contractual agreement between the county department of community programs and the facility, unless the county department of community programs governs the facility. The need for inpatient care shall be determined by the program director or designee in consultation with and upon the recommendation of a licensed physician trained in psychiatry and employed by the county department of community programs or its contract agency. In cases of emergency, a facility under contract with any county department of community programs shall charge the county department of community programs having jurisdiction in the county where the patient is found. The county department of community programs shall reimburse the facility for the actual cost of all authorized care and services less applicable collections under s. 46.036, unless the department of health and family services determines that a charge is administratively infeasible, or unless the department of health and family services, after individual review, determines that the charge is not attributable to the cost of basic care and services. A county department of community programs may not reimburse any state institution or receive credit for collections for care received therein by nonresidents of this state, interstate compact clients, transfers under s. 51.35 (3), and transfers from Wisconsin state prisons under s. 51.37 (5) (a), commitments under s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17 or 975.06 or admissions under s. 975.17, 1977 stats., or children placed in the guardianship or legal custody of the department of health and family services or the department of corrections under s. 48.355, 48.427 or 48.43. The exclusionary provisions of s. 46.03 (18) do not apply to direct and indirect costs which are attributable to care and treatment of the client.

NOTE: Inserts missing comma.

**SECTION 33.** The amendment of 51.42 (3) (e) of the statutes by 1995 Wisconsin Act 27 is not repealed by 1995 Wisconsin Act 64. Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 34.** 51.437 (4r) (b) of the statutes, as created by 1995 Wisconsin Act 64, is amended to read:

51.437 (4r) (b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), ~~49.53 (1m)~~ 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and 253.07 (3) (c), any subunit of the county department of developmental disabilities services acting under this section may exchange confidential information about a client, without the informed consent of the client, with any other subunit of the same county department of developmental disabilities services or with any person providing services to the client under a purchase of services contract with the county depart-

ment of developmental disabilities services, if necessary to enable an employe or service provider to perform his or her duties, or to enable the county department of developmental disabilities services to coordinate the delivery of services to the client.

NOTE: Section 49.53 was renumbered to be s. 49.83 by 1995 Wis. Act 27. The amendment of the cross-reference in this provision is made consistent with the treatment of all cross-references to s. 49.53 (1m) by 1995 Wis. Act 27.

**SECTION 35.** 60.63 (11) of the statutes is amended to read:

60.63 (11) A determination made under sub. (10) shall be made after a hearing before the town board. The town shall provide at least 30 days' notice to the licensed adult family home or the community living arrangement that such a hearing will be held. At the hearing, the licensed adult family home ~~or the licensed adult family home~~ or the community living arrangement may be represented by counsel and may present evidence and call and examine witnesses and cross-examine other witnesses called. The town board may call witnesses and may issue subpoenas. All witnesses shall be sworn by the town board. The town board shall take notes of the testimony and shall mark and preserve all exhibits. The town board may, and upon request of the licensed adult family home or the community living arrangement shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the town. Within 20 days after the hearing, the town board shall deliver to the licensed adult family home or the community living arrangement its written determination stating the reasons therefor. The determination shall be a final determination.

NOTE: Corrects error in transcribing 1993 Wis. Act 327.

**SECTION 36.** 70.113 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

70.113 (1) As soon after April 20 of each year as is feasible the department of natural resources shall pay to the city, village, or town treasurer the sum of 80 cents per acre as a grant out of the appropriation made by s. 20.370 (5) (da) and (dq) on each acre situated in the municipality of state forest lands, as defined in s. 28.02 (1), state parks under s. 27.01 and state public shooting, trapping or fishing grounds and reserves or refuges operated thereon, acquired at any time under s. ~~23.09 (2) (d)~~, 29.10, 1943 stats., ~~s. 23.09 (2) (d)~~ or 29.571 (1) or from the appropriations made by s. 20.866 (2) (tp) by the department of natural resources or leased from the federal government by the department of natural resources.

NOTE: Amends cross-references consistent with current style.

**SECTION 37.** The amendment of 70.337 (7) of the statutes by 1995 Wisconsin Act 113 is not repealed by 1995 Wisconsin Act 136. Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 38.** 71.47 (1di) (b) 3. of the statutes is amended to read:

71.47 (1di) (b) 3. Partnerships, limited liability companies and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders, partners or members. The corporation, partnership or limited liability company shall compute the amount of the credit that may be claimed by each of its shareholders, partners or members and shall provide that information to each of its shareholders ~~or~~ partners or members. Partners, members of limited liability companies and shareholders of tax-option corporations may claim the credit based on the partnership's, company's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's, company's or corporation's business operations in the development zone and against the tax attributable to their income from the partnership's, company's or corporation's directly related business operations.

NOTE: Corrects error in transcribing 1993 Wis. Act 112.

**SECTION 39.** 75.521 (14a) of the statutes is amended to read:

75.521 (14a) DAMAGES. Any person who was the owner of any right, title or interest in land which was lost by judgment of foreclosure as provided in this section may within 2 years from the date of entry of such judgment, in the cases hereinafter mentioned other than fraud and within 6 years in the case of fraud, commence an action in the circuit court against the county to recover the fair market value of the person's interest therein at the date of entry of said judgment of foreclosure in rem. If the court determines that such person's right, title and interest in said land was unjustly foreclosed and lost because said person's interest in such lands was not subject to taxation, special assessment, special charge or special tax at the time of the levy of the tax, assessment or charge, for nonpayment of which said lands were foreclosed, or that in fact such tax, special assessment, special charge or special tax was paid by said owner, or that the tax lien upon which the judgment of foreclosure in rem was based was barred by the statute of limitations, or if such person lost said property through fraud without fault on his or her part, the court shall determine the fair market value of said land or of said person's interest therein as hereinafter set forth. The fair market value shall not exceed the amount arrived at by dividing the assessed valuation of such lands in the year in which such judgment in rem was entered by the percentage ratio of real estate assessments prevailing for the taxing district in which the lands were located as set forth in the equalization for state tax purposes of the same year. The court shall award judgment to such plaintiff in such amount, together with a reasonable attorney fees to be fixed by the court, and the plaintiff's costs and disbursements of such action. The amount awarded the plaintiff shall be reduced by the total

amount due, as of the date of entry of such judgment, for all current taxes and upon all tax certificates held by the county on such date that the court shall find were valid. Upon payment of the judgment the county may charge back as a tax to any taxing district the amount which such district received from the county in payment of taxes and interest on said land either by distribution of proceeds of sale thereof by the county or through other payment by the county to the extent that it exceeds the amount distributable to such district had the same been based upon the payment of the taxes and interest found by the court to be properly payable at the time of the entry of the judgment of foreclosure and applied in reduction of the amount awarded to the plaintiff hereunder.

NOTE: Deletes superfluous word.

**SECTION 40.** 90.02 (1m) (a), (b), (c) and (f) of the statutes, as affected by 1995 Wisconsin Act 41, are amended to read:

90.02 (1m) (a) A fence of strong woven wire not less than ~~twenty-six~~ 26 inches wide with 3 barbed wires or 3 high tensile wires above.

(b) A fence of strong woven wire not less than ~~thirty~~ 30 inches wide with 2 barbed wires or 2 high tensile wires above.

(c) A fence of strong woven wire not less than ~~forty-six~~ 46 inches wide with one barbed wire or one high tensile wire above.

(f) A fence of 2 boards with 3 barbed wires or 3 high tensile wires above, firmly fastened to sufficient posts well set not more than ~~eight~~ 8 feet apart, the space between the boards to be not more than ~~six~~ 6 inches.

NOTE: Replaces word form of numbers with digits for conformity with current style.

**SECTION 41.** 101.143 (1) (ad) of the statutes is amended to read:

101.143 (1) (ad) "Bodily injury" does not include those liabilities which are excluded from coverage in liability insurance policies for bodily injury other than liabilities excluded because they are caused by a petroleum ~~project~~ product discharge from a petroleum product storage system.

NOTE: Inserts correct word.

**SECTION 42.** 102.01 (1) (em) of the statutes, as created by 1995 Wisconsin Act 117, is renumbered 102.01 (2) (eg).

NOTE: Section 102.01 (1) (em), as created by 1995 Wisconsin Act 117, is a definition. Section 102.01 (2), and not sub. (1), contains a list of definitions.

**SECTION 43.** The amendment of 102.07 (14) of the statutes by 1995 Wisconsin Act 24 is not repealed by 1995 Wisconsin Act 96. Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 44.** 106.115 (1) (a) of the statutes, as affected by 1995 Wisconsin Act 27, section 3699, is amended to read:

106.115 (1) (a) The job training partnership act, 29 USC ~~401~~ 1501 to 1792b, including the employment and

education programs provided under ss. 106.11 and 106.15.

NOTE: 1995 Wisconsin Act 27, section 3699, replaced "1501" with "101" without strikes or underscores. No change was intended.

SECTION 45. 108.04 (17) (d) of the statutes is amended to read:

108.04 (17) (d) A school year employe of an educational institution who performs services other than in an instructional, research or principal administrative capacity is ineligible for benefits based on such services for any week of unemployment which occurs during a period between 2 successive academic years or terms if the school year employe performed such services for an educational institution in the first such year or term and there is a reasonable assurance that he or she will perform such services for an educational institution in the 2nd such year or term.

NOTE: Corrects error in transcribing 1993 Wis. Act 373.

SECTION 46. 108.18 (4) (figure) Schedule C, line 16 of the statutes is amended to read:

108.18 (4) (figure) Schedule C, line 16:  
16. At least 0 but under 3.5% . . . . . ~~5.00~~ 4.00

NOTE: Corrects error in transcribing 1989 Wis. Act 77.

SECTION 47. The amendment of 119.25 (2) of the statutes by 1995 Wisconsin Act 32 is not repealed by 1995 Wisconsin Act 75. Both amendments stand.

NOTE: There is no conflict of substance.

SECTION 48. 125.12 (2) (ag) 5. of the statutes is amended to read:

125.12 (2) (ag) 5. The person has been convicted of manufacturing or delivering a controlled substance under s. 161.41 (1); of possessing, with intent to manufacture or deliver, a controlled substance under s. 161.41 (1m); ~~or of possessing, with intent to manufacture or deliver, or of manufacturing or delivering a controlled substance under s. 161.41 (1m);~~ or of possessing, with intent to manufacture or deliver, or of manufacturing or delivering a controlled substance under a substantially similar federal law or a substantially similar law of another state.

NOTE: Corrects error in transcribing 1993 Wis. Act 98.

SECTION 49. 127.07 (2) (a) of the statutes, as affected by 1995 Wisconsin Act 42, is amended to read:

127.07 (2) (a) A Class A grain dealer that does not meet the financial standards under s. 127.067 (1).

NOTE: Inserts missing word.

SECTION 50. 127.07 (5) (b) of the statutes, as affected by 1995 Wisconsin Act 42, is amended to read:

127.07 (5) (b) If a grain dealer has operated as a grain dealer for less than one year, the grain dealer shall file and maintain security in an amount specified by the department. The department shall specify an amount that is equal to the amount that the department projects to be the dollar amount of the grain dealer's monthly average grain purchases during the 3 months in which the grain dealer is likely to make the largest monthly purchases from producers during the following 12 months, multiplied by the

percentage under par. (a) 3. a, or, beginning on September 1, 1996, under par. (a) ~~4~~. 3. b.

NOTE: The underscored language indicates the correct cross-references.

SECTION 51. 134.80 of the statutes is amended to read:

134.80 Home heating fuel dealers. Any dealer selling fuel of any kind for the purpose of heating a private residence shall notify each private residential customer whose account is subject to disconnection of the existence of the fuel assistance programs provided by the department of ~~health and social services~~ administration under s. 16.385.

NOTE: Corrects reference. The energy assistance program administered by the department of health and social services was transferred to the department of administration by 1995 Wis. Act 27 which renumbered s. 49.80 to be s. 16.385.

SECTION 52. 144.95 (2) (title) of the statutes is amended to read:

144.95 (2) (title) COORDINATION WITH DEPARTMENT OF ~~HEALTH AND SOCIAL SERVICES~~ AGRICULTURE, TRADE AND CONSUMER PROTECTION.

NOTE: Conforms subsection title to the text.

SECTION 53. 145.08 (2) of the statutes is amended to read:

145.08 (2) No license or registration may be issued for longer than 2 years. Any license or registration may be renewed upon application made prior to the date of expiration. The department may renew licenses or registrations upon application made after the date of expiration if it is satisfied that the applicant has good cause for not applying for renewal prior to the date of expiration and upon payment of the renewal and additional fees prescribed.

NOTE: Corrects error in transcribing 1993 Wis. Act 322.

SECTION 54. 146.82 (2) (a) 8. of the statutes is amended to read:

146.82 (2) (a) 8. To the department under s. 255.04. The release of a patient health care record under this subdivision shall be limited to the information prescribed by the department under s. 255.04 (2).

NOTE: Corrects error in transcribing 1993 Wis. Act 27.

NOTE: There is no s. 50.034 (4) (b). An early version of 1995 Wis. Act 27 divided s. 50.034 (4) into several paragraphs. As enacted in Act 27, s. 50.034 (4) was not divided into paragraphs, but the cross-reference in this provision was not changed accordingly.

SECTION 55. 150.951 (a) and (b) of the statutes, as created by 1995 Wisconsin Act 27, are renumbered 150.951 (1) and (2).

NOTE: Renumbers provisions consistent with current drafting style.

SECTION 56. 179.12 (6) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

179.12 (6) Except as otherwise provided in this chapter or in the certificate of amendment, a certificate of amendment is effective on its filing ~~in~~ with the department.

NOTE: Replaces word consistent with the treatment of similar provisions by 1995 Wis. Act 27.

**SECTION 57.** 179.16 (1) (b) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

179.16 (1) (b) File one duplicate original ~~in~~ with the department.

NOTE: Replaces word consistent with the treatment of similar provisions by 1995 Wis. Act 27.

**SECTION 58.** 185.01 (3m) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

185.01 (3m) “Department”, except in s. 185.45 (3) (c) and (4) (4) ~~(b)~~, means the department of financial institutions.

NOTE: Inserts correct cross-reference. There is no s. 185.45 (4) (d). Section 185.45 (3) (c) and (4) (b) contains identical cross-references to “departments”.

**SECTION 59.** 186.235 (11) (p) 1. of the statutes, as affected by 1995 Wisconsin Act 151, section 264, is amended to read:

186.235 (11) (p) 1. The special deputy shall deposit unclaimed liquidating dividends and unclaimed funds remaining unpaid in the hands of the special deputy for 6 months after the order for final distribution in a corporate central credit union in the office of credit unions’ name in trust for the shareholders and creditors of the liquidated credit union. The office of credit unions shall annually report to the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) the names of credit unions of which the office has taken possession and liquidated, and the sums of unclaimed and unpaid liquidating dividends and unclaimed funds with respect to each of the credit unions and include a statement of interest earned upon those funds.

NOTE: Inserts missing word.

**SECTION 60.** 191.09 (1) of the statutes is amended to read:

191.09 (1) BEFORE THE OFFICE. The provisions of ch. 195 relating to the subpoenaing of witnesses, the production of books, documents and papers, the administration of oaths, punishment for disobedience of an order of the office ~~of~~ of the commissioner of railroads, or of a subpoena, or for refusal of a witness to be sworn or to testify, witness fees, taking depositions, the keeping of a record of the proceedings, the taking of testimony, transcribing the evidence, or relating to the procedure before the office not inconsistent with this chapter shall apply to all proceedings under this chapter.

NOTE: Inserts correct word.

**SECTION 61.** 198.06 (6) of the statutes is amended to read:

198.06 (6) EXPENSES OF ELECTION, PAYMENT. All amounts properly incurred and actually expended by any municipality or the clerk thereof in publishing notices of any primary or election, in employing persons to conduct the election or in performing other duties imposed upon the municipality or upon the clerk thereof by any provi-

sion of this chapter shall be paid as other similar expenses of the municipality are paid and shall be a charge in favor of the municipality against the district to be repaid, together with interest thereon at the rate of ~~six per cent~~ 6% per year, upon the presentation of proper vouchers therefor by the clerk of the municipality to the district, when and as the district has funds available for that purpose.

NOTE: Replaces words with digits consistent with current style.

**SECTION 62.** 215.21 (23) of the statutes is amended to read:

215.21 (23) FALSE STATEMENT IN LOAN APPLICATIONS; PENALTY. Any person who makes or causes to be made any false written statement to any state or federal savings and loan association for the purpose of obtaining a loan for himself or herself or for another, with intent to mislead, or which may mislead the association, may be imprisoned for not more than 6 months or fined not to exceed \$1,000.

NOTE: Corrects error in transcribing 1993 Wis. Act 482.

**SECTION 63.** 218.01 (6) (em) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

218.01 (6) (em) In the event ~~that~~ the dealer shall finance the instalment sale contract, the division of banking may permit the dealer to combine the information required by pars. (b) and (e) last above in one statement under such rules and regulations as the division of banking may from time to time prescribe.

NOTE: Inserts missing words.

**SECTION 64.** 221.296 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

221.296 (1) A bank may invest amounts not to exceed, in the aggregate, that percentage of its capital and surplus established by the division under sub. (2) in partnership interests in farm operations. A bank may acquire a partnership interest in a farm operation with respect to which it is also a lender. The bank may only acquire a partnership interest in a farm operation as a limited partner. For purposes of calculating the bank’s aggregate investment, the amount of each investment shall be established as of the date that the investment is made. Every transaction by a bank under this subsection shall require prior approval by the board of directors of the bank and shall be disclosed to the shareholders of the bank prior to each annual meeting of the ~~shareholder~~ shareholders.

NOTE: Corrects spelling.

**SECTION 65.** 223.08 of the statutes is amended to read:

**223.08 Name of corporation; penalty.** The word “trust” shall form part of the name of every corporation organized under this chapter, but the word “bank” shall not be used as a part of the name. All persons, partnerships, associations, or corporations not organized under the provisions of this chapter, except state banks vested with trust powers under s. 221.04 (6) and nonprofit corporations organized for the advancement of historic



preservation or for the protection of land for public conservation purposes, are prohibited from using the word “trust” in their business, or as a portion of the name or title of such person, partnership, association, or corporation. Any person who violates this section, either individually or as an interested party in any partnership, association, or corporation, may be fined not less than \$300 nor more than \$1,000 or imprisoned for not less than 60 days nor more than one year in the county jail or both.

NOTE: Corrects error in transcribing 1993 Wis. Act 490.

**SECTION 66.** 223.105 (3) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

223.105 (3) (a) To assure compliance with such rules as may be established under s. ~~220.03~~ 220.04 (7) the division of banking, the office of credit unions and the division of savings and loan shall, at least once every 18 months, examine the fiduciary operations of each organization which is under its respective jurisdiction and is subject to examination under sub. (2). If a particular organization subject to examination under sub. (2) is not otherwise under the jurisdiction of one of the foregoing agencies, such examination shall be conducted by the division of banking.

NOTE: Inserts correct cross-reference. There is no s. 220.03 (7). Rule-making is authorized by s. 220.04 (7).

**SECTION 67.** 224.03 of the statutes is amended to read:

**224.03 Banking, unlawful, without charter; penalty.** It shall be unlawful for any person, partnership, association, or corporation to do a banking business without having been regularly organized and chartered as a national bank, a state bank or a trust company bank. Any person or persons violating any of the provisions of this section, either individually or as an interested party in any partnership, association, or corporation shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than \$300 nor more than \$1,000 or imprisoned in the county jail for not less than 60 days nor more than one year or both.

NOTE: Corrects error in transcribing 1993 Wis. Act 490.

**SECTION 68.** 253.12 (6) (a) of the statutes is amended to read:

253.12 (6) (a) If a local health officer submits to the department a written request for receipt of information submitted under sub. (2), the department shall forward to the local health officer an abstract of information received for an infant or child for whom the parent or guardian has provided informed, written consent to a release of the information and who resides in the area of jurisdiction of the ~~public~~ local health officer.

NOTE: Corrects error in transcribing 1993 Wis. Act 27.

**SECTION 69.** 254.11 (8) of the statutes is amended to read:

254.11 (8) “Lead-bearing paint” means any paint or other surface coating material containing more than 0.06% lead by weight, calculated as lead metal, in the ~~total~~

total nonvolatile content of liquid paint or more than 0.7 milligram of lead per square centimeter in the dried film of applied paint.

NOTE: Corrects spelling.

**SECTION 70.** 254.74 (1m) (a) 2. of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

254.74 (1m) (a) 2. The establishment seeking the waiver is in compliance with the requirements under s. ~~256.61~~ 254.61 (1) (a) to (e).

NOTE: Inserts correct cross-reference. There is no s. 256.61. Section 254.61 sets forth requirements for a bed and breakfast establishment.

**SECTION 71.** 301.26 (4) (b) of the statutes, as affected by 1995 Wisconsin Acts 27 and 77, is amended to read:

301.26 (4) (b) Assessment of costs under par. (a) shall be made periodically on the basis of the per person per day cost estimate specified in par. (d) ~~2. to 3m. and~~ 3m. and 4. Except as provided in pars. (bm), (c) and (cm), liability shall apply to county departments under s. 46.21, 46.22 or 46.23 in the county of the court exercising jurisdiction under chs. 48 and 938 for each person receiving services from the department of corrections under s. 48.366, 938.183 (2) or 938.34 or the department of health and social services under s. 51.35 (3). Except as provided in pars. (bm), (c) and (cm), in multicounty court jurisdictions, the county of residency within the jurisdiction shall be liable for costs under this subsection. Assessment of costs under par. (a) shall also be made according to the general placement type or level of care provided, as defined by the department, and prorated according to the ratio of the amount designated under sub. (3) (c) to the total applicable estimated costs of care, services and supplies provided by the department of corrections under ss. 48.366, 938.183 (2) and 938.34 and the department of health and family services under s. 51.35 (3).

NOTE: Inserts correct cross-reference. There is no s. 301.26 (4) (d) 2. Section 301.26 (4) (d) 3m. and 4. contain the provisions for assessments of costs.

**SECTION 72.** 301.32 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

301.32 (1) **PROPERTY DELIVERED TO STEWARD; CREDIT AND DEBIT.** All money including wages and other property delivered to an officer or employe of any institution for the benefit of a prisoner or resident shall be delivered to the steward, who shall enter the property upon his or her books to the credit of the prisoner or resident. The property may be used only under the direction and with the approval of the superintendent or warden and for the crime victim and witness assistance surcharge under s. 973.045 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046 or the benefit of the prisoner or resident. If the money remains uncalled for for one year after the prisoner’s or resident’s death or departure from the institution, the superintendent shall deposit it in the general fund. If any prisoner or resident leaves property, other than money, uncalled for at an institution for one year, the

superintendent shall sell the property and deposit the proceeds in the general fund. If any person satisfies the department, within 5 years after the deposit, of his or her right to the deposit, the department shall direct the department of administration to draw its warrant in favor of the claimant and it shall charge the same to the appropriation made by s. 20.913 (3) (bm).

NOTE: 1995 Wis. Act 27 deleted "for" without showing it as stricken. No change was intended.

**SECTION 73.** 350.11 (3) (a) (title) of the statutes is re-enacted to read:

350.11 (3) (a) (title) *Penalties related to prohibited operation of a snowmobile; intoxicants; refusal.*

NOTE: This title was inadvertently deleted from the printed statutes.

**SECTION 74.** 409.403 (5) (a) 3. of the statutes, as affected by 1995 Wisconsin Act 27 is amended to read:

409.403 (5) (a) 3. A register of deeds shall forward \$3 to the department for each original financing statement filed with the office of the register of deeds under subd. 1. and for each amendment and each continuation statement filed with the office of the register of deeds under subd. 2.

NOTE: The underscored language was inadvertently deleted by 1995 Wis. Act 27.

**SECTION 75.** 560.61 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

560.61 (1) Make a grant or loan to an eligible recipient for a project that meets the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.625, 560.63, 560.65 or 560.66, whichever is appropriate, from the appropriations under s. 20.143 (1) (c), (cb), (ie), (s) and ~~(sb)~~ (sm).

NOTE: Section 560.61 (1) relates to grants and loans from the Wisconsin development fund, the appropriations for which are under s. 20.143 (1) (c), (cb), (ie), (s) and (sm). There is no s. 20.143 (1) (sb).

**SECTION 76.** 560.797 (3) (b) 9. of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

560.797 (3) (b) 9. The person's plans to make available or provide day care center benefits, as defined in s. 71.07 (2dd) (a) 1., to each qualifying ~~child~~ individual, as defined in s. 71.07 (2dd) (a) 3-5.

NOTE: Corrects terminology and cross-reference. An early version of 1995 Wis. Act 27 created the development zones day care credit at s. 71.07 (2dd) which contained a definition of "qualifying child" at s. 71.07 (2dd) (a) 3. Act 27, as enacted, replaced s. 71.07 (2dd) (a) 3. with s. 71.07 (2dd) (a) 5., which defines "qualifying individual".

**SECTION 77.** 563.13 (2) of the statutes, as affected by 1995 Wisconsin Act 27, section 9123 (6pp), is amended to read:

563.13 (2) A sworn statement by the member designated as responsible for the proper utilization of gross receipts that no ~~board~~ commission or other fee, salary, profits, compensation, reward or recompense will be paid to any person or organization and that all profits will be spent as provided under s. 563.51 (8).

NOTE: 1995 Wis. Act 27, section 9123 (6pp), substituted "board" for "commission" each place it appears in ch. 563, for the purpose of effectuating the name change of the gaming commission to the gaming board. The change is inapplicable to this provision.

**SECTION 78.** 569.04 (1) of the statutes, as affected by 1995 Wisconsin Act 27, section 9123 (6pp), is amended to read:

569.04 (1) In accordance with an Indian gaming compact or with the regulations of or an agreement with the national Indian gaming ~~board~~ commission, the board shall certify and conduct background investigations of a person proposing to be an Indian gaming vendor and of employes of Indian tribes who are engaged in the conduct of gaming.

NOTE: 1995 Wis. Act 27, section 9123 (6pp), substituted "board" for "commission" each place it appears in ch. 569, for the purpose of effectuating the name change of the gaming commission to the gaming board. The change is inapplicable to the national Indian gaming board.

**SECTION 79.** 613.74 (2) of the statutes is amended to read:

613.74 (2) PLAN OF DISSOLUTION. At least 60 days prior to the submission to members of any proposed voluntary dissolution of a service insurance corporation under s. 181.50 the plan shall be filed with the commissioner. The commissioner may require the submission of such additional information as will establish the financial condition of the corporation or other facts relevant to the proposed dissolution. If the members adopt the resolution to dissolve, the commissioner shall, within 30 days after the adoption of the resolution, begin to examine the corporation. The commissioner shall approve the dissolution unless the commissioner finds, after a hearing, that it is insolvent or may become insolvent in the process of dissolution. Upon approval, the corporation may dissolve under ss. 181.51 to 181.555, except that the last sentence of s. 181.555 does not apply. Upon disapproval, the commissioner shall petition the court for liquidation or for rehabilitation under ch. 645.

NOTE: Corrects error in transcribing 1975 Wis. Act 223.

**SECTION 80.** 758.19 (7) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

758.19 (7) The director of state courts shall adopt, revise biennially and submit to the cochairpersons of the joint committee on information policy, the governor and the secretary of administration, no later than September 15 of each even-numbered year, a strategic plan for the utilization of information technology to carry out the functions of the courts and judicial branch agencies, as defined in ~~section s.~~ 16.70 (5) of the statutes. The plan shall address the business needs of the courts and judicial branch agencies and shall identify all resources relating to information technology which the courts and judicial branch agencies desire to acquire, contingent upon funding availability, the priority for such acquisitions and the justification for such acquisitions. The plan shall also

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identify any changes in the functioning of the courts and judicial branch agencies under the plan.

NOTE: Replaces superfluous language pursuant to s. 13.93 (1) (d).

SECTION 81. 767.32 (2r) of the statutes, as affected by 1995 Wisconsin Act 77, is amended to read:

767.32 (2r) If the court revises a judgment or order providing for child support that was entered under s.

448.355 48.355 (2) (b) 4., 48.357 (5m), 48.363 (2), 938.183 (2), 938.355 (2) (b) 4., 938.357 (5m) or 938.363 (2), the court shall determine child support in the manner provided in s. 46.10 (14).

NOTE: 1995 Wis. Act 77 replaced "48.355" with "448.355" without showing strikes or underscores. There is no s. 448.355. No change was intended.

SECTION 82. 767.455 (5) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read: 767.455 (5) FORM. The summons shall be in substantially the following form:

STATE OF WISCONSIN, CIRCUIT COURT : .... COUNTY
In re the Paternity of A. B.
STATE OF WISCONSIN
and
C. D.
Address
City, State Zip Code File No. ...
, Petitioners
vs. S U M M O N S
E. F.
Address ... (Case Classification Type): .... (Code No.)
City, State Zip Code
, Respondent

THE STATE OF WISCONSIN, To the Respondent:
You have been sued. .... claims that you are the father of the child, ... born on .... (date), in .... (city) (county) (state). You must appear to answer this claim of paternity. Your court appearance is:
Date: .....
Time: .....
Room: .....
Judge or Family Court Commissioner: .....
Address: .....

If you do not appear, the court will enter a default judgment finding you to be the father. A default judgment will take effect 30 days after it is served on or mailed to you, unless within those 30 days you present to the court evidence of good cause for failure to appear. If you plan to be represented by an attorney, you should contact the attorney prior to the court appearance listed above. If you are unable to afford an attorney, the court will appoint one for you one only upon the blood tests showing that you are not excluded as the father and the probability of your being the father is less than 99.0%. Appearance is not required if you complete the attached waiver of first appearance statement and send it to the court at least 10 days prior to the date of your scheduled appearance in this summons.

Dated: ....., 19 ..
Signed:.... ....
G. H., Clerk of Circuit Court
or
Petitioner's Attorney
State Bar No.: ....
Address: ....
City, State Zip Code: ....
Phone No.: .....

NOTE: The underscored "one for" was deleted by 1995 Wis. Act 27 without being stricken. The stricken "one" was inserted without being underscored. Neither change was intended.

SECTION 83. 779.97 (4) (c) 2. of the statutes, as affected by 1995 Wisconsin Act 27, section 7140b, and 1995 Wisconsin Act 201, is amended to read:

779.97 (4) (c) 2. If a certificate of release is presented for filing with any other filing officer specified in sub. (2), the officer shall enter the certificate with the date of

filing in any alphabetical federal lien index on the line where the original notice of lien is entered and may then remove the notice of federal lien and any related refiling of a notice of lien, certificate of nonattachment, discharge or subordination from the files, provided that the officer shall keep the certificate of release or a microfilm or other photographic record, or in the case of the department of financial institutions, or a register of deeds if authorized under s. 59.43 (4), a microfilm or other photographic record or optical disk or electronic record, of the certificate of release in a file, separate from those containing currently effective notices of federal liens, for a period of 30 years after the date of filing of the certificate of release.

NOTE: The underscored language was deleted by 1995 Wis. Act 27 without being stricken. No change was intended.

**SECTION 84.** The amendments of 814.04 (intro.) of the statutes by 1995 Wisconsin Acts 24 and 27 are not repealed by 1995 Wisconsin Act 133. All amendments stand.

NOTE: There is no conflict of substance.

**SECTION 85.** 814.634 (1) (a) of the statutes, as affected by 1995 Wisconsin Act 27, section 7175d, is amended to read:

814.634 (1) (a) Except for an action for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$40 court support services fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) ~~(a)-(c)~~ (am) or 814.63 (1).

NOTE: The stricken language is a cross-reference to a provision which was repealed by 1995 Wis. Act 27.

**SECTION 86.** 814.70 (6) (a) (title) of the statutes, as affected by 1995 Wisconsin Act 27, is renumbered 814.70 (6) (title).

NOTE: Section 814.70 (6) (title) was inadvertently changed to s. 814.70 (6) (a) (title) by 1995 Wis. Act 27.

**SECTION 87.** 938.33 (4m) (c) of the statutes, as created by 1995 Wisconsin Act 77, is amended to read:

938.33 (4m) (c) A written explanation of how the parent may request a revision under s. 938.363 in the amount of child support ordered by the court under s. ~~938.335~~ 938.355 (2) (b) 4.

NOTE: Corrects cross-reference. There is no s. 938.335 (2) (b) 4. Section 938.355 (2) (b) 4. relates to support orders.

**SECTION 88.** 941.11 (2) of the statutes is amended to read:

941.11 (2) Intentionally burns a building of one who has consented to the destruction thereof but does so under circumstances in which he or she should realize he or she is creating an unreasonable risk of death or great bodily harm to another or serious damage to a ~~third~~ 3rd person's property.

NOTE: Corrects error in transcribing 1993 Wis. Act 486. Replaces word form of number with digits from greater consistency with current style.

**SECTION 89.** 941.29 (2) (c) of the statutes, as affected by 1995 Wisconsin Acts 71 and 77, is amended to read:

941.29 (2) (c) The person possesses a firearm subsequent to the finding of not guilty or not responsible by reason of insanity or mental disease, defect or illness as specified in sub. (1) (c) or (d). ~~Whoever violates this section after being convicted under this section is guilty of a Class D felony.~~

NOTE: 1995 Wisconsin Act 77 amended s. 941.29 (2) without taking into account the amendment of this subsection by 1995 Wisconsin Act 71. As the result of the Act 71 amendment, the language added by Act 77, shown stricken above, requires placement in a separate subsection. See the next section of this bill.

**SECTION 90.** 941.29 (2m) of the statutes is created to read:

941.29 (2m) Whoever violates this section after being convicted under this section is guilty of a Class D felony.

NOTE: See the note to the previous section of this bill.

**SECTION 91.** 971.17 (2) (title) of the statutes is reenacted to read:

971.17 (2) (title) INVESTIGATION AND EXAMINATION.

NOTE: This title was inadvertently deleted from the printed statutes.

**SECTION 92.** 976.04 (2) of the statutes is amended to read:

976.04 (2) If an arrest is made in this state by an officer of another state in accordance with sub. (1), the officer shall without unnecessary delay take the person arrested before a judge of the county in which the arrest was made, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the judge determines that the arrest was lawful the judge shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the governor of this state or admit the person to bail for such purpose. If the judge determines that the arrest was unlawful ~~he, the~~ judge shall discharge the person arrested.

NOTE: Corrects error in transcribing 1993 Wis. Act 486.

**SECTION 93.** 977.06 (4) (b) (intro.) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

977.06 (4) (b) (intro.) The state public defender shall promptly release a copy of any statement, affidavit or other information provided by a person regarding financial eligibility under ~~this~~ s. 977.07 only if the state public defender or a circuit court finds all of the following:

NOTE: The stricken language was rendered surplusage by 1995 Wis. Act 27.

**SECTION 94.** 977.076 (2) of the statutes, as affected by 1995 Wisconsin Acts 27 and 77, is amended to read:

977.076 (2) The department of administration may collect unpaid reimbursement payments to the state public defender ordered by a court under sub. (1) or s. 48.275 ~~(1)-(a)~~ (2), 757.66, 938.275 (1) (a) or 973.06 (1) (e). The department may contract with a private collection agency to collect these payments. Section 16.705 does not apply to a contract under this subsection.

NOTE: Inserts correct cross-reference. There is no s. 48.275 (1) (a).

**SECTION 95.** 1993 Wisconsin Act 16, sections 2207ahn and 2207ahp are repealed.

NOTE: 1993 Wis. Act 16, sections 2207ahn and 2207ahp, repealed s. 111.70 (1) (dm) and (nc), effective July 1, 1996. 1995 Wis. Act 27, sections 3793c and 3793e, repealed and recreated these provisions. 1995 Wis. Act 27 also repealed and recreated several other parts of s. 111.70 which were repealed by 1993 Wis. Act 16. For clarification, 1995 Wis. Act 27, sections 7298d to 7298r, repealed the s. 111.70 repeal provisions contained in 1993 Wis. Act 16. However, through inadvertence, the repeals of s. 111.70 (1) (dm) and (nc) by 1993 Wis. Act 16 were not repealed. The repeals of s. 111.70 (1) (dm) and (nc) by 1993 Wis. Act 16 are repealed here to clarify that 1995 Wis. Act 27, sections 3793c and 3793e stand.

**SECTION 96.** 1995 Wisconsin Act 77, section 278 is amended by replacing “48.35 (intro.) of the statutes is renumbered” with “48.35 (1) (intro.) of the statutes is renumbered”.

NOTE: Inserts correct citation. There is no s. 48.35 (intro.).

**SECTION 97.** 1995 Wisconsin Act 103, section 42 (1) is amended to read:

[1995 Wisconsin Act 103] Section 42 (1) The repeal and recreation of sections 214.305, 214.345 ~~(5) (by SECTION 8)~~, 214.49 (5) (intro.) and (12), 214.62 (3), 214.625, 214.63, 214.65 (2) (a) and (b), 214.665 (1), 214.67 and 214.93 of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.

NOTE: See the note to the previous section of this bill.

**SECTION 98. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 16.385 (4) (a), 20.435 (7) (kd), 46.215 (1m), 46.22 (1) (dm), 46.26 (4) (eg), 48.30 (9), 49.33 (2), 51.42 (3) (as) 1., 51.437 (4r) (b), 106.115 (1) (a), 144.95 (2) (title), 179.12 (6), 179.16 (1) (b), 185.01 (3m), 218.01 (6) (em), 221.296 (1), 223.105 (3) (a), 301.26 (4) (b), 301.32 (1), 409.403 (5) (a) 3., 563.13 (2), 569.04 (1), 767.32 (2r), 779.97 (4) (c) 2., 938.33 (4m) (c), 941.29 (2) (c) and (2m) and 977.076 (2) of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.