

State of Wisconsin



2013 Assembly Bill 564

Date of enactment: **March 27, 2014**

Date of publication*: **March 28, 2014**

2013 WISCONSIN ACT 168

AN ACT relating to: revising various provisions of the statutes for the purpose of supplying omissions and eliminating defects (Correction Bill).

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

SECTION 1. 35.84 (figure) line 21 of the statutes is repealed.

SECTION 2. 48.396 (3) (b) 2. of the statutes, as created by [2011 Wisconsin Act 270](#), is amended to read:

48.396 (3) (b) 2. Subdivision 1. does not authorize disclosure of any information relating to the physical or mental health of an individual or that deals with any other sensitive personal matter of an individual, including information contained in a patient health care record, as defined in s. 146.81 (4), a treatment record, as defined in s. 51.30 (1) (b), the record of a proceeding under s. 48.135, a report resulting from an examination or assessment under s. ~~938.295~~ 48.295, a court report under s. ~~938.33~~ 48.33, or a permanency plan under s. ~~938.38~~ 48.38, except with the informed consent of a person authorized to consent to that disclosure, by order of the court, or as otherwise permitted by law.

SECTION 3. 49.79 (9) (a) 4. of the statutes is amended to read:

49.79 (9) (a) 4. The amount of food stamp benefits paid to a recipient who is a participant in a Wisconsin ~~works~~ Works employment position under s. 49.147 (4) or (5) shall be calculated based on the pre-sanction benefit amount received under s. 49.148.

SECTION 4. 69.18 (1) (a) 3. of the statutes is amended to read:

69.18 (1) (a) 3. A person acting under s. 157.02 or 445.16 (~~+~~).

SECTION 5. 101.02 (24) (a) 2. of the statutes, as affected by [2013 Wisconsin Act 20](#), is amended to read:

101.02 (24) (a) 2. "License" means a license, permit, or certificate of certification or registration issued by the department for an occupation or profession under s. 101.122 (2) (c), 101.15 (2) (e), 101.16 (3g), 101.17, ~~101.177(4)(a)~~; 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.654, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m) or under rules promulgated under ch. 101 or 145.

SECTION 6. 101.19 (1r) of the statutes, as affected by [2013 Wisconsin Act 20](#), is amended to read:

101.19 (1r) Notwithstanding subs. (1g) and (1m), the department shall waive any fee imposed on an individual who is eligible for the veterans fee waiver program under s. 45.44 for a license, permit, or certificate of certification or registration issued by the department under s. 101.122 (2) (c), 101.15 (2) (e), 101.16 (3g), 101.17, ~~101.177(4)(a)~~; 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3), 145.02 (4),

* Section 991.11, WISCONSIN STATUTES: 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."

145.035, 145.045, 145.07 (12), 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or 167.10 (6m).

SECTION 7. The treatment of 111.84 (2) (c) of the statutes by 2011 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. 111.84 (2) (c) reads:

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

SECTION 8. 175.49 (2) (a) (intro.) of the statutes, as created by 2011 Wisconsin Act 35, is amended to read:

175.49 (2) (a) (intro.) Upon the request of a former law enforcement officer and at the expense of the former law enforcement agency officer, a law enforcement agency that employed the former law enforcement officer shall, except as provided in par. (b), issue the former law enforcement officer a certification card as described in sub. (4) stating all of the following:

SECTION 9. 182.017 (7) (intro.) of the statutes is amended to read:

182.017 (7) **HIGH-VOLTAGE TRANSMISSION LINES.** (intro.) Any easement for rights-of-way for high-voltage transmission lines as defined under s. 196.491 (1) (f) shall be subject to all of the following conditions and limitations ~~specified in this subsection:~~

SECTION 10. 238.30 (intro.) of the statutes, as affected by 2013 Wisconsin Act 20, is amended to read:

238.30 Definitions. (intro.) In this section and ss. 238.301 to 238.395 and 238.398:

SECTION 11. 281.36 (3q) (f) (intro.), 1. and 2. of the statutes are renumbered 281.36 (3q) (f) 1m. (intro.), a. and b.

SECTION 12. 287.07 (4e) (a) of the statutes, as created by 2011 Wisconsin Act 32, is amended to read:

287.07 (4e) (a) Beginning on July 1, 2011, no person may place in a container the contents of which will be disposed of in a solid waste ~~treatment~~ disposal facility, converted into fuel, or burned at a solid waste treatment facility any of the items identified in sub. (4) (a) to (k).

SECTION 13. 291.97 (3) of the statutes is amended to read:

291.97 (3) **COST RECOVERY.** In addition to the penalties provided under subs. (1) and (2), the court may award the department of justice the reasonable and necessary expenses of the investigation and prosecution of the violation, including attorney fees and the costs of per-

forming monitoring. The department of justice shall deposit in the state treasury for deposit into the general fund all moneys that the court awards to the department or the state under this ~~paragraph~~ subsection. The costs of investigation and the expenses of prosecution, including attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).

SECTION 14. 343.301 (1m) of the statutes is amended to read:

343.301 (1m) If equipping each motor vehicle with an ignition interlock device under sub. (1g) would cause an undue financial hardship, the court may order that one or more vehicles described in sub. (1g) not be equipped with an ignition interlock device.

SECTION 15. 350.145 (3) (c) of the statutes is amended to read:

350.145 (3) (c) Before March 1 of each odd-numbered year, the snowmobile recreational council shall meet and review the provisions that are included in the executive budget bill or bills and that affect snowmobiles and snowmobiling. A member of the snowmobile recreational council may submit his or her written comments on these provisions to the secretary of natural resources before March 10 of each odd-numbered year.

SECTION 16. 456.07 (2) of the statutes is amended to read:

456.07 (2) The application for a new certificate of registration shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the examining board that during the biennial period immediately preceding application for registration the applicant has attended a ~~continuation~~ continuing education program or course of study. During the time between initial licensure and commencement of a full 2-year licensure period new licensees shall not be required to meet continuing education requirements. All registration fees are payable on or before the applicable renewal date specified under s. 440.08 (2) (a).

SECTION 17. 973.195 (1r) (e) of the statutes, as affected by 2011 Wisconsin Act 258, is amended to read:

973.195 (1r) (e) Notwithstanding the confidentiality of victim address information obtained under s. ~~302.1135 (7) (e)~~ 302.113 (9g) (g) 3., a district attorney who is required to send notice to a victim under par. (d) may obtain from the clerk of the circuit court victim address information that the victim provided to the clerk under s. ~~302.1135 (7) (e)~~ 302.113 (9g) (g) 3.

SECTION 18. 2011 Wisconsin Act 61, section 3 is amended by replacing “All Except as” with “Except as”.

SECTION 19. 2011 Wisconsin Act 243, section 13 is amended by replacing “(16), or (18)” with “(16), or (18),”.

SECTION 20. Renumbering and cross-reference changes under section 13.92 (1) (bm) 2., stats. The statute in column A was renumbered to the statute number in column B, and cross-references to the renum-

bered statute are changed in the statutes in column C to agree with the renumbered statute, under section 13.92 (1) (bm) 2. of the statutes:

A Statute Renumbered	B New Statute Number	C Statutes in Which Cross–References are Changed
118.305 (1) (c) [second par. (c)], as created by 2011 Wis. Act 125	118.305 (1) (e)	none
968.075 (1) (c)	968.075 (1) (e)	none
980.09 (intro.)	980.09 (1)	none

SECTION 21. Corrections of obvious typographical errors under s. 35.17, stats. In the sections of the statutes listed in Column A, the text shown in Column B was changed to the text shown in column C to correct obvious nonsubstantive errors under s. 35.17 of the statutes:

A Statute Affected	B Erroneous text	C Corrected text
4.19 (title), as created by 2011 Wis. Act 43	Nineteenth	Nineteenth
11.26 (1) (d) 1.	dollars,	dollars.
14.85 (5) (c)	gulf of Mexico	Gulf of Mexico
16.993 (7), as affected by 2011 Wis. Act 32	districts,,	districts,
20.001 (2) (f)	revenue–obligations	revenue obligations
20.003 (3) (b) 3.	program revenue service	program revenue — service
20.435 (5) (ma)	drugs abuse	drug abuse
27.01 (18), as created by 2013 Wis. Act 6	chapter 125	ch. 125
29.604 (4) (intro.), as affected by 2013 Wis. Act 1	sub. (6r) and (7m)	subs. (6r) and (7m)
32.05 (2a)	this paragraph	this subsection
32.06 (2a)	this paragraph	this subsection
36.31 (3)	higher education aids board	higher educational aids board
40.02 (22) (a)	(e):	(e);
40.02 (25g), as renumbered from 40.02 (48g) by 2013 Wis. Act 20	26 USC 402 (I) (4) (C)	26 USC 402 (l) (4) (C)
45.51 (2) (b) 5.	drug addition	drug addiction
45.51 (6) (b)	12–months	12 months
48.38 (2) (intro.)	home of guardian	home of a guardian

55.12 (10) (d)	firearms restriction record search (in 2 places)	firearms restrictions record search (in 2 places)
145.245 (5) (a) 2., as affected by 2011 Wis. Act 146	private e on–site	private on–site
168.06 (1)	gasoline gasoline–alcohol fuel blends	gasoline, gasoline–alcohol fuel blends
175.35 (1) (at)	firearms restriction record search	firearms restrictions record search
217.09 (1r)	this paragraph	this subsection
218.0116 (10), as affected by 2011 Wis. Act 91	hearing and appeals	hearings and appeals
218.0163 (1) (c)	hearing and appeals	hearings and appeals
230.03 (14) (intro.)	veteran	“veteran”
289.41 (6) (i) 1.	accounting principals	accounting principles
295.44 (7) (b), as created by 2013 Wis. Act 1	sub (3)	sub. (3)
295.443 (4), as created by 2013 Wis. Act 1	village or city	village, or city
295.53 (5), as created by 2013 Wis. Act 1	ch. 150	ch. NR 150
295.60 (4) (c) (intro.), as created by 2013 Wis. Act 1	values;	values:
295.60 (6) (a) (intro.), as created by 2013 Wis. Act 1	a a discharge	a discharge
348.25 (8) (b) 3. (intro.)	4m. or	4m., for
441.50 (10) (d), as created by 1999 Wis. Act 22	[omitted]	(d) This compact may be amended by the party states. No amendment to this compact shall become effective and binding upon the party states unless and until it is enacted into the laws of all party states.
460.06 (1)	s meets	meets
461.03 (1)	accounting principals	accounting principles
938.195 (1) (a)	meaning give	meaning given

938.396 (2g) (n) (title)	<i>firearms restriction record search</i>	<i>firearms restrictions record search</i>
948.23 (3) (c) 4., as created by 2011 Wis. Act 268	result on an injury	result of an injury
