

1983 Assembly Bill 987

Date of enactment: May 10, 1984  
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1983 Wisconsin Act 524

AN ACT to repeal 16.40 (14) and (15), 23.11 (3), 30.03 (1), 36.25 (14) and (16), 50.20 to 50.31, 51.42 (10) (f), 51.437 (14) (f), 56.01 (3), 73.03 (16) and (21), 84.06 (5), 101.41, 220.14 (5) and (6), 448.21 (3) and 449.17 (7); to renumber and amend 16.04 (1) (d); to amend 5.05 (1) (c), 13.09 (4), 13.106 (2), 14.58 (8), 15.04 (1) (d), 15.08 (9), 16.004 (7) (b), 16.009 (1) (i), 16.61 (3) (n), 16.755 (5), 16.84 (10), 16.956 (8), 21.19 (7), 35.29 (2), 43.07 (5), 46.21 (8) (b), 47.05 (4), 47.40 (11), 92.10 (3) (e), 94.35, 115.36 (3) (a) 4, 115.74 (4), 186.29 (13) (a), 215.02 (11) (a), 215.32 (7) (a) 3 (intro.), 215.56 (8) (a), 215.76 (8) (a), 220.08 (13), 220.14 (intro.), 426.104 (2) (intro.) and 949.18 (intro.); and to create 13.172 of the statutes, relating to miscellaneous changes in reports that state agencies are required to submit to the governor or the legislature, hospital surveys and construction, and highway construction by department of transportation employees.

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

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

5.05 (1) (c) Bring civil actions to require forfeitures for any violation of ch. 11 under s. 11.60, and sue for injunctive relief under s. 11.66 to compel compliance with ch. 11. Actions brought by the board may concern only violations with respect to reports or statements required by law to be filed with it, and other violations arising under elections for state office or statewide referenda. Pursuant to such authority, the board is authorized to may compromise and settle any civil action or potential action brought or authorized to be brought by it under ch. 11 which, in the opinion of the board, constitutes a minor violation, a violation caused by excusable neglect, or which for other good cause shown, should not in the public interest be prosecuted under such chapter. Not-

withstanding s. 778.06, an action or proposed action authorized under this paragraph may be settled for such sum as may be agreed between the parties. Actions by the board shall be brought in the circuit court for the county wherein the violation is alleged to occur. ~~The board shall file a report of all civil actions brought by it and the disposition of those actions to the appropriate standing committees of each house of the legislature, as determined by the presiding officer, on March 1 and September 1 of each year.~~

SECTION 2. 13.09 (4) of the statutes, as affected by 1983 Wisconsin Acts 3, 27 and 83, is amended to read:

13.09 (4) The joint committee on finance shall receive reports submitted under ss. 13.095, 13.105 (intro.), 13.106 (1) (intro.) and (2), 13.94 (1) (a) and (b), 16.004 (2) and (7) (b), ~~16.04 (1) (d), 16.40 (14) and (15) (1m),~~ 16.50 (3), 16.513 (2) to (4), 16.531 (3), 16.54 (5) and (8), 16.544 (1) and (3), 16.82 (4) (c), 16.97 (3), 20.002 (10), 20.235 (1) (g), 20.505 (5) (a), 20.920 (2) (am), 23.31 (1), 35.03 (6), ~~36.25 (16) (e),~~ 38.06 (3) (c), 39.16 (2) (im), 39.28 (3) (b), 44.20 (4) (b), 46.03 (18) (a), (24) and (26) (intro.) and (31), 49.45 (2) (a) 8 and 16 and (b) 2, ~~51.42 (10) (f), 51.437 (14) (f),~~ 56.018, 115.781, 230.08 (4) (c), 234.25 (1) and 234.65 (4).

SECTION 3. 13.106 (2) of the statutes is amended to read:

13.106 (2) ~~Beginning with the 1975-77 biennium, the~~ The medical college of Wisconsin and the university of Wisconsin-Madison medical school shall submit a biennial report every other biennium containing financial summaries for the college and school to the governor and the joint committee on finance on the per student cost of medical education, in a consistent format and methodology to be developed in consultation with the medical education review committee under s. 39.16.

SECTION 4. 13.172 of the statutes is created to read.

**13.172 State agency reports.** (1) In this section, "agency" means an office, department, agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, and any authority created in ch. 231, 233 or 234.

(2) Notwithstanding any other law, any agency which is required, by statute, to submit a report to the legislature shall submit the report to the chief clerk of each house of the legislature. The chief clerks shall publish notice of receipt of the report in the journals of the respective houses. The chief clerks shall also periodically provide a list of the agency reports received to the members of the respective houses. Members may obtain copies of the reports by checking those reports on the list that they wish to receive and returning the list to the chief clerk. The speaker of the assembly or the president of the senate may direct the chief clerk to distribute copies of any of the reports to all members of the house, specified standing committees in that house or other persons.

(3) Notwithstanding any other law, any agency which is required, by statute, to submit a report to the speaker of the assembly or the president of the senate; to appropriate standing committees of the legislature, as determined by the speaker or president; to any specified standing committee except the joint committee on finance; to standing committees with specified subject matter jurisdiction; or to standing committees with specified subject matter jurisdiction, as determined by the speaker or president, shall submit the report to the chief clerk of each house of the legislature. The chief clerks shall publish notice of receipt of the report in the journals of the respective houses. The chief clerks of the assembly and the senate shall also notify the speaker and president, respectively, that the report has been received and shall distribute the report to standing committees in that house or other persons, as directed by the speaker or president.

SECTION 5. 14.58 (8) of the statutes is amended to read:

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14.58 (8) (title) REPORT TO GOVERNOR MONTHLY. Report to the governor ~~quarterly~~ monthly, or oftener if ~~required, the~~ the governor so requires, on:

(a) The total amount of funds in the treasury, specifying in what kind of currency they consist, the amount of each kind, and the amount belonging to each separate fund, ~~and also what.~~

(b) The amounts ~~are~~ in each of the state depositories, together with the interest earned thereon, ~~and also all defalcations and.~~

(c) Any defalcation or neglect of duty of any disbursing or collecting officer or agent of the state, ~~and any.~~

(d) Any other information pertaining to the duties of his office he may think proper or the state treasurer, as determined by the state treasurer or required by the governor may require.

SECTION 6. 15.04 (1) (d) of the statutes is amended to read:

15.04 (1) (d) *Biennial report.* Submit a report on or before October 15 of each odd-numbered year to the governor and the legislature on the performance and operations of the department or independent agency during the preceding biennium, and projecting the goals and objectives of the department or independent agency as developed for the program budget report. The secretary of administration may prescribe the format of the report and may require such other information deemed appropriate. Any department or independent agency may issue such additional reports on its findings and recommendations as its operations require. A department or independent agency may, on or before October 15, submit an annual report prepared by it, in place of the biennial report required under this paragraph, if the submission of the annual reports is approved by secretary of administration.

SECTION 7. 15.08 (9) of the statutes is amended to read:

15.08 (9) ANNUAL REPORTS. ~~In August of each year every~~ Every examining board shall submit, to the head of the department in which it is created, upon request of that person not more often than annually, a report on the operation of the examining board ~~during the fiscal year concluded on the preceding June 30.~~

SECTION 8. 16.004 (7) (b) of the statutes is amended to read:

16.004 (7) (b) ~~The~~ When requested by the joint committee on finance, the secretary shall report to the joint committee on finance in March of each year concerning the compliance of each agency in the executive branch in providing the data necessary for operation of the personnel management information system.

SECTION 9. 16.009 (1) (i) of the statutes is amended to read:

16.009 (1) (i) Report annually to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall set forth the scope of the programs for providing long-term care for the aged or disabled developed in the state, findings regarding the state's activities in the field of long-term care for the aged and disabled, recommendations for a more effective and efficient total program and the actions taken by the agencies of the state to carry out the board's recommendations.

SECTION 10. 16.04 (1) (d) of the statutes is renumbered 16.04 (1m) and amended to read:

16.04 (1m) ~~Prepare an annual report for submission to the governor and joint committee on finance, based upon a statewide uniform cost accounting system, which~~ When requested by the governor or the joint committee on finance, the department shall submit a report to the governor and the joint committee on finance on the details of all costs

associated with vehicle fleet operations, based upon a statewide uniform cost accounting system.

SECTION 11. 16.40 (14) and (15) of the statutes are repealed.

SECTION 12. 16.61 (3) (n) of the statutes is amended to read:

16.61 (3) (n) Shall report ~~annually~~ biennially in even-numbered years to the governor and the legislature.

SECTION 13. 16.755 (5) of the statutes, as affected by 1983 Wisconsin Act 27, is amended to read:

16.755 (5) ~~Submit in any~~ Annually, submit a report under s. 15.09 (7) its containing any recommendations regarding the matters described in subs. (1) to (4) to the governor and the legislature.

SECTION 14. 16.84 (10) of the statutes is amended to read:

16.84 (10) Approve ~~as to the~~ design, structure, composition ~~and~~, location and arrangements made for ~~its~~ the care and maintenance ~~which are satisfactory to the department of~~ all public monuments, memorials, or works of art, ~~except such as are or become the property of the university of Wisconsin or the historical society,~~ which shall be constructed by or become the property of the state by purchase wholly or in part from state funds, or by gift or otherwise. "Work of art" means any painting, portrait, mural decoration, stained glass, statue, bas-relief, ornament, tablets, fountain or any other article or structure of a permanent character intended for decoration or commemoration. ~~The governor, the legislature or any committee thereof may, at any time, request a report as to the recommendations of the department on any of the above matters and the department shall make such report within 30 days of the receipt of such request~~ This subsection does not apply to public monuments, memorials or works of art which are or will become property of the university of Wisconsin system or the historical society.

SECTION 15. 16.956 (8) of the statutes is amended to read:

16.956 (8) (title) BIENNIAL REPORT. The Biennially by January 1 of odd-numbered years, the secretary shall report annually to the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) on the administration of the program under this section and. The report shall include in his or her report an evaluation of the necessity and effectiveness of the program.

SECTION 17. 21.19 (7) of the statutes is amended to read:

21.19 (7) (a) The adjutant general as quartermaster general shall ~~have;~~

1. Have charge of all the military property of the state and shall carefully preserve, repair and account for the ~~same;~~ keep property.

2. Keep in such manner as the governor directs, and subject to the governor's inspection, an account of all moneys received and expended; ~~perform.~~

3. Perform the customary duties of the office, and of the office of chief of all logistical services, and have the custody of all records, returns and papers pertaining to ~~such those~~ offices; ~~and the report required of the adjutant general by s. 15.04 (1) (d) shall include a detailed statement of all moneys received and expended, of all military property belonging to the state as owner or bailee and remaining on hand at the date of the last report, and such as may have come into the adjutant general's possession after such date, from what sources the same have been received, to whom issued or how expended, and upon whose order, and the condition of the property remaining on hand, also showing who has the possession, and the condition of all military property issued under the law, so far as reported to the adjutant general.~~

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(b) The transportation of all troops, arms, accoutrements, stores and other property and the preparation for encampments shall be contracted for by the adjutant general under direction of the governor.

SECTION 18. 23.11 (3) of the statutes is repealed.

SECTION 19. 30.03 (1) of the statutes is repealed.

SECTION 20. 35.29 (2) of the statutes is amended to read:

35.29 (2) Upon receiving the necessary printer's copy the department shall order printing as follows: Of the opinions of the attorney general, not more than 1,000 copies; and of the decisions of the public service commission, not more than 500 copies; ~~of any report made by the department of natural resources under s. 23.11 (3), so many copies as may be ordered by the governor.~~

SECTION 21. 36.25 (14) and (16) of the statutes are repealed.

SECTION 22. 43.07 (5) of the statutes is amended to read:

43.07 (5) ~~On or before July 1, 1980, and every 2nd year thereafter of every odd-numbered year,~~ transmit to the state superintendent a descriptive and statistical report on the condition and progress of library services in the state and recommendations on how library services in the state may be improved. ~~On or before September 1, 1980, and every 2nd year thereafter, the state superintendent shall transmit the report and recommendations to the governor and the legislature~~ The state superintendent shall include the report as an addendum to the department of public instruction's biennial report under s. 15.04 (1) (d).

SECTION 23. 46.21 (8) (b) of the statutes is amended to read:

46.21 (8) (b) To establish and maintain in connection with such county hospital an emergency unit or department for the treatment, subject to such rules as may be prescribed by the county board of supervisors, of persons in ~~said~~ the county who may meet with accidents or be suddenly afflicted with illness not contagious; provided that medical care and treatment shall only be furnished in such unit or department until such time as the patient may be safely removed to another hospital or to his place of abode, or regularly admitted to said county hospital. The county board of supervisors may also contract with any private hospital or nonprofit hospital, ~~as defined in s. 50.21,~~ within said the county for the use of its facilities and for medical service to be furnished by a licensed physician or physicians to patients who require emergency medical treatment or first aid as a result of any accident, injury or sudden affliction of illness occurring within the county, except that reasonable compensation may only be authorized for such period of time until the patient may be regularly admitted as an inpatient or safely removed to another hospital or to his place of abode. In this paragraph, "hospital" includes public health centers, medical facilities and general, tuberculosis, mental, chronic disease and other types of hospitals and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, but not in limitation thereof by enumeration, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care; and "nonprofit hospital" means any hospital owned and operated by a corporation or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

SECTION 24. 47.05 (4) of the statutes is amended to read:

47.05 (4) PRIVATE WORKSHOPS AND REHABILITATION CENTERS. The department may receive and accept gifts and donations, including gifts and donations from persons benefited under this section, which may be offered unconditionally, for the purposes of establishing private, nonprofit workshop and rehabilitation facilities for the rehabilitation of visually handicapped persons. All moneys received as gifts or donations shall be paid to the state treasurer and shall constitute a special account in the general fund to be used

under the direction of the department for the vocational rehabilitation of persons qualifying for this purpose. ~~A The department shall submit a full report of such gifts and donations, together with the names of the donors, the amounts contributed by each and all disbursements therefrom shall be included in the annual report of the department the revenues and expenditures from gifts and donations annually to the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2).~~

SECTION 25. 47.40 (11) of the statutes is amended to read:

47.40 (11) The department may receive and accept gifts and donations, including gifts and donations from persons benefited under this section, which may be offered unconditionally, for the purposes of this section. All moneys received as gifts or donations shall be paid to the state treasurer and shall constitute a special account in the general fund to be used under the direction of the department for vocational rehabilitation purposes. ~~A The department shall submit a full report of all such gifts and donations, together with the names of the donors, the amounts contributed by each and all disbursements therefrom shall be included in the annual report of the department the revenues and expenditures from gifts and donations annually to the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2).~~

SECTION 26. 50.20 to 50.31 of the statutes, as affected by 1983 Wisconsin Act 27, are repealed.

SECTION 27. 51.42 (10) (f) of the statutes is repealed.

SECTION 28. 51.437 (14) (f) of the statutes is repealed.

SECTION 29. 56.01 (3) of the statutes is repealed.

SECTION 30. 73.03 (16) and (21) of the statutes are repealed.

SECTION 31. 84.06 (5) of the statutes is repealed.

SECTION 32. 92.10 (3) (e) of the statutes is amended to read:

92.10 (3) (e) *Report.* ~~The department shall department's biennial report biennially to the presiding officer of each house of the legislature and the governor under s. 15.04 (1) (d) shall include a report on the progress of this program.~~

SECTION 33. 94.35 of the statutes is amended to read:

**94.35 Cranberry growers association.** The Wisconsin cranberry growers association shall obtain and publish information relative to the cultivation and production of cranberries. ~~Said society~~ The association shall hold semiannual meetings in August and January at such place as it shall determine. The secretary thereof shall report to the governor immediately after each January meeting an itemized and verified account of all disbursements made during the previous year and shall then publish an account in pamphlet form, not to exceed 250 copies of 50 pages each, of the transactions of the association and a summary of the information collected during the previous year relating to the cultivation and production of cranberries, which pamphlets he shall cause to be distributed gratuitously to cranberry growers in this state.

SECTION 34. 101.41 of the statutes is repealed.

SECTION 35. 115.36 (3) (a) 4 of the statutes is amended to read:

115.36 (3) (a) 4. ~~Report on an annual basis to the legislature biennially in its report under s. 15.04 (1) (d) on program progress and project evaluation.~~

SECTION 36. 115.74 (4) of the statutes is amended to read:

115.74 (4) The department, in coordination with the board, shall ~~make an annual prepare a biennial report to the governor and the legislature on or before September 1. The first report shall be made on or before September 1, 1982 which shall be included as an addendum to the department's biennial report under s. 15.04 (1) (d).~~ The report shall

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include the results of the most recent assessment of needs and evaluation of programs under sub. (1), the evaluation of resources under sub. (2) and recommendations for legislation in the area of American Indian language and culture education.

SECTION 37. 186.29 (13) (a) of the statutes is amended to read:

186.29 (13) (a) ~~Unclaimed~~ The special deputy commissioner shall deposit unclaimed liquidating dividends and unclaimed funds remaining unpaid in the hands of the special deputy commissioner for 6 months after the order for final distribution shall be by him deposited in one or more state banks, to the credit of the commissioner in his the commissioner's name, in trust for the several shareholders and creditors. The commissioner shall include in his annual annually report to the governor and the chief clerk of each house of legislature for distribution to the legislature under s. 13.172 (2) the names of credit unions so taken possession of and liquidated, and the sums of unclaimed and unpaid liquidating dividends and unclaimed funds with respect to each of them respectively, including a statement of interest earned upon such funds.

SECTION 38. 215.02 (11) (a) of the statutes is amended to read:

215.02 (11) (a) ~~In the commissioner's annual report under s. 15.04 (1) (d), the~~ The commissioner shall include a statement concerning submit to the governor and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) an annual report on the general conduct and condition of associations doing business in this state, including such facts and suggestions as deemed expedient. The annual report shall be based upon the individual annual reports of associations filed with the commissioner, and shall also include the information required in ss. 215.32 (7) (a), 215.56 (8) (a) and 215.76 (8) (a).

SECTION 39. 215.32 (7) (a) 3 (intro.) of the statutes is amended to read:

215.32 (7) (a) 3. (intro.) ~~The commissioner shall include in the annual report to the governor under s. 215.02 (11):~~

SECTION 40. 215.56 (8) (a) of the statutes is amended to read:

215.56 (8) (a) ~~Unclaimed liquidating dividends and all funds remaining unpaid in the hands of the association or its board of directors at or immediately prior to the date of final distribution, together with all final liquidating costs, shall be delivered by them to the commissioner to be deposited by him the commissioner in one or more state banks or state-chartered savings and loan associations, to the credit of the commissioner in his the commissioner's name, in trust for the various members and creditors entitled thereto. The commissioner shall include in his the annual report to the governor under s. 215.02 (11) the names of the associations so liquidated and the sums of unclaimed and unpaid liquidating dividends and unclaimed funds with respect to each of them respectively, including a statement of interest or dividends earned upon such funds.~~

SECTION 41. 215.76 (8) (a) of the statutes is amended to read:

215.76 (8) (a) ~~Unclaimed liquidating dividends and all funds remaining unpaid in the hands of the association or its board at or immediately prior to the date of final distribution, together with all final liquidating costs, shall be delivered to the commissioner to be deposited in one or more state banks or state-chartered savings and loan associations, to the credit of the commissioner, in trust for the various stockholders, owners of savings accounts or creditors entitled thereto. The commissioner shall include in the annual report to the governor under s. 215.02 (11) the names of the associations so liquidated and the sums of unclaimed and unpaid liquidating dividends and unclaimed funds with respect to each of them respectively, including a statement of interest or dividends earned upon such funds.~~

SECTION 42. 220.08 (13) of the statutes is amended to read:

220.08 (13) ~~Dividends~~ The commissioner shall deposit dividends and unclaimed deposits which have been provided for and ~~remaining which remain~~ unpaid in the hands of the commissioner for 6 months after the order for final distribution shall be by him deposited in one or more state banks, to the credit of the commissioner, in trust for the several depositors with and creditors of the liquidated bank or banking corporations from which they were received ~~entitled thereto~~. The ~~commissioner shall report to the governor annually in his~~ commissioner's annual report under s. 220.14 shall include the names of banks or banking corporations so taken possession of and liquidated and the sums of unclaimed and unpaid deposits or dividends with respect to each of them respectively.

SECTION 43. 220.14 (intro.) of the statutes is amended to read:

**220.14 Commissioner's report.** (intro.) ~~The report of the commissioner issued pursuant to s. 15.04 (1) (d) shall be published and~~ publish an annual report and submit the 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 report shall:

SECTION 44. 220.14 (5) and (6) of the statutes are repealed.

SECTION 45. 426.104 (2) (intro.) of the statutes is amended to read:

426.104 (2) (intro.) ~~In addition to reporting biennially in accordance with s. 15.04 (1) (d), the~~ The administrator shall report annually on practices in consumer transactions, on the use of consumer credit in the state, on problems attending the collection of debts, on the problems of persons of limited means in consumer transactions, and on the operation of chs. 421 to 427. For the purpose of making the report, the administrator may conduct research and make appropriate studies. The report shall be included in the report of the commissioner of banking under s. 220.14 and shall include:

SECTION 46. 448.21 (3) of the statutes is repealed.

SECTION 47. 449.17 (7) of the statutes is repealed.

SECTION 48. 949.18 (intro.) of the statutes is amended to read:

**949.18 Report by the department.** (intro.) ~~The department shall annually prepare and transmit to the governor and legislature~~ department's biennial report under s 15.04 (1) (d) shall include a report of its activities under this chapter including the name of each applicant, a brief description of the facts in each case, and the amount of any award:

SECTION 49. **Nonstatutory provisions; law revision.** The revisor of statutes shall prepare and submit to the law revision committee of the legislative council a revision bill conforming all laws relating to the submission of reports to the legislature, to the presiding officers or each house of the legislature or to standing committees of the legislature to the procedure specified in section 13.172 of the statutes, as created by this act. The revisor shall submit the bill no later than January 15, 1985.

SECTION 50. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

| A                | B                    | C                    |
|------------------|----------------------|----------------------|
| Statute Sections | Old Cross-References | New Cross-References |
| 84.06 (2)        | sub. (3), (4) or (5) | sub. (3) or (4)      |

SECTION 51. **Effective dates.** (1) All sections of this act take effect on January 1, 1985, except as provided in subsection (2).

(2) The treatment of section 16.61 (3) (n) of the statutes by this act takes effect on the day after publication of this act.