

1999 Assembly Bill 925

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1999 WISCONSIN ACT 85

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, 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SECTION 1. 84.063 (6) of the statutes is repealed.

NOTE: Eliminates obsolete provision.

SECTION 2. 85.028 (1) of the statutes is repealed.

NOTE: Eliminates obsolete provision.

SECTION 3. 85.028 (2) of the statutes is renumbered 85.028.

NOTE: Renumbers provision to accommodate repeal in SECTION 2. A subsection may not stand alone.

SECTION 4. 85.07 (7) (a) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

85.07 (7) (a) ~~Beginning in 1994, the~~ The department shall annually prepare a plan to use, for purposes of state and local emergency medical services, at least 25% of any federal funds transferred under 23 USC 153 (h). The department shall prepare the plan after consulting with the council on highway safety, the department of health and family services and the emergency medical services board. Funds expended under the plan may not be used to supplant other federal and state funds used for emergency medical services purposes. Funds may not be expended under the plan unless any necessary federal approval of the plan has been obtained.

NOTE: Eliminates obsolete provision.

SECTION 5. 86.26 (3) of the statutes is amended to read:

86.26 (3) This section does not apply to improvements on ~~existing~~ town roads as of the effective date of rules promulgated by the department under s. 86.266 or ~~September 30, 1994, whichever comes first~~ existing on October 1, 1992.

NOTE: This section specifies the effective date of rules promulgated under s. 86.266.

SECTION 6. 86.32 (1m) of the statutes is repealed.

NOTE: Eliminates obsolete provision.

SECTION 7. 110.07 (5) (b) of the statutes is amended to read:

110.07 (5) (b) Upon request of an officer of the state traffic patrol under sub. (1) or inspector under sub. (3), the department shall make available to the traffic officer or inspector a bulletproof garment that may be used in the performance of his or her duties under this section. The department shall equip a traffic officer or inspector with a bulletproof garment as soon as practicable after receipt of the request from the traffic officer or inspector under this paragraph, ~~provided that each traffic officer or inspector who has made a request before September 1, 1997, shall be equipped with a bulletproof garment by that date.~~

NOTE: Eliminates obsolete provision.

* Section 991.11, WISCONSIN STATUTES 1997-98: 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 8. 196.196 (1) (c) of the statutes is amended to read:

196.196 (1) (c) 1. A price-regulated telecommunications utility may not increase its rates for services under par. (a), except for basic message telecommunications service, for a period of 3 years after electing to become price regulated. Following the initial 3-year period for services under par. (a), except for basic message telecommunications service, and at any time for basic message telecommunications service, a price-regulated telecommunications utility may increase its rates for those services to the extent that the change in the revenue weighted price indices does not exceed 2 percentage points less than the most recent annual change in the gross domestic product price index, as published by the federal government. The commission shall, by rule, create a penalty mechanism for up to a one percentage point increase in the percentage offset for inadequate service provided by or insufficient investment made by a price-regulated telecommunications utility. The commission shall, by rule, create an incentive mechanism for up to a one percentage point decrease in the percentage offset to encourage infrastructure investment by the price-regulated telecommunications utility. For a telecommunications utility with more than 500,000 access lines in use in this state at the time of electing to become price regulated, the percentage offset to the change in the gross domestic product price index shall be 3 percentage points and the penalty mechanism and incentive mechanism shall be up to 2 percentage points. No earlier than 6 years after September 1, 1994, and no more frequently than every 3 years thereafter, the commission may, following notice and an opportunity for hearing, by rule increase or decrease the gross domestic product price index percentage offset by a maximum of one percentage point in any 12-month period to reflect any statewide changes in the productivity experience of the telecommunications industry. The commission shall promulgate rules to identify the factors that the commission may consider in determining changes in the productivity experience of the telecommunications industry. If application of the price regulation index formula achieves a negative result, prices shall be reduced so that the cumulative price change for services under par. (a), including prior price reductions in these services, achieves the negative result.

2. Annual permitted price increases under this paragraph may be deferred and accumulated for a maximum of 3 years into a single increase. The first permitted increase after the telecommunications utility elects to become price regulated shall be limited by the most recent annual change in the gross domestic product price index, less 2 percentage points, plus or minus any penalty or incentive adjustment. For a telecommunications utility with more than 500,000 access lines in use in this state, the first permitted increase shall be limited by the most recent annual change in the gross domestic product price

index, less 3 percentage points, plus or minus any penalty or incentive adjustment. The increase in any rate element may not at any time exceed 10% or the increase in the gross domestic product price index, whichever is greater.

3. A rate change under this paragraph shall take effect 45 days after the date on which notice is received by the commission. A telecommunications utility shall notify customers of a rate change under this paragraph by a bill insert that is included in a bill no later than the first billing provided after notice of a rate change is submitted to the commission. A telecommunications utility may file only one rate increase under this paragraph during any 12-month period.

NOTE: Subdivides long paragraph for improved readability.

SECTION 9. 227.53 (1) (intro.) of the statutes is amended to read:

227.53 (1) (intro.) Except as otherwise specifically provided by law, any person aggrieved by a decision specified in s. 227.52 shall be entitled to judicial review thereof of the decision as provided in this chapter: and subject to the all of the following procedural requirements:

NOTE: Amends provision for conformity with current style for (intro.) provisions.

SECTION 10. 227.53 (1) (d) of the statutes is amended to read:

227.53 (1) (d) ~~The agency (except~~ Except in the case of the tax appeals commission ~~and~~ and the banking review board, the credit union review board, the savings and loan review board and the savings bank review board), the agency and all parties to the proceeding before it, shall have the right to participate in the proceedings for review. The court may permit other interested persons to intervene. Any person petitioning the court to intervene shall serve a copy of the petition on each party who appeared before the agency and any additional parties to the judicial review at least 5 days prior to the date set for hearing on the petition.

NOTE: Reorders text to eliminate parentheses consistent with current style.

SECTION 11. 230.35 (4) (a) 1. and 3. to 9. of the statutes are amended to read:

230.35 (4) (a) 1. January 1_½.

3. The last Monday in May, which shall be the day of celebration for May 30_½.

4. July 4_½.

5. The first Monday in September_½.

6. The 4th Thursday in November_½.

7. December 24_½.

8. December 25_½.

9. December 31_½.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

SECTION 12. 230.36 (1) of the statutes is renumbered 230.36 (2m) (a) (intro.) and amended to read:

230.36 (2m) (a) (intro.) If a any of the following state employes suffers injury while in the performance of duties, the employe shall continue to be fully paid by the employing agency upon the same basis as paid prior to the injury, with no reduction in sick leave credits, compensatory time for overtime accumulations or vacation and no reduction in the rate of earning sick leave credit or vacation:

1. A conservation warden,
2. A conservation patrol boat captain,
3. A conservation patrol boat engineer,
4. A state forest ranger,
5. A conservation field employe of the department of natural resources who is subject to call for fire control duty,
6. A member of the state patrol,
7. A state motor vehicle inspector,
8. A lifeguard,
9. A excise tax investigator employed by the department of revenue,
10. A special criminal investigation agent employed by the department of justice,
11. A special tax agent,
12. A state drivers' license examiner,
13. A state fair park police officer,
14. A University of Wisconsin System police officer and or other state facilities police officer and patrol officer,
15. A security officer, ~~watcher,~~ or security person.
16. An engineer,
17. An engineering aide,
18. A building construction superintendent,
19. A fire fighter employed at the Wisconsin Veterans Home, or,
20. A guard or institutional aide or a state probation, extended supervision and parole officer or any other employe whose duties include supervision and discipline of inmates or wards of the state at a state penal institution, including a secured correctional facility, as defined in s. 938.02 (15m), or while on parole supervision or extended supervision outside of the confines of the institutions, or supervision of persons placed on probation by a court of record, or supervision and care of patients at a state mental institution, and the University of Wisconsin Hospitals and Clinics suffers injury while in the performance of his or her duties, as defined in subs. (2) and (3); or any other,
21. A state employe who is not listed in this subsection and paragraph who is ordered by his or her appointing authority to accompany any an employe listed in this subsection paragraph while the listed employe is engaged in the duties defined in enumerated under sub. (3), or any other (1m) (b).
22. A state employe who is not listed in this subsection and paragraph who is ordered by his or her appointing authority to perform the duties enumerated under sub. (1m) (b), when permitted, in lieu of the a listed employe

~~and while so engaged in the duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall continue to be fully paid by the employing agency upon the same basis as paid prior to the injury, with no reduction in sick leave credits, compensatory time for overtime accumulations or vacation and no reduction in the rate of earning sick leave credit or vacation.~~

(b) The full pay under par. (a) (intro.) shall continue while the employe is unable to return to work as the result of the injury or until the termination of his or her employment upon recommendation of the appointing authority. At any time during the employe's period of disability the appointing authority may, at the expense of the employing agency, order physical or medical examinations to determine the degree of disability ~~at the expense of the employing agency.~~

NOTE: Subdivides provision in outline form and reorders text for improved readability and conformity with current style. Deletes cross-references to defined terms and amends cross-references to reflect renumbering made by this bill. Previous legislation replaced the gender specific "watchman" with the gender neutral "watcher", but these terms are not synonymous. Current style is to use "guard" or "security person" rather than "watchman".

SECTION 13. 230.36 (2) of the statutes is renumbered 230.36 (1m) (intro.) and amended to read:

230.36 (1m) (intro.) ~~"Injury" as used in In~~ this section is:

(a) "Injury" means physical harm to an employe caused by accident or disease.

NOTE: Renumbers definition to locate it at the beginning of the applicable statute provision and reorders text in accordance with current style.

SECTION 14. 230.36 (3) of the statutes is renumbered 230.36 (1m) (b), and 230.36 (1m) (b) (intro.) and 2. (intro.), as renumbered, are amended to read:

230.36 (1m) (b) (intro.) ~~As used in this section "performance~~ "Performance of duties" means duties performed in line of duty by any of the following:

2. (intro.) A conservation warden, conservation patrol boat captain, conservation patrol boat engineer, member of the state patrol, state motor vehicle inspector, University of Wisconsin System police officer, security officer, ~~watcher or security person,~~ state fair park police officer, special tax agent, excise tax investigator employed by the department of revenue and special criminal investigation agent employed by the department of justice at all times while:

NOTE: Amends the (intro.) to fit within a single definitions provision and for conformity with current style for (intro.) provisions. Previous legislation replaced the gender specific "watchman" with the gender neutral "watcher", but these terms are not synonymous. Current style is to use "guard" or "security person" rather than "watchman".

SECTION 15. 230.36 (5) of the statutes is amended to read:

230.36 (5) The An employing agency which that makes payments under this section is entitled to the right of subrogation for reimbursement to the extent that the

injured employe may recover the reimbursed items in an action or claim in tort against any 3rd party. The repayment shall not exceed the total sums paid to ~~such~~ the injured employe under this section and shall be limited to the total sum credited to ~~such~~ the injured employe, as damages for pay and fringe benefits actually received in the settlement of any claim caused by the negligence of ~~such~~ the 3rd party.

NOTE: Inserts specific references and replaces incorrectly used "which" consistent with current style.

SECTION 16. 230.36 (6) of the statutes is amended to read:

230.36 (6) Any person who is employed by the University of Wisconsin Hospitals and Clinics Authority, who suffers an injury as defined in sub. (2) between June 29, 1996, and June 30, 1997, shall be covered under this section if the person, had he or she been a state employe, would have been covered under this section.

NOTE: Deletes cross-reference to defined term consistent with current style.

SECTION 17. 234.42 (1) of the statutes is renumbered 234.42 (1s).

NOTE: Renumbers provision to accommodate moving a definition to the beginning of the section in accordance with current style. See the next two sections of this bill.

SECTION 18. 234.42 (1g) of the statutes is created to read:

234.42 (1g) In this section "veterans capital reserve fund requirement" means an amount equal to the maximum amount, in any succeeding year, of principal and interest, other than principal and interest for which sinking fund payments are specified in any resolution of the authority authorizing veterans housing bonds of the authority then outstanding, maturing and becoming due in that succeeding year on all veterans housing bonds of the authority then outstanding, except veterans housing bonds due in that succeeding year issued to provide funds for mortgage loans through the purchase of mortgages or mortgage-backed securities guaranteed by the United States or an agency or instrumentality of the United States, plus all amounts specified in any resolution of the authority authorizing veterans housing bonds of the authority then outstanding as payable as a sinking fund payment in such year.

NOTE: The definition previously contained in sub. (2) is moved to a separate subsection at the beginning of the section, parentheses are replaced, commas deleted and disfavored terms replaced in accordance with current style.

SECTION 19. 234.42 (2) of the statutes is renumbered 234.42 (2) (a) (intro.) and amended to read:

234.42 (2) (a) (intro.) All moneys held in the veterans capital reserve fund, except as otherwise specifically provided, shall be used solely for any of the following purposes:

1. ~~The~~ The payment of the principal of veterans housing bonds of the authority as the same mature, ~~the~~.

2. ~~The~~ The making of sinking fund payments with respect to veterans housing bonds of the authority, ~~the~~.

3. ~~The~~ The purchase of veterans housing bonds of the authority, ~~the~~.

4. ~~The~~ The payment of interest on veterans housing bonds of the authority ~~or the~~.

5. ~~The~~ The payment of any redemption premium required to be paid when veterans housing bonds are redeemed prior to maturity.

(b) Except for the purpose of paying principal of and interest on veterans housing bonds of the authority maturing and becoming due and for the payment of which other moneys of the authority are not available, and except for making sinking fund payments with respect to veterans housing bonds of the authority and for the payment of which other moneys of the authority are not available, moneys in the veterans capital reserve fund shall not be withdrawn at any time in ~~such an~~ such an amount as ~~that~~ that would reduce the fund to less than ~~an amount, called in this section "the veterans capital reserve fund requirement", equal to the maximum amount, in any succeeding year, of principal and interest, other than principal and interest for which sinking fund payments are specified in any resolution of the authority authorizing veterans housing bonds of the authority then outstanding, maturing and becoming due in such year on all veterans housing bonds of the authority then outstanding (other than veterans housing bonds due in such year issued to provide funds for mortgage loans through the purchase of mortgages or mortgage-backed securities guaranteed by the United States or an agency or instrumentality of the United States) plus all amounts specified, in any resolution of the authority authorizing veterans housing bonds of the authority then outstanding, as payable as a sinking fund payment in such year.~~ Any income or interest earned by, or increment to, the veterans capital reserve fund due to the investment ~~thereof~~ of the fund may be transferred by the authority to the veterans housing bond redemption fund to the extent it does not reduce the amount of the veterans capital reserve fund below the veterans capital reserve fund requirement.

NOTE: Subdivides long subsection in outline form, inserts specific reference and replaces disfavored term for improved readability and conformity with current style. The definition of "veterans capital reserve fund requirement" is moved to a separate definition subsection at the beginning of the section consistent with current style. See the previous section of this bill.

SECTION 20. 234.623 of the statutes is amended to read:

234.623 Eligibility. The authority shall make loans to participants a participant who meets all of the following requirements:

(1) Apply ~~The participant applies~~ on forms prescribed by the authority for a loan to pay property taxes or special assessments by June 30 of the year in which the taxes or special assessments are payable on a qualifying dwelling unit and, except as provided in s. 234.625 (5), specify ~~specifies~~ the names of all coowners.

(2) ~~Reside~~ The participant resides in the qualifying dwelling unit more than 6 months of the year preceding each year of participation, but temporary residency in a health care facility may be substituted for any portion of this 6-month residency;

(3) ~~Keep~~ The participant keeps continuously in effect during the period that a loan is outstanding under ss. 234.621 to 234.626 a fire and extended casualty insurance policy on the qualifying dwelling unit satisfactory to the authority and ~~permit~~ permits the authority to be named on the policy as a lienholder; ~~and~~.

(4) ~~Either~~ The participant either individually or with other coowners ~~own~~ owns the qualifying dwelling unit free and clear. If the qualifying dwelling unit is owned with coowners, each of these persons must approve the application under sub. (1).

(5) ~~Earned~~ The participant earned no more than \$20,000 in income, as defined under s. 71.52 (5), in the year prior to the year in which the property taxes or special assessments for which the loan is made are due.

NOTE: Amends provision (intro.) for conformity with current style for (intro.) provisions and amends the subsequent subsections accordingly. Replaces punctuation for internal consistency and conformity with current style.

SECTION 21. 234.65 (3) (intro.) of the statutes is amended to read:

234.65 (3) (intro.) ~~The~~ Except as provided in sub. (3g), the authority may finance an economic development loan only if all of the following conditions are met:

SECTION 22. 234.65 (3) (a) 1. of the statutes is renumbered 234.65 (3) (a) and amended to read:

234.65 (3) (a) The business ~~which~~ that will receive the loan, at least 30 days prior to signing of the loan contract, has given notice of intent to sign the contract, on a form prescribed under s. 560.034 (1), to the department of commerce and to any collective bargaining agent in this state with whom the person has a collective bargaining agreement; ~~and~~.

SECTION 23. 234.65 (3) (a) 2. of the statutes is renumbered 234.65 (3) (am) and amended to read:

234.65 (3) (am) The authority has received an estimate issued under s. 560.034 (5) (b), and the department of commerce has estimated whether the project ~~which~~ that the authority would finance under the loan is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.

NOTE: Section 234.65 (3) (a) 3. and 4. are renumbered to s. 234.65 (3g) (a) and (b) by the next section of this bill and s. 234.65 (3) (intro.) is amended to reflect the renumbering. See the next section of this bill. Section 234.65 (3) (a) 1. and 2. are renumbered. Incorrectly used "which" is replaced consistent with current style.

SECTION 24. 234.65 (3) (a) 3. and 4. of the statutes are renumbered 234.65 (3g) (a) and (b) and amended to read:

234.65 (3g) (a) Nothing in ~~this paragraph~~ sub. (3) (a) or (am) may be ~~deemed~~ considered to require a business

signing a loan contract to satisfy an estimate under ~~subd. 2; sub. (3) (am)~~.

(b) ~~Subdivisions 1. to 3. Paragraph (a) and sub. (3) (a) and (am)~~ do not apply to a person engaged in the business of operating a railroad or to an economic development loan to finance an economic development project described under s. 234.01 (4n) (c).

NOTE: Section 234.65 (3) (a) 3. and 4. are renumbered to a separate provision as subs. 3. and 4. are not read together with subs. 1. and 2. and do not fit grammatically under sub. (3) (intro.). Replaces disfavored term and amends cross-references consistent with the renumbering by section.

SECTION 25. 234.94 (2) (intro.) of the statutes is amended to read:

234.94 (2) (intro.) "Community development corporation" means any of the following:

NOTE: Amends provision for conformity with current style for (intro.) provisions.

SECTION 26. 234.94 (2) (b) of the statutes is amended to read:

234.94 (2) (b) A corporation organized under ch. 181 that satisfies all of the following requirements:

1. ~~That~~ The corporation is organized to operate within specific geographic boundaries;

2. ~~That~~ The corporation permits all adults residing in the area of operation to become members of the corporation and limits voting membership of persons not residing in the area to not more than 10% of the total membership;

2m. ~~That~~ The corporation is a nonprofit corporation, as defined in s. 181.0103 (17).

3. ~~That~~ The corporation has a board of directors, a majority of whom reside in a target area or are members of a target group;

4. ~~That~~ The corporation makes a demonstrable effort to hire low-income or underemployed residents of the operating area;

5. ~~Whose~~ The corporation's purpose is to promote the employment of members of a target group through projects that meet the conditions specified in s. 234.96 (1) (a) to (d);

6. ~~That~~ The corporation demonstrates a commitment to involving residents of target areas or members of target groups in projects; ~~and~~.

7. ~~That~~ The corporation petitions the authority for designation as a community development corporation.

NOTE: Amends (intro.) paragraph in accordance with current style for (intro.) provisions and amends the subsequent subdivisions to correspond with the amended (intro.). Replaces punctuation for internal consistency and conformity with current style.

SECTION 27. 236.20 (intro.) of the statutes is amended to read:

236.20 Final plat. (intro.) A final plat of subdivided land shall comply with all of the following requirements:

NOTE: Amends provision for conformity with current style for (intro.) provisions.

SECTION 28. 236.20 (1) (intro.) and (a) of the statutes are amended to read:

236.20 (1) GENERAL REQUIREMENTS. (intro.) All plats shall be legibly prepared ~~in the following manner and meet all of the following requirements:~~

(a) ~~With~~ The plat shall have a binding margin 1 1/2 inches wide on the left side, and a one-inch margin on all other sides. A graphic scale of not more than 100 feet to one inch shall be shown on each sheet showing layout features. When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat and showing the relation of that sheet to the other sheets and each sheet shall bear the subdivision and county name.

NOTE: Amends (intro.) for conformity with current style for (intro.) provisions and amends sub. (1) (a) accordingly.

SECTION 29. 236.20 (2) (intro.) of the statutes is amended to read:

236.20 (2) MAP AND ENGINEERING INFORMATION. (intro.) The final plat shall show correctly on its face all of the following:

NOTE: Amends provision for conformity with current style for (intro.) provisions.

SECTION 30. 236.20 (3) (intro.) and (a) of the statutes are amended to read:

236.20 (3) NAME, LOCATION AND POSITION. (intro.) The name of the plat shall be printed thereon in prominent letters, and shall not be a duplicate of the name of any plat previously recorded in the same county or municipality. ~~The~~ All of the following information relating to the position and location of the subdivision shall be shown on the plat:

(a) The location of the subdivision by government lot, recorded private claim, quarter-quarter section, section, township, range and county noted immediately under the name given the subdivision;

NOTE: Amends (intro.) in accordance with current style for (intro.) provisions and replaces punctuation for internal consistency and conformity with current style.

SECTION 31. 236.20 (4) (b) of the statutes is amended to read:

236.20 (4) (b) All lands dedicated to public use except roads and streets shall be clearly marked "Dedicated to the Public";

NOTE: Replaces punctuation for internal consistency and conformity with current style.

SECTION 32. 236.20 (5) of the statutes is amended to read:

236.20 (5) SITE CONDITIONS AND TOPOGRAPHY. The final plat shall show all of the following:

(a) All existing buildings;

(b) All watercourses, drainage ditches and other existing features pertinent to proper subdivision;

(c) The water elevations of adjoining lakes or streams at the date of the survey and the approximate high and low water elevations of ~~such~~ those lakes or streams. All

elevations shall be referred to some permanent established datum plane.

NOTE: Amends (intro.) in accordance with current style for (intro.) provisions and replaces punctuation for internal consistency and conformity with current style. Replaces disfavored term.

SECTION 33. 236.21 (1) (intro.), (a) and (c) of the statutes are amended to read:

236.21 (1) SURVEYOR'S CERTIFICATE OF COMPLIANCE WITH STATUTE. (intro.) The certificate of the surveyor who surveyed, divided and mapped the land giving all of the following information, which shall have the same force and effect as an affidavit:

(a) By whose direction the surveyor made the survey, subdivision and plat of the land described on the plat;

(c) A statement that the plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it;

NOTE: Amends (intro.) in accordance with current style for (intro.) provisions and replaces punctuation for internal consistency and conformity with current style.

SECTION 34. 236.21 (1) (b) of the statutes is amended to read:

236.21 (1) (b) A clear and concise description of the land surveyed, divided and mapped by government lot, recorded private claim, quarter-quarter section, section, township, range and county; and by metes and bounds commencing with a monument at a section or quarter section corner of the quarter section and not at the center of the section, or at the end of a boundary line of a recorded private claim or federal reservation in which the subdivision is located; ~~or if.~~ If the land is located in a recorded subdivision or recorded addition thereto, ~~then~~ the land shall be described by the number or other description of the lot, block or subdivision thereof, ~~which that~~ has previously been tied to a corner marked and established by the U.S. public land survey.

NOTE: Breaks up long sentence to improve readability. Replaces "which" with "that" to correct grammar.

SECTION 35. 236.295 (1) (intro.) and (a) of the statutes are amended to read:

236.295 (1) (intro.) Correction instruments may be recorded in the office of the register of deeds in the county in which the plat or certified survey map is recorded and may include any of the following:

(a) Affidavits to correct distances, angles, directions, bearings, chords, block or lot numbers, street names or other details shown on a recorded plat or certified survey map; ~~and.~~

NOTE: Amends (intro.) in accordance with current style for (intro.) provisions and replaces punctuation for internal consistency and conformity with current style.

SECTION 36. 242.01 (7) (a) 3. and 4. of the statutes are amended to read:

242.01 (7) (a) 3. A general partner in a partnership described in subd. 2.; ~~or~~

4. A corporation of which the debtor is a director, officer or person in control; or

NOTE: Modifies punctuation consistent with the remainder of the section.

SECTION 37. 280.15 (4) of the statutes is amended to read:

280.15 (4) ~~Except as herein otherwise provided, no person, firm or corporation shall engage in the industry of well drilling or pump installing for compensation in this state without having duly registered and obtained a permit therefor as herein provided. No permit shall be person is required of any person to obtain a permit under this section~~ for driving, digging or otherwise obtaining groundwater supply on real estate owned or leased by ~~him~~ that person, but ~~such~~ the well and the work done thereon shall comply and be in conformity with the law and the rules and regulations ~~prescribed promulgated~~ by the department.

NOTE: Deletes redundant sentence. 1983 Wis. Act 27 added the following to sub. (1) without treating sub. (4):

“Except as provided under ss. 280.17 and 280.19, no person may engage in the business of well drilling or pump installing in this state unless the person registers each place of business or retail outlet he or she operates as a well driller or pump installer and pays the required permit fee.”

Also reorders text for improved readability and replaces gender-specific pronoun under s. 13.93 (1) (m). Amends language regarding administrative law consistent with ch. 227.

SECTION 38. 281.41 (1) of the statutes is renumbered 281.41 (1) (a) and amended to read:

281.41 (1) (a) Except as provided under sub. (2), every owner within the time prescribed by the department, shall file with the department a certified copy of complete plans of a proposed system or plant or extension thereof, in scope and detail satisfactory to the department, and, if required, of existing systems or plants, and ~~such~~ any other information concerning maintenance, operation and other details as ~~that~~ the department requires, including the information specified under s. 281.35 (5) (a), if applicable. Material changes with a statement of the reasons shall be likewise submitted. Before plans are drawn, a statement concerning the improvement may be made to the department and the department may, if requested, outline generally what it will require. Upon receipt of ~~such~~ the plans for approval, the department or its duly authorized representative shall notify the owner of the date of receipt.

(b) Within 90 days from the time of receipt of complete plans or within the time specified in s. 281.35 (5) (c), if applicable, the department or its authorized representative shall examine and take action to approve, approve conditionally or reject the plans and shall state in writing any conditions of approval or reasons for rejection. Approval or disapproval of ~~such~~ the plans and specifications shall may not be contingent upon eligibility of ~~such~~ the proposed project for federal aid. The time period for review may be extended by agreement with the owner

if the plans and specifications cannot be reviewed within the specified time limitation due to circumstances beyond the control of the department or in the case of extensive installation involving expenditures of \$350,000 or more. The extension shall may not exceed 6 months. Failure of the department or its authorized representative to act before the expiration of the time period allowed for review shall constitute an approval of the plans, and upon demand a written certificate of approval shall be issued. Approval may be subject to modification by the department upon due notice.

(c) Construction or material change shall be according to approved plans only. The department may disapprove plans ~~which~~ that are not in conformance with any existing approved areawide waste treatment management plan prepared pursuant to the federal water pollution control act, P.L. 92-500, as amended, and shall disapprove plans that do not meet the grounds for approval specified under s. 281.35 (5) (d), if applicable. The department shall require each person whose plans are approved under this section to report that person's volume and rate of water withdrawal, as defined under s. 281.35 (1) (m), and that person's volume and rate of water loss, as defined under s. 281.35 (1) (L), if any, in the form and at the times specified by the department.

NOTE: Subdivides provision to break up long subsection and improve readability. Replaces disfavored terms and improperly used “which”.

SECTION 39. 281.47 (1) (c) of the statutes is renumbered 281.47 (1) (c) 1. and amended to read:

281.47 (1) (c) 1. ~~In~~ Except as provided in subd. 2., in lieu of the construction in compliance with the foregoing provision par. (a) for diversion from such lakes described in par. (a), any owner of an existing plant, on or before September 1, 1967, or any owner of a new system or plant prior to construction of such the new system or plant, may file with the department such plans for advanced treatment of effluent from primary or secondary treatment as that in the judgment of the department will accomplish substantially the same results in eliminating nuisance conditions on such a lake described in par. (a) as would be accomplished by diversion of secondary sewage effluent from said the lake (, without at the same time creating other objectionable or damaging results), and such. The owner shall be of the plant or system is exempt from the foregoing provisions of this subsection par. (a) for diversion from such the lakes described in par. (a) upon approval of such the plans submitted under this paragraph and installation of advanced treatment facilities and procedures in compliance therewith, but nothing shall impair.

2. Nothing in subd. 1. impairs the authority of the department to require at any time preliminary or final plans, or both, for diversion construction.

NOTE: Breaks up and subdivides long sentence, replaces parentheses, replaces disfavored terms and inserts specific

references and cross-references for improved readability and conformity with current style.

SECTION 40. 283.31 (3) (a) to (c) of the statutes are amended to read:

283.31 (3) (a) Effluent limitations;

(b) Standards of performance for new sources;

(c) Effluent standards, effluents prohibitions and pre-treatment standards;

NOTE: Replaces punctuation for internal consistency and conformity with current style.

SECTION 41. 283.55 (1) (intro.) and (a) to (d) of the statutes are amended to read:

283.55 (1) MONITORING AND REPORTING REQUIREMENTS. (intro.) Every owner or operator of a point source who is required to obtain a permit issued under s. 283.31 shall do all of the following:

(a) Establish and maintain records of the volume of effluent discharged and the amount of each pollutant discharged from each point source under the owner's or operator's ownership or control;

(b) Make regular reports to the department on the volume of effluent discharged and the amount of each pollutant discharged from each ~~such~~ point source; under the owner's or operator's ownership or control.

(c) Install, use and maintain such monitoring equipment or methods, including where appropriate, biological monitoring methods, as are necessary to determine the volume of effluent discharged and to identify and determine the amount of each pollutant discharged from each ~~such~~ point source; under the owner's or operator's ownership or control.

(d) Sample the effluents discharged from each ~~such~~ point source under the owner's or operator's ownership or control in accordance with such methods, at such locations and in such manner as the department shall by rule prescribe;

NOTE: Modifies (intro.) subsection, inserts specific references and replaces punctuation for internal consistency and conformity with current style.

SECTION 42. 340.01 (3) (a) to (dm) (intro.) and (e) to (h) of the statutes are amended to read:

340.01 (3) (a) Police vehicles, whether publicly or privately owned.—~~Police vehicles include, including~~ bicycles being operated by law enforcement officers.

(b) Conservation wardens' vehicles or foresters' trucks, whether publicly or privately owned;

(c) Vehicles of a fire department or fire patrol;

(d) Privately owned motor vehicles being used by deputy state fire marshals or by personnel of a full-time or part-time fire department or by members of a volunteer fire department while ~~enroute~~ en route to a fire or on an emergency call pursuant to orders of their chief or other commanding officer;

(dm) (intro.) ~~A privately~~ Privately owned motor vehicle ~~which is~~ vehicles that are all of the following:

(e) ~~Such emergency~~ Emergency vehicles of municipal or county departments or public service corporations

as that are designated or authorized by the local authorities to be authorized emergency vehicles;

(f) ~~Such emergency~~ Emergency vehicles of state departments as that are designated or authorized by the heads of ~~such~~ those departments to be authorized emergency vehicles;

(g) ~~Such ambulances, publicly~~ Publicly owned, as ambulances that are designated or authorized by local authorities to be authorized emergency vehicles.

(h) ~~The~~ An emergency vehicle authorized by the county board of supervisors of any county ~~may authorize for use by the county coroners or medical examiners to use an emergency vehicle for the purpose of traveling en route to the scene of a fatal accident or a death and on such~~ any other occasions as that are authorized ~~pursuant to~~ under par. (e).

NOTE: Replaces punctuation for internal consistency and consistency with current style. Rearranges text for agreement with the subdivision (intro.).

SECTION 43. 340.01 (3) (i) of the statutes is amended to read:

340.01 (3) (i) ~~Such~~ Privately owned ambulances ~~which are privately owned and that~~ are operated by ~~their~~ owners or by their owners' agents and ~~which vehicles that~~ are authorized in writing by the sheriff or others designated by the county board ~~to be operated as emergency vehicles. The sheriff or others designated by the county board may make such authorization which shall be in writing and which shall be~~ The authorization is effective throughout the state until rescinded. The sheriff or others designated by the county board may designate any owner of ambulances usually kept in the county to operate ~~such vehicles~~ those ambulances as authorized emergency vehicles. ~~Such~~ The written authorization shall at all times be carried on each ambulance used for emergency purposes. The sheriff shall keep a file of ~~such~~ such authorizations made under this paragraph in the sheriff's office for public inspection, and all other persons permitted to issue authorizations under this paragraph shall file a copy of all authorizations issued with the sheriff ~~who shall keep them on file~~.

NOTE: Reorders text for improved readability; changes disfavored terms and inserts cross-references consistent with current style.

SECTION 44. 341.05 (intro.) and (1) to (25) of the statutes are amended to read:

341.05 When vehicles exempt from registration. (intro.) A vehicle, even though operated upon a highway of this state, is exempt from registration ~~when such vehicle if any of the following applies~~:

(1) ~~Is~~ The vehicle is operated in accordance with the provisions relating to registration of dealers, distributors, manufacturers, transporters or finance companies; ~~or~~

(2) ~~Is~~ The vehicle is operated in accordance with the provisions exempting nonresident or foreign-registered vehicles from registration; ~~or~~

(3) ~~Is~~ The vehicle is operated in accordance with s. 341.405.

(6) ~~Is~~ The vehicle is operated exclusively upon stationary rails or tracks; ~~or.~~

(7) ~~Is~~ The vehicle is a farm tractor used exclusively in agricultural operations, including threshing, or used exclusively to provide power to drive other machinery, or to transport from job to job machinery driven by ~~such a~~ farm tractor; ~~or.~~

(9) ~~Is~~ The vehicle is a trailer or semitrailer used exclusively for the transportation of farm machinery, implements, produce or supplies on a farm or between farms; ~~or.~~

(11) ~~Is~~ The vehicle is a trailer or semitrailer permanently equipped with a well-drilling outfit or designed for moving pea viners and used exclusively for either of ~~such those~~ those purposes; ~~or.~~

(12) ~~Is~~ The vehicle is a fork-lift truck, a specially constructed road or truck tractor used for shunting trailers or semitrailers in terminal areas or a trailer ~~which that~~ that is used principally off the highway; ~~or.~~

(13m) ~~Is~~ The vehicle is a trailer ~~or~~ semitrailer or camping trailer having a gross weight of 3,000 pounds or less and not used for hire or rental; ~~or.~~

(14) ~~Is~~ The vehicle is a trailer or semitrailer not operated in conjunction with a motor vehicle; ~~or.~~

(14m) ~~Is~~ The vehicle is a new motor vehicle being operated only across a highway from its point of manufacture or assembly.

(15) ~~Is~~ The vehicle is a motor vehicle being towed, except that when the person operating the vehicle supplying the motive power is a transporter, that person must be registered as a transporter; ~~or.~~

(16) ~~Is~~ The vehicle is a piece of road machinery.

(17) ~~Is~~ The vehicle is an implement of husbandry.

(18) ~~Is~~ The vehicle is a motor truck ~~which that~~ that is operated upon a highway only when directly crossing ~~such the~~ the highway.

(19) ~~Is~~ The vehicle is a repaired salvage vehicle operated to or from a location where it is to be inspected as required by s. 342.07, or ~~is~~ is an unregistered vehicle operated to or from a location where it is to be inspected as required by s. 110.20.

(19m) ~~Is~~ The vehicle is owned by a technical college district board, used exclusively to instruct students in techniques of automotive repair and maintenance and is operated only within 5 miles of the technical college to transport the vehicle to or from a technical college. The operator of the vehicle shall, when operating the vehicle upon a highway, carry in the vehicle a letter from the district director of the technical college stating that the vehicle is exempt from registration.

(20) ~~Is~~ The vehicle is an amphibious motor vehicle capable of carrying 10 or more passengers when used for sight-seeing purposes, registered as a boat with the

department of natural resources and operated upon a highway for a distance not to exceed 2 miles.

(21) ~~Is~~ The vehicle is owned by the United States.

(22) ~~Is~~ The vehicle is registered by a federally recognized Indian band or tribe and is exempt under a reciprocal registration exemption agreement under s. 341.409.

(23) ~~Is~~ The vehicle is a motor bicycle or bicycle, except as provided in s. 349.18.

(24) ~~Is~~ The vehicle is a golf cart being operated in accordance with s. 349.18 (1) (b) or (c).

(25) ~~Is~~ The vehicle is a wood harvesting slasher, as defined by the department by rule, that is used principally off the highway.

NOTE: Amends section (intro.) for conformity with current style for (intro.) provisions and the subsequent subsections for conformity therewith. Disfavored terms and improperly used "that" are replaced and punctuation is amended for internal consistency and conformity with current style.

SECTION 45. 341.05 (26) of the statutes, as created by 1999 Wisconsin Act 9, is amended to read:

341.05 (26) (a) ~~Is~~ The vehicle is a mobile home, as defined in s. 101.91 (2e), or a manufactured home, as defined in s. 101.91 (2).

(b) ~~Is~~ The vehicle is a structure that is transportable in one or more sections and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, if the structure's manufacturer voluntarily files a certification required by the secretary of the U.S. department of housing and urban development and complies with regulations established under 42 USC 5401 to 5425.

NOTE: This amendment conforms to style change made to the rest of this section by this bill.

SECTION 46. 341.10 (14) of the statutes is amended to read:

341.10 (14) ~~After December 31, 1993, the~~ The vehicle has a mobile air conditioner, as defined in s. 100.45 (1) (b), the distribution of which in this state would be prohibited under s. 100.45 (2).

NOTE: Eliminates obsolete provision.

SECTION 47. 341.26 (2) (intro.) of the statutes is amended to read:

341.26 (2) FIVE-DOLLAR FEE FOR 5-YEAR REGISTRATION OF CERTAIN VEHICLES. (intro.) A registration under this subsection expires on December 31 every 5th year. ~~The first 5-year registration period under this subsection terminates on December 31, 1993.~~ A registration fee of \$5 shall be paid to the department for the registration of each of the following vehicles:

NOTE: Eliminates obsolete provision.

SECTION 48. 341.41 (2) of the statutes is amended to read:

341.41 (2) A nonresident operating a vehicle in this state is not exempt by virtue of any reciprocity agreement

entered into pursuant to sub. (1) unless all of the following requirements are met:

(a) The vehicle is properly registered in the jurisdiction of the residence of its owner, its domicile, or the principal place of business of its owner or is registered on a proportional registration basis pursuant to an interstate compact; ~~and.~~

(b) The vehicle has conspicuously displayed upon it a valid registration plate; ~~and.~~

(c) The operator of the vehicle has in his or her possession a valid registration certificate or other evidence that the vehicle is properly registered; ~~and.~~

NOTE: Amends section (intro.) for conformity with current style for (intro.) provisions. Punctuation is amended for internal consistency and conformity with current style.

SECTION 49. 343.315 (4) of the statutes is amended to read:

343.315 (4) NOTIFICATION. ~~Beginning on April 1, 1992, the~~ The department shall send the notice of disqualification by 1st class mail to a person's last-known residence address. This subsection does not apply to disqualifications under sub. (2) (g).

NOTE: Eliminates obsolete provision.

SECTION 50. 343.50 (6) (title) of the statutes is created to read:

343.50 (6) (title) RENEWAL.

NOTE: The other subsections of s. 343.50 have titles.

SECTION 51. 345.05 (1) (c) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

345.05 (1) (c) "Municipality" means any county, city, village, town, school district ~~as enumerated in s. 67.01 (5), sewer district, drainage district, commission formed by a contract under s. 66.30 (2) and, without restriction because of failure of enumeration, any other political subdivision of the state.~~

NOTE: Prior to 1985 Wis. Act 225, s. 67.01 (5) listed 3 types of school districts. That act replaced the enumerated school district types with a single reference to "school district" but did not amend this provision accordingly.

SECTION 52. 346.52 (1) (intro.) and (a) to (h) of the statutes are amended to read:

346.52 (1) (intro.) No person ~~shall~~ may stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:

(a) Within an intersection; ~~.~~

(b) On a crosswalk; ~~.~~

(c) Between a safety zone and the adjacent curb, or within 15 feet of a point on the curb immediately opposite the end of a safety zone unless a different distance is clearly indicated by an official traffic sign or marker or parking meter; ~~.~~

(d) On a sidewalk or sidewalk area, except when parking ~~in such place~~ on the sidewalk or sidewalk area is clearly indicated by official traffic signs or markers or parking meters; ~~.~~

(e) Alongside or opposite any highway excavation or obstruction when such stopping or standing at that place would obstruct traffic or when pedestrian traffic would be required to travel in the roadway; ~~.~~

(f) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers; ~~.~~

(g) Within 15 feet of the driveway entrance to a fire station or directly across the highway from ~~such a~~ fire station entrance; ~~.~~

(h) Upon any portion of a highway where, ~~and at the time when,~~ stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.

NOTE: Replaces improperly used "shall" in the negation in the subsection (intro.), adds commas in par. (h) for clarity and replaces disfavored terms and punctuation for internal consistency and consistency with current style.

SECTION 53. 346.53 (1) to (5) of the statutes are amended to read:

346.53 (1) In a loading zone; ~~.~~

(2) In an alley in a business district; ~~.~~

(3) Within 10 feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign; ~~.~~

(4) Within 4 feet of the entrance to an alley or a private road or driveway; ~~.~~

(5) Closer than 15 feet to the near limits of a crosswalk; ~~.~~

NOTE: Replaces punctuation for internal consistency and consistency with current style.

SECTION 54. 346.54 (1) (a) and (b) of the statutes are amended to read:

346.54 (1) (a) Upon a street where traffic is permitted to move in both directions simultaneously and where angle parking is not clearly designated by official traffic signs or markers, a vehicle must be parked parallel to the edge of the street, headed in the direction of traffic on the right side of the street; ~~.~~

(b) Upon a one-way street or divided street where parking on the left side of the roadway is clearly authorized by official traffic signs or markers, vehicles ~~shall~~ may be parked only as indicated by ~~such~~ the signs or markers; ~~.~~

NOTE: Replaces punctuation for internal consistency and consistency with current style. Clarifies language consistent with current style.

SECTION 55. 346.58 of the statutes is renumbered 346.58 (1) and amended to read:

346.58 (1) ~~In addition to complying with other speed restrictions imposed by law, no person shall drive any of the following types of vehicles at a speed in excess of the limits fixed by this section:~~

(a) ~~15 miles per hour for any vehicle equipped with metal or solid rubber tires.~~ "Metal tire" means a tire the surface of which in contact with the highway is wholly or

partially of metal or other hard, nonresilient material;
~~“solid.”~~

(b) “Solid rubber tire” means a tire made of rubber but not inflated with compressed air.

NOTE: See the note to the treatment of s. 346.58 (2) by this bill.

SECTION 56. 346.58 (2) of the statutes is created to read:

346.58 (2) In addition to complying with other speed restrictions imposed by law, no person may drive any vehicle equipped with metal tires or solid rubber tires at a speed in excess 15 miles per hour.

NOTE: Text is reorganized to move definitions to the beginning of the section and to reflect the fact that there is only one restriction currently under this section.

SECTION 57. 346.63 (2) (a) 3. of the statutes is renumbered 346.63 (2) (am) and amended to read:

346.63 (2) (am) A person may be charged with and a prosecutor may proceed upon a complaint based upon a violation of ~~subd. par. (a)~~ 1. or 2. or both for acts arising out of the same incident or occurrence. If the person is charged with violating ~~both subds. par. (a)~~ 1. and 2. in the complaint, the crimes shall be joined under s. 971.12. If the person is found guilty of ~~both subds. par. (a)~~ 1. and 2. for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under ss. 343.30 (1q) and 343.305. ~~Subdivisions Paragraph (a)~~ 1. and 2. each require proof of a fact for conviction which the other does not require.

NOTE: The subject matter of this paragraph does not fit within the series under s. 343.63 (2) (a) (intro.) and is grammatically incompatible with sub. (2) (a) (intro.). Changes cross-references to accommodate renumbering.

SECTION 58. 347.02 (1) (a) to (d) of the statutes are amended to read:

347.02 (1) (a) Farm tractors and self-propelled farm implements;

(b) Implements of husbandry;

(c) Vehicles drawn by animals;

(d) Road machinery;

NOTE: Replaces punctuation for internal consistency and consistency with current style.

SECTION 59. 347.43 (1) of the statutes is renumbered 347.43 (1s) and amended to read:

347.43 (1s) No person may operate upon a highway any motor vehicle manufactured after January 1, 1936, unless ~~such~~ the motor vehicle is equipped with safety glass wherever glass is used ~~thereon~~ on the motor vehicle in partitions, doors, windows or windshields.

NOTE: Renumbers provision to accommodate the renumbering of s. 347.43 (3) by SECTION 61 of this bill and replaces disfavored term for consistency with current style.

SECTION 60. 347.43 (2) of the statutes is amended to read:

347.43 (2) No person ~~shall~~ may sell any new motor vehicle unless such vehicle is equipped with safety glass in accordance with the requirements of sub. ~~(4)~~ (1s).

NOTE: Changes cross-reference to accommodate the renumbering of s. 347.43 (1) by SECTION 59 of this bill. Replaces improperly used “shall” in the negation.

SECTION 61. 347.43 (3) of the statutes is renumbered 347.43 (1g).

NOTE: Renumbers definition to the beginning of the section consistent with current style.

SECTION 62. 347.45 (2) (a) of the statutes is amended to read:

347.45 (2) (a) Farm tractors, self-propelled farm implements, implements of husbandry, animal-drawn vehicles and road machinery may be operated with metal tires or tires having protuberances ~~which~~ that will not injure the highway; ~~and~~.

NOTE: Replaces punctuation for internal consistency and consistency with current style.

SECTION 63. 347.485 (2) of the statutes is renumbered 347.485 (2) (a) (intro.) and amended to read:

347.485 (2) (a) (intro.) No person may operate a motorcycle on any highway ~~unless such person is without~~ wearing any of the following eye protection ~~as follows:~~ (a) protective:

1. A protective face shield attached to the headgear; ~~or (b) glasses or (c) goggles.~~

(b) Except for photosensitive corrective glasses prescribed by an ophthalmologist, physician, oculist or optometrist, eye protection worn during hours of darkness may not be tinted or darkened. ~~If~~

(c) Notwithstanding par. (a), if the vehicle motorcycle is a Type 2 motorcycle equipped with a windshield or a Type 1 motorcycle equipped with a windshield ~~which~~ that rises a minimum of 15 inches above the handlebar, the use of other eye protective devices is not mandatory.

(d) This subsection shall not apply to persons operating a motorcycle in a parade sanctioned by the local municipality.

NOTE: Subdivides provision to eliminate numbering that does not conform with current style. Amends subsection (intro.) for conformity with current style for (intro.) provisions. Replaces “vehicle” with “motorcycle” as motorcycles are the only vehicles subject to this section. See also the next section of this bill.

SECTION 64. 347.485 (2) (a) 2. and 3. of the statutes are created to read:

347.485 (2) (a) 2. Glasses.

3. Goggles.

NOTE: The treatment of s. 347.485 (2) by the previous section of this bill requires the creation of these provisions.

SECTION 65. 348.01 (2) (av) of the statutes is created to read:

348.01 (2) (av) “Fender line”, in the case of motor trucks, means the outermost limits of the rear fenders, flare boards or floor of the body, whichever projects outward the farthest.

NOTE: Moves definition applicable to ss. 348.05 and 348.09 to the chapter definition section in conformity with current style and to improve the readability of those sections.

SECTION 66. 348.05 (2) (a) to (f) and (k) of the statutes are amended to read:

348.05 (2) (a) No limitation for implements of husbandry temporarily operated upon a highway in the course of performance of its work;

(b) No limitation for snowplows operated by or for a governmental agency;

(c) Twelve feet for farm tractors, except that the total outside width of a farm tractor shall not exceed 9 feet when operated on any Wisconsin highway, other than that portion of USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal designation as I 39, ~~which that~~ is a part of the national system of interstate and defense highways;

(d) Ten feet 6 inches for snowplows attached to motor vehicles normally used for the transportation of milk;

(f) Eight feet 8 inches for urban passenger buses;

(k) Nine feet for loads of tie logs, tie slabs and veneer logs, provided that no part of the load shall extend more than 6 inches beyond the fender line on the left side of the vehicle or extend more than 10 inches beyond the fender line on the right side of the vehicle. ~~The term "fender line" as used herein means as defined in s. 348.09. This paragraph shall not be applicable~~ does not apply to transport on highways designated as parts of the national system of interstate and defense highways pursuant to under s. 84.29.

NOTE: Replaces punctuation for internal consistency and consistency with current style. Replaces "which" with "that" to correct grammar. Replaces disfavored term in conformity with current style. The definition of "fender line" is moved to s. 348.01 and is made applicable to the entire chapter. See the creation of s. 348.01 (2) (av) and the treatment of s. 348.09 (1) by this bill.

SECTION 67. 348.05 (3) (title) of the statutes is repealed.

NOTE: No other subsections in s. 348.05 have titles.

SECTION 68. 348.06 (1) of the statutes is amended to read:

348.06 (1) ~~No~~ Except as provided in sub. (2), no person, without a permit therefor, shall may operate on a highway any motor vehicle, mobile home, trailer or semitrailer having an overall height in excess of 13 1/2 feet, ~~except as otherwise provided in sub. (2).~~

NOTE: Replaces improperly used "shall" in the negation and reorders in conformity with current style.

SECTION 69. 348.06 (2) (intro.) of the statutes is renumbered 348.06 (2) and amended to read:

348.06 (2) ~~The following vehicles~~ Implements of husbandry of any height may be temporarily operated upon a highway without a permit for excessive height if ~~the overall height does not exceed the indicated limitations.~~

NOTE: The contents of s. 348.06 (2) (intro.) and (a) are combined into a single provision as there is only one paragraph under the (intro.). See the next section of this bill.

SECTION 70. 348.06 (2) (a) of the statutes is repealed.

NOTE: The content of this provision is combined with that of s. 348.06 (2) (intro.) by the previous section of this bill.

SECTION 71. 348.07 (2) (c) and (e) of the statutes are amended to read:

348.07 (2) (c) Forty five feet for mobile homes and motor buses;

(e) No limitation for implements of husbandry temporarily operated upon a highway;

NOTE: Replaces punctuation for internal consistency and conformity with current style.

SECTION 72. 348.09 (1) of the statutes is amended to read:

348.09 (1) No person, without a permit therefor, shall may operate on a highway any motor vehicle, trailer or semitrailer carrying any load extending beyond the fender line on the left side or extending more than 6 inches beyond the fender line on the right side of the vehicle. ~~In the case of motor trucks, "fender line" means the outermost limits of the rear fenders, flare boards or floor of the body, whichever projects outward the farthest.~~

NOTE: The definition of "fender line" is applicable to ss. 348.05 and 348.09 and is moved to the s. 348.01 chapter definition section in conformity with current style and to improve the readability of this section and s. 348.05. See the creation of s. 348.01 (2) (av) by this bill.

SECTION 73. 348.15 (1) (intro.) and (b) of the statutes are consolidated, renumbered 348.15 (1) and amended to read:

348.15 (1) In this section: ~~(b) "Class~~ "class 'A' highway" includes all state trunk highways and connecting highways and those county trunk highways, town highways and city and village streets, or portions thereof, ~~which that~~ have not been designated as class "B" highways pursuant to s. 349.15.

NOTE: Eliminates unnecessary paragraph designation. Section 348.15 (1) is not divided into multiple paragraphs. Replaces "which" with "that" to correct grammar.

SECTION 74. 348.15 (8) (a) of the statutes is renumbered 348.15 (8).

NOTE: Eliminates unnecessary paragraph designation. Section 348.15 (8) is not divided into multiple paragraphs.

SECTION 75. 348.27 (5) of the statutes is amended to read:

348.27 (5) **POLE AND PIPE PERMITS.** Except as further provided in this subsection, the department may issue an annual or consecutive month permit to pipeline companies or operators or public service corporations for transportation of poles, pipe, girders and similar materials and to companies and individuals hauling peeled or unpeeled pole-length forest products used in its business. Such permits issued to companies and individuals hauling peeled or unpeeled pole-length forest products shall limit the length of vehicle and load to a maximum of 10 feet in excess of the limitations in s. 348.07 (1) and shall be valid only on a class "A" highway as defined in s.

348.15 (1) ~~(b)~~. Permits issued to companies or individuals hauling pole-length forest products may not exempt such companies or individuals from the maximum limitations on vehicle load imposed by this chapter.

NOTE: Changes cross-reference to accommodate the renumbering of s. 348.15 (1) (b) by Section 73 of the bill.

SECTION 76. 349.11 (2) (b) and (3) (b) of the statutes are amended to read:

349.11 (2) (b) Modify the limits stated in s. 346.57 (4) (c) or 346.58 ~~(1)~~.

(3) (b) Modify the limits stated in s. 346.57 (4) (c) or 346.58 ~~(1)~~; or

NOTE: Changes cross-references to accommodate the renumbering of s. 346.58 by SECTION 55 of the bill.

SECTION 77. 349.13 (1e) (c) of the statutes is renumbered 349.13 (1e) (c) 1. and amended to read:

349.13 (1e) (c) 1. The authority granted by this subsection may be delegated to a traffic officer or to the officer in charge of the maintenance of the highway in question, but, except as provided in subd. 2., no prohibition, limitation or restriction on parking imposed under this section is effective unless official traffic signs or markers or parking meters have been placed or erected indicating the particular prohibition, limitation or restriction except that parking.

2. Parking regulations which that prohibit, limit or restrict the parking of vehicles for any period longer than 24 consecutive hours, during any hours between 12 midnight and 7 a.m., or any portion thereof or during a snow emergency as determined by the city, village or town a municipality, shall be effective in cities, villages and towns the municipality upon a two-thirds vote of their its respective governing bodies body notwithstanding this subsection and s. 346.02 (7) when official traffic signs have been placed or erected at or reasonably near the corporate limits of such city, village or town the municipality on all state and county trunk highways and connecting highways, as the latter are defined in s. 86.32, informing motorists that 24-hour parking limitations, night parking regulations or snow emergency regulations are in effect in such city, village or town the municipality.

NOTE: Breaks up long sentence. For purposes of ch. 349, s. 340.01 (36m) defines "municipality" as a city, village or town and s. 340.01 (9) defines "connecting highway" as a highway designated as such under s. 86.32.

SECTION 78. 349.13 (2) (intro.), (a) to (d) and (f) of the statutes are amended to read:

349.13 (2) (intro.) Except as provided in this subsection, neither the department nor local authorities may extend stopping, standing or parking privileges to areas where stopping, standing or parking is prohibited by ch. 346. The department and local authorities, with respect to highways under their respective jurisdictions as described in sub. (1e) may do any of the following:

(a) Permit parking on sidewalk areas when such parking will not unduly interfere with pedestrian traffic;

(b) Permit parking on the roadway side of other parked vehicles when such double parking will not unduly interfere with the flow of vehicular traffic;

(c) Permit parking closer than 15 feet to the end of a safety zone when such parking will not unduly interfere with the flow of vehicular traffic;

(d) Designate parking upon the left side of a one-way street or roadway instead of the right side or permit parking on both sides;

(f) Permit the parking of any vehicle or of school buses only on the near side of specified highways adjacent to schoolhouses ~~in villages, towns or cities during specified hours when if the village or town board or common council governing body of any such village, town or city the municipality where the schoolhouse is located directs by ordinance so directs.~~

NOTE: Replaces punctuation for internal consistency and conformity with current style. Section 340.01 (36m) defines "municipality" as a city, village or town for purposes of ch. 349. The term "governing body of a municipality" is used throughout the chapter to refer to village boards, town boards and common councils. "When" is replaced by "if", consistent with current style, to reflect that the condition referred to need not occur.

SECTION 79. 422.204 (7) (intro.) and (a) to (d) of the statutes are renumbered 422.204 (7) (am) (intro.) and 1. to 4. and amended to read:

422.204 (7) (am) (intro.) In addition to any requirements of form established by the administrator, a deferral agreement shall meet all of the following requirements:

1. Be The agreement shall be in writing and signed by the customer;

2. Incorporate The agreement shall incorporate by reference the transaction to which the deferral applies;

3. State The agreement shall state each instalment or part thereof in the amount to be deferred, the date or dates originally payable and either the date or dates agreed to become payable for the payment of the amounts deferred or the periods of deferral; and

4. Clearly The agreement shall clearly set forth the dollar amount of the charge for each instalment to be deferred and the total dollar amount to be paid by the customer for the deferral.

NOTE: The subject matter of par. (e) does not fit within the series listed under the subsection (intro.), and the renumbering by this section of this bill removes that provision from the series. The subsection (intro.) is amended in accordance with current style and the subsequent subdivisions are amended to correspond with the amended (intro.). Punctuation is replaced for internal consistency and consistency with current style.

SECTION 80. 422.204 (7) (e) of the statutes is amended to read:

422.204 (7) (e) This subsection shall does not apply to deferral charges made pursuant to under sub. (8).

NOTE: Replaces disfavored terms consistent with current style. See also the previous section of this bill.

SECTION 81. 422.502 (4) (a) of the statutes is renumbered 422.502 (4).

NOTE: Eliminates unnecessary paragraph designation. Section 422.502 (4) is not divided into multiple paragraphs.

SECTION 82. 425.208 (1) (d) (intro.) of the statutes is created to read:

425.208 (1) (d) (intro.) Whichever of the following is less:

NOTE: See the next section of this bill.

SECTION 83. 425.208 (1) (d) of the statutes is renumbered 425.208 (1) (d) 1. and amended to read:

425.208 (1) (d) 1. A performance deposit, in the amount of 3 scheduled instalments ~~(, or minimum payments in the case of an open-end credit plan), or one-third,~~

2. One-third of the total obligation remaining unpaid with respect to the consumer credit transaction, ~~which ever is less.~~

NOTE: Subdivides provision to eliminate parentheses and improve readability. An (intro.) paragraph is created by the previous section of this bill to accommodate the changes made by this section.

SECTION 84. 426.108 (intro.) and (1) to (8) of the statutes are amended to read:

426.108 Unconscionable conduct. (intro.) The administrator shall promulgate rules declaring specific conduct in consumer credit transactions and the collection of debts arising ~~therefrom~~ from consumer credit transactions to be unconscionable and prohibiting the use ~~thereof~~ of those unconscionable acts. In promulgating ~~such~~ rules under this section, the administrator shall consider, among other things, all of the following:

(1) That the practice unfairly takes advantage of the lack of knowledge, ability, experience, or capacity of customers;

(2) That those engaging in the practice know of the inability of customers to receive benefits properly anticipated from the goods or services involved;

(3) That there exists a gross disparity between the price of goods or services and their value as measured by the price at which similar goods or services are readily obtainable by other customers, or by other tests of true value;

(4) ~~The fact that~~ That the practice may enable merchants to take advantage of the inability of customers reasonably to protect their interests by reason of physical or mental infirmities, illiteracy or inability to understand the language of the agreement, ignorance or lack of education or similar factors;

(5) That the terms of the transaction require customers to waive legal rights;

(6) That the terms of the transaction require customers to unreasonably jeopardize money or property beyond the money or property immediately at issue in the transaction;

(7) That the natural effect of the practice is to cause or aid in causing customers to misunderstand the true

nature of the transaction or their rights and duties ~~thereunder~~ under the transaction.

(8) That the writing purporting to evidence the obligation of the customers in the transaction contains terms or provisions or authorizes practices prohibited by law; ~~and.~~

NOTE: The section (intro.) is amended in accordance with current style for (intro.) provisions and the subsequent subsections are amended to correspond with the amended (intro.). Punctuation is replaced for internal consistency and conformity with current style. Specific references are inserted.

SECTION 85. 426.110 (4) (c) of the statutes is amended to read:

426.110 (4) (c) Except as provided in par. (e), no action for damages may be maintained under this section if an appropriate remedy ~~(, which shall include actual damages and may include penalties),~~ is given, or agreed to be given within a reasonable time, to such party within 30 days after receipt of such notice.

NOTE: Replaces parentheses consistent with current style.

SECTION 86. 442.01 (1) of the statutes is renumbered 442.001 and amended to read:

442.001 Definition. In this chapter, “examining board” means the accounting examining board.

NOTE: Moves definition applicable to the entire chapter to a separate definition section consistent with current style.

SECTION 87. 442.02 (intro.) of the statutes is renumbered 442.02 (1m) (intro.) and amended to read:

442.02 (1m) (intro.) A person shall be ~~deemed~~ considered to be in practice as a public accountant, within the meaning and intent of this chapter if any of the following conditions is met:

NOTE: This provision is amended in accordance with current style for (intro.) provisions and renumbered so that subsections that do not fit grammatically or by subject matter within the series under the (intro.) can be separated. A disfavored term is replaced in conformity with current style. See the next section of this bill.

SECTION 88. 442.02 (1) to (5) of the statutes are renumbered 442.02 (1m) (a) to (e) and amended to read:

442.02 (1m) (a) ~~Who~~ The person holds himself or herself out to the public in any manner as one skilled in the knowledge, science and practice of accounting, and as qualified and ready to render professional service therein as a public accountant for compensation; ~~or.~~

(b) ~~Who~~ The person maintains an office for the transaction of business as a public accountant, or ~~who~~, except as an employe of a public accountant, practices accounting, as distinguished from bookkeeping, for more than one employer; ~~or.~~

(c) ~~Who~~ The person offers to prospective clients to perform for compensation, or ~~who does perform~~ performs on behalf of clients for compensation, professional services that involve or require an audit of financial transactions and accounting records; ~~or.~~

(d) ~~Who~~ The person prepares for clients reports of audits, balance sheets, and other financial, accounting and related schedules, exhibits, statements or reports

which ~~that~~ are to be used for publication or for credit purposes, or are to be filed with a court of law or with any other governmental agency, or for any other purpose; ~~or.~~

(e) ~~Who~~ The person, in general or as an incident to such work, renders professional assistance to clients for compensation in any or all matters relating to accounting procedure and the recording and presentation of financial facts.

SECTION 89. 442.02 (5m) (a) of the statutes is renumbered 442.02 (1m) (f) and amended to read:

442.02 (1m) (f) ~~Who~~ The person signs or affixes his or her name or any trade or assumed name used by the person in his or her business or profession to an opinion or certificate attesting to the reliability of any representation or estimate in regard to any person or organization embracing financial information, financial transactions or accounting records.

NOTE: The paragraphs, renumbered by this section of the bill fit grammatically within the series under sub. (1m) (intro.), as renumbered by this bill, while the remaining subsections do not. These provisions are amended to accommodate the amendment of sub. (1m) (intro.) and to conform with current style. Punctuation is replaced for internal consistency and conformity with current style. Improperly used "which" and passive verb are replaced in conformity with current style. See the previous and next section of this bill.

SECTION 90. 442.02 (5m) (b) of the statutes is renumbered 442.02 (5m) and amended to read:

442.02 (5m) ~~This subsection~~ Subsection (1m) (f) does not prohibit any officer, employe, partner or principal of any organization from affixing his or her signature to any statement or report in reference to the affairs of that organization with any wording designating the position, title or office ~~which that~~ he or she holds in that organization. ~~This subsection and~~ does not prohibit any act of a public official or public employe in the performance of his or her duties.

NOTE: This provision does not fit grammatically within the series under sub. (1m) (intro.), as renumbered by this bill, and is made a separate subsection and cross-references are amended accordingly. Improperly used "which" is replaced in conformity with current style. See the previous and next section of this bill.

SECTION 91. 442.02 (6) of the statutes is amended to read:

442.02 (6) Every member of a partnership, and every officer and director of a corporation who, in ~~such the~~ capacity of partner, officer or director, does any of the things enumerated in ~~subs. (1) sub. (1m) (a) to (5m) (f)~~, shall be ~~deemed considered~~ to be in practice as a public accountant.

NOTE: Cross-references are amended to reflect renumbering by this bill. Disfavored terms are replaced in conformity with current style.

SECTION 92. 442.02 (7) of the statutes is renumbered 442.02 (7) (intro.) and amended to read:

442.02 (7) (intro.) Nothing contained in this chapter shall prevent the employment by a certified public accountant, or by a public accountant, or by a firm or cor-

poration, furnishing public accounting services as principal, of persons to serve as accountants in various capacities, as needed; ~~provided, that such persons, if all of the following conditions are met:~~

(a) ~~The employes serving as accountants work under the control and supervision of certified public accountants, or accountants with certificates of authority as hereinafter provided, that such granted under s. 442.06.~~

(b) ~~Those employes serving as accountants shall not issue any statements or reports over their own names except such office reports to their employer as that are customary and that such.~~

(c) ~~The employes serving as accountants are not in any manner held out to the public as public accountants as described in this chapter.~~

NOTE: Provision is subdivided, disfavored terms are replaced and a specific cross-reference is added for improved readability and conformity with current style.

SECTION 93. 442.02 (9) of the statutes is renumbered 442.02 (9) (intro.) and amended to read:

442.02 (9) (intro.) Nothing contained in this chapter shall apply to any persons who may be employed by more than one person, partnership or corporation, for the purpose of keeping books, making trial balances or statements, and preparing audits or reports, ~~provided such if all of the following requirements are met:~~

(a) ~~The audits or reports described in this subsection are not used or issued by the employers as having been prepared by a public accountant and provided such.~~

(b) ~~The persons employed as described in this subsection do not do any of the things enumerated in sub. (5m) (a), (1m) (f) without complying with sub. (5m) (b).~~

NOTE: Provision is subdivided, disfavored terms are replaced for improved readability and conformity with current style. Cross-references are amended to reflect renumbering by this bill.

SECTION 94. 442.11 (intro.) and (1) to (13) of the statutes are amended to read:

442.11 Penalties. (intro.) ~~Any person shall be deemed guilty of a misdemeanor, and shall Whoever does any of the following may, for each offense, be fined not more than \$500 for each offense, or imprisoned in the county jail for not more than one year, or both:~~

(1) ~~Who shall use~~ Uses any other term other than certified public accountant or the abbreviation C. P. A. to indicate that he or she is a public accountant with a specially granted title; ~~or.~~

(2) ~~Who, when~~ While practicing under an assumed name, or as a member of a partnership, other than ~~one which a partnership that~~ is registered under s. 442.07 as composed of certified public accountants, or as an officer of a corporation, announces, either in writing or by printing, that the assumed name, partnership or corporation is practicing as a certified public accountant; ~~or.~~

(3) ~~Who, as~~ As a member of a partnership, announces, either in writing or by printing, that the part-

nership is practicing as “public accountants” unless the partnership is registered as such under s. 442.07; ~~or.~~

(4) ~~Who, as~~ As an officer of a corporation, permits ~~it~~ the corporation to practice as a public accountant unless it is registered with the examining board, and holds an unrevoked certificate of authority from the examining board; ~~or.~~

(5) ~~Who holds~~ Holds himself or herself out to the public as a certified public accountant or ~~who~~ assumes to practice as a certified public accountant unless he or she has been granted a certificate as ~~such~~ a certified public accountant from the examining board; ~~or.~~

(6) ~~Who holds~~ Holds himself or herself out to the public as a public accountant or ~~who~~ assumes to practice as a public accountant unless he or she has been granted a certificate of authority from the examining board; ~~or.~~

(7) ~~Who shall practice~~ Practices as a certified public accountant or as a public accountant after his or her certificate has been revoked; ~~or.~~

(8) ~~Who shall as~~ As an individual, ~~or, as~~ a member of a partnership or ~~as an~~ officer or director of a corporation, ~~practice~~ practices or ~~permit~~ permits the partnership or corporation to practice as a certified public accountant or as a public accountant unless a license has been secured for the current licensure period; ~~or.~~

(9) ~~Who shall sell, buy, give~~ Sells, buys, gives or ~~obtain~~ obtains an alleged certificate as a certified public accountant, ~~or~~ a certificate of authority, or a license in any ~~other~~ other manner ~~other~~ than is ~~that~~ provided for by this chapter; ~~or.~~

(10) ~~Who attempts~~ Attempts to practice as a certified public accountant or as a public accountant under ~~the~~ the guise of a certificate not granted by the examining board, or under cover of a certificate obtained illegally or fraudulently; ~~or.~~

(11) ~~Who shall certify~~ Certifies to any false or fraudulent report, certificate, exhibit, schedule or statement; ~~or.~~

(12) ~~Who shall attempt~~ Attempts by any subterfuge to evade the provisions of this chapter while practicing as a public accountant; ~~or.~~

(13) ~~Who shall, as~~ As an individual, ~~or~~ as a member of a partnership or ~~as an~~ officer of a corporation, ~~permit~~ permits to be announced by printed or written statement that any report, certificate, exhibit, schedule or statement has been prepared by or under supervision of a certified public accountant or by or under supervision of a public accountant when the person who prepared the ~~same~~ report, certificate, exhibit, schedule or statement was not ~~such~~ a certified public accountant or public accountant.

NOTE: Amends section (intro.) in accordance with current style for (intro.) provisions and amends the subsequent subsections accordingly. Disfavored terms are replaced in conformity with current style. See the next section of this bill.

SECTION 95. 442.11 (14) to (16) of the statutes are renumbered 442.115 (1) to (3) and amended to read:

442.115 (1) If it appears upon complaint to the examining board by any person, or it is known to the examining board, that any person has violated this chapter, the examining board may investigate, subject to the rules promulgated under s. 440.03 (1). The district attorney of the county in which violations of this chapter are known or alleged to have occurred shall promptly investigate complaints, from any source, of ~~such~~ violations of this chapter and prosecute if the facts so warrant. Upon request from the examining board, and ~~where~~ when the facts warrant, the appropriate district attorney shall promptly seek an injunction against any person who is violating this chapter.

(2) ~~Following the refusal or failure of~~ If the district attorney ~~fails or refuses~~ deems that the examining board considers to act within a time ~~which it~~ deems reasonable, the examining board may request the attorney general to institute a prosecution or to seek an injunction for violation of this chapter.

(3) If a person has engaged, or is about to engage, in an act or practice ~~which~~ that constitutes, or will constitute, a violation of this chapter, the examining board in its own right or on behalf of an individual complainant may apply to the appropriate court for an order enjoining the act or practice. Upon a showing by the examining board or the complainant that the person has engaged, or is about to engage, in any ~~such~~ act or practice in violation of this chapter, the court may grant an injunction, restraining order or other appropriate order without bond.

NOTE: The subject matter of these provisions do not correspond to, nor do they fit grammatically within, the list of violations under s. 442.11 (intro.) and accordingly are moved to a separate section. Disfavored terms and incorrectly used “which” are replaced in conformity with current style.

SECTION 96. 442.115 (title) of the statutes is created to read:

442.115 (title) Enforcement actions for violations of this chapter.

NOTE: See the previous section of this bill.

SECTION 97. 443.02 (4) (a) of the statutes is renumbered 443.02 (4).

NOTE: Eliminates unnecessary paragraph designation. Section 443.02 (4) is not divided into multiple paragraphs.

SECTION 98. 443.04 (1) (a) and (b) of the statutes are amended to read:

443.04 (1) (a) A diploma of graduation, or a certificate, from an engineering school or college approved by the examining board as of satisfactory standing in an engineering course of not less than 4 years, together with an additional 4 years of experience in engineering work of a character satisfactory to the examining board and indicating that the applicant is competent to be placed in responsible charge of ~~such~~ engineering work; ~~or.~~

(b) A specific record of 8 or more years of experience in engineering work of a character satisfactory to the

examining board and indicating that the applicant is competent to be placed in responsible charge of such engineering work; ~~or~~.

SECTION 99. 443.18 (1) (title) of the statutes is created to read:

443.18 (1) (title) UNAUTHORIZED PRACTICE; PENALTY.

NOTE: The treatments by this bill will result in all subsections of s. 443.18 having titles.

SECTION 100. 443.18 (2) (a) (title) of the statutes is renumbered 443.18 (2) (title).

NOTE: Section 443.18 (2) has no title, and s. 443.18 (2) (a) and (b) each are titled "Injunction". This renumbering applies the title to all of the subsection and with the creation of s. 443.18 (1) (title) by the previous section of this bill results in all subsections of s. 443.18 having titles. Paragraph (b) (title) is repealed by the next section of this bill.

SECTION 101. 443.18 (2) (b) (title) of the statutes is repealed.

NOTE: See the previous section of this bill.

SECTION 102. 444.17 (3) of the statutes is renumbered 444.17 (3) (a) (intro.) and amended to read:

444.17 (3) (a) (intro.) This chapter does not apply to amateur boxing or sparring exhibitions conducted by or held under the auspices of any public recreation department supported by town, village, city, county, state or federal funds, in any intradepartmental or interdepartmental exhibitions, ~~provided: (a) that such if all of the following conditions are met:~~

1. The exhibitions are between bona fide members of boxing classes conducted by such the public recreation departments, ~~(b) that such,~~

2. The public recreation departments under subd. 1. are members of a recognized state association of public recreation departments, ~~(c) and that each such,~~

3. The amateur boxing or sparring exhibition is sanctioned by the department.

~~(b) The application for the sanction under par. (a) 3. of each exhibition shall be made in writing to the department at least 2 weeks prior to the exhibition. A fee of \$5 shall accompany the application, said fee to cover the cost of sanction and expenses of an inspector, whose duty it shall be to enforce all rules and regulations and to see that a competent referee, timer, doctor and judges are employed. Sanction for such exhibitions The department may be denied deny any application for the sanction of an exhibition for cause upon competent evidence.~~

NOTE: Subdivides provision to eliminate numbering not in conformity with current style. Inserts cross-references and reorders text to improve readability and conformity with current style.

SECTION 103. 445.045 (1) (a) to (g) of the statutes are amended to read:

445.045 (1) (a) Be The person must be at least 18 years of age;.

(b) Subject to ss. 111.321, 111.322 and 111.335, the person must not have an arrest or conviction record;.

(d) Have The person must have completed 2 academic years of instruction in a recognized college or university, in a course of study approved by the examining board, or have equivalent education;.

(e) Have The person must have satisfactorily completed 9 months or more instruction in a prescribed course in mortuary science approved by the examining board at any time after having completed one year of college work or equivalent education;.

(f) Have The person must have completed one year of apprenticeship as prescribed in s. 445.095 at any time after having completed one year of college work or equivalent education and either before or after taking the course in mortuary science required by par. (e).

(g) Have The person must have successfully passed a comprehensive examination conducted by the examining board as required by s. 445.04, ~~but such. The~~ examination may be taken at any time after completion of the college and mortuary school instruction and regardless of the age of the applicant.

NOTE: Amends provisions to make complete sentences consistent with current style and replaces punctuation for internal consistency.

SECTION 104. 449.01 (title) of the statutes is amended to read:

449.01 (title) Definitions; discrimination prohibited.

NOTE: Current style places definitions applicable to an entire chapter in a section separate from substantive provisions. Section 449.01 (3) relating to the prohibition of discrimination is renumbered to a separate section by the next section of this bill.

SECTION 105. 449.01 (3) of the statutes is renumbered 449.015 and amended to read:

449.015 Discrimination prohibited. Any agency of the state, county, municipality or school district shall accept the optometric services, ~~as defined in sub. (1),~~ of optometrists licensed under this chapter, on the same basis as those of any other person authorized by law to render such optometric services.

NOTE: Moves this provision out of a provision otherwise containing definitions. Deletes the cross-reference to s. 449.01 (1) which defines the practice of optometry and not "optometric services". Replaces disfavored "such" with a specific reference.

SECTION 106. 449.01 (4) (title) of the statutes is created to read:

449.01(4) (title) EXAMINING BOARD.

NOTE: The other subsections of 449.01 have titles.

SECTION 107. 456.10 (1) (intro.) and (a) to (c) of the statutes are amended to read:

456.10 (1) (intro.) Subject to the rules promulgated under s. 440.03 (1), the examining board may, under sub. (2), revoke, limit or suspend the license or registration of any person practicing or offering to practice nursing home administration ~~may be revoked, limited or sus-~~

pendent or the licensee may be reprimanded, censured reprimand, censure or otherwise disciplined discipline a licensee under this section ~~upon decision and after due hearing if any of the following is applicable:~~

(a) Proof is submitted that ~~such~~ the licensee is unfit or incompetent by reason of negligence, habits or other causes;

(b) Proof is submitted that ~~such~~ the licensee has willfully or repeatedly violated this chapter or the rules enacted in accordance ~~therewith;~~ or with this chapter.

(bm) Proof is submitted that the licensee has willfully or repeatedly acted in a manner inconsistent with the health and safety of the patients of the home in which the licensee is the administrator;

(c) Proof is submitted that ~~such~~ the licensee is guilty of fraud or deceit in his or her admission to the practice of nursing home administration.

NOTE: Amends subsection (intro.) to identify what body may take the described action and to otherwise conform with current style for (intro.) provision. Subdivides par. (b) so that each paragraph contains only one item and replaces disfavored terms.

SECTION 108. 560.034 (1) of the statutes is amended to read:

560.034 (1) The department shall prescribe the notice forms to be used under ss. 66.521 (4m) (a) 1. and 234.65 (3) (a) 1. The department shall include on the forms a requirement for information on the number of jobs the person submitting the notice expects to be eliminated, created or maintained on the project site and elsewhere in this state by the project which is the subject of the notice. The department shall prescribe the forms to be used under ss. 66.521 (4m) (b) and 234.65 (3r).

NOTE: Changes cross-reference to accommodate renumbering by this bill.

SECTION 109. 560.034 (3) of the statutes is amended to read:

560.034 (3) If the department receives a notice under s. 234.65 (3) (a) 1., the department shall estimate, no later than 20 days after receipt of the notice, whether the project which is the subject of the notice is expected to eliminate, create or maintain jobs on the project site and elsewhere in this state and the net number of jobs expected to be eliminated, created or maintained as a result of the project.

NOTE: Changes cross-reference to accommodate renumbering by this bill.

SECTION 110. 611.12 (1) (am) of the statutes is amended to read:

611.12 (1) (am) The articles shall include a statement that the corporation is organized under this chapter;

NOTE: Replaces inconsistent punctuation.

SECTION 111. 611.12 (2) (am) of the statutes is amended to read:

611.12 (2) (am) The articles shall include a statement that the corporation is organized under this chapter;

NOTE: Replaces inconsistent punctuation.

SECTION 112. 611.76 (9) (a) (title) of the statutes is repealed.

NOTE: The renumbering of s. 611.76 (9) (a) to s. 611.76 (9) by the next section of this bill renders the paragraph title unnecessary.

SECTION 113. 611.76 (9) (a) of the statutes is renumbered 611.76 (9).

NOTE: Eliminates unnecessary paragraph designation. Section 611.76 (9) is not divided into multiple paragraphs.

SECTION 114. 618.26 (1) (intro.) of the statutes is amended to read:

618.26 (1) STRICT COMPLIANCE. (intro.) No nondomestic fraternal may be authorized to do business in this state unless it complies strictly with all of the following requirements:

NOTE: Amends provision in accordance with current style for (intro.) provisions

SECTION 115. 618.26 (1) (a) of the statutes is amended to read:

618.26 (1) (a) *Financial requirements.* The financial requirements of ss. 614.19 and 623.11;

NOTE: Replaces punctuation for internal consistency and conformity with current style.

SECTION 116. 623.06 (4m) of the statutes is amended to read:

623.06 (4m) This subsection applies to all annuity and pure endowment contracts other than group annuity and pure endowment contracts purchased under a retirement plan or plan of deferred compensation, established or maintained by an employer ~~including a partnership or sole proprietorship,~~ or by an employee organization, or by both, other than a plan providing individual retirement accounts or individual retirement annuities under section 408 of the U.S. internal revenue code, as now or hereafter amended Internal Revenue Code. Reserves according to the commissioners annuity reserve method for benefits under annuity or pure endowment contracts, excluding any disability and accidental death benefits in such contracts, shall be the greatest of the respective excesses of the present values, at the date of valuation, of the future guaranteed benefits, including guaranteed nonforfeiture benefits, provided for by such contracts at the end of each respective contract year, over the present value, at the date of valuation, of any future valuation considerations derived from future gross considerations, required by the terms of such contract, that become payable prior to the end of such respective contract year. The future guaranteed benefits shall be determined by using the mortality table, if any, and the interest rate specified in such contracts for determining guaranteed benefits. The valuation considerations are the portions of the respective gross considerations applied under the terms of such contracts to determine nonforfeiture values.

NOTE: Replaces parentheses consistent with current style and amends reference to Internal Revenue Code.

SECTION 117. 625.03 (intro.) and (1) to (6) of the statutes are renumbered 625.03 (1m) (intro.) and (a) to (e).

NOTE: The subject matter of this sub. (7) does not fit within the series under, and is grammatically incompatible with, s. 625.03 (intro.) and the renumbering by this section of this bill is made to separate sub. (7) from that list.

SECTION 118. 631.07 (3) (a) (intro.), 1. to 3. and 4. of the statutes are amended to read:

631.07 (3) (a) (intro.) *Consent unnecessary.* A life or disability insurance policy may be taken out without consent in any of the following cases:

1. A person may obtain insurance on a dependent who does not have legal capacity;
2. A creditor may at the expense of the creditor obtain life or disability insurance on the debtor in an amount reasonably related to the amount of the debt;
3. A person may obtain a life or disability insurance policy on members of the person's family living with or dependent on the person;
4. A person may obtain a disability insurance policy on others that would merely indemnify against expenses the policyholder would be legally or morally obligated to pay; and

NOTE: Amends subsection (intro.) to conform with current style for (intro.) provisions and replaces punctuation for internal consistency and conformity with current style.

SECTION 119. 631.07 (3) (a) 5. of the statutes is renumbered 631.07 (3) (am) and amended to read:

631.07 (3) (am) *Insurance for persons in international public service.* The commissioner may promulgate rules permitting issuance of insurance for a limited term on the life or health of a person serving outside the continental United States in the public service of the United States, provided the policyholder is closely related by blood or by marriage to the person whose life or health is insured.

NOTE: The subject matter of this provision does not correspond to, nor does it fit grammatically within, the list of persons under s. 631.07 (3) (a) (intro.) and accordingly it is renumbered to a separate paragraph. A title is created because the other paragraphs have titles.

SECTION 120. 655.25 (1) of the statutes is renumbered 655.25.

NOTE: Eliminates unnecessary subsection designation. Section 655.25 is not divided into multiple subsections.

SECTION 121. 700.06 of the statutes is amended to read:

700.06 Interest for life of another; succession. An interest measured by the life of a person other than the owner of the interest passes on the death of the owner (, if the owner's death is prior to the death of the person who is the measuring life), as an asset of the owner's estate and is realty or personalty according to the nature of the property subject to the interest.

NOTE: Replaces parentheses consistent with current style and inserts clarifying language.

SECTION 122. 700.08 of the statutes is amended to read:

700.08 Estate tail becomes fee simple; effect of gift over after attempted estate tail. The use of language in an instrument appropriate to create a present or future

interest in fee tail (, such as to a named person "and the heirs of his body" or "and the heirs of her body" or "and his issue" or "and her issue"), creates a present or future interest in fee simple; if, If the same instrument attempts to create a future interest after the interest which that is made a fee simple by reason of this section, the future interest is valid.

NOTE: Replaces parentheses consistent with current style, divides long sentence and replaces improperly used "which".

SECTION 123. 700.17 (3) of the statutes is amended to read:

700.17 (3) CHARACTERISTICS OF TENANCY IN COMMON. Each of 2 or more tenants in common has an undivided interest in the whole property for the duration of the tenancy. There is no right of survivorship incident to a tenancy in common; but a remainder may be created to vest ownership in the survivor of several persons who own as tenants in common other preceding interests (, such as a life interest), in the same property.

NOTE: Replaces parentheses and punctuation consistent with current style.

SECTION 124. 700.22 (1) of the statutes is renumbered 700.22 (1) (a) and amended to read:

700.22 (1) (a) ~~Nothing in ss. 700.17 to 700.21 governs the determination of rights to~~ In this subsection, "deposits (including" include checking accounts or instruments deposited ~~therein into~~ or drawn ~~thereon on~~ checking accounts, savings accounts, certificates of deposit, investment shares or any other form of deposit).

(b) Nothing in ss. 700.17 to 700.21 governs the determination of rights to deposits in banks, building and loan associations, savings banks, savings and loan associations, credit unions or other financial institutions.

NOTE: Subdivides provision and reorders text to accommodate the replacement of parentheses and for improved readability and conformity with current style.

SECTION 125. 701.13 (3) of the statutes is amended to read:

701.13 (3) TERMINATION. In the case of a living trust ~~where the whose~~ settlor is deceased and in the case of any testamentary trust, regardless in either case of spendthrift or similar protective provisions, a court with the consent of the trustee may order termination of the trust, in whole or in part, and the distribution of the assets that it considers appropriate if the court is satisfied that because of any substantial reason existing at the inception of a testamentary trust or, in the case of any trust, arising from a subsequent change in circumstances (, including but not limited to the amount of principal in the trust, income produced by the trust and the cost of administering the trust), continuation of the trust, in whole or in part, is impractical. In any event, if the trust property is valued at less than \$50,000, the court may order termination of the trust and the distribution of the assets that it considers appropriate.

NOTE: Replaces parentheses consistent with current style. "Where" is replaced as it does not denote place.

SECTION 126. 701.13 (5) of the statutes is renumbered 701.13 (5) (b), and 701.13 (5) (b) (intro.), 1., 2. and 3., as renumbered, are amended to read:

701.13 (5) (b) (intro.) Subsections (2) and (3) do not apply to a trust ~~where~~ under which a future interest is indefeasibly vested in any of the following:

1. The United States or a political subdivision for exclusively public purposes;

2. A corporation that is organized exclusively for religious, charitable, scientific, literary or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation, and which that does not participate or intervene in ~~(including the publishing or distributing of statements)~~ any political campaign on behalf of any candidate for public office;

3. A trustee or a fraternal society, order or association operating under the lodge system, provided the principal or income of such trust is to be used by such trustee or by such fraternal society, order or association exclusively for religious, charitable, scientific, literary or educational purposes or for the prevention of cruelty to children and animals, and no substantial part of the activities of such trustee or of such fraternal society, order or association is carrying on propaganda or otherwise attempting to influence legislation, and such trustee or such fraternal society, order, or association does not participate or intervene in ~~(including the publishing or distributing of statements)~~ any political campaign on behalf of any candidate for public office;

NOTE: To remove parentheses, the material contained in the parentheses is moved to a separate definition provision by the next section of this bill. Replaces punctuation consistent with current style and "where" is replaced as it is not used to denote place. See the next section of the this bill.

SECTION 127. 701.13 (5) (a) of the statutes is created to read:

701.13 (5) (a) In this subsection, "participate or intervene in any political campaign" includes the publishing or distributing of statements.

NOTE: See the previous section of this bill.

SECTION 128. 701.19 (4) (intro.) and (a) to (d) of the statutes are renumbered 701.19 (4) (am) (intro.) and 1. to 4., and 701.19 (4) (am) 4., as renumbered, is amended to read:

701.19 (4) (am) 4. ~~As to~~ For the period of time for which the business may be conducted and ~~such any~~ other conditions, restrictions, regulations, requirements and authorizations as the court orders.

NOTE: The subject matter of s. 701.19 (4) (e) does not correspond to, nor does it fit grammatically within, the list of persons under s. 701.19 (4) (intro.), and accordingly the provision is renumbered to separate par. (e) from that list. "As to" and "such" are replaced to improve clarity.

SECTION 129. 701.19 (4) (e) of the statutes is amended to read:

701.19 (4) (e) Nothing in this subsection shall be construed as requiring a trustee to liquidate a business, including a business operated as a closely held corporation, when ~~such action~~ liquidating the business is not required by the creating instrument or other applicable law.

NOTE: Inserts specific reference to improve clarity and readability.

SECTION 130. 701.20 (4) (c) (intro.) of the statutes is amended to read:

701.20 (4) (c) (intro.) On termination of an income interest, the following amounts shall be classified as income and treated as if received prior to the termination;

NOTE: Inserts correct punctuation.

SECTION 131. 701.20 (4) (d) 2. of the statutes is amended to read:

701.20 (4) (d) 2. Income Except for corporate distributions to stockholders, income in the form of periodic payments ~~(other than corporate distributions to stockholders)~~, including interest, rent and annuities, shall be treated as accruing from day to day.

NOTE: Reorders text to eliminate the need for parentheses, consistent with current style.

SECTION 132. 701.20 (5) (b) 1. of the statutes is renumbered 701.20 (5) (b) 1. (intro.) and amended to read:

701.20 (5) (b) 1. (intro.) To legatees and devisees of specific property other than money, the income from the property bequeathed or devised to them less any of the following recurrent and other ordinary expenses attributable to the specific property: ~~property~~

a. Property taxes ~~(excluding taxes prorated to the date of death), interest~~

b. Interest, excluding interest accrued to the date of death, ~~income~~

c. Income taxes ~~(excluding taxes on income in respect of a decedent, capital-gains and any other income taxes chargeable against principal) which, that~~ accrue during the period of administration, ~~ordinary~~

d. Ordinary repairs, and other expenses of management and operation of the property.

NOTE: Subdivides provision in outline form, replaces parentheses, replaces incorrectly used "which" and deletes comma for improved readability and conformity with current style.

SECTION 133. 703.02 (15) of the statutes is amended to read:

703.02 (15) "Unit" means a part of a condominium intended for any type of independent use, including one or more cubicles of air at one or more levels of space or one or more rooms or enclosed spaces located on one or more floors ~~(or parts thereof)~~, in a building. A unit may include 2 or more noncontiguous areas.

NOTE: Replaces parentheses consistent with current style.

SECTION 134. 704.29 (2) of the statutes is renumbered 704.29 (2) (a) and amended to read:

704.29 (2) (a) ~~In any claim against a tenant for rent and damages, or for either, the amount of recovery is reduced by the net rent obtainable by reasonable efforts to rerent the premises. Reasonable this subsection, "reasonable efforts" mean those steps which that the landlord would have taken to rent the premises if they had been vacated in due course, provided that such those steps are in accordance with local rental practice for similar properties.~~

(b) In any claim against a tenant for rent and damages, or for either, the amount of recovery is reduced by the net rent obtainable by reasonable efforts to rerent the premises. In the absence of proof that greater net rent is obtainable by reasonable efforts to rerent the premises, the tenant is credited with rent actually received under a rental agreement minus expenses incurred as a reasonable incident of acts under sub. (4), including a fair proportion of any cost of remodeling or other capital improvements. In any case the landlord can recover, in addition to rent and other elements of damage, all reasonable expenses of listing and advertising incurred in rerenting and attempting to rerent (~~except as taken into account in computing the net rent under the preceding sentence~~). If the landlord has used the premises as part of reasonable efforts to rerent, under sub. (4) (c), the tenant is credited with the reasonable value of the use of the premises, which is presumed to be equal to the rent recoverable from the defendant unless the landlord proves otherwise. If the landlord has other similar premises for rent and receives an offer from a prospective tenant not obtained by the defendant, it is reasonable for the landlord to rent the other premises for the landlord's own account in preference to those vacated by the defaulting tenant.

NOTE: Subdivides provision to properly locate a definition, replaces parentheses and replaces improperly used "which" and disfavored term consistent with current style.

SECTION 135. 706.001 (title) of the statutes is created to read:

706.001 (title) Scope and construction.

NOTE: The nondefinition statutes in s. 706.01 are renumbered s. 706.001. The definitions in s. 706.01 require a separate section, in accordance with current style.

SECTION 136. 706.01 (title) of the statutes is repealed.

NOTE: Section 706.01 contained nondefinitions and definitions. The nondefinitions are being renumbered to s. 706.001. The new title for 706.01 is created in the next section of this bill.

SECTION 137. 706.01 (intro.) of the statutes is created to read:

706.01 Definitions. (intro.) In this chapter:

NOTE: Creates an (intro.) that explicitly limits existing definitions to the chapter in accordance with current style.

SECTION 138. 706.01 (1) to (3) of the statutes are renumbered 706.001 (1) to (3).

NOTE: Separates the nondefinitions in this section into a separate section in accordance with current style by renumbering them into a new section.

SECTION 139. 706.01 (4) to (7m) (intro.) and (10) of the statutes are amended to read:

706.01 (4) ~~A "conveyance" is "Conveyance" means~~ a written instrument, evidencing a transaction governed by this chapter, ~~which that~~ satisfies the requirements of s. 706.02.

(5) "Conveyance of mineral interests" means any transaction under ~~sub. s. 706.001~~ (1) entered into for the purpose of determining the presence, location, quality or quantity of metalliferous minerals or for the purpose of mining, developing or extracting metalliferous minerals, or both. Any transaction under ~~sub. s. 706.001~~ (1) entered into by a mining company is rebuttably presumed to be a conveyance of mineral interests.

(6) "Grantor" means the person from whom an interest in lands passes by conveyance ~~and includes, including,~~ without limitation, lessors, vendors, mortgagors, optionors, releasors, assignors and trust settlors of interest in lands. ~~"Grantee", and "grantee"~~ means the person to whom ~~such the~~ interest in land passes. Whenever consistent with the context, reference to the interest of a party includes the interest of the party's heirs, successors, personal representatives and assigns.

(7) "Homestead", as used in this chapter, means the dwelling, and so much of the land surrounding it as is reasonably necessary for use of the dwelling as a home, but not less than one-fourth acre (~~if available~~)₂ and not exceeding 40 acres.

(7m) (intro.) "Interest in minerals" means any fee simple interest in minerals beneath the surface of land ~~which that~~ is:

(10) "Signed" includes any handwritten signature or symbol on a conveyance intended by the person affixing or adopting the ~~same signature or symbol~~ to constitute an execution of the conveyance.

NOTE: Specific references are added, parentheses replaced and other modifications made to improve readability and conformity with current style. Replaces improperly used "which". Section 706.01 (1) is renumbered s. 706.001 (1) by this bill.

SECTION 140. 706.02 (1) (intro.) of the statutes is amended to read:

706.02 (1) (intro.) Transactions under s. ~~706.01~~ 706.001 (1) shall not be valid unless evidenced by a conveyance ~~which that~~ satisfies all of the following:

NOTE: Section 706.01 (1) is renumbered s. 706.001 (1) by this bill. Replaces improperly used "which" and conforms to current style.

SECTION 141. 706.07 (5) (a) 1. and 3. of the statutes are amended to read:

706.07 (5) (a) 1. A judge, clerk, or deputy clerk of a court;

3. An officer of the foreign service or consular officer of the United States;

NOTE: Replaces punctuation for internal consistency and conformity with current style.

SECTION 142. 706.08 (1) (a) of the statutes is amended to read:

706.08 (1) (a) ~~Every conveyance (except Except for~~ patents issued by the United States or this state, or by the proper officers of either) ~~which, every conveyance that~~ is not recorded as provided by law shall be void as against any subsequent purchaser, in good faith and for a valuable consideration, of the same real estate or any portion thereof of the same real estate whose conveyance shall first be duly is recorded first.

NOTE: Reorders text to eliminate the need for parentheses and replaces improperly used "which", deletes "duly" as being superfluous and inserts specific reference for improved readability and conformity with current style.

SECTION 143. 708.10 (1) (g) of the statutes is amended to read:

708.10 (1) (g) "Transaction" means a transaction under s. ~~706.01~~ 706.001 (1), including a refinancing of an existing indebtedness that is secured by a mortgage on real property, except that "transaction" does not include an open end credit plan as defined under 15 USC 1602 (i).

NOTE: Section 706.01 (1) is renumbered s. 706.001 (1) by this bill.

SECTION 144. 765.02 (2) of the statutes is amended to read:

765.02 (2) If a person is between the age of 16 and 18 years, a marriage license may be issued with the written consent of the person's parents, guardian, custodian under s. 767.23 (1) or 767.24, or parent having the actual care, custody and control of the person. The written consent must be given before the county clerk under oath, or certified in writing and verified by affidavit (or affirmation) before a notary public or other official authorized to take affidavits. The written consent shall be filed with the county clerk at the time of application for a marriage license. If there is no guardian, parent or custodian or if the custodian is an agency or department, the written consent may be given, after notice to any agency or department appointed as custodian and hearing proper cause shown, by the court having probate jurisdiction.

NOTE: Deletes unnecessary parentheses.

SECTION 145. 765.05 of the statutes is amended to read:

765.05 Marriage license; by whom issued. No person may be joined in marriage within this state until a marriage license has been obtained for that purpose from the county clerk of the county in which one of the parties has resided for at least 30 days immediately prior to making application therefor. If both parties are nonresidents of the state, the marriage license may be obtained from the county clerk of the county where the marriage cere-

mony is to be performed. If one of the persons is a nonresident of the county where the marriage license is to issue, the nonresident's part of the application may be completed and sworn to (or affirmed) before the person authorized to accept such marriage license applications in the county and state in which the nonresident resides.

NOTE: Deletes unnecessary parentheses and inserts specific reference.

SECTION 146. 765.09 (3) of the statutes is renumbered 765.09 (3) (a) and amended to read:

765.09 (3) (a) Each party applicant for a marriage license shall present satisfactory, documentary proof of identification and residence and shall swear (to or affirm) to the application before the clerk who is to issue the marriage license or the person authorized to accept such marriage license applications in the county and state where the party resides. The application shall contain the social security number of each party, as well as any other informational items that the department of health and family services directs. The portion of the marriage application form that is collected for statistical purposes only shall indicate that the address of the marriage license applicant may be provided by a county clerk to a law enforcement officer under the conditions specified under s. 765.20 (2).

(b) Each applicant for a marriage license under 30 years of age shall exhibit to the clerk a certified copy of a birth certificate, and any applicants each applicant shall submit a copy of any judgments judgment or a death certificate affecting the applicant's marital status. If such any applicable birth certificate, death certificate or judgment is unobtainable, other satisfactory documentary proof of the requisite facts therein may be presented in lieu thereof of the birth certificate, death certificate or judgment. Whenever the clerk is not satisfied with the documentary proof presented, he or she shall submit the same, for an opinion as to the sufficiency of the proof, presented proof to a judge of a court of record in the county of application for an opinion as to its sufficiency.

NOTE: Subdivides long subsection. Deletes unnecessary parentheses, changes plural word forms to the singular, inserts specific references and reorders text for improved readability and conformity with current style.

SECTION 147. 765.16 (intro.) and (1) to (3) of the statutes are amended to read:

765.16 Marriage contract, how made; officiating person. (intro.) Marriage may be validly solemnized and contracted in this state only after a marriage license has been issued therefor, and only ~~in the following manner:~~ by the mutual declarations of the 2 parties to be joined in marriage that they take each other as husband and wife, made before a duly an authorized officiating person and in the presence of at least 2 competent adult witnesses other than such the officiating person, ~~that they take each other as husband and wife~~. The following are duly authorized to be officiating persons:

(1) Any ordained member of the clergy of any religious denomination or society who continues to be ~~such an~~ an ordained member of the clergy.

(2) Any licentiate of a denominational body or an appointee of any bishop serving as the regular member of the clergy of any church of the denomination to which the member of the clergy belongs, if not restrained from so doing by the discipline of the church or denomination.

(3) The 2 parties themselves, by ~~such~~ mutual declarations that they take each other as husband and wife, in accordance with the customs, rules and regulations of any religious society, denomination or sect to which either of ~~said the~~ the parties may belong.

NOTE: Reorders text and inserts specific reference and replaces for improved clarity and readability. Replaces punctuation for internal consistency and conformity with current style. Deletes "duly" as being superfluous.

SECTION 148. 799.14 (1) of the statutes is amended to read:

799.14 (1) PETITION; HEARING; TRIAL ON MERITS. In any action, where service of summons is made by mailing, a defendant, at any time within 15 days of receiving actual knowledge of the pendency of the action or of the entry of judgment against the defendant (if judgment has been entered), but not more than one year after judgment was entered, may, by written verified petition, on forms provided by the court, petition to set aside the judgment if one has been entered and for an opportunity to be heard upon the merits. Thereupon the court shall set the matter for hearing at a time that will give the parties reasonable opportunity to appear and, if judgment has been entered, shall stay all proceedings on the judgment. At the time of the hearing the questions raised by the petition shall first be heard and determined by the court. If the court grants the petition, the court shall proceed to try the matter upon the merits or, if judgment has been entered, shall vacate the judgment and proceed to try the matter upon the merits. If the court denies the petition, it shall, if judgment has been entered, revoke its order staying proceedings thereon or, if a judgment has not been entered, it may give the defendant opportunity to be heard upon the merits.

NOTE: Replaces parentheses consistent with current style.

SECTION 149. 805.07 (6) (title) of the statutes is created to read:

805.07 (6) (title) MOTION HEARING PROCEDURE.

NOTE: The other subsections in s. 805.07 have titles.

SECTION 150. 807.13 (4) (title) of the statutes is amended to read:

807.13 (4) (title) NOTICE; REPORTING; STIPULATION; WAIVERS; ETC. EFFECT OF ACTIONS TAKEN; ACCESS.

NOTE: Inserts more descriptive phrase to eliminate the use of "etc."

SECTION 151. 809.25 (1) (a) 1. to 3. of the statutes are amended to read:

809.25 (1) (a) 1. Against the appellant before the court of appeals when the appeal is dismissed or the judgment or order affirmed.

2. Against the respondent before the court of appeals when the judgment or order is reversed.

3. Against the petitioner before the supreme court when the judgment of the court of appeals is affirmed by the supreme court.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

SECTION 152. 814.28 (4) of the statutes is amended to read:

814.28 (4) DEPOSIT IN LIEU OF UNDERTAKING. The plaintiffs in lieu of ~~such an~~ an undertaking under sub. (3) may deposit with the clerk of the court (who shall give a receipt therefor) money equal to the amount specified in the order for security, and give notice of ~~such the~~ the deposit.

NOTE: Replaces parentheses and "such" for improved readability and conformity with current style.

SECTION 153. 815.05 (intro.) of the statutes is renumbered 815.05 (1g) (a) (intro.) and amended to read:

815.05 (1g) (a) (intro.) The execution shall be issued from and sealed with the seal of the court and signed by the clerk of circuit court where the judgment, or a certified copy of the judgment, or the transcript of the municipal judge's judgment is filed. The execution shall be directed to the sheriff, or, except as provided for in par. (b), the coroner if the sheriff is a party or interested, and countersigned by the judgment owner or ~~his or her the~~ owner's attorney. The execution shall intelligibly refer to the judgment, stating all of the following:

1. ~~The court, the~~

2. ~~The~~ county where the judgment or a certified copy of the judgment or the transcript is filed, ~~the~~

3. ~~The~~ names of the parties, ~~the~~

4. ~~The~~ amount of the judgment, if it is for money, ~~the~~

5. ~~The~~ amount due on the judgment, ~~and the~~

6. ~~The~~ time of entry in the judgment and lien docket in the county to which the execution is issued. ~~The execution shall require the officer, substantially as follows:~~

NOTE: Subdivides provision in outline form consistent with current style. The directive to officers is deleted from this provision as it does not apply grammatically to all of subs. (1) to (8) and is inserted into each of those provisions to which it does apply. The deletion of the directive to officers renders this provision not an (intro.) and requires its renumbering to be a subsection. Section 815.13 allows directing an execution against a sheriff to persons other than the coroner. That section is renumbered to be sub. (1g) (b) of this section for more logical location. See the next 3 sections of this bill.

SECTION 154. 815.05 (1) of the statutes is renumbered 815.05 (1s) and amended to read:

815.05 (1s) If ~~it be the execution is~~ the execution is against the property of the judgment debtor, the execution shall require the officer to whom it is directed to satisfy the judgment

out of the personal property of the debtor, and if sufficient personal property cannot be found, out of the real property belonging to the judgment debtor on the day when the judgment was entered in the judgment and lien docket in the county or at any time thereafter.

NOTE: The renumbering of s. 815.05 (intro.) by the previous section of this bill requires the renumbering of this provision to maintain its proper location within the section. A specific reference is inserted and the directive previously contained in s. 815.05 (intro.) is inserted for improved readability and conformity with current style. See also the previous section of this bill.

SECTION 155. 815.05 (2) to (8) of the statutes are amended to read:

815.05 (2) If real estate ~~shall have~~ has been attached and judgment rendered for the plaintiff, the execution may also direct a sale of the interest ~~which that~~ the defendant had in ~~such the attached~~ real estate at the time it was attached or at any time thereafter.

(3) If the execution is upon a judgment to enforce a lien upon specific property, the execution shall require the officer to whom it is directed to sell the interest ~~which that~~ the defendant had in ~~such that specific~~ property at the time ~~such that~~ the lien attached.

(4) If ~~it be~~ the execution is against property in the hands of personal representatives, heirs, devisees, legatees, tenants of real property or trustees, the execution shall require the officer to whom it is directed to satisfy the judgment out of ~~such that~~ property.

(5) If ~~it be~~ the execution is against the person of the judgment debtor, the execution shall require the officer to whom it is directed to arrest the judgment debtor and commit the judgment debtor to the county jail until the judgment debtor ~~shall pay~~ pays the judgment or ~~be is~~ discharged according to law.

(6) If ~~it~~ the execution is for the delivery of property, the execution shall require the officer to whom it is directed to deliver the possession of the property, particularly describing the property, to the party entitled to the property, and may require the officer to satisfy any costs, damages or rents and profits covered by the judgment out of the personal property of the party against whom the judgment was rendered, and shall specify the value of the property for which the judgment was recovered. If delivery of the property is not possible and if sufficient personal property cannot be found, the officer may satisfy the judgment out of the real property belonging to the person against whom the execution was rendered on the day when the judgment was entered in the judgment and lien docket or at any time thereafter. ~~When~~

(6m) If a judgment in replevin is entered against the principal and also against the principal's sureties under s. 810.15, the execution shall direct that the property of the surety shall not be levied on unless the property found, belonging to the principal, is not sufficient to satisfy the judgment.

(7) ~~When~~ If the judgment is not all due, the execution may issue for the collection of ~~such any~~ instalments as that have become due, and shall direct the sheriff to collect the amount then due, with interest and costs, stating the amount of each; ~~the~~ The judgment shall remain as security for the instalments thereafter to become due, and whenever any further instalments ~~shall~~ become due, execution may in like manner be issued for their collection.

(8) Except as provided in s. 807.01 (4), every execution upon a judgment for the recovery of money shall direct the collection of interest at the rate of 12% per year on the amount recovered from the date of the entry ~~thereof~~ of the judgment until it is paid.

NOTE: Specific references are inserted and the directive previously contained in s. 815.05 (intro.) is inserted where appropriate for improved readability and conformity with current style. Subsection (6m) is separated from sub. (6) because it relates to a separate subject. See also the previous 2 sections of this bill.

SECTION 156. 815.13 (title) of the statutes is repealed.

SECTION 157. 815.13 of the statutes is renumbered 815.05 (1g) (b) and amended to read:

815.05 (1g) (b) Whenever a judgment ~~shall be~~ is recovered in any court of record against the sheriff ~~instead of directing,~~ the execution thereon ~~to the coroner of the county~~ it may be directed and delivered to any person ~~(, except a party in interest),~~ designated by order of the court; ~~and such person who~~ shall perform the duties of a sheriff and be liable in all respects to all the provisions of law respecting sheriffs, ~~as far as the same may be~~ to the extent that those laws are applicable.

NOTE: Section 815.05 provides that executions "shall be directed to the sheriff, or the "coroner if the sheriff is a party or interested". This bill amends that provision to read that executions shall be directed to the sheriff, or, except as provided for in par. (b), [this provision as renumbered] the coroner if the sheriff is a party or interested", eliminating the need for the reference to the coroner in this section. Section 815.13 is moved to s. 815.05 to be placed with the related material in that section. Parentheses are replaced consistent with current style and more specific language is added.

SECTION 158. 840.01 of the statutes is renumbered 840.01 (intro.) amended to read:

840.01 Definition of interest in real property. (intro.) As used in chs. 840 to 846 "interest:

(1) Except as provided in sub. (2), "interest in real property" includes estates in, powers ~~(as provided in ch. 702)~~ under ch. 702 over, and all present and future rights to, title to, ~~or and~~ and interests in real property, including, without limitation by enumeration, security interests and liens on land, easements, profits, rights of appointees under powers, rights under covenants running with the land, powers of termination and homestead rights; ~~the~~ The interest may be ~~such as an interest that~~ was formerly designated legal or equitable; ~~the~~ The interest may be

surface, subsurface, suprasurface, riparian or littoral; but ~~but~~ “interest.”

(2) “Interest in real property” does not include interests held only as a member of the public nor does it include licenses.

NOTE: Reorders text to eliminate need for parentheses and replaces language, subdivides long sentence and inserts the full defined term in the second quote for internal consistency, improved readability and conformity with current style.

SECTION 159. 863.07 of the statutes is amended to read:

863.07 Assignment by distributee. If any person interested in an estate assigns all or part of his or her interest ~~therein (in the estate,~~ other than an interest not assignable by the specific language of the will), ~~as collateral or otherwise and the assignee serves a copy thereof of the assignment~~ on the personal representative of the estate and files a copy with the court in which the estate is being administered before the entry of the final judgment and before the property or interest covered by the assignment has been distributed under s. 863.01, the court shall assign to the assignee in the final judgment the interest or part of the interest of the assignor included within the assignment to the extent that the assignment is valid as determined by the court, after giving effect to any credits to which the assignor may prove himself or herself entitled. A personal representative incurs no liability to an assignee of a person interested for any acts performed or distribution made by the personal representative prior to the time a copy of the assignment is received by the personal representative or he or she has actual knowledge of the assignment.

NOTE: Inserts specific references and replaces parentheses for improved readability and conformity with current style.

SECTION 160. 867.04 of the statutes is amended to read:

867.04 Termination of joint tenancy and life estate. If a domiciliary of this state dies who immediately prior to death had an estate for life or an interest as a joint tenant in any property, or if a person not domiciled in this state dies having such an interest in property in this state, upon petition of any person interested in the property to the court of the county of domicile of the decedent ~~(, or if the decedent was not domiciled in this state, of any county where the property is situated),~~ the court shall issue a certificate, under the seal of the court. The certificate shall set forth the fact of the death of the life or joint tenant, the termination of the life estate or joint tenancy interest, the right of survivorship of any joint tenant and any other facts essential to a determination of the rights of persons interested. The certificate is prima facie evidence of the facts recited, and if the certificate relates to an interest in real property or to a debt ~~which that~~ is secured by an interest in real property, a certified copy or duplicate original of the certificate shall be recorded by

the petitioner in the office of the register of deeds in each county in this state in which the real property is located.

NOTE: Replaces parentheses and improperly used “which” in conformity with current style.

SECTION 161. 880.06 (2) of the statutes is amended to read:

880.06 (2) CHANGE OF RESIDENCE OF WARD OR GUARDIAN. If a guardian removes from the county where appointed to another county within the state or a ward removes from the county in which he or she has resided to another county within the state, the circuit court for the county in which the ward resides may appoint a new guardian as provided by law for the appointment of a guardian. Upon verified petition of the new guardian, accompanied by a certified copy of appointment and bond if the appointment is in another county, and upon the notice prescribed by s. 879.05 to the originally appointed guardian ~~(, unless he or she is the same person),~~ and to ~~such any~~ other persons as that the court shall order, the court of original appointment may order the guardianship accounts settled and the property delivered to the new guardian.

NOTE: Replaces parentheses and disfavored terms consistent with current style.

SECTION 162. 880.08 (3) (intro.) and (a) to (d) of the statutes are renumbered 880.08 (3) (am) (intro.) and 1. to 4. and amended to read:

880.08 (3) (am) (intro.) When the proposed ward is a minor, notice shall be given as provided in s. 879.05 to all of the following persons, if applicable:

1. ~~To the~~ The proposed ward’s spouse;
2. ~~To~~ The proposed ward’s parents;
3. ~~To a~~ A minor proposed ward over 14 years of age unless the minor appears at the hearing;
4. ~~To any~~ Any other person, agency, institution, welfare department or other entity having the legal or actual custody of the minor.

NOTE: The subject matter of section 880.08 (3) (e) does not fit within the list under s. 880.08 (3) (intro.), nor does par. (e) fit grammatically within that list. The renumbering by this section separates par. (e) from the list.

SECTION 163. 880.08 (3) (e) of the statutes is amended to read:

880.08 (3) (e) No notice under par. (am) need be given to parents whose rights have been judicially terminated.

NOTE: Inserts a specific cross-reference. See the previous section of this bill. The underscored language is inserted for clarity and conformity with current style.

SECTION 164. 880.26 (1) and (2) of the statutes are amended to read:

880.26 (1) GUARDIANSHIP OF THE PERSON. A guardianship of the person shall terminate when any of the following occurs:

- (a) ~~When a~~ A minor ward attains his or her majority, unless the minor is incompetent.

(b) ~~When a~~ A minor ward lawfully marries.

(c) ~~When the~~ The court adjudicates a former incompetent to be competent.

(2) GUARDIANSHIP OF THE ESTATE. A guardianship of the estate shall terminate when any of the following occurs:

(a) ~~When a~~ A minor ward attains his or her majority.

(b) ~~When a~~ A minor ward lawfully marries and the court approves ~~such~~ the termination.

(c) ~~When the~~ The court adjudicates a former incompetent or a spendthrift to be capable of handling his or her property.

(d) ~~When a~~ A ward dies (~~unless, except when~~ the estate can be settled as provided by s. 880.28).

NOTE: Replaces parentheses and amends the (intro.) subdivisions and the subsequent paragraphs in conformity with current style.

SECTION 165. 880.60 (2) of the statutes is amended to read:

880.60 (2) ADMINISTRATOR AS PARTY IN INTEREST. (a) The administrator shall be a party in interest in any proceeding for the appointment or removal of a guardian or for the removal of the disability of minority or mental incapacity of a ward, and in any suit or other proceeding affecting in any manner the administration by the guardian of the estate of any present or former ward whose estate includes assets derived in whole or in part from benefits heretofore or hereafter paid by the U.S. department of veterans affairs.

(b) Not less than 15 days prior to a hearing in ~~such matter a suit or proceeding described in par. (a),~~ notice in writing of the time and place ~~thereof of the hearing~~ shall be given by mail (~~unless notice is waived in writing~~), to the office of the U.S. department of veterans affairs having jurisdiction over the area in which ~~any such~~ the suit or ~~any such~~ proceeding is pending.

NOTE: Replaces parentheses, subdivides provision and inserts specific references for improved readability and conformity with current style.

SECTION 166. 885.44 (12) of the statutes is renumbered 885.44 (12) (a) (intro.) and amended to read:

885.44 (12) (a) (intro.) The original videotape shall not be affected by any editing process. In its order for editing the court may: ~~(a) order~~ do any of the following:

1. Order the official to keep the original videotape intact and make an edited copy of the videotape ~~which that~~ deletes all references to objections and objectionable material; ~~(b) order,~~

2. Order the person showing the original videotape at trial to suppress the objectionable audio portions of the videotape; ~~or (c) order,~~

3. Order the person showing the original videotape at trial to suppress the objectionable audio and video portions of the videotape.

(b) If the court uses ~~alternative (b)~~ enters an order under par. (a) 2., it shall, in jury trials, instruct the jury to

disregard the video portions of the presentation when the audio portion is suppressed.

(c) If the court uses ~~alternative (c)~~ enters an order under par. (a) 3., it shall, in jury trials, instruct the jury to disregard any deletions apparent in the playing of the videotape.

NOTE: Subdivides provision in outline form and amends the (intro.) paragraph and the subsequent subdivisions for improved readability and conformity with current style.

SECTION 167. 891.23 of the statutes is renumbered 891.23 (1) and amended to read:

891.23 (1) Copies of the entries in the books of any life or mutual benefit insurance corporation or association engaged in doing business on the level premium or assessment plan, together with statements verified by the custodian of the books, showing the number of members insured in or belonging to the corporation or association, and the number of members in each class or grade thereof, and the aggregate amount ~~which that~~ would be due from them upon a single assessment, and that the copies are true and are taken from the regular books of the corporation or association used and kept for the transaction of its business, and that the books are now in his or her custody or under his or her control, shall be received in all proceedings as prima facie evidence of the entries or statements.

(2) No officer of any ~~such~~ corporation or association described in sub. (1) may be compelled (~~unless by special order of the court or officer before whom the action or proceeding is pending~~) to produce any books or records ~~thereof of the corporation or association, except by special order of the court or officer before whom the action or proceeding is pending.~~ Verified copies and statements shall be furnished to the attorney who reasonably requires them, at least 6 days before the time set for the trial or hearing of the action or proceeding, and the books and records shall be subject to the inspection of any interested party or his or her attorney to the extent prescribed by the court or officer.

NOTE: Subdivides long paragraph, inserts specific reference and cross-reference and relocates text to accommodate the removal of parentheses for improved readability and conformity with current style. Replaces "which" with "that" to correct grammar.

SECTION 168. 893.17 (2) of the statutes is renumbered 893.17 (2) (intro.) and amended to read:

893.17 (2) (intro.) ~~If~~ Except as provided in sub. (2m), if a person entitled to commence any action for the recovery of real property or to make an entry or defense founded on the title to real property or to rents or services out of the ~~same~~ real property is, at the time ~~such the~~ title shall first descend or accrue, ~~either: within~~ under any of the following disabilities, the time during which the disability continues is not a part of the time limited by this chapter for the commencement of the action or the making of the entry or defense:

~~(a) The person is under the age of 18 years; or,~~

~~(b) The person is insane; or,~~

~~(c) The person is imprisoned on a criminal charge or in execution upon conviction of a criminal offense, for a term less than for life, the time during which such disability shall continue shall not be deemed any portion of the time in this chapter limited for the commencement of such action or the making of such entry or defense; but such~~

(2m) An action under sub. (2) may be commenced or entry or defense made, after the time limited and within 5 years after the disability shall cease ~~ceases~~ or after the death of the person entitled, ~~who shall die dies, if the person dies while~~ under such ~~the~~ disability, but ~~such the~~ action shall not be commenced or entry or defense made after that period.

NOTE: Subdivides provision in outline form and amends the (intro.) paragraph and the subsequent paragraphs for improved readability and conformity with current style and s. 893.18 (2), a similar and related provision.

SECTION 169. 893.18 (2) (intro.) of the statutes is amended to read:

893.18 (2) (intro.) If a person entitled to bring an action mentioned in this chapter, Except as provided in sub. (2m), and except in actions for the recovery of a penalty or forfeiture or actions against a sheriff or other officer for an escape, or actions for the recovery or possession of real property or the possession thereof is, if a person entitled to bring an action mentioned in this chapter was at the time the cause of action accrued, either under any of the following disabilities, the time of the disability is not a part of the time limited for the commencement of the action:

NOTE: Moves text from s. 893.18 (2) (c) and amends provision in order to conform the style of this (intro.) subsection and the numbering of the subsection to current style. Changes "is" to "was" for internal agreement, using the past tense as this section applies only to actions accruing prior to 7-1-80. See the next section of this bill.

SECTION 170. 893.18 (2) (a) to (c) of the statutes are amended to read:

893.18 (2) (a) ~~Within~~ The person is under the age of 18 years, except for actions against health care providers; ~~or,~~

(b) ~~Insane;~~ The person is insane.

(c) ~~Imprisoned~~ The person is imprisoned on a criminal charge or in execution under sentence of a criminal court for a term less than life, ~~the time of such disability is not a part of the time limited for the commencement of the action, except that the~~

(2m) The period within which the an action must be brought cannot be extended under sub. (2) more than 5 years by any ~~such~~ disability, except infancy; nor can it that period be so extended, in any case, longer than one year after the disability ceases.

NOTE: Separates language that does not fit within the subject matter of s. 893.18 (2) (c) into a separate sub. (2m) and

amends pars. (a) to (c) in accordance with the treatment of s. 893.18 (2) (intro.) by the previous section of this bill.

SECTION 171. 895.01 (1) of the statutes is renumbered 895.01 (1) (intro.) and amended to read:

895.01 (1) (intro.) In addition to the causes of action that survive at common law, all of the following ~~shall~~ also survive: ~~causes~~

(a) Causes of action to determine paternity;

(b) Causes of action for the recovery of personal property or the unlawful withholding or conversion of personal property;

(c) Causes of action for the recovery of the possession of real estate and for the unlawful withholding of the possession of real estate;

(d) Causes of action for assault and battery;

(e) Causes of action for false imprisonment;

(f) Causes of action for invasion of privacy;

(g) Causes of action for a violation of s. 968.31 (2m) or other damage to the person;

(h) Causes of action for all damage done to the property rights or interests of another;

(i) Causes of action for goods taken and carried away;

(j) Causes of action for damages done to real or personal estate, equitable;

(k) Equitable actions to set aside conveyances of real estate;

(L) Equitable actions to compel a reconveyance of real estate; or,

(m) Equitable actions to quiet the title to real estate; and,

(n) Equitable actions for a specific performance of contracts relating to real estate.

(o) Causes of action for wrongful death, which shall survive the death of the wrongdoer whether or not the death of the wrongdoer occurred before or after the death of the injured person.

NOTE: Subdivides long provision in outline form to break up long sentence, consistent with current style.

SECTION 172. 895.70 (2) (b) of the statutes is amended to read:

895.70 (2) (b) Notwithstanding ss. 801.09 (1), 801.095, 802.04 (1) and 815.05 ~~(intro.)~~ (1g) (a), in an action brought under this section, the plaintiff may substitute his or her initials, or fictitious initials, and his or her age and county of residence for his or her name and address on the summons and complaint. The plaintiff's attorney shall supply the court the name and other necessary identifying information of the plaintiff. The court shall maintain the name and other identifying information, and supply the information to other parties to the action, in a manner ~~which that~~ reasonably protects the information from being disclosed to the public.

NOTE: Amends cross-reference. Section 815.05 (intro.) is renumbered s. 815.05 (1g) (a) by this bill. Replaces incorrectly used "which" in conformity with current style.

SECTION 173. 902.01 (2) of the statutes is renumbered 902.01 (2) (intro.) and amended to read:

902.01 (2) **KINDS OF FACTS.** (intro.) A judicially noticed fact must be one not subject to reasonable dispute in that it is either any of the following:

(a) A fact generally known within the territorial jurisdiction of the trial court ~~or~~.

(b) A fact capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

NOTE: Renumbers provision in outline form consistent with current style and amends the (intro.) subsection and subsequent paragraphs accordingly.

SECTION 174. 906.11 (1) of the statutes is renumbered 906.11 (1) (intro.) and amended to read:

906.11 (1) (intro.) **CONTROL BY JUDGE.** The judge shall exercise reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to do all of the following:

(a) make Make the interrogation and presentation effective for the ascertainment of the truth;~~,~~

(b) avoid Avoid needless consumption of time;~~and,~~

(c) protect Protect witnesses from harassment or undue embarrassment.

NOTE: Renumbers provision in outline form consistent with current style and amends the (intro.) subsection and subsequent paragraphs accordingly.

SECTION 175. 906.13 (2) of the statutes is renumbered 906.13 (2) (a) (intro.) and amended to read:

906.13 (2) (a) (intro.) Extrinsic evidence of a prior inconsistent statement by a witness is not admissible unless: (a) the any of the following is applicable:

1. The witness was so examined while testifying as to give the witness an opportunity to explain or to deny the statement;~~or (b) the.~~

2. The witness has not been excused from giving further testimony in the action;~~or (c) the.~~

3. The interests of justice otherwise require. This provision

(b) Paragraph (a) does not apply to admissions of a party-opponent as defined in s. 908.01 (4) (b).

NOTE: Renumbers provision in outline form consistent with current style and amends the (intro.) subsection and subsequent paragraphs accordingly. Inserts specific cross-references.

SECTION 176. 908.03 (3) of the statutes is amended to read:

908.03 (3) **THEN EXISTING MENTAL, EMOTIONAL, OR PHYSICAL CONDITION.** A statement of the declarant's then existing state of mind, emotion, sensation, or physical condition ~~(,~~ such as intent, plan, motive, design, mental feeling, pain, and bodily health), but not including a statement of memory or belief to prove the fact remembered or believed unless it relates to the execution, revocation, identification, or terms of declarant's will.

NOTE: Replaces parentheses consistent with current style.

SECTION 177. 908.03 (22) of the statutes is amended to read:

908.03 (22) **JUDGMENT OF PREVIOUS CONVICTION.** Evidence of a final judgment, entered after a trial or upon a plea of guilty ~~(,~~ but not upon a plea of no contest), adjudging a person guilty of a felony as defined in ss. 939.60 and 939.62 (3) (b), to prove any fact essential to sustain the judgment, but not including, when offered by the state in a criminal prosecution for purposes other than impeachment, judgments against persons other than the accused. The pendency of an appeal may be shown but does not affect admissibility.

NOTE: Replaces parentheses consistent with current style.

SECTION 178. 908.045 (5) (a) of the statutes is renumbered 908.045 (5) and amended to read:

908.045 (5) **STATEMENT OF PERSONAL OR FAMILY HISTORY OF DECLARANT.** A statement concerning the declarant's own birth, adoption, marriage, divorce, relationship by blood, adoption or marriage, ancestry, whether the person is a marital or nonmarital child, or other similar fact of personal or family history, even though declarant had no means of acquiring personal knowledge of the matter stated; ~~or (b) a.~~

(5m) A statement concerning the foregoing matters, birth, adoption, marriage, divorce, relationship by blood, adoption or marriage, ancestry, whether the person is a marital or nonmarital child, or other similar fact of personal or family history and death also, of another a person other than the declarant, if the declarant was related to the other person by blood, adoption or marriage or was so intimately associated with the other's other person's family as to be likely to have accurate information concerning the matter declared.

NOTE: Eliminates numbering not in conformity with current style by dividing provision into 2 separate subsections and inserting specific references into the new sub. (5m). See the next section of this bill.

SECTION 179. 908.045 (5m) (title) of the statutes is created to read:

908.045 (5m) (title) **STATEMENT OF PERSONAL OR FAMILY HISTORY OF PERSON OTHER THAN THE DECLARANT.**

NOTE: The remaining subsections of s. 908.045 have titles. See the previous section of this bill.

SECTION 180. 909.015 (intro.) of the statutes is amended to read:

909.015 General provision; illustrations. (intro.) By way of illustration only, and not by way of limitation, the following are examples of authentication or identification conforming with the requirements of s. 909.01:~~;~~

NOTE: Replaces punctuation to conform provision to current style for an (intro.).

SECTION 181. 909.015 (8) of the statutes is renumbered 909.015 (8) (intro.) and amended to read:

909.015 (8) **ANCIENT DOCUMENTS OR DATA COMPILATIONS.** (intro.) Evidence that a document or data compilation, in any form;~~;~~

(a) is ~~is~~ in such a condition as to create that creates no suspicion concerning its authenticity;

(b) ~~was~~ Was in a place where it, if authentic, would likely be; and

(c) ~~has~~ Has been in existence 20 years or more at the time it is offered.

NOTE: Renumbers provision in outline form consistent with current style.

SECTION 182. 909.02 (intro.) of the statutes is amended to read:

909.02 Self-authentication. (intro.) Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to any of the following:

NOTE: Adds language to conform provision to current style for an (intro.).

SECTION 183. 909.02 (3) of the statutes is amended to read:

909.02 (3) PUBLIC DOCUMENTS OF FOREIGN COUNTRIES. A document purporting to be executed or attested in his or her official capacity by a person authorized by the laws of a foreign country to make the execution or attestation, and accompanied by a final certification as to the genuineness of the signature and official position (~~a~~) of the executing or attesting person, or (~~b~~) of any foreign official whose certificate of genuineness of signature and official position relates to the execution or attestation or is in a chain of certificates of genuineness of signature and official position relating to the execution or attestation. A final certification may be made by a secretary of embassy or legation, consul general, consul, vice consul, or consular agent of the United States, or a diplomatic or consular official of the foreign country assigned or accredited to the United States. If reasonable opportunity has been given to all parties to investigate the authenticity and accuracy of official documents, the judge may, for good cause shown, order that they be treated as presumptively authentic without final certification or permit them to be evidenced by an attested summary with or without final certification.

NOTE: Deletes numbering not in conformity with current style.

SECTION 184. 938.991 (10) of the statutes is renumbered 938.991 (10) (intro.) and amended to read:

938.991 (10) ARTICLE X - SUPPLEMENTARY AGREEMENTS. (intro.) That the duly constituted administrative authorities of a state party to this compact may enter into supplementary agreements with any other state or states party hereto for the cooperative care, treatment and rehabilitation of delinquent juveniles whenever they shall find that such agreements will improve the facilities or programs available for such care, treatment and rehabilitation. Such care, treatment and rehabilitation may be provided in an institution located within any state entering into such supplementary agreement. Such supplementary agreements shall ~~(1) provide~~:

(a) Provide the rates to be paid for the care, treatment and custody of such delinquent juveniles, taking into consideration the character of facilities, services and subsistence furnished; ~~(2) provide~~

(b) Provide that the delinquent juvenile shall be given a court hearing prior to being sent to another state for care, treatment and custody; ~~(3) provide~~

(c) Provide that the state receiving such a delinquent juvenile in one of its institutions shall act solely as agent for the state sending such delinquent juvenile; ~~(4) provide~~

(d) Provide that the sending state shall at all times retain jurisdiction over delinquent juveniles sent to an institution in another state; ~~(5) provide~~

(e) Provide for reasonable inspection of such institutions by the sending state; ~~(6) provide~~

(f) Provide that the consent of the parent, guardian, person or agency entitled to the legal custody of said delinquent juvenile shall be secured prior to the delinquent juvenile's being sent to another state; and ~~(7) make~~

(g) Make provision for such other matters and details as shall be necessary to protect the rights and equities of such delinquent juveniles and of the cooperating states.

NOTE: Replaces numbering not in conformity with current style.

SECTION 185. 939.62 (1) (intro.) of the statutes is amended to read:

939.62 (1) (intro.) If the actor is a repeater, as that term is defined in sub. (2), and the present conviction is for any crime for which imprisonment may be imposed ~~(, except for an escape under s. 946.42 or a failure to report under s. 946.425),~~ the maximum term of imprisonment prescribed by law for that crime may be increased as follows:

NOTE: Replaces parentheses consistent with current style.

SECTION 186. 940.20 (7) (title) of the statutes is created to read:

940.20 (7) (title) BATTERY TO EMERGENCY MEDICAL CARE PROVIDERS.

NOTE: The other subsections of s. 940.20 have titles.

SECTION 187. 941.27 (1) (title) of the statutes is created to read:

941.27 (1) (title) DEFINITION.

NOTE: The other subsection of s. 941.27 has a title.

SECTION 188. 943.03 of the statutes is amended to read:

943.03 Arson of property other than building. Whoever, by means of fire, intentionally damages any property (~~other than a building~~) of another without the person's consent, if the property is ~~of the~~ not a building and has a value of \$100 or more, is guilty of a Class E felony.

NOTE: Removes parentheses consistent with current style, and repositions text to accommodate the removal of parentheses and to improve readability.

SECTION 189. 943.04 of the statutes is amended to read:

943.04 Arson with intent to defraud. Whoever, by means of fire, damages any property ~~(, other than a building),~~ with intent to defraud an insurer of that property is guilty of a Class D felony. Proof that the actor recovered or attempted to recover on a policy of insurance by reason

of the fire is relevant but not essential to establish the actor's intent to defraud the insurer.

NOTE: Replaces parentheses consistent with current style.

SECTION 190. 946.13 (2) (intro.) of the statutes is amended to read:

946.13 (2) (intro.) Subsection (1) does not apply to any of the following:

NOTE: Amends provision consistent with current style for (intro.) provisions.

SECTION 191. 946.13 (2) (b) to (e) of the statutes are amended to read:

946.13 (2) (b) Contracts involving the deposit of public funds in public depositories; ~~or~~.

(c) Contracts involving loans made pursuant to s. 67.12; ~~or~~.

(d) Contracts for the publication of legal notices required to be published, provided such notices are published at a rate not higher than that prescribed by law; ~~or~~.

(e) Contracts for the issuance to a public officer or employe of tax titles, tax certificates, or instruments representing an interest in, or secured by, any fund consisting in whole or in part of taxes in the process of collection, provided such titles, certificates, or instruments are issued in payment of salary or other obligations due such officer or employe; ~~or~~.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

SECTION 192. 961.01 (2m) (a) of the statutes is amended to read:

961.01 (2m) (a) "Anabolic steroid" means any drug or hormonal substance, chemically or pharmacologically related to testosterone (except estrogens, progestin, and corticosteroids), that promotes muscle growth. The term includes all of the substances included in s. 961.18 (7), and any of their esters, isomers, esters of isomers, salts and salts of esters, isomers and esters of isomers, that are theoretically possible within the specific chemical designation, and if such esters, isomers, esters of isomers, salts and salts of esters, isomers and esters of isomers promote muscle growth.

NOTE: Replaces parentheses consistent with current style.

SECTION 193. 967.04 (5) (a) of the statutes is renumbered 967.04 (5) (a) (intro.) and amended to read:

967.04 (5) (a) (intro.) At the trial or upon any hearing, a part or all of a deposition (so far as it is otherwise admissible under the rules of evidence) may be used if ~~it appears: That the~~ any of the following conditions appears to have been met:

1. ~~The~~ witness is dead; ~~that the~~
2. ~~The~~ witness is out of state, unless it appears that the absence of the witness was procured by the party offering the ~~depositions; that the~~ deposition.
3. ~~The~~ witness is unable to attend or testify because of sickness or infirmity; ~~or that the~~
4. ~~The~~ party offering the deposition has been unable to procure the attendance of the witness by subpoena.

NOTE: Replaces parentheses and renumbers provision in outline form consistent with current style and amends the (intro.) paragraph and subsequent subdivisions accordingly.

SECTION 194. 969.02 (2) (intro.) and (b) of the statutes are consolidated, renumbered 969.02 (2) and amended to read:

969.02 (2) In lieu of release pursuant to sub. (1), the judge may: ~~(b) Require~~ require the execution of an appearance bond with sufficient solvent sureties, or the deposit of cash in lieu thereof.

NOTE: As there is only one paragraph under s. 969.02 (2), the subsection (intro.) and par. (b) are consolidated as one statutory unit.

SECTION 195. 975.06 (6) of the statutes is amended to read:

975.06 (6) Persons committed under this section who are also encumbered with other sentences, whether concurrent with or consecutive to the commitment, may be placed by the department in any of the facilities listed in s. 975.08 (2) or (3) (a). Such facilities may be regarded as state prisons for the purpose of beginning the other sentences, crediting time served on them, and computing parole eligibility dates.

NOTE: Amends cross-reference consistent with renumbering by this bill.

SECTION 196. 975.08 (3) of the statutes is renumbered 975.08 (3) (a) and amended to read:

975.08 (3) (a) The department may make use of law enforcement, detention, parole, medical, psychiatric, psychological, educational, correctional, segregative and other resources, institutions and agencies, public or private, within the state. The department may enter into agreements with public officials for separate care and special treatment (in existing institutions) of persons subject to the control of the department under this chapter.

(b) ~~Nothing herein contained shall give in par. (a) gives the department control any of the following:~~

1. Control over existing institutions or agencies not already under its control, ~~or give it power.~~
2. Power to make use of any private agency or institution without ~~its~~ that agency's or institution's consent.

NOTE: Subdivides provision, replaces parentheses and pronouns and inserts specific references for improved readability and conformity with current style.

SECTION 197. 978.12 (6) (a) of the statutes, as affected by 1999 Wisconsin Act 9, is amended to read:

978.12 (6) (a) 1. District attorneys and state employes of the office of district attorney shall be included within all insurance benefit plans under ch. 40, except as authorized in this paragraph. Alternatively, the state shall provide insurance benefit plans for district attorneys and state employes in the office of district attorney in the manner provided in this paragraph.

2. A district attorney or other employe of the office of district attorney who was employed in that office as a county employe on December 31, 1989, and who

received any form of fringe benefits other than a retirement, deferred compensation or employee-funded reimbursement account plan as a county employee, as defined by that county pursuant to the county's personnel policies, or pursuant to a collective bargaining agreement in effect on January 1, 1990, or the most recent collective bargaining agreement covering represented employees who are not covered by such an agreement, may elect to continue to be covered under all such fringe benefit plans provided by the county after becoming a state employee. In a county having a population of 500,000 or more, the fringe benefit plans shall include health insurance benefits fully paid by the county for each retired employee who, on or after December 31, 1989, attains at least 15 years of service in the office of district attorney of that county, whether or not the service is as a county employee, for the duration of the employee's life. An employee may make an election under this ~~paragraph~~ subdivision no later than January 31, 1990, except that an employee who serves as an assistant district attorney in a county having a population of 500,000 or more may make an election under this ~~paragraph~~ subdivision no later than March 1, 1990. An election under this ~~paragraph~~ subdivision shall be for the duration of the employee's employment in the office of district attorney for the same county by which the employee was employed or until the employee terminates the election under this ~~paragraph~~ subd. 4., at the same cost to the county as the county incurs for a similarly situated county employee.

3. Subject to par. (b), if the employer's cost for ~~such~~ fringe benefits described in subd. 2. for any ~~such~~ employee described in subd. 2. is less than or equal to the cost for comparable coverage under ch. 40, if any, the state shall reimburse the county for that cost. Subject to par. (b), if the employer's cost for such fringe benefits for any such employee is greater than the cost for comparable coverage under ch. 40, the state shall reimburse the county for the cost of comparable coverage under ch. 40 and the county shall pay the remainder of the cost. The cost of comparable coverage under ch. 40 shall equal the average cost of comparable coverage under ch. 40 for employees in the office of the state public defender, as contained in budget determinations approved by the joint committee on finance or the legislature under the biennial budget act for the period during which the costs are incurred.

4. An employee who makes the election under ~~this paragraph~~ subd. 2. may terminate that election, and shall then be included within all insurance benefit plans under ch. 40, except that the department of employee trust funds may require prior written notice, not exceeding one year's duration, of an employee's intent to be included under any insurance benefit plan under ch. 40.

NOTE: Subdivides long provision and inserts cross-references accordingly.

SECTION 198. 979.01 (1) (intro.) of the statutes is amended to read:

979.01 (1) (intro.) All physicians, authorities of hospitals, sanatoriums, public and private institutions (~~public and private~~), convalescent homes, authorities of any institution of a like nature, and other persons having knowledge of the death of any person who has died under any of the following circumstances, shall immediately report ~~such~~ the death to the sheriff, police chief, medical examiner or coroner of the county ~~wherein such~~ where the death took place, and the.

(1g) A sheriff or police chief shall, immediately upon notification of a death under sub. (1), notify the coroner or the medical examiner and the coroner or medical examiner of the county where death took place, if the crime, injury or event occurred in another county, shall immediately report such death immediately all of the following to the coroner or medical examiner of that county:

NOTE: Repositions text to accommodate the removal of parentheses, replaces disfavored terms and inserts language to conform the provision with the current style for an (intro.).

SECTION 199. 985.01 (2) (intro.) and (a) to (c) of the statutes are amended to read:

985.01 (2) (intro.) ~~The term "legal~~ "Legal notice" is means every notice required by law or by order of a court to be published in a newspaper or other publication, except notices required by private and local laws to be published in newspapers, and includes all of the following:

(a) Every publication of laws, ordinances, resolutions, financial statements, budgets and proceedings intended to give notice in an area;

(b) Every notice and certificate of election, facsimile ballot, referenda, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by law; ~~and~~.

(c) Every summons, order, citation, notice of sale or other notice ~~which~~ that is intended to inform a person that the person may or shall do an act or exercise a right within a designated period or upon or by a designated date.

NOTE: The subject matter of s. 985.01 (2) (d) does not fit within the list under s. 985.01 (2) (intro.), nor does it under the section (intro.). The text of par. (d) is moved to the (intro.) by amendment and par. (d) is repealed by the following section of this bill. Punctuation is replaced for conformity with current style. Incorrectly used "which" is replaced.

SECTION 200. 985.01 (2) (d) of the statutes is repealed.

NOTE: See the previous section of this bill.

SECTION 201. 990.01 (13) (a) of the statutes is amended to read:

990.01 (13) (a) The word "homestead" means the dwelling and so much of the land surrounding it as is reasonably necessary for use of the dwelling as a home, but not less than one-fourth acre (if available), and not exceeding 40 acres.

NOTE: Replaces parentheses consistent with current style.

SECTION 202. Effective date.

(1) The treatment of section 341.05 (26) of the statutes takes effect on July 1, 2000.
