



---

---

## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

---

---

**2007 Assembly Bill 305**

**Assembly Amendment 2**

*Memo published: October 18, 2007*

*Contact: Don Salm, Senior Staff Attorney (266-8540)*

Assembly Amendment 2 makes the following minor changes in the bill:

1. The amendment makes a technical change, changing an incorrect cross-reference to ch. 880, Stats., to refer to “ch. 54 or ch. 880, 2003, Stats.” [See items 1 and 4 in the amendment.]
2. The **bill** provides that if individuals on the same level of priority are unable to agree on the final disposition of remains, the probate court has jurisdiction to designate an individual as most fit and appropriate to control the final disposition. The bill specifies that, with reference to such a designation, a petition regarding control of the final disposition may be filed in the probate court by specified persons, including “An individual seeking control of the final disposition who claims a closer personal relationship to the decedent than the decedent’s next of kin **who has lived with the decedent**....” The **amendment** deletes “who has lived with the decedent” because it was not the intent of the authors of the bill to limit this provision to an individual who has lived with the decedent. [See items 2 and 3 in the amendment.]

### Legislative History

Assembly Amendment 2 was offered by Representatives Kerkman and Sherman. The Assembly Committee on State Affairs recommended adoption of the amendment by a vote of Ayes, 9, Noes, 0. The committee then recommended passage of the bill, as amended, by a vote of Ayes, 9, Noes, 0.

DLS:jal