

1975 Senate Bill 572

Date published: April 13, 1976

CHAPTER 198, Laws of 1975

AN ACT to repeal, renumber, renumber and amend, amend, reenact and create various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting and clarifying references, renumbering for better location and arrangement, eliminating unnecessary and obsolete provisions and reconciling conflicts (Revisor's Correction Bill).

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

SECTION 1. 13.48 (19) of the statutes, as created by chapter 40, laws of 1975, is renumbered 13.48 (21).

SECTION 2. 14.011 (intro.) of the statutes is amended by deleting the reference to section 289.14 (1) and by inserting references to sections 14.015, 16.475, 17.025 (4) and 59.032 (7).

SECTION 3. 14.38 (4) and (8) of the statutes are amended to read:

14.38 (4) (title) BIENNIAL REPORT. Report ~~annually~~ biennially in accordance with s. 15.04 (4) all matters pertaining to his office and, when required, furnish the governor or either branch of the legislature, in writing, any information relative to the performance of the duties of his office.

(8) RECORD FEES. Keep a record of all fees received by his office and include a summary of such record in his ~~annual~~ biennial report under s. 15.04 (4).

SECTION 4. 14.58 (7m) of the statutes is amended to read:

14.58 (7m) (title) BIENNIAL REPORT. Report ~~annually~~ biennially in accordance with s. 15.04 (4) all matters pertaining to his office.

SECTION 5. 14.78 (2) (d) of the statutes is amended to read:

14.78 (2) (d) To report ~~annually~~ biennially in accordance with s. 15.04 (4), and to make such other reports as are requested by the governor or which it deems appropriate.

SECTION 6. 15.191 (intro.) of the statutes is amended by deleting references to sections 97.40, 139.13, 285.05, 441.01, 701.10 (3) and 879.27.

SECTION 7. 15.251 (intro.) of the statutes is amended by deleting references to sections 72.85, 73.03 (27), 101.02 (5) (e), 176.65 (1) and 454.08 and by inserting references to sections 73.03 (25) and 450.07.

SECTION 8. 15.251 (2) of the statutes is amended by deleting the reference to section 450.07.

SECTION 9. 15.341 (intro.) of the statutes is amended by deleting the reference to section 36.25 (3) and by inserting a reference to chapter 87.

SECTION 10. 15.347 (9) (intro.) of the statutes is amended by deleting the words "by the governor".

SECTION 11. 15.371 (2) of the statutes, as amended by chapter 39, laws of 1975, section 729 (6) (a), is amended by deleting reference to section 20.255 (4).

SECTION 12. 15.791 of the statutes is amended by deleting references to sections 31.185 (3) and 66.047, and by inserting references to sections 59.968 (4), 182.0175 and 499.11.

SECTION 13. 15.821 (1) of the statutes is amended by deleting the reference to section 215.13 (26) (e).

SECTION 14. 15.911 (intro.) of the statutes is amended by substituting “s. 22.20” for the reference to “s. 22.20 (1)” and by deleting the reference to section “92.04 (4) (c)”.

SECTION 15. 16.53 (8) of the statutes is amended to read:

16.53 (8) CLAIMS REQUIRING LEGISLATIVE ACTION. All claims of every kind against the state requiring legislative action shall be made ~~in duplicate, as in the~~ manner provided in sub. (1), in duplicate, and shall be filed in the office of the secretary. The secretary shall examine the same, see if ordered by competent authority and, if properly made, designate the fund to which they are chargeable. The secretary shall as soon as practicable refer such claims to the claims board for its findings of fact, its conclusions and its report thereon to the legislature for action. Whenever a bill appropriating money for a claim becomes a law the secretary, before drawing his warrant therefor on the treasurer, shall see that the proper account on which such appropriation is based is filed in his office.

SECTION 16. 20.002 (10) of the statutes, as amended by chapter 39, laws of 1975, section 732 (1), is amended to substitute “committee” for “board”.

SECTION 17. 20.370 (3) (a) of the statutes, as created by chapter 51, laws of 1975, is renumbered 20.370 (1) (aa) and, as renumbered, is amended by deleting “chapter _____, laws of 1975 (this act)” and by substituting “s. 1.026”.

SECTION 18. 20.485 (2) (b) of the statutes, as amended by chapter 39, laws of 1975, is amended to read:

20.485 (2) (b) A sum sufficient to pay the investment board for interest loss sustained as defined in pars. ~~(x)~~ (up) and ~~(up)~~ (x).

SECTION 19. 29.66 (6) (b) of the statutes is amended to read:

29.66 (6) (b) If the defendant fails to appear in court at the time he is directed to appear, he is deemed to have tendered a plea of ~~nolo contendere~~ no contest and submitted to a fine or forfeiture plus costs, not exceeding the amount of the deposit. The court may either accept the plea of ~~nolo contendere~~ no contest and enter judgment accordingly or reject the plea and issue a warrant or summons under ~~s. 945.02~~ ch. 968. If the court accepts the plea of ~~nolo contendere~~ no contest, the defendant may move within 20 days to withdraw it and enter a plea of not guilty if he shows to the satisfaction of the court that his failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If, on reopening, the defendant is found not guilty the court shall return the deposit to him. If the defendant is found guilty, whether on the plea of ~~nolo contendere~~ no contest or after trial, any fine or forfeiture and costs imposed shall be taken out of the deposit and the balance, if any, returned to the defendant.

SECTION 20. 33.01 (3) of the statutes is amended to read:

33.01 (3) “District” means a public inland lake protection and rehabilitation district and includes districts organized under s. ~~33.225~~ 33.23.

SECTION 21. 33.01 (7) of the statutes is amended to read:

33.01 (7) “Project” means activities or works such as are described in s. ~~33.14~~

~~(4) 33.15 (4)~~ which are subject to the procedures of subch. III.

SECTION 22. 35.01 (3) of the statutes, as amended by chapter 39, laws of 1975, is amended by deleting the words "university of Wisconsin and the state universities" and by substituting "university of Wisconsin system".

SECTION 23. 39.155 (1) of the statutes, as amended by chapter 41, laws of 1975, is repealed and 39.155 (1) of the statutes, as amended by chapter 39, laws of 1975, is reenacted.

SECTION 24. 39.28 (3) of the statutes is amended to read:

39.28 (3) In its ~~annual~~ biennial report under s. 15.04 (4), the board also shall include recommendations for improvement of the state's student financial aid programs.

SECTION 25. 45.79 (6) (c) of the statutes, as renumbered and amended by chapter 26, laws of 1975, Section 12, is renumbered 45.79 (6) (b).

SECTION 26. 46.10 (8m) (c) of the statutes, as created by chapter 39, laws of 1975, is amended by deleting the comma after "(a)" and substituting "or".

SECTION 27. 50.06 (6) (f) of the statutes is amended by substituting "department" for "state health officer".

SECTION 28. 51.12 (3) of the statutes, as amended by chapter 39, laws of 1975, is amended by inserting "for" after "cared".

SECTION 29. 51.42 (7) (c) of the statutes, as amended by chapter 39, laws of 1975, is amended by inserting "be" after "may" in the last sentence.

SECTION 30. 51.42 (8) (L) of the statutes, as created by chapter 39, laws of 1975, is amended by inserting "a" before "mental health institute".

SECTION 31. 59.21 (8) (b) 3 of the statutes is amended by substituting "subd. 5" for the reference to "sub. (5)".

SECTION 32. 69.24 (1) (b) of the statutes, as amended by chapter 39, laws of 1975, is repealed and is reenacted as printed in the 1973 statutes.

SECTION 33. 70.113 (1) of the statutes, as amended by chapter 39, laws of 1975, section 734, is amended by deleting the reference to section "20.370 (3) (dn)".

SECTION 34. 74.031 (11) (d) of the statutes is repealed.

SECTION 35. 75.20 (2) of the statutes is amended to read:

75.20 (2) (title) TAX CERTIFICATES; WHEN VOID. Tax certificates ~~dated in 1946 and thereafter~~ shall be void after 11 years following December 31 of the year in which such certificates were dated.

SECTION 36. 75.20 (3) to (8a) of the statutes are repealed.

SECTION 37. 94.72 (2) (a) 2 of the statutes, as renumbered and amended by chapter 39, laws of 1975, is amended by deleting the period following "feed" and by substituting a semicolon.

SECTION 38. 94.72 (9) of the statutes, as amended by chapter 39, laws of 1975, is amended by inserting "(10) samples for analysis," after "sub."

SECTION 39. 121.02 (2) of the statutes, as amended by chapter 39, laws of 1975, is amended to read:

121.02 (2) ~~A school district shall be in compliance with at least one-third of the standards established in this section by July 1, 1973, except as provided in sub. (3). A school district shall be in compliance with all standards established in this section by July 1, 1975, except as provided in sub. (3).~~

SECTION 40. 121.91 (5) (a) of the statutes, as created by chapter 39, laws of 1975, is amended by deleting "ch; 115" and inserting "ch. 115".

SECTION 41. 121.93 (4) of the statutes, as amended by chapter 39, laws of 1975, is amended by substituting "form "D1" annexed" for "form "DI" annexed".

SECTION 42. 143.15 (2) of the statutes, as amended by chapter 39, laws of 1975, is amended by inserting "of specimens from suspected cases of disease or for the examination" following "microscopic examinations".

SECTION 43. 163.18 (1) of the statutes is amended, effective January 1, 1976, by substituting "ch. 801" for the reference to "ch. 262".

SECTION 44. 186.38 (2), (5) (intro.) and (10) of the statutes, as created by chapter 13, laws of 1975, are amended by substituting "Wisconsin credit union savings insurance corporation" wherever the words "Wisconsin credit union share insurance corporation" appear.

SECTION 45. 253.142 (1) (b) of the statutes is amended to read:

253.142 (1) (b) The person who files such an ~~affidavit of prejudice~~ a request may be ordered by the court to immediately pay to the adverse party the fees of his witnesses in attendance on the hearing date and an attorney fee of \$10, unless the adverse party was notified in writing at least 5 days prior to the hearing that ~~such affidavit~~ a request had been or would be filed. Failure to make payment as ordered shall nullify the effect of the ~~affidavit of prejudice request~~. This paragraph does not apply in case an outside judge is presiding at the hearing of such matter unless the ~~affiant requestor~~ has had 8 days' written notice that he was to preside.

SECTION 46. 263.03 (3) of the statutes, as amended by chapter 37, laws of 1975, is repealed effective January 1, 1976.

SECTION 47. 455.04 (2) of the statutes is repealed.

SECTION 48. 456.03 (2) of the statutes is repealed.

SECTION 49. 456.04 (4) of the statutes is amended to read:

456.04 (4) Has:

~~(a) Successfully completed a course of study and graduated from a high school or secondary school or has obtained a certificate of high school or secondary school equivalency; however no person shall be admitted to the examination under this paragraph after July 1, 1972; or~~

~~(b) Successfully~~ successfully completed 2 years college level study after secondary school or its equivalent.

SECTION 50. 456.04 (6) of the statutes is repealed.

SECTION 51. 655.009 (1) of the statutes, as created by chapter 37, laws of 1975, is amended effective January 1, 1976, to read:

655.009 (1) ~~Notwithstanding s. 263.03, the~~ The complaint in such action shall not specify the amount of money to which the plaintiff supposes he is entitled except to state whether such amount is \$10,000 or less or is over \$10,000. The complaint shall, if applicable, state that the damages he is entitled to are more than the minimum amount necessary to invoke the jurisdiction of the court.

SECTION 52. 655.11 of the statutes, as created by ch. 37, laws of 1975, is amended effective January 1, 1976, by deleting the reference to "section 269.36" and inserting a reference to "section 801.15 (5)".

SECTION 53. 655.14 of the statutes, as created by ch. 37, laws of 1975, is amended by substituting the words "filing fee" wherever the words "suit tax" appear.

SECTION 54. 710.10 (intro.) of the statutes is amended, effective January 1, 1976, by substituting "ch. 843" for the reference to "ch. 813".

SECTION 55. 812.19 (6) of the statutes, as renumbered from 267.19 (6) by Supreme Court order, effective January 1, 1976, is amended as of the same date to read:

812.19 (6) A debt owing by the owner of property subject to a ~~mechanic's~~ construction lien, pursuant to s. 289.01, shall not be deemed absolutely due until the claims of subcontractors and employes under s. 289.01 have matured or expired.

SECTION 56. 840.10 (3) of the statutes, as renumbered from 810.10 (3) by Supreme Court order, effective January 1, 1976, is amended as of the same date to delete the words "or as provided in s. 846.14 (3)".

SECTION 57. Chapter 846 of the statutes, as renumbered from chapter 816 by Supreme Court order, effective January 1, 1976, is amended as of the same date by creating subchapters I (title) and II (title) to read:

CHAPTER 846

SUBCHAPTER I

IN COURT FORECLOSURE

(to precede s. 846.01, as renumbered from 816.01 by
Supreme Court order, effective 1-1-76)

SUBCHAPTER II

FORECLOSURE BY ADVERTISEMENT

(to precede s. 846.51, as renumbered from 816.51 by
Supreme Court order, effective 1-1-76)

SECTION 58. 846.53, 846.60, 846.71 and 846.72, as renumbered from 816.53, 816.60, 816.71 and 816.72 by Supreme Court order, effective January 1, 1976, are amended as of the same date by substituting "this subchapter" for references to "this chapter".

SECTION 59. 846.61 of the statutes, as renumbered from 816.61 by Supreme Court order, effective January 1, 1976, is amended as of the same date by substituting "this subchapter" for "the provisions of this chapter".

SECTION 60. 846.66 (intro.) of the statutes, as renumbered from 816.66 (intro.) by Supreme Court order effective January 1, 1976, is amended as of the same date by substituting "under this subchapter" for "in pursuance of the provisions of this chapter".

SECTION 61. 895.45 of the statutes, as renumbered from 270.58 by Supreme Court order, effective January 1, 1976, is renumbered 895.46, effective the same date.

SECTION 62. Chapter 51, laws of 1975, sections 3, 4 and 5, are renumbered 1.026 (1), (2) and (3) of the statutes.

SECTION 63. The cross-reference change made by chapter 41, laws of 1975, section 52, to "20.285 (2) (d)" is repealed and the changes made by chapter 340, laws of 1973, stand as printed in the 1973 statutes.

SECTION 64. Chapter 39, laws of 1975, section 735 (5) (a), is amended to read:

(Chapter 39, laws of 1975) Section 735 (5) TRANSFER OF DIVISION OF HEALTH POLICY AND PLANNING. (a) As part of the reorganization of the department of health and social services, the governor shall, by executive order, transfer the division of health policy and planning to the department of health and social services. The

treatment of sections 15.101 (7), 15.103, 20.505 (8), except as it relates to the creation of 20.505 ~~(8) (f)~~, (8) (i) and (8) (n), and 20.923 (4) (f) 1 and 3 and (6) (cm) of the statutes by this act shall take effect upon the date specified by the governor in the executive order approving such transfer.

SECTION 65. Cross reference changes. In the sections of the statutes listed in column A, the cross references shown in column B are changed to the cross references shown in column C:

A Statute Sections	B Old Cross References	C New Cross References
15.191 (2)	94.69 (9)	94.69 (10)
16.61 (11) (b), as renumbered	sub. (3)	sub. (4)
38.12 (3) (b)	38.04 (4) (c)	38.04 (4) (a)
46.036 (4) (a)	sub. (1)	sub. (2) (a)
879.03 (2) (a)	879.23 (4)	879.23 (5)
879.15 (1)	879.23 (4)	879.23 (5)
