

CHAPTER 26, Laws of 1977

AN ACT to repeal, renumber, renumber and amend, amend and create various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of departments, officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating duplications, 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. 1.031 of the statutes is amended to read:

1.031 Retrocession of jurisdiction. The governor may accept on behalf of the state, retrocession of full or partial jurisdiction over any roads, highways or other lands in federal enclaves within the state where such retrocession has been offered by appropriate federal authority. Documents concerning such action shall be filed in the office of the secretary of state and recorded in the office of the register of deeds of the county wherein such lands are located.

SECTION 2. 5.10 of the statutes is amended by substituting "by whose names" for "by whose name".

SECTION 3. 5.15 (2) (a) of the statutes is amended by substituting "is at least 150,000" for "exceeds 150,000".

SECTION 4. 5.64 (3) (a) of the statutes is amended to read:

5.64 (3) (a) The ballot shall be titled "Official Presidential Ballot" in lettering at least three-eighths of an inch high. Directly underneath in plain, legible type shall be the following voting instructions: "Place a cross (x) or other mark in the square opposite the ~~name~~ names of the ~~candidate~~ candidates for whose electors you desire to vote or write in the name of a candidate for either president or vice president, or both, in the space provided. Vote in ONE square only". The electors of the ~~candidate~~ candidates need not be listed on the ballot but a vote for the candidates for president and vice president is a vote for them through their named presidential electors.

SECTION 5. 6.03 (1) (intro.) of the statutes is amended by substituting a colon for the period after "rejected".

SECTION 6. 6.10 (3) of the statutes is amended to read:

6.10 (3) When an elector moves from one ward to another or from one municipality to another within the state after the last registration day but at least 10 days before the election, the elector may vote in and be considered a resident of the new ward where residing upon transferring registration under s. 6.40 (1) or upon registering at the proper polling place in the new ward under s. 6.55 (2). If the elector moves within 10 days of an election, the elector shall vote in the elector's old ward if otherwise qualified to vote there.

SECTION 7. 6.82 (1) (a) of the statutes is amended to read:

6.82 (1) (a) When any ward inspectors are informed that an elector is at the door who is unable to enter the polling place without assistance, they may appoint 2 of their number to take an official ballot to the entrance, present it to the physically disabled person and assist in marking the ballot if the elector desires assistance. The 2 persons

chosen to assist shall not be of the same political party. When the ballot is marked it shall be folded and immediately taken into the polling place. The inspector shall distinctly announce that he or she has “a ballot offered by (stating person’s name), an elector physically disabled from entering the room without assistance”. ~~He~~ The inspector shall then ask, “Does any one object to the reception of this ballot”? If no objection is made, the ballot shall be deposited in the ballot box and a notation made on the registry ~~book~~ or poll list: “Ballot received at the door”.

SECTION 8. 8.50 (1) (a) of the statutes is amended to read:

8.50 (1) (a) When there is to be a special election, the special election for governor shall be ordered by the attorney general; the special election for county clerk shall be ordered by the sheriff; the special election for any other county office shall be ordered by the county clerk except as provided in s. 17.21 (5); and all other special elections shall be ordered by the governor. When the governor or attorney general issue the order, it shall be filed and recorded in the office of the board. When the county clerk or sheriff issue the order, it shall be filed and recorded in the office of the county clerk.

SECTION 9. 13.48 (2) (a) (3rd sent.) of the statutes is amended by substituting “state supported programs study and advisory committee” for “visiting committee”.

SECTION 10. 13.48 (2) (f) of the statutes is amended to read:

13.48 (2) (f) The commission may allocate funds from the state building trust fund or other sources available to them to equip university of Wisconsin ~~extension centers or state university branch campuses~~ when the facilities have been provided by the counties or other units of local government in accordance with s. 66.51 (1) (a) or 67.04 (2) (zp).

SECTION 11. 13.94 (1) (m) of the statutes is renumbered 13.94 (1m) and amended to read:

13.94 (1m) (title) INDEPENDENT EXPERTS. ~~May~~ The legislative audit bureau may contract for the services of such independent professional or technical experts as deemed necessary to carry out the statutory duties and functions of the bureau within the limits of the amount provided under s. 20.765 (3) (c); and, in the case of postaudits involving the performance and program accomplishments of a department, shall contract for the services of such subject matter and program specialists from any state or federal agency or public institution of higher learning as deemed necessary by the joint committee on legislative organization.

SECTION 12. 15.341 (intro.) of the statutes is amended by inserting references to chapters “33”, “147”, “162”, “350” and to section “107.05”.

SECTION 13. 15.405 (2) (c) of the statutes is amended to read:

15.405 (2) (c) All matters of joint interest shall be considered by joint meetings of all sections of the examining board or of those sections to which the problem is of interest. ~~The dean of the college of engineering shall be entitled to only one vote in any such joint meeting. At such joint meeting the dean of the college of engineering or the dean of the college of architecture, shall preside as chairman.~~

SECTION 14. 16.31 (3) (b) (intro.) of the statutes is amended to read:

16.31 (3) (b) (intro.) A conservation warden, conservation patrol boat captain, conservation patrol boat engineer, member of the state patrol, state motor vehicle inspector, university of Wisconsin policeman, ~~state university policeman and patrolman~~, security officer, watchman, member of the state fair police department, special tax agent and investigator employed by the division of criminal investigation of the department of justice at all times while:

SECTION 15. 16.825 (2) of the statutes is amended by substituting "assembly committee on internal management" for "assembly committee on printing".

SECTION 16. 19.47 (1) of the statutes is amended by substituting "subch. IV" for "subch. IV of ch. 19".

SECTION 17. 20.680 (4) (title) and (a) of the statutes are amended, effective January 1, 1978, by substituting "board of attorneys professional competence" for "bar commissioners".

SECTION 18. 20.680 (4) (b) of the statutes is amended, effective January 1, 1978, by substituting "board of attorneys professional competence" for "bar commissioners" and "the board" for "the commissioners".

SECTION 19. Subchapter I (title) of chapter 33 of the statutes is repealed.

SECTION 20. Subchapter I (title) of chapter 33 of the statutes is created to read:

CHAPTER 33

SUBCHAPTER I

INTENT; DEFINITIONS; AND DEPARTMENTAL POWERS

(to precede s. 33.001)

SECTION 21. Subchapter II (title) of chapter 33 of the statutes is amended to read:

CHAPTER 33

SUBCHAPTER II

INLAND LAKES PROTECTION AND REHABILITATION COUNCIL

SECTION 22. 33.06 and 33.07 of the statutes are renumbered 33.02 and 33.03, respectively.

SECTION 23. 35.001 (4) of the statutes is amended to read:

35.001 (4) "State agencies" include departments, boards, ~~commission commissions,~~ bureaus, institutions, and the university of Wisconsin ~~and state universities system.~~

SECTION 24. 36.25 (16) of the statutes, as created by chapter 408, laws of 1975 (partial veto overruled), is renumbered 36.25 (18).

SECTION 25. 43.58 (5) of the statutes is amended by substituting "university of Wisconsin system" for "university of Wisconsin, state universities".

SECTION 26. 44.02 (10) of the statutes is amended by inserting "system" after "Wisconsin".

SECTION 27. 44.10 (1) (1st sent.) of the statutes is amended to read:

44.10 (1) (1st sent.) ~~Said~~ The historical society, through its board of curators, in its corporate capacity and as trustee of the state may enter into agreements with the ~~state universities~~ university of Wisconsin system or such other public or quasi-public institutions, agencies or corporations as the ~~said~~ board of curators of the ~~said~~ society shall designate to serve as the regional records depository for a given area.

SECTION 28. 44.14 (1) (last sent.) of the statutes is amended to read:

44.14 (1) (last sent.) To this end the state documents depository established by s. 44.06 may acquire and establish a central state depository and loan collection of federal documents for the benefit of the university of Wisconsin system, the state law library, ~~the state universities~~, the depository libraries and such other college and public libraries in this state as may desire to share in the benefits of this loan collection.

SECTION 29. 44.14 (2) of the statutes is amended by substituting "The university of Wisconsin system" for "The state universities".

SECTION 30. 45.35 (6) of the statutes is amended by substituting "The university of Wisconsin system and" for "The university of Wisconsin, state universities and".

SECTION 31. 46.044 of the statutes is amended by substituting "university of Wisconsin-Madison" for "university of Wisconsin".

SECTION 32. 46.25 (2) (last sent.) of the statutes is amended to read:

46.25 (2) (last sent.) Disclosure of information under this subsection shall comply with s. ~~204 (a) (9)~~ 402 (a) (9) of the social security act, as amended (42 U.S.C. 602 (a) (9)).

SECTION 33. 51.01 (8) of the statutes is amended by substituting "uses" for "use".

SECTION 34. 51.20 (1) (a) 3 of the statutes is amended by substituting "subdivision" for "subparagraph".

SECTION 35. 51.20 (16) (a) of the statutes is amended by substituting "notice of appeal" for "notice a appeal".

SECTION 36. 51.35 (4) (b) of the statutes is amended by substituting "placed" for "place".

SECTION 37. 51.42 (8) (k) 4 of the statutes is amended by substituting "centers" for "colonies".

SECTION 38. 51.42 (8) (L) of the statutes is amended by substituting "centers" for "colonies".

SECTION 39. 51.437 (12) (d) of the statutes is amended by substituting "center for the developmentally disabled" for "colony" and "centers for the developmentally disabled" for "colonies".

SECTION 40. 54.02 (3) of the statutes, as created by chapter 39, laws of 1975, is amended by substituting "s. 806.01 (1)" for "s. 270.53 (1)".

SECTION 41. 55.06 (14) of the statutes is amended by substituting "center for the developmentally disabled" for "colony".

SECTION 42. 56.01 (8) of the statutes is amended by substituting "an inmate" for "an inmate-employee".

SECTION 43. 59.07 (61) of the statutes is amended to read:

59.07 (61) (title) UNIVERSITY CENTERS. Appropriate money for the construction, remodeling, expansion, acquisition or equipping of land, buildings and facilities for a university of Wisconsin ~~extension center or state university branch campus~~ if the operation of it has been approved by the board of regents.

SECTION 44. 59.21 (8) (b) 3 of the statutes is amended by substituting "it deems" for "they deem".

SECTION 45. 59.28 (34) of the statutes is amended to read:

59.28 (34) When ~~any~~ a person accused of ~~any~~ a criminal offense ~~shall escape~~ escapes from custody or pursuit without fault or negligence of the sheriff, and the district attorney ~~shall certify such~~ certifies that the pursuit was necessary and proper, and the county board ~~shall be~~ is satisfied by proof that ~~such the~~ such the escape was not the result of the carelessness or negligence of the sheriff, ~~such the~~ the board may, ~~in their discretion,~~ allow a fair compensation for the time and necessary expense incurred in ~~such the~~ the pursuit.

SECTION 46. 66.25 (1) (i) of the statutes is amended to read:

66.25 (1) (i) The owner of any parcel of real estate affected by the determination and assessments may, within 20 days after the date of such determination, appeal to the circuit court of the county in which ~~his~~ the land is situated, and s. 66.60 (12) shall apply to and govern such appeal, however the notice therein required to be served upon the city clerk shall be served upon the district, and the bond therein provided for shall be approved by the commission and the duties therein devolving upon the city clerk shall be performed by the ~~chairman~~ president of the commission.

SECTION 47. 66.51 (1) (a) of the statutes is amended to read:

66.51 (1) (a) Every county or city, or both jointly, may construct, purchase, acquire, develop, improve, operate or maintain a county or city building, or both jointly, for a courthouse, safety building, city hall, hospital, armory, library, auditorium and music hall, municipal parking lots or other parking facilities, or municipal center or any combination thereof, or a university of Wisconsin ~~extension center or state university branch campus~~, if the operation of such center ~~or campus~~ has been approved by the board of regents of the university of Wisconsin system.

SECTION 48. 67.04 (1) (a) of the statutes is amended to read:

67.04 (1) (a) To acquire sites, to equip and otherwise generally provide ~~joint county teachers college buildings~~, county buildings, including county ~~poorhouses~~ homes, county hospitals, county hospitals ~~or asylums~~ for the ~~insane~~ mentally ill, county tuberculosis sanatoriums, facilities for medical education in conjunction with such hospitals, ~~asylums~~ hospitals for the mentally ill and sanatoriums, county workhouses, university of Wisconsin ~~extension centers, state university branch campus~~ and new collegiate institutions or research facilities, if their operation has been approved by the board of regents, and houses of correction; but all outstanding unpaid bonds for these purposes shall not exceed in amount at one time 4% of the last equalized value of taxable property in such county for state taxes made by the department of revenue under s. 70.57.

SECTION 49. 67.04 (2) (zp) of the statutes is amended to read:

67.04 (2) (zp) To provide for the construction, remodeling, expansion, acquisition or equipping of land, buildings and facilities for a University of Wisconsin ~~extension center or state university branch campus~~, if the operation of it has been approved by the board of regents.

SECTION 50. 67.05 (5) (b) of the statutes is amended by substituting "university of Wisconsin centers" for "university of Wisconsin system extension centers or branch campuses".

SECTION 51. 75.01 (1) of the statutes is amended by deleting "his" in 2 places and by substituting "one percent" for "eight-tenths of one per cent" and "him or her" for "him".

SECTION 52. 75.01 (4) of the statutes is amended by substituting ".01" for ".008".

SECTION 53. 93.24 (10) of the statutes is amended by substituting "worker's" for "workman's".

SECTION 54. 105.01 (3) of the statutes is repealed.

SECTION 55. 109.03 (1) of the statutes is amended by deleting "or salaries" and "and salaries".

SECTION 56. 109.03 (3) of the statutes is amended by deleting "or salary" wherever it appears.

SECTION 57. 109.11 (1) and (2) of the statutes are amended by deleting "or salaries".

SECTION 58. 115.28 (3) of the statutes is amended by deleting ", county teachers colleges".

SECTION 59. 120.44 (2) (intro.) of the statutes is amended to read:

120.44 (2) (intro.) An ordinance or resolution under sub. (1) may provide for a plan under either par. (a) ~~or~~, (b) or (c) and the provisions thereof shall be set forth in the ordinance or resolution.

SECTION 60. 120.49 (2) of the statutes is amended to read:

120.49 (2) RULES. Adopt rules for its meetings and deliberations and for the government of the schools, the faculty and other school board employes, including adoption of rules pertaining to conduct and dress of pupils in order to maintain good decorum and favorable academic atmosphere, ~~the faculty and other school board employes~~.

SECTION 61. 121.17 (4) of the statutes is amended to read:

121.17 (4) Notwithstanding subs. (1) and (3), full state school aids shall be paid to districts that fail during an energy emergency, as defined in s. 340.01 (15s), to comply with the days of school required by ~~that~~ this section.

SECTION 62. 138.057 of the statutes, as created by chapter 387, laws of 1975, is amended by substituting "sustained" for "substained".

SECTION 63. 140.85 (3) of the statutes is amended by substituting "149.06" for "50.06" and by deleting "and s. 51.36, 1971 stats.,".

SECTION 64. 161.335 (4) (a), (b) and (c) of the statutes are amended by adding a period following the language in each paragraph.

SECTION 65. 180.99 (5) of the statutes is amended to read:

180.99 (5) FILING AND RECORDING OF ARTICLES. Before commencing operations, a service corporation shall file and record its articles as required by s. 180.46 ~~and shall also comply with s. 180.48 relating to minimum paid in capital.~~

SECTION 66. 227.01 (7) of the statutes is repealed.

SECTION 67. 227.07 (8) of the statutes is amended by substituting "subsection" for "section".

SECTION 68. 255.02 (2) (b) of the statutes is amended to read:

255.02 (2) (b) One dispensing druggist in each prescription drugstore and one embalmer holding license issued by the ~~department of health and social services~~ funeral directors and embalmers examining board in each undertaking establishment.

SECTION 69. 256.30 (4) of the statutes is amended, effective January 1, 1978, to read:

256.30 (4) No person shall practice law in this state under any other Christian or given name or any other surname than that under which ~~he was~~ originally admitted to the bar of this or any other state, in any instance in which the ~~state bar commissioners~~ board of attorneys professional competence shall, after a hearing, find that practicing under such changed name operates to unfairly compete with another practitioner or to mislead the public as to identity or to otherwise result in detriment to the profession or the public. Any person violating this subsection shall be subject to the penalty provided in ~~subsection sub.~~ (1). This subsection does not apply to a change of name resulting from marriage or divorce.

SECTION 70. 300.11 (1) (g) of the statutes is amended by substituting "time of rendering judgment" for "time or rendering judgment".

SECTION 71. 348.05 (2) (em) of the statutes is amended to read:

348.05 (2) (em) 8 feet 6 inches for interurban motor busses. ~~This paragraph shall not apply to the national interstate and defense highway system until enabling legislation is provided by the federal government.~~

SECTION 72. 601.63 (4) of the statutes is amended by substituting "227.12" for "601.62 (3) (b)".

SECTION 73. 646.11 (2) (c) of the statutes, as printed in the 1975 statutes, is amended by substituting "or" for "of".

SECTION 74. 945.041 (2) of the statutes, as printed in the 1975 statutes, is amended by substituting "66.054" for "66.05", "to his or her knowledge" for "to his knowledge", "knowledge of" for "his knowledge of" and "the county" for "his county".

SECTION 75. **Cross reference changes.** In the sections of the statutes listed in Column A, the cross references shown in Column B are changed to the cross references shown in Column C:

A	B	C
Statute Sections	Old Cross References	New Cross References
13.565 (2)	84.30 (14)(c)	84.30 (14)
20.255 (1)(d)	115.88 (1) to (7)	115.88 (1) to (6)
29.68 (5)(b)	270.58	895.46
39.435 (1)	subs. (4), (5) and (7)	subs. (4) and (5)
49.14 (5)	50.03 (11)	50.03 (10)
49.16 (3)	50.03 (11)	50.03 (10)
49.171 (4)	50.03 (11)	50.03 (10)
51.30 (2)(c)	51.35 (3)	51.35 (4)
51.42 (9)(a)	51.35 (2)(a)	51.35 (3)(a)
51.437 (12)(a)	51.35 (2)(a)	51.35 (3)(a)
56.01 (1)	16.74	16.72
66.30 (3n)	66.30	this section
97.28 (2)	Ch. 160	subch. III of ch. 50
105.11 (5)	101.21	109.09 (1)
149.03 (1)	50.02 (1)	149.02 (1)
215.13 (46)(a) 1	215.03 (9)	215.03 (8)
227.16 (1)(a)	ch. 261	ss. 801.50 to 801.62
298.04 (2)(intro.)	261.01 (9)	801.50 (9)
655.001 (8)	445.01 (1)(a)	448.01 (13m)
655.19 (intro.)	140.24 (1)(a) and (c)	50.33 (1)(a) and (c)
	ch. 270	ch. 805