

1989 Assembly Bill 263

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1989 WISCONSIN ACT 56

AN ACT to repeal, renumber, amend, reenact and revise various provisions of the statutes for the purpose of correcting errors, supplying omissions, clarifying language, correcting titles of officers and institutions, correcting and clarifying references, renumbering for better location and arrangement, eliminating unnecessary 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. 1.035 (5) of the statutes is amended by replacing "and his duly authorized" with "and authorized" and "the said commissioner and his agents" with "the commissioner and agents".

NOTE: Deletes unnecessary words including personal pronouns.

SECTION 2. 1.05 of the statutes is amended by replacing "by him in the name of the state" with "by the governor in the name of the state".

NOTE: Replaces personal pronouns.

SECTION 3. 7.51 (1) (ag) of the statutes is amended by replacing "shall be so mark" with "shall so mark".

NOTE: 1987 Wisconsin Act 391, in changing the sentence from the passive to the active voice, inadvertently left "be".

SECTION 4. 8.05 (1) (c) of the statutes is amended by replacing "chairman" with "chairperson" in 2 places and "he shall" with "he or she shall".

NOTE: Corrects the title of the town chairperson.

SECTION 5. 10.64 (2) (c), (3) (c) and (4) (g) of the statutes are repealed.

NOTE: Section 10.51 (2), stats., states that ss. 10.62 to 10.82 are intended as a check list and are not to be considered substantive law. The repealed paragraphs and several others are based upon s. 11.22 (7), stats., which was repealed by 1987 Wisconsin Act 370.

SECTION 6. 10.66 (3) (d), (4) (e) and (5) (f) of the statutes are repealed.

NOTE: The notices in the repealed paragraphs are based upon s. 11.22 (7), stats., which has been repealed.

SECTION 7. 10.74 (2) (d), (4) (d) and (6) (d) of the statutes are repealed.

NOTE: The notices in the repealed paragraphs are based upon repealed s. 11.22 (7), stats.

SECTION 8. 10.76 (1r) (c), (3) (d) and (5) (e) of the statutes are repealed.

NOTE: The notices in the repealed paragraphs are based upon repealed s. 11.22 (7), stats.

SECTION 9. 15.105 (17) (d) of the statutes is repealed.

NOTE: Par. (d) states: "This subsection applies only if the authority to promulgate sentencing rules is transferred to the sentencing commission under s. 751.13 (4) or (7)." The authority was transferred; par. (d) is obsolete. See 120 Wis. 2d 198 (1984).

SECTION 10. 19.015 of the statutes is amended by replacing "town chairman" with "town chairperson" and "district board chairman" with "district board chairperson".

NOTE: Corrects titles.

SECTION 11. 20.255 (2) (fp) of the statutes is repealed.

NOTE: The paragraph states it does not apply after July 1, 1988. It is obsolete.

SECTION 12. 20.395 (1) (dq) of the statutes is repealed.

NOTE: The paragraph states that no money may be expended under this paragraph after December 31, 1987. It is obsolete.

SECTION 13. 20.435 (4) (de) 1 of the statutes is amended by replacing "to counties under s. and to agencies" with "to agencies".

NOTE: Deletes unnecessary language. 1987 Wisconsin Act 403 repealed s. 46.25 (10), stats., and deleted the refer-

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ence from s. 20.435 (4) (de) 1, but failed to delete the supporting language.

SECTION 14. 20.505 (4) (dm), (gm) and (mm) of the statutes are amended to read:

20.505 (4) (dm) *Sentencing commission; general program operations.* The amounts in the schedule for the general program operations of the sentencing commission. ~~This paragraph applies only if the authority to promulgate sentencing rules is transferred to the sentencing commission under s. 751.13 (4) or (7).~~

(gm) *Sentencing commission; gifts and grants.* All moneys received from gifts and grants for the purposes for which made and received. ~~This paragraph applies only if the authority to promulgate sentencing rules is transferred to the sentencing commission under s. 751.13 (4) or (7).~~

(mm) *Sentencing commission; federal aid.* All moneys received as federal aid as authorized by the governor under s. 16.54 to carry out the purposes for which made and received. ~~This paragraph applies only if the authority to promulgate sentencing rules is transferred to the sentencing commission under s. 751.13 (4) or (7).~~

NOTE: The authority to promulgate sentencing rules was transferred to the sentencing commission under s. 751.13 (4) or (7). The applicability provisions are obsolete. See 120 Wis. 2d 198 (1984).

SECTION 15. 20.923 (4) (a) 1. of the statutes is amended to read:

20.923 (4) (a) 1. Administration, department of; sentencing commission: executive director. ~~This subdivision applies only if the authority to promulgate sentencing rules is transferred to the sentencing commission under s. 751.13 (4) or (7).~~

NOTE: The authority to promulgate sentencing rules was transferred to the sentencing commission under s. 751.13 (4) or (7). This applicability provision is obsolete. See 120 Wis. 2d 198 (1984).

SECTION 16. 26.13 (1) of the statutes is amended by replacing "chairman" with "chairperson" in 2 places and "He shall" with "The fire warden shall".

NOTE: Corrects title of town chairperson.

SECTION 17. 26.13 (2) of the statutes is amended to read:

26.13 (2) All expenses arising from the prevention or suppression of forest fires by the town ~~chairman acting in his capacity as town~~ fire warden and by those called upon by ~~him~~ the warden to assist in ~~such~~ the work, shall be borne by the town in which ~~such~~ the expense was incurred, ~~and the~~. The town board may levy and assess a tax for defraying ~~such~~ the expense. In addition the town board may levy a tax for the purchase of equipment for the suppression of forest fires. ~~Such~~ The taxes shall be collected in the same manner as other taxes, and ~~such~~ taxes when so collected shall be paid into the town treasury from which ~~such~~ the expense is paid.

NOTE: Clarifies language and removes personal pronouns.

SECTION 18. 26.14 (1) and (2) of the statutes are amended by replacing "town chairmen" with "town chairpersons".

NOTE: Corrects title.

SECTION 19. 27.01 (6) (p) of the statutes is amended to read:

27.01 (6) (p) The state park in the town of Clifton township, Pierce county, as "Kinnickinnic State Park".

NOTE: Corrects the language from "township" to "town", which is the named political unit. Also conforms the language to that of 13 similar paragraphs in the same subsection.

SECTION 20. 29.09 (9) (b) 2. of the statutes is amended by replacing "and and furnished" with "and furnished".

NOTE: Removes surplus "and".

SECTION 21. 29.47 (7) of the statutes is amended to read:

29.47 (7) EXEMPTION; TAXIDERMISTS. ~~Subsections (1) to (6) do~~ This section does not apply to a person who is issued a valid taxidermist permit and who is transporting fish in connection with ~~his or her~~ the person's business.

NOTE: Subsection (1) was repealed by chapter 232, laws of 1947.

SECTION 22. 29.599 (1) (b) of the statutes is renumbered 29.599 (1) (t).

NOTE: Puts definitions in alphabetical order.

SECTION 23. 29.998 (1) (a) of the statutes is amended to read:

29.998 (1) (a) ~~On or after January 1, 1980, if~~ If a court imposes a fine or forfeiture for a violation of a provision of this chapter or a rule or order issued under this chapter where the payment of a natural resources restitution payment is required, the court shall impose a natural resources restitution payment equal to the amount of the statutory fee for the approval which was required and should have been obtained.

NOTE: Deletes obsolete effective date.

SECTION 24. 30.01 (8) of the statutes is reenacted as shown in 1987 Wisconsin Act 374.

NOTE: This is no change from s. 30.01 (8) as shown in the 1987-88 Wisconsin statutes. The drafting record does not provide answers to the meaning. This adopts the language of 1987 Wisconsin Act 374 which left out the word "place" after "berth" without showing it stricken.

SECTION 25. 30.541 (2) of the statutes is amended by replacing "certificate or title" with "certificate of title".

NOTE: The term "certificate of title" is used throughout the section.

SECTION 26. 30.63 (1) of the statutes is amended to read:

30.63 (1) SALE. ~~Beginning January 1, 1976, no~~ No person may sell any new outboard motor for use in the waters of this state unless such motor is equipped with a crankcase effectively sealed to prevent the drainage of raw fuel into the waters in which the motor is operated.

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NOTE: Deletes obsolete transition provision.

SECTION 27. 36.11 (8m) of the statutes is amended to read:

36.11 (8m) TRANSPORTATION PLANNING. The board shall direct the administrative officers of each campus to work with the regional planning commissions and the local authorities of the community in which the campus is located to evaluate the transportation needs of the campus population. The board shall require each campus to develop a transportation plan for the campus to effect energy resource conservation and efficient use of transportation resources. The plan shall include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car and van pools and, to the extent feasible, improved mass transit services. The transportation plans shall detail parking management strategies which provide incentives for the use of mass transit and high occupancy vehicles. ~~The transportation plans shall be implemented by January 1, 1982.~~

NOTE: Deletes obsolete transition provision.

SECTION 28. 36.25 (18) of the statutes is amended to read:

36.25 (18) SCHOOL OF VETERINARY MEDICINE AND SATELLITE FOOD ANIMAL CLINICAL FACILITY. The board shall establish and maintain a school of veterinary medicine at the university of Wisconsin-Madison and a satellite food animal clinical facility at the university of Wisconsin-River Falls. Existing facilities at those institutions shall be used to the maximum possible extent for auxiliary instructional and research support of the veterinary and satellite food animal clinical programs. ~~The school of veterinary medicine at the university of Wisconsin-Madison shall enroll its first class of students in the fall of 1983.~~

NOTE: Deletes obsolete provision.

SECTION 29. 36.275 of the statutes is amended to read:

36.275 Medical school tuition rates. ~~Effective July 1, 1982, the~~ The board shall establish tuition rates at the university of Wisconsin medical school at 26% of instructional cost for resident students and 38% of instructional cost for nonresident students in association with the grant provisions of the Wisconsin health education loan program under s. 39.377, 1981 stats.

NOTE: Removes obsolete effective date.

SECTION 30. 38.06 (3) (b) of the statutes is amended to read:

38.06 (3) (b) Any reorganization order issued by the board shall take effect on the July 1 next succeeding the date of ~~such the~~ order ~~except that no order for reorganization of any district shall become effective before July 1, 1976.~~

NOTE: Deletes obsolete transition provision.

SECTION 31. 38.12 (6) of the statutes is amended to read:

38.12 (6) TRANSPORTATION PLANNING. The district board shall work with the regional planning commissions and the local authorities of the community in which the district school is located to evaluate the transportation needs of the district school population. The district board shall develop a transportation plan for the district school to effect energy resource conservation and efficient use of transportation resources. The plan shall include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car and van pools, and to the extent feasible, improved mass transit services. The transportation plans shall detail parking management strategies and parking fee policies which provide incentives for the use of mass transit and high occupancy vehicles. ~~The plans shall be implemented by January 1, 1982.~~

NOTE: Deletes obsolete provision.

SECTION 32. 38.30 (1) (a) and (2) of the statutes are amended to read:

38.30 (1) (a) District boards may receive payments from the U.S. department of veterans administration ~~administration~~ affairs for tuition to cover the cost of training for resident and nonresident students who are enrolled in district schools and are veterans eligible for benefits under federal law.

(2) Upon the authorization of a school board or district board, the board may enter into contracts with the U.S. department of veterans administration ~~administration~~ affairs for training in vocational agriculture to be provided by such school board or district board to veterans eligible for benefits under federal law. The board shall receive from the U.S. department of veterans administration ~~administration~~ affairs payments granted to cover the cost of administration by the board and, to be paid to the school board or district board, payments granted to cover the cost of such training.

NOTE: Public Law 100-527 changed the name of the federal agency responsible for issues related to veterans from the U.S. veterans administration to the U.S. department of veterans affairs. This bill changes all the references in state law from the U.S. veterans administration to the U.S. department of veterans affairs.

SECTION 33. 38.32 (2) of the statutes is amended to read:

38.32 (2) The board and the department of public instruction shall review proposals submitted by district boards and school boards that are consistent with sub. (1). ~~Beginning July 1, 1984, from~~ From the appropriations under ss. 20.255 (2) (e) and 20.292 (1) (e), the board and the department shall award grants to district boards and school boards to partially pay the salaries of teachers participating in approved proposals. Any funds received by a district board or a school board under this subsection shall be equally matched by the district board or school board.

NOTE: Deletes obsolete transition provision.

SECTION 34. 38.51 (6) (a) of the statutes is amended to read:

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38.51 (6) (a) Except as provided in par. (b) the board shall be the state approval agency for the education and training of veterans and war orphans. It shall approve and supervise schools and courses of instruction for their training under Title 38, U.S.C. USC, and may enter into and receive money under contracts with the U.S. department of veterans administration affairs or other appropriate federal agencies.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 35. 39.155 (1) of the statutes is amended to read:

39.155 (1) ~~Effective July 1, 1977, all~~ All funds appropriated to the medical college of Wisconsin, inc. under s. 20.250 (1) (a) shall be based on a per capita formula for an amount for each Wisconsin resident enrolled at the college who is paying full tuition. A student's qualification as a resident of this state shall be determined by the higher educational aids board in accordance with s. 36.27, so far as applicable.

NOTE: Deletes obsolete transition provision.

SECTION 36. 39.28 (3) (b) of the statutes is amended to read:

39.28 (3) (b) On January 1 and July 1, 1984, ~~and semiannually thereafter~~, the board shall report to the joint committee on finance and the joint committee on audit on the board's loan collection activities and efforts to develop collection policies to improve program performance through changes in data processing and program review.

NOTE: Deletes obsolete transition provision.

SECTION 37. 39.39 (1) (a) 1. of the statutes, as created by 1987 Wisconsin Act 399, following 39.39 (1) (a) 3. as a result of a partial veto, is renumbered 39.39 (1) (a) 4.

NOTE: The renumbering was required because of a partial veto leaving 2 subdivision 1's in the same paragraph.

SECTION 38. 40.19 (4) (a) of the statutes is amended to read:

40.19 (4) (a) The department shall assume, and be responsible for, all authority previously exercised by village or city officials relative to pension funds and benefits provided under s. 61.65, 1975 stats., and s. 62.13 (9), (9a) and (10), 1975 stats., except the governing body of the employer shall exercise the authority provided under the first sentence of s. 62.13 (9) (c) 3., ~~first sentence~~, 1975 stats.

SECTION 39. 43.60 (3) of the statutes is amended by replacing "town or county chairman" with "town or county chairperson".

NOTE: Corrects title.

SECTION 40. 44.41 (2) of the statutes is amended by replacing "purchasing, constructing" with "purchasing or constructing".

NOTE: Corrects error in syntax due to a partial veto.

SECTION 41. 45.13 of the statutes is amended to read:

45.13 Records of meetings and investigations kept by service officer. The county veterans' service officer shall serve as executive secretary of the county veterans' service commission and shall make or direct all necessary investigations to determine eligibility for aid under s. 45.10 ~~shall be made by him or under his direction~~ when so requested by the commission. The county service officer, in making such investigation, may use ~~such~~ the facilities for investigating as ~~shall be~~ that are made available by the county board of ~~such~~ the county.

NOTE: Replaces personal pronouns and modernizes language.

SECTION 42. 45.16 of the statutes is amended to read:

45.16 Burial allowance. Each county veterans' service officer shall cause to be interred in a decent and respectable manner in any cemetery in this state, other than those used exclusively for the burial of paupers, the body of any person who served in any war of the United States, in the Korean conflict, in the Vietnam era, under section 1 of executive order 10957, dated August 10, 1961, or had service which entitled the person to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965, or who served in Grenada, Lebanon or a Middle East crisis under s. 45.34 and who was discharged under honorable conditions therefrom after 90 days or more of active service, in the U.S. armed forces, or if having served less than 90 days was honorably discharged for disability incurred in line of duty and who was living in such county at the time of death, and who dies not leaving sufficient means to defray the necessary expenses of a decent burial, or under financial circumstances which would distress the person's family to pay the expenses of such burial, and the body of a spouse or surviving spouse of any such person who dies not leaving such means or under the same financial circumstances and who was living in such county at the time of death, at an expense to the county of not more than \$300 in addition to the burial allowance payable under laws administered by the U.S. department of veterans administration affairs.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 43. 45.17 of the statutes is amended to read:

45.17 Investigation and report. ~~Such officers before~~ Before assuming ~~such charge and~~ the burial expense, the county veterans' service officer shall make a careful inquiry into and examination of all the circumstances in any ~~such~~ the case for the purpose of ascertaining to ascertain the existence of either of the facts financial condition required by s. 45.16, ~~and they.~~ The officer shall also report the same to the county clerk of their county, setting forth the fact that they the officer found the family of ~~such deceased person in indigent circumstances and all~~ required financial condition, the facts ~~on~~

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which they based their action, together with supporting the finding, and the name, rank and command to which he the deceased belonged, the date of death, the place where buried, his-occupation while living and an itemized statement of the burial expenses of such burial.

NOTE: Much of the language in ch. 45, stats., is written as if all veterans are males. These amendments make the language gender neutral and make changes which follow the present drafting style.

SECTION 44. 45.21 of the statutes is amended to read:

45.21 Registration of certificate of discharge.

Every person who has served in the U.S. armed forces of the United States at any time, and who has been honorably discharged or given a certificate of service or relieved from active service may cause to be recorded record with the register of deeds of some any county within the state, in a suitable book to be provided by the county for that purpose, his or her a certificate of discharge or release, said. The certificate to shall be accessible only to such the person, his or dependents, the county veterans' service officer, department of veterans affairs, or any person with written authorization from the person discharged or his dependents to see said certificate. The register of deeds so recording such certificate shall make no may not charge for such service recording, except that in counties where the register of deeds is under the fee system and not paid a fixed salary he shall be paid the county shall pay the fee specified in s. 59.57 (1) (a), by the county, for each certificate so recorded. The record of any such certificate heretofore made is hereby legalized.

NOTE: Replaces personal pronouns and modernizes the language.

SECTION 45. 45.28 (1) (b) of the statutes is amended to read:

45.28 (1) (b) In this section, "veteran" means any person who served on active duty under honorable conditions in the U.S. armed forces for 90 days or more for other than training purposes between August 5, 1964, and July 1, 1975, or who is eligible to receive education benefits from the U.S. department of veterans administration affairs for active service in the U.S. armed forces between August 5, 1964, and July 1, 1975, or who served in Grenada, Lebanon or a Middle East crisis under s. 45.34 and whose selective service local board, if any, and home of record at time of entry into active service as shown on the report of separation from the U.S. armed forces were in this state, or who was a resident of this state at the time of entry into active duty, and who has not received a bonus from another state for such service.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 46. 45.30 of the statutes is amended to read:

45.30 Assignment of mentally ill, alcoholic and drug dependent persons. (1) (a) Whenever it appears that any person, other than a prisoner, is eligible for treatment in a U.S. veterans facility and inpatient admission

is necessary for the proper care and treatment of such person, the circuit court in the county in which the person is found may, upon request of such person and upon receipt of a certificate of eligibility from the U.S. department of veterans administration affairs, after adjudging the person mentally ill, an alcoholic or drug dependent in accordance with law, direct such person's assignment to the U.S. department of veterans administration affairs for hospitalization in a U.S. veterans facility. Upon admission to any such facility, the person shall be subject to the rules and regulations of the U.S. department of veterans administration affairs. The chief officer of such facility is vested with the same powers exercised by directors of state institutes within this state with reference to the retention, transfer or discharge of the person assigned.

(b) Any commitment of a veteran under this section shall be in accordance with s. 51.20. The commitment of a person to a veterans facility within this state by a judge of or a court of record of another state under a similar provision of law has the same force as if such commitment were made by a court of this state. After a person has been legally committed to the department of health and social services or to a county department under s. 51.42 in this state, the department of health and social services, upon request of such person and upon receipt of a certificate of eligibility from the U.S. department of veterans administration affairs evidencing the right of such person to be admitted to a veterans facility, may transfer such person to such facility and the cost of the person's transportation, together with that of any necessary attendant, shall be a proper charge against such person's care in such institution. After such transfer the powers granted by this section to the chief officer of such veterans facility shall be applicable. Any person transferred as provided in this subsection is deemed committed to the U.S. department of veterans administration affairs pursuant to the original commitment.

(2) Whenever an application to determine mental illness, alcoholism or drug dependence is made as prescribed by s. 51.20, the court shall make such inquiry as may be necessary and proper to ascertain whether the alleged mentally ill, alcoholic or drug dependent person is eligible for treatment in a U.S. department of veterans administration affairs facility.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 47. 45.35 (5) (intro.) of the statutes is amended to read:

45.35 (5) VETERAN DEFINED; BENEFIT. (intro.) "Veteran" as used in this chapter, except in s. 45.37 and unless otherwise modified, means any person who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces, except service on active duty for training purposes, which service was in Grenada, Lebanon or a Middle East crisis under s. 45.34 or which service

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entitled the veteran to receive either the armed forces expeditionary medal, established by executive order 10977 on December 4, 1961, or the Vietnam service medal established by executive order 11231 on July 8, 1965, or any person who served for 90 days or more during a war-time period as enumerated under pars. (a) to (g) or under section 1 of executive order 10957 dated August 10, 1961, or if having served less than 90 days was honorably discharged for a service-connected disability or for a disability subsequently adjudicated to have been service connected or died in service, who is either a resident of and living in this state at the time of making application or is deceased, and whose selective service local board, if any, and home of record at time of entry or reentry into active service as shown on the veteran's report of separation from the U.S. armed forces for a qualifying period were in this state or who was either a resident of this state at the time of entry or reentry into active duty or has been a resident of this state for at least 10 years next preceding the veteran's application or death. If the person had more than one qualifying term of service, at least one term of service must have been under honorable conditions or have been terminated by an honorable discharge for the purpose of establishing eligibility under this section and s. 45.37 (1a). Veterans who are otherwise eligible and who are serving on active duty in the U.S. armed forces need not be living in this state on date of application to qualify for benefits from the department. The benefits available to veterans shall also be made available to the unremarried surviving spouses and minor or dependent children of deceased veterans if such unremarried surviving spouses or minor or dependent children are residents of and living in this state at the time of making application. Any person whose service on active duty with the U.S. armed forces or in forces incorporated as part of the U.S. armed forces makes such person eligible for general U.S. department of veterans administration affairs benefits shall be deemed to have served under honorable conditions for the purpose of this subsection and s. 45.37 (1a).

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 48. 45.35 (17) (b) of the statutes is amended by replacing "whether for himself, or for some other person" with "for personal benefit or for others".

NOTE: Amended to make language gender neutral.

SECTION 49. 45.353 (1) (a) of the statutes is amended to read:

45.353 (1) (a) "Regional office" means the U.S. department of veterans administration affairs regional office in Wisconsin.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 50. 45.36 (1) (b) of the statutes is amended to read:

45.36 (1) (b) "Duly authorized representative" means any person authorized in writing by the veteran to act for ~~him~~ the veteran, or ~~his~~ a legally constituted representative if the veteran is incompetent or deceased. Where for proper reason no ~~such~~ representative has been or will be appointed, ~~his~~ the veteran's spouse, an adult child, or, if the veteran is unmarried, either ~~of his parents~~ parent shall be recognized as the duly authorized representative ~~of the veteran~~.

NOTE: Amended to make language gender neutral.

SECTION 51. 45.36 (3) of the statutes is amended to read:

45.36 (3) (title) U.S. DEPARTMENT OF VETERANS AFFAIRS RECORDS. Records and papers in the possession of the department or service office which are released to the department or service office by or from the U.S. department of veterans administration affairs or which contain information provided by the U.S. department of veterans administration affairs are confidential. Release of information from such records or papers may be made only pursuant to ~~veterans administration~~ regulations of the U.S. department of veterans affairs.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 52. 45.36 (4) and (5) of the statutes are amended to read:

45.36 (4) INVESTIGATION. All reports of investigation made by employes of the department or at the direction of the department for official departmental purposes are only for the use of the ~~director~~ secretary and ~~his~~ staff only. Materials and information which disclose the investigative techniques of the department or the identity of confidential informants and material received in confidence by representatives of the department ~~will~~ may not be released.

(5) DISCLOSURE OF MONETARY BENEFITS. The department shall disclose, to any person who requests ~~such~~ information, the amount of any grant or loan made by the department to any applicant. A person seeking such information shall be required to sign a statement setting forth ~~his~~ the person's name, ~~his~~ his address, ~~his~~ and the reason for making ~~such~~ the request and certifying that ~~he~~ the person will not use the information obtained for commercial or political purposes.

NOTE: The department is headed by a secretary, not a director.

SECTION 53. 45.365 (3) of the statutes is amended to read:

45.365 (3) The commandant and employes designated by ~~him~~ the commandant may summarily arrest all persons within or upon the grounds of ~~said institution~~ the home who are guilty of any offense against the laws of this state or the rules and regulations governing ~~said~~ the home; ~~and for such~~. For this purpose the commandant and ~~his~~ deputies have ~~all~~ the power of constables.

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SECTION 54. 45.37 (2) (intro.) of the statutes is amended to read:

45.37 (2) **BASIC ELIGIBILITY REQUIREMENTS.** (intro.) A veteran may be admitted to the home if he the veteran:

NOTE: Amended to make language gender neutral.

SECTION 55. 45.37 (2) (a) of the statutes is amended to read:

45.37 (2) (a) *Residence.* Was a resident of this state at the time of entering service with the armed forces and is a resident of this state on the date of application for membership. Residence may not be initiated by residence in a U.S. department of veterans administration affairs facility.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 56. 45.37 (2) (f) and (3) (b) of the statutes are amended to read:

45.37 (2) (f) *Assets.* ~~Prior to June 29, 1974, reports or has total assets under \$1,000, unless prior to admission to the home the applicant turns over all assets in excess of \$1,000 to the department in prepayment for care and maintenance actually provided by the home during the period of residence. After June 29, 1974, a veteran may be admitted to the home if he reports~~ Reports or has total assets of less than the maximum permitted under ss. 49.45 and 49.46 and rules ~~adopted~~ promulgated thereunder, unless prior to admission to the home the applicant turns over all assets in excess of ~~such~~ the maximum to the department in prepayment for care and maintenance actually provided by the home during the period of residence. Property or any interest ~~therein~~ in property conveyed or disposed of by the applicant within 2 years immediately prior to application for admission by gift or for less than adequate consideration shall be considered assets upon admission to the extent of the value of the gift or to the extent consideration therefor was inadequate unless such assets were conveyed to the state or unless it is determined by the department that the conveyance or disposal of ~~such~~ the assets had no relation to prospective entrance into the home. All ~~such~~ assets turned over to the department shall be converted to cash as soon as practicable after the applicant is admitted to membership but, if the applicant's homestead is occupied by ~~his~~ the applicant's legal dependents as their sole residence, the department shall make ~~such~~ the homestead and household furniture and fixtures ~~therein~~ available to them for as long as it is so occupied, and ~~such~~ the legal dependents shall be responsible for all expenses incidental to ~~such~~ the occupancy and use. If ~~such~~ expenses incidental to ~~such~~ the occupancy and use are not paid by ~~such~~ the legal dependents, including without limitation because of enumeration, real estate taxes, special assessments, insurance premiums, mortgage instalment payments, and payment for repairs, in its sole discretion the department may pay such expenses from the appropriation in s. 20.485 (1) (h).

(3) (b) *Nonresident.* A veteran who was not a resident of this state at the time of his enlistment or induction into service but who is otherwise qualified for membership may be admitted if he the veteran has been a resident of this state for the 10 years next preceding the date of application.

NOTE: This amendment deletes obsolete language, replaces "adopted" with "promulgated," replaces personal pronouns with gender neutral language and modernizes the language.

SECTION 57. 45.37 (8) of the statutes is amended by replacing "that he" with "that the member" and "of his admission" with "of admission".

SECTION 58. 45.37 (9) (a) and (c) of the statutes are amended to read:

45.37 (9) (a) *Maximum retention.* Each member of the home admitted to the home prior to January 1, 1974, may either elect to retain from ~~his~~ the member's monthly income an amount not exceeding the greater of the maximum income allowed under ss. 49.45 and 49.46 and rules ~~adopted~~ promulgated thereunder or \$40.50, plus an amount equal to the payment made to ~~him~~ the member or which would otherwise be due ~~him~~ for services rendered the home under its work therapy program and income received by ~~him~~ from the sale of products or services through the hobby shop, and shall pay all of ~~his~~ the member's remaining income into the general fund of the state. Each member of the home admitted to the home on or after January 1, 1974, may retain monthly income in an amount not exceeding the maximum income allowed under ss. 49.45 and 49.46 and rules adopted thereunder and shall pay all remaining income into the general fund of the state.

(c) *Work therapy program compensation.* The board shall establish a pay plan for compensation of members for services rendered to the home under its work therapy program. A member admitted to the home prior to January 1, 1974, who is participating in such program and whose monthly income is insufficient to permit ~~him~~ the member to retain the amount set forth in par. (a), shall receive direct payment thereunder from the department on the basis of the amount due ~~him~~ for ~~such~~ services or on the basis of the difference between ~~his~~ the member's total monthly income and the amount he ~~the member~~ would be permitted to retain under par. (a) if ~~his~~ the member's income was sufficient to permit maximum retention, whichever is less. A member admitted to the home after December 31, 1973, may receive payment for ~~such~~ services only if ~~such~~ the payment conforms with the requirements in ss. 49.45 and 49.46 and rules ~~adopted~~ promulgated thereunder.

NOTE: Replaces "adopted" with "promulgated" according to 1985 Wisconsin Act 182, replaces pronouns or makes them gender neutral and modernizes terminology.

SECTION 59. 45.37 (9) (e) of the statutes is amended to read:

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45.37 (9) (e) (title) *U.S. department of veterans affairs payments.* Payment of amounts due the state shall be made to the fullest extent possible from sources of income other than pension or compensation paid by the U.S. department of veterans administration affairs.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 60. 45.37 (9) (f) of the statutes is amended to read:

45.37 (9) (f) *Remission of income.* The department may remit, from amounts paid by a member, such sums monthly as it deems necessary for the care of his non-member dependents.

NOTE: Deletes unnecessary personal pronoun.

SECTION 61. 45.37 (9a) of the statutes is amended to read:

45.37 (9a) ALTERNATIVE METHOD OF PAYMENT. If the pension payments to a member are suspended because his the member's estate or account exceeds the limit established by the U.S. department of veterans administration affairs, the department may, in lieu of the procedures set forth in sub. (9), direct that the per diem cost for the care of the member be charged to the estate or account of the member.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 62. 45.37 (10) (d) and (15) (a) of the statutes are amended to read:

45.37 (10) (d) A person who at the time of his death was ~~is~~ a member of the home ~~shall be deemed an inhabitant of or is a resident in of~~ Waupaca county for the probate of his the person's will and issuance of letters testamentary and the administration of his the estate.

(15) (a) ~~Any A~~ veteran who at the time of his death was ~~is~~ a resident of this state, ~~shall be is~~ eligible for burial and interment at the cemetery of the home ~~which shall be~~ known as the "Wisconsin Veterans Memorial Cemetery". Cost of preparing grave and erection of marker shall be paid from the appropriation made by s. 20.485 (1) (gk).

SECTION 63. 45.37 (16) (d) of the statutes is amended by replacing "for his lifetime" with "for life".

SECTION 64. 45.37 (16) (e) of the statutes is amended by replacing "to him" with "to the member" and "his prepaid" with "the prepaid".

SECTION 65. 45.37 (17) (intro.) of the statutes is amended by replacing "during his residence" with "during residence".

SECTION 66. 45.396 (5m) (b) of the statutes is amended to read:

45.396 (5m) (b) No veteran or eligible dependent who has obtained at least a baccalaureate degree or its equivalent but not a master's degree or its equivalent is eligible for grants offered under this section if ~~he or she~~ the person has remaining federal U.S. department of veterans administration affairs education benefits.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 67. 45.43 (3) of the statutes is amended by replacing "his election" with "the service officer's election".

SECTION 68. 45.50 (1) of the statutes is renumbered 45.50 (1) (a) (intro.) and amended to read:

45.50 (1) (a) (intro.) Any person who has enlisted or enlists in or who has been or is inducted or ordered into active service in the U.S. armed forces of the ~~United States~~ pursuant to the selective training and service act of 1940 or the national guard and reserve officers mobilization act of 1940, the selective service act of 1948 and any acts amendatory thereof or supplementary thereto or P.L. 87-117, and any person whose services are requested by the federal government for national defense work as a civilian during a period officially proclaimed to be a national emergency or a limited national emergency, who, in order to perform ~~such the~~ training or service, has left or leaves a position, other than a temporary position, in the employ of any political subdivision of the state or in the employ of any private or other employer, shall be restored to such position or to a position of like seniority, status, pay and salary advancement as though his service toward seniority, status, pay or salary advancement had not been interrupted by ~~such the~~ absence; ~~provided that~~ (a) ~~he if:~~

1. The person presents to the employer evidence ~~that he has satisfactorily completed his of satisfactory completion of the~~ period of training or civilian service, or ~~that he has been discharged of discharge~~ from the armed forces under conditions other than dishonorable, ~~(b) he;~~

2. The person is still qualified to perform the duties of such position, ~~(c) he;~~

3. The person makes application for reemployment and resumes work within 90 days after ~~he completed such completion of the~~ training or services, military or civilian, or was so discharged from the armed forces, or within 6 months after release from hospitalization for service-connected injury or disease, ~~(d) the;~~

4. The employer's circumstances have not so changed as to make it impossible or unreasonable to so restore ~~such the person;~~ and ~~(e) the~~

5. The military service was not for more than 4 years unless extended by law.

(b) In the event of any dispute arising under ~~this subsection par. (a),~~ the matter shall be referred to the department of industry, labor and human relations for determination except as ~~such the~~ matters pertain to any classified employe of the state, in which case the matter shall be referred to the director of personnel. Orders and determinations of the department of industry, labor and human relations under this section may be reviewed in the manner provided in ch. 227.

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NOTE: Places the language in proper tabular form and makes it gender neutral.

SECTION 69. 45.51 (4) of the statutes is amended to read:

45.51 (4) If ~~such~~ the leave of absence under sub. (1) is ~~or has been~~ granted to an elected or appointed official or employe and ~~he~~ the official or employe has begun his federal service, a temporary vacancy ~~shall be deemed to exist~~ exists and a successor may be appointed to fill the unexpired term of ~~such~~ the official or employe, or until ~~such~~ the official or employe returns and files his election to resume his the office as ~~hereinafter provided for~~ if the date of ~~such~~ the filing ~~be is~~ prior to the expiration of ~~such~~ the term. ~~Such~~ The appointment shall be made in the manner provided for the filling of vacancies caused by death, resignation or otherwise, except that no election need be held to fill ~~any part of such a~~ temporary vacancy. The appointee ~~shall have~~ has all the powers, duties, liabilities and responsibilities and shall be paid and receive the compensation and other emoluments ~~pertaining to~~ bene-fits of the office or position, unless otherwise provided by the governing body. Within 40 days after the termination of ~~such~~ the federal service ~~such, the~~ elected or appointed official or employe, upon filing with the clerk his a statement under oath of ~~such~~ termination and that ~~he~~ the official or employe elects to resume his the office or position, may resume ~~such~~ the office or position for the remainder of the term for which ~~he was~~ elected or appointed. The person temporarily filling the vacancy shall thereupon cease to hold the office.

NOTE: Modernizes the language and makes it gender neutral.

SECTION 70. 45.52 of the statutes is amended to read:

45.52 (title) Physical disability does not disqualify for public employment. A veteran, as defined under s. 45.37 (1a), who has suffered a physical disability as a direct result of his military or naval service shall not on that account be barred from employment in any public position or employment whether under state, county or municipal civil service or otherwise, ~~provided that~~ if the licensed physician making a physical examination of ~~such~~ the veteran for the public employer ~~shall certify~~ certifies that ~~such~~ the applicant's disability will not materially handicap him the veteran in the performance of the duties of the position ~~for which he is making application.~~

NOTE: Modernizes language and makes it gender neutral.

SECTION 71. 45.53 (3), (5) and (6) of the statutes are amended to read:

45.53 (3) Any person while in the military service of the United States or within 6 months after terminating ~~such~~ service, or his the person's agent or attorney during ~~such~~ that period, may petition a court of record in any county in which ~~he~~ the person owns property for relief under this section. Upon filing of ~~such~~ the petition the court shall make an order fixing the time of hearing ~~thereon~~ and requiring the giving of ~~such~~ notice of the

hearing ~~as it may deem reasonable.~~ If after hearing the court shall find that the person ~~on whose behalf the petition is made~~ is, or within 6 months next preceding the filing of ~~such~~ the petition was, in the military service of the United States and owns property within the county on which taxes have fallen due or will fall due, and that his the person's ability to pay ~~such~~ the taxes has been materially adversely affected by reason of his being in military service, the court shall enter an order determining that ~~such~~ the person is entitled to relief under this section. When an order ~~shall so determine it~~ determines, the court may further suspend proceedings for the collection of taxes on ~~such~~ the property for a period not exceeding 6 months after termination of the military service of the person ~~on whose behalf the petition is made, or for such~~ the time ~~as may reasonably be necessary to complete the agreement provided in sub. (7) and thereafter.~~ Thereafter, the property shall not be included in tax certificates issued to enforce collection of taxes on property ~~shall be made, and all proceedings for that purpose shall be suspended, except under such terms as~~ that the court in ~~such~~ the order may direct.

(5) The penalties and interest which shall be waived pursuant to this section are those for nonpayment of all taxes or assessments, general or special, falling due during the period of military service of any person against either real or personal property of which ~~such~~ the person is the bona fide owner or in which ~~he~~ the person has a beneficial interest.

(6) The person owning or having an interest in any property in respect to which ~~such~~ the order under sub. (3) is made, his or the person's agent or attorney, may file with the county treasurer or with the city treasurer of cities authorized by law to sell lands for the nonpayment of taxes as to such taxes and assessments a certified copy of ~~such~~ the order of suspension together with an affidavit in triplicate, sworn to by ~~such~~ the person or his agent or attorney setting forth the name of the owner, the legal description of the property, the type of property, when acquired, volume and page number where ~~such~~ the deed was duly recorded if acquired by deed and the name of the estate if acquired by descent, amount of delinquent taxes if any, and the names of the holders of any outstanding mortgage, lien or other encumbrance. Upon such filing the county treasurer or the city treasurer, ~~as the case may be, shall file a first copy thereof in the office of the register of deeds of such~~ the county, the 2nd copy ~~to be filed in the office of the treasurer wherein there will be marked in such record books as he may maintain, who shall make proper notation to the effect that a person in military service is the holder of the legal title thereto and has made application for special relief as herein provided, and the 3rd copy shall be immediately forwarded to the office of the clerk of the town, city or village wherein~~ where the property is located, or if it ~~be is~~ located in a city authorized to sell lands for nonpayment of its taxes to the tax

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commissioner thereof, who shall make an appropriate notation thereof on his in the records.

NOTE: Amended to modernized the language and to provide gender neutral language.

SECTION 72. 45.71 (5) (a) and (b) of the statutes are amended to read:

45.71 (5) (a) The spouse of a veteran who resides with ~~him~~ the veteran; and

(b) Any person who resides with a veteran and is dependent upon the veteran for more than one-half of ~~his~~ the person's support.

SECTION 73. 45.71 (7) of the statutes is amended by replacing "veteran and his or her spouse" with "veteran and spouse" and "veteran and his spouse" with "veteran and spouse".

SECTION 74. 45.71 (7m) of the statutes is amended to read:

45.71 (7m) "Guaranteed loan" means a loan guaranteed by the federal U.S. department of veterans administration affairs under 38 USC 1801 to 1827.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 75. 45.71 (8) and (12) (a) of the statutes are amended by replacing "used by a veteran as his principal" with "used as the veteran's principal".

SECTION 76. 45.76 (3) (b) 1. and 2. of the statutes are amended to read:

45.76 (3) (b) 1. The residence to be purchased, constructed, improved or refinanced with financial assistance under this subchapter will be used by ~~him~~ as his the person's principal residence.

2. Unless other prepayment provisions are permitted under s. 45.78 (2), the loan made under this subchapter will be repaid in full upon sale of ~~such the~~ residence or any of ~~his the person's~~ interest ~~therein in it~~. A divorce judgment divesting a ~~veteran of his the veteran's~~ interest in ~~such the~~ residence or a quitclaim deed executed pursuant to ~~such a under the~~ judgment shall does not constitute a sale.

SECTION 77. 45.79 (2) (b) of the statutes is amended by replacing "of his eligibility" with "of eligibility".

SECTION 78. 45.79 (5) (a) 5. of the statutes is amended to read:

45.79 (5) (a) 5. Designate and maintain a current list of lenders authorized to make or service loans under this section. The department shall promulgate rules establishing standards for and governing the performance of authorized lenders in making and servicing loans under this section and shall periodically monitor such performance. ~~Not later than January 1, 1981, the~~ The department shall promulgate rules to provide for the removal from its list of authorized lenders of any lender that makes an excessive number of errors on loan applications processed under subd. 1. The department may summarily remove from its list of authorized lenders any

lender that indicates it does not wish to participate in the program and after hearing on notice remove from its list of authorized lenders any lender that fails to conform with the rules of the department governing such performance, and may refuse to permit a lender so removed to make or service any loan under this section until such time as the department is satisfied that the lender will conform with such rules.

NOTE: Deletes obsolete deadline.

SECTION 79. 45.79 (6) (c) 3. of the statutes is repealed.

NOTE: Repeals obsolete provision which applied before May 7, 1982.

SECTION 80. 45.79 (6) (c) 4. of the statutes is amended to read:

45.79 (6) (c) 4. ~~On or after May 7, 1982, requests~~ Requests under this paragraph may occur only after general obligation bonds totaling \$1,299,000,000 authorized under s. 20.866 (2) (zn) have been issued.

NOTE: Removes obsolete transition provision.

SECTION 81. 45.80 (4) (a) 2. of the statutes is amended by replacing "his" with "the person's" in 2 places.

SECTION 82. 46.03 (30) (b) of the statutes is amended to read:

46.03 (30) (b) No contract may be approved for a period of time greater than one year, and no contract shall be approved ~~for care to be provided after June 30, 1975,~~ except under par. (c).

NOTE: Deletes obsolete transition provision.

SECTION 83. 46.054 (1) (intro.) of the statutes is amended to read:

46.054 (1) (intro.) ~~On and after January 1, 1982, the~~ The prisoner populations at the following institutions shall not exceed any of the following bed capacities:

NOTE: Removes obsolete provision.

SECTION 84. 46.06 (3a) of the statutes is amended to read:

46.06 (3a) LEASE OF LANDS FOR RADIO RANGE STATION. The department may lease state owned lands under its control situated in section 16, ~~town~~ township 24 north, range 18 east, town of Seymour ~~township~~, Outagamie county, not exceeding 2 acres in extent, to the United States of America, to be used by the civil aeronautics administration for a radio range station. The terms of the lease shall be determined by the department and may grant to the lessee authority to erect navigational aids and other structures on such lands. Such lease shall not be effective unless approved by the governor in writing.

NOTE: Corrects a reversed use of "town" and "township". The survey unit is a "township" and the named political unit is a "town".

SECTION 85. 46.10 (8m) (am) 1 of the statutes is repealed.

NOTE: The subdivision applies only to money collected prior to January 1, 1982; it is obsolete.

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SECTION 86. 46.23 (5) (intro.) of the statutes is amended by replacing “county human service board” with “county human services board”.

NOTE: Corrects title of board.

SECTION 87. 46.26 (2) (a) and (b) of the statutes are amended to read:

46.26 (2) (a) ~~Beginning January 1, 1980, all~~ All funds to counties under this section shall be allocated to county departments under ss. 46.21, 46.22 and 46.23 subject to ss. 46.031 and 49.52 (2), except that monthly advance payments to the counties may be less than one-twelfth of the contracted amounts. No reimbursement may be made to any multicounty department until the counties which established the department have drawn up a detailed contractual agreement, approved by the secretary, setting forth the plans for joint sponsorship.

(b) ~~Beginning January 1, 1980, uniform~~ Uniform fees collected or received by counties under s. 46.03 (18) for services provided under this section shall be applied to cover the cost of the services.

NOTE: Deletes obsolete effective dates. See also a similar related amendment to s. 49.52 (1) (i) in this bill.

SECTION 88. 46.26 (4) (e) to (g) of the statutes are amended to read:

46.26 (4) (e) ~~Beginning January 1, 1983, for~~ For foster care, group home care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d) all payments and deductions made under this subsection and uniform fee collections under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (3) (ho).

(f) ~~Beginning January 1, 1983, for~~ For services under s. 51.35 (3), uniform fee collections under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (2) (gk) and all other payments made under this subsection shall be deposited in the general fund and treated as a nonappropriated receipt.

(g) ~~Beginning January 1, 1983, for~~ For juvenile field and institutional aftercare services under ch. 48 and for the juvenile offender review program, all payments and deductions made under this subsection and uniform fee collections under s. 46.03 (18) shall be deposited in the general fund and shall be treated as a nonappropriated receipt.

NOTE: Deletes obsolete transition provisions.

SECTION 89. 48.03 (1) of the statutes is amended to read:

48.03 (1) The judge ~~of a court assigned to exercise jurisdiction under this chapter~~ shall set apart a time and place to hold court on juvenile matters.

NOTE: “Judge” is defined in s. 48.02 to include the deleted words.

SECTION 90. 48.065 (2) (intro.) and (h) and (4) of the statutes are amended to read:

48.065 (2) (intro.) Under this chapter a juvenile court commissioner, if authorized to do so by a judge ~~assigned to exercise jurisdiction under this chapter~~, may:

(h) Perform such other duties, not in conflict with this chapter, as the judge ~~assigned to exercise jurisdiction under this chapter~~ may direct.

(4) When acting officially, the juvenile court commissioner shall sit at the courthouse or the usual court facility for juvenile matters. Any decision of the juvenile court commissioner shall be reviewed by the judge ~~assigned to exercise jurisdiction under this chapter~~ upon the request of any interested party.

NOTE: Deletes unnecessary language. Section 48.02 (10), stats., defines judge to mean the judge assigned to exercise jurisdiction under this chapter.

SECTION 91. 48.19 (1) (b) of the statutes is amended to read:

48.19 (1) (b) A capias issued by a judge ~~of the court assigned to exercise jurisdiction under this chapter in accordance with~~ s. 48.28;

NOTE: The stricken language is surplusage because judge is so defined in s. 48.02, stats.

SECTION 92. 48.23 (1) (c) of the statutes is amended to read:

48.23 (1) (c) Any child subject to the jurisdiction of the court ~~assigned to exercise jurisdiction under this chapter~~ under s. 48.14 (5) shall be represented by counsel. No waiver of counsel may be accepted by the court.

NOTE: “Court” is defined in s. 48.02, stats., to include the deleted words.

SECTION 93. 48.237 (1) and (3) of the statutes are amended to read:

48.237 (1) The citation forms under s. 23.54, 66.119, 778.25, 778.26 or 800.02 may be used to commence an action for a violation of civil laws and ordinances in the court ~~assigned to exercise jurisdiction under this chapter~~.

(3) If a child to whom a citation has been issued does not submit a deposit or a stipulation and deposit, the child shall appear in the court ~~assigned to exercise jurisdiction under this chapter~~ for a plea hearing under s. 48.30 at the date, time and place for the court appearance specified on the citation. If the child does not submit a stipulation and deposit or if the court refuses to accept a deposit unaccompanied by a stipulation, the child may be summoned to appear and the procedures which govern petitions for civil law or ordinance violations under s. 48.125 shall govern all proceedings initiated by a citation, except that the citation shall not be referred to the court intake worker for an intake inquiry and if the citation issued is a uniform municipal citation issued under ch. 800, the child may request a jury trial at any time prior to the fact-finding hearing and within 20 days after the plea hearing. If the court finds that a child violated a municipal ordinance or a civil law punishable by a forfeiture under this section, the court shall enter a dispositional order under s. 48.344,

if applicable, or if s. 48.344 does not apply, the court may enter any of the dispositional orders under s. 48.343.

NOTE: “Court” is defined in s. 48.02, stats., to include the deleted words.

SECTION 94. 48.24 (2) (b) of the statutes is amended by replacing “screen produce” with “screen, produce”.

NOTE: 1987 Wisconsin Act 339 inserted a phrase in the series without including a connective comma.

SECTION 95. 49.02 (1) and (2) of the statutes are repealed.

NOTE: These subsections do not apply after December 31, 1986.

SECTION 96. 49.02 (1m) and (2m) of the statutes are amended to read:

49.02 (1m) ~~After December 31, 1986, every~~ Every county shall furnish general relief to all eligible dependent persons within the county and shall establish or designate a general relief agency to administer general relief. The general relief agency shall establish written criteria to be used to determine dependency and shall establish written standards of need to be used to determine the type and amount of general relief to be furnished. The general relief agency shall review the standards of need at least annually. The general relief agency may establish work-seeking rules for general relief applicants and recipients.

(2m) ~~After December 31, 1985, every~~ Every county in which there is a city of 150,000 or more persons and every county in which there is a city whose population in 1980 is more than 22,500 and less than 23,000 shall furnish general relief to all eligible dependent persons within the county and shall establish or designate a general relief agency to administer general relief. The general relief agency shall establish written criteria to be used to determine dependency and shall establish written standards of need to be used to determine the type and amount of general relief to be furnished. The general relief agency shall review the standards of need at least annually. The general relief agency may establish work-seeking rules for general relief applicants and recipients.

NOTE: Deletes obsolete transition provisions.

SECTION 97. 49.177 (3m) of the statutes is repealed.

NOTE: The subsection authorizes cost-of-living adjustments for the period from July 1, 1985, to June 30, 1987. It is obsolete.

SECTION 98. 49.487 of the statutes is amended to read:

49.487 Disease aids, patient liability. The department shall, ~~on July 2, 1983,~~ develop and implement a sliding scale of patient liability for kidney disease aid under s. 49.48, cystic fibrosis aid under s. 49.483 and hemophilia treatment under s. 49.485, based on the patient’s ability to pay for treatment.

NOTE: Deletes obsolete transition date.

SECTION 99. 49.52 (1) (i) of the statutes is amended to read:

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49.52 (1) (i) ~~Beginning January 1, 1980, the~~ The department shall reimburse counties for juvenile delinquency-related services as provided in s. 46.26 from the appropriation under s. 20.435 (4) (cd).

NOTE: Deletes an obsolete effective date. See also related amendments of s. 46.26 (2) (a) and (b) in this bill.

SECTION 100. 51.35 (6) of the statutes is amended to read:

51.35 (6) **VETERANS.** (a) When the department has notice that any person other than a prisoner is entitled to receive care and treatment in a ~~veterans’ administration~~ U.S. department of veterans affairs facility, the person may petition the department of health and social services for a transfer to such facility, and ~~the~~ that department may procure ~~his or her~~ admission to such facility in accordance with s. 45.30.

(b) If an individual who is committed under s. 51.37 is entitled to receive care and treatment in a ~~veterans’ administration~~ U.S. department of veterans affairs facility, the person may petition the department of health and social services for a transfer to such facility. If the department declines to grant the request, it shall give the person a written reply, stating the reasons for its position. The decision of the department is subject to review by the court which passed sentence or ordered commitment of the person.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 101. 51.423 (3) of the statutes is repealed.

NOTE: The subsection specifies allocations of funds for community support programs in calendar years 1984 to 1987. It is now obsolete.

SECTION 102. 51.437 (9) (i) 2. of the statutes is amended to read:

51.437 (9) (i) 2. Annually, no later than January 30, 1987, ~~and January 30 of each year thereafter,~~ report to the department the age and location of those brain-injured persons who are receiving treatment.

NOTE: Deletes obsolete transition provision.

SECTION 103. 56.016 of the statutes is amended to read:

56.016 Accounting system. ~~On or before July 1, 1984, the~~ The department shall establish and implement an accounting system for prison industries, in conformance with generally accepted accounting principles, for purposes of internal budget control. The department shall continue to provide cash-based financial reports and information for prison industries that are required by the department of administration.

NOTE: Deletes obsolete transition provision.

SECTION 104. 56.08 (1) (intro.) of the statutes is amended to read:

56.08 (1) (intro.) Any person sentenced to a county jail for crime, nonpayment of a fine or forfeiture, or contempt of court, may be granted the privilege of leaving the jail during necessary and reasonable hours for any of the following purposes ~~but whenever the sheriff of the~~

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county certifies that facilities are not available, the sentencing court shall be without authority to provide that persons committed for nonpayment of a fine imposed for violation of a municipal or county ordinance may be permitted to serve their alternative jail sentence under the provisions of this section:

NOTE: The stricken language is created as s. 56.08 (1m), stats., for better placement.

SECTION 105. 56.08 (1m) of the statutes is created to read:

56.08 (1m) If the sheriff of the county certifies that facilities are not available, the sentencing court may not order that persons committed for nonpayment of a forfeiture imposed for violation of a municipal or county ordinance be permitted to serve the commitment under this section.

NOTE: This provision was stricken from s. 56.08 (1) (intro.), stats., and created here for better placement. "Fine" is replaced with "forfeiture" because violation of a municipal or county ordinance is punishable by forfeiture; only state law violations are punishable by fines. See s. 939.12, stats. "Alternative jail sentence" is replaced with "commitment". Under s. 800.095, stats., defendants are committed for nonpayment of forfeitures, not sentenced.

SECTION 106. 59.072 (1) (b) of the statutes is amended to read:

59.072 (1) (b) "Employee-owned business" has the meaning given in section s. 560.16 (1) (c) of the statutes.

NOTE: Corrects style.

SECTION 107. 59.17 (20) of the statutes is amended by replacing "chairman" with "chairperson" and "his county" with "the county".

NOTE: Corrects title.

SECTION 108. 59.575 (2) of the statutes is amended to read:

59.575 (2) No fee shall be charged by any register of deeds, clerk of circuit court or any other public officer, either state, county or local, having custody of statistical records, for the making and certifying of copies, or examining proofs of any public record or instrument, required for or in connection with, the filing of any claim or application with the ~~United States Veterans Administration~~ U.S. department of veterans affairs or any other federal agency, or to any state agency, or to the regularly established agency of any state, for benefits under federal or state laws, by a veteran or by any dependent of a veteran, when certified proof is required in connection with any claim or application for benefits, under federal or state laws, to which such veteran, or a dependent of a veteran, either living or dead, may be required to file, except, that in the counties where the register of deeds or clerk of circuit court is under the fee system and not a fixed salary, the usual fee for such service shall be paid by the county to the proper officer. The provisions of this section shall supersede any provision of law in conflict therewith.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 109. 59.997 (2) (intro.) and (3) to (6) of the statutes are amended to read:

59.997 (2) (intro.) The ~~county boards of commissioners or county boards of supervisors of any two~~ 2 or more adjoining counties desiring to consolidate their respective counties into a single county may enter into a joint agreement for the consolidation of ~~such~~ the counties, setting forth in ~~such~~ the consolidation agreement:

(3) The ~~county board of commissioners or county board of supervisors of each of the said~~ counties may appoint an advisory committee composed of ~~three~~ 3 persons to assist the ~~said~~ board in the preparation of ~~such~~ the agreement.

(4) The original of the consolidation agreement, together with a petition on behalf of the several ~~county boards of commissioners or county boards of supervisors, signed by the chairperson of each of the boards, asking that a referendum on the question of consolidation of the several counties be ordered, shall be filed with the clerk of the circuit court of one of the counties and a copy of the consolidation agreement and of the petition shall be filed with the clerk of the circuit court of each of the other counties.~~

(5) The qualified electors of each county involved in the consolidation proposal whose ~~county board of commissioners or county board of supervisors has not taken the initiative under sub. (2) may, by filing with the county board of commissioners or county board of supervisors of the said county a petition, signed by not less than twenty per centum~~ 20% of the qualified electors of ~~said~~ the county, based on the total vote cast for governor at the last general election, asking the ~~said~~ board to effect, ~~in accordance with sub. (2), a consolidation agreement with such~~ the county or counties as shall be named in the ~~said~~ petition, and asking for a referendum on the ~~said~~ question, require the ~~said~~ board to so proceed. A copy of the petition of the electors shall also be filed with the clerk of the circuit court of the county. If the ~~said county board of commissioners or county board of supervisors is able within six~~ 6 months thereafter to effect ~~such~~ the consolidation agreement, the procedure shall be the same as ~~hereinbefore set forth in this section.~~ If the ~~said~~ board within ~~the said~~ that period of time is unable or for any reason fails to perfect ~~such~~ the consolidation agreement, then the judge of the circuit court of the ~~said~~ county shall appoint a committee of ~~five~~ 5 representative citizens of the county, to act for and in lieu of the ~~said county board of commissioners or county board of supervisors in perfecting the said consolidation agreement and in petitioning for a referendum.~~

(6) The ~~county board of commissioners or county board of supervisors shall cause a copy of the consolidation agreement thereafter to be published in each county as a class 1 notice, under ch. 985.~~

NOTE: Section 59.95, stats., relating to a county board of commissioners and authorizing a county to organize under

that section, was repealed by chapter 214, laws of 1935. This amendment deletes references to the county board of commissioners and changes the language to conform with present drafting style.

SECTION 110. 59.997 (14) of the statutes is amended to read:

59.997 (14) Suits may be brought and maintained against ~~such~~ the consolidated county in any of the courts of this state in the same manner as against any other county. Any action or proceeding pending by or against either of the counties consolidated may be prosecuted to judgment as if ~~such~~ the consolidation had not taken place; or the consolidated county may be substituted in its place. The ~~townships~~ towns, school districts, election districts and voting places in the consolidated county shall continue as in the several counties prior to consolidation, unless and until changed in accordance with law.

NOTE: Replaces “townships” which is a unit of survey measurement with “town”, which is the named political unit with a board.

SECTION 111. 60.63 (1) of the statutes is amended to read:

60.63 (1) No community living arrangement may be established after March 28, 1978 within 2,500 feet, or any lesser distance established by an ordinance of the town, of any other such facility. Agents of a facility may apply for an exception to this requirement, and such exceptions may be granted at the discretion of the local ~~township~~ town. Two community living arrangements may be adjacent if the town authorizes that arrangement and if both facilities comprise essential components of a single program.

NOTE: A township is a survey area with no organization capable of discretion.

SECTION 112. 60.77 (4) of the statutes is amended by replacing “sewerage” with “sewage”.

NOTE: Corrects term usage.

SECTION 113. 61.27 of the statutes is amended to read:

61.27 Assessor. In all villages not assessed by a county assessor the assessor shall take and file the official oath. The assessor shall begin under s. 70.10 to make an assessment of all of the property in the village liable to taxation, as prescribed by law. The assessor shall return the assessment roll to the village clerk at the same time and in the same manner in which town assessors are required to do. The assessor’s compensation shall be fixed by the village board. ~~Commencing with the 1977 elections and appointments made on or after January 1, 1977, no~~ No person may assume the office of village assessor unless certified by the department of revenue under s. 73.09 as qualified to perform the functions of the office of assessor. If a person who has not been so certified is elected to the office, the office shall be vacant and the appointing authority shall fill the vacancy from a list of persons so certified by the department of revenue.

NOTE: Deletes obsolete transition provision.

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SECTION 114. 62.09 (1) (d) of the statutes is amended to read:

62.09 (1) (d) ~~Commencing with the 1977 elections and appointments made on and after January 1, 1977, no~~ No person may assume the office of city assessor unless certified by the department of revenue under s. 73.09 as qualified to perform the functions of the office of assessor. If a person who has not been so certified is elected to the office, the office shall be vacant and the appointing authority shall fill the vacancy from a list of persons so certified by the department of revenue.

NOTE: Deletes obsolete transition provision.

SECTION 115. 66.293 (1) of the statutes is amended by replacing “village, township, county” with “village, town, county”.

NOTE: Replaces the land survey “township” with “town” which is a body politic as is the village and the county.

SECTION 116. The amendments of 66.33 (5) of the statutes by 1987 Wisconsin Acts 27 and 399 were not repealed by 1987 Wisconsin Act 403. All amendments stand.

NOTE: There were no conflicts of substance.

SECTION 117. 67.01 (9) (d) of the statutes is amended to read:

67.01 (9) (d) To drainage bonds issued by authority of ch. 88 ~~(or ch. 88, 1963 stats., or of ch. 89, 1963 stats., as it existed prior to January 1, 1965)~~ , or of ch. 88.

NOTE: Clarifies language and removes parentheses.

SECTION 118. The amendment of 67.12 (12) (a) of the statutes by 1987 Wisconsin Act 197 was not repealed by 1987 Wisconsin Act 399. Both amendments stand.

NOTE: There were no conflicts of substance.

SECTION 119. 67.12 (12) (ee) of the statutes is amended by replacing “rate to interest” with “rate of interest”.

NOTE: The drafting record of 1987 Wisconsin Act 197 shows that the earliest instruction was for “rate of interest”.

SECTION 120. 70.05 (5) (d) of the statutes is amended to read:

70.05 (5) (d) ~~Beginning in 1986, if~~ If the department of revenue determines that the assessed value of the taxation district, including 1st class cities, has not been established within 10% of the full value at least once during the 4-year period consisting of the current year and the 3 preceding years, the department shall notify the clerk of the taxation district of its intention to proceed under par. (e) if the taxation district’s assessed value for the subsequent year is not within 10% of the full value. The department’s notice shall be in writing and mailed to the clerk of the taxation district on or before November 1 of the year of the determination.

NOTE: Removes obsolete transition provision.

SECTION 121. 70.27 (5) and (8) of the statutes are amended by replacing “department of development” with “department of agriculture, trade and consumer protection” wherever it occurs.

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NOTE: 1987 Wisconsin Act 399 transferred the responsibility for plat review from one department to the other.

SECTION 122. 71.07 (2fd) of the statutes is reenacted to read as shown in the 1987–88 edition of the Wisconsin Statutes, retroactive to January 1, 1989.

NOTE: This ratifies the action of the revisor of statutes in renumbering and amending s. 71.09 (12fd), created by 1987 Wis. Act 422 into 3 subsections of new ch. 71, as created by 1987 Wis. Act 312, effective January 1, 1989. The action by the revisor was taken to preserve the life of the language created since Act 312 also repealed old ch. 71 effective January 1, 1989.

SECTION 123. The renumbering and amendment of 71.09 (12fd) of the statutes, as created by 1987 Wisconsin Act 422, to 71.07 (2fd), 71.28 (1fd) and 71.47 (1fd) by the revisor of statutes, is reenacted to read as shown in the 1987–88 edition of the Wisconsin statutes, retroactive to January 1, 1989.

NOTE: This ratifies the action of the revisor of statutes in renumbering and amending a subsection created by 1987 Wisconsin Act 422, effective August 2, 1988, into 3 subsections of new chapter 71, as created by 1987 Wisconsin Act 312, effective January 1, 1989. The action by the revisor was taken to preserve the life of the language created, since Act 312 also repealed old chapter 71 effective January 1, 1989.

SECTION 124. 71.10 (1) (dr) of the statutes, as renumbered by 1987 Wisconsin Act 411, section 177, is renumbered 71.10 (4) (dr) retroactive to January 2, 1989.

NOTE: This ratifies the renumbering by the revisor of statutes as shown in the 1987–88 edition of the Wisconsin statutes.

SECTION 125. 71.10 (4) (i) of the statutes, as affected by 1987 Wisconsin Acts 312 and 411 and 1987 Wisconsin Act 422, section 4, as amended and merged by the revisor of statutes, is reenacted to read as shown in the 1987–88 edition of the Wisconsin statutes, retroactive to January 2, 1989.

NOTE: This ratifies the action of the revisor of statutes in merging language created by 1987 Wisconsin Act 422 into the new chapter 71.

SECTION 126. 71.28 (1fd) of the statutes is reenacted to read as shown in the 1987–88 edition of the Wisconsin Statutes, retroactive to January 1, 1989.

NOTE: See the NOTE following s. 71.07 (2fd) in this bill.

SECTION 127. 71.30 (3) (f) of the statutes, as affected by 1987 Wisconsin Acts 312 and 411 and 1987 Wisconsin Act 422, section 4, as amended and merged by the revisor of statutes, is reenacted to read as shown in the 1987–88 edition of the Wisconsin statutes, retroactive to January 2, 1989.

NOTE: This ratifies the action of the revisor of statutes in merging language created by 1987 Wisconsin Act 422 into the new chapter 71.

SECTION 128. 71.47 (1fd) of the statutes is reenacted to read as shown in the 1987–88 edition of the Wisconsin Statutes, retroactive to January 1, 1989.

NOTE: See the NOTE following s. 71.07 (2fd) in this bill.

SECTION 129. 71.49 (1) (f) of the statutes, as affected by 1987 Wisconsin Acts 312 and 411 and 1987 Wisconsin

Act 422, section 4, as amended and merged by the revisor of statutes, is reenacted to read as shown in the 1987–88 edition of the Wisconsin statutes, retroactive to January 2, 1989.

NOTE: This ratifies the action of the revisor of statutes in merging language created by 1987 Wisconsin Act 422 into new chapter 71.

SECTION 130. 74.25 (2) of the statutes is amended by replacing “required sub. (1)” with “required under sub. (1)”.

NOTE: Restores missing word.

SECTION 131. 75.62 (title) of the statutes is amended to read:

75.62 (title) Procedure in actions related to tax certificates.

NOTE: Conforms title to changes made to text by 1987 Wisconsin Act 378. This change was included in the 1987–88 Wisconsin statutes.

SECTION 132. 79.03 (3) (b) 1. b. of the statutes is amended to read:

79.03 (3) (b) 1. b. For a county, ~~the following percentages~~ 85% of the average local purpose revenue: ~~70% in 1982, 75% in 1983, 80% in 1984 and 85% in 1985 and thereafter.~~

NOTE: Deletes obsolete transition provisions.

SECTION 133. 81.35 of the statutes is amended by replacing “chairman” with “chairperson” and “in his town” with “in the town”.

NOTE: Corrects title.

SECTION 134. 84.30 (3) (intro.) of the statutes is amended to read:

84.30 (3) SIGNS PROHIBITED. (intro.) No sign visible from the main-traveled way of any interstate or federal-aid highway may be erected or maintained ~~in an adjacent area after March 18, 1972, or outside the adjacent area after June 11, 1976,~~ except the following:

NOTE: Deletes obsolete transition provision.

SECTION 135. 85.105 of the statutes is repealed.

NOTE: Sub. (6) states that subs. (1) to (4) do not apply after December 31, 1987 and sub. (5) does not apply after June 30, 1988.

SECTION 136. 86.26 (1) (a) 4. and 5., (b) 5. and 6. and (c) 5. and 6. of the statutes are repealed.

SECTION 137. 86.26 (1) (d) 6. and 7., (e) 6. and 7. and (f) 6. and 7. and (3) of the statutes are repealed.

NOTE: Section 86.26 (3), stats., provides that the bridge design standards do not apply after April 1, 1982. The department of transportation established bridge design standards under s. 86.265, stats., in ch. Trans. 214, Wis. Adm. Code, effective April 1, 1982.

SECTION 138. 88.43 (1) of the statutes is amended by replacing “ch. 74 of the statutes” with “ch. 74”.

NOTE: Removes surplusage.

SECTION 139. 91.13 (1) of the statutes is amended to read:

91.13 (1) Any owner of eligible farmlands who desires to have the lands covered by a farmland preservation agreement may apply to the county clerk ~~on or after~~

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December 1, 1977, by executing a form provided by the department. The application shall include a land survey or legal description of all eligible farmland to be covered under the agreement, a map showing significant natural features and all structures and physical improvements on the lands or an aerial photograph of all land which is an integral part of the owner's farming operation which is marked to indicate the farmland and structures to be covered by the agreement, the soil classification of the lands and such other data as the department deems reasonably necessary to determine the eligibility of the lands for coverage under the agreement.

NOTE: Deletes obsolete initial applicability date.

SECTION 140. 92.14 (6) (g) and (i) 2. and 3. of the statutes are amended to read:

92.14 (6) (g) Every project awarded a grant under this section shall be consistent with the plans under s. 92.15, 1985 stats., and under this section and ss. 92.08, 92.10, 92.15, 1985 stats., and 144.25.

(i) 2. Conduct all land management and pollutant management activities in substantial accordance with plans approved under s. 92.15, 1985 stats., and under ss. 92.08, 92.10, 92.14, ~~92.15, 1985 stats.,~~ and 144.25, or to repay the cost-sharing funds to the grant recipient.

3. Repay to the grant recipient the cost-sharing funds if title to the land on which the cost-shared practice is installed is transferred, unless the subsequent landowner or land user agrees to comply with the requirements of the plans approved under s. 92.15, 1985 stats., and under ss. 92.08, 92.10, 92.14, ~~92.15, 1985 stats.,~~ and 144.25.

NOTE: Clarifies citations.

SECTION 141. 93.07 (22) of the statutes is amended by replacing "Administer" with "To administer".

NOTE: Corrects syntax error.

SECTION 142. 93.23 (1) (a) 1. of the statutes is amended by replacing "\$75 for any township" with "\$75 for any town".

NOTE: Replaces "township" which is a unit of survey measurement with "town" which is the named political unit with a board ordinarily referred to in common usage.

SECTION 143. 94.709 of the statutes is repealed.

NOTE: Section 94.709 (6) states that the section does not apply after December 31, 1988.

SECTION 144. 95.72 (4) (a) of the statutes is amended to read:

95.72 (4) (a) *New plants.* No person may construct a rendering or processing plant unless it is constructed and equipped according to rules promulgated under sub. (5). ~~After November 26, 1981, no~~ No person may operate a rendering or processing plant unless the plant has sewage facilities and floor drains, all areas of the building and premises on which the plant is situated are kept in a clean and sanitary condition, and all operations are conducted to prevent the creation of a nuisance.

NOTE: Deletes obsolete transition provision.

SECTION 145. The amendment of 97.41 (7) of the statutes by 1987 Wisconsin Act 27, section 3200 (4) was not repealed by 1987 Wisconsin Act 399. Both amendments stand.

NOTE: This action validates the action of the revisor in merging, under s. 13.93 (2) (c), 2 acts of the 1987 legislature.

SECTION 146. 101.02 (15) (c) of the statutes is amended to read:

101.02 (15) (c) Upon petition, ~~after January 1, 1912,~~ by any person that any employment or place of employment or public building is not safe, the department shall proceed, with or without notice, to make such investigation as may be necessary to determine the matter complained of.

NOTE: This initial applicability date was created by chapter 485, laws of 1911. It is deleted as obsolete.

SECTION 147. 101.122 (2) (a) 1. of the statutes is amended to read:

101.122 (2) (a) 1. ~~No later than January 1, 1983, adopt~~ Promulgate rules which establish a code of minimum energy efficiency standards for rental units. The rules shall require installation of specified energy conservation measures. The present value benefits of each energy measure, in terms of saved energy over a 5-year period after installation, shall be more than the total present value cost of installing the measures.

NOTE: Deletes obsolete transition provision.

SECTION 148. 101.124 of the statutes is amended to read:

101.124 Heated sidewalks prohibited. In this section, "exterior pedestrian traffic surface" means any sidewalk, ramp, stair, stoop, step, entrance way, plaza or pedestrian bridge not fully enclosed within a building and "heated" means heated by electricity or energy derived from the combustion of fossil fuels, but not including the use of waste thermal energy. "Exterior pedestrian traffic surface" does not include any means of ingress and egress by the physically disabled required under s. 101.13 (2). No person may construct a heated exterior pedestrian traffic surface. The department or any city, village, town or county is prohibited from approving any plan under s. 101.12 which includes such heated surface. The department shall order any existing heated exterior pedestrian traffic surface in operation ~~after April 30, 1980,~~ to be shut off. This section does not apply to any inpatient health care facility or community-based residential facility, as defined in s. 140.85 (1) or 140.86.

NOTE: Deletes an obsolete effective date.

SECTION 149. 101.25 of the statutes is amended to read:

101.25 Veterans job training. The department shall cooperate with the federal U.S. department of veterans administration affairs in the performance of functions prescribed in P.L. 79-679, 60 Stat. 934 and any acts amendatory thereof or supplementary thereto. The secretary may with the approval of the governor take all neces-

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sary steps in the making of leases or other contracts with the federal government in the adoption and execution of plans, methods and agreements to effectuate P.L. 79-679.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 150. 101.655 (2) and (7) of the statutes are amended to read:

101.655 (2) The department shall, ~~on or before July 1, 1978,~~ develop the specifications for certifying intermittent ignition devices. Development of the specifications shall proceed with the cooperation of representatives designated by the department from the affected gas appliance industry and consumers. The development of specifications shall make the fullest possible use of nationally recognized standards and testing procedures for intermittent ignition devices.

(7) ~~Commencing May 20, 1981,~~ the The department shall include in the biennial report required under s. 15.04 (1) (d), a description of its enforcement activities under this section.

NOTE: Deletes obsolete effective dates.

SECTION 151. 108.02 (24) of the statutes is amended to read:

108.02 (24) STANDARD RATE. As to any calendar year, "standard rate" means the combined rate of contributions from the applicable schedules of s. 108.18 (4) and (9) which is closest to but not less than 5.4%, ~~after making any special adjustment required by s. 108.18 (10).~~

NOTE: The stricken language deletes the reference to "special adjustment required by s. 108.18 (10)". Prior to 1985 Wis. Act 17, s. 108.18 (10) was entitled "special adjustment". Act 17 repealed and recreated sub. (10) to be "special contributions" and to make it apply only to the end of 1985. 1985 Act 332 repealed s. 108.18 (10).

SECTION 152. 110.20 (2) (title) and (b) of the statutes are amended to read:

110.20 (2) (title) PROGRAM ESTABLISHED.

(b) The department shall establish an inspection and maintenance program as provided in this section ~~not later than April 2, 1984.~~

SECTION 153. 110.20 (2) (a) of the statutes is repealed.

NOTE: The paragraph does not apply after April 2, 1984. It is obsolete.

SECTION 154. 114.20 (1) (a) of the statutes is amended to read:

114.20 (1) (a) Except as provided under sub. (2), all aircraft based in this state shall be registered by the owner of the aircraft with the department ~~on or before November 1, 1981, and annually thereafter~~ on or before November 1. Annual registration fees shall be determined in accordance with sub. (9) or (10).

NOTE: Deletes obsolete transition date.

SECTION 155. 114.20 (10) and (13) of the statutes are amended to read:

114.20 (10) MUNICIPAL AND CIVIL AIR PATROL AIRCRAFT. Aircraft owned and operated exclusively in the

public service by this state, by any county or municipality or by the civil air patrol shall be registered ~~on or before November 1, 1981,~~ and annually thereafter on or before November 1, by the department upon receipt of the proper application accompanied by payment of \$5 for each aircraft.

(13) LATE PAYMENT CHARGES. ~~On December 1, 1981, and annually thereafter~~ Annually on December 1, a charge of 10% of the annual registration fee shall be added to any annual registration fee not paid by that date, and 10% of the annual registration fee shall be added to the fee on the first day of each month thereafter until the fee, along with any accrued charges or interest, is paid. If the charges levied under this subsection are less than \$5, the department may waive the charges.

NOTE: Deletes obsolete transition dates.

SECTION 156. 115.28 (10) (b) of the statutes is amended to read:

115.28 (10) (b) ~~By July 1, 1984,~~ Develop and make available to school boards at no charge a computerized bank of test items which may be used to evaluate pupil competency in minimum reading, language arts and mathematics skills. ~~By September 1, 1984,~~ the The state superintendent shall develop, from the item bank, objective-referenced basic skills tests in reading, language arts and mathematics for grades 3, 7 and 10 and make them available to school boards at no charge. The tests and test items shall be in the English language and, to the extent possible, free of bias. ~~By January 1, 1983,~~ the state superintendent shall report to the legislature and governor ~~on the department's progress in developing the computerized bank of test items, any necessary state appropriations in the 1983-85 biennium to complete the development of the item bank, and anticipated state costs after 1984 to maintain a testing program including any costs for printing and scoring tests for school districts, reviewing and validating tests, and providing technical assistance to school districts. The report shall include recommendations as to whether a categorical payment should be provided to districts for printing and scoring tests or whether the reimbursement should be provided through the general school aids formula.~~

NOTE: Removes obsolete provisions.

SECTION 157. 115.405 of the statutes is repealed.

NOTE: Section 115.405 (4) states that the section does not apply after July 1, 1988.

SECTION 158. 115.74 (1) (intro.) of the statutes is amended to read:

115.74 (1) (intro.) On or before July 1, 1982, ~~and on or before July 1~~ in every 2nd even-numbered year thereafter, the department, in coordination with the board, shall:

SECTION 159. 115.77 (4) (f) of the statutes is amended to read:

115.77 (4) (f) Develop a program for the preparation, recruitment and in-service training of personnel in spe-

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cial education and related fields, including participation, as appropriate, by institutions of higher education, state and local agencies and other public and private organizations. A plan for the development of this program, including statements of duties and responsibilities of personnel to be trained, shall be made ~~within one year after Aug. 9, 1973. The plan shall be and implemented no later than July 1, 1976.~~

NOTE: Deletes obsolete transition provisions.

SECTION 160. 118.29 (1) (g) of the statutes is repealed.

NOTE: The paragraph defines "private school" by referring to a non-existent section. It is unnecessary because the definition of the term in s. 115.001 (3r), stats., applies to chs. 115 to 121.

SECTION 161. 130.07 (16) of the statutes is amended by replacing "of his staff" with "of the attorney's staff", "as he may" with "as the applicant may" and "town chairman" with "town chairperson".

NOTE: Correct title and removes personal pronouns.

SECTION 162. 130.07 (18) of the statutes is amended by replacing "town chairman" with "town chairperson" in 2 places and "He shall" with "The inspector shall" in 6 places.

NOTE: Corrects title.

SECTION 163. 138.052 (7e) (b) 3. of the statutes is amended by replacing "make the the loan" with "make the loan".

NOTE: Deletes unnecessary word.

SECTION 164. 139.76 (1) of the statutes is amended to read:

139.76 (1) An occupational tax is imposed upon the sale, offering or exposing for sale, possession with intent to sell or removal for consumption or sale or other disposition for any purpose ~~on or after October 1, 1981,~~ of tobacco products by any person engaged as a distributor of them at the rate of 20% of the manufacturer's established list price to distributors without diminution by volume or other discounts on domestic products. On products imported from another country the rate of tax is 20% of the amount obtained by adding the manufacturer's list price to the federal tax, duties and transportation costs to the United States. The tax attaches at the time the tobacco products are received by the distributor in this state. ~~The tax applies to distributors' floor stocks in this state at the close of business on September 30, 1981.~~

NOTE: Deletes obsolete transition provisions.

SECTION 165. 139.79 (1) of the statutes is amended to read:

139.79 (1) ~~On and after October 1, 1981, no~~ No person may engage in the business of a distributor or subjobber of tobacco products at any place of business without first having obtained a permit from the department to engage in that business at such place. Every application for a permit shall be made on a form prescribed by the

department, and the application form shall require the information that is necessary to administer this section.

NOTE: Deletes obsolete transition provision.

SECTION 166. 140.84 of the statutes is amended to read:

140.84 Joint alcohol and drug abuse prevention plan. The department in cooperation with the department of public instruction shall prepare, and the secretary and the superintendent of public instruction shall approve, a coordinated plan for the development, testing and implementation of cooperative and integrated school-community alcohol and drug abuse prevention, intervention, treatment and rehabilitation services. ~~The approved plan shall be submitted to the legislature not later than February 1, 1981, and the department and the department of public instruction shall submit a report to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), on the implementation of the plan in each calendar year after calendar year 1981.~~

NOTE: Deletes obsolete transition provisions.

SECTION 167. 144.31 (1) (p) of the statutes is amended to read:

144.31 (1) (p) Promulgate by rule the actions or events which constitute the reconstruction of a major source. ~~The department shall submit the notice required under s. 227.19 (2) regarding rules under this paragraph by January 1, 1984.~~

NOTE: This deadline for rule making is deleted as obsolete.

SECTION 168. 144.371 (1) and (4) of the statutes are amended to read:

144.371 (1) PROCEDURES AND CRITERIA. The department shall promulgate by rule procedures and criteria to identify a nonattainment area and to reclassify a nonattainment area as an attainment area. ~~The department shall submit the notice required under s. 227.19 (2) regarding rules under this subsection by July 1, 1982.~~

(4) PROCEDURES. (a) For any document issued under sub. (2) ~~after April 30, 1980,~~ the department shall hold a public hearing and follow the procedures in this subsection.

(b) The department shall give notice of the public hearing, and shall take any steps it deems necessary to convey effective notice to persons who are likely to have an interest in the proposed document. The notice shall be given at least 30 days prior to the date set for the hearing. The notice shall include a statement of the time and place at which the hearing is to be held and either a text of the proposed document or a description of how a copy of the document may be obtained from the department at no charge.

(c) The department shall hold a public hearing at the time and place designated in the notice of hearing, and shall afford all interested persons or their representatives an opportunity to present facts, views or arguments rela-

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tive to the proposal under consideration. The presiding officer may limit oral presentations if it appears that the length of the hearing otherwise would be unduly increased by reason of repetition. The department shall afford each interested person opportunity to present facts, views or arguments in writing whether or not he or she has had an opportunity to present them orally.

(d) At the beginning of each hearing the department shall present a summary of the factual information on which the document is based. The department or its duly authorized representative may administer oaths or affirmations and may continue or postpone the hearing to such time and place as it determines. The department shall keep minutes or a record of the hearing in such manner as it determines to be desirable and feasible.

(e) The department shall receive written comments on the document for at least 10 days after the close of the hearing. The department may not issue documents under this section earlier than 30 days after the close of the hearing.

NOTE: Deletes obsolete effective dates and breaks the subsection into paragraphs. The notice to the legislature under s. 227.19 (2), stats., is a part of the rule making procedure; the last sentence in s. 144.371 (1) is only an effective date.

SECTION 169. 144.374 of the statutes is amended to read:

144.374 Mandatory operation permit dates. (1) OPERATION PERMIT REQUIREMENT DATE. The department shall promulgate by rule a schedule of the dates when a mandatory operation permit is required for various categories of existing sources. ~~The department shall submit the notice required under s. 227.19 (2) regarding rules under this subsection by October 1, 1982. The department may not require a mandatory operation permit for any existing source prior to January 1, 1983.~~ The department shall require a mandatory operation permit for all existing sources after July 1, 1986.

(2) OPERATION PERMIT APPLICATION DATE. The department shall promulgate by rule a schedule of the dates when a mandatory operation permit application is required to be submitted for various categories of existing sources. ~~The department shall submit the notice required under s. 227.19 (2) regarding rules under this subsection by October 1, 1982.~~

NOTE: The department's rule-making mandate was implemented in phases. This amendment deletes these obsolete implementation provisions.

SECTION 170. 144.385 (9) of the statutes is amended to read:

144.385 (9) ~~Subsections (1) to (8) do~~ This section does not apply after December 31, 1992.

NOTE: Subsection (1) does not exist.

SECTION 171. 144.393 (4) (b) of the statutes is amended to read:

144.393 (4) (b) *Not necessary.* The requirement is not necessary to ensure that the source will have no

adverse effect on air quality if the construction and operation or modification and operation of the source would result in an allowable emission of less than an amount specified by rule by the department. ~~The department shall submit the notice required under s. 227.19 (2) regarding rules under this paragraph by January 1, 1984.~~

NOTE: This rule-making deadline is no longer relevant. It is deleted as obsolete.

SECTION 172. 144.399 (5) (d) of the statutes is amended by replacing "an amount from \$1,000 to \$200" with "an amount from \$200 to \$1,000".

NOTE: Corrects reversed language resulting from a partial veto in 1987 Wisconsin Act 27.

SECTION 173. 144.442 (1m) (c) of the statutes is repealed.

NOTE: The paragraph does not apply after December 31, 1985. It is deleted as obsolete.

SECTION 174. 144.442 (1m) (cm) of the statutes is amended to read:

144.442 (1m) (cm) *Amount of environmental repair fee.* Except as provided under par. (d), the environmental repair fee imposed under par. (a) is 15 cents per ton for solid or hazardous waste. This paragraph applies to solid and hazardous waste received by a licensed solid or hazardous waste disposal facility after December 31, 1985.

NOTE: The initial applicability date has passed. It is deleted as obsolete.

SECTION 175. 144.442 (5) (intro.) of the statutes is amended to read:

144.442 (5) ENVIRONMENTAL RESPONSE PLAN. (intro.) The department shall promulgate by rule a waste facility environmental response plan. ~~The department shall promulgate rules under this subsection within 2 years after May 11, 1984.~~ The plan shall contain the following provisions:

NOTE: This rule-making deadline is no longer relevant. It is deleted as obsolete.

SECTION 176. 144.79 (2), (7) and (8) of the statutes are amended to read:

144.79 (2) No person may manufacture, or purchase for use within this state, PCBs or a product containing PCBs after July 1, 1977.

(7) ~~On or before July 1, 1977, the~~ The department shall adopt rules prescribing the methods and providing or designating sites and facilities for the disposal of PCBs and products containing PCBs. Such rules may require reporting by persons disposing of PCBs and products containing PCBs. Persons disposing of PCBs or products containing PCBs shall comply with such rules unless such products are exempted under sub. (3) (b) or (c). In this section, disposal does not include the disposal of PCBs in sludge produced by wastewater treatment systems under s. 144.435 (1) and ch. NR 151, Wis. Adm. Code, the discharge of effluents containing PCBs or the manufacture or sale of recycled paper products to which PCBs have not been intentionally added during or after manufacture for any of the uses set forth in sub. (1) (c).

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Nothing in this section shall exempt any person from applicable disposal or discharge limitations required or authorized under other statutes.

(8) ~~On or before July 1, 1977, the~~ The department shall adopt rules setting forth the method and manner of sampling, preparing samples and analyzing PCBs which shall be used by the department in implementing this section.

NOTE: Delete obsolete effective dates.

SECTION 177. 144.794 (1) (f) of the statutes is amended to read:

144.794 (1) (f) “Local unit of government” includes a county, city, village, town, school district, county utility district, sanitary district or metropolitan sewerage sewerage district.

NOTE: Corrects word usage. The words “sewage” and “sewerage” are defined in s. 144.01, stats.

SECTION 178. 145.04 (1) of the statutes is amended to read:

145.04 (1) ORDINANCE RULES. A city of the 1st, 2nd or 3rd class having a system of waterworks or sewerage shall, and a village or city of the 4th class or any ~~township town~~ or county or metropolitan sewerage commission may, by ordinance, prescribe rules relating to local permits for the installation, alteration and inspection of plumbing to safeguard the public health.

NOTE: Replaces “township”, which is a unit of survey measurement, with “town”, which is the political body capable of passing ordinances.

SECTION 179. 145.05 (1) of the statutes is amended by replacing “the board of a village, township, county” with “the board of a village, town, county”.

NOTE: Replaces “township” with “town”, which is the political unit with a board.

SECTION 180. 146.83 (2) of the statutes is amended to read:

146.83 (2) The health care provider shall provide each patient with a statement paraphrasing the provisions of this section either upon admission to an inpatient health care facility, as defined in s. ~~140.85~~ 140.86 (1), or upon the first provision of services by the health care provider ~~after April 30, 1980.~~

NOTE: Corrects citation and deletes obsolete date.

SECTION 181. 146.91 (4) of the statutes is repealed.

NOTE: The subsection directed the department of natural resources to submit to the legislature a plan specifying the details of the program in s. 146.91 (2), stats., including proposed legislation to implement the program. The deadline was September 1, 1988; the subsection is obsolete.

SECTION 182. 147.04 (2) (a) of the statutes is amended to read:

147.04 (2) (a) *Best practicable technology.* The application of the best practicable control technology currently available ~~by no later than July 1, 1977.~~

NOTE: Deletes obsolete transition provision.

SECTION 183. 150.34 (2) of the statutes is amended by replacing “which both the department receives” with “which the department receives”.

NOTE: Deletes unnecessary word.

SECTION 184. 153.05 (2) of the statutes is amended by replacing “advise the bureau” with “advise the office”.

NOTE: “Office” is defined as the office of health care information in s. 153.01 (6), stats. There is no bureau in the agency.

SECTION 185. 153.60 (1) of the statutes is amended to read:

153.60 (1) ~~Commencing on May 17, 1988, the~~ The office shall, by the first October 1 after the commencement of each fiscal year, estimate the total amount of expenditures for the office and the board for that fiscal year. The office shall assess the estimated total amount for that fiscal year less the estimated total amount to be received under s. 20.435 (1) (hi), (hj) and (mr) during the fiscal year and the unencumbered balances of the amounts received under s. 20.435 (1) (hg), (hi), (hj) and (mr) from the prior fiscal year, to hospitals in proportion to each hospital’s respective gross private-pay patient revenues during the hospital’s most recently concluded entire fiscal year. ~~Any costs incurred by the office in fiscal year 1987–88 shall be included in the estimate of total expenditures and assessment for fiscal year 1988–89.~~ Each hospital shall pay the assessment on or before December 31. All payments of assessments shall be deposited in the appropriation under s. 20.435 (1) (hg).

NOTE: Deletes obsolete transition provisions.

SECTION 186. 160.23 (6) (a) of the statutes is amended to read:

160.23 (6) (a) A regulatory agency shall consider the existence of the background concentration of a naturally occurring substance in evaluating response options to the noncompliance with a preventive action limit for that substance. Before a regulatory agency may order a remedial action under sub. (2) or issue a prohibition ~~under sub. (3)~~ for a specific site where the background concentration of a substance is determined to be equal to or greater than the preventive action limit, the regulatory agency shall determine that the proposed remedial action will result in the protection of or substantial improvement in groundwater quality notwithstanding the background concentrations of naturally occurring substances.

NOTE: Section 160.23 was created in 1983 Assembly Bill 595 which became 1983 Wisconsin Act 410. As introduced, A.B. 595 included sub. (3), which concerned the issuance of a prohibition by a regulatory agency. Assembly Substitute Amendment 1 and later versions did not have sub. (3), but did have a reference to subs. (2) and (3) in sub. (6) (a), which was not in the original bill. This deletes the reference to sub. (3), but leaves the reference to a prohibition, since sub. (4) speaks of a prohibition.

SECTION 187. 161.41 (1r) of the statutes is amended by replacing “under under” with “under”.

NOTE: Deletes unnecessary word.

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SECTION 188. 165.87 (1) (intro.) of the statutes is repealed.

NOTE: Deletes obsolete transition provision.

SECTION 189. 165.87 (1) (c) and (2) (a) (intro.) of the statutes are amended to read:

165.87 (1) (c) Of the balance of the moneys collected from penalty assessments under this section ~~on or after July 1, 1980,~~ 62.2% shall be deposited under s. 20.255 (2) (g) and the remainder shall be deposited under s. 20.255 (1) (hr).

(2) (a) (intro.) ~~On or after July 1, 1988, whenever~~ Whenever a court imposes a fine or forfeiture for a violation of state law or for a violation of a municipal or county ordinance except for state laws or municipal or county ordinances involving nonmoving traffic violations, there shall be imposed in addition a penalty assessment in an amount of 20% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty assessment shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

NOTE: Deletes obsolete transition provisions.

SECTION 190. 170.08 of the statutes is amended by replacing “he shall” with “the finder shall”, “chairman” with “chairperson” in 2 places and “his town” with “the finder’s town”.

NOTE: Corrects title.

SECTION 191. 172.05 of the statutes is amended by replacing “restored to him upon proving his right thereto” with “restored upon proving rights to the animal” and “chairman” with “chairperson”.

NOTE: Corrects title and modernizes language.

SECTION 192. 173.01 of the statutes is amended to read:

173.01 Animals distrained; proceedings. The owner or occupant of any lands may distrain any beast doing damage on ~~his~~ the premises, either while upon the premises or upon immediate pursuit of the beasts escaping therefrom and before returning to the enclosure of or to the immediate care of the owner or keeper, ~~and.~~ The person distraining may keep the beasts upon ~~his~~ the premises or in some public pound in ~~his~~ the person’s town, city or village until ~~his~~ the person’s damages are appraised. If the owner of the beasts is known to the person distraining and resides within the same town, city or village the person distraining shall give a written notice to the owner within 24 hours, but if ~~he~~ the owner resides in the same county, but not in the same town, city or village, within 48 hours, Sundays excepted, specifying therein the time when and the place where distrained, the number of beasts and the place of their detention, and that at a time and place, which shall not be less than 12 hours after the serving of the notice nor more than 3 days after such distress, ~~he~~ the person distraining will apply to the

town ~~chairman~~ chairperson, village president or city mayor or manager of the municipality where found for the appointment of 3 disinterested freeholders of the town, city or village to appraise the damages; but if the owner is unknown or does not reside in the county ~~he~~ the person distraining shall apply for the appointment of appraisers without notice and within 24 hours after such distress; and upon application, the ~~chairman~~ chairperson, president, mayor or manager shall appoint in writing 3 disinterested freeholders of the town, city or village to appraise the damages, and shall receive 50 cents therefor.

NOTE: Amended to replace personal pronouns and correct the title of the town chairperson.

SECTION 193. 179.24 (2) of the statutes is renumbered 179.24 (2) (a), and 179.24 (2) (a) 2., as renumbered, is amended to read:

179.24 (2) (a) 2. Before an appropriate certificate is filed to show ~~his or her~~ the person’s status as a limited partner and, in the case of an amendment, after expiration of the 30-day period for filing an amendment relating to the person as a limited partner under s. 179.12, ~~but in either case,~~

(b) A person is liable under (a) only if the 3rd party actually believed in good faith that the person was a general partner at the time of the transaction.

NOTE: Renumbers and amends s. 179.24 (2) to show clearly that (b), as renumbered, applies to both (a) 1. and 2., as renumbered.

SECTION 194. 215.01 (10) of the statutes is amended to read:

215.01 (10) “Guaranteed mortgage loans” means loans wholly or partially guaranteed by the ~~administrator of veterans’ affairs of the U.S. department of~~ department of veterans administration affairs under the servicemen’s readjustment act of 1944, P.L. 78-346, and acts amendatory thereof and supplementary thereto.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 195. 218.26 of the statutes is repealed.

NOTE: This section allowed salvage dealers licensed as of July 1, 1975, a grace period until January 1, 1979, to comply with administrative rules under s. 218.25, stats., as created by ch. 288, laws of 1975. This transition provision is obsolete.

SECTION 196. 218.50 (5) of the statutes is amended by replacing “primarily the business” with “primarily in the business”.

NOTE: The drafting record of 1987 Wisconsin Act 349 shows that the instruction included the word “in”.

SECTION 197. 219.01 (4) of the statutes is amended to read:

219.01 (4) To invest their funds and moneys in their custody or possession (which are eligible for investment and which they are by law permitted or required to invest) in notes, bonds or other forms of evidence of indebtedness guaranteed by the ~~administrator of veterans’ U.S. department of veterans~~ U.S. department of veterans affairs of the United States ~~veterans’ administration~~ or otherwise guaranteed or secured

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under ~~service men's~~ the servicemen's readjustment act of 1944, United States Public Law 346, 78th Congress P.L. 78-346, and acts amendatory thereof and supplemental thereto.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 198. 223.09 of the statutes is amended to read:

223.09 Assessment of stock. The capital stock and property of corporations organized, continued, or reorganized under this chapter shall ~~after January 1, 1910~~, be assessed and taxed in the same manner as the stock and property of state banks.

NOTE: Deletes obsolete transition provision.

SECTION 199. 223.105 (4) of the statutes is amended to read:

223.105 (4) NOTICE OF FIDUCIARY OPERATION. Except for those organizations licensed under ch. 221 or this chapter, any organization engaged in fiduciary operations as defined in this section shall ~~within 120 days of September 16, 1975 and subsequently~~, as required by regulation rule, notify the commissioner of banking, the commissioner of credit unions, the commissioner of insurance, the commissioner of savings and loans or the commissioner of securities of ~~such that~~ such the fact, directing ~~such the~~ notice to the commissioner then exercising regulatory authority over ~~such the~~ organization or, if there is none, to the commissioner of banking. Any organization which intends to engage in fiduciary operations shall, prior to engaging in such operations, notify the appropriate commissioner of ~~such this~~ intention. The notifications required under this subsection shall be on ~~such~~ forms and contain ~~such~~ information as ~~may be~~ required by the rules adopted promulgated by the commissioner of banking.

NOTE: Deletes obsolete transition provision and conforms terminology to current usage.

SECTION 200. 227.01 (13) (jo) of the statutes is amended to read:

227.01 (13) (jo) Relates to any of the procedures authorized or directed under s. 46.25 (9) (b) or (c). ~~This paragraph applies after December 31, 1986.~~

NOTE: The initial applicability date has passed. The provision is deleted as obsolete.

SECTION 201. The amendments of 230.12 (10) (c) of the statutes by 1987 Wisconsin Acts 83 and 340 were not repealed by 1987 Wisconsin Act 399. All amendments stand.

NOTE: Validates incorporation of the 3 acts under s. 13.93 (2) (c), stats.

SECTION 202. 233.02 (title) of the statutes is repealed.

NOTE: 1987 Wisconsin Act 399 repealed or renumbered all subsections but left the section title.

SECTION 203. 341.10 (9) of the statutes is repealed.

NOTE: The subsection does not apply after April 1, 1984. It is obsolete.

SECTION 204. 341.10 (10) (intro.) of the statutes is amended to read:

341.10 (10) (intro.) ~~After April 1, 1984, the~~ The vehicle is required to be inspected under s. 110.20 (6) and:

NOTE: Deletes obsolete transition provision.

SECTION 205. 341.14 (1) and (6) (a) of the statutes are amended to read:

341.14 (1) Whenever any resident of this state who is registering or has registered an automobile or station wagon, or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000 pounds or a motor home submits a statement from the U.S. department of veterans administration affairs certifying to the department that the resident is, by reason of injuries sustained while in the active U.S. military service, disabled so as not to be able to get about without great difficulty, the department shall procure, issue and deliver to the veteran, plates of a special design in lieu of the plates which ordinarily would be issued for the vehicle. The plates shall have a white background and blue lettering, except that the word "VET" and the identifying number shown on the plates shall be colored red. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is owned by a disabled veteran and is entitled to the parking privileges specified in s. 346.50 (2). No charge in addition to the registration fee shall be made for the issuance of such plates.

(6) (a) Upon application to register an automobile or station wagon or a motor truck or dual purpose farm truck which has a gross weight of not more than 8,000 pounds by any person who was a member of any of the U.S. armed services and who was held as a prisoner of war during any of the conflicts described in s. 45.35 (5) (b) to (g) or in Grenada, Lebanon or a Middle East crisis under s. 45.34, and upon submission of a statement from the U.S. department of veterans administration affairs certifying that the person was a prisoner of war during one of the conflicts described in s. 45.35 (5) (b) to (g) or in Grenada, Lebanon or a Middle East crisis under s. 45.34, the department shall issue to the person a special plate which is colored red, white and blue and which has the words "ex-prisoner of war" placed on the plate in the manner designated by the department.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 206. 341.14 (6r) (f) 25. of the statutes is amended by replacing "legion merit medal" with "legion of merit medal".

NOTE: Restores missing "of".

SECTION 207. The amendment of 343.305 (6) (a) of the statutes by 1987 Wisconsin Act 399, section 443an, has no effect.

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NOTE: Section 443an of 1987 Wisconsin Act 399 purports to amend 343.305 (6) (a), as affected by 1987 Wisconsin Act 3. What it does not state is that it amends language from section 30 of Act 3, which was repealed and recreated by section 29 of Act 3, effective 1-1-88.

SECTION 208. 348.15 (8) (b) of the statutes is repealed.

NOTE: By its terms, the paragraph applies only until April 1, 1985. It is obsolete.

SECTION 209. 351.02 (1) (e) of the statutes is repealed.

NOTE: Chapter 333, laws of 1979, created chapter 351, stats., titled "Habitual Traffic Offenders". Section 351.02 (1), stats., defines habitual traffic offenders in terms of offenses committed within a 5-year period. Paragraph (1) (e) was created to read: "For purposes of this subsection, the 5-year period does not extend back to any date which is prior to the effective date of this act". The effective date of ch. 333, laws of 1979, is August 1, 1980; the paragraph is obsolete.

SECTION 210. 422.201 (2) (d) of the statutes is repealed.

NOTE: The paragraph states that it does not apply to an open-end credit plan in existence after October 31, 1987. It is obsolete.

SECTION 211. 440.51 of the statutes is amended to read:

440.51 Statewide peddler's licenses for ex-soldiers. Any ex-soldier of the United States in any war, who has a 25% disability or more or has a cardiac disability recognized by the U.S. department of veterans administration affairs, and any person disabled to the extent of the loss of one arm or one leg or more or who has been declared blind as defined under Title XVI of the social security act, shall, upon presenting ~~proof to~~ the department ~~that she or he satisfies proof of~~ these conditions, be granted a special statewide peddler's license without payment of any fee. The person must have been a bona fide resident of this state for at least 5 years preceding the application, ~~and shall while~~. While engaged in such business ~~the person shall physically carry on her or his person~~ the license and the proof required for its issuance, ~~and a~~. A blind person shall also carry a picture of herself or himself an identification photograph which is not more than 3 years old. A license issued under this section shall not entitle a blind person to peddle for hire for another person.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 212. 447.02 (1) (g) of the statutes is reenacted as shown in 1987 Wisconsin Act 316.

NOTE: 1987 Wisconsin Act 316 substituted "written work authorization" for "written prescription" without strikes and scores. This adopts the language shown in the act.

SECTION 213. 452.20 of the statutes is amended by replacing "broker or salesperson or registered" with "broker, salesperson or registered".

NOTE: Replaces unnecessary "or" with a comma.

SECTION 214. 560.735 (6) (a) (intro.) of the statutes is amended by replacing "of the of the following" with "of the following".

NOTE: Deletes duplicative language.

SECTION 215. 560.768 (1) (a) of the statutes is amended by replacing "credit under s. 71.09 (12dj)" with "credits under ss. 71.07 (2dj), 71.28 (1dj) and 71.47 (1dj)".

NOTE: Corrects citations.

SECTION 216. 562.05 (7) (a) (intro.) of the statutes, as created by 1987 Wisconsin Act 354, is amended by replacing "before, the board" with "before the board".

NOTE: Corrects a punctuation error. The comma was deleted for the 1987-88 Wisconsin statutes.

SECTION 217. 562.09 (3) (g) of the statutes is amended by replacing "violation this" with "violation of this".

NOTE: The word "of" is added to improve grammar.

SECTION 218. 565.25 (2) (a) 2. (intro.) of the statutes is amended by deleting the reference to s. 16.75 (8).

NOTE: Section 16.75 (8), stats., was repealed by 1987 Wis. Act 399.

SECTION 219. 623.06 (2m) (a) 7. of the statutes is amended to read:

623.06 (2m) (a) 7. "Plan type B" means that a policyholder is subject to any of subd. 6. a, b or d, ~~and at~~. At the end of the interest rate guarantee, funds may be withdrawn without the adjustment under subd. 6. a in a single sum or instalments over less than 5 years.

NOTE: The sentence is divided to solve a computer citation problem and to improve clarity.

SECTION 220. 751.13 of the statutes is repealed.

NOTE: 1983 Wisconsin Act 371 created this section to invite the supreme court to promulgate rules for sentencing guidelines. 1983 Wisconsin Act 371 crafted a legislative scheme which would create an alternative method to promulgate rules for sentencing guidelines if the supreme court declined the invitation to do so. In an order published at 120 Wis. 2d 198, the supreme court has declined the invitation; this section has outlived its purpose.

SECTION 221. 751.14 of the statutes is repealed.

NOTE: By the terms of s. 751.14 (2), stats., this section applies only if the authority to promulgate sentencing rules is not transferred to the sentencing commission under s. 751.13 (4) or (7). The authority was transferred; this section is inapplicable. See 120 Wis. 2d 198 (1984).

SECTION 222. 758.03 of the statutes is repealed.

NOTE: By the terms of s. 758.03 (6), stats., this section applies only if the authority to promulgate sentencing rules is not transferred to the sentencing commission under s. 751.13 (4) or (7). The authority was transferred; this section is inapplicable. See 120 Wis. 2d 198 (1984).

SECTION 223. 767.085 (2m) (a) 1. and (b) of the statutes are amended effective July 1, 1989, by replacing "ss. 946.71 and 946.715" with "s. 948.31".

NOTE: 1987 Wisconsin Act 332 repeals ss. 946.71 and 946.715, stats., and creates s. 948.31, stats., to replace them effective 7-1-89. 1987 Wisconsin Act 332, sec. 64, replaced a reference to "946.715" with "948.31 (3)" effective 7-1-89, but 1987 Wisconsin Act 355 added references to "946.71".

The proper reference is, therefore, “948.31”. The proper reference effective 7–1–89 is shown in the 1987–88 Wisconsin statutes.

SECTION 224. 767.11 (15) of the statutes is amended by replacing “Except as provided in sub. (4) (b), subs. (1) to (14) apply” with “This section applies”.

NOTE: There is no sub. (4) (b).

SECTION 225. 767.265 (title) of the statutes is amended to read:

767.265 (title) Income withholding.

NOTE: The title is changed to reflect the text of the section more accurately. The current title “Assignment” does not indicate that this is primarily a law on withholding of income.

SECTION 226. The changes made to 767.465 (2) (a) of the statutes by 1987 Wisconsin Acts 27, 355, 403 and 413 are properly incorporated into the 1987–88 statutes.

NOTE: Formally validates incorporation under s. 13.93 (2) (c), stats.

SECTION 227. 779.33 of the statutes is repealed.

NOTE: Section 779.33, liens for log driving on Chippewa river, was last printed in the 1933 edition of the Wisconsin statutes as s. 289.33. It was created by chapter 225, laws of 1885 and was essentially an expansion of chapter 222, laws of 1880, which was referenced in chapter 225. Both were renumbered into the statutes, chapter 222, laws of 1880, becoming decimal numbered s. 289.34 and chapter 225, laws of 1885, becoming s. 289.33, which then stated in sub. (2) that s. 289.34 applies. Chapter 483, laws of 1935, s. 116, stated that s. 289.33 should not be printed in the statutes. Chapter 483, s. 117, repealed s. 289.34, making s. 779.33 (as renumbered from s. 289.33) quite useless since it essentially was based upon s. 289.34. The repeal of this section still allows log liens under s. 789.18. This bill also repeals the original acts.

SECTION 228. 781.02 of the statutes is amended by replacing “even the court” with “event the court”.

NOTE: Corrects spelling error.

SECTION 229. 799.05 (3) (b) of the statutes is amended by replacing “resident” with “resident of this state” in 2 places.

NOTE: Clarifies that the term applies to this state. The drafting record of 1987 Wis. Act 208, which inserted the reference to resident, also created par. (c) and s. 799.22 (4) (am), stats., both relating to “nonresident,” noting that it applies to “out-of-state service.”

SECTION 230. 799.05 (3) (c) of the statutes is amended by replacing “nonresident” with “nonresident of this state”.

NOTE: Clarifies that “nonresident” is in relationship to the state. See NOTE following s. 799.05 (3) (b) in this bill.

SECTION 231. 799.22 (4) (am) of the statutes is amended by replacing “nonresident” with “nonresident of this state”.

NOTE: Clarifies the term “nonresident”. See NOTE following s. 799.05 (3) (b) in this bill.

SECTION 232. 814.66 (1) (a) 1. and (b) 1. of the statutes are repealed.

NOTE: The subdivisions relate to fees for filing petitions “prior to July 31, 1987, or the day after publication of the 1987–89 biennial budget act, whichever occurs later”. They are obsolete.

SECTION 233. 814.66 (1) (a) 2. and (b) 2. of the statutes are amended to read:

814.66 (1) (a) 2. ~~On and after July 31, 1987, or the day after publication of the 1987–89 biennial budget act, whichever occurs later, for~~ For filing a petition whereby any proceeding in estates of deceased persons is commenced, if the gross estate or value of the property is \$10,000 or less, a fee of \$10; if the gross estate is more than \$10,000, a fee of 0.1% of the amount of the gross estate.

(b) 2. ~~On and after July 31, 1987, or the day after publication of the 1987–89 biennial budget act, whichever occurs later, for~~ For filing a petition for guardianship of the estate under ch. 880 or an application for conservatorship under ch. 880, if the gross estate or value of the property is \$10,000 or less, a fee of \$10; if the gross estate is more than \$10,000, a fee of 0.1% of the amount of the gross estate.

NOTE: Deletes obsolete transition provisions.

SECTION 234. 815.18 (24) of the statutes is amended to read:

815.18 (24) WAR PENSION. All money received by a person, a resident of this state, as pension, compensation, government insurance, or adjusted compensation, back pension, compensation or insurance from the ~~United States~~ U.S. government on account of military or naval service, and all other money received by a person on account of military or naval service from the ~~United States~~ U.S. government administered by the ~~veterans’ administration~~ U.S. department of veterans affairs, whether the same is in the actual possession of such person, on deposit, or loaned.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 235. 880.07 (1) (d) of the statutes is amended to read:

880.07 (1) (d) Any assets previously derived from or benefits now due and payable from the ~~U.S. department of veterans administration affairs~~ U.S. department of veterans affairs.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 236. 880.32 of the statutes is amended to read:

880.32 Notes and mortgages of minor veterans. Notwithstanding any provision of this chapter or any other law to the contrary, any minor who served in the active armed forces of the ~~U.S.~~ United States at any time after August 27, 1940, and the husband or wife of such minor may execute in his or her own right, notes or mortgages, the payment of which is guaranteed or insured by the ~~U.S. department of veterans administration~~ U.S. department of veterans affairs or the federal housing administrator under the servicemen’s readjustment act of 1944 or the national housing act or any acts supplementary thereto or amendatory thereof. In connection with such transactions, such minors may sell, release or convey such mortgaged prop-

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erty or any interest therein, and litigate or settle controversies arising therefrom, including the execution of releases, deeds and other necessary papers or instruments. Such notes, mortgages, releases, deeds and other necessary papers or instruments when so executed shall not be subject to avoidance by such minor or the husband or wife of such minor upon either or both of them attaining the age of 18 because of the minority of either or both of them at the time of the execution thereof.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 237. 880.34 (1) of the statutes is amended to read:

880.34 (1) Any guardianship of an individual found to be incompetent under this chapter shall continue during the life of the incompetent, or until terminated by the court. Upon reaching the age of majority, an incompetent subject to guardianship under this chapter shall be reviewed by the court for the purpose of determining whether the guardianship should be continued or modified. The court shall make a specific finding of any rights under s. 880.33 (3) which the individual is ~~incompetent~~ competent to exercise at the time.

NOTE: Chapter 393, laws of 1975, amended s. 880.33, stats., to state that the court shall make a specific finding of the legal rights the person is competent to make. Formerly this was a finding of rights incompetent to make.

SECTION 238. 880.60 (1) (b) and (e) to (g) of the statutes are amended to read:

880.60 (1) (b) “Benefits” means all moneys paid or payable by the United States through the ~~veterans’ administration~~ U.S. department of veterans affairs.

(e) “Income” means moneys received from the ~~veterans’ administration~~ U.S. department of veterans affairs and revenue or profit from any property wholly or partially acquired therewith.

(f) “~~Veterans’ administration~~” “U.S. department of veterans affairs” means the ~~veterans’ administration~~ U.S. department of veterans affairs, its predecessors or successors.

(g) “Ward” means a beneficiary of the ~~veterans’ administration~~ U.S. department of veterans affairs.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 239. 880.60 (2) to (4) of the statutes are amended to read:

880.60 (2) ADMINISTRATOR AS PARTY IN INTEREST. 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 ~~veterans’ administration~~ U.S. department of veterans affairs. Not less than 15 days prior to hearing in such matter notice in

writing of the time and place thereof shall be given by mail (unless waived in writing) to the office of the ~~veterans’ administration~~ U.S. department of veterans affairs having jurisdiction over the area in which any such suit or any such proceeding is pending.

(3) APPLICATION. Whenever, pursuant to any law of the United States or regulation of the ~~veterans’ administration~~ U.S. department of veterans affairs, it is necessary, prior to payment of benefits, that a guardian be appointed, the appointment may be made in the manner hereinafter provided.

(4) LIMITATION ON NUMBER OF WARDS. No person or corporate entity other than a county having a population of 100,000 or more, a bank or trust company or the commandant of the Wisconsin veterans home at King shall be guardian of more than 5 wards at one time, unless all the wards are members of one family. Such county shall act only for patients in its county hospital or mental hospital and for residents of its county home or infirmary, and shall serve without fee. The commandant shall act only for members of the Wisconsin veterans home and shall serve without fee. Upon presentation of a petition by an attorney of the U.S. department of veterans administration affairs or other interested person, alleging that a guardian is acting in a fiduciary capacity for more than 5 wards as herein provided and requesting ~~his~~ the guardian’s discharge for that reason, the court, upon proof substantiating the petition, shall require a final accounting forthwith from such guardian and shall discharge ~~him~~ the guardian from guardianship in excess of 5 and forthwith appoint a successor.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 240. 880.60 (5) (a) and (d) of the statutes are amended to read:

880.60 (5) (a) A petition for the appointment of a guardian may be filed by any relative or friend of the ward or by any person who is authorized by law to file such a petition. If there is no person so authorized or if the person so authorized refuses or fails to file such a petition within 30 days after mailing of notice by the ~~veterans’ administration~~ U.S. department of veterans affairs to the last-known address of the person, if any, indicating the necessity for the same, a petition for appointment may be filed by any resident of the state.

(d) In the case of a mentally incompetent ward the petition shall show that such ward has been rated incompetent by the ~~veterans’ administration~~ U.S. department of veterans affairs on examination in accordance with the laws and regulations governing the ~~veterans’ administration~~ U.S. department of veterans affairs.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 241. 880.60 (6) to (8) of the statutes are amended to read:

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880.60 (6) EVIDENCE OF NECESSITY FOR GUARDIAN OF INFANT. Where a petition is filed for the appointment of a guardian for a minor, a certificate of the administrator or ~~his~~ the administrator's authorized representative, setting forth the age of such minor as shown by the records of the ~~veterans' administration~~ U.S. department of veterans affairs and the fact that the appointment of a guardian is a condition precedent to the payment of any moneys due the minor by the ~~veterans' administration~~ U.S. department of veterans affairs shall be prima facie evidence of the necessity for such appointment.

(7) EVIDENCE OF NECESSITY FOR GUARDIAN FOR INCOMPETENT. Where a petition is filed for the appointment of a guardian for a mentally incompetent ward, a certificate of the administrator or ~~his~~ the administrator's duly authorized representative, that such person has been rated incompetent by the ~~veterans' administration~~ U.S. department of veterans affairs on examination in accordance with the laws and regulations governing such ~~veterans' administration~~ U.S. department of veterans affairs and that the appointment of a guardian is a condition precedent to the payment of any moneys due such ward by the ~~veterans' administration~~ U.S. department of veterans affairs, shall be prima facie evidence of the necessity for such appointment.

(8) NOTICE. Upon the filing of a petition for the appointment of a guardian under this section, notice shall be given to the ward, to such other persons, and in such manner as is provided by statute, and also to the ~~veterans' administration~~ U.S. department of veterans affairs as provided by this section.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 242. 880.60 (10) (c) and (d) of the statutes are amended to read:

880.60 (10) (c) At the time of filing in the court any account, a certified copy thereof shall be sent by the guardian to the office of the ~~veterans' administration~~ U.S. department of veterans affairs having jurisdiction over the area in which the court is located. A signed duplicate or a certified copy of any petition, motion or other pleading pertaining to an account, or to any matter other than an account, and which is filed in the guardianship proceedings or in any proceeding for the purpose of removing the disability of minority or mental incapacity, shall be furnished by the person filing the same to the proper office of the ~~veterans' administration~~ U.S. department of veterans affairs. Unless waived in writing, written notice of the time and place of any hearing shall be given to the veterans' administration office of the U.S. department of veterans affairs concerned and to the guardian and any others entitled to notice not less than 15 days prior to the date fixed for the hearing. The notice may be given by mail in which event it shall be deposited in the mails not less than 15 days prior to said date. The court, or clerk thereof, shall mail to said ~~veterans' administration~~ office

of the U.S. department of veterans affairs a copy of each order entered in any guardianship proceeding wherein the administrator is an interested party.

(d) If the guardian is accountable for property derived from sources other than the ~~veterans' administration~~, he U.S. department of veterans affairs, the guardian shall be accountable as required under the applicable law of this state pertaining to the property of minors or persons of unsound mind who are not beneficiaries of the ~~veterans' administration~~ U.S. department of veterans affairs, and as to such other property shall be entitled to the compensation provided by such law. The account for other property may be combined with the account filed in accordance with this section.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 243. 880.60 (11) and (13) of the statutes are amended to read:

880.60 (11) PENALTY FOR FAILURE TO ACCOUNT. If any guardian shall fail to file with the court any account as required by this section, or by an order of the court, when any account is due or within 30 days after citation issues as provided by law, or shall fail to furnish the ~~veterans' administration~~ U.S. department of veterans affairs a true copy of any account, petition or pleading as required by this section, such failure may in the discretion of the court be ground for ~~his~~ removal.

(13) INVESTMENTS. Every guardian shall invest the surplus funds of ~~his~~ the ward's estate in such securities or property as authorized under the laws of this state but only upon prior order of the court; except that the funds may be invested, without prior court authorization, in direct unconditional interest-bearing obligations of the United States and in obligations the interest and principal of which are unconditionally guaranteed by the United States. A signed duplicate or certified copy of the petition for authority to invest shall be furnished the proper office of the ~~veterans' administration~~ U.S. department of veterans affairs, and notice of hearing thereon shall be given said office as provided in the case of hearing on a guardian's account.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 244. 880.60 (14) and (15) (a) of the statutes are amended to read:

880.60 (14) MAINTENANCE AND SUPPORT. A guardian shall not apply any portion of the income or the estate for the support or maintenance of any person other than the ward, the spouse and the minor children of the ward, except upon petition to and prior order of the court after a hearing. A signed duplicate or certified copy of said petition shall be furnished the proper office of the ~~veterans' administration~~ U.S. department of veterans affairs and notice of hearing thereon shall be given said office as provided in the case of hearing on a guardian's account or other pleading.

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(15) PURCHASE OF HOME FOR WARD. (a) The court may authorize the purchase of the entire fee simple title to real estate in this state in which the guardian has no interest, but only as a home for the ward, or to protect his the ward's interest, or, if he the ward is not a minor as a home for his the ward's dependent family. Such purchase of real estate shall not be made except upon the entry of an order of the court after hearing upon verified petition. A copy of the petition shall be furnished the proper office of the ~~veterans' administration~~ U.S. department of veterans affairs and notice of hearing thereon shall be given said office as provided in the case of hearing on a guardian's account.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 245. 880.60 (16) and (17) of the statutes are amended to read:

880.60 **(16) COPIES OF PUBLIC RECORDS TO BE FURNISHED.** When a copy of any public record is required by the ~~veterans' administration~~ U.S. department of veterans affairs to be used in determining the eligibility of any person to participate in benefits made available by the ~~veterans' administration~~ U.S. department of veterans affairs, the official custodian of such public record shall without charge provide the applicant for such benefits or any person acting on his the applicant's behalf or the authorized representative of the ~~veterans' administration~~ U.S. department of veterans affairs with a certified copy of such record.

(17) DISCHARGE OF GUARDIAN AND RELEASE OF SURETIES. In addition to any other provisions of law relating to judicial restoration and discharge of guardian, a certificate by the ~~veterans' administration~~ U.S. department of veterans affairs showing that a minor ward has attained majority, or that an incompetent ward has been rated competent by the ~~veterans' administration~~ U.S. department of veterans affairs upon examination in accordance with law shall be prima facie evidence that the ward has attained majority, or has recovered his competency. Upon hearing after notice as provided by this section and the determination by the court that the ward has attained majority or has recovered his competency, an order shall be entered to that effect, and the guardian shall file a final account. Upon hearing after notice to the former ward and to the ~~veterans' administration~~ U.S. department of veterans affairs as in case of other accounts, upon approval of the final account, and upon delivery to the ward of the assets due him from the guardian, the guardian shall be discharged and his the sureties released.

NOTE: See NOTE following s. 38.30 (1) (a) and (2) in this bill.

SECTION 246. 885.01 (3) of the statutes is amended by replacing "chairman" with "chairperson".

NOTE: Corrects terminology.

SECTION 247. 941.295 (1) of the statutes is amended to read:

941.295 **(1)** ~~On or after July 1, 1982, whoever Who-~~ever sells, transports, manufactures, possesses or goes armed with any electric weapon is guilty of a Class E felony.

NOTE: Deletes obsolete transition provision.

SECTION 248. 948.31 (6) of the statutes, as created by 1987 Wisconsin Act 332, effective July 1, 1989, is amended, effective on the same date, by replacing "in addition other" with "in addition to any other".

NOTE: The drafting record of 1987 Wis. Act 332 shows that the words "to any" should have been included.

SECTION 249. 968.31 (1) (c) of the statutes is amended to read:

968.31 **(1) (c)** Discloses, or attempts to disclose, to any other person the contents of any wire, electronic or oral communication, knowing or having reason to know that the information was obtained through the interception of a wire, electronic or oral communication in violation of this section or under circumstances constituting violation of this section.

NOTE: Inserts a word left out in the drafting process. The drafting record shows that the word should have been included.

SECTION 250. 973.01 (2) of the statutes is repealed.

NOTE: Sub. (2) states: "This section applies only if the authority to promulgate sentencing rules is transferred to the sentencing commission under s. 751.13 (4) or (7)." The authority was transferred; sub. (2) is obsolete. See 120 Wis. 2d 198 (1984).

SECTION 251. 973.012 of the statutes is amended to read:

973.012 Use of guidelines by judges. ~~Beginning on November 1, 1985, a~~ A sentencing court, when imposing a sentence, shall take the guidelines established under s. 973.011 into consideration. If the court does not impose a sentence in accordance with the recommendations in the guidelines, the court shall state on the record its reasons for deviating from the guidelines. There shall be no right to appeal on the basis of the trial court's decision to render a sentence that does not fall within the sentencing guidelines.

NOTE: Deletes obsolete transition provision.

SECTION 252. 977.05 (4) (am) of the statutes is amended to read:

977.05 **(4)** (am) Establish a case management system for use by the trial and appellate staff attorneys of the office of the state public defender. The system shall require the attorneys to record time spent on each case and to classify or describe the type of work done. ~~The public defender shall comply with this paragraph by September 1, 1984.~~

NOTE: Deletes an obsolete transition provision.

SECTION 253. 990.01 (7g) (title), (7m) (title) and (7r) (title) of the statutes are created to read:

990.01 **(7g)** (title) FIRE CHIEF.

(7m) (title) FIRE DEPARTMENT.

(7r) (title) FIRE FIGHTER.

NOTE: Creates subsection titles in a section with titles in most subsections.

SECTION 254. 990.01 (28g) (title), (28m) (title) and (28r) (title) of the statutes are created to read:

990.01 (28g) (title) POLICE CHIEF.

(28m) (title) POLICE DEPARTMENT.

(28r) (title) POLICE OFFICER.

NOTE: Creates titles to subsections in a section with titles in most subsections.

SECTION 255. 990.01 (28g) of the statutes is amended to read:

990.01 (28g) “Police chief” or “chief of a fire police department” includes the chief of a department under s. 61.66.

NOTE: 1987 Wis. Act 399 created s. 61.66, relating to combined police and fire departments in villages of less than 20,000. In conjunction with this, several definitions were created in s. 990.01, defining in (7g) “fire chief”, or “chief of a fire department”. This corrects an obvious error.

SECTION 256. Laws of 1880, chapter 222 is repealed.

NOTE: This act, concerning actions to enforce log liens, became s. 289.34, stats., which was repealed by chapter 483, laws of 1935, s. 117. See also NOTE following s. 779.33 in this bill.

SECTION 257. Laws of 1885, chapter 225 is repealed.

NOTE: This act, concerning log liens for log driving on the Chippewa river, finally became s. 779.33, stats., which was last printed in the 1933 statutes and which is repealed in this bill. See the NOTE following s. 779.33 in this bill.

SECTION 258. Terminology changes; town chairperson. Wherever the term “chairman” appears in the following sections of the statutes, the term “chairperson” is substituted: 17.01 (13) (b), 26.03 (1) (a), 26.11 (6), 30.37 (3), 59.03 (5), 66.042 (3), 66.072 (2), 66.608 (1) (c), 66.96 (4), 66.97, 66.99, 67.08 (1), 70.64 (5), 70.67 (1), 77.02 (2), 80.48 (3), 81.04, 83.015 (1) (d), 83.09, 130.07 (13), (15) (a) and (19), 167.10 (3) (a), 170.03, 170.04, 172.04, 174.11 (1), 198.01 (2), 778.11 and 778.12.

NOTE: Under s. 60.21 (3) (a), stats., the town elects a “chairperson”, not a “chairman”.

SECTION 259. 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
7.33 (1)(c)	ch. 231, 232, 233 or 234	ch. 231, 232 or 234
13.91 (2)(c)	13.82 and 13.83 (4)	13.82 and 13.83
16.417 (1)(b)	ch. 231, 232, 233 or 234	ch. 231, 232 or 234
20.285 (1)(da)	ss. 36.06 and 37.02, 1969 stats.	s. 36.06, 1969 stats., and s. 37.02, 1969 stats.
20.285 (1)(ga)	ss. 36.06 (6) and (7) and 37.02 (3), 1969 stats.	s. 36.06 (6) and (7), 1969 stats., and s. 37.02 (3), 1969 stats.
20.285 (1)(gc)	ss. 36.06 and 37.02, 1969 stats.	s. 36.06, 1969 stats., and s. 37.02, 1969 stats.
20.435 (1)(ev)	46.65	46.63
20.515 (1)(a)	ss. 40.02 (17)(d) 2. and 40.27 (1) and (1m), 1985 stats.	s. 40.27 (1) and (1m), 1985 stats., and s. 40.02 (17)(d) 2.
20.835 (2)(d)	s. 71.09 (12fd)	ss. 71.07 (2fd), 71.28 (1fd) and 71.47 (1fd)
40.02 (26g)	71.02	71.01 (6)
40.02 (30)	19.42 (10)(k)	19.42 (10)(L)
40.21 (4)	ss. 61.65 and 62.13, 1975 stats.	s. 61.65, 1975 stats., and s. 62.13, 1975 stats.
40.23 (1)(a) and (2m)(b)	71.02 (2)(d)	71.01 (6)
40.26 (1)	71.02 (2)(d)	71.01 (6)
40.86 (intro.)	71.02	71.01 (6)

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44.02 (24) s. 71.09 (12q) ss. 71.07 (9r), 71.28
(7) and 71.47 (6)

46.255 (4m)(b) 45.28, 45.351 (1) or 45.352, 1971 stats.,
45.352, 1971 stats., or s. 45.28 or
45.351 (1),

48.361 (1)(c) 48.34 (6) (b) or (12) 48.34 (6)(b) or (13)

51.15 (2)(intro.) sub. (6) sub. (8)

59.203 60.45 (21) 60.33 (10m)

71.04 (1)(a) 562.07 (4)(a) 562.065 (3)(a) and (b)
and (3m)(a) and (b)

72.86 (4) 766.53 (1) 766.53

73.01 (4)(i) 71.11 (21)(f) 71.74 (9)

73.03 (33) 71.13 (3)(a) 71.91 (5)(a)

84.51 (1) subs. (2) to (4) subs. (2) and (3)

88.15 (7) chs. 88 and 89, 1961 ch. 88, 1961 stats.,
stats. and ch. 89, 1961
stats.

92.14 (6)(i) 2. and 3. ss. 92.08, 92.10, s. 92.08, 1985 stats.,
92.14, 92.15, 1985 s. 92.10, 1985 stats.,
stats., and 144.25 s. 92.14, 1985 stats.,
and s. 92.15, 1985
stats., and s. 144.25

97.24 (2)(d) 4. sub. (6)(b) sub. (4)(b)

97.29 (1)(g) 7. 71.02 (1)(c)(intro.) 71.26 (2)(a)

108.02 (3)(a) sub. (29)(b) and (c) s. 108.02 (29)(b) and
(c), 1985 stats.,

108.02 (3)(b) 108.14 (8n) or (8r) 108.14 (8n)

108.09 (2)(am) 108.14 (8n) or (8r) 108.14 (8n)

108.16 (6)(h) 108.18 (8) to (10) 108.18 (8) to (9t)

108.18 (1)(b) subs. (8) to (10) subs. (8) to (9t)

119.73 13.72 (3) 13.172 (3)

125.045 (3) 125.51 (1) or (4m) 125.51 (1)

141.045 (6) 115.01 (11) 115.001 (11)

144.026 (1)(a) 144.04 (1) 144.04

144.026 (1)(b) 2 144.04 (2) 144.04

144.44 (2)(nm) 3. a 144.441 (2)(a) 1. 144.441 (1)(a)

144.79 (7) ch. NR 151, Wis. Adm. chs. NR 500 to 520,
Code Wis. adm. code

144.794 (5)(e) 144.441 (2)(a) 1. 144.441 (1)(a)

166.15 (1)(f) 140.52 (5) 140.52 (3g)

196.31 (2) 20.155 (1)(p) 20.155 (1)(j)

230.35 (1m)(a)(intro.) 19.42 (10)(k) 19.42 (10)(L)
and (2)

230.45 (1)(c) 230.14 (14) 230.04 (14)

231.01 (5)(a) 4. c. 71.02 (2)(d) 71.22 (4)

346.02 (6) 346.05 (3) to 346.17 346.05 (3), 346.06 to
346.17

440.035 (4) 230.35 (6)(a) 230.35 (4)(a)

553.21 (1) 551.235 553.235

560.75 (9)(a) and (b) s. 71.09 (12dj) ss. 71.07 (2dj), 71.28
(1dj) and 71.47 (1dj)

565.30 (4) 71.205 71.67 (4)

619.01 (7)(b) 655.23 (5) 655.23 (4)

655.23 (5m) sub. (5) sub. (4)

767.24 (7)(b) 118.125 (2)(k) 118.125 (2)(m)

808.04 (2) 799.445 (1) 799.445

814.61 (5)(c)	71.13 (3)(fm)	71.91 (5)(g)
939.24 (2)	chs. 939 to 948	chs. 939 to 951
939.25 (2)	chs. 939 to 948	chs. 939 to 951
951.18 (4)(a) 1	973.09 (8)	943.245 (1)
951.18 (4)(b) 1	948.17	951.17
951.18 (4)(b) 2	948.165 (3)(a)	951.165 (3)(a)
951.18 (4)(b) 2	948.165	951.165
951.18 (4)(b) 2.	948.165 (3)	951.165 (3)
951.18 (4)(c)	948.08 (2m)	951.08 (2m)
