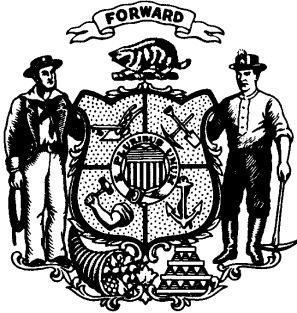


# State of Wisconsin



1995 Senate Bill 436

Date of enactment: **April 16, 1996**  
Date of publication\*: **April 30, 1996**

## 1995 WISCONSIN ACT 225

**AN ACT relating to:** repealing, consolidating, renumbering, amending and revising various provisions of the statutes for the purpose of correcting errors, supplying omissions, correcting and clarifying references, eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions, deleting, replacing or otherwise modifying language which discriminates on the basis of sex, 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.** 3.01 (2) of the statutes is renumbered 3.01 (2) (intro.) and amended to read:

3.01 (2) **GREEN COUNTY.** (intro.) That part of the county of Green consisting of:

(a) ~~the~~ The towns of Albany, Brooklyn, Decatur, Exeter, Jefferson, Spring Grove and Sylvester;

(b) ~~that That~~ part of the town of Mount Pleasant comprising ward 1;

(c) ~~the~~ The villages of Albany and Monticello;

(d) ~~that That~~ part of the village of Brooklyn located in the county; and

(e) ~~the~~ The city of Brodhead.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 2.** 3.01 (3) of the statutes is renumbered 3.01 (3) (intro.) and amended to read:

3.01 (3) **JEFFERSON COUNTY.** (intro.) That part of the county of Jefferson consisting of:

(a) ~~that That~~ part of the town of Koshkonong comprising ward 1;

(b) ~~that That~~ part of the town of Palmyra comprising ward 2; and

(c) ~~that That~~ part of the city of Whitewater located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 3.** 3.01 (4) of the statutes is renumbered 3.01 (4) (intro.) and amended to read:

3.01 (4) **WAUKESHA COUNTY.** (intro.) That part of the county of Waukesha consisting of:

(a) ~~that That~~ part of the town of Mukwonago comprising wards 1, 2, 3, 6, 7 and 8;

(b) ~~that That~~ part of the town of Vernon comprising wards 2 and 4; and

(c) ~~the~~ The village of Mukwonago.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 4.** 3.02 (2) of the statutes is renumbered 3.02 (2) (intro.) and amended to read:

3.02 (2) **DODGE COUNTY.** (intro.) That part of the county of Dodge consisting of:

(a) ~~the~~ The towns of Elba, Fox Lake, Portland, Shields, Trenton and Westford;

(b) ~~that That~~ part of the town of Calamus comprising ward 1;

(c) ~~that That~~ part of the village of Randolph located in the county;

\* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

- (d) ~~the~~ The city of Fox Lake; and
- (e) ~~that~~ That part of the city of Columbus located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 5.** 3.02 (3) of the statutes is renumbered 3.02 (3) (intro.) and amended to read:

3.02 (3) **GREEN COUNTY.** (intro.) That part of the county of Green consisting of:

- (a) ~~the~~ The towns of Adams, Cadiz, Clarno, Jordan, Monroe, New Glarus, Washington and York;
- (b) ~~that~~ That part of the town of Mount Pleasant comprising ward 2;
- (c) ~~the~~ The villages of Browntown and New Glarus;
- (d) ~~that~~ That part of the village of Belleville located in the county; and
- (e) ~~the~~ The city of Monroe.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 6.** 3.03 (3) of the statutes is renumbered 3.03 (3) (intro.) and amended to read:

3.03 (3) **CLARK COUNTY.** (intro.) That part of the county of Clark consisting of:

- (a) ~~the~~ The towns of Beaver, Butler, Dewhurst, Eaton, Foster, Fremont, Grant, Hendren, Hewett, Levis, Loyal, Lynn, Mead, Mentor, Pine Valley, Seif, Sherman, Sherwood, Unity, Warner, Washburn, Weston and York;
- (b) ~~the~~ The village of Granton; and
- (c) ~~the~~ The cities of Greenwood, Loyal and Neillsville.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 7.** 3.03 (4) of the statutes is renumbered 3.03 (4) (intro.) and amended to read:

3.03 (4) **EAU CLAIRE COUNTY.** (intro.) That part of the county of Eau Claire consisting of:

- (a) ~~the~~ The towns of Bridge Creek, Brunswick, Clear Creek, Drammen, Fairchild, Lincoln, Otter Creek, Pleasant Valley, Seymour, Union, Washington and Wilson;
- (b) ~~the~~ The villages of Fairchild and Fall Creek;
- (c) ~~the~~ The cities of Altoona and Augusta; and
- (d) ~~that~~ That part of the city of Eau Claire located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 8.** 3.03 (5) of the statutes is renumbered 3.03 (5) (intro.) and amended to read:

3.03 (5) **MONROE COUNTY** (intro.) That part of the county of Monroe consisting of:

- (a) ~~the~~ The towns of Leon, Little Falls, Portland and Sparta; and
- (b) ~~the~~ The city of Sparta.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 9.** 3.03 (6) of the statutes is renumbered 3.03 (6) (intro.) and amended to read:

3.03 (6) **POLK COUNTY.** (intro.) That part of the county of Polk consisting of:

- (a) ~~the~~ The towns of Alden, Black Brook, Clayton, Clear Lake, Farmington, Garfield, Lincoln and Osceola;
- (b) ~~the~~ The villages of Clayton, Clear Lake, Dresser and Osceola; and
- (c) ~~the~~ The city of Amery.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 10.** 3.04 (1) of the statutes is renumbered 3.04 (1) (intro.) and amended to read:

3.04 (1) **MILWAUKEE COUNTY.** (intro.) That part of the county of Milwaukee consisting of:

- (a) ~~the~~ The villages of Greendale, Hales Corners and West Milwaukee;
- (b) ~~the~~ The cities of Cudahy, Franklin, Greenfield, Oak Creek, St. Francis, South Milwaukee and West Allis; and

(c) ~~that~~ That part of the city of Milwaukee south of a line commencing where the East-West freeway (highway I 94) intersects the western city limits; thence easterly on highway I 94, downriver along the Menomonee river, upriver along the Milwaukee river, east on E. Juneau avenue, south on N. Edison street, east on E. Highland avenue, southerly on N. Water street, east on E. Kilbourn street, south on N. Broadway, east on E. Wisconsin avenue, north on N. Jefferson street, east on E. Mason street, north on N. Jackson street, west on E. State street, north on N. Broadway, east on E. Knapp street, north on N. Jefferson street, easterly on E. Ogden avenue, south on N. Van Buren street, east on E. Juneau avenue, south on N. Marshall, and east on E. Mason street and E. Mason street extended to Lake Michigan.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 11.** 3.04 (2) of the statutes is renumbered 3.04 (2) (intro.) and amended to read:

3.04 (2) **WAUKESHA COUNTY.** (intro.) That part of the county of Waukesha consisting of:

- (a) ~~the~~ The town of Waukesha;
- (b) ~~that~~ That part of the town of Mukwonago comprising wards 4 and 5;
- (c) ~~that~~ That part of the town of Pewaukee comprising wards 4, 5, 6, 7 and 8;
- (d) ~~that~~ That part of the town of Vernon comprising wards 1, 3, 5, 6, 7, 8, 9 and 10;
- (e) ~~the~~ The village of Big Bend; and
- (f) ~~the~~ The cities of Muskego, New Berlin and Waukesha.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 12.** 3.05 of the statutes is renumbered 3.05 (intro.) and amended to read:

**3.05 Fifth congressional district.** (intro.) The following territory in the county of Milwaukee shall constitute the 5th congressional district: a) ~~the~~

(1) The villages of Brown Deer, Fox Point, River Hills, Shorewood and Whitefish Bay; b) ~~that~~

(2) ~~That~~ part of the village of Bayside located in the county; e) ~~the~~

(3) The cities of Glendale and Wauwatosa; and d) ~~that~~

(4) ~~That~~ part of the city of Milwaukee north of a line commencing where the East-West freeway (highway I 94) intersects the western city limits; thence easterly on highway I 94, downriver along the Menomonee river, upriver along the Milwaukee river, east on E. Juneau avenue, south on N. Edison street, east on E. Highland avenue, southerly on N. Water street, east on E. Kilbourn street, south on N. Broadway, east on E. Wisconsin avenue, north on N. Jefferson street, east on E. Mason street, north on N. Jackson street, west on E. State street, north on N. Broadway, east on E. Knapp street, north on N. Jefferson street, easterly on E. Ogden avenue, south on N. Van Buren street, east on E. Juneau avenue, south on N. Marshall, and east on E. Mason street and E. Mason street extended to Lake Michigan.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 13.** 3.06 (2) of the statutes is renumbered 3.06 (2) (intro.) and amended to read:

3.06 (2) BROWN COUNTY. (intro.) That part of the county of Brown consisting of:

(a) ~~the~~ The town of Holland; and

(b) ~~that~~ That part of the town of Wrightstown comprising ward 3.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 14.** 3.06 (3) of the statutes is renumbered 3.06 (3) (intro.) and amended to read:

3.06 (3) CALUMET COUNTY. (intro.) That part of the county of Calumet consisting of:

(a) ~~the~~ The towns of Brillion, Brothertown, Charles-town, Chilton, Harrison, New Holstein, Rantoul, Stockbridge and Woodville;

(b) ~~the~~ The villages of Hilbert, Potter, Sherwood and Stockbridge;

(c) ~~the~~ The cities of Brillion, Chilton and New Holstein;

(d) ~~that~~ That part of the city of Kiel located in the county;

(e) ~~that~~ That part of the city of Menasha located in the county; and

(f) ~~that~~ That part of the city of Appleton comprising wards 10, 11, 35, 37 and 41.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 15.** 3.06 (4) of the statutes is renumbered 3.06 (4) (intro.) and amended to read:

3.06 (4) FOND DU LAC COUNTY. (intro.) That part of the county of Fond du Lac consisting of:

(a) ~~the~~ The towns of Alto, Auburn, Byron, Calumet, Eden, Eldorado, Empire, Fond du Lac, Forest, Friendship, Lamartine, Marshfield, Metomen, Oakfield, Osceola, Ripon, Rosendale, Springvale, Taycheedah and Waupun;

(b) ~~that~~ That part of the town of Ashford comprising ward 1;

(c) ~~the~~ The villages of Brandon, Campbellsport, Eden, Fairwater, Mount Calvary, North Fond du Lac, Oakfield, Rosendale and St. Cloud;

(d) ~~that~~ That part of the village of Kewaskum located in the county;

(e) ~~the~~ The cities of Fond du Lac and Ripon; and

(f) ~~that~~ That part of the city of Waupun located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 16.** 3.06 (5) of the statutes is renumbered 3.06 (5) (intro.) and amended to read:

3.06 (5) MANITOWOC COUNTY. (intro.) That part of the county of Manitowoc consisting of:

(a) ~~the~~ The towns of Cato, Centerville, Eaton, Franklin, Gibson, Kossuth, Liberty, Manitowoc, Manitowoc Rapids, Maple Grove, Meeme, Mishicot, Newton, Rockland, Schleswig, Two Creeks and Two Rivers;

(b) ~~that~~ That part of the town of Cooperstown comprising ward 2;

(c) ~~the~~ The villages of Cleveland, Francis Creek, Kellnersville, Maribel, Mishicot, Reedsville, St. Nazianz, Valders and Whitelaw;

(d) ~~the~~ The cities of Manitowoc and Two Rivers; and

(e) ~~that~~ That part of the city of Kiel located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 17.** 3.06 (6) of the statutes is renumbered 3.06 (6) (intro.) and amended to read:

3.06 (6) MONROE COUNTY. (intro.) That part of the county of Monroe consisting of:

(a) ~~the~~ The towns of Adrian, Angelo, Byron, Clifton, Glendale, Grant, Greenfield, Jefferson, Lafayette, La Grange, Lincoln, New Lyme, Oakdale, Ridgeville, Scott, Sheldon, Tomah, Wellington, Wells and Wilton;

(b) ~~the~~ The villages of Cashton, Kendall, Melvina, Norwalk, Oakdale, Warrens, Wilton and Wyeville; and

(c) ~~the~~ The city of Tomah.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 18.** 3.06 (7) of the statutes is renumbered 3.06 (7) (intro.) and amended to read:

3.06 (7) OUTAGAMIE COUNTY. (intro.) That part of the county of Outagamie consisting of:

(a) ~~the~~ The town of Buchanan; and

(b) ~~the~~ The villages of Combined Locks, Kimberly and Little Chute.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 19.** 3.06 (8) of the statutes is renumbered 3.06 (8) (intro.) and amended to read:

3.06 (8) **SHEBOYGAN COUNTY.** (intro.) That part of the county of Sheboygan consisting of:

(a) ~~the~~ The towns of Greenbush, Lima, Lyndon, Mitchell, Plymouth, Rhine, Russell and Sheboygan Falls;

(b) ~~that~~ That part of the town of Scott comprising ward 2;

(c) ~~the~~ The villages of Cascade, Elkhart Lake, Glenbeulah and Waldo; and

(d) ~~the~~ The city of Plymouth.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 20.** 3.07 (2) of the statutes is renumbered 3.07 (2) (intro.) and amended to read:

3.07 (2) **CHIPPEWA COUNTY.** (intro.) That part of the county of Chippewa consisting of:

(a) ~~the~~ The towns of Anson, Arthur, Auburn, Birch Creek, Bloomer, Cleveland, Colburn, Cooks Valley, Delmar, Eagle Point, Estella, Goetz, Hallie, Howard, Lafayette, Lake Holcombe, Ruby, Sampson, Sigel, Tilden, Wheaton and Woodmohr;

(b) ~~the~~ The villages of Boyd and Cadott;

(c) ~~that~~ That part of the village of New Auburn located in the county;

(d) ~~the~~ The cities of Bloomer, Chippewa Falls, Cornell and Stanley; and

(e) ~~that~~ That part of the city of Eau Claire located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 21.** 3.07 (3) of the statutes is renumbered 3.07 (3) (intro.) and amended to read:

3.07 (3) **CLARK COUNTY.** (intro.) That part of the county of Clark consisting of:

(a) ~~the~~ The towns of Colby, Green Grove, Hixon, Hoard, Longwood, Mayville, Reseburg, Thorp, Withee and Worden;

(b) ~~the~~ The villages of Curtiss, Dorchester and Withee;

(c) ~~that~~ That part of the village of Unity located in the county;

(d) ~~the~~ The cities of Owen and Thorp;

(e) ~~that~~ That part of the city of Abbotsford located in the county; and

(f) ~~that~~ That part of the city of Colby located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 22.** 3.07 (5) of the statutes is renumbered 3.07 (5) (intro.) and amended to read:

3.07 (5) **ONEIDA COUNTY.** (intro.) That part of the county of Oneida consisting of:

(a) ~~the~~ The towns of Crescent, Pelican and Woodboro; and

(b) ~~the~~ The city of Rhinelander.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 23.** 3.07 (6) of the statutes is renumbered 3.07 (6) (intro.) and amended to read:

3.07 (6) **POLK COUNTY.** (intro.) That part of the county of Polk consisting of:

(a) ~~the~~ The towns of Apple River, Balsam Lake, Beaver, Bone Lake, Clam Falls, Eureka, Georgetown, Johnston, Laketown, Lorain, Luck, McKinley, Milltown, St. Croix Falls, Sterling and West Sweden;

(b) ~~the~~ The villages of Balsam Lake, Centuria, Frederic, Luck and Milltown;

(c) ~~that~~ That part of the village of Turtle Lake located in the county; and

(d) ~~the~~ The city of St. Croix Falls.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 24.** 3.08 (2) of the statutes is renumbered 3.08 (2) (intro.) and amended to read:

3.08 (2) **BROWN COUNTY.** (intro.) That part of the county of Brown consisting of:

(a) ~~the~~ The towns of Bellevue, De Pere, Eaton, Glenmore, Green Bay, Hobart, Humboldt, Lawrence, Morrison, New Denmark, Pittsfield, Rockland, Scott and Suamico;

(b) ~~that~~ That part of the town of Wrightstown comprising wards 1 and 2;

(c) ~~the~~ The villages of Allouez, Ashwaubenon, Denmark, Howard, Pulaski and Wrightstown; and

(d) ~~the~~ The cities of De Pere and Green Bay.

**SECTION 25.** 3.08 (6) of the statutes is renumbered 3.08 (6) (intro.) and amended to read:

3.08 (6) **OUTAGAMIE COUNTY.** (intro.) That part of the county of Outagamie consisting of:

(a) ~~the~~ The towns of Black Creek, Bovina, Center, Cicero, Dale, Deer Creek, Ellington, Freedom, Grand Chute, Greenville, Hortonville, Kaukauna, Liberty, Maine, Maple Creek, Oneida, Osborn, Seymour and Vandenberg;

(b) ~~the~~ The villages of Bear Creek, Black Creek, Hortonville, Nichols and Shiocton;

(c) ~~the~~ The cities of Kaukauna and Seymour;

(d) ~~that~~ That part of the city of Appleton located in the county; and

(e) ~~that~~ That part of the city of New London located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 26.** 3.09 (2) of the statutes is renumbered 3.09 (2) (intro.) and amended to read:

3.09 (2) **DODGE COUNTY.** (intro.) That part of the county of Dodge consisting of:

(a) ~~the~~ The towns of Ashippun, Beaver Dam, Burnett, Chester, Clyman, Emmet, Herman, Hubbard, Hustisford, Lebanon, Leroy, Lomira, Lowell, Oak Grove, Rubicon, Theresa and Williamstown;

(b) ~~that~~ That part of the town of Calamus comprising ward 2;

(c) ~~the~~ The villages of Brownsville, Clyman, Hustisford, Iron Ridge, Kekoskee, Lomira, Lowell, Neosho, Reeseville and Theresa;

(d) ~~the~~ The cities of Beaver Dam, Horicon, Juneau and Mayville;

(e) ~~that~~ That part of the city of Hartford located in the county;

(f) ~~that~~ That part of the city of Watertown located in the county; and

(g) ~~that~~ That part of the city of Waupun located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 27.** 3.09 (4) of the statutes is renumbered 3.09 (4) (intro.) and amended to read:

3.09 (4) JEFFERSON COUNTY. (intro.) That part of the county of Jefferson consisting of:

(a) ~~the~~ The towns of Aztalan, Cold Spring, Concord, Farmington, Hebron, Ixonia, Jefferson, Lake Mills, Milford, Oakland, Sullivan, Sumner, Waterloo and Watertown;

(b) ~~that~~ That part of the town of Koshkonong comprising wards 2, 3, 4 and 5;

(c) ~~that~~ That part of the town of Palmyra comprising ward 1;

(d) ~~the~~ The villages of Johnson Creek, Palmyra and Sullivan;

(e) ~~that~~ That part of the village of Cambridge located in the county;

(f) ~~the~~ The cities of Fort Atkinson, Jefferson and Lake Mills;

(g) ~~that~~ That part of the city of Watertown located in the county; and

(h) ~~that~~ That part of the city of Waterloo comprising wards 4 and 5.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 28.** 3.09 (5) of the statutes is renumbered 3.09 (5) (intro.) and amended to read:

3.09 (5) SHEBOYGAN COUNTY. (intro.) That part of the county of Sheboygan consisting of:

(a) ~~the~~ The towns of Herman, Holland, Mosel, Sheboygan, Sherman and Wilson;

(b) ~~that~~ That part of the town of Scott comprising ward 1;

(c) ~~the~~ The villages of Adell, Cedar Grove, Howards Grove, Kohler, Oostburg and Random Lake; and

(d) ~~the~~ The cities of Sheboygan and Sheboygan Falls.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 29.** 3.09 (6) of the statutes is renumbered 3.09 (6) (intro.) and amended to read:

3.09 (6) WAUKESHA COUNTY. (intro.) That part of the county of Waukesha consisting of:

(a) ~~the~~ The towns of Brookfield, Delafield, Eagle, Genesee, Lisbon, Merton, Oconomowoc, Ottawa and Summit;

(b) ~~that~~ That part of the town of Pewaukee comprising wards 1, 2, 3, 9, 10, 11 and 12;

(c) ~~the~~ The villages of Butler, Chenequa, Dousman, Eagle, Elm Grove, Hartland, Lac La Belle, Lannon, Menomonee Falls, Merton, Nashotah, North Prairie, Oconomowoc Lake, Pewaukee, Sussex and Wales;

(d) ~~the~~ The cities of Brookfield, Delafield and Oconomowoc; and

(e) ~~that~~ That part of the city of Milwaukee located in the county.

NOTE: Inserts parentheses, capitalization and spacing for proper paragraph designation.

**SECTION 30.** 8.35 (4) (a) of the statutes is renumbered 8.35 (4) (a) 1. (intro.) and amended to read:

8.35 (4) (a) 1. (intro.) When a candidate is appointed to fill a vacancy under this section, the funds remaining in the former candidate's depository after payment of the former candidate's lawful campaign debts, if any, shall be:

a) ~~donated.~~ Donated to the former candidate's local or state political party if ~~he or she~~ the former candidate was a partisan candidate or donated to the charitable organization of ~~his or her~~ the former candidate's choice or the charitable organization chosen by ~~his or her~~ the former candidate's next of kin if the former candidate is deceased, or if no choice is made returned to the donors on a proportional basis; or

b) ~~if he or she.~~ If the former candidate was a nonpartisan candidate, donated to the charitable organization of ~~his or her~~ the former candidate's choice or the charitable organization chosen by the former candidate's next of kin if ~~he or she~~ the former candidate is deceased; or

c) ~~if.~~ If no choice is made, returned to the donors on a proportional basis, with contributions which cannot be identified donated in accordance with subd. 1. a), or b).

2. A petitioner or personal representative may make the choice under subd. 1. a), or b), where subd. 1. c) applies.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 31.** 11.03 (3) of the statutes is renumbered 11.03 (3) (intro.) and amended to read:

11.03 (3) (intro.) Except as otherwise expressly provided, this chapter does not apply to any individual or committee acting exclusively in support of or in opposition to any of the following:

(a) ~~candidates~~ Candidates for national office; ~~or,~~

(b) ~~other~~ Other individuals and committees exclusively supporting or opposing candidates for national office.

NOTE: Conforms internal numbering to current style.

**SECTION 32.** 11.26 (2) (e) of the statutes is renumbered 11.26 (2) (e) (intro.) and amended to read:

11.26 (2) (e) (intro.) Candidates for local offices, an amount equal to the greater of the following:

1) ~~\$200; or, Two hundred dollars.~~

2) ~~three-fourths. Three-fourths~~ of one cent times the number of inhabitants of the jurisdiction or district, according to the latest federal census or the census information on which the district is based, as certified by the appropriate filing officer, but not more than \$2,500.

NOTE: Conforms internal numbering and number form to current style.

**SECTION 33.** 11.31 (1) (h) of the statutes is renumbered 11.31 (1) (h) (intro.) and amended to read:

11.31 (1) (h) (intro.) Candidates for any local office, who are elected from a jurisdiction or district with less than 500,000 inhabitants according to the latest federal census or census information on which the district is based, as certified by the appropriate filing officer, an amount equal to the greater of the following:

1) ~~\$1,075; or,~~

2) ~~53.91% of the annual salary for the office sought, rounded to the nearest multiple of \$25; or,~~

3) ~~32.35 cents per inhabitant of the jurisdiction or district, but in no event more than \$43,125.~~

NOTE: Subdivides provision and repositions language for greater readability.

**SECTION 34.** 13.101 (4g) of the statutes, as affected by 1995 Wisconsin Act 27, is amended by replacing "20.115 (7) (q)" with "20.115 (7) (qd)".

NOTE: This provision and s. 20.115 (7) (q) were created by 1991 Wis. Act 309, but s. 20.115 (7) (q) was renumbered s. 20.115 (7) (qd) by 1991 Wis. Act 315.

**SECTION 35.** 13.123 (3) (b) of the statutes is renumbered 13.123 (3) (b) 1. (intro.) and amended to read:

13.123 (3) (b) 1. (intro.) Notwithstanding par. (a), no member of the legislature may be reimbursed for attendance at any meeting held outside this state, other than a meeting of the legislature, a legislative committee, committee of the joint legislative council or a statutory body of which the person is a duly constituted member, after the chief clerk of the member's house determines: ~~1) after~~ one of the following:

a. After the day of the September primary, that the member either has not filed nomination papers for reelection or election to another legislative seat or has sought a party nomination for a legislative seat but it is generally acknowledged that the member has not won nomination; ~~or 2) after.~~

b. After the day of the general election, that it is generally acknowledged that the member has not been elected to a legislative seat for the succeeding session.

2. In making such the determination under subd. 1., the chief clerk is bound by the determination of the board of state canvassers if such determination has been issued.

NOTE: Conforms internal numbering to current style.

**SECTION 36.** 13.48 (13) (a) of the statutes, as affected by 1995 Wisconsin Act 27, section 24c, is amended to read:

13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or facility that is constructed for the benefit of or use of the state or any state agency, board, commission or department or the University of Wisconsin Hospitals and Clinics Authority shall be in compliance with all applicable state laws, rules, codes and regulations ~~and zoning ordinances or regulations of the municipality in which the construction takes place but the construction~~ is not subject to ~~other the~~ ordinances or regulations of that the municipality in which the construction takes place except zoning, including without limitation because of enumeration ordinances or regulations relating to materials used, permits, supervision of construction or installation, payment of permit fees, or other restrictions.

NOTE: 1995 Wis. Act 27, s. 24c inserted the language stricken above without showing it as underscored and deleted the language underscored above without showing it as stricken. No change was intended.

**SECTION 37.** 13.53 (3) (b) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

13.53 (3) (b) The committee may, in any case, propose specific corrective action to remedy undesirable practices, including changes in applicable laws, rules and procedures, but with respect to the program portion of an audit, it shall first seek the advice of the appropriate standing committees which have purview over the entity under review. If the committee introduces a bill, it shall be referred to the appropriate standing committee. The appropriate standing committees may propose corrective legislation wherever they find that the program portion of the audit indicates that a law is not being implemented in the manner intended by the legislature when the law was enacted.

NOTE: Inserts missing word consistent with s. 13.53 (2) (c).

**SECTION 38.** The amendment of 13.94 (4) (a) 1. of the statutes by 1995 Wisconsin Act 27 is not repealed by 1995 Wisconsin Act 56. Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 39.** 13.95 (1) (a) of the statutes is renumbered 13.95 (1) (a) (intro.) and amended to read:

13.95 (1) (a) (intro.) Develop, and make available to the legislature and its standing, procedural, special or statutory legislative committees, such fiscal information as will assist the legislature or any legislative committee in its deliberations. As part of its fiscal analysis activity, the bureau shall study, and may recommend alternatives to the legislature and to any legislative committee, concerning ~~1) the~~ the following:

1. The state budget and its long-range implications for every state fund, and 2) the

2. The revenues and expenditures of the state.

NOTE: Corrects subdivision designations to make them consistent with current style.

**SECTION 40.** 14.28 (2) (h) of the statutes is amended to read:

14.28 (2) (h) The foundation establishes a business plan that anticipates capitalizing its endowment fund with a total of \$25,500,000 received from telecommunications providers and from the appropriation under s. 20.855 (4) (d), 1993 stats., within 7 years after the foundation is organized.

NOTE: Section 20.855 (4) (d) was repealed effective June 30, 1995, by [1993 Wis. Act 496](#).

**SECTION 41.** 14.38 (9) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

14.38 (9) FURNISH CERTIFIED COPIES; FEES. Make a copy of any law, resolution, deed, bond, record, document or paper deposited or kept in his or her office, upon request therefor, attach thereto his or her certificate, with the greater or lesser seal affixed, and collect therefor 50 cents per page and \$5 for such certificate; if a copy is not to be certified and if the reproduction is performed by the office of the secretary of state, then collect a fee to cover the actual and necessary cost of reproduction and actual and necessary cost of transcription required to produce the copy or \$2, whichever is greater; also to record any document authorized or required by law to be recorded in his or her office, and to charge therefor a fee of \$1 per page. The fee for certified copies and for certificates as to results of ~~search~~ searches of the records and files of his or her office, when a printed form is used, shall be \$5, but when a specially prepared form is required the fee shall be \$10. Telegraphic reports as to results of record searches shall be \$5 plus the cost of the telegram. The secretary of state shall charge and collect for preparing any record or certificate under this subsection in an expeditious manner, an expedited service fee of \$25 in addition to the fee otherwise required under this subsection.

NOTE: Inserts correct word form for sentence agreement.

**SECTION 42.** 14.563 (title) of the statutes is created to read:

**14.563 (title) Same; division.**

NOTE: [1995 Wis. Act 27](#), s. 101m, renumbered s. 15.103 (4) to s. 14.563 (1). The treatment by Act 27 resulted in the creation of a section without a section title.

**SECTION 43.** 15.105 (24) (c) 8. of the statutes is amended to read:

15.105 (24) (c) 8. At least one member who is at least 16 years of age and not more than 25 years of age and who is a participant or a supervisor in a national service program ~~that receives assistance under the national and community service trust act of 1993, P.L. 103-82 described in [42 USC 12572](#) (a).~~

NOTE: Inserts United States Code citations and clarifies description.

**SECTION 44.** 15.105 (24) (c) 9. of the statutes is amended to read:

15.105 (24) (c) 9. At least one member who is a representative of a national service program ~~that receives assistance under the national and community service trust act of 1993, P.L. 103-82 described in [42 USC 12572](#) (a).~~

NOTE: Inserts United States Code citations and clarifies description.

**SECTION 45.** 15.105 (24) (d) of the statutes is amended to read:

15.105 (24) (d) *Nonvoting members.* In addition to the voting members specified in par. (c), the national and community service board shall include as a nonvoting member the state representative of the corporation for national and community service designated under ~~the national and community service trust act of 1993, P.L. 103-82 [42 USC 12651f](#)~~, and may include as nonvoting members such representatives of state agencies providing community services, youth services, educational services, social services, services for the aging and job training programs as the governor may appoint.

NOTE: Inserts United States Code citation.

**SECTION 46.** 15.195 (8) of the statutes is amended by replacing “state board of vocational, technical and adult education” with “technical college system board”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by [1993 Wis. Act 399](#).

**SECTION 47.** 15.197 (11n) (a) 2. of the statutes is amended to read:

15.197 (11n) (a) 2. The secretary, ~~department~~ of health and social services.

NOTE: Makes terminology consistent with the remainder of s. 15.197 (11n) (a).

**SECTION 48.** 15.227 (24) (a) 5p. of the statutes, as created by [1995 Wisconsin Act 27](#), is amended to read:

15.227 (24) (a) 5p. One ~~representative to the senate~~ senator appointed by the senate majority leader.

NOTE: Inserts proper term.

**SECTION 49.** 15.405 (17) (b) of the statutes is amended by replacing “barbering” with “barbering” and by replacing “representating” with “representing”.

NOTE: Corrects spelling.

**SECTION 50.** 15.445 (3) (a) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

15.445 (3) (a) There is created a lower Wisconsin state riverway board, which is attached to the department of ~~natural resources~~ tourism under s. 15.03.

NOTE: Section 15.445 (3) was renumbered from s. 15.345 (6) for the purpose providing that the Lower Wisconsin Riverway Board be attached to the Department of Tourism rather than the Department of Natural Resources. The language of s. 15 445 (3) (a) was not changed to correspond with the renumbering.

**SECTION 51.** 16.22 (1) (b) of the statutes is amended to read:

16.22 (1) (b) “Corporation” means the corporation for national and community service created under ~~the national and community service trust act of 1993, P.L. 103-82 [42 USC 12651](#)~~.

NOTE: Inserts United States Code citation.

**SECTION 52.** 16.22 (2) (c) of the statutes is amended to read:

16.22 (2) (c) Prepare applications for approval by the corporation of national service program positions that are eligible for national service educational awards under the national and community service trust act of 1993, P.L. 103–82 [42 USC 12601 and 12604](#).

NOTE: Inserts United States Code citation.

**SECTION 53.** 16.54 (6) of the statutes is renumbered 16.54 (6) (intro.) and amended to read:

16.54 (6) (intro.) The governor may accept for the state the provisions of any act of congress whereby funds or other benefits are made available to the state, its political subdivisions, or its citizens, so far as the governor deems such considers the provisions to be in the public interest; and to. To this end, the governor may take or cause to be taken all necessary acts including ~~ε~~ without limitation because of enumeration) the, the following:

(a) The making of leases or other contracts with the federal government; the,

(b) The preparation, adoption and execution of plans, methods; and agreements, and the,

(c) The designation of state, municipal or other agencies to perform specific duties.

NOTE: Subdivides provision and replaces parentheses for greater conformity with current style.

**SECTION 54.** 16.61 (2) (af) of the statutes, as created by [1995 Wisconsin Act 27](#), is amended to read:

16.61 (2) (af) “Form” has the meaning specified in s. 16.97 (~~5m~~) (5p).

NOTE: This bill rennumbers s. 16.97 (5m), as affected by [1995 Wisconsin Act 27](#), section 312, to s. 16.97 (5p).

**SECTION 55.** 16.75 (3t) (a) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

16.75 (3t) (a) In this subsection, “form” has the meaning given under s. 16.97 (~~5m~~) (5p).

NOTE: This bill rennumbers s. 16.97 (5m), as affected by [1995 Wisconsin Act 27](#), section 312, to s. 16.97 (5p).

**SECTION 56.** 16.765 (2) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and Clinics Authority and the Bradley center sports and entertainment corporation shall include the following provision in every contract executed by them: “In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employe or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employes and applicants

for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.”

NOTE: Inserts missing quotation mark.

**SECTION 57.** 16.80 of the statutes, as created by [1995 Wisconsin Act 27](#), is amended to read:

**16.80 Purchases of computers by teachers.** The department shall negotiate with private vendors to facilitate the purchase of computers and other educational technology, as defined in s. ~~16.922~~ 16.992 (1) (c), by public and private elementary and secondary school teachers for their private use. The department shall attempt to make available types of computers and other educational technology under this section that will encourage and assist teachers in becoming knowledgeable about the technology and its uses and potential uses in education.

NOTE: Corrects cross-reference. “Educational technology” is defined at s. 16.992 (1) (c). There is no s. 16.922.

**SECTION 58.** 16.97 (5m) of the statutes, as affected by [1995 Wisconsin Act 27](#), section 312, is renumbered 16.97 (5p).

NOTE: [1995 Wis. Act 27](#), s. 312, renumbered s. 16.61 (2) (ad) to s. 16.97 (5m). Act 27, s. 406e, created s. 16.97 (5m).

**SECTION 59.** 17.13 (intro.) of the statutes is amended by replacing “vocational, technical and adult education technical college” with “technical college”.

NOTE: [1993 Wis. Act 399](#) was intended to replace all references to vocational, technical and adult education. The reference to “technical college” was inserted in this provision but the reference to “vocational, technical and adult education” was not deleted. “(V)ocational” was deleted by Act 399 without being shown as stricken.

**SECTION 60.** 20.250 (1) (a) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

20.250 (1) (a) *General program operations.* The amounts in the schedule for medical education, teaching and research as provided under s. 39.155. From this appropriation, an amount of \$10,091 in the 1989–90 fiscal year and annually thereafter shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as a student in pursuit of a doctor of medicine (M.D.) degree who is paying full tuition. The number of Wisconsin residents enrolled at the college in ~~1986~~ each academic year to be funded under this appropriation shall be determined by multiplying the total number of students enrolled at the college by 0.56, but may not exceed 416.

NOTE: Deletes language unintentionally retained by [1995 Wis. Act 27](#).

**SECTION 61.** 20.292 (1) (cm) of the statutes is amended by replacing “vocational, technical and adult education” with “technical college”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by [1993 Wis. Act 399](#).

**SECTION 742d.** 20.370 (7) (aa) of the statutes, as affected by [1995 Wisconsin Act 27](#), section 742d, is amended to read:

20.370 (7) (aa) *Resource acquisition and development — principal repayment and interest.* A sum suffi-



cient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the placement of structures and fill under s. 30.203, in financing the acquisition, construction, development, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and (tr), in financing state aids for land acquisition and development of local parks under s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice age trail development under s. 20.866 (2) (tw) and in funding the stewardship program under s. 20.866 (2) (tz), but not including payments made under sub. (4) ~~(jb)~~ (7) (ac).

NOTE: Corrects cross-reference. There is no sub. (4) (jb). 1995 Wis. Act 27 renumbered sub. (4) (jb) to sub. (7) (ac).

**SECTION 62.** 20.380 (2) (q) of the statutes, as affected by 1995 Wisconsin Act 27, section 1084, is amended to read:

20.380 (2) (q) *Kickapoo valley governing board; general program operations.* From the conservation fund, the amounts in the schedule for the general program operations of the Kickapoo valley governing board under s. ~~27.41~~ 41.41.

NOTE: Corrects cross-reference. There is no s. 27.41. 1995 Wis. Act 27 renumbered s. 16.21 to s. 41.41. An early version of Act 27 renumbered s. 16.21 to s. 27.41. This cross-reference was changed in accordance with the original number, but was not subsequently changed.

**SECTION 63.** 20.445 (1) (e) of the statutes, as affected by 1995 Wisconsin Act 27, is repealed.

NOTE: By its terms, this provision is without effect after 6-30-93.

**SECTION 64.** 20.445 (5) (na) of the statutes, as affected by 1995 Wisconsin Act 27, section 914, is amended to read:

20.445 (5) (na) *Federal program aids.* ~~All moneys received from the federal government or any of its agencies for continuing programs to be expended as aids to individuals or organizations for the purposes specified. All federal moneys received for the purchase of goods and services under ch. 47 and for the purchase of vocational rehabilitation programs for individuals or organizations. The department shall, in each state fiscal year, transfer to s. 20.435 (7) (kc) up to \$200,000.~~

NOTE: The stricken text was inserted by 1995 Wis. Act 27 without being shown as underscored. The insertion was not intended.

**SECTION 65.** 20.485 (2) (c) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

20.485 (2) (c) *Operation of Wisconsin veterans museum.* From the general fund, the amounts in the schedule for the operation of the Wisconsin veterans museum under s. 45.01.

NOTE: Inserts missing word.

**SECTION 66.** 20.505 (1) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

20.505 (1) (a) *General program operations.* The amounts in the schedule for administrative supervision, policy and fiscal planning and management services, ~~other than services financed under par. (km)~~, and to defray the expenses incurred by the building commission not otherwise appropriated.

NOTE: Deletes reference to a provision that appeared in an early version of Act 27, but was not included in the act as passed. There is no par. (km).

**SECTION 67.** 20.505 (4) (o) of the statutes is amended to read:

20.505 (4) (o) *National and community service board; federal aid for administration.* From the moneys received from the corporation for national and community service under ~~the national and community service trust act of 1993, P.L. 103-82~~ 42 USC 12542 (a) and 12571 (a), as a continuing appropriation, the amounts in the schedule for the administration of the national and community service program under s. 16.22.

NOTE: Inserts United States Code citations.

**SECTION 68.** 20.525 (1) (d) of the statutes is amended to read:

20.525 (1) (d) *Disability board.* Such sums as are necessary for ~~1)~~ the disability board to make payment for the service of process or other papers, certified copies of papers and records, standard witness fees and expert witness fees; ~~2)~~ to supplement existing appropriations for the purpose of making the compensation payments required under s. 20.925.

NOTE: Conforms provision to current drafting style.

**SECTION 69.** 20.923 (4) (c) 1m. of the statutes is repealed.

NOTE: 1995 Wis. Act 27 repeals s. 20.923 (4) (c) 1m., 4. and 5. and amends s. 20.923 (4) (c) 3. Act 27 does not treat 20.923 (4) (c) in its entirety. Act 27, section 9427 (1), provides that the treatment of s. 20.923 (4) (c) is effective 7-1-96 without specifying the applicable subdivision of s. 20.923 (4) (c). Section 9459 (7) provides a delayed effective date of 7-1-96 for the treatments of subs. 3. and 5. Section 9427 (1) relates to the elimination of the higher educational aids board, making it effective on 7-1-96. Section 20.923 (4) (c) 4. relates to the position of higher educational aids board, executive secretary. Section 20.923 (4) (c) 1m. relates to the position of cost containment commission, staff director. The cost containment commission is eliminated by the repeal of s. 15.195 (10) by Act 27, effective the day after publication of Act 27. The immediate repeal of s. 20.923 (4) (c) 1m. and the creation and subsequent repeal, effective 7-1-96, of s. 20.923 (4) (c) 4. by this bill are made for the purpose of clarifying that the repeal of subd. 4. and not the repeal of subd. 1m. was intended to take effect on 7-1-96.

**SECTION 70.** 20.923 (4) (c) 4. of the statutes is created to read:

20.923 (4) (c) 4. Higher educational aids board: executive secretary.

NOTE: See the note to the treatment of s. 20.923 (4) (c) 1m. by this bill.

**SECTION 71.** 20.923 (4) (c) 4. of the statutes, as created by 1995 Wisconsin Act ... (this act), is repealed.

NOTE: See the note to the treatment of s. 20.923 (4) (c) 1m. by this bill.

**SECTION 72.** 20.923 (4) (e) 4. of the statutes is amended to read:

20.923 (4) (e) 4. Industry, labor and human relations, department of: labor and industry review commission: member and ~~chairman~~ chairperson.

NOTE: Replaces gender specific language.

**SECTION 73.** 24.11 (4) of the statutes is amended by replacing "incumbrances" with "encumbrances".

NOTE: Inserts preferred spelling.

**SECTION 74.** 27.065 (1) (a) of the statutes is amended by replacing "land is situate" with "land is situated".

NOTE: Changes form of word.

**SECTION 75.** 29.06 (1) of the statutes is renumbered 29.06 (1) (a) and amended to read:

29.06 (1) (a) All confiscated wild animals, or carcasses or parts thereof, and all confiscated apparatus, appliances, equipment, vehicles or devices shall, if not destroyed as authorized by law, be sold at the highest price obtainable, by the department or its wardens, or by an agent on commission under the written authority and supervision of the department. The net proceeds of ~~such~~ all sales under this subsection, after deducting the expense of seizure and sale and any ~~such~~ commissions and any amounts owing to holders of security interests under par. (b) or (c), shall be promptly remitted, by the warden by whom or under whose authority and supervision the sales are made, to the department; ~~the~~. The remittance to ~~shall~~ be accompanied by a complete and certified report of ~~such~~ the sales made under this subsection, supported by proper vouchers covering all deductions made for expenses and commissions, to ~~and shall~~ be filed with the department. Of the remittance from such sales of confiscated apparatus, appliances, equipment, vehicles or devices, 18% shall be paid into the conservation fund to reimburse it for expenses incurred in seizure and sale, and the remaining 82% shall be paid into the common school fund.

~~(b) 1.~~ In the case of the ~~proceeds from the sale of a confiscated motor vehicle if the holder of a security interest perfected by filing with such motor vehicle as security, satisfies (and the burden of proof shall be upon the holder of a security interest) the court, or after judgment of confiscation, the department, that the violation that led to such confiscation was not with his or her knowledge, consent or connivance or with that of some person employed or trusted by the holder of a security interest, there shall also be deducted the amount due under the security agreement from the proceeds of such sale and the amount due shall be paid to the one entitled; in case a sufficient amount does not remain for such purpose after the other deductions then the amount remaining shall be paid. The~~ the department shall make a reasonable effort, within 10 days after seizure, to ascertain if a security interest in the seized motor vehicle exists, ~~and~~. The depart-

ment shall, within 10 days after obtaining actual or constructive notice of ~~such a~~ a security interest in the seized motor vehicle, give the secured party notice of the time and place when there is to be any proceeding before the court or the judge pertaining to ~~such~~ the confiscation ~~and shall also give such secured party at least 10 days' notice of the time and place of sale of the motor vehicle.~~ Constructive notice shall be limited to security interests perfected by filing. ~~In all such cases the~~

2. The time of sale of the confiscated motor vehicle shall be within 20 days after judgment of confiscation as provided in s. 29.05 (8). The department shall give each secured party discovered in accordance with subd. 1. at least 10 days' notice of the time and place of sale of the motor vehicle.

(c) The provisions of s. 973.075 (1) (b) 1. to 3. and (5) apply to vehicles other than motor vehicles under this subsection.

(d) This subsection shall not apply to a deer killed, or so injured that it must be killed, by a collision with a motor vehicle on a highway. ~~Such~~ In that case, the deer carcass shall be released free of charge to the motor vehicle operator under s. 29.40 (5) by the department or its agent, but shall be retained by the department or its agent if the motor vehicle operator declines to accept the carcass.

NOTE: Subdivides provision, reorganizes text, deletes parentheses and replaces language for greater readability and conformity with current style.

**SECTION 76.** 29.06 (1) (b) 3. of the statutes is created to read:

29.06 (1) (b) 3. a. If the holder of a security interest in the confiscated motor vehicle, perfected by filing, satisfies the court, or after judgment of confiscation, the department, that the violation that led to the confiscation was not with the knowledge, consent or connivance of the holder of the security interest or with that of some person employed or trusted by the holder of the security interest, the amount due under the security agreement, together with any other deductions authorized under par. (a), shall be deducted from the proceeds of the sale of the confiscated motor vehicle and the amount due shall be paid to the one entitled. If a sufficient amount does not remain for the full payment of the amount due under the security agreement after making the other deductions authorized under par. (a), the amount remaining shall be paid to the one entitled.

b. The burden of proof to satisfy the court or department under subd. 3. a. shall be upon the holder of the security interest.

NOTE: See the note to the previous section of this bill.

**SECTION 77.** 29.15 (3) of the statutes is amended to read:

29.15 (3) ISSUANCE. The Great Lakes trout and salmon stamp shall be issued subject to s. 29.09 by the department or a county clerk to any person holding or applying for a fishing license under s. 29.09 (12) (a), 29.14 (2) to

(7), 29.145 (1c) to (2), ~~or~~ 29.146 or a sports license under s. 29.147. The department shall design and produce Great Lakes trout and salmon stamps as provided under s. 29.09 (13).

NOTE: Corrects punctuation.

**SECTION 78.** 29.157 of the statutes is amended by replacing “ch. 277” with “ch. 227”.

NOTE: Corrects cross-reference. Chapter 227 governs rule making. There is no ch. 277.

**SECTION 79.** 30.27 (2) of the statutes is renumbered 30.27 (2) (a) (intro.) and amended to read:

30.27 (2) (a) (intro.) As soon as possible after May 7, 1974, the department shall adopt, by rule, guidelines and specific standards for local zoning ordinances which apply to the banks, bluffs and bluff tops of the lower St. Croix river. The guidelines shall designate the boundaries of the areas to which they apply. In drafting ~~such~~ the guidelines and standards, the department shall consult with appropriate officials of counties, cities, villages and towns lying within the affected area. The standards specified in the guidelines shall include, but not be limited to: ~~a), the prohibition following:~~

1. Prohibition of new residential, commercial and industrial uses, and the issuance of building permits therefor, where such uses are inconsistent with the purposes of this section, ~~and b) the establishment.~~

2. Establishment of acreage, frontage and setback requirements where compliance with such requirements will result in residential, commercial or industrial uses which are consistent with the purposes of this section. ~~Such~~

~~(b) The standards established under par. (a) shall be consistent with but may be more restrictive than any pertinent guidelines and standards promulgated by the secretary of the interior under the wild and scenic rivers act. If it appears to the department that the purposes of this section may be thwarted or the wild, scenic or recreational values of the river adversely affected prior to the implementation of rules under this section, the department may exercise its emergency rule-making authority under s. 227.24, and such rules shall be effective and implemented and enforced under sub. (3) until permanent rules are implemented under sub. (3).~~

NOTE: Subdivides provision and replaces language consistent with current style.

**SECTION 80.** 30.38 (13) (a) of the statutes is amended to read:

30.38 (13) (a) All moneys appropriated to a board of harbor commissioners, all revenues derived from the operation of the public harbor except ~~(in the case of a joint harbor) revenue from joint improvements before division thereof, and all other revenues of the board shall be paid into the municipal treasury and credited to the harbor fund, except that revenues assigned or pledged under s. 30.35 (6) or 66.521 shall be paid into the fund or funds provided for in the ordinance or resolution authorizing~~

the issuance of the bonds and shall be applied in accordance with that ordinance or resolution.

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 81.** 32.19 (4) (a) 1m. of the statutes is renumbered 32.19 (4) (a) 1m. (intro.) and amended to read:

32.19 (4) (a) 1m. (intro.) In the case of a person displaced from a mobile home site who meets one of the conditions under subd. 1m. a., b. or c., the amount, if any, which when added to the trade-in or salvage value of the mobile home equals the reasonable cost of a comparable mobile home which is decent, safe and sanitary, plus an amount equal to 48 times the difference between the monthly rent being paid for the site on which the mobile home is located and the monthly rent for a comparable mobile home site or the amount necessary to enable the displaced person to make a down payment on the purchase of a comparable mobile home site, ~~provided that the.~~ If a comparable mobile home dwelling is not available, the replacement housing payment shall be calculated on the basis of the next highest type of mobile home or a conventional dwelling that is available and meets the requirements and standards for a comparable dwelling. The owner of a mobile home shall be eligible for ~~such~~ payments ~~only if~~ under this subdivision if one of the following conditions is met:

a) ~~the.~~ The mobile home is not considered to be a decent, safe and sanitary dwelling unit; ~~or.~~

b) ~~the.~~ The structural condition of the mobile home is such that it cannot be moved without substantial damage or unreasonable cost; ~~or.~~

c) ~~there.~~ There are no adequate or available replacement sites to which the mobile home can be moved. ~~If a comparable mobile home dwelling is not available, the replacement housing payment shall be calculated on the basis of the next highest type of mobile home or a conventional dwelling that is available and meets the requirements and standards for a comparable dwelling.~~

NOTE: Subdivides provision, reorganizes text, and replaces language for greater readability and conformity with current style.

**SECTION 82.** 32.19 (4m) (a) 1. of the statutes is amended to read:

32.19 (4m) (a) 1. The amount, if any, which when added to the acquisition cost of the property ~~(other than any dwelling on the property),~~ equals the reasonable cost of a comparable replacement business or farm operation for the acquired property, as determined by the condemnor.

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 83.** 32.195 (6) of the statutes is renumbered 32.195 (6) (intro.) and amended to read:

32.195 (6) (intro.) Reasonable net rental losses where when all of the following are true:

(a) ~~the~~ The losses are directly attributable to the public improvement project ~~and,~~

(b) ~~such~~ The losses are shown to exceed the normal rental or vacancy experience for similar properties in the area.

NOTE: Subdivides provision and replaces language consistent with current style.

**SECTION 84.** 36.25 (35) of the statutes is amended by replacing “state board of vocational, technical and adult education” with “technical college system board”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 85.** 36.33 (2) of the statutes is renumbered 36.33 (2) (a) (intro.) and amended to read:

36.33 (2) (a) (intro.) The board, in selling or leasing any part of the agricultural lands and improvements thereon, mentioned in sub. (1), shall sell or lease on the basis of either a) public of the following:

1. Public bids, with the board reserving the right to reject any or all bids in the best interest of the state, ~~or b) negotiated.~~

2. Negotiated prices.

(b) Notwithstanding any provisions of law to the contrary, the lands in Dane county mentioned in sub. (1) shall be subject to special assessments for public improvements by the city of Madison, in the same manner and to the same extent as privately owned lands, if ~~such~~ the public improvements are of direct and substantial benefit to ~~such portions as the lands that~~ have been platted for sale.

NOTE: Subdivides provision and replaces language consistent with current style.

**SECTION 86.** 38.28 (7) (a) 2. a. of the statutes is amended by replacing “vocational, technical and adult education” with “technical college”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 87.** 40.04 (3) (a) of the statutes is amended to read:

40.04 (3) (a) All earnings, profits or losses of the fixed retirement investment trust and the net gain or loss of the variable retirement investment trust shall be distributed annually on December 31 to each participating account in the same ratio as each account’s average daily balance within the respective trust bears to the total average daily balance of all participating accounts in that trust. For the fixed retirement investment trust the amount to be distributed shall be the then balance of the current income account plus 20% of the then balance of the transaction amortization account. For the variable retirement investment trust the amount to be distributed shall be the excess of 1) the increase within the period in the value of the assets of the trust resulting from income from the investments of the trust and from the sale or appreciation in value of any investment of the trust, over 2) the decrease within the period in the value of the assets

resulting from the sale or the depreciation in value of any investments of the trust.

NOTE: Deletes subdivision designations which are not consistent with current style.

**SECTION 88.** 40.04 (5) (c) of the statutes is amended to read:

40.04 (5) (c) Debited the aggregate excess of 1) the amount of each single sum benefit or in the case of an annuity the present value of the annuity over 2) the amount equal to the accumulated credits of the participant in the employe accumulation reserve applied to provide for the benefit or annuity.

NOTE: Deletes subdivision designations which are not consistent with current style.

**SECTION 89.** 40.23 (2) (a) of the statutes is amended to read:

40.23 (2) (a) The annuity which can be provided from a sum equal to 200% of the excess accruing after June 30, 1966, for teacher participants, or December 31, 1965, for all other participants, of 1) the participant’s required contribution accumulation reserved for a variable annuity over 2) the amount to which the contributions would have accumulated if not so reserved. If ~~item 1) the participant’s required contribution accumulation reserved for a variable annuity is less than item 2) the amount to which the contributions would have accumulated if not so reserved,~~ the annuity shall be reduced by the amount which could be provided by a sum equal to 200% of the deficiency.

NOTE: Inserts commas and replaces cross-references for greater readability and conformity with current style.

**SECTION 90.** 41.41 (8) of the statutes, as affected by 1995 Wisconsin Act 27, s. 279, is amended by replacing “62.324” with “62.234”.

NOTE: Corrects cross-reference. Section 62.234 governs construction site erosion. There is no s. 62.324.

**SECTION 91.** 43.24 (1) (b) 1. of the statutes is amended to read:

43.24 (1) (b) 1. The total amount calculated for all systems in the state, as determined under par. (a), shall be subtracted from the amount remaining for public library systems in the appropriation under s. 20.255 ~~(1) (3)~~ (e) after such aids have been calculated.

NOTE: Section 20.255 (1) (e) was renumbered s. 20.255 (3) (e) by 1995 Wis. Act 27.

**SECTION 92.** 44.60 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

44.60 (4) At the request of the board, the department of ~~development~~ tourism shall assist the board in evaluating proposed projects under this section.

NOTE: 1995 Assembly Bill 150, which was adopted as 1995 Wis. Act 27, showed “tourism” as underscored and “development” as stricken. The strikes and underscores were inadvertently deleted from Act 27 as it was finally printed.

**SECTION 93.** 46.03 (3) of the statutes is amended to read:

46.03 (3) TRUSTEE DUTY. Take and hold in trust ~~(, whenever it deems~~ considers acceptance advanta-

geous), all property transferred to the state to be applied to any specified purpose, use or benefit pertaining to any of the institutions under its control or the inmates thereof, and apply the same in accordance with the trust; and when ordered by the court, act as trustee of funds paid for the support of any child if appointed by the court or family court commissioner under s. 767.475 (7).

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 94.** 46.03 (7) (b) of the statutes is amended to read:

46.03 (7) (b) When notified of the birth or expected birth of a child who is or is likely to be a nonmarital child, see to it (, through advice and assistance to the mother or independently), that the interests of the child are safeguarded, that steps are taken to establish its paternity and that there is secured for the child (, as near as possible), the care, support and education that would be given if he or she the child were a marital child.

NOTE: Replaces parentheses and pronouns for greater clarity and conformity with current style.

**SECTION 95.** 46.031 (1) (a) of the statutes is amended to read:

46.031 (1) (a) Each county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 shall submit to the department by December 31 annually its final budget for services directly provided or purchased ~~to the department by December 31 annually.~~

NOTE: Reorders text for greater clarity.

**SECTION 96.** 46.215 (2) (c) 1. of the statutes, as affected by 1995 Wisconsin Act 27, sections 2074 and 9126 (15), is amended to read:

46.215 (2) (c) 1. A county department of social services shall develop, under the requirements of s. 46.036, plans and contracts for care and services to be purchased, except for care and services under subch. III of ch. 49 or s. 301.08 (2). ~~The contracts shall be developed under s. 46.036.~~ The department of health and family services may review the contracts and approve them if they are consistent with s. 46.036 and if state or federal funds are available for such purposes. The joint committee on finance may require the department of health and family services to submit the contracts to the committee for review and approval. The department of health and family services may not make any payments to a county for programs included in a contract under review by the committee. The department of health and family services shall reimburse each county for the contracts from the appropriations under s. 20.435 (3) (oo) and (7) (b) and (o) or under s. 20.435 (3) (cd), as appropriate, under s. 46.495.

NOTE: The stricken text was deleted from s. 46.215 (2) (c) 1. by 1995 Wisconsin Act 27, section 2074, without showing the language as stricken through. This amendment is made to confirm that the deletion was intended.

**SECTION 97.** 46.25 (7) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

46.25 (7) The department may represent the state in any action to establish paternity or to establish or enforce a support or maintenance obligation. The department may delegate its authority to represent the state in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section to an attorney responsible for support enforcement under s. 59.458 (1) pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services. ~~The department of industry, labor and human relations may transfer funds appropriated under s. 20.445 (3) (p) to the department of health and social services for the purpose of shall establish a formula for disbursing the transferred funds, under a formula established by the department of health and social services, appropriated under s. 20.435 (4) (p) to carry out a contract under this subsection.~~

NOTE: 1995 Wis. Act 27 amends s. 46.25 (7) effective on the day after publication. The amendment was for the purpose of transferring public assistance programs from the department of health and social services to the department of industry, labor and human relations. Section 9426 (14) of Act 27 provides for this transfer to be made effective 7-1-96. Through an error s. 46.23 (7), stats., and not s. 46.25 (7), stats., was included in s. 9426 (14). The above amendment returns s. 46.25 (7) to its pre-Act 27 status. The following section of this bill recreates the amendment of s. 46.25 (7) by Act 27, effective 7-1-96.

**SECTION 98.** 46.25 (7) of the statutes, as affected by 1995 Wisconsin Acts 27 and .... (this act), is amended to read:

46.25 (7) The department may represent the state in any action to establish paternity or to establish or enforce a support or maintenance obligation. The department may delegate its authority to represent the state in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section to an attorney responsible for support enforcement under s. 59.458 (1) pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services. ~~The department shall establish a formula for of industry, labor and job development may transfer funds appropriated under s. 20.445 (3) (p) to the department of health and~~

family services for the purpose of disbursing the transferred funds appropriated under s. 20.435 (4) (p), under a formula established by the department of health and family services, to carry out a contract under this subsection.

NOTE: See the note to the previous section of this bill.

**SECTION 99.** 46.35 (4) (e) of the statutes is amended to read:

46.35 (4) (e) The state technical college system board of ~~vocational, technical and adult education~~.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 100.** 46.765 (2) (c) of the statutes is amended by replacing “dieticians” with “dietitians”.

NOTE: Corrects spelling.

**SECTION 101.** 46.90 (4) (b) 2. a. of the statutes is amended to read:

46.90 (4) (b) 2. a. Any employe of a state agency who is discharged or otherwise discriminated against may file a complaint with the personnel commission under s. 230.45 (1) (j). In this ~~subparagraph~~ subd. 2. a., “agency” has the meaning provided under s. 111.32 (6) (a).

NOTE: Corrects form of reference.

**SECTION 102.** 48.295 (1) of the statutes is amended by replacing “masters degree” with “master’s degree”.

NOTE: Corrects spelling.

**SECTION 103.** 48.296 (1) (b) of the statutes is amended to read:

48.296 (1) (b) “HIV” has the meaning given in s. 252.01 (1) (1m).

NOTE: Corrects cross-reference. Section 252.01 (1) was renumbered s. 252.01 (1m) by 1993 Wis. Act 252.

**SECTION 104.** 48.30 (5) (c) 1. of the statutes is amended by replacing “under s. 46.22, 46.23 or 46.215” with “under s. 46.215, 46.22 or 46.23”.

NOTE: Places cross-references in correct order.

**SECTION 105.** 48.30 (5) (d) 1. of the statutes is amended by replacing “under s. 46.22, 46.23 or 46.215” with “under s. 46.215, 46.22 or 46.23”.

NOTE: Places cross-references in correct order.

**SECTION 106.** The amendments of 48.34 (intro.) of the statutes by 1993 Wisconsin Act 491 and 1995 Wisconsin Act 22 are not repealed by 1995 Wisconsin Act 24. All amendments stand.

NOTE: There is no conflict of substance.

**SECTION 107.** The amendment of 48.34 (2m) of the statutes by 1993 Wisconsin Act 377 is not repealed by 1995 Wisconsin Act 27, section 2451p. Both amendments stand.

NOTE: 1995 Wis. Act 27, s. 2451p, states that s. 48.34 (2m) is amended as affected by 1993 Wis. Act 377. However, s. 2451p does not include the changes to s. 48.34 (2m) by 1993 Wis. Act 377. As amended, s. 48.34 (2m) reads:

48.34 (2m) Place the child in the child’s home under the supervision of an agency or the department of health and social services, if that department approves, and order the agency or department to provide specified services to the child and the child’s family, which may include but are not

limited to individual, family or group counseling, homemaker or parent aide services, respite care, housing assistance, day care or parent skills training.

**SECTION 108.** 48.34 (12) (a) 4. of the statutes is amended by replacing “vocational, technical and adult education” with “technical college”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 109.** 48.34 (12) (c) of the statutes is amended by replacing “vocational, technical and adult education” with “technical college”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 110.** 48.346 (1) (e) of the statutes is amended by replacing “s. 252.01 (1)” with “s. 252.01 (1m)”.

NOTE: Corrects cross-reference. Section 252.01 (1) was renumbered s. 252.01 (1m) by 1993 Wis. Act 252.

**SECTION 111.** 48.355 (4) (a) of the statutes, as affected by 1995 Wisconsin Act 27, section 2465n, is amended to read:

48.355 (4) (a) Except as provided under par. (b) or s. 48.368, all orders under this section shall terminate at the end of one year unless the judge specifies a shorter period of time. Except if s. 48.368 applies, extensions or revisions shall terminate at the end of one year unless the judge specifies a shorter period of time. No extension under s. 48.365 of an original dispositional order may be granted for a child ~~whose legal custody has been transferred to the department of corrections under s. 48.34 (4g) or~~ who is under the supervision of the department under s. 48.34 (4m) or (4n) or under the supervision of a county department under s. 48.34 (4n) if the child is 17 years of age or older when the original dispositional order terminates. Any order made before the child reaches the age of majority shall be effective for a time up to one year after its entry unless the judge specifies a shorter period of time.

NOTE: The language stricken above was deleted from s. 48.355 (4) (a) by 1995 Wis. Act 27, s. 2465m. Section 2465n stated that it amended s. 48.355 (4) (a), as affected by s. 2465n, but the language stricken above was inadvertently retained.

**SECTION 112.** 48.357 (4) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

48.357 (4) (a) When the child is placed with the department of corrections, the department of corrections may, after an examination under s. 48.555, place the child in a secured correctional facility or in a secured child caring institution or on aftercare or corrective sanctions supervision, either immediately or after a period of placement in a secured correctional facility. The department shall send written notice of the change to the parent, guardian, legal custodian, county department designated under s. 48.34 (4n), if any, and committing court. A child ~~who is who~~ placed in a secured child caring institution remains under the supervision of the department of correc-

tions, remains subject to the rules and discipline of that department and is considered to be in custody, as defined in s. 946.42 (1) (a).

NOTE: Corrects word order.

**SECTION 113.** 48.396 (2) (e) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

48.396 (2) (e) Upon request of the department of ~~corrections~~ health and social services to review court records for the purpose of providing, under s. 980.015 (3) (a), the department of justice or a district attorney with a person's offense history, the court shall open for inspection by authorized representatives of the department of ~~corrections~~ health and social services the records of the court relating to any child who has been adjudicated delinquent for a sexually violent offense, as defined in s. 980.01 (6).

NOTE: See the note to the next section of this bill.

**SECTION 114.** 48.396 (2) (e) of the statutes, as affected by [1995 Wisconsin Acts 27](#) and .... (this act), is amended to read:

48.396 (2) (e) Upon request of the department of ~~health and social services~~ corrections to review court records for the purpose of providing, under s. 980.015 (3) (a), the department of justice or a district attorney with a person's offense history, the court shall open for inspection by authorized representatives of the department of ~~health and social services~~ corrections the records of the court relating to any child who has been adjudicated delinquent for a sexually violent offense, as defined in s. 980.01 (6).

NOTE: The amendments of s. 48.396 (2) (e), by this bill, are made to clarify that the amendment of s. 48.396 (2) (e) by [1995 Wis. Act 27](#) takes effect on 7-1-96. The first amendment returns the provision to its pre-Act 27 status. The second amendment recreates the amendment made by Act 27, effective 7-1-96. Act 27 transfers juvenile correction services from the department of health and social services to the department of corrections effective 7-1-96. Section 48.396 (2) (e) was amended by [1995 Wis. Act 27](#) to implement this change, but no provision was made to provide that the effective date for this amendment be 7-1-96. Section 9426 (19t) provided that the repeal and recreation of s. 48.396 (2) (e) was to take effect on 7-1-96 but there is no repeal and recreation of s. 48.396 (2) (e) by Act 27.

**SECTION 115.** 48.415 (intro.) and (1) of the statutes are renumbered 48.415 (1) (intro.) and (1m).

NOTE: These provisions are renumbered to accommodate the changes made by the next section of this bill.

**SECTION 116.** 48.415 (1) (title) and (a) to (h) of the statutes are created to read:

48.415 (1) (title) GROUNDS.

- (a) Abandonment.
- (b) Continuing need of protection or services.
- (c) Continuing parental disability.
- (d) Continuing denial of periods of physical placement.
- (e) Child abuse.
- (f) Failure to assume parental responsibility.
- (g) Incestuous parenthood.

(h) Intentional homicide of a parent.

NOTE: Section 48.415 (intro.) states, "Grounds for termination of parental rights shall be one of the following:", but the grounds are only listed in the titles of the subsections which follow. Under s. 990.001 (6), titles are not part of the statutes.

**SECTION 117.** 48.42 (4) (c) 3. of the statutes is amended by replacing "40 days" with "15 days".

NOTE: The time for filing a notice of appeal was shortened from 40 days to 15 days by the treatment of s. 808.04 (7m) by [1993 Wis. Act 395](#). Sub. (3) (d) of this section was amended to reflect this change, but this provision was not.

**SECTION 118.** 48.533 (2) of the statutes, as affected by [1995 Wisconsin Act 27](#), section [2547m](#), is amended to read:

48.533 (2) CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s. 20.435 (3) (hr), the department shall provide a corrective sanctions program to serve an average daily population of 105 children, or an average daily population of more than than 105 children if the appropriation under s. 20.435 (3) (hr) is supplemented under s. 13.101 or 16.515 and the positions for the program are increased under s. 13.101 or 16.505 (2), in not less than 3 counties, including Milwaukee county. The juvenile offender review program in the department shall evaluate and select for participation in the program children who have been placed in a secured correctional facility under s. 48.34 (4m). The department shall place a program participant in the community, provide intensive surveillance of that participant and provide an average of \$5,000 per year per participant to purchase community-based treatment services for each participant. The department shall make the intensive surveillance required under this subsection available 24 hours a day, 7 days a week, and may purchase or provide electronic monitoring for the intensive surveillance of program participants. The department shall provide a report center in Milwaukee county to provide on-site programming after school and in the evening for children from Milwaukee county who are placed in the corrective sanctions program. A contact worker providing services under the program shall have a case load of approximately 10 children and, during the initial phase of placement in the community under the program of a child who is assigned to that contact worker, shall have not less than one face-to-face contact per day with that child. Case management services under the program shall be provided by a corrective sanctions agent who shall have a case load of approximately 15 children. The department shall promulgate rules to implement the program.

NOTE: [1995 Wis. Act 27](#) inserted "that" in place of "than" without showing the change with strikes and underscores. No change was intended.

**SECTION 119.** 48.533 (2) of the statutes, as affected by [1995 Wisconsin Act 27](#), section [2547p](#), is amended to read:

48.533 (2) CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s. 20.410 (3) (hr), the department

of corrections shall provide a corrective sanctions program to serve an average daily population of 105 children, or an average daily population of more than 105 children if the appropriation under s. 20.410 (3) (hr) is supplemented under s. 13.101 or 16.515 and the positions for the program are increased under s. 13.101 or 16.505 (2), in not less than 3 counties, including Milwaukee County. The juvenile offender review program in the division of juvenile corrections in the department of corrections shall evaluate and select for participation in the program children who have been placed in the serious juvenile offender program under s. 48.34 (4h) or a secured correctional facility under s. 48.34 (4m). The department of corrections shall place a program participant in the community, provide intensive surveillance of that participant and provide an average of \$5,000 per year per participant to purchase community-based treatment services for each participant. The department of corrections shall make the intensive surveillance required under this subsection available 24 hours a day, 7 days a week, and may purchase or provide electronic monitoring for the intensive surveillance of program participants. The department of corrections shall provide a report center in Milwaukee County to provide on-site programming after school and in the evening for children from Milwaukee County who are placed in the corrective sanctions program. A contact worker providing services under the program shall have a case load of approximately 10 children and, during the initial phase of placement in the community under the program of a child who is assigned to that contact worker, shall have not less than one face-to-face contact per day with that child. Case management services under the program shall be provided by a corrective sanctions agent who shall have a case load of approximately 15 children. The department of corrections shall promulgate rules to implement the program.

NOTE: See the note to the previous section of this bill.

**SECTION 120.** 48.75 (1r) of the statutes is amended by replacing “s. 49.19 (12)” with “s. 48.62 (4)”.

NOTE: Corrects cross-reference. Section 49.19 (12) was renumbered s. 48.62 (3) by 1993 Wis. Act 437 and subsequently renumbered s. 48.62 (4) by 1993 Wis. Act 491.

**SECTION 121.** The amendment of 49.01 (5m) of the statutes by 1995 Wisconsin Act 18 is not repealed by 1995 Wisconsin Act 27, section 2657b. Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 122.** 49.19 (5) (a) 1. of the statutes is amended to read:

49.19 (5) (a) 1. All earned income of each dependent child included in the grant who is: a) a full-time student; or b) a part-time student who is not a full-time employe. For purposes of this subdivision a student is an individual attending a school, college, university or a course of vocational or technical training designed to fit him or her for gainful employment.

NOTE: Deletes improper numbering designations for greater conformity with current style.

**SECTION 123.** 49.193 (1) (c) of the statutes is amended by replacing “vocational, technical and adult education” with “technical college system”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 124.** 49.45 (3) (a) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

49.45 (3) (a) Reimbursement shall be made to each county department under ss. 46.215 and 46.22 and 46.23 for the administrative services performed in the medical assistance program on the basis of s. 49.33 (8). For purposes of reimbursement under this paragraph, assessments completed under s. 46.27 (6) (a) are administrative services performed in the medical assistance program.

NOTE: 1995 Wis. Act 27 deleted the stricken language and inserted the underscored language without strikes and underscores. This amendment confirms that the changes were intended.

**SECTION 125.** 49.47 (6) (a) 6. a. of the statutes is amended to read:

49.47 (6) (a) 6. a. In this subdivision: ~~1)~~ “entitled to coverage under part A of medicare” means eligible for and enrolled in part A of medicare under 42 USC 1395c to 1395f; ~~2)~~

ag. In this subdivision, “entitled to coverage under part B of medicare” means eligible for and enrolled in part B of medicare under 42 USC 1395j to 1395L; ~~and 3)~~

ar. In this subdivision, “income limitation” means income that is equal to or less than 100% of the poverty line, as established under 42 USC 9902 (2).

NOTE: Amends provision for greater consistency with current style.

**SECTION 126.** 49.47 (6) (a) 6m. of the statutes is amended by replacing “subd. 6. a. and meets” with “subd. 6. ag. and meets”.

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

**SECTION 127.** 49.482 (2) (g) of the statutes, as created by 1995 Wisconsin Act 27, section 3044b, is renumbered 49.682 (2) (g).

NOTE: Section 49.482 was created by 1995 Wis. Act 27 and all of s. 49.482, except sub. (2) (g) was renumbered s. 49.682, eff. 7-1-96 by Act 27.

**SECTION 128.** 49.682 (4) (a) of the statutes, as affected by 1995 Wisconsin Act 27, section 3044i, is amended to read:

49.682 (4) (a) The department may recover amounts under this section for the provision of aid provided under s. 49.68, 49.683 or 49.685 paid on or ~~and~~ after September 1, 1995.

NOTE: Section 49.482 (4) (a) was created by 1995 Wis. Act 27, section 3044b. As created this provision read “. . . on and after September 1, 1995”. Section 3044i renumbered the provision s. 49.682 (4) (a) and amended it. As amended, “and” was replaced by “or” without using strikes and underscores. No change was intended.



**SECTION 129.** 49.723 (2) of the statutes, as affected by 1995 Wisconsin Act 27, section 2835, is amended to read:

49.723 (2) The board of trustees of a county infirmary (subject to regulations approved by the county board), shall establish rules and regulations governing the admission and discharge of voluntary patients.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 130.** 50.49 (1) (b) 4. of the statutes is amended to read:

50.49 (1) (b) 4. Medical supplies (other than drugs and biologicals), and the use of medical appliances, while under such a plan;

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 131.** 51.13 (4) (a) of the statutes is renumbered 51.13 (4) (a) (intro.) and amended to read:

51.13 (4) (a) (intro.) Within 3 days of the admission of a minor under sub. (1), or within 3 days of application for such admission of the minor, whichever occurs first, the treatment director of the facility to which the minor is admitted or, in the case of a center for the developmentally disabled, the director of the center, shall file a verified petition for review of the admission in the court assigned to exercise jurisdiction under ch. 48 in the county in which the facility is located. A copy of the application for admission and of any relevant professional evaluations shall be attached to the petition. The petition shall contain all of the following:

- 1) ~~the.~~ The name, address and date of birth of the minor;
- 2) ~~the.~~ The names and addresses of the minor's parents or guardian;
- 3) ~~the.~~ The facts substantiating the petitioner's belief in the minor's need for psychiatric services, or services for developmental disability, alcoholism or drug abuse;
- 4) ~~the.~~ The facts substantiating the appropriateness of inpatient treatment in the inpatient treatment facility;
- 5) ~~the.~~ The basis for the petitioner's opinion that inpatient care in the facility is the least restrictive treatment consistent with the needs of the minor; ~~and.~~
- 6) ~~notation.~~ Notation of any statement made or conduct demonstrated by the minor in the presence of the director or staff of the facility indicating that inpatient treatment is against the wishes of the minor. ~~A copy of the application for admission and of any relevant professional evaluations shall be attached to the petition.~~

NOTE: Replaces improper subdivision designations and language and reorders text for greater conformity with current style.

**SECTION 132.** 51.437 (7) (am) 3. of the statutes is amended to read:

51.437 (7) (am) 3. At least one-third of the members of every county developmental disabilities services board serving at any one time shall be appointed from the developmentally disabled citizens or their parents resid-

ing in a county with a single-county department of development ~~development~~ developmental disabilities services or in any of the counties with a multicounty department of developmental disabilities services.

NOTE: Inserts correct word.

**SECTION 133.** 51.45 (13) (f) of the statutes is amended to read:

51.45 (13) (f) The hearing shall be open, unless the person sought to be committed or the person's attorney moves that it be closed, in which case only persons in interest (including representatives of the county department in all cases), and their attorneys and witnesses may be present. At the hearing the jury, or, if trial by jury is waived, the court, shall consider all relevant evidence, including, if possible, the testimony of at least one licensed physician who has examined the person whose commitment is sought. Ordinary rules of evidence shall apply to any such proceeding. The person whose commitment is sought shall be present and shall be given an opportunity to be examined by a court-appointed licensed physician. If the person refuses and there is sufficient evidence to believe that the allegations of the petition are true, or if the court believes that more medical evidence is necessary, the court may make a temporary order committing the person to the county department for a period of not more than 5 days for purposes of diagnostic examination.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 134.** 51.45 (13) (g) of the statutes is renumbered 51.45 (13) (g) 1. (intro.) and amended to read:

51.45 (13) (g) 1. (intro.) The court shall make an order of commitment to the county department if, after hearing all relevant evidence, including the results of any diagnostic examination, the trier of fact finds: ~~1) that~~ all of the following:

- a. ~~That~~ That the allegations of the petition under par. (a) have been established by clear and convincing evidence; ~~and 2) that.~~
- b. ~~That~~ That there is a relationship between the alcoholic condition and the pattern of conduct during the 12-month period immediately preceding the time of petition which is dangerous to the person or others and that ~~such~~ this relationship has been established to a reasonable medical certainty; ~~and 3) that.~~
- c. ~~That~~ That there is an extreme likelihood that the pattern of conduct will continue or repeat itself without the intervention of involuntary treatment or institutionalization.

2. The court may not order commitment of a person unless it is shown by clear and convincing evidence that there is no suitable alternative available for the person and that the county department is able to provide appropriate and effective treatment for the individual.

NOTE: Subdivides provision and replaces language for greater consistency with current style.

**SECTION 135.** 59.07 (13) (a) of the statutes is amended to read:

59.07 (13) (a) *Institutions, state farms, airports.* Appropriate each year to any municipality and school district in which a county farm, hospital, charitable or penal institution or state hospital, charitable or penal institution or state-owned lands used for agricultural purposes or county or ~~municipally-owned~~ municipally owned airport is located, an amount of money equal to the amount which would have been paid in municipal and school tax upon the lands without buildings, if ~~such land~~ those lands were privately owned. The valuation of ~~such the~~ the lands ~~(without buildings),~~ and computation of the tax shall be made by the board. In making ~~such the~~ the computation under this paragraph, lands on which a courthouse or jail are located and unimproved county lands shall not be included.

NOTE: Deletes parentheses, corrects spelling and replaces language for greater conformity with current style.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 136.** 59.10 of the statutes is amended to read:

**59.10 Neglect of duty.** Any supervisor who refuses or neglects to perform any of the duties which are required of the supervisor by law as a member of the county board of supervisors, without just cause therefor, shall for each such refusal or neglect forfeit ~~a sum of not less than fifty \$50 nor more than two hundred dollars \$200.~~

**SECTION 137.** 59.13 (1) (a) of the statutes is amended by replacing “two thousand dollars” with “\$2,000”.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 138.** 59.13 (1) (c) of the statutes is amended to read:

59.13 (1) (c) Sheriff, not less than ~~five \$5,000~~ \$5,000 nor more than ~~twenty-five thousand dollars \$25,000,~~ with not less than ~~three 3~~ 3 sureties.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 139.** 59.13 (1) (d) of the statutes is amended to read:

59.13 (1) (d) Coroner, not less than ~~five hundred \$500~~ \$500 nor more than ~~ten thousand dollars \$10,000,~~ with not less than ~~two 2~~ 2 sureties.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 140.** 59.13 (1) (e) of the statutes is amended to read:

59.13 (1) (e) Clerk of the circuit court, not less than ~~five thousand dollars \$5,000,~~ with ~~two 2~~ 2 or more sureties.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 141.** 59.13 (1) (i) of the statutes is amended to read:

59.13 (1) (i) County abstractor, ~~five thousand dollars \$5,000,~~ with ~~two 2~~ 2 or more sureties.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 142.** 59.13 (2) of the statutes is amended to read:

59.13 (2) Each ~~such~~ official bond described in sub. (1) shall be in a sum fixed by law; or if not ~~so~~ fixed by law, in a sum fixed by resolution of the county board, within the limitations prescribed by law, if any, at the annual meeting in November prior to the commencement of the term of office of the particular officer. Both the bond and the sufficiency of the sureties thereto shall be approved by a committee consisting of the chairperson and not less than ~~two 2~~ two other members of the county board who shall report in writing their action on all bonds.

NOTE: Replaces language and word form of number with digits consistent with current style.

**SECTION 143.** 59.13 (3) of the statutes is amended to read:

59.13 (3) Each ~~such~~ bond described in sub. (1) shall be guaranteed by the number of personal sureties prescribed by law, or if not prescribed, by the number fixed by the county board within the limitations, if any, prescribed by law, or by a surety company as provided by s. 632.17 (2). In the case of the county clerk, county treasurer and county abstractor the county board may by resolution require them to furnish bonds guaranteed by surety companies and direct that the premiums be paid as provided in s. 19.01 (8).

NOTE: Replaces language consistent with current style and the previous section of this bill.

**SECTION 144.** 59.13 (4) of the statutes is amended by replacing “ten thousand dollars” with “\$10,000” and by replacing “one hundred fifty thousand” with “150,000”.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 145.** 59.14 (2) of the statutes is amended to read:

59.14 (2) If any ~~such~~ officer described in sub. (1) neglects or refuses to comply with any of the provisions of this section the officer shall forfeit ~~five dollars \$5~~ \$5 for each day ~~such that the~~ noncompliance continues. Actions for the collection of ~~such a~~ forfeiture under this subsection may be brought upon the complaint of the district attorney of the proper county or of any party aggrieved by ~~such the officer's~~ the officer's refusal or neglect.

NOTE: Replaces language and word form of number with digits consistent with current style.

**SECTION 146.** 59.15 (1) (a) 1. of the statutes is amended to read:

59.15 (1) (a) 1. The board shall, prior to the earliest time for filing nomination papers for any elective office to be voted on in the county ~~(, other than supervisors and circuit judges),~~ which officer is paid in whole or part from the county treasury, establish the total annual compensation for services to be paid to the officer ~~(exclusive of reimbursements for expenses out-of-pocket provided for in sub. (3)).~~ Except as provided in subd. 2., the annual

compensation may be established by resolution or ordinance, on a basis of straight salary, fees, or part salary and part fees, and if the compensation established is a salary, or part salary and part fees, it shall be in lieu of all fees, including per diem and other forms of compensation for services rendered, except those specifically reserved to the officer in the resolution or ordinance. The compensation established shall not be increased nor diminished during the officer's term and shall remain for ensuing terms unless changed by the board. Court fees shall not be used for compensation for county officers.

NOTE: Deletes parentheses in conformity with current style.

**SECTION 147.** 59.16 (2) of the statutes is amended by replacing "one hundred and fifty thousand" with "150,000".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 148.** 59.17 (17) of the statutes is amended by replacing "thirty" with "30".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 149.** 59.17 (18) of the statutes is amended by replacing "one hundred and fifty thousand" with "150,000" and by replacing "ten" with "10".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 150.** 59.17 (19) of the statutes is amended by replacing "one hundred and fifty thousand" with "150,000".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 151.** 59.20 (3) of the statutes is amended to read:

59.20 (3) Pay all ~~such~~ county orders described in sub. (2) in the order of time in which they are presented for payment; but where ~~two~~ 2 or more are presented at the same time, give precedence to the order of the oldest date, but the treasurer shall receive of town, city and village treasurers all county orders issued in such county, which ~~such the town, city and village~~ treasurers may present in payment of county taxes, to the amount of the county taxes actually collected by ~~any such the town, city or village~~ treasurer in the year for which ~~such the~~ orders are offered in payment, which amount shall be determined by the affidavit of ~~such the town, city or village~~ treasurer.

NOTE: Replaces language and word form of number with digits consistent with current style.

**SECTION 152.** 59.20 (4) of the statutes is amended by replacing "two" with "2".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 153.** 59.20 (7) of the statutes is amended to read:

59.20 (7) Make annually, on the ~~third~~ 3rd Monday of March, a certified statement, and forward the ~~same~~ statement to each town, city and village clerk in the county,

showing the amount of money paid from the county treasury during the year next preceding to each ~~such~~ town, city and village treasurer in the county, ~~specifying. The statement shall specify~~ the date of each payment, the amount thereof and the account upon which the ~~same~~ payment was made; ~~and it.~~ It shall be unlawful for any county treasurer to pay to the treasurer of any town any money in the hands of the treasurer belonging to ~~such the~~ town from the ~~third~~ 3rd Monday of March until ~~ten~~ 10 days after the annual town meeting except upon the written order of the town board.

NOTE: Replaces language and word form of number with digits consistent with current style.

**SECTION 154.** 59.21 (1) (a) of the statutes is amended by replacing "one thousand" with "1,000".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 155.** 59.21 (1) (b) of the statutes is amended by replacing "one thousand" with "1,000" in 2 places.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 156.** 59.23 (6) of the statutes is amended by replacing "three hundred thousand" with "300,000".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 157.** 59.29 (1) of the statutes is amended by replacing "eight dollars" with "\$8".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 158.** 59.32 of the statutes is amended by replacing "twenty-five nor more than two hundred and fifty dollars" with "\$25 nor more than \$250".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 159.** 59.55 (4) of the statutes is renumbered 59.55 (4) (a) and amended to read:

59.55 (4) (a) ~~Whenever~~ The county board of any county may at any meeting, by resolution, authorize a plan for a new and corrected set of tract indices and order new tract indices arranged and compiled according to the plan whenever, in the judgment of the county board of ~~any county,~~ any existing tract index or indices become unfit for use, because of ~~mistake therein or of imperfection any of the following:~~

2. An imperfection in or insufficiency of the plan, or because of becoming of the existing tract index or indices.

3. The existing tract index or indices having become worn, overcrowded, or unserviceable or unreliable for any reason the.

(b) The county board may at any meeting thereof, by resolution, order a new and corrected set of tract indices arranged and compiled according to such plan as it may authorize, and in that behalf may purchase suitable books for the new tract indices and may receive bids and contract with any competent person to do said work prepare the new tract indices, at a price not exceeding five 5 cents

per folio, which shall be paid out of the county treasury on acceptance of said work the new tract indices by the county board.

(c) The person contracting to ~~do said work~~ prepare the new tract indices, and the person's assistants, shall have access to and be entitled to the use of the old tract indices and other records in the register's register of deeds' office and other county records; ~~and when said work is,~~

(d) ~~When the new tract indices are~~ completed and said ~~new tract indices are~~ approved and adopted by the county board, the old tract indices shall be preserved as provided in s. 59.71 (2). The resolutions of the county board ordering, approving, and adopting ~~such the~~ the new tract indices, duly certified by the county clerk, shall be recorded in each volume of ~~such the~~ the new tract indices; and thereupon the ~~same the new tract indices~~ shall become and be the only lawful tract indices in the register's register of deeds' office.

NOTE: Subdivides provision and reorders and replaces language for greater readability and conformity with current style.

**SECTION 160.** 59.55 (4) (a) 1. of the statutes is created to read:

59.55 (4) (a) 1. A mistake in the existing tract index or indices.

NOTE: See the note to the previous section of this bill.

**SECTION 161.** 59.56 of the statutes is renumbered 59.56 (1) and amended to read:

59.56 (1) In counties this section, "eminent domain proceedings" means the laying out, widening, extending or vacating of any street, alley, water channel, park, highway or other public place by any court, legislature, county board, common council, village board or town board.

(2) ~~When the county board of a county~~ having a population of ~~two hundred and fifty thousand~~ 250,000 or more, according to the last state or United States census, ~~and when the county board has prepared and compiled~~ prepares and compiles in book form an eminent domain record containing an abstract of facts relating to the ~~laying out, widening, extending or vacating any street, alley, water channel, park, highway or other public place by any court, legislature, county board, common council, village board or town board~~ eminent domain proceedings and shall make makes an order that ~~such records with the record, with~~ an index thereto, be thereafter maintained and kept up, and ~~provide~~ provides a suitable book for that purpose, the register of deeds shall thereafter maintain and keep ~~such book in which shall be entered an up the record and index.~~

(3) The register of deeds shall enter an abstract of all eminent domain proceedings ~~relating to the laying out, widening, extending or vacating any street, alley, water channel, park, highway or other public place by any court, county board, common council, village board or~~

~~town board.~~ Such in the record maintained under sub. (2). The abstract shall substantially contain the facts as to the filing of a notice of lis pendens, the date of filing, the description, the court in which or the body before whom the proceeding is pending, the result of the proceedings, the action taken and the date thereof and briefly state all of the essential facts of ~~any such the~~ the proceeding, ~~and such records shall have a.~~ The index to the record shall be a practical index, with reference to the number and page of the volume where such abstracts are entered respectively

(4) The abstracts and records to be kept by the register of deeds shall be certified by the register to be true and correct and when so certified shall be prima facie evidence of the facts therein recited and shall be received in all courts and places with the same effect as the original proceedings; and the record so prepared and compiled by the county board shall be prima facie evidence of the facts therein recited and shall also be received in all courts and places with the same effect as the original proceedings.

NOTE: Subdivides provision and reorders and replaces language to improve readability and conformity with current style.

**SECTION 162.** 59.57 (10) of the statutes is amended to read:

59.57 (10) For recording plats containing from one to ~~fifty~~ 50 lots, ~~twenty-five dollars~~ \$25, and for each additional lot, ~~ten~~ 10 cents, except cemetery plats, containing from one to ~~two hundred~~ 200 lots or fractional part thereof, ~~twenty-five dollars~~ \$25, and for each additional ~~two hundred~~ 200 lots or fractional part thereof, ~~five dollars~~ \$5.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 163.** 59.58 (1) (a) of the statutes is amended to read:

59.58 (1) (a) Except as provided under par. (b), whenever any county adopts a tract index system or any recognized chain of title system, the county board ~~thereof~~ may create a department to be known as an abstract department, either in connection with or independent of the office of the register of deeds, as ~~said the~~ the county board ~~deems~~ considers advisable ~~and.~~ The county board may appoint a competent person for a term of ~~two~~ 2 years, who shall be known as the county abstractor, and shall have charge of and operate ~~said the~~ the abstract department. The board shall furnish a seal for ~~said the~~ the abstractor, who shall place ~~said the~~ the seal on each and every abstract issued by the abstractor.

NOTE: Replaces language and word form of number with digits consistent with current style.

**SECTION 164.** 59.70 (1) of the statutes is amended by replacing "thirty thousand" with "30,000".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 165.** 59.77 (4) (b) of the statutes is renumbered 59.77 (4) (b) 1. and amended to read:

59.77 (4) (b) 1. The county clerk shall deliver ~~such the~~ statement filed under par. (a) to the district attorney, who shall examine the ~~same~~ statement and make a report in writing thereon to the county board, specifying the items in each for which the county is or is not liable, and the extent of its liability if it is liable for a part only of any ~~such~~ item. ~~Such The~~ statement and report shall be laid before the county board by the county clerk and insofar as the items charged ~~therein in the statement~~ are approved by the district attorney ~~such the~~ statement shall be prima facie evidence of the claims of the persons named ~~therein; and the in the statement.~~

2. ~~The county~~ board shall examine the ~~same and statement.~~ allow ~~such as the fees that~~ are legal, and direct that orders be drawn for the amount allowed to each person named therein. If any person in whose favor any ~~such~~ order is drawn under this paragraph shall not call for the ~~same fees~~ within ~~two~~ 2 years from the time the claim is allowed, the person's right to any compensation for services shall be ~~deemed considered~~ waived and the county board shall cancel ~~such the~~ order.

NOTE: Subdivides provision and replaces language to improve readability and conformity with current style.

**SECTION 166.** 59.78 of the statutes is amended by replacing "three hundred thousand" with "300,000".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 167.** 59.81 (2) of the statutes is amended by replacing "three hundred thousand" with "300,000".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 168.** 59.81 (4) of the statutes is amended by replacing "five hundred thousand" with "500,000".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 169.** 59.84 (6) of the statutes is renumbered 59.84 (6) (a) and amended to read:

59.84 (6) (a) The county executive or county administrator shall review the estimates of expenditures and revenues and shall hold public hearings thereon at which the head or a representative of every county department shall appear and give information with regard to the appropriations requested, including work programs, other justification of expenditures, and ~~such other data as that~~ the county executive or county administrator requests. The county executive or county administrator shall make ~~such~~ changes in the proposed budget as that in the executive's or administrator's discretion ~~may be deemed are considered~~ desirable or proper, ~~and shall, on,~~

(b) On or before October 1, and after the hearings required under par. (a), the county executive or county administrator shall submit the amended proposed budget to the county board the budget, as amended, after such hearings. ~~Such. The~~ amended proposed budget shall be the

executive's or administrator's budget and shall include: ~~(a)-a~~ all of the following:

1. A simple, clear, general summary of the detailed contents of the budget; ~~(b) a.~~

2. A comparative statement by organization unit and principal object of expenditure showing the actual expenditures of the preceding fiscal year, the appropriations and estimated expenditures for the fiscal year currently ending, and the recommended appropriations for the fiscal year next succeeding; ~~and (c) a.~~

3. A comparative statement of the actual revenues from all sources including property taxes during the preceding fiscal year, the anticipated revenues and the estimated revenues for the fiscal year currently ending, and the anticipated revenues for the fiscal year next succeeding including any surplus from the preceding fiscal year not otherwise appropriated pursuant to sub. (9).

(c) The anticipated revenues for the fiscal year next succeeding shall be equal in amount to the recommended appropriations.

(d) The executive's or administrator's budget shall be accompanied by a message prepared by the county executive or county administrator which shall outline the important features of the budget plan and indicate any major changes in policy or in recommended appropriations or revenues as compared with the fiscal year currently ending, and shall set forth the reasons for such changes.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 170.** 59.85 (1) of the statutes is amended by replacing "one thousand dollars" with "\$1,000" and by replacing "two" with "2".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 171.** 59.90 (2) of the statutes is amended by replacing "ten" with "10" and by replacing "ten-year" with "10-year".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 172.** 59.90 (3) of the statutes is amended by replacing "fifty dollars nor more than two hundred dollars" with "\$50 nor more than \$200".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 173.** 59.965 (2) (d) 7. of the statutes is amended by replacing "submitted by a institution" with "submitted by an institution".

NOTE: Inserts correct word form.

**SECTION 174.** 59.97 (15) (im) of the statutes is amended by replacing "s. 252.01 (1)" with "s. 252.01 (1m)".

NOTE: Corrects cross-reference. Section 252.01 (1) is renumbered s. 252.01 (1m) by 1993 Wis. Act 252.

**SECTION 175.** 59.997 (1) of the statutes is amended by replacing "two" with "2".

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 176.** 59.997 (6) of the statutes is amended to read:

59.997 (6) The 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. The owner–editor or manager of each newspaper publishing the notice shall issue a certificate of the publication to the judge of the circuit court for each affected county, which shall be proof of publication.

NOTE: Text is moved from sub. (7), reordered and replaced for more logical placement and improved readability and to improve the readability of sub. (7).

**SECTION 177.** 59.997 (7) of the statutes, as affected by 1995 Wisconsin Act 16, is renumbered 59.997 (7) (a) and amended to read:

59.997 (7) (a) When the publication of the ~~said~~ consolidation agreement in each of the ~~said~~ counties ~~included in the agreement~~ is completed, ~~of which the certificate to the judge of the circuit court of the said counties from the owner–editor or manager of each newspaper publishing the same shall be proof,~~ the judge or judges of the circuit courts of the ~~said~~ those counties shall, by order entered of record in each of ~~such~~ the counties, require the ~~several~~ county clerks of the ~~each of the~~ counties ~~included in the consolidation agreement~~ to submit ~~such~~ the question ~~of the consolidation of the counties~~ to a vote of the qualified electors of ~~such~~ the counties.

(b) The question of the consolidation of the counties shall be submitted to the voters at the next election to be held on the first Tuesday in April, or the next regular election, or at a special election to be held on the day fixed in ~~said~~ the order issued under par. (a), which day shall be the same in each of the counties proposing to consolidate. A copy of ~~said~~ the order shall be filed with the county clerk of each of ~~such~~ the counties. If ~~such~~ the question of consolidation is submitted at a special election, it shall be held not less than ~~thirty~~ 30 days nor more than ~~sixty~~ 60 days from the completion of the consolidation agreement, but not within ~~sixty~~ 60 days of any spring or general election.

NOTE: Subdivides provision and reorders and replaces language to improve readability and conformity with current style.

**SECTION 178.** 59.997 (10) of the statutes is amended to read:

59.997 (10) If a majority of the votes cast in each county upon ~~such~~ questions the question of consolidation are in favor of the consolidation of ~~such~~ the counties, the judge or judges of ~~said~~ the circuit ~~court~~ courts for those counties shall enter ~~such~~ that fact of record in each ~~such~~ county. If in any one of ~~such~~ the counties less than a majority of the votes cast upon ~~such~~ the question of consolidation are in favor of the proposed consolidation, ~~said~~ the consolidation shall be declared to have failed for all purposes. If a majority of the votes cast upon ~~such~~ the ques-

tion of consolidation in any county are opposed to consolidation, the question of consolidation shall not be again submitted to the electors of ~~such~~ that county for a period of ~~two~~ 2 years.

NOTE: Replaces language to improve readability and conformity with current style.

**SECTION 179.** 59.997 (15) of the statutes is amended by replacing “two” with “2”, in 2 places.

NOTE: Replaces word form of number with digits consistent with current style.

**SECTION 180.** 60.63 (10m) of the statutes is amended by replacing “s. 252.01 (1)” with “s. 252.01 (1m)”.

NOTE: Corrects cross-reference. Section 252.01 (1) was renumbered s. 252.01 (1m) by 1993 Wis. Act 252.

**SECTION 181.** 62.05 (1) of the statutes is amended to read:

62.05 (1) Cities shall be divided into ~~four~~ 4 classes for administration and the exercise of corporate powers as follows:

(a) Cities of ~~one hundred and fifty thousand~~ 150,000 population and over shall constitute 1st class cities ~~of the first class~~.

(b) Cities of ~~thirty–nine thousand~~ 39,000 and less than ~~one hundred and fifty thousand~~ 150,000 population shall constitute 2nd class cities ~~of the second class~~.

(c) Cities of ~~ten thousand~~ 10,000 and less than ~~thirty–nine thousand~~ 39,000 population shall constitute 3rd class cities ~~of the third class~~.

(d) Cities of less than ~~ten thousand~~ 10,000 population shall constitute 4th class cities ~~of the fourth class~~.

NOTE: Replaces word form of numbers with digits consistent with current style.

**SECTION 182.** 62.09 (5) (c) of the statutes is amended to read:

62.09 (5) (c) The council may, by a record vote of two-thirds of all the members, by ordinance adopted and published previous to publication of the notice of the election at which alderpersons are to be elected, provide for a division of the alderpersons into ~~two~~ 2 classes, one class to be elected for ~~two~~ 2 years and the other for ~~four~~ 4 years, and thereafter the term of alderpersons shall be ~~four~~ 4 years.

NOTE: Replaces word form of numbers with digits consistent with current style.

**SECTION 183.** 62.11 (2) of the statutes is amended by replacing “six” with “6” and by replacing “third” with “3rd”.

NOTE: Replaces word form of numbers with digits consistent with current style.

**SECTION 184.** 62.11 (3) (b) of the statutes is amended by replacing “five” with “5”.

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 185.** 62.12 (6) (b) of the statutes is renumbered 62.12 (6) (b) (intro.) and amended to read:

62.12 (6) (b) (intro.) The council shall not appropriate nor the treasurer pay out:

1. Funds appropriated by law to a special purpose except for that purpose;
2. Funds for any purpose not authorized by the statutes; nor
3. ~~From Funds from~~ any fund in excess of the moneys therein.

NOTE: Subdivides provision for greater conformity with current style.

**SECTION 186.** 62.13 (5m) (c) of the statutes is amended to read:

62.13 (5m) (c) The name of a subordinate dismissed for any just cause set forth in this section shall be left on an eligible reemployment list for a period of ~~two~~ 2 years after the date of dismissal, except that if the dismissal was for disciplinary reasons the subordinate may not be left on an eligible reemployment list. If any vacancy occurs, or if the number of subordinates is increased, in the department, such the vacancy or new positions shall be filled by persons on such the eligible reemployment list in the inverse order of the dismissal of such the persons on the list.

NOTE: Replaces language for greater conformity with current style.

**SECTION 187.** 62.13 (11) of the statutes is amended to read:

62.13 (11) FIRE FIGHTERS, REST DAY. The common council of every 4th class city of the ~~fourth class~~, having a population of ~~five thousand~~ 5,000 or more and a fire department shall provide for, and the chief of such the fire department shall assign to each full paid member thereof, a period of ~~twenty-four~~ 24 consecutive hours off duty during each ~~seventy-two~~ 72 hours, except in cases of positive necessity by some sudden and serious fire, accident or other peril, which, in the judgment of the chief engineer or other officer in charge demands that such the day of rest be not be given at such that time. The provisions of this section shall not apply to cities having a ~~two-platoon~~ 2-platoon or double shift system.

NOTE: Replaces word form of numbers with digit for greater conformity with current style.

**SECTION 188.** 62.15 (4) of the statutes is amended by replacing "five per cent" with "5%" and by replacing "twenty per cent" with "20%".

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 189.** 62.15 (9) of the statutes is renumbered 62.15 (9) (a) and amended to read:

62.15 (9) (a) Any contract for doing public work may contain a provision requiring the contractor to keep the work done under such the contract in good order or repair for not to exceed ~~five~~ 5 years.

(b) The inclusion in the contract of ~~any such a~~ provision described in par. (a) shall not invalidate any special assessment or certificate thereof or tax certificate based thereon.

NOTE: Renumbers provision and replaces language for greater conformity with current style.

**SECTION 190.** 62.15 (14) of the statutes is renumbered 62.15 (14) (a) and amended to read:

62.15 (14) (a) Whenever the council of any city shall have provided by ordinance that any class of public work or any part thereof may be done directly by the city without submitting the same for bids as provided in sub. (1), and ~~any such the~~ the public work shall be done in accordance with such the ordinance, the board of public works shall keep an accurate account of the cost ~~thereof of the public work~~, including the necessary overhead expense.

(b) Upon the completion of such the work ~~said described in par. (a), the board of public works~~ shall make a complete report ~~thereof of the work~~ to the council, stating in detail the items of cost and the total cost of doing such the work, ~~and the~~. The city clerk shall publish such the report as a part of the proceedings of the council.

(c) Any member of the board of public works who fails to comply with the provisions of this subsection shall be liable to a forfeiture of ~~fifty dollars~~ \$50 to be recovered as in the case of other penalties.

NOTE: Renumbers provision and replaces language for greater conformity with current style.

**SECTION 191.** 62.18 (16) (b) of the statutes is renumbered 62.18 (16) (b) 2. and amended to read:

62.18 (16) (b) 2. ~~Said The~~ tax under par. (a) is declared to be a special tax for local improvement, as defined in s. 76.23 ~~and when~~. When any company defined in ~~s. 76.02~~ owns operating real property (~~other than poles, towers, wires, equipment, mains, lines, tracks and other service structures located within the limits of public highways or constructed and maintained on private rights-of-way, and conduits, cables, devices, equipment and other facilities located upon or in such operating real property~~) within such a sewer district described in par. (a), the assessor in such the sewer district shall determine the value of said the operating real property of all such companies as lie located within the district, ~~which~~. The value of the operating real property shall be determined on the same basis as is the value of other real property subject to such the special tax. ~~Such The~~ valuation of the operating real property shall be placed upon the tax roll for the purposes of such the special tax only. The tax so assessed to such the companies owning operating real property within the district shall be collected as other special sewer district taxes of the district are collected.

NOTE: Replaces language for greater readability and moves definitions of repeated terms to a separate provision. See the next section of this bill.

**SECTION 192.** 62.18 (16) (b) 1. of the statutes is created to read:

62.18 (16) (b) 1. In this paragraph:

a. "Company" has the meaning given in s. 76.02.

b. "Operating real property" does not include poles, towers, wires, equipment, mains, lines, tracks and other service structures located within the limits of public highways or constructed and maintained on private rights-

of-way, and conduits, cables, devices, equipment and other facilities located upon or in the operating real property.

NOTE: See the previous section of this bill.

**SECTION 193.** 62.23 (1) (c) of the statutes is amended to read:

62.23 (1) (c) The ~~three~~ 3 citizen members shall be appointed by the mayor, upon the creation of the commission, to hold office for a period ~~periods~~ ending ~~one, two~~ 1, 2 and ~~three~~ 3 years, respectively, from the succeeding first day of May, and thereafter 1. Thereafter, annually during April one ~~such~~ member of the commission shall be appointed for a term of ~~three~~ 3 years.

NOTE: Replaces language for greater conformity with current style.

**SECTION 194.** 62.23 (7) (i) 9m. of the statutes is amended by replacing “s. 252.01 (1)” with “s. 252.01 (1m)”.

NOTE: Corrects cross-reference. Section 252.01 (1) was renumbered s. 252.01 (1m) by 1993 Wis. Act 252.

**SECTION 195.** 62.23 (10) (d) of the statutes is amended to read:

62.23 (10) (d) If a structure on lands ~~has~~ taken under this subsection is not removed after ~~three~~ 3 months’ written notice served in the manner directed by the council, the city may cause it to be removed, and may dispose of it and apply the proceeds to the expense of removal. Excess proceeds shall be paid to the owner, ~~and excess expense.~~ Excess expenses shall be a lien on the rest of the owner’s land abutting on ~~such the~~ street, ~~and if to be widened under this subsection.~~ If the excess expenses are not paid, they shall be assessed against ~~such the~~ owner’s land abutting on the street and collected as are other real estate taxes. If the owner does not own the adjoining piece of land abutting on the new line, the owner shall be personally liable to the city for the expense of removal.

NOTE: Replaces language for greater readability and conformity with current style.

**SECTION 196.** 62.23 (10) (e) of the statutes is amended to read:

62.23 (10) (e) Until the city has taken all of the lands within the new lines, it may lease any taken ~~lands,~~ to the person owning ~~same~~ the taken lands at the time of the taking, at an annual rental of not more than ~~five per cent~~ 5% of the amount paid ~~therefor~~ for the taken lands by the city or of the market value, if the lands were donated. Improvements may be maintained on ~~such the~~ leased lands until all lands within the new lines are taken, whereupon ~~they the~~ improvements shall be removed as provided in par. (d). No damages shall be had for improvements made under ~~such a~~ lease entered into under this paragraph.

NOTE: Replaces language for greater readability and conformity with current style.

**SECTION 197.** 62.23 (17) (a) 3. of the statutes is amended by replacing “twenty” with “20”.

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 198.** 62.25 (2) (b) of the statutes is amended by replacing “two” with “2”.

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 199.** 63.11 of the statutes is amended to read:

**63.11 Standard scale of compensation.** The director of personnel, under the direction of the commission and in cooperation with the county clerk ~~(, or county auditor, if any),~~ and with the heads of the various departments, shall devise and recommend to the board of supervisors a standardized scale of wages and salaries for all county offices and positions in the classified service, ~~said.~~ The wage scale to shall be graduated according to the duties performed, the length of service and efficiency records of the officers or employes, and the time of day or night ~~such~~ those services are performed by the establishment of shifts. The supervisors shall consider and act in some way upon this scale at the last meeting of ~~said the~~ board of supervisors in the month of October next following its recommendation, and if adopted it shall go into effect on the first day of January following its adoption, or at such other date as may be provided by law.

NOTE: Replaces parentheses and language not in conformity with current style.

**SECTION 200.** 63.35 of the statutes is renumbered 63.35 (1) (intro.) and amended to read:

63.35 (1) (intro.) Every application, in order to entitle the applicant to appear for examination, or to be examined, must state the facts under oath on the following subjects: 1)

(a) Full name, residence address and post-office address; 2) citizenship; 3) age; 4) place,

(d) Place of birth; 5) health,

(e) Health and physical capacity for the public service; 6) previous,

(f) Previous employment in the public service; 7) business,

(g) Business or employment and residence for the previous five 5 years; 8) education. Such,

(2) In addition to the information required under sub. (1), the applicant shall furnish any other information shall be furnished by the applicant as that may reasonably be required by the board concerning the applicant’s fitness for the public service.

NOTE: Subdivides provision and reorders and replaces text for greater readability and conformity with current style. See also the next section of this bill.

**SECTION 201.** 63.35 (1) (b), (c) and (h) of the statutes are created to read:

63.35 (1) (b) Citizenship.

(c) Age.

(h) Education.

NOTE: See the previous section of this bill.



**SECTION 202.** 64.30 (1) of the statutes is renumbered 64.30 (1) (intro.) and amended to read:

64.30 (1) (intro.) The council may create any general department of city affairs, such as:

- (a) ~~public~~ Public finance and accounts;
- (b) ~~public~~ Public health, safety and sanitation;
- (c) ~~streets~~ Streets and public improvements;
- (d) ~~public~~ Public property;
- (e) ~~public~~ Public charities and corrections; ~~and.~~

**(1m)** The council may designate one of its members as the head thereof; but such of a general department created under sub. (1). A department head may be changed whenever it appears that the public service would be benefited thereby.

NOTE: Subdivides provision and replaces text for greater readability and conformity with current style.

**SECTION 203.** 64.40 (1) of the statutes is amended by replacing “four thousand” with “4,000”.

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 204.** 64.40 (2) of the statutes is amended to read:

64.40 (2) If a majority of the votes cast upon the question ~~be described in sub. (1) are~~ in favor thereof there shall be elected at the election held as provided by law upon the first Tuesday of April next succeeding a mayor and one alderperson for each ~~four thousand~~ 4,000 or major fraction thereof of population, all elected at large. ~~Each such officer~~ The mayor and alderpersons shall be nominated and elected in the manner provided by law for the nomination and election of candidates in cities other than those operating under this chapter. The alderpersons first elected shall be divided as nearly as may be into 2 equal classes, one class to serve for one year and the other class to serve for 2 years from the ~~third~~ 3rd Tuesday of April following ~~such their~~ election. Thereafter the term of each alderperson elected for a full term shall be 2 years. The term of office of the mayor shall be 2 years. The mayor and alderpersons shall hold office until the election and qualification of their respective successors.

NOTE: Replaces language for greater readability and conformity with current style.

**SECTION 205.** 65.05 (3) of the statutes is amended to read:

65.05 (3) When any department, authorized to determine its expenditures and the taxes to be levied therefor, shall authorize a change in its budget by the common council ~~it, the department~~ shall file its resolution authorizing the change with the city clerk at least ~~two~~ 2 days prior to the time fixed by law for the adoption of ~~such the~~ budget, and the council shall then make the change in accordance ~~therewith~~ with the resolution.

NOTE: Replaces language for greater readability and conformity with current style.

**SECTION 206.** 65.05 (5) of the statutes is amended by replacing “five” with “5”.

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 207.** 66.01 (14) of the statutes is amended by replacing “trade or technical college schools” with “trade schools, technical colleges”.

NOTE: Reorders language to clarify terms.

**SECTION 208.** 66.021 (2) (a) of the statutes is amended to read:

66.021 (2) (a) *Direct annexation.* A petition for direct annexation may be filed with the city or village clerk if it has been signed by either of the following:

1. A number of qualified electors residing in ~~such the~~ territory subject to the proposed annexation equal to at least the majority of votes cast for governor in the territory at the last gubernatorial election, and either of the following:

a. ~~the~~ The owners of one-half of the land in area within ~~such the~~ territory; ~~or,~~

b. ~~the~~ The owners of one-half of the real property in assessed value within ~~such the~~ territory; ~~or,~~

2. If no electors reside in ~~such the~~ territory subject to the proposed annexation, by either of the following:

a. ~~the~~ The owners of one-half of the land in area within ~~such the~~ territory; ~~or,~~

b. ~~the~~ The owners of one-half of the real property in assessed value within ~~such the~~ territory.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 209.** 66.03 (6) of the statutes is amended to read:

66.03 (6) MEETING. The board or council of the municipality to which the territory is transferred shall fix a time and place for meeting and cause a written notice thereof to be given the clerk of the municipality from which ~~such the~~ territory is taken at least ~~five~~ 5 days prior to the date of the meeting. The apportionment may be made only by a majority of the members from each municipality who attend, and in case of committees, the action must be affirmed by the board or council ~~so~~ represented by the committee.

NOTE: Replaces language for greater readability and conformity with current style.

**SECTION 210.** 66.05 (1) of the statutes is renumbered 66.05 (1m), and 66.05 (1m) (a), as renumbered, is amended by replacing “building or structure for a period” with “building for a period”.

NOTE: The provision is renumbered for greater clarity and consistency with current drafting style. “Structure” is deleted as “building” by definition includes structures.

**SECTION 211.** 66.05 (4) of the statutes is renumbered 66.05 (1g).

NOTE: Moves definition provision to proper location in conformity with current drafting style.

**SECTION 212.** 66.05 (5) of the statutes is amended by replacing “sub. (1)” with “sub. (1m)”.

NOTE: Amends cross-reference consistent with the changes made to s. 66.05 (1) (a) by this bill.

**SECTION 213.** 66.05 (6) of the statutes is amended by replacing “sub. (1)” with “sub. (1m)”.

NOTE: Amends cross-reference consistent with the renumbering of s. 66.05 (1) (a) by this bill.

**SECTION 214.** 66.05 (8) (am) of the statutes is amended by replacing “sub. (1) (a)” with “sub. (1m) (a)”.

NOTE: Amends cross-reference consistent with the renumbering of s. 66.05 (1) (a) by this bill.

**SECTION 215.** 66.05 (8) (b) 1. of the statutes is amended to read:

66.05 (8) (b) 1. If an owner fails to remedy or improve the defect in accordance with the written notice furnished by the building inspector or other designated officer under par. (am) within the 30-day period specified in the written notice, the building inspector or other designated officer shall apply to the circuit court of the county in which the building is located for an order determining that the building constitutes a public nuisance. As a part of the application for such order from the circuit court the building inspector or other designated officer shall file a verified petition which recites the giving of such written notice, the defect or defects in such building, the owner’s failure to comply with the notice and such other pertinent facts as may be related thereto. A copy of the petition shall be served upon the owner of record or the owner’s agent if an agent is in charge of the building and upon the holder of any encumbrance of record under sub. (1) (1m) (a) and the owner shall have 20 days following service upon the owner in which to reply to such petition. Upon application by the building inspector or other designated officer the circuit court shall set promptly the petition for hearing. Testimony shall be taken by the circuit court with respect to the allegations of the petition and denials contained in the verified answer. If the circuit court after hearing the evidence with respect to the petition and the answer determines that the building constitutes a public nuisance, the court shall issue promptly an order directing the owner of the building to remedy the defect and to make such repairs and alterations as may be required. The court shall set a reasonable period of time in which the defect shall be remedied and the repairs or alterations completed. A copy of the order shall be served upon the owner as provided in sub. (1) (1m) (a). The order of the circuit court shall state in the alternative that if the order of the court is not complied with within the time fixed by the court, the court will appoint a receiver or authorize the building inspector or other designated officer to proceed to raze and remove the building and restore the site to a dust-free and erosion-free condition under par. (bg).

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

**SECTION 216.** 66.05 (8) (d) of the statutes is amended to read:

66.05 (8) (d) Any building, which under par. (am) either as a result of vandalism or for any other reason is permitted to deteriorate or become dilapidated or blighted to

the extent where windows, doors or other openings or plumbing or heating fixtures or facilities or appurtenances of such ~~the building, dwelling or structure~~ are either damaged, destroyed or removed so that such ~~the building, dwelling or structure~~ offends the aesthetic character of the immediate neighborhood and produces blight or deterioration by reason of such condition, is a public nuisance.

NOTE: Deletes redundant language.

**SECTION 217.** 66.05 (9) (a) 1m. of the statutes is amended to read:

66.05 (9) (a) 1m. “Historic building” means any building, ~~structure~~ or object listed on, or any building, ~~structure~~ or object within and contributing to a historic district listed on, the national register of historic places in Wisconsin, the state register of historic places or a list of historic places maintained by a municipality.

NOTE: Deletes redundant language.

**SECTION 218.** 66.058 (3) (c) (intro.) of the statutes is renumbered 66.058 (3) (c) 1. (intro.) and amended to read:

66.058 (3) (c) 1. (intro.) In addition to the license fee provided in pars. (a) and (b), each local taxing authority shall collect from each mobile home occupying space or lots in a park in the city, town or village, except from mobile homes that constitute improvements to real property under s. 70.043 (1) and from recreational mobile homes and camping trailers as defined in s. 70.111 (19), a monthly parking permit fee computed as follows:

a. On January 1, the assessor shall determine the total fair market value of each mobile home in the taxation district subject to the monthly parking permit fee.

b. The fair market value, determined under subd. 1. a., minus the tax-exempt household furnishings thus established, shall be equated to the general level of assessment for the prior year on other real and personal property in the district.

c. The value of each mobile home ~~thus~~, determined under subd. 1. b., shall be multiplied by the general property gross tax rate, less any credit rate for the property tax relief credit, established on the preceding year’s assessment of general property.

d. The total annual parking permit fee ~~thus~~, computed under subd. 1. c., shall be divided by 12 and shall represent the monthly mobile home parking permit fee.

2. The monthly parking permit fee shall be applicable to mobile homes moving into the tax district any time during the year. The park operator shall furnish information to the tax district clerk and the assessor on mobile homes added to the park within 5 days after their arrival, on forms prescribed by the department of revenue. As soon as the assessor receives the notice of an addition of a mobile home to a park, the assessor shall determine its fair market value and notify the clerk of that determination. The clerk shall equate the fair market value established by the assessor and shall apply the appropriate tax

rate, divide the annual parking permit fee thus determined by 12 and notify the mobile home owner of the monthly fee to be collected from the mobile home owner. A municipality, by ordinance, may require the mobile home park operator to collect the monthly parking fee from the mobile home owner. Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as the mobile home remains in the tax district.

3. A new monthly parking permit fee and a new valuation shall be established each January and shall continue for that calendar year.

4. The valuation established shall be subject to review as are other values established under ch. 70. If the board of review reduces a valuation on which previous monthly payments have been made the tax district shall refund past excess fee payments.

5. The monthly parking permit fee shall be paid by the mobile home owner to the local taxing authority on or before the 10th of the month following the month for which such parking permit fee is due.

7. No ~~such~~ monthly parking permit fee shall be imposed for any space occupied by a mobile home accompanied by an automobile for an accumulating period not to exceed 60 days in any 12 months if the occupants of the mobile home are tourists or vacationists. Exemption certificates in duplicate shall be accepted by the treasurer of the licensing authority from qualified tourists or vacationists in lieu of monthly mobile home parking permit fees.

8. The credit under s. 79.10 (9) (bm), as it applies to the principal dwelling on a parcel of taxable property of an owner shall apply to the estimated fair market value of a mobile home that is the principal dwelling of the owner. The owner of the mobile home shall file a claim for the credit with the treasurer of the municipality in which the property is located no later than January 31. To obtain the credit under s. 79.10 (9) (bm), the owner shall attest on the claim that the mobile home is the owner's principal dwelling, as defined in s. 79.10 (1) (f). The treasurer shall reduce the owner's parking permit fee by the amount of any allowable credit. The treasurer shall furnish notice of all claims for credits filed under this ~~paragraph~~ subdivision to the department of revenue as provided under s. 79.10 (1m).

NOTE: Subdivides provision and rearranges text for greater readability and conformity with current style.

**SECTION 219.** 66.058 (3) (c) 1. of the statutes is repealed.

**SECTION 220.** 66.058 (3) (c) 6. of the statutes is created to read:

66.058 (3) (c) 6. The licensee of a park shall be liable for the monthly parking permit fee for any mobile home occupying space therein as well as the owner and occupant thereof. A municipality, by ordinance, may require

the mobile home park operator to collect the monthly parking permit fee from the mobile home owner.

**SECTION 221.** 66.066 (1a) of the statutes is amended to read:

66.066 (1a) Nothing ~~herein~~ in this section shall be construed to limit the authority of any municipality to acquire, own, operate and finance in the manner provided in this section, a source of water supply and necessary transmission facilities ~~(, including all real and personal property),~~ beyond its corporate limits, ~~and a.~~ A source of water supply 50 miles beyond such a municipality's corporate limits shall be deemed considered to be within such a municipality's authority.

NOTE: Replaces parentheses and language for greater readability and conformity with current style.

**SECTION 222.** 66.073 (6) (h) of the statutes is amended to read:

66.073 (6) (h) Acquire, own, hold, use, lease (as lessor or lessee), sell or otherwise dispose of, mortgage, pledge, or grant a security interest in any real or personal property, commodity or service or interest therein subject to s. 182.017 (7).

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 223.** 66.073 (8) (a) of the statutes is renumbered 66.073 (8) (a) 2. and amended to read:

66.073 (8) (a) 2. The contracting municipalities may provide in the contract created under sub. (5) for payment to the company of funds for commodities to be procured and services to be rendered by the company. These municipalities and other persons and public agencies may enter into purchase agreements with the company for the purchase of electric power and energy whereby the purchaser is obligated to make payments in amounts which shall be sufficient to enable the company to meet its expenses, interest and principal payments ~~(, whether at maturity or upon debt service fund redemption),~~ reasonable reserves for debt service, operation and maintenance and renewals and replacements and the requirements of any rate covenant with respect to debt service coverage contained in any resolution, trust indenture or other security instrument.

3. Purchase agreements entered into under subd. 2. may, in addition to the provisions authorized under subd. 2., contain ~~such~~ other terms and conditions as that the company and the purchasers may determine, including provisions whereby the purchaser is obligated to pay for power irrespective of whether energy is produced or delivered to the purchaser or whether any project contemplated by any such agreement is completed, operable or operating, and notwithstanding suspension, interruption, interference, reduction or curtailment of the output of such project. ~~Such~~

4. Purchase agreements entered into under subd. 2. may be for a term covering the life of a project or for any

other term, or for an indefinite period. The contract created under sub. (5) or a purchase agreement may provide that if one or more of the purchasers defaults in the payment of its obligations under ~~any such a~~ purchase agreement, the remaining purchasers which also have ~~such~~ purchase agreements shall be required to accept and pay for and shall be entitled proportionately to use or otherwise dispose of the power and energy to be purchased by the defaulting purchaser. ~~For purposes of this paragraph the phrase "purchase of electric power and energy" includes any right to capacity or interest in any project.~~

NOTE: Subdivides provision, deletes parentheses and repositions language for greater conformity with current style. See also the next section of this bill.

**SECTION 224.** 66.073 (8) (a) 1. of the statutes is created to read:

66.073 (8) (a) 1. In this paragraph, "purchase of electric power and energy" includes any right to capacity or interest in any project.

NOTE: Moves definition to beginning of paragraph in conformity with current style. See also the previous section of this bill.

**SECTION 225.** 66.10 of the statutes is renumbered 66.10 (intro.) and amended to read:

**66.10 Official publication.** (intro.) Whenever ~~in~~ under ss. 66.01 to 66.08 publication is required to be in the official paper of other than a city, and there is no official paper, the publication shall be as follows:

(1) By publication in a paper published in the municipality and designated by the officers or body conducting the proceedings, ~~and if there be~~

(2) If no paper is published in the municipality, then by publication in a paper published in the county ~~and having which has~~ a general circulation in the municipality and ~~so is designated by the officers or body conducting the proceedings,~~ and by posting in at least ~~four~~ 4 public places in the municipality, ~~and if there be also,~~

(3) If no such paper then is published in the county which has a general circulation in the municipality, by such posting in at least 4 public places in the municipality.

NOTE: Renumbers provision and replaces language for greater readability and conformity with current style.

**SECTION 226.** 66.125 of the statutes is amended to read:

**66.125 Orders; action; proof of demand.** No action shall be brought upon any city, village, town or school district order until the expiration of 30 days after a demand for the payment of the same shall have been made. If ~~such an~~ action is brought and the defendant fails to appear and defend the ~~same~~ action, judgment shall not be entered without affirmative proof of ~~such the~~ demand, ~~and if.~~ If judgment is entered without such proof of the demand, the judgment shall be absolutely void.

NOTE: Replaces language and modifies punctuation for greater readability and conformity with current style.

**SECTION 227.** 66.40 (3) (a) of the statutes is amended by replacing "five" with "5".

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 228.** 66.40 (5) (a) of the statutes is amended by replacing "five" with "5" and by replacing "two" with "2".

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 229.** 66.40 (8) of the statutes is amended by replacing "ten" with "10".

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 230.** 66.40 (10) (b) of the statutes is renumbered 66.40 (10) (b) (intro.) and amended to read:

66.40 (10) (b) (intro.) At any time at or after the filing for condemnation, and before the entry of final judgment, the authority may file with the clerk of the court in which the petition is filed, a declaration of taking signed by the duly authorized officer or agent of the authority declaring that all or any part of the property described in the petition is to be taken for the use of the authority. The ~~said~~ declaration of taking shall be sufficient as if it sets forth: ~~(1) a~~ all of the following:

1. A description of the property, sufficient for the identification thereof, to which there may be attached a plat or map thereof; ~~(2) a.~~

2. A statement of the estate or interest in ~~said the~~ property being taken; ~~(3) a.~~

3. A statement of the sum of money estimated by the authority to be just compensation for the property taken, which sum shall be not less than the last assessed valuation for tax purposes of the estate or interest in the property to be taken.

NOTE: Subdivides provision and replaces language for greater conformity with current style.

**SECTION 231.** 66.40 (13) (a) of the statutes is renumbered 66.40 (13) (a) 1. and amended to read:

66.40 (13) (a) 1. An authority shall have power to issue bonds from time to time in its discretion, for any of its corporate purposes. An authority may issue such types of bonds as it may determine, including ~~(without limiting the generality of the foregoing),~~ bonds on which the principal and interest are payable: ~~(1) exclusively;~~

a. Exclusively from the income and revenues of the housing project financed with the proceeds of ~~such the~~ bonds, or with ~~such those~~ proceeds together with a grant from the federal government in aid of ~~such the~~ project; ~~(2) exclusively~~

b. Exclusively from the income and revenues of certain designated housing projects whether or not they were financed in whole or in part with the proceeds of such bonds; or ~~(3) from~~

c. From its revenues generally.

2. Any of ~~such~~ the bonds under subd. 1. may be additionally secured by a pledge of any revenues or ~~☞~~ subject to the ~~limitation hereinafter limitations~~ imposed) under pars. (b) and (c). a mortgage of any housing project, projects or other property of the authority.

**SECTION 232.** 66.40 (15) (L) of the statutes is renumbered 66.40 (15) (L) (intro.) and amended to read:

66.40 (15) (L) (intro.) To create or to authorize the creation of special funds in which there shall be segregated ~~(a)~~ the following:

1. The proceeds of any loan or grant or both; ~~(b)~~ all.
2. All of the rents, fees and revenues of any housing project or projects or parts thereof; ~~(c)~~ any.
3. Any moneys held for the payment of the costs of operations and maintenance of any such housing projects or as a reserve for the meeting of contingencies in the operation and maintenance thereof; ~~(d)~~ any.
4. Any moneys held for the payment of the principal and interest on its bonds or the sums due under its leases or as a reserve for such payments; and ~~(e)~~ any
5. Any moneys held for any other reserves or contingencies; ~~and to.~~

(Lm) To covenant as to the use and disposal of the moneys held in ~~such~~ funds created under par. (L).

NOTE: Subdivides provision for greater consistency with current style.

**SECTION 233.** 66.40 (15) (t) of the statutes is amended to read:

66.40 (15) (t) To covenant to surrender possession of all or any part of any housing project or projects upon the happening of an event of default ~~☞~~ as defined in the contract), and to vest in an obligee the right to take possession and to use, operate, manage and control such housing projects or any part thereof, and to collect and receive all rents, fees and revenues arising therefrom in the same manner as the authority itself might do and to dispose of the moneys collected in accordance with the agreement of the authority with such obligee.

NOTE: Replaces parentheses for greater consistency with current style.

**SECTION 234.** 66.40 (16) of the statutes is renumbered 66.40 (16) (b) (intro.) and amended to read:

66.40 (16) (b) (intro.) In connection with any project financed in whole or in part, or otherwise aided by a government ~~☞~~ whether through a donation of money or property, a loan, the insurance or guarantee of a loan, or otherwise), the authority shall also have power to mortgage do any of the following:

1. Mortgage all or any part of its property, real or personal, then owned or thereafter acquired, ~~to grant.~~
2. Grant security interests in ~~such its~~ property, and to issue real or personal, then owned or thereafter acquired.
3. Issue its note or other obligation as may be required by the government. ~~For purposes of this subsection, "government" includes the Wisconsin housing and economic development authority.~~

NOTE: Deletes parentheses, subdivides provision and reorganizes and replaces language for greater conformity with current style. See also the next section of this bill.

**SECTION 235.** 66.40 (16) (a) of the statutes is created to read:

66.40 (16) (a) In this subsection, "government" includes the Wisconsin housing and economic development authority.

NOTE: Moves definition to the beginning of the section consistent with current style. See also the previous section of this bill.

**SECTION 236.** 66.40 (17) (a) of the statutes is amended to read:

66.40 (17) (a) By mandamus, suit, action or proceeding in law or equity ~~☞~~ all of which may be joined in one action), to compel the authority, and the commissioners, officers, agents or employes thereof to perform each and every term, provision and covenant contained in any contract of the authority, and to require the carrying out of any or all covenants and agreements of the authority and the fulfillment of all duties imposed upon the authority by ss. 66.40 to 66.404.

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 237.** 66.402 (1) (b) of the statutes is amended to read:

66.402 (1) (b) It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms ~~☞~~ but no greater number), which it deems considers necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.

NOTE: Deletes parentheses and replaces language for greater conformity with current style.

**SECTION 238.** 66.402 (1) (c) of the statutes is amended to read:

66.402 (1) (c) It shall not accept any person as a tenant in any housing project if the person or persons who would occupy the dwelling accommodations have an aggregate annual income in excess of 5 times the annual rental of the quarters to be furnished ~~such the person or persons, except that in the case of families with minor dependents such the aggregate annual income of the person or persons who would occupy the dwelling accommodations~~ may exceed 5 times the annual rental of the quarters to be furnished by \$100 for each minor dependent or by an amount equal to the annual income of the minor dependents; in. In computing the rental for this the purpose of selecting tenants, there the authority shall be included determine and include in the rental the average annual cost (as determined by the authority) to the occupants, of heat, water, electricity, gas, cooking range and other necessary services or facilities, whether or not the charge for such services and facilities is in fact included in the rental. For the purposes of this subsection, a minor shall mean a person less than 18 years of age.

NOTE: Deletes parentheses and reorganizes and replaces language for greater conformity with current style. The defini-

tion of “minor” is redundant as it does not differ substantively from the general definition contained in s. 990.01.

**SECTION 239.** 66.4025 (1) (a) of the statutes is amended by replacing “accomodations” with “accommodations”.

NOTE: Corrects spelling.

**SECTION 240.** 66.4025 (1) (b) of the statutes is amended by replacing “accomodations” with “accommodations”.

NOTE: Corrects spelling.

**SECTION 241.** 66.4025 (1) (c) of the statutes is amended by replacing “accomodations” with “accommodations”.

NOTE: Corrects spelling.

**SECTION 242.** 66.4025 (2) of the statutes is amended by replacing “accomodations” with “accommodations”.

NOTE: Corrects spelling.

**SECTION 243.** 66.4025 (3) (intro.) of the statutes is amended by replacing “accomodations” with “accommodations”.

NOTE: Corrects spelling.

**SECTION 244.** 66.403 (5) of the statutes is amended to read:

66.403 (5) Enter into agreements, ~~(which may extend over any period, notwithstanding any provision or rule of law to the contrary)~~ with a housing authority or the federal government respecting action to be taken by ~~such~~ the state public body pursuant to any of the powers granted by ss. 66.40 to 66.404. The agreements may extend over any period, notwithstanding any provision or rule of law to the contrary;

NOTE: Deletes parentheses and reorganizes and replaces language for greater readability and conformity with current style.

**SECTION 245.** 66.404 (1) of the statutes is amended to read:

66.404 (1) **CONTRACTS BETWEEN AUTHORITY AND CITY.** In connection with any housing project located wholly or partly within the area in which it is authorized to act, any city may agree with an authority or government that a certain sum (€ subject to the limitations imposed by s. 66.40 (22)), or ~~that~~ no sum, shall be paid by the authority in lieu of taxes for any year or period of years.

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 246.** 66.405 (3) (q) of the statutes is amended by replacing “incumbrances” with “encumbrances”.

NOTE: Inserts preferred spelling.

**SECTION 247.** 66.414 (2) (e) of the statutes is amended by replacing “incumbrance” with “encumbrance”.

NOTE: Inserts preferred spelling.

**SECTION 248.** 66.416 (2) of the statutes, as affected by [1995 Wisconsin Act 27](#), is renumbered 66.416 (2) (a) (intro.) and amended to read:

66.416 (2) (a) (intro.) Certificates, bonds and notes, or part interests therein, or any part of an issue thereof, which are issued by a redevelopment corporation and secured by a first mortgage on the real property of the redevelopment corporation, or any part thereof, shall be securities in which all the following persons, partnerships or corporations and public bodies or public officers may legally invest the funds within their control, ~~but the principal amount thereof shall not exceed the limits, if any, imposed by law for such investments by the person, partnership, corporation, public body or public officer making the investment:~~

1. Every executor, administrator, trustee, guardian, committee or other person or corporation holding trust funds or acting in a fiduciary capacity; the

2. The state, its subdivisions, cities, all other public bodies, and all public officers; persons.

3. Persons, partnerships and corporations organized under or subject to the provisions of the banking law (€ including savings banks, savings and loan associations, trust companies, bankers and private banking corporations); the

4. The division of banking as conservator, liquidator or rehabilitator of any such person, partnership or corporation; and persons, partnerships or corporations organized under or subject to chs. 600 to 646; and the

5. The commissioner of insurance as conservator, liquidator or rehabilitator of any such person, partnership or corporation.

NOTE: Subdivides provision, reorganizes text and deletes parentheses for greater conformity with current style. See also the next section of this bill.

**SECTION 249.** 66.416 (2) (b) of the statutes is created to read:

66.415 (2) (b) The principal amount of the securities described in par. (a) shall not exceed the limits, if any, imposed by law for investments by the person, partnership, corporation, public body or public officer making the investment.

NOTE: See the previous section of this bill.

**SECTION 250.** 66.417 (2) of the statutes is amended to read:

66.417 (2) Notwithstanding the provisions of any general, special or local law or ordinance, ~~such~~ a sale or lease authorized under sub. (1) may be made without appraisal, public notice or public bidding for ~~such~~ a price or rental amount and upon ~~such~~ terms (and, in case of a lease, for such term not exceeding 60 years with a right of renewal upon such terms) as may be agreed upon between the city and the redevelopment corporation to carry out the purposes of ss. 66.405 to 66.425. In the case of a lease, the term of the lease shall not exceed 60 years with a right of renewal upon the same terms.

NOTE: Deletes parentheses and reorganizes language for greater readability and conformity with current style.

**SECTION 251.** 66.418 (4) of the statutes is amended to read:

66.418 (4) The lease may reserve such easements or other rights in connection with the real property as may be deemed considered necessary or desirable for the future planning and development of the city and the extension of public facilities therein ~~and including also the construction of subways and conduits, and the widening and change changing of grade of streets); and it.~~ The lease may contain such other provisions for the protection of the parties as are not inconsistent with the provisions of ss. 66.405 to 66.425.

NOTE: Deletes parentheses and replaces language for greater readability and conformity with current style.

**SECTION 252.** 66.43 (3) (a) of the statutes is amended to read:

66.43 (3) (a) “Blighted area” means any area ~~(including a slum area)~~, in which a majority of the structures are residential ~~(or in which there is a predominance of buildings or improvements, whether residential or non-residential)~~, and which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 253.** 66.43 (3) (h) of the statutes is amended to read:

66.43 (3) (h) “Project area” means a blighted area ~~(or portion of a blighted area, as defined in this section), or portion thereof par. (a),~~ of such extent and location as adopted by the planning commission and approved by the local legislative body as an appropriate unit of redevelopment planning for a redevelopment project, separate from the redevelopment projects in other parts of the city. In the provisions of this section relating to leasing or sale by the city, for abbreviation “project area” is used for the remainder of the project area after taking out those pieces of property which shall have been or are to be transferred for public uses.

NOTE: Deletes parentheses and reorganizes language for greater conformity with current style.

**SECTION 254.** 66.43 (3) (L) of the statutes is amended to read:

66.43 (3) (L) “Redevelopment company” means a private or public corporation or body corporate ~~(including a public housing authority)~~, carrying out a plan under this section.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 255.** 66.43 (4) (a) (intro.) of the statutes is amended to read:

66.43 (4) (a) (intro.) Every city is ~~hereby granted (~~, in addition to its other powers), all powers necessary or

convenient to carry out and effectuate the purposes and provisions of this section, including the following powers in addition to others herein granted:

NOTE: Replaces parentheses for greater conformity with current style. “Hereby” is deleted pursuant to s. 13.93 (1) (f).

**SECTION 256.** 66.43 (4) (a) 3. of the statutes is amended by replacing “incumber” with “encumber”.

NOTE: Inserts preferred spelling.

**SECTION 257.** 66.43 (6) (a) of the statutes is renumbered 66.43 (6) (a) (intro.) and amended to read:

66.43 (6) (a) (intro.) After the real property in the project area ~~shall have~~ has been assembled, the city shall have power to lease or sell all or any part of ~~said the~~ real property ~~(including streets or parts thereof to be closed or vacated in accordance with the plan)~~, to a redevelopment company or to an individual, a limited liability company or a partnership for use in accordance with the redevelopment plan. ~~Such real~~ Real property in the project area shall be leased or sold at its fair value for uses in accordance with the redevelopment plan notwithstanding ~~such that the fair~~ value may be less than the cost of acquiring and preparing ~~such the~~ property for redevelopment. In determining ~~such the property's~~ fair value, a city shall take into account and give consideration to the following:

1. The uses and purposes required by the plan; ~~the,~~
2. The restrictions upon and covenants, conditions and obligations assumed by the purchaser or lessee, and the objectives of the redevelopment plan for the prevention of the recurrence of slum or blighted areas; ~~and such,~~
3. Any other matters as that the city shall ~~deem~~ considers appropriate.

NOTE: Replaces parentheses and language for greater conformity with current style.

**SECTION 258.** 66.431 (2m) (ar) of the statutes is created to read:

66.431 (2m) (ar) “Authority” means a redevelopment authority.

NOTE: Relocates definition from s. 66.431 (3) (a) consistent with current style. See also the next 2 sections of this bill.

**SECTION 259.** 66.431 (3) (a) of the statutes is renumbered 66.431 (3) (a) 1. and amended to read:

66.431 (3) (a) 1. It is ~~hereby~~ found and declared that a redevelopment authority, functioning within a city in which there exists substandard, deteriorating, deteriorated, ~~insanitary,~~ unsanitary slum and blighted areas, constitutes a more effective and efficient means for preventing and eliminating slums and blighted areas in the city and preventing the recurrence thereof. Therefore, there is created in every such city a redevelopment authority, to be known as the “redevelopment authority of the city of ... (which in this section shall be referred to as “authority”, and when so referred to, means and applies to a redevelopment authority)”. An authority is created for the purpose of carrying out blight elimination, slum clearance, and urban renewal programs and projects as set forth in this section, together with all powers necessary or incidental to effect adequate and comprehensive

blight elimination, slum clearance and urban renewal programs and projects. ~~The~~

2. An authority may transact business and exercise any of the powers granted to it in this section following the adoption by the local legislative body of a resolution declaring in substance that there exists within ~~such~~ the city a need for blight elimination, slum clearance and urban renewal programs and projects.

3. Upon the adoption of the resolution by the local legislative body by a two-thirds vote of its members present, a certified copy ~~thereof of the resolution~~ shall be transmitted to the mayor or other head of the city government. Upon receiving the certified copy of ~~such the~~ resolution, the mayor or other head of the city government shall, with the confirmation of four-fifths of the local legislative body, appoint 7 residents of the city as commissioners of the authority. ~~No more than 2 of such commissioners may be officers of the city in which the authority is created.~~

4. The powers of the authority shall be vested in the commissioners.

5. In making appointments of commissioners, the appointing power shall give due consideration to the general interest of the appointee in a redevelopment, slum clearance or urban renewal program and shall, insofar as is possible, designate representatives from the general public, labor, industry, finance or business group, and civic organizations. Appointees shall have sufficient ability and experience in related fields, especially in the fields of finance and management, to assure efficiency in the redevelopment program, its planning and direction. One of ~~such the~~ 7 commissioners shall be a member of the local legislative body. No more than 2 of the commissioners may be officers of the city in which the authority is created.

6. Commissioners shall receive their actual and necessary expenses, including local traveling expenses incurred in the discharge of their duties.

NOTE: Subdivides provision and reorganizes and replaces language for greater readability and conformity with current style. See also the previous section of this bill.

**SECTION 260.** 66.431 (4) of the statutes is renumbered 66.431 (2m), and 66.431 (2m) (b), (d) (intro.) and (e), as renumbered, are amended to read.

66.431 (2m) (b) "Blighted area" means any of the following:

1. An area (including a slum area) in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is

detrimental to the public health, safety, morals or welfare, ~~or any.~~

2. An area which by reason of the presence of a substantial number of substandard, slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, ~~insanitary~~ unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a city, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use, ~~or any.~~

3. An area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community.

(d) (intro.) "Blight elimination, slum clearance and urban renewal project", "redevelopment and urban renewal project", "redevelopment or urban renewal project", "redevelopment project", "urban renewal project" and "project" mean undertakings and activities in a project area for the elimination and for the prevention of the development or spread of slums and blight, and may involve clearance and redevelopment in a project area, or rehabilitation or conservation in a project area, or any combination or part thereof in accordance with a "redevelopment plan", "urban renewal plan", "redevelopment or urban renewal plan", "project area plan" or "redevelopment and urban renewal plan" (either one of which means the redevelopment plan of the project area prepared and approved as provided in sub. (6)). Such undertakings and activities may include:

(e) "Bonds" means any bonds (including refunding bonds); notes; interim certificates; certificates of indebtedness; debentures; or other obligations.

NOTE: Renumbers sub. (4) for proper location within the section. Subdivides sub. (1m) (b) and replaces parentheses for greater readability and conformity with current style. "Unsanitary" replaces "insanitary", being the preferred spelling.

**SECTION 261.** 66.431 (9) (a) 1. of the statutes is renumbered 66.431 (9) (a) 1. a. and amended to read:

66.431 (9) (a) 1. a. Upon the acquisition of any or all of the real property in the project area, the authority has power to lease, sell or otherwise transfer ~~all or any part of said real property (including streets or parts thereof to be closed or vacated in accordance with the plan)~~ to a redevelopment company, association, corporation or public body, or to an individual, limited liability company or partnership, all or any part of the real property, including



streets or parts thereof to be closed or vacated in accordance with the plan, for use in accordance with the redevelopment plan. No ~~such~~ assembled lands of the project area shall be either sold or leased by the authority to a housing authority created under s. 66.40 for the purpose of constructing public housing projects upon such land unless the sale or lease of ~~such the~~ lands has been first approved by the local legislative body by a vote of not less than four-fifths of the members elected. ~~Such~~

b. Any real property sold or leased under subd. 1. a. shall be leased or sold at its fair market value for uses in accordance with the redevelopment plan, notwithstanding ~~such that the fair market~~ value may be less than the cost of acquiring and preparing ~~such the~~ property for redevelopment. In determining ~~such~~ fair market value, an authority shall give consideration to the uses and purposes required by the redevelopment plan; the restrictions upon and covenants, conditions and obligations assumed by the purchaser or lessee, the objectives of the redevelopment plan for the prevention or recurrence of slum and blighted areas; and ~~such~~ other matters as that the authority ~~deems~~ considers appropriate.

c. A copy of the redevelopment plan shall be recorded in the office of the register of deeds in the county where ~~such the~~ redevelopment project is located, ~~and any~~. Any amendment to ~~such the~~ redevelopment plan, approved as herein provided for, shall also be recorded in the office of the register of deeds of ~~such the~~ county.

d. Before the transfer, lease or sale of any real property in the project area occurs, a report as to the terms, conditions and other material provisions of the ~~proposed sale, lease or other disposition of either a part (where only a part of the land assembled is to be disposed) or of all of the land assembled~~ transaction shall be submitted to the local legislative body, and ~~such the~~ local legislative body shall approve ~~such the~~ report prior to the authority proceeding with the disposition of ~~such the~~ real property.

NOTE: Subdivides provision, deletes redundant phrase and replaces and reorganizes language for greater readability and conformity to current style.

**SECTION 262.** 66.431 (14) of the statutes is amended to read:

66.431 (14) OBLIGATIONS. For the purpose of financially aiding an authority to carry out blight elimination, slum clearance and urban renewal programs and projects, the city in which ~~such the~~ authority functions is authorized ~~(, without limiting its authority under any other law),~~ to issue and sell general obligation bonds in the manner and in accordance with the provisions of ch. 67, except that no referendum shall be required, and to levy taxes without limitation for the payment thereof, as provided in s. 67.035. ~~Such~~ The bonds authorized under this subsection shall be fully negotiable and except as provided in this subsection shall not be subject to any other law or charter pertaining to the issuance or sale of bonds.

NOTE: Replaces parentheses and language for greater readability and conformity to current style.

**SECTION 263.** 66.435 (2m) of the statutes is created to read:

66.435 (2m) In this section:

(a) “Rehabilitation or conservation work” may include any of the following:

1. Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements.

2. Acquisition of real property and demolition, removal or rehabilitation of buildings and improvements thereon where necessary to eliminate unhealthful unsanitary or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, or to otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities.

3. Installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the objectives of the urban renewal project.

4. The disposition, for uses in accordance with the objectives of the urban renewal project, of any property or part thereof acquired in the area of the project. The disposition shall be in the manner prescribed in this section for the disposition of property in a redevelopment project area.

(b) “Urban renewal project” may include undertakings and activities for the elimination and for the prevention of the development or spread of slums or blighted, deteriorated or deteriorating areas and may involve any work or undertaking for such purpose constituting a redevelopment project or any rehabilitation or conservation work, or any combination of such undertaking or work.

NOTE: Repositions definitions from sub. (3) for greater conformity with current style. See also the next section of this bill.

**SECTION 264.** 66.435 (3) of the statutes is amended to read:

66.435 (3) In addition to its authority under any other section, a municipality is authorized to plan and undertake urban renewal projects. ~~As used in this section, an urban renewal project may include undertakings and activities for the elimination and for the prevention of the development or spread of slums or blighted, deteriorated or deteriorating areas and may involve any work or undertaking for such purpose constituting a redevelopment project or any rehabilitation or conservation work, or any combination of such undertaking or work. For this purpose, “rehabilitation or conservation work” may include (a) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements; (b) acquisition of real property and demolition, removal or rehabilitation of buildings and improvements thereon where necessary to eliminate~~

unhealthful, insanitary or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, or to otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; (e) installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the objectives of the urban renewal project; and (d) the disposition, for uses in accordance with the objectives of the urban renewal project, of any property or part thereof acquired in the area of such project, provided, that such disposition shall be in the manner prescribed in this section for the disposition of property in a redevelopment project area.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 265.** 66.435 (6) of the statutes is amended to read:

66.435 (6) ASSISTANCE TO URBAN RENEWAL BY MUNICIPALITIES AND OTHER PUBLIC BODIES. Any public body is hereby authorized to enter into agreements ~~(which may extend over any period, notwithstanding any provision or rule of law to the contrary)~~, with any other public body or bodies respecting action to be taken pursuant to any of the powers granted by this section, including the furnishing of funds or other assistance in connection with an urban renewal plan or urban renewal project.

NOTE: Replaces parentheses for greater conformity with current style. "Hereby" is deleted pursuant to s. 13.93 (1) (f).

**SECTION 266.** 66.44 (1) of the statutes is renumbered 66.44 (1) (a) (intro.) and amended to read:

66.44 (1) (a) (intro.) Any housing authority established pursuant to ss. 66.40 to 66.404 may undertake the development or administration or both of projects to provide housing for persons ~~(and their families)~~, engaged or to be engaged in war industries or activities and may exercise do any of the following:

1. Exercise any of its rights, powers, privileges and immunities to aid and cooperate with the federal government ~~(and any agency thereof)~~, in making housing available for persons ~~(and their families) engaged or to be engaged in war industries or activities; may act described in par. (a) (intro.)~~.

2. Act as agent for the federal government in developing and administering such housing; ~~may lease such for persons described in par. (a) (intro.)~~.

3. Lease housing for persons described in par. (a) (intro.) from the federal government ~~(and any agency thereof); and may arrange~~.

4. Arrange with public bodies and private agencies for such services and facilities as that may be needed for such housing; ~~provided, that any such for persons described in par. (a) (intro.)~~.

(b) Any housing developed or administered under authority of par. (a) shall not be subject to ss. 66.401 (2) and 66.402. Without limiting any existing power, the

powers of any public body in the state pursuant to s. 66.403 may be exercised with respect to such housing developed or administered under authority of par. (a). With the consent, by resolution, of the governing body of any city or county adjacent but outside of the area of operation of a housing authority, the housing authority may exercise its powers under this section within the territorial boundaries of such the adjacent city or county.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 267.** 66.46 (2) (a) of the statutes is renumbered 66.46 (2) (a) 1. (intro.) and amended to read:

66.46 (2) (a) 1. (intro.) "Blighted area" means any of the following:

a. An area ~~(including a slum area)~~, in which the structures, buildings or improvements, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such these factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare, ~~or any~~.

b. An area which is predominantly open and which consists primarily of an abandoned highway corridor, as defined in s. 66.431 ~~(4) (2m)~~ (a), or that consists of land upon which buildings or structures have been demolished and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community.

2. "Blighted area" does not include predominantly open land area that has been developed only for agricultural purposes.

NOTE: Subdivides provision and replaces parentheses and language for greater readability and conformity with current style. The cross-reference to s. 66.431 (4) (a) is renumbered consistent with the renumbering of that provision by this bill.

**SECTION 268.** 66.46 (4) (gm) 4. a. of the statutes is amended to read:

66.46 (4) (gm) 4. a. Not less than 50%, by area, of the real property within such district ~~meets is~~ at least one of the following ~~criteria~~: 1) is a "blighted area"; 2) is in need of "rehabilitation or conservation work" ~~within the meaning of, as defined in~~ s. 66.435 ~~(3) (2m)~~ (b); or 3) is suitable for "industrial sites" within the meaning of s. 66.52 and has been zoned for industrial use; and

NOTE: Deletes improper subdivision designations and amends cross-reference to s. 66.435 (3) consistent with the renumbering of that provision by this bill.

**SECTION 269.** 66.50 (1) (f) of the statutes is amended by replacing "twenty-five dollars" with "\$25".

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 270.** 66.51 (2) of the statutes is renumbered by replacing "five per cent" with "5%".

NOTE: Replaces word form of number with digit for greater conformity with current style.

**SECTION 271.** 66.521 (2) (k) 20. of the statutes is amended by replacing "66.431 (4) (b)" with "66.431 (2m) (b)".

NOTE: The cross-reference to s. 66.431 (4) (a) is renumbered consistent with the renumbering of that provision by this bill.

**SECTION 272.** 66.694 (1) of the statutes is amended is renumbered 66.694 (1) (a) and amended to read:

66.694 (1) (a) If any city, village or town causes any street, alley or public highway within its corporate limits to be improved by grading, curbing, paving or otherwise improving the street, alley or public highway, where the entire or partial cost of the improvement is assessed against abutting property, and the street, alley or public highway is crossed by the track of any railroad and engaged as a common carrier, the common council or board of public works of the city, or the village or town board, shall, at any time after the completion and acceptance of the improvement by the municipality, file with the local agent of the railroad corporation operating the railroad, a statement showing the amount chargeable to the railroad corporation for the improvement, ~~which,~~

(b) The amount chargeable to the railroad corporation shall be an amount equal to the cost of constructing the improvement along the street, alley or public highway immediately in front of and abutting its right-of-way on each side of the street, alley or public highway at the point where the track crosses the street, alley or public highway, based upon the price per square yard, lineal foot or other unit of value used in determining the total cost of the improvement.

NOTE: Deletes "and" erroneously retained in the provision when amended by Chapter 72, Laws of 1977. Subdivides provision for greater readability.

**SECTION 273.** 66.80 (1) of the statutes is amended to read:

66.80 (1) In all 1st class cities ~~of the first class~~ in this state, whether organized under general or special charter, annuity and benefit funds shall be created, established, maintained and administered ~~(by such each city)~~ for all officers and employes of ~~such cities~~ the city, who at the time this section shall come into effect are not contributors, participants or beneficiaries in any pension fund now in operation in such city by authority of law; provided that before this section shall be in effect in any city to which it applies, it must first have been approved by a majority vote of the members elect of the common council of ~~such the~~ the city.

NOTE: Replaces parentheses and language for greater readability and conformity with current style.

**SECTION 274.** 66.94 (5) (c) of the statutes is renumbered 66.94 (5) (c) 1. (intro.) and amended to read:

66.94 (5) (c) 1. (intro.) In lieu of the property taxes levied under subch. I of ch. 76, and in lieu of the income or franchise taxes levied under ch. 71 which, but for par. (b), would be due and payable, there shall be paid to the state treasurer, as a tax equivalent to but not in excess of property taxes and income or franchise taxes, the net revenues of the next preceding year, after the payment of: ~~1) all of the following:~~

a. All operating costs, including all charges which may be incurred pursuant to subs. (29) and (34) and all other costs and charges incidental to the operation of the transportation system; ~~2) interest.~~

b. Interest on and principal of all bonds payable from said revenues and to meet all other charges upon such revenues as provided by any trust agreement executed by the authority in connection with the issuance of bonds or certificates; ~~3) all.~~

c. All costs and charges incurred pursuant to subs. (32) and (33) and any other costs and charges for acquisition, installation, construction or replacement or reconstruction of equipment, structures or rights-of-way not financed through the issuance of bonds or certificates under sub. (15) or s. 66.935; ~~and 4) any.~~

d. Any compensation required to be paid to any municipality for the use of streets, viaducts, bridges, subways and other public ways.

2. Deficiencies in any annual tax equivalent shall not be cumulative.

NOTE: Subdivides provision and adds language for greater readability and conformity with current style.

**SECTION 275.** 66.94 (37) (b) of the statutes is renumbered 66.94 (37) (b) 1. and amended to read:

66.94 (37) (b) 1. In determining the responsibility of any bidder, the board may take into account ~~past the following:~~

a. Past dealings with the bidder, ~~experience, adequacy.~~

c. Adequacy of equipment, ~~ability.~~

d. Ability to complete performance within the time set, ~~and other.~~

e. Other factors ~~beside besides~~ financial responsibility, ~~but in no case shall any such.~~

2. Each contract described in par. (a) shall be awarded to ~~any other than~~ the highest bidder ~~(, in the case of a sale, concession or lease), or to the lowest bidder (, in the case of a purchase or expenditure), unless authorized the award of the contract to another bidder meets all of the following conditions:~~

a. Is authorized or approved by a vote of at least 5 members of the board, ~~and unless such action is accompanied.~~

b. Is accompanied by a statement in writing setting forth the reasons, ~~which that the contract is being awarded to other than the highest or lowest bidder, as~~

applicable. The statement shall be kept on file in the principal office of the authority and open to public inspection.

NOTE: Subdivides provision and replaces parentheses and language for greater readability for conformity with current style.

SECTION 276. 66.94 (37) (b) 1. b. of the statutes is created to read:

66.94 (37) (b) 1. b. Experience.

NOTE: See the previous section of this bill.

SECTION 277. 66.945 (2m) of the statutes is amended to read:

66.945 (2m) LIMITATION ON TERRITORY. No regional planning commission may be created to include territory located in 3 or more uniform state districts as established by 1970 executive order 22 (dated August 24, 1970). Any existing regional planning commission which includes territory located in 3 or more such uniform state districts shall be dissolved no later than December 31, 1972.

NOTE: Replaces parentheses for greater conformity with current style.

NOTE: Subdivides provision and replaces parentheses for greater conformity with current style.

SECTION 278. 66.945 (3) (b) 2. of the statutes is renumbered 66.945 (3) (b) 2. (intro.) and amended to read:

66.945 (3) (b) 2. (intro.) For regions that include land in only one county, the commission shall consist of 3 the following:

a. Three members appointed by the county board; and 3.

b. Three members appointed by the governing body of each city, village and town in the region having a population of 20,000 or more (if, If there is no city, village or town having a population of 20,000 or more, the governor shall appoint one member from each city, village or town with a population of 5,000 or more within the region); and in addition 3. All governor appointees under this subd. 2. b. shall be persons who have experience in local government in elective or appointive offices or who are professionally engaged in advising local governmental units in the fields of land-use planning, transportation, law, finance or engineering.

c. Three members shall be appointed at large by the governor. All governor appointees under this subd. 2. c. shall be persons who have experience in local government in elective or appointive offices or who are professionally engaged in advising local governmental units in the fields of land-use planning, transportation, law, finance or engineering.

NOTE: Renumbers provision and rearranges text for greater conformity with current style.

SECTION 279. 67.03 (3) of the statutes is amended by replacing "incumbered" with "encumbered" and by replacing "incumbrance" with "encumbrance", in 2 places.

NOTE: Inserts preferred spelling.

SECTION 280. 67.10 (5) (b) of the statutes is amended by replacing "nine" with "9".

NOTE: Replaces word form of number with digit for greater conformity with current style.

SECTION 281. 69.12 (1) of the statutes is amended by replacing "subject of vital record" with "subject of the vital record".

NOTE: Inserts missing "the".

SECTION 282. 70.03 (title) of the statutes is amended to read:

70.03 (title) Definition of real property.

NOTE: Inserts missing "of".

SECTION 283. 70.04 (title) of the statutes is amended to read:

70.04 (title) Definition of personal property.

NOTE: Inserts missing "of".

SECTION 284. 70.09 (title) of the statutes is amended to read:

70.09 (title) Official real property lister; blanks forms for officers.

NOTE: Replaces "blanks" with "forms" to conform the title to statute text.

SECTION 285. 70.115 of the statutes is amended to read:

70.115 Taxation of real estate held by investment board. All real estate owned or held by any of the funds invested by the investment board (, other than the constitutional trust funds), shall be assessed and taxed in the same manner as privately owned real estate. Such taxes shall be paid out of the fund to which the lands belong or for whose benefit they are held. If such taxes are not paid, the real estate shall be subject to inclusion in a tax certificate under s. 74.57 as are privately owned lands.

NOTE: Replaces parentheses and language for greater conformity with current style.

SECTION 286. 70.13 (5) of the statutes is amended to read:

70.13 (5) As between school districts, the location of personal property for taxation shall be determined by the same rules as between assessment districts; provided, that whenever the owner or occupant shall reside upon any contiguous tracts or parcels of land which shall lie in two 2 or more assessment districts, then the farm implements, livestock, and farm products of such the owner or occupant used, kept, or being upon such the contiguous tracts or parcels of land, shall be assessed in the assessment district where such that personal property is customarily kept.

NOTE: Replaces language for greater conformity with current style.

SECTION 287. 70.375 (1) (b) 1. b. of the statutes is amended to read:

70.375 (1) (b) 1. b. In the case of lead, zinc, copper, gold, silver, uranium and other ores or minerals that are not customarily sold in the form of the crude mineral product; crushing, grinding and beneficiation by concentration by means of gravity, flotation, amalgamation, electrostatic or magnetic processes, cyanidation, leaching, crystallization or precipitation (, not including elec-

trolytic deposition, roasting, thermal or electric smelting or refining); or by substantially equivalent processes or by a combination of processes used in the separation or extraction of the products from other material taken out of the mine or out of another natural deposit.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 288.** 70.57 (1) of the statutes is renumbered 70.57 (1) (a) and amended to read:

70.57 (1) (a) The department of revenue before August 15 of each year shall complete the valuation of the property of each county and taxation district of the state. From all the sources of information accessible to it the department shall determine and assess by class the value of all property subject to general property taxation in each county and taxation district. If the department is satisfied that the assessment by a county assessor under s. 70.99 is at full value, it may adopt that value as the state's full value. It

(b) The department shall set down a list of all the counties and taxation districts and opposite to the name of each county and taxation district the valuation determined by the department, which shall be the full value according to its best judgment.

(c) There shall also be prepared a list of all the counties of the state, with ~~opposite the name of each county~~ the valuation determined, which for each county listed opposite the name of the county. The list shall be certified by the secretary of revenue as the assessment of the counties of the state made by the department, and be delivered to the department of administration.

(d) In any case where the department, through mistake or inadvertence, has assessed to any county or taxation district, in the current year or in the previous year, a greater or less valuation for any year than should have been assessed, it shall correct the error ~~by adding to or subtracting from~~ from the valuation of the county or taxation district, as determined by ~~it~~ the department at the assessment in the year after the error is discovered, the amount omitted from or added to the true valuation of the county in the former assessment in consequence of the error, ~~and the.~~ The result shall be taken as the full value of the county for the latter year and a final correction of the error.

NOTE: Subdivides provision, reorders and replaces language and replaces parentheses for greater readability and conformity with current style.

**SECTION 289.** 72.35 (1) of the statutes is amended to read:

72.35 (1) **ARBITRATION AGREEMENT.** When the department and the taxing authority of another state each claim that a decedent was a resident of its state on the date of his the decedent's death, the department may make a written agreement with the other taxing authority and with the personal representative, special administrator or trustee, to a) settle the dispute, or b) submit the controversy to a

panel consisting of any uneven number of arbitrators. Parties to the agreement shall select the arbitrators.

NOTE: Renders provision gender neutral and conforms numbering to current style.

**SECTION 290.** 72.35 (5) of the statutes is amended to read:

72.35 (5) **DETERMINATION OF RESIDENCE.** The panel, by majority vote, shall determine the residence of the decedent on the date of ~~his~~ the decedent's death. This determination shall be final only for purposes of imposing and collecting death taxes.

NOTE: Renders provision gender neutral.

**SECTION 291.** 75.12 (1) of the statutes is amended by replacing "incumbered" with "encumbered".

NOTE: Inserts preferred spelling.

**SECTION 292.** 75.521 (15) of the statutes is repealed.

NOTE: Deletes obsolete effective date provision.

**SECTION 293.** 76.02 (5) of the statutes is amended to read:

76.02 (5) Any person, association, company or corporation ~~is~~ not being a railroad company as defined in sub. (2), ~~owning any cars known as dining, buffet, chair, parlor or sleeping cars which are used upon railroads within this state, unless the ownership of such those cars~~ is identical with that of the railroads on which they are operated, shall be ~~deemed~~ considered a sleeping car company.

NOTE: Replaces parentheses and language for greater conformity with current style.

**SECTION 294.** 76.09 of the statutes is amended to read:

**76.09 Assessment of omitted property.** Any property subject to assessment under this subchapter which has been omitted from assessment or which has not been included in any assessment already made in any of the 5 next previous years by mistake or inadvertence unless previously reassessed for the same year or years, shall be entered by the department upon its assessment and tax roll once additionally for each year so omitted, designating each ~~such~~ additional entry as omitted for the year ~~19...., (giving year of omission)~~ and fixing the valuation and tax to each entry for a former year as the same should then have been assessed according to the best judgment of the department. The proceedings related to ~~such an~~ an assessment under this section shall be had and hearings given as far as practicable in accordance with this subchapter.

NOTE: Replaces parentheses and language for greater conformity with current style.

**SECTION 295.** 76.38 (4) (a) (intro.) of the statutes is amended to read:

76.38 (4) (a) (intro.) ~~Except as provided in sub. (6), every~~ Every telephone company operating one or more telephone exchanges shall pay an annual license fee equal to the following percentages of its total gross revenues in this state for local and rural exchange service:

NOTE: Section 78.38 (6) was repealed by 1993 Wis. Act 205.

SECTION 296. 76.38 (4) (b) (intro.) of the statutes is amended to read:

76.38 (4) (b) (intro.) Except as provided in sub. (6), every Every telephone company operating a toll line or toll lines or furnishing toll service shall pay an annual license fee equal to the following percentages of its total gross revenues in this state for toll business:

NOTE: Section 78.38 (6) was repealed by 1993 Wis. Act 205.

SECTION 297. 77.52 (14) of the statutes is renumbered 77.52 (14) (a) (intro.) and amended to read:

77.52 (14) (a) (intro.) The certificate referred to in sub. (13) relieves the seller from the burden of proof only if a) any of the following is true:

1. The certificate is taken in good faith from a person who is engaged as a seller of tangible personal property or taxable services and who holds the permit provided for in sub. (9) and who, at the time of purchasing the tangible personal property or services, intends to sell it in the regular course of operations or is unable to ascertain at the time of purchase whether the property or service will be sold or will be used for some other purpose, or b) if,

2. The certificate is taken in good faith from a person claiming exemption.

(b) The certificate referred to in sub. (13) shall be signed by and bear the name and address of the purchaser, and shall indicate the general character of the tangible personal property or service sold by the purchaser and the basis for the claimed exemption. The certificate shall be in such form as the department prescribes.

NOTE: Subdivides provision for greater readability and conformity with current style.

SECTION 298. 77.54 (20) (a) of the statutes is renumbered 77.54 (20) (a) (intro.) and amended to read:

77.54 (20) (a) (intro.) "Food", "food products" and "beverages" include, by way of illustration and not of limitation, milk the following:

1. Milk and milk products, cereal,
2. Cereal and cereal products (, including meal, grits, flour, bread and other bakery products), meats,
3. Meats and meat products, fish and,
4. Fish, fish products, and seafoods, poultry,
5. Poultry and poultry products, vegetables,
6. Vegetables and vegetable juices, fruits,
7. Fruit and fruit juices as defined in ch. 97, 1967 stats., canned
8. Canned goods (, including jams, jellies and preserves), nuts,
9. Nuts, berries, and melons, sugar,
10. Sugar and salt, coffee,
11. Coffee, coffee substitutes, tea, and cocoa, condiments, spices, spreads,
14. Spreads and relishes, desserts, flavoring, oleomargarine,
17. Oleomargarine and shortening, candy,

18. Candy and confections, dietary foods,
19. Dietary foods and health supplements, or any,
20. Any combination of the above items listed under subds. 1 to 19.

NOTE: Subdivides provision and replaces parentheses for greater readability and conformity with current style. See also the next section of this bill.

SECTION 299. 77.54 (20) (a) 12., 13., 15. and 16. of the statutes are created to read:

- 77.54 (20) (a) 12. Condiments.
13. Spices.
15. Desserts.
16. Flavoring.

NOTE: Creates subdivisions to maintain text in its previously existing order. See also the previous section of this bill.

NOTE: Deletes incorrect numbering designations.

SECTION 300. 77.91 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses for the administration of this subchapter shall be paid from the appropriation under s. 20.370 (1) (mu).

NOTE: "The" was inserted by 1995 Wis. Act 27 without being shown as underscored. This amendment confirms that the change was intended.

SECTION 301. 80.24 of the statutes is renumbered 80.24 (1) and amended to read:

80.24 (1) If the Except as provided in sub. (2), an owner of lands through which a highway is laid out, widened, altered or discontinued who is not satisfied with his or her the award of damages under s. 80.09 may, within 30 days after the filing of the award, (and if within the 30 days an appeal has been taken to the circuit judge for a jury to assess the damages.

(2) An owner of lands through which a highway is laid out, widened, altered or discontinued who has appealed under s. 80.17 from the order laying out, widening, altering or discontinuing the highway, then and who is not satisfied with the award of damages under s. 80.09 may, within 30 days after the entry of a final order on the appeal affirming the order) the owner may, appeal to the circuit judge for a jury to assess his or her the damages. The

(3) An appeal under this section shall be in writing, describing the premises, and,

(4) An appeal under this section may be joined in by any number of persons claiming damages on account of the highway may join in the appeal.

(5) The appellant shall serve on 2 of the supervisors of the town in which the highway is situated, or upon 2 or more of the supervisors or commissioners of the town, city or village who have been assigned the duty of paying the damages for the land, at least 6 days before making the appeal, a notice in writing, specifying therein the following:

(a) The name of the judge to whom and the appeal will be made.

(b) The time and when the appeal will be made.

(c) The place where the appeal will be made.

(6) If more than one appeal is taken from the award of damages on account of any highway, the appeals shall be consolidated by the circuit judge, and only one jury shall be impaneled to reassess the damages.

NOTE: Subdivides provision, replaces parentheses and replaces and reorganizes language for greater readability and conformity with current style.

**SECTION 302.** 80.31 (3) of the statutes is amended by replacing "incumbered" with "encumbered" and by replacing "incumbrance" with "encumbrance".

NOTE: Inserts preferred spelling.

**SECTION 303.** 80.39 (1) (a) of the statutes is amended to read:

80.39 (1) (a) The county board may lay out highways in the county, and may widen, alter or discontinue any highway or part thereof laid out by it ~~(but may not discontinue any part of a state trunk highway)~~ the board upon the petition of not less than 10 resident freeholders of each town in which the highway or any part thereof is proposed to be laid out, widened, altered or discontinued, except that the board may not discontinue any part of a state trunk highway. All the powers herein granted may be exercised by a committee of not less than 3 members of the board. Whenever the supervisors of adjoining towns in different counties cannot agree in laying out a highway extending from one town into the other and the supervisors of one town lay out a highway up to the line of the adjoining town, the county board of the county in which such latter town lies may, upon like petition, lay out such highway in continuation as the public interests may require.

NOTE: Reorders text and replaces parentheses for greater readability and conformity with current style.

**SECTION 304.** 80.48 (1) of the statutes is renumbered 80.48 (1) (a) and amended to read:

80.48 (1) (a) ~~Whenever any Any cemetery or, agricultural or industrial association owning land in any city, village or town files to which there is no laid out street or highway giving access to the land may file a petition signed by the managing officers, board of trustees or directors thereof with the clerk of such the city, village or town, setting where the land is located, praying that the city, village or town lay out a street or highway to the association' s land from the nearest street or highway which can be used as a convenient means of approach.~~

(bm) Whenever a petition is filed under par. (a), the common council, trustees or supervisors of the city, village or town so petitioned shall make out a notice which shall be served on the owner or occupant of the land through which the proposed street or highway is to be laid and. The notice shall be published as provided in s. 80.05, and which. The notice shall contain a copy of such the petition and state the time when and place where such

the council, trustees or supervisors will meet to take action upon said the petition, which time shall be within 10 days after such the notice is served.

(c) If at the meeting to take action on the petition the proper council, trustees or supervisors shall find the recitals in the petition to be true they shall, within 5 days after the meeting to take action thereon, make an order for the impaneling of a jury to pass upon the necessity of taking for the public use the land through which the proposed street or highway is to be laid.

NOTE: Subdivides provision, replaces parentheses and reorganizes and replaces language for greater readability and conformity with current style.

**SECTION 305.** 80.48 (1) (b) (intro.) 1. and 3. of the statutes are created to read:

80.48 (1) (b) The petition shall:

1. Be signed by the managing officers, board of trustees or directors of the association.

(b) 2. Set forth that it:

3. Contain a description of the land.

a. The association owns land therein (and describing it), in the city, village or town which land is used or intended to be used by such a cemetery association for the burial of the dead or by such other an agricultural or industrial association for fairgrounds or industrial exhibitions, that there; and

b. There is no laid out street or highway giving access thereto and praying that such city, village or town lay out a street or highway thereto from the nearest street or highway which can be used as a convenient means of approach, the to the association's land.

**SECTION 306.** 80.48 (2) of the statutes is renumbered 80.48 (2) (a) and amended to read:

80.48 (2) (a) ~~Such An order made under sub. (1) (c) shall require the petitioners to deposit with the treasurer of the proper municipality such sum as the authorities who made it deem the order consider necessary to pay the costs and expenses of such the proceedings, and no to be held pursuant to the order. No further action shall be had on such the petition until such the deposit is made; when it. When the deposit is made, the common council, trustees or supervisors shall make a further order fixing the time when (, not less than 10 days thereafter), when and place where a jury will be impaneled to pass upon the necessity for taking such the land through which the proposed street or highway is to be laid.~~

(b) Notice of such the time and place the jury will be impaneled shall be served upon the occupants of such the land, if any, through which the proposed street or highway is to be laid, if any, as provided in s. 80.05 not less than 6 days before the time so fixed. If any portion of such the land through which the proposed street or highway is to be laid is not actually occupied, such the notice, which shall contain a description, as near as may be, of the premises to be taken, shall be published as a class 2 notice, under ch. 985, in such the city, village or town and

where the land is located. The notice shall contain a description, as near as may be, of the premises to be taken and state that at the time and place therein named in the notice a jury will be impaneled for the purpose of passing upon the necessity for taking for the public use the land described therein.

NOTE: Subdivides provision and replaces parentheses and language for greater readability and conformity with current style.

**SECTION 307.** 80.64 of the statutes is renumbered 80.64 (1) and amended to read:

80.64 (1) With the approval of the governing body of the municipality in which a street or highway or part thereof is located, the county board ~~may~~, to promote the general welfare, may establish street and highway widths in excess of the widths in use; ~~and likewise may~~ adopt plans showing the location and width proposed for any future street or highway, which shall not be subject to s. 80.32 (2). ~~Such streets~~ Streets or highways or plans therefor established or adopted under this section shall be shown on a map (showing present and proposed street or highway lines and also, except in counties having a population of 500,000 or more, property lines and owners ~~except in counties having a population of 500,000 or more~~) ~~then~~. The map shall be recorded in the office of the register of deeds, and notice, Notice of the recording shall be published as a class 1 notice, under ch. 985, in the territory in which ~~such~~ the affected streets or highways are located. The notice shall briefly set forth the action of the county board. The county board, upon like approval, publication and notice, may from time to time supplement or change the same, and such supplements or changes shall be similarly recorded in the office of the register of deeds.

(2) The excess width for streets or highways in use for the right-of-way required for those planned, may be acquired at any time either in whole or in part by the state or county or municipality in which located; but no part shall be acquired in less than the full extent, in width, of the excess width to be made up of land on the same side of the street or highway, nor for less than the full length of such excess width lying within contiguous land owned by the same owner. Any land so acquired, whether the excess width is acquired for the full length of the street or highway or not, shall at once become available for highway purposes. The power to acquire such right-of-way or additional width in portions as provided herein may be exercised to acquire the land on advantageous terms.

(3) In counties containing a population of 500,000 or more if, subsequent to the establishment of widths on streets or highways by a county board with the approval of the governing body of the municipality in which ~~such~~ the streets or highways lie, in conformity with this section or s. 59.97, any area embracing a street or highway upon which a width has been so established under this section is annexed to a city or village or becomes a city or village

by incorporation, ~~such~~ the city or ~~such~~ village shall thereafter adhere to ~~such~~ the established width, and shall not, subsequent to any annexation or incorporation, except with the approval of the county board, ~~alter~~ do any of the following:

(a) ~~Alter~~ or void ~~such~~ the established width, ~~nor shall~~.

(b) ~~Permit or sanction~~ any construction or development ~~be permitted or sanctioned by such city or such village or any of its officers or representatives~~ which will interfere with, prevent or jeopardize the obtaining of the necessary right-of-way to such established width.

NOTE: Subdivides provision and replaces parentheses and language for greater readability and conformity with current style.

**SECTION 308.** 84.01 (1) of the statutes is amended to read:

84.01 (1) OFFICES. The department shall maintain its principal office at Madison and district ~~officers~~ offices at such other cities, villages and towns as the necessities of the work demand.

NOTE: Corrects transcription error in Chapter 62, Laws of 1965. 1965 Assembly Bill 37 which was adopted as Chapter 62 says "offices" rather than "officers". Prior to this amendment, the provision read in relevant part "division offices". In Chapter 62 "officers" was inserted without being shown in italics and "offices" was dropped from the text rather than being stricken through.

**SECTION 309.** 86.04 (1) of the statutes is amended to read:

86.04 (1) ORDER FOR REMOVAL. If any highway right-of-way shall be encroached upon, under or over by any fence, stand, building or any other structure or object, and including encroachments caused by acquisition by the public of new or increased widths of highway right-of-way, the department (  $\frac{1}{2}$  in case of a state trunk highway), the county highway committee (  $\frac{1}{2}$  in case of a county trunk highway), or the city council, village or town board (  $\frac{1}{2}$  in case of a street or highway maintained by or under the authority of any city, village or town), may order the occupant or owner of the land through or by which ~~such~~ the highway runs, and to which the encroachment shall be appurtenant, to remove the ~~same~~ encroachment beyond the limits of ~~such~~ the highway within 30 days. The order shall specify the extent and location of the encroachment with reasonable certainty, and shall be served upon ~~such~~ the occupant or owner of the land through or by which the highway runs, and to which the encroachment shall be appurtenant.

NOTE: Replaces parentheses and text for greater conformity with current style.

**SECTION 310.** 86.25 (3) of the statutes is amended by replacing "under to s. 66.60" with "under s. 66.60".

NOTE: Deletes language rendered surplusage by the treatment of this provision by 1993 Wis. Act 246.

**SECTION 311.** 88.22 (2) (a) of the statutes is amended to read:

88.22 (2) (a) Extending the time of payment of delinquent and unmatured instalments of assessments for cost



of construction ~~(   inclusive of interest accrued thereon),~~ for a period of not to exceed 40 years.

NOTE: Replaces parentheses consistent with current style.

**SECTION 312.** 88.22 (2) (b) of the statutes is amended to read:

88.22 (2) (b) Deferring payment of any portion of the principal of unpaid and unmatured assessments of cost of construction ~~(   inclusive of interest already accrued thereon),~~ for a period of not to exceed 10 years and provide for the payment of such delinquent and unpaid assessments of cost of construction in equal annual instalments over a period of years.

NOTE: Replaces parentheses consistent with current style.

**SECTION 313.** 88.36 (1) of the statutes is amended by replacing “shall fix a time and place” with “shall fix the time and place”.

NOTE: Inserts correct word.

**SECTION 314.** 88.42 (1) of the statutes is amended to read:

88.42 (1) The secretary of the drainage board shall, in accordance with s. 88.19, keep a separate record of all assessments in each drainage district under the board’s jurisdiction. On or before December 1 of each year, the secretary shall certify all past due assessments for costs ~~(   including past due instalments),~~ to the clerk of the town, village or city in which the delinquent lands are located or assessed, specifying the amount due from each tract, parcel or easement. The amount certified shall include interest at the rate of 6% per year computed through December 31 of the current year.

NOTE: Replaces parentheses consistent with current style.

**SECTION 315.** 88.89 (1) of the statutes is amended to read:

88.89 (1) Whenever any embankment, grade, culvert or bridge ~~(   including the approaches to ~~such the~~ culvert or bridge),~~ built or maintained by any person across a natural watercourse or natural draw ~~so~~ obstructs ~~such the~~ watercourse or draw so that waters therein are set back or diverted upon any lands in a drainage district, ~~such the~~ person who built the embankment, grade, culvert or bridge shall ~~so~~ enlarge the waterway through ~~such the~~ embankment, grade, culvert or bridge and the approaches thereto so that it will not set back or divert ~~such~~ waters upon lands in the district.

NOTE: Replaces parentheses and language for greater readability and consistency with current style.

**SECTION 316.** 90.02 (1m) (d), (e) and (g) of the statutes, as affected by [1995 Wisconsin Act 41](#), are amended to read:

90.02 (1m) (d) A fence of strong woven wire not less than fifty 50 inches wide.

(e) A fence of boards firmly fastened to posts well set, not more than ~~eight 8~~ feet apart, the space between the boards to the height of ~~thirty 30~~ inches to be not more than ~~six 6~~ inches and at no point to be more than ~~ten 10~~ inches.

(g) A fence of ~~three 3~~ or more wires not less than No. 12, with pickets not less than ~~four 4~~ feet long properly

woven in or fastened thereto, and set not more than ~~six 6~~ inches apart.

NOTE: Replaces word form of numbers with digits consistent with current style.

**SECTION 317.** 90.02 (2) of the statutes, as affected by [1995 Wisconsin Act 41](#), is amended to read:

90.02 (2) The strands of woven wire shall not be smaller than No. 12 wire and the cross wires shall not be smaller than No. 16 wire; the strands shall not be more than ~~eight 8~~ inches apart, and the cross wires not more than ~~twelve 12~~ inches apart. All wires must be tightly stretched and securely fastened to sufficient posts firmly set not more than ~~sixteen 16~~ feet apart, except as provided in sub. (1m) (f) or (i) and except that the posts may be set not more than 20 feet apart if the wire is high tensile wire. The space between barbed wires or high tensile wires shall not exceed ~~eight 8~~ inches; and the space between the top board or upper edge of woven wire and the bottom barbed wire or high tensile wire shall not exceed ~~six 6~~ inches.

NOTE: Replaces word form of numbers with digits for greater conformity with current style.

**SECTION 318.** 90.02 (3) of the statutes is amended to read:

90.02 (3) Fences shall not be less than ~~fifty 50~~ inches high, and the bottom of the fence shall be not more than ~~four 4~~ inches from the ground, measurements to be made at the posts.

NOTE: Inserts digits consistent with current style.

**SECTION 319.** 92.08 (1) of the statutes is amended by replacing “71.09 (11)” with “subch. IX of ch. 71”.

NOTE: Inserts correct cross-reference. The repeal and recreation of ss. 92.08 and 92.14 by [1987 Wis. Act 27](#) inserted references to the farmland preservation credit which was numbered s. 71.09 (11) in the 1985 stats. [1987 Wis. Act 312](#) subsequently repealed and recreated all of ch. 71, effectively renumbering the farmland preservation credit provisions to be subch. IX of ch. 71, but did not take cognizance of the cross-references to s. 79.01 (11) inserted by [1987 Wis. Act 27](#).

**SECTION 320.** 92.14 (2) (e) of the statutes is amended by replacing “71.09 (11)” with “subch. IX of ch. 71”.

NOTE: See NOTE to the treatment of s. 92.08 (1) by this bill.

**SECTION 321.** 92.14 (3) (a) of the statutes is amended by replacing “71.09 (11)” with “subch. IX of ch. 71”.

NOTE: See NOTE to the treatment of s. 92.08 (1) by this bill.

**SECTION 322.** 92.14 (4) (b) of the statutes is amended by replacing “71.09 (11)” with “subch. IX of ch. 71”.

NOTE: See NOTE to the treatment of s. 92.08 (1) by this bill.

**SECTION 323.** 92.14 (6) (c) 1. of the statutes is amended by replacing “71.09 (11)” with “subch. IX of ch. 71”.

NOTE: See NOTE to the treatment of s. 92.08 (1) by this bill.

**SECTION 324.** 95.11 (3) (d) of the statutes is amended by replacing “re-recording” with “rerecording”.

NOTE: Corrects spelling.

**SECTION 325.** The amendment of 95.11 (4) of the statutes by [1993 Wisconsin Act 490](#) is not repealed by [1993 Wisconsin Act 492](#). Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 326.** 95.25 (2) of the statutes is amended to read:

95.25 (2) Upon reasonable notice the department, its authorized agents and all inspectors and persons appointed or authorized to assist in the work of applying the tuberculin test, may enter any buildings or ~~enclosures~~ enclosures where cattle are, for the purpose of making inspection and applying the tuberculin test, and any person who interferes therewith or obstructs them in their work or attempts to obstruct or prevent by force the inspection and the testing ~~( shall~~ shall, in addition to the penalty prescribed therefor) ~~shall~~, be liable for all damages caused thereby to the state or to any person lawfully engaged in the work of inspection and testing.

NOTE: Replaces language and parentheses consistent with current style.

**SECTION 327.** 95.36 (9) of the statutes is amended to read:

95.36 (9) Where the owner has received indemnity as a result of a former inspection or test, and has thereafter introduced into his or her herd any bovine contrary to law or the regulations of the department.

NOTE: Renders provision gender neutral.

**SECTION 328.** 95.39 (1) of the statutes is amended to read:

95.39 (1) It is unlawful for any person to sell, furnish, give away or supply any tuberculin or any biological product containing Brucella organisms for use in this state unless all of the following conditions are met:

(a) ~~the~~ The label on the container thereof states the name and address of the manufacturer and the date of expiration;

(b) ~~the~~ The vendor, within 15 days, reports to the department the name of the recipient, the date and amount delivered; ~~and,~~

(c) ~~such~~ The products are sold or delivered only to veterinarians licensed to practice in this state.

NOTE: Subdivides text consistent with current style.

**SECTION 329.** 97.01 (9) of the statutes is amended to read:

97.01 (9) "Labeling" means all labels and other written, printed or graphic matter ~~1) upon an article or any of its containers or wrappers, or 2) accompanying such~~ the article.

NOTE: Deletes subdivision designations not in conformity with current style.

**SECTION 330.** 97.03 (1) (d) of the statutes is renumbered 97.03 (1) (d) (intro.) and amended to read:

97.03 (1) (d) (intro.) If in package form, unless it bears a label containing a) ~~the~~ all of the following:

1. The name and place of business of the manufacturer, packer or distributor; ~~and b) an,~~

2. An accurate statement of the quantity of the contents in terms of weight, measure or numerical count.

NOTE: Subdivides provision for greater readability and conformity with current style.

**SECTION 331.** 97.17 (2) of the statutes is amended to read:

97.17 (2) No person shall engage as a buttermaker or cheesemaker unless ~~he~~ the person has a license from the department. ~~Such~~ The license shall be issued by the department under ~~such~~ regulations as that the department shall prescribe relating to the qualifications of applicants for licenses. ~~Such~~ The qualifications shall include ~~among other things: Previous~~ the applicant's record in operating and keeping in sanitary condition the butter or cheese factory in which ~~he~~ the applicant has been employed.

NOTE: Renders provision gender neutral and replaces language not in conformity with current drafting style.

**SECTION 332.** 97.17 (3) of the statutes is amended to read:

97.17 (3) Application for a buttermaker's or cheesemaker's license shall be made upon a blank form furnished by the department. Upon receipt of ~~such~~ the application the department shall issue a permit to ~~such~~ the applicant to carry on the work of a buttermaker or cheesemaker. ~~Such~~ The permit shall have the force and effect of a license to a buttermaker or cheesemaker until a license shall have been issued to the applicant or until ~~such~~ the applicant shall have been notified of the denial of ~~such~~ the application. At the time ~~such~~ that the permit is issued, the department shall furnish ~~him~~ the applicant with the regulations incident to securing a license and also suggestions relating to the proper method of operating butter or cheese factories.

NOTE: Renders provision gender neutral and replaces language not in conformity with current drafting style.

**SECTION 333.** 97.18 (3) (c) of the statutes is amended to read:

97.18 (3) (c) There appears on the label of the package ~~1) the word "oleomargarine" or "margarine" in type or lettering at least as large as any other type or lettering on such~~ the label in a color of print which clearly contrasts with its background, ~~and 2) a full accurate statement of the ingredients contained in such~~ the oleomargarine or margarine; and

NOTE: Deletes subdivision designations not in conformity with current style.

**SECTION 334.** 97.25 (3) of the statutes is amended by replacing "s. 50.51" with "s. 254.64".

NOTE: Corrects cross-reference. Section 50.51 was renumbered s. 254.64 by [1993 Wis. Act 27](#).

**SECTION 335.** 97.42 (3) (b) of the statutes is amended to read:

97.42 (3) (b) *Examination after slaughter.* For the same purpose stated in par. (a), the department shall cause to be made, by inspectors ~~(who may be veterinarians on either a full or part-time basis)~~ under supervision of the

department, who may be veterinarians on either a full-time or part-time basis, an examination and inspection of the carcasses and parts thereof of all animals and poultry slaughtered at any establishment, except as provided in pars. (d) and (em). The carcasses and parts thereof of all ~~such~~ animals and poultry found to be wholesome and fit for human food shall be marked, stamped, tagged or labeled by inspectors as "Wis. inspected and passed". Inspectors shall mark, stamp, tag or label as "Wis. inspected and condemned" all carcasses and parts thereof of ~~such~~ animals and poultry found to be unwholesome or otherwise unfit for human food, and all carcasses and parts thereof so inspected and condemned shall be destroyed, in accordance with rules issued by the department. Inspection marks, stamps, tags and labels shall be prescribed by the department and shall include thereon the identification number of the establishment assigned by the department.

NOTE: Replaces nonspecific reference and parentheses and deletes language for greater conformity with current style.

**SECTION 336.** 98.22 of the statutes is renumbered 98.22 (1) (intro.) and amended to read:

98.22 (1) (intro.) When a commodity in bulk is delivered by vehicle to an individual purchaser and the commodity is sold in terms of weight units, the delivery shall be accompanied by a duplicate delivery ticket with the following information clearly stated in ink or by means of other indelible marking equipment: ~~1) the~~

(a) The name and address of the vendor; ~~2) the~~

(b) The name and address of the purchaser; ~~and 3) the~~

(c) The net weight of the delivery expressed in pounds, but where milk is picked up at farms, only the identity of the vendor and the net weight need be stated. ~~If.~~

(d) The gross and tare weights of the delivery if the net weight of the delivery is derived from determination of gross and tare weights, such gross and tare weights also shall be stated in terms of pounds on the ticket.

(3) One of these the duplicate delivery tickets required under sub. (1) shall be retained by the vendor, and the other shall be delivered to the purchaser at the time of delivery of the commodity, or shall be surrendered, on demand to the inspector or sealer, who may retain it as evidence and issue a weight slip in lieu thereof for delivery to the purchaser. If the purchaser carries away the purchase, the vendor shall be required only to give to the purchaser at the time of sale a delivery ticket stating the number of pounds of commodity delivered to the purchaser. If the commodity is to be weighed by the purchaser, the purchaser shall furnish the vendor the duplicate delivery ticket provided for herein in this section.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 337.** 98.22 (2) of the statutes is created to read:

98.22 (2) Where milk is picked up at farms, only the identity of the vendor and the net weight need be stated.

NOTE: See the previous section of this bill.

**SECTION 338.** 100.05 of the statutes is renumbered 100.05 (1) and amended to read:

100.05 (1) No operator of a butter factory or cheese factory wherein the value of the milk or cream delivered is determined by the sale of the product manufactured shall use or allow any other person, unless the other person is entitled to the benefit thereof, to use any milk or cream brought to the operator, without the consent of the owner thereof, ~~and such.~~

(2) The operator of a butter or cheese factory wherein the value of the milk or cream delivered is determined by the sale of the product manufactured shall keep or cause to be kept a correct account (which shall be open to the inspection of any person furnishing milk to the operator and to the department, its chemists, assistants, inspectors and agents) of the amount of milk or cream received daily, and of the number of pounds of butter, and the number and style of cheese made each day, and of the number of cheese cut or otherwise disposed of and the weight of each, and the number of pounds of whey cream sold, with the test.

NOTE: Subdivides provision and reorganizes text to remove parentheses and for greater readability and conformity with current style. See also the next section to this bill.

**SECTION 339.** 100.05 (3) of the statutes is created to read:

100.05 (3) The account kept under sub. (2) shall be open to the inspection of any person furnishing milk to the operator and to the department, its chemists, assistants, inspectors and agents.

NOTE: See the NOTE to the previous section of this bill.

**SECTION 340.** 100.201 (1) (c) of the statutes is renumbered 100.201 (1) (c) 1. and amended to read:

100.201 (1) (c) 1. "Selected dairy products" means: ~~1. milk,~~

a. Milk, skim milk, fortified milk, flavored milk, flavored skim milk, buttermilk, cream, sour cream, half and half, whipping cream, whipped cream and cottage cheese; ~~and 2. ice~~

b. Ice cream, ice milk, sherbet, custard, water ices, quiescently frozen ices and frozen dessert novelties manufactured from any such products.

2. The department may by rule, after hearing, designate as selected dairy products such other products derived in whole or in part from milk as it finds necessary to effectuate the purposes of this section; but in,

3. In no event shall there be designated as selected dairy products any of the following: ~~powdered~~

a. Powdered dry milk or powdered dry cream, ~~condensed,~~

b. Condensed, concentrated or evaporated milk in hermetically sealed containers, ~~butter,~~

c. Butter or cheese, other than cottage cheese.

NOTE: Renumbers provision consistent with current style.

**SECTION 341.** 100.37 (1m) (b) of the statutes is renumbered 100.37 (1m) (b) (intro.) and amended to read:

100.37 (1m) (b) (intro.) An article may be determined to present a mechanical hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness ~~4~~ from ~~fracture~~ any of the following:

- 1) ~~Fracture~~, fragmentation or disassembly of the article;
- 2) ~~from propulsion~~, Propulsion of the article, or any part or accessory thereof, of the article.
- 3) ~~from points~~, Points or other protrusions, surfaces, edges, openings or closures;
- 4) ~~from moving~~, Moving parts;
- 5) ~~from lack~~, Lack or insufficiency of controls to reduce or stop motion;
- 6) ~~as a result of self-adhering~~, Self-adhering characteristics of the article;
- 7) ~~because~~, Aspiration or ingestion of the article, or any part or accessory thereof, ~~may be aspirated or ingested~~, of the article.
- 8) ~~because of instability or~~, Instability of the article.
- 9) ~~because of any~~, Any other aspect of the article's design or manufacture including the capability of producing sounds at a level of 138 decibels or higher.

NOTE: Subdivides provision for greater conformity with current style and reorganizes text to correct sentence agreement.

**SECTION 342.** 101.13 (6) (a) of the statutes is repealed.

NOTE: Deletes definition. This provision defines "remodeling" as used in s. 101.13 (6). After the treatment of s. 101.13 (6) by 1995 Wis. Act 27, "remodeling" is not used in s. 101.13 (6).

**SECTION 343.** 102.07 (4) of the statutes is renumbered 102.07 (4) (a) (intro.) and amended to read:

102.07 (4) (a) (intro.) Every person in the service of another under any contract of hire, express or implied, all helpers and assistants of employes, whether paid by the employer or employe, if employed with the knowledge, actual or constructive, of the employer, including minors ~~2~~ who shall have the same power of contracting as adult employes, but not including ~~(a) domestic~~ the following:

- 1) Domestic servants, ~~(b) any~~.
- 2) Any person whose employment is not in the course of a trade, business, profession or occupation of the employer, unless as to any of said classes, ~~such~~ the employer has elected to include them. ~~Item~~

(b) Par. (a) 2. shall not operate to exclude an employe whose employment is in the course of any trade, business, profession or occupation of the employer, however casual, unusual, desultory or isolated ~~any such~~ the employer's trade, business, profession or occupation may be.

NOTE: Replaces parentheses, renumbers provision and replaces language for greater conformity with current style.

**SECTION 344.** 102.43 (5) of the statutes is amended by replacing "101.61 (1m)" with "102.61 (1m)".

NOTE: Corrects cross-reference. There is no s. 102.61 (1m). The costs referred to in this provision are under s. 102.61 (1m).

**SECTION 345.** 102.51 (1) (a) of the statutes is renumbered 102.51 (1) (a) (intro.) and amended to read:

102.51 (1) (a) (intro.) The following persons are entitled to death benefits as if they are solely and wholly dependent for support upon a deceased employe:

1. A wife upon a husband with whom she is living at the time of his death;
2. A husband upon a wife with whom he is living at the time of her death;
3. A child under the age of 18 years ~~(or upon the parent with whom he or she is living at the time of the death of the parent, there being no surviving dependent parent.~~
4. A child over ~~that~~ the age of 18 years, but physically or mentally incapacitated from earning, upon the parent with whom he or she is living at the time of the death of ~~such~~ the parent, there being no surviving dependent parent.

NOTE: Renumbers provision and replaces parentheses consistent with current style.

**SECTION 346.** 103.43 (3) of the statutes is amended to read:

103.43 (3) Any person who shall be influenced, induced or persuaded to engage with any persons mentioned in sub. (1), through or by means of any of the things therein prohibited, shall have a right of action for recovery of all damages that ~~he~~ the person shall have sustained in consequence of the false or deceptive representation, false advertising or false pretenses used to induce ~~him~~ the person to change his or her place of employment or to accept such employment, against any person or persons, corporations or companies or associations, directly or indirectly, causing such damage; and in addition to all such actual damages such workman may have sustained, shall be entitled to recover such reasonable attorney fees as the court shall fix, to be taxed as costs in any judgment recovered.

NOTE: Replaces gender specific pronouns. The term "workman" is retained to avoid any inference that a substantive change is being made.

**SECTION 347.** 103.465 of the statutes is amended by replacing "his employer" with "his or her employer".

NOTE: Renders provision gender neutral.

**SECTION 348.** 103.49 (2) of the statutes, as affected by 1995 Wisconsin Act 27, is renumbered 103.49 (2) (a) (intro.) and amended to read:

103.49 (2) (a) (intro.) Any contract hereafter made for the erection, construction, remodeling or repairing of any public building or for any other project of public works, except contracts for the construction or maintenance of public highways and bridges, to which the state, any department thereof, any public building corporation or the University of Wisconsin Hospitals and Clinics

Authority is a party shall contain a stipulation that no laborer, workman or mechanic employed directly upon the site of the work by the contractor or by any subcontractor, agent or other person, doing or contracting to do all or a part of the work, shall be:

1. Be permitted to work a greater number of hours per day or per calendar week than the prevailing hours of labor determined pursuant to this section, except that any such laborer, workman or mechanic may be permitted or required to work more than such ~~the~~ prevailing number of hours per day and per calendar week if ~~he~~ the laborer, workman or mechanic is paid for all hours in excess of the prevailing hours at a rate of at least 1-1/2 times his ~~or her~~ hourly basic rate of pay; nor shall ~~he~~ be

2. Be paid less than the prevailing wage rate in the same or most similar trade or occupation in the area wherein such ~~the~~ public building or project of public works is situated; nor shall this.

(b) This section does not apply to wage rates and hours of employment of laborers, workmen or mechanics engaged in the processing or manufacture of materials or products or to the delivery thereof by or for commercial establishments which have a fixed place of business from which they regularly supply such processed or manufactured materials or products; except that this section shall apply to laborers, workmen or mechanics who deliver mineral aggregate such as sand, gravel or stone which is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle. The.

(c) Each contract described in par. (a) (intro.) shall specifically set forth the prevailing wage rates, prevailing hours of labor, and hourly basic rates of pay determined pursuant to this section shall be set forth specifically in the contract.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style. The term "workman" is retained to avoid any inference that a substantive change is being made.

**SECTION 349.** 103.49 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

103.49 (4) Any officer or employe of the state or of the University of Wisconsin Hospitals and Clinics Authority who publishes any specifications or executes any contract for the erection, construction, remodeling or repairing of any public building or of any other project of public works as defined in sub. (2) (a) (intro.), to which the state, any department thereof, any public building corporation or the University of Wisconsin Hospitals and Clinics Authority is a party without complying with this section and any contractor, subcontractor or agent thereof who, after executing a contract in compliance with this section, pays to any laborer, workman or mechanic employed directly upon the site of the work in ~~his or their~~ the employ of the contractor, subcontractor or agent a lesser wage for work done under such ~~the~~ contract than

the prevailing wage rate as set forth in the contract shall be fined not more than \$200 or imprisoned for not more than 6 months or both. ~~Such~~ The agent or subcontractor shall furnish to the contractor evidence of compliance with this section. Each day any violation of this subsection continues shall be deemed a separate offense.

NOTE: Renders provision gender neutral and replaces language not in conformity with current style.

**SECTION 350.** 103.49 (6) of the statutes is amended to read:

103.49 (6) This section shall not apply to a contract, or to work under a contract, described or referred to in sub. (2) (a) (intro.) if the estimated cost of completing the project is less than the estimated cost of completion under s. 66.293 (3) (c) as adjusted by the department.

**SECTION 351.** 103.50 (2) of the statutes is renumbered 103.50 (2) (a) and amended to read:

103.50 (2) (a) No laborer or mechanic in the employ of the contractor or of any subcontractor, agent or other person doing or contracting to do all or a part of the work under a contract based on bids as provided in s. 84.06 (2) to which the state is a party for the construction or improvement of any highway shall be permitted to work a longer number of hours per day or per calendar week than the prevailing hours of labor determined pursuant to this section; ~~nor shall he.~~

(b) No laborer or mechanic described in par. (a) shall be paid a lesser rate of wages than the prevailing rate of wages thus determined, for the area in which the work is to be done; except that any such laborer or mechanic may be permitted or required to work more than such ~~the~~ prevailing number of hours per day and per calendar week if ~~he~~ the laborer or mechanic is paid for all hours in excess of the prevailing hours at a rate of at least 1-1/2 times his ~~or her~~ hourly basic rate of pay.

(c) This section shall not apply to wage rates and hours of employment of laborers or mechanics engaged in the processing or manufacture of materials or products or to the delivery thereof by or for commercial establishments which have a fixed place of business from which they regularly supply such processed or manufactured materials or products; except that this section shall apply to laborers or mechanics who deliver mineral aggregate such as sand, gravel or stone which is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 352.** 103.51 of the statutes is renumbered 103.51 (intro.) and amended to read:

**103.51 Public policy as to collective bargaining.** (intro.) In the interpretation and application of ss. 103.51 to 103.62 the public policy of this state is declared as follows:

(1) Negotiation of terms and conditions of labor should result from voluntary agreement between employer and employes. Governmental authority has permitted and encouraged employers to organize in the corporate and other forms of capital control. In dealing with such employers, the individual unorganized worker is helpless to exercise actual liberty of contract and to protect his or her freedom of labor, and thereby to obtain acceptable terms and conditions of employment. Therefore it is necessary that the individual ~~workman~~ worker have full freedom of association, self-organization, and the designation of representatives of ~~his~~ the worker's own choosing, to negotiate the terms and conditions of ~~his~~ the worker's employment, and that ~~he~~ the worker shall be free from the interference, restraint or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

NOTE: Renders provision gender neutral and terminology consistent.

**SECTION 353.** 103.62 (1) of the statutes is renumbered 103.62 (1) (intro.) and amended to read:

103.62 (1) (intro.) A case shall be held to involve or to grow out of a labor dispute when the case involves persons who are engaged in a single industry, trade, craft, or occupation; or who are employes of one employer; or who are members of the same or an affiliated organization of employers or employes; whether such dispute is any of the following:

(a) ~~between~~ Between one or more employers or associations of employers and one or more employes or associations of employes;

(b) ~~between~~ Between one or more employers or associations of employers and one or more employers or associations of employes;

(c) ~~between~~ Between one or more employes or associations of employes and one or more employers or associations of employes; or ~~when the case involves,~~

(d) Between any conflicting or competing interests in a "labor dispute" (as defined in sub. (3)), of "persons participating or interested" therein (as defined in sub. (2)).

NOTE: Renumbers provision and deletes parentheses for greater conformity with current style.

**SECTION 354.** 103.68 (2) of the statutes is amended to read:

103.68 (2) No minor under ~~sixteen~~ 16 shall be employed or permitted to work in any gainful occupation other than domestic service or farm labor more than ~~twenty-four~~ 24 hours in any one week, nor, except in domestic service, farm labor, or in public exhibitions as defined in s. 103.78, or in street trades as defined in s. 103.21, before ~~seven A.M.~~ 7 a.m. nor after ~~six P.M.~~ 6 p.m.

NOTE: Inserts digits and lower case letters consistent with current style.

**SECTION 355.** 103.68 (3) of the statutes is amended to read:

103.68 (3) At least 30 minutes shall be allowed for each meal period which shall commence reasonably close to 6 a.m., ~~12 m.~~ noon, 6 p.m. or ~~12 p.m.~~ midnight or approximately midway of any work period or at such other times as deemed reasonable by the department. No minor under age 18 shall be employed or permitted to work more than 6 consecutive hours without a meal period.

NOTE: Replaces language for consistency with current style.

**SECTION 356.** 103.90 (4) of the statutes is amended to read:

103.90 (4) "Migrant labor contractor" means any person, who, for a fee or other consideration, on behalf of another person, recruits, solicits, hires, or furnishes migrant workers ~~(excluding members of the contractor's immediate family),~~ for employment in this state. ~~Such term~~ "Migrant labor contractor" shall not include an employer or any full-time regular employes of an employer who engages in any such activity for the purpose of supplying workers solely for the employer's own operation.

NOTE: Replaces parentheses and nonspecific reference consistent with current style.

**SECTION 357.** 106.04 (2r) (a) 5. of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended to read:

106.04 (2r) (a) 5. "Remodeling" ~~has the meaning given in s. 101.13 (6)-(a)~~ means to substantially improve, alter, extend or otherwise change the structure of a building or change the location of exits, but shall not include maintenance, redecoration, reroofing or alteration of mechanical or electrical systems.

NOTE: See the note to the treatment of s. 101.13 (6) (a) by this bill.

**SECTION 358.** 106.25 (2) of the statutes, as affected by [1995 Wisconsin Act 27](#), section [3726](#), is amended to read:

106.25 (2) DEATH AND DISABILITY BENEFITS. If the department finds that the injury or death of a state or local government officer or employe arose out of the performance of duties in connection with a public insurrection, and finds that death or disability benefits are payable under ch. 102, a supplemental award equal to the amount of the benefits (other than medical expense), payable under ch. 102 shall be made to the persons and in the same manner provided by ch. 102, except that when benefits are payable under s. 102.49, a supplemental award equal to one-half the benefits payable under that section shall be made.

NOTE: Replaces parentheses consistent with current style.

**SECTION 359.** 108.02 (15) (b) (intro.) of the statutes is amended to read:

108.02 (15) (b) (intro.) The term "employment" shall include an individual's entire service (performed within, or partly within and partly outside, Wisconsin), if such

service is “localized” in Wisconsin; and shall also include such service, if it is not “localized” in any state but is performed partly within Wisconsin, and if:

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 360.** 108.02 (15) (dn) (intro.) of the statutes is amended to read:

108.02 (15) (dn) (intro.) “Employment” includes the service of an individual who is a citizen of the United States, performed outside the United States (except in Canada), in the employ of an American employer, other than service which is deemed “employment” under par. (b), (c) or (d) or the parallel provisions of another state’s law, if:

**SECTION 361.** 108.02 (21) (c) of the statutes is amended to read:

108.02 (21) (c) If the federal unemployment tax is amended to apply to a higher amount of wages (paid to an individual during a calendar year) than the amount specified in par. (b), then ~~such the~~ higher amount shall likewise apply under par. (b), as a substitute for the amount there specified, starting with the same period to which ~~such the~~ federal amendment first applies.

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 362.** 108.14 (6) of the statutes is amended by replacing “accounts (without naming any employer) and covering” with “accounts, without naming any employer, and covering”.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 363.** 108.14 (15) of the statutes is amended by replacing “state (rather than national) action” with “state, rather than national, action”.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 364.** 108.141 (1) (d) of the statutes is amended to read:

108.141 (1) (d) “Extended benefits” means benefits (including benefits payable to federal civilian employees and to individuals who were formerly engaged in federal service pursuant to 5 USC ch. 85), payable to an individual under this section for weeks of unemployment in that individual’s eligibility period.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 365.** 108.16 (4) of the statutes is renumbered 108.16 (4) (a) and amended to read:

108.16 (4) (a) Consistently with sub. (5), all contributions payable to the ~~unemployment reserve~~ fund shall be paid to the department, and shall promptly be deposited by the department to the credit of the ~~unemployment reserve~~ fund, with ~~such~~ custodians as ~~that~~ the department may from time to time select, who shall hold, release and transfer the fund’s cash in a manner approved by the department. Payments from ~~said the~~ fund shall be made upon vouchers or drafts authorized by the department, in

~~such the manner as that~~ the department may from time to time approve or prescribe. Any procedure thus approved or prescribed shall be ~~deemed~~ considered to satisfy (and shall be in lieu of), any and all statutory requirements (for specific appropriation or other formal release by state officers of state moneys prior to their expenditure), which might otherwise be applicable to withdrawals from the fund.

(b) The department shall designate a treasurer of the unemployment reserve fund, who shall be either a regular salaried employe of the department or the state treasurer and shall serve as treasurer of the fund until a successor designated by the department has assumed the duties of this office.

(c) The treasurer of the fund shall give a separate bond conditioned upon the faithful performance of these duties pursuant to s. 19.01 (2), which bond shall be ~~deemed~~ considered likewise conditioned upon the faithful performance by his or her subordinates of their duties, in such amount as may be fixed by the department. All premiums upon the bond required pursuant to this section when furnished by an authorized surety company or by a duly constituted governmental bonding fund shall (except as otherwise provided in this section), be paid from the interest earnings of the ~~unemployment reserve~~ fund, but shall not exceed one-fourth of one percent, per year, of the amount of ~~said the~~ bond.

NOTE: Subdivides provision and replaces language parentheses for greater readability and conformity with current style.

**SECTION 366.** 108.16 (5) (a) of the statutes is amended to read:

108.16 (5) (a) All money received for the fund shall promptly upon ~~such~~ receipt be deposited to its ~~the fund’s~~ credit in the “Unemployment Trust Fund” of the United States, in ~~such the manner as that~~ the secretary of the treasury of the United States (or other authorized custodian of ~~said trust fund~~) the U.S. unemployment trust fund, may approve, so long as ~~said trust fund the U.S. unemployment trust fund~~ exists and maintains for this state a separate book account (for the purposes of this chapter), from which no other state or agency can make withdrawals, any other statutory provision to the contrary notwithstanding.

NOTE: Replaces language and parentheses for greater readability and conformity with current style.

**SECTION 367.** 108.16 (6) (a) of the statutes is amended to read:

108.16 (6) (a) All interest earnings, on moneys belonging to the fund, received by (or duly apportioned to), the fund, as of the close of the quarter in which ~~such the~~ interest accrued.

NOTE: Replaces language parentheses for greater readability and conformity with current style.

**SECTION 368.** 108.161 (4) (intro.) of the statutes is amended by replacing “pursuant to (and after the effec-

tive date of) a specific” with “pursuant to, and after the effective date of, a specific”.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 369.** 108.161 (6) of the statutes is amended by replacing “shall (until spent) be deemed part” with “shall, until spent, be considered part”.

NOTE: Replaces parentheses and language for greater conformity with current style.

**SECTION 370.** 108.161 (8m) of the statutes is amended by replacing “financed (or for equivalent substitute quarters) shall” with “financed, or for equivalent substitute quarters, shall”.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 371.** 108.18 (2) (b) 2. of the statutes is amended to read:

108.18 (2) (b) 2. As of the next June 30 computation date was overdrawn (  $\epsilon$  with a negative reserve percentage).

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 372.** 111.02 (3) of the statutes, as affected by 1995 Wisconsin Act 27, is amended by replacing “employer (employed within the state), except” with “employer, employed within the state, except”.

NOTE: Deletes parentheses for greater conformity with current style.

**SECTION 373.** 111.06 (1) (g) of the statutes is amended by replacing “determination (after appeal, if any) of any tribunal” with “determination, after appeal, if any, of any tribunal”.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 374.** 111.06 (2) (c) of the statutes is amended to read:

111.06 (2) (c) To violate the terms of a collective bargaining agreement (  $\epsilon$  including an agreement to accept an arbitration award).

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 375.** 111.06 (2) (d) of the statutes is amended by replacing “determination (after appeal, if any) of any tribunal” with “determination, after appeal, if any, of any tribunal”.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 376.** 111.07 (6) of the statutes is amended by replacing “award (whether made by an individual commissioner, an examiner, or by the commission as a body) at any time” with “award, whether made by an individual commissioner, an examiner, or by the commission as a body, at any time”.

NOTE: Replaces parentheses for greater conformity with current style.

**SECTION 377.** 111.11 of the statutes, as affected by 1995 Wisconsin Act 27, section 3787u, is renumbered 111.11 (1).

NOTE: Section 111.11 (1) is renumbered s. 111.11 by 1995 Wis. Act 27 effective on the date after publication. The remainder of the section is renumbered to another section effective 7-1-97. Through an error, section 9459 (2) (c) provides that s. 111.11 (title), which is not treated by Act 27, rather than s. 111.11 (1) is effective 7-1-97. The following section of this bill recreates the renumbering of s. 111. 11 (1) effective 7-1-97.

**SECTION 378.** 111.11 (1) of the statutes, as affected by 1995 Wisconsin Act ... (this act), is renumbered 111.11.

NOTE: See the NOTE to the previous section of this bill.

**SECTION 379.** 111.51 (5) of the statutes is renumbered 111.51 (5) (a) and amended to read:

111.51 (5) (a) “Public utility employer” means any employer (  $\epsilon$  other than the state or any political subdivision thereof), engaged in the business of furnishing water, light, heat, gas, electric power, public passenger transportation or communication, or any one or more of them, to the public in this state; and shall be deemed considered to include a rural electrification cooperative association engaged in the business of furnishing any one or more of such services or utilities to its members in this state.

(b) Nothing in this subsection shall be interpreted or construed to mean that rural electrification cooperative associations are hereby brought under or made subject to ch. 196 or other laws creating, governing or controlling public utilities, it being the intent of the legislature to specifically exclude rural electrification cooperative associations from the provisions of such laws.

(c) This subchapter does not apply to railroads nor railroad employees.

NOTE: Subdivides provision and replaces parentheses and language for greater conformity with current style.

**SECTION 380.** 111.55 of the statutes is amended to read:

**111.55 Conciliator unable to effect settlement; appointment of arbitrators.** If ~~the a~~ conciliator so named under s. 111.54 is unable to effect a settlement of such a labor dispute between a public utility employer and its employes within a 15-day period after the conciliator’s appointment, the conciliator shall report such that fact to the commission; ~~and the.~~ The commission, if it believes that a continuation of the dispute will cause or is likely to cause the interruption of an essential service, shall submit to the parties the names of either 3 or 5 persons from the panel provided for in s. 111.53. Each party shall alternately strike one name from such list of persons. The person or persons left on the list shall be appointed by the commission as the arbitrator (or arbitrators) to hear and determine such dispute.

NOTE: Deletes parentheses and replaces language for greater readability and conformity with current style.

**SECTION 381.** 111.59 of the statutes is renumbered 111.59 (2) and amended to read:

111.59 (2) The arbitrator shall hand down his or her ~~findings, decision and order (hereinafter referred to as the order)~~ within 30 days after his or her appointment; except



that the parties may agree to extend, or the commission may for good cause extend the period for not to exceed an additional 30 days. If the arbitrators do not agree, then the decision of the majority shall constitute the order in the case. The arbitrator shall furnish to each of the parties and to the public service commission a copy of the order. A certified copy thereof shall be filed in the office of the clerk of the circuit court of the county wherein the dispute arose or where the majority of the employees involved in the dispute resides.

**(3)** Unless ~~such~~ the order is reversed upon a petition for review filed pursuant to s. 111.60, ~~such~~ the order, together with ~~such~~ any other agreements as ~~that~~ the parties may themselves have reached, shall become binding upon, and shall control the relationship between the parties from the date ~~such~~ on which the order is filed with the clerk of the circuit court, as ~~aforsaid,~~ and provided in sub. (2). The order shall continue effective for one year from that date, but ~~such~~ the order may be changed by mutual consent or agreement of the parties. No order of the arbitrators relating to wages or rates of pay shall be retroactive to a date before the date of the termination of any contract which may have existed between the parties, or, if there was no ~~such~~ prior contract, to a date before the day on which the demands involved in the dispute were presented to the other party. The question whether or not new contract provisions or amendments to an existing contract are retroactive to the terminating date of a present contract, amendments or part thereof, shall be matter for collective bargaining or decision by the arbitrator.

NOTE: Subdivides provision and replaces and reorganizes language for greater readability and conformity with current style. See also the next section of this bill.

**SECTION 382.** 111.59 (1) of the statutes is created to read:

111.59 (1) In this section, “order” means the findings, decision and order of the arbitrator.

NOTE: See the note to the previous section of this bill.

**SECTION 383.** 111.70 (1) (d) of the statutes is amended to read:

111.70 (1) (d) “Craft employe” means a skilled journeyman craftsman, including ~~his~~ the skilled journeyman craftsman’s apprentices and helpers, but shall not include employes not in direct line of progression in the craft.

NOTE: Replaces gender specific pronoun. The term “journeyman craftsman” is retained to avoid any inference that a substantive change is being made.

**SECTION 384.** 111.88 (3) of the statutes is amended to read:

111.88 (3) The fact finder may establish dates and place of hearings and shall conduct the hearings under rules established by the commission. Upon request, the commission shall issue subpoenas for hearings conducted by the fact finder. The fact finder may administer oaths. Upon completion of the hearing, the fact finder shall make written findings of fact and recommendations for solution of the dispute and shall cause the same to be

served on the parties and the commission. In making ~~such~~ findings and recommendations, the fact finder shall take into consideration among other pertinent factors the principles vital to the public interest in efficient and economical governmental administration. Cost of fact-finding proceedings shall be divided equally between the parties. At the time the fact finder submits a statement of his or her costs to the parties, ~~he~~ the fact finder shall submit a copy thereof to the commission at its Madison office.

NOTE: Renders provision gender neutral.

**SECTION 385.** 112.10 (1) (d) of the statutes is renumbered 112.10 (1) (d) 1. (intro.) and amended to read:

112.10 (1) (d) 1. (intro.) “Historic dollar value” means the aggregate fair value in dollars of ~~1) an~~ the following:

a. An endowment fund at the time it became an endowment fund, ~~2) each,~~

b. Each subsequent donation to the fund at the time it is made, ~~and 3) each.~~

c. Each accumulation made pursuant to a direction in the applicable gift instrument at the time the accumulation is added to the fund.

2. The determination of historic dollar value made in good faith by the institution is conclusive.

NOTE: Subdivides provision for greater readability and consistency with current style.

**SECTION 386.** 112.10 (1) (f) of the statutes is renumbered 112.10 (1) (f) (intro.) and amended to read:

112.10 (1) (f) (intro.) “Institutional fund” means a fund held by an institution for its exclusive use, benefit, or purposes, but does not include any of the following:

~~1) a.~~ A fund held for an institution by a trustee that is not an institution ~~or,~~

~~2) a.~~ A fund in which a beneficiary that is not an institution has an interest, other than possible rights that could arise upon violation or failure of the purposes of the fund.

NOTE: Subdivides provision for greater readability and consistency with current style.

**SECTION 387.** 112.10 (5) of the statutes is renumbered 112.10 (5) (intro.) and amended to read:

112.10 (5) (intro.) Except as otherwise provided by the applicable gift instrument or by applicable law relating to governmental institutions or funds, the governing board may ~~a) delegate~~ do any of the following:

(a) Delegate to its committees, officers or employes of the institution or the fund, or agents, including investment counsel, the authority to act in place of the board in investment and reinvestment of institutional funds, ~~b) contract,~~

(b) Contract with independent investment advisers, investment counsel or managers, banks, or trust companies, ~~so to act, and c) authorize in place of the board in investment and reinvestment of institutional funds.~~

(c) Authorize the payment of compensation for investment advisory or management services.

NOTE: Subdivides provision consistent with current style.

**SECTION 388.** 114.14 (2) of the statutes is renumbered 114.14 (2) (a) and amended to read:

114.14 (2) (a) The governing body of a city, village, town or county which has established an airport may vest jurisdiction for the construction, improvement, equipment, maintenance and operation thereof of the airport in an airport commission of 3 or 5 commissioners. The commissioners shall be persons especially interested in aeronautics. In the case of a county, the commissioners shall be appointed by the chairperson of the county board, subject to the approval of the county board; in the case of cities, villages and towns by the mayors or city managers, village presidents and town chairpersons, respectively.

(b) The terms of the commissioners shall be 6 years. On the first appointment of a 3-member commission, commissioners shall be appointed for terms of 2, 4 and 6 years, respectively. On the first appointment of a 5-member commission, commissioners shall be appointed for terms of 1, 2, 3, 4 and 6 years, respectively. If the number of members on a commission is expanded from 3 to 5, the commissioners on the 3-member commission shall serve on the 5-member commission until the expiration of the terms for which they were appointed and the 2 new commissioners shall be appointed for the remaining terms. The number of commissioners shall be reduced from 5 to 3 by not appointing members to fill the next 2 vacancies occurring on the commission. ~~Their~~

(c) The commissioners' compensation and allowance for expenses shall be as fixed by the governing body. ~~The commissioners shall be persons especially interested in aeronautics.~~

(d) The airport commission shall elect one member chairperson and one secretary who shall keep an accurate record of all its proceedings and transactions and report ~~such those proceedings and transactions~~ to the governing body.

(e) The commission shall have complete and exclusive control and management over the airport for which it has been appointed.

(f) All moneys appropriated for the construction, improvement, equipment, maintenance or operation of an airport, managed as provided by this subsection, or earned by the airport or made available for its construction, improvement, equipment, maintenance or operation in any manner whatsoever, shall be deposited with the treasurer of the city, village, town or county where it shall be kept in a special fund and paid out only on order of the airport commission, drawn and signed by the secretary and countersigned by the chairperson.

(g) In case of union airports owned by 2 or more governmental units, each governmental unit shall appoint an equal number of commissioners to serve for terms of 6 years. The remaining number of commissioners shall be appointed alternately from each governmental unit for terms of 6 years starting with the governmental unit whose name comes first in the alphabet. The moneys

available for union airports shall be kept in the manner provided in this subsection in the treasury of one of the governmental units selected by the commission, and paid out in like manner.

NOTE: Subdivides provision and rearranges text for greater readability and conformity with current style.

**SECTION 389.** 115.28 (11) of the statutes is amended by replacing “vocational, technical and adult education” with “technical college”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 390.** 118.125 (2m) (b) of the statutes is amended by replacing “s. 252.01 (1)” with “s. 252.01 (1m)”.

NOTE: Corrects cross-reference. Section 252.01 (1) was renumbered s. 252.01 (1m) by 1993 Wis. Act 252.

**SECTION 391.** 118.15 (1) (cm) 3. of the statutes is amended to read:

118.15 (1) (cm) 3. If the program that the child wishes to attend is provided by a ~~vocational, technical and adult education college~~ district, the ~~vocational, technical and adult education~~ technical college district board shall admit the child.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 392.** 118.15 (5) (b) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

118.15 (5) (b) Paragraph (a) does not apply to a person who has under his or her control a child who has been sanctioned under s. ~~49.26 (4)~~ 49.50 (7) (h).

NOTE: 1995 Wis. Act 27 amends s. 118.15 (5) (b) effective on the day after publication. The amendment was made because section 49.50 (7) (h) is renumbered 49.26 (1) (h) by Act 27. Act 27 provides for the renumber to 49.26 (1) (h) to be made effective 7-1-96. Prior to 7-1-96 there is no s. 49.26. Through an error s. 118.125 (5) (b), stats., and not s. 118.15 (5) (b), stats., was included in s. 9426 (14), to be effective 7-1-96. Section 118.125 (5) (b) is not treated by Act 27. The above amendment returns s. 118.15 (5) (b) to its pre-Act 27 status. The following section of this bill recreates the amendment of s. 118.15 (5) (b) by Act 27, effective 7-1-96.

**SECTION 393.** 118.15 (5) (b) of the statutes, as affected by 1995 Wisconsin Acts 27 and .... (this act), is amended to read:

118.15 (5) (b) Paragraph (a) does not apply to a person who has under his or her control a child who has been sanctioned under s. ~~49.50 (7)~~ 49.26 (1) (h).

NOTE: See the note to the previous section of this bill.

**SECTION 394.** 119.04 (1) of the statutes, as affected by 1995 Wisconsin Act 27, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38 (2), 115.40, 115.45, 118.001 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.15, 118.153, 118.16, 118.162, 118.163, 118.18, 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30 to 118.43, 120.12 (5) and (15)

to (24), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26) ~~and~~, (34) ~~to (36)~~ and (35) and 120.14 are applicable to a 1st class city school district and board.

NOTE: Deletes reference to a provision that appeared in an early version of Act 27, but was not included in the act as passed. There is no s. 120.13 (36).

**SECTION 395.** The amendment of 120.13 (1) (b) of the statutes by [1995 Wisconsin Act 32](#) is not repealed by [1995 Wisconsin Act 33](#). Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 396.** 121.05 (3) of the statutes, as created by [1993 Wisconsin Act 395](#), is renumbered 121.05 (4).

NOTE: Confirms the renumbering by the revisor pursuant to s. 13.93 (1) (b). Section 121.05 contained a sub. (3) prior to the creation of sub. (3) by [1993 Wis. Act 395](#).

**SECTION 397.** 125.04 (5) (a) 5. of the statutes, as affected by [1995 Wisconsin Act 23](#), is amended by replacing “by a vocational, technical and adult education” with “by a technical college” and by replacing “board of vocational, technical and adult education” with “technical college system board”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by [1993 Wis. Act 399](#).

**SECTION 398.** 125.06 (12) of the statutes is amended by replacing “s. 50.50 (1)” with “s. 254.61 (1)”.

NOTE: Corrects cross-reference. Section 50.50 was renumbered s. 254.61 by [1993 Wis. Act 27](#).

**SECTION 399.** 125.28 (2) (b) 2. of the statutes is amended by replacing “par. (a) 1. to 4.” with “subd. 1. a. to d.”.

NOTE: Corrects cross-reference. Section 125.28 (2) was repealed and recreated by [1993 Wis. Act 378](#) so that par. (a) 1. to 4. became par. (b) 1. a. to d.

**SECTION 400.** 128.18 (5) of the statutes is amended by replacing “incumbrances” with “encumbrances”.

NOTE: Inserts preferred spelling.

**SECTION 401.** 128.18 (5m) of the statutes is amended by replacing “incumbrances” with “encumbrances”.

NOTE: Inserts preferred spelling.

**SECTION 402.** 128.19 (1) (b) of the statutes is amended by replacing “process against debtor” with “process against the debtor”.

NOTE: Inserts missing “the”.

**SECTION 403.** 134.02 (2) of the statutes is renumbered 134.02 (2) (a) (intro.) and amended to read:

134.02 (2) (a) (intro.) Nothing in this section shall prohibit any employer ~~of labor~~ from giving any other ~~such~~ employer, to whom a discharged employe has applied for employment, or to any bondsman or surety, a truthful statement of the reasons for ~~such~~ the employe’s discharge, when requested so to do ~~so~~ by ~~such~~ any of the following:

1. The discharged employe, the,
2. The person to whom he the discharged employe has applied for employment, or any,
3. Any bondsman or surety; but it,

(b) It shall be a violation of this section to give ~~such~~ information a statement of the reasons for the employe’s

discharge with the intent to blacklist, hinder or prevent ~~such~~ the discharged employe from obtaining employment; ~~neither shall anything herein.~~

(c) Nothing contained in this section shall prohibit any employer of labor from keeping for his the employe’s own information and protection a record showing the habits, character and competency of his the employe’s employes and the cause of the discharge or voluntary quitting of any of them.

NOTE: Renders provision gender neutral and replaces language not in conformity with current style. “Bondsman” is intentionally retained due to the lack of an accepted gender neutral alternative.

**SECTION 404.** 134.20 (1) (g) of the statutes is amended to read:

134.20 (1) (g) Negotiates or transfers for value a warehouse receipt or bill of lading covering goods which he or she knows are subject to a lien or security interest ~~(, other than the warehouse keeper’s or carrier’s lien),~~ or to which he or she does not have title or which he or she knows have not been received or shipped in accordance with the purported terms and meaning of ~~such~~ the warehouse receipt or bill of lading and fails to disclose ~~such~~ those facts to the purchaser thereof.

NOTE: Replaces parentheses and language for greater readability and conformity with current style.

**SECTION 405.** 138.09 (7) (a) 2. b. of the statutes is amended to read:

138.09 (7) (a) 2. b. To the extent that payment is deferred: 1) ~~The~~ the amount actually paid or to be paid by the licensee for registration, certificate of title or license fees if not included in subd. 2. a.; and 2) additional charges permitted under this section.

NOTE: Deletes improper subdivision designations.

**SECTION 406.** 139.10 (2) of the statutes is amended to read:

139.10 (2) When the tax has been paid on intoxicating liquor supplied to hospitals (for hospital or medicinal purposes), or on alcohol supplied to institutions of learning or museums for nonbeverage purposes, ~~this~~ the purchaser shall, upon application to the secretary, be entitled to a refund of the tax.

NOTE: Deletes parentheses and replaces language for greater consistency with current style.

**SECTION 407.** 139.43 of the statutes is amended by replacing “state-wide” with “statewide”.

NOTE: Corrects spelling.

**SECTION 408.** 144.07 (2) of the statutes is renumbered 144.07 (2) (a) (intro.) and amended to read:

144.07 (2) (a) (intro.) When one governmental unit renders service to another under this section, reasonable compensation shall be paid. The officials in charge of the system, of the governmental unit furnishing the service shall determine the reasonable compensation and report to its clerk who shall, on or before August 1 of each year, certify a statement thereof to the clerk of the governmental unit receiving the service. ~~This~~ The clerk of the gov-

ernmental unit receiving the service shall extend the amount shown in such the statement as a charge on the tax roll, in the manner following manner: a) where

1. If the service rendered is available to substantially all improved real estate in the member governmental unit receiving the same service, the charges shall be placed upon the tax roll of such the member governmental unit as a general tax; b) where.

2. If the service rendered is for the benefit of public highways in, or real estate owned or operated by, the member governmental unit receiving the same service, the charges therefor for the service shall be placed upon the tax roll of such the member governmental unit as a general tax; c) where.

3. If the service rendered does not come under the provisions of subd. 1. or 2., the charges therefor for the service shall be placed upon the tax roll of such the member governmental unit as a special tax upon each parcel of real estate benefited; and when collected it shall be paid to the treasurer of the member governmental unit rendering the service. Where the charges are to be extended on such the tax roll under the provisions of e) this subdivision, the clerk of the member governmental unit furnishing such the service shall itemize the statement showing separately the amount charged to each parcel of real estate benefited; if.

(b) If, due to delay in determination, such a charge described in par. (a) cannot be extended on the tax roll of any particular year, it shall be extended as soon as possible.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 409.** 144.25 (7) (b) of the statutes is amended by replacing “subd. 2.” with “par. (a) 2.”.

NOTE: Corrects cross-reference. Subd. 2 is a part of par. (a).

**SECTION 410.** 144.765 (4) (intro.) of the statutes is amended by replacing “s. 144.76 (9) (e) 1. a. or b.” with “s. 144.76 (9) (e) 1m. a. or b.”.

NOTE: Corrects cross-reference. There is no s. 144.76 (9) (e) 1. a. or b.

**SECTION 411.** 144.9407 (3) (b) of the statutes is amended by replacing “the June 1, 1993” with “June 1, 1993”.

NOTE: Deletes unnecessary word.

**SECTION 412.** 145.12 (3) of the statutes is amended to read:

145.12 (3) Any master plumber who shall employ an apprentice on plumbing representing him the apprentice to be a journeyman, or who shall charge for an apprentice a journeyman’s wage, shall be punished by a fine of not more than twenty-five dollars \$25, or by imprisonment in the county jail for not more than thirty 30 days. Each day of violation shall be a separate offense.

NOTE: Replace gender specific pronoun and word form of number with digits. “Journeyman” is not replaced due to the lack of an accepted gender neutral alternative.

**SECTION 413.** 146.58 (5) of the statutes is amended by replacing “state board of vocational, technical and adult education” with “technical college system board”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by 1993 Wis. Act 399.

**SECTION 414.** 146.905 (1) of the statutes is amended to read:

146.905 (1) Except as provided in sub. (2), a health care provider, as defined in s. 146.81 (1), or a pharmacist licensed under ch. 450, that provides a service or a product to an individual with coverage under a disability insurance policy, as defined in s. 632.895 (1) (a), may not reduce or eliminate or offer to reduce or eliminate coinsurance or a deductible required under the terms of the disability insurance policy.

NOTE: Deletes redundant language. A pharmacist is defined as a health care provider under s. 146.81 (1) (fm).

**SECTION 415.** 161.14 (4) (bm) of the statutes is amended by replacing “commonly as DOET” with “commonly known as DOET”.

NOTE: Inserts word omitted from CSB 2.22 by the controlled substance board in adopting s. 161.14 (4) (bm).

**SECTION 416.** 165.85 (3) (b) of the statutes is amended to read:

165.85 (3) (b) Establish minimum educational and training standards for admission to employment as a law enforcement or tribal law enforcement officer: 1) in permanent positions; and 2) in temporary, probationary or part-time status. Educational and training standards for tribal law enforcement officers under this paragraph shall be identical to standards for other law enforcement officers.

NOTE: Deletes improper subdivision designation.

**SECTION 417.** 165.93 (1) (b) of the statutes is amended to read:

165.93 (1) (b) “Sexual assault” means conduct that is in violation of s. 940.225, 940.227, 948.02, 948.025, 948.03, 948.055, 948.06, 948.07, 948.08, 948.09 or 948.10.

NOTE: Corrects cross-reference. Section 940.227 was re-numbered s. 948.055 by 1993 Wis. Act 218.

**SECTION 418.** 168.11 (4) of the statutes is amended to read:

168.11 (4) No person may use interchangeably any pipeline, hose, pump or metering device to dispense gasoline or a like product of petroleum which has a flash point of less than 100° F. when tested in the Tagliabue closed cup tester, and to dispense kerosene, diesel fuel or burner fuel oils or a like product of petroleum which has a flash point of 100° F. or more when tested in the Tagliabue closed cup tester, unless such the pipeline, hose, pump or metering device has been sufficiently flushed and cleaned before such the interchanged use to eliminate any contamination of products due to such the interchanged use.

NOTE: Replaces parentheses and language for greater conformity with current style.

**SECTION 419.** 178.01 (2) (c) of the statutes is amended by replacing “incumbrance” with “encumbrance”.

NOTE: Inserts preferred spelling.

**SECTION 420.** 182.01 (4) of the statutes, as created by [1995 Wisconsin Act 27](#), is amended to read:

182.01 (4) FURNISH CERTIFIED COPIES; FEES. The department shall make a copy of any resolution, deed, bond, record, document or paper deposited or kept by the department under this section, upon request, attach a certificate and collect 50 cents per page and \$5 for a certificate; if a copy is not to be certified and if the reproduction is performed by the department, then collect a fee to cover the actual and necessary cost of reproduction and actual and necessary cost of transcription required to produce the copy or \$2, whichever is greater; also to record any document authorized or required by law to be recorded in the department, and to charge a fee of \$1 per page. The fee for certified copies of certificates of incorporations or amendments, licenses of foreign corporations, or similar certificates, and for certificates as to results of search searches of the records and files of the department, when a printed form is used, shall be \$5, but when a specially prepared form is required the fee shall be \$10. Telegraphic reports as to results of record searches shall be \$5 plus the cost of the telegram. The department shall charge and collect for preparing any record or certificate under this subsection in an expeditious manner, an expedited service fee of \$25 in addition to the fee otherwise required under this subsection, except that only one expedited service fee may be charged for multiple identical corporation or limited partnership certificates of status if the certificates of status are requested at the same time and issued at the same time.

NOTE: Inserts correct word form for sentence agreement.

**SECTION 421.** 182.34 (7) of the statutes, as affected by [1995 Wisconsin Act 27](#), is renumbered 182.34 (7) (a) (intro.) and amended to read:

182.34 (7) (a) (intro.) Tolls and license fees authorized under s. 182.33 (2) shall be so fixed and adjusted in respect of the aggregate of tolls of each turnpike project including any extension or section thereof in connection with which the bonds of any issue shall have been issued as to provide a fund sufficient, with other revenue from such the turnpike project or extensions or sections thereof, if any, to pay a) do the following:

1. Pay the cost of maintaining, repairing and operating such the turnpike project or extension or section thereof, including the legal liabilities of the corporation, and b).

2. Pay the principal of and the interest on such the bonds described in par. (a) (intro.) as the same those bonds shall become due and payable, and to create,

3. Create reserve for such the purposes, Such described in subs. 1. and 2.

(b) The tolls described in par. (a) (intro.) shall not be subject to supervision or regulation by any commission, board, bureau or agency of the state.

(c) The tolls and all other revenues derived from each turnpike project or extensions or sections in connection with which the bonds of any issue shall have been issued, except such part thereof as may be the amount necessary to pay such the costs of maintenance, repair and operation including the legal liabilities of the corporation, described in par. (a) 1. and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of such the bonds or in the trust agreement securing the same bonds, shall be set aside in a sinking fund at such regular intervals as may be provided for in such the resolution or such trust agreement in a sinking fund which. The sinking fund shall be pledged to and charged with, the payment of the principal of and the interest on such the bonds as the same shall those bonds become due, and the payment of the redemption price and the purchase price of bonds retired by call or purchase as therein provided. Such for in the resolution or trust agreement

(d) The pledge of the sinking fund under par. (c) shall be valid and binding from the time when the pledge is made; the. The tolls or other revenues or other moneys so pledged and thereafter received by the corporation shall immediately be subject to the lien of such the pledge without any physical delivery thereof, or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the corporation. All trust agreements and all resolutions relating thereto shall be filed with the department of financial institutions and recorded in the records of the corporation.

NOTE: Subdivides provision and replaces and reorganizes language for greater readability and conformity with current style.

**SECTION 422.** 183.0109 (1) (b) of the statutes, as affected by [1995 Wisconsin Act 27](#), section 4768b, is amended to read:

183.0109 (1) (b) The forms prescribed by the department under par. (a) 1. to 3. 4. shall require disclosure of only the information required under ss. 183.1004, 183.1006, 183.1011 and 183.0120, respectively.

NOTE: [1995 Wis. Act 27](#), s. 4767, amended s. 183.0109 (1) (b) by changing “3.” to “4.”. Section 4768b replaced “4.” with “3.” without strikes or underscores. No change was intended.

**SECTION 423.** 183.0120 (1) (intro.), (2) and (4) of the statutes, as affected by [1995 Wisconsin Act 27](#), section 4798b, are amended to read:

183.0120 (1) (intro.) Each domestic limited liability company and each foreign limited liability company registered to transact business in this state shall file with the

department an annual report that includes all of the following information:

(2) Information in the annual report shall be current as of the date on which the annual report is executed on behalf of a ~~domestic limited liability company~~ or a foreign limited liability company, except that the information required by sub. (1) (e) shall be current as of the close of the ~~domestic limited liability company's~~ or foreign limited liability company's fiscal year immediately before the date by which the annual report is required to be delivered to the department.

(4) If an annual report does not contain the information required by this section, the department shall promptly notify the reporting ~~domestic limited liability company~~ or foreign limited liability company in writing and return the report to it for correction.

NOTE: The stricken language was inserted by 1995 Wis. Act 27, s. 4798b without being shown as underscored. The original governor's budget contained the references to domestic limited liability companies which are stricken here. Those references were subsequently deleted. Section 4798b was added to Act 27 by amendment. That amendment was drafted using the original language, and the references to domestic companies were inadvertently retained.

SECTION 424. 183.0120 (3) (a) of the statutes, as affected by 1995 Wisconsin Act 27, section 4798b, is repealed.

NOTE: See the note to the treatment of s. 183.0120 (1) (intro.), (2) and (4) by this bill.

SECTION 425. 183.0120 (3) (b) of the statutes, as affected by 1995 Wisconsin Act 27, section 4798b, is renumbered 183.0120 (3).

NOTE: This provision is renumbered consistent with the treatment by the previous section of this bill.

SECTION 426. 184.04 of the statutes is renumbered 184.04 (1) (intro.) and amended to read:

184.04 (1) (intro.) No securities shall be issued by any public service corporation except for money, property or services actually received by it. The amount of money, and the value of the property or the services to be so received shall be:

(a) ~~in~~ In case of stock having a par value, not less than the par value thereof;

(b) ~~in~~ In case of stock having no par value, not less than the amount specified in the commission's certificate of authority as the selling price of ~~such~~ the stock; and

(c) ~~in~~ In case of evidences of indebtedness, ~~such~~ a sum as ~~that~~ the commission ~~may determine~~ determines to be a reasonable price, but in any event not less than 75% of their face value.

(2) The limitations of this section shall not apply to the sale of evidences of indebtedness of a public service corporation by way of enforcement of a pledge of ~~such~~ the evidences of indebtedness, made by the corporation pursuant to a certificate of authority issued by the commission, as security for lawful indebtedness of the corporation; but in all such cases the instrument of pledge shall

contain a provision to the effect that none of the pledged securities shall be sold or become the absolute property of the pledgee, either directly or indirectly, except at public sale, notice whereof shall be published as a class 3 notice, under ch. 985, in the place where ~~such~~ the sale shall take place, and further to the effect that the sale shall not be made below the price fixed therefor by the commission in its certificate authorizing the pledging of ~~such~~ the securities.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

SECTION 427. 184.06 (1) of the statutes is renumbered 184.06 (1) (a) (intro.) and amended to read:

184.06 (1) (a) (intro.) Upon the conclusion of its investigation, if the commission shall find that the proposed issue complies with the provisions of this chapter and that the financial condition, plan of operation and proposed undertakings of the corporation ~~are such as to~~ will afford reasonable protection to purchasers of the securities to be issued, ~~it~~ the commission shall issue to the corporation a certificate of authority stating all of the following:

(1) ~~The~~ The amount of securities reasonably necessary and the character of the ~~same~~; securities.

2) ~~the~~ The purposes for which ~~they~~ the securities are to be issued in such detail as the commission may ~~deem~~ consider necessary; ~~and~~.

3) ~~the~~ The terms on which ~~they~~ the securities are to be sold or otherwise disposed of, including a description and a determination of the value of any property or services to be received in partial or full payment therefor; ~~and the~~.

(b) ~~A~~ corporation shall not issue the securities on any other terms or for any other purposes than that stated in ~~such~~ the certificate issued under par. (a).

(c) If any portion of the securities authorized by the certificate are evidences of indebtedness which are to be pledged to secure lawful obligations of the applicant, the commission in its certificate shall state the minimum price at which ~~such~~ the securities may be sold in the event of any enforcement of the pledge. If the purpose of the issue is, in whole or in part, to provide funds for properties to be constructed or acquired, the commission may, if it finds that the public interest so requires, require the applicant to impound the proceeds of ~~such~~ the securities, or furnish suitable bonds to guarantee the completion of ~~such~~ the project, under ~~such~~ conditions as that the commission ~~shall find~~ finds to be reasonable and ~~shall specify~~ specifies in the certificate.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

SECTION 428. 185.42 (5) of the statutes is amended by replacing "originally or recorded" with "originally filed or recorded".

NOTE: Reinserts language unintentionally deleted by 1993 Wis. Act 301.

**SECTION 429.** 186.29 (2) (c) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended by replacing “incumbrance” with “encumbrance”.

NOTE: Inserts preferred spelling.

**SECTION 430.** 192.54 of the statutes is amended to read:

**192.54 General penalty for this chapter.** If any railroad corporation, its officers, agents or servants violate or fail to comply with any provision of this chapter such ~~the~~ corporation shall, for every violation or failure ~~(, unless some other penalty is specifically provided),~~ forfeit not less than ~~ten \$10~~ nor more than ~~one thousand dollars \$1,000~~, and be liable to the person injured for all damages sustained thereby.

NOTE: Replaces parentheses and replaces word form of numbers with digits for greater conformity with current style.

**SECTION 431.** 195.19 (3) of the statutes is amended by replacing “city or village or town” with “city, village or town”.

NOTE: Replaces “or” with comma to correct grammar.

**SECTION 432.** 196.52 (4) of the statutes is renumbered 196.52 (4) (a) and amended to read:

196.52 (4) (a) In any proceeding, whether upon the commission’s own motion or upon application or complaint, involving the rates or practices of any public utility, the commission may exclude from the accounts of the public utility any payment or compensation to or from an affiliated interest for any services rendered or property or service furnished under an existing contract or arrangement with an affiliated interest under sub. (3) (a) unless the public utility establishes the reasonableness of the payment or compensation. ~~In the proceeding the~~

(b) ~~The~~ commission shall disallow the payment or compensation ~~described in par. (a),~~ in whole or in part, in the absence of satisfactory proof that the payment or compensation is reasonable in amount. ~~In the proceeding the~~

(c) ~~The~~ commission may not approve or allow any payment or compensation ~~described in par. (a),~~ in whole or in part, unless satisfactory proof is submitted to the commission of the cost to the affiliated interest of rendering the service or furnishing the property or service to each public utility or of the cost to the public utility of rendering the service or furnishing the property or service to each affiliated interest.

(d) No proof shall be satisfactory under this paragraph subsection unless it includes the original (or verified copies) of the relevant cost records and other relevant accounts of the affiliated interest, or an abstract of the records and accounts or a summary taken from the records and accounts if the commission deems the abstract or summary adequate. The accounts shall be properly identified and duly authenticated. The commission, where reasonable, may approve or disapprove a contract or arrangement without submission of the cost records or accounts.

NOTE: Subdivides provision, deletes parentheses and replaces language for greater readability and conformity with current style.

**SECTION 433.** 215.02 (15) (a) 1. b. of the statutes is amended to read:

215.02 (15) (a) 1. b. A petition signed by not less than 25 savers in an association, stating that ~~1) the association or the officers or directors of the association fail to honor requests for the withdrawal of savings accounts under this chapter; 2) the officers or directors are conducting the business of the association in an unsafe or unauthorized manner; 3) ,~~ and by the acts or negligence of officers or directors the funds or assets of the association are or may become impaired.

NOTE: Deletes improper subdivision designations.

**SECTION 434.** 215.32 (6) (c) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended by replacing “incumbrance” with “encumbrance”.

NOTE: Inserts preferred spelling.

**SECTION 435.** 215.32 (15) (c) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended by replacing “incumbered” with “encumbered”.

NOTE: Inserts preferred spelling.

**SECTION 436.** 218.01 (2) (b) of the statutes, as affected by [1995 Wisconsin Act 27](#), section 5842, is amended to read:

218.01 (2) (b) Application for license shall be made to the licensor, at such time, in such form and with such information as the licensor shall require and shall be accompanied by the required fees. An applicant for a sales finance company license, other than ~~a~~ a motor vehicle dealer, shall pay to the commissioner a nonrefundable \$300 investigation fee in addition to the license fee under par. (dr). If the cost of an investigation exceeds \$300, the applicant shall, upon demand of the commissioner, pay the amount by which the cost of the investigation exceeds the nonrefundable fee. A licensee is not required to pay an investigation fee for the renewal of a license. The licensor may require the applicant to provide information relating to any pertinent matter that is commensurate with the safeguarding of the public interest in the locality in which the applicant proposes to engage in business, except that information relating to the applicant’s solvency and financial standing may not be required except as provided in par. (h) 1. The information provided may be considered by the licensor in determining the fitness of the applicant to engage in business as set forth in this section.

NOTE: Deletes repeated word.

**SECTION 437.** 218.01 (2) (b) of the statutes, as affected by [1995 Wisconsin Act 27](#), section 5843, is amended to read:

218.01 (2) (b) Application for license shall be made to the licensor, at such time, in such form and with such information as the licensor shall require and shall be accompanied by the required fees. An applicant for a sales finance company license, other than ~~a~~ a motor vehicle

dealer, shall pay to the division of banking a nonrefundable \$300 investigation fee in addition to the license fee under par. (dr). If the cost of an investigation exceeds \$300, the applicant shall, upon demand of the division of banking, pay the amount by which the cost of the investigation exceeds the nonrefundable fee. A licensee is not required to pay an investigation fee for the renewal of a license. The licensor may require the applicant to provide information relating to any pertinent matter that is commensurate with the safeguarding of the public interest in the locality in which the applicant proposes to engage in business, except that information relating to the applicant's solvency and financial standing may not be required except as provided in par. (h) 1. The information provided may be considered by the licensor in determining the fitness of the applicant to engage in business as set forth in this section.

NOTE: Deletes repeated word.

**SECTION 438.** 218.05 (4) of the statutes, as affected by 1995 Wisconsin Act 27, is renumbered 218.05 (4) (a) (intro.) and amended to read:

218.05 (4) (a) (intro.) If The division shall issue to the applicant qualifying under this section a license to operate a community currency exchange at the location specified in the application. The license shall remain in full force and effect until it is surrendered by the licensee or revoked by the division if the division shall find finds after investigation that all of the applicant (a) following conditions are met:

1. The applicant is trustworthy and reputable, ~~(b).~~
2. The applicant has business experience qualifying the applicant to competently conduct, operate, own, or become associated with a community currency exchange, ~~and (c).~~
3. The applicant has a good business reputation and is worthy of a license, ~~the commissioner shall issue to the applicant qualifying hereunder, a license to operate a community currency exchange at the location specified in the application, which license shall remain in full force and effect until it is surrendered by the licensee or revoked by the division.~~

(b) If the division shall not so find finds that the conditions under par. (a) 1. to 3. are not met, the division shall not issue such the license and shall notify the applicant of such the denial, retaining the investigation fee to cover the cost of investigating the applicant. The division shall approve or deny every application within 30 days from the filing thereof. No application shall be denied unless the applicant has had notice of a hearing on said the application and an opportunity to be heard thereon. If the application is denied, the division shall, within 20 days thereafter, prepare and keep on file with the division a written order of denial which shall contain the division's findings with respect thereto and the reasons supporting the denial, ~~and, The division shall mail a copy thereof to the order of denial~~ to the applicant at the address set forth

in the application, within 5 days after the filing of such the order.

NOTE: Subdivides provision and reorders text for greater readability and conformity with current style.

**SECTION 439.** 221.04 (1) (n) 1. a. of the statutes is amended to read:

221.04 (1) (n) 1. a. At least 25% by area of the real property within 2 miles of the former principal office is either a blighted area, as defined in s. 66.431 (4) (2m) (b), or an area in need of rehabilitation or conservation work within the meaning of s. 66.435 (3) (2m) (b);

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

**SECTION 440.** 230.213 of the statutes, as affected by 1995 Wisconsin Act 27, sections 6283 and 6283m, is repealed and recreated to read:

**230.213 Affirmative action procedures for corrections positions.** The administrator may, to meet affirmative action objectives, establish such recruitment, examination and certification procedures for positions in the department of corrections and for positions in juvenile correctional institutions within the department of health and social services as will enable the department of corrections and the department of health and social services to increase the number of employes of a specified gender or a specified racial or ethnic group in those positions. The administrator shall design the procedures to obtain a work force in the department of corrections and in juvenile correctional institutions within the department of health and social services that reflects the relevant labor pool. The administrator may determine the relevant labor pool from the population of the state or of a particular geographic area of the state, whichever is more appropriate for achieving the affirmative action objective.

NOTE: 1995 Wis. Act 27, ss. 6283 and 6283m both treat s. 230.213, stats., effective on the day after publication. The treatment by s. 6283m was for the purpose of transferring youth corrections functions from the department of health and social services to the department of corrections. Section 9426 (19t) of Act 27 provides for this transfer to be made effective 7-1-96. Through an error s. 230.13, stats., and not s. 230.213, stats., was included in s. 9426 (19t). This section recreates s. 230.213 in accordance with s. 6283 effective immediately. The following section of this bill recreates the repeal and recreation of s. 230.213 by s. 6283m, effective 7-1-96.

**SECTION 441.** 230.213 of the statutes, as affected by 1995 Wisconsin Act ... (this act), is repealed and recreated to read:

**230.213 Affirmative action procedures for corrections positions.** The administrator may, to meet affirmative action objectives, establish such recruitment, examination and certification procedures for positions in the department of corrections as will enable the department of corrections to increase the number of employes of a specified gender or a specified racial or ethnic group in those positions. The administrator shall design the procedures to obtain a work force in the department of



corrections that reflects the relevant labor pool. The administrator may determine the relevant labor pool from the population of the state or of a particular geographic area of the state, whichever is more appropriate for achieving the affirmative action objective.

NOTE: See the note to the previous section of this bill.

**SECTION 442.** 234.15 (1) of the statutes is renumbered 234.15 (1r).

NOTE: See the NOTE to the next section of this bill.

**SECTION 443.** 234.15 (1g) of the statutes is created to read:

234.15 (1g) In this section, “capital reserve fund requirement” means, as of any particular date of computation, an amount of money, as provided in the resolutions of the authority authorizing the bonds with respect to which a capital reserve fund is established, which amount shall not exceed the maximum annual debt service on the bonds of the authority for that fiscal year or any future fiscal year of the authority secured in whole or in part by the capital reserve fund.

NOTE: Repositions definition from s. 234.54 (3) in conformity with current style.

**SECTION 444.** 234.15 (3) of the statutes is renumbered 234.15 (3) (a) (intro.) and amended to read:

234.15 (3) (a) (intro.) The authority shall not at any time issue bonds, secured in whole or in part by a capital reserve fund if upon the issuance of ~~such the~~ bonds, the amount in ~~such the~~ capital reserve fund will be less than the capital reserve fund requirement of ~~such the capital reserve~~ fund, unless the authority, at the time of issuance of ~~such the~~ bonds, deposits in ~~such the capital reserve~~ fund from the proceeds of the bonds to be issued, or from other sources, an amount which, together with the amount then in ~~such the capital reserve~~ fund, will not be less than the capital reserve fund requirement for ~~such the capital reserve~~ fund. ~~For purposes of this section, “capital reserve fund requirement” means, as of any particular date of computation, an amount of money, as provided in the resolutions of the authority authorizing the bonds with respect to which such fund is established, which amount shall not exceed the maximum annual debt service on the bonds of the authority for that fiscal year or any future fiscal year of the authority secured in whole or in part by such fund.~~ The annual debt service for any fiscal year is the amount of money equal to the aggregate of a) all of the following:

1. All interest payable during ~~such~~ fiscal year on all bonds secured in whole or in part by ~~such the capital reserve fund~~ outstanding on the date of computation, plus b) the

2. The principal amount of all ~~such~~ bonds described in ~~subd. 1.~~ outstanding on ~~said the~~ date of computation which mature during ~~such the~~ fiscal year, plus c) all

3. All amounts specified in any resolution of the authority authorizing any of ~~such the~~ bonds described in ~~subd. 1.~~ as payable during ~~such the~~ fiscal year as a sinking

fund payment with respect to any of ~~such the~~ bonds which mature after ~~such the~~ fiscal year, all.

(b) ~~The annual debt service calculation made under par. (a) shall be~~ calculated on the assumption that ~~such the~~ bonds will after ~~such the~~ date of computation cease to be outstanding by reason, but only by reason, of the payment of bonds when due, and the payment when due and application in accordance with the resolution authorizing those bonds, of all of ~~such the~~ sinking fund payments payable at or after ~~such the~~ date of computation. However, in computing the annual debt service for any fiscal year, bonds ~~deemed considered~~ to have been paid in accordance with the defeasance provisions of the resolution of the authority authorizing the issuance thereof shall not be included in bonds outstanding on ~~such the~~ date of computation.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 445.** 234.15 (6) of the statutes is amended to read:

234.15 (6) Notwithstanding subs. ~~(4) (1r)~~ to (5), the authority, subject to such agreements with noteholders or bondholders as may then exist, may elect not to secure any particular issue of its bonds with a capital reserve fund. Such election shall be made in the resolution authorizing such issue. In this event, subs. (2) and (3) shall not apply to the bonds of such issue in that they shall not be entitled to payment out of or be eligible for purchase by any such fund nor shall they be taken into account in computing or applying any capital reserve fund requirement.

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

**SECTION 446.** 234.54 (1) of the statutes is renumbered 234.54 (1r).

NOTE: See the note to the next section of this bill.

**SECTION 447.** 234.54 (1g) of the statutes is created to read:

234.54 (1g) In this section, “capital reserve fund requirement” means, as of any particular date of computation, an amount of money, as provided in the resolutions of the authority authorizing the bonds with respect to which the housing rehabilitation loan program capital reserve fund is established, which amount may not exceed the maximum annual debt service on the bonds of the authority for that calendar year or any future calendar year secured in whole or in part by the housing rehabilitation loan program capital reserve fund.

NOTE: Repositions definition from s. 234.54 (3) for conformity with current style.

**SECTION 448.** 234.54 (3) of the statutes is renumbered 234.54 (3) (a) (intro.) amended to read:

234.54 (3) (a) (intro.) The authority may not issue bonds, secured in whole or in part by the capital reserve fund if upon the issuance of such bonds, the amount in ~~such the~~ capital reserve fund will be less than the capital reserve fund requirement of ~~such the capital reserve~~ fund,

unless the authority, forthwith upon the issuance of such ~~the~~ bonds, deposits in such ~~the capital reserve~~ fund from the proceeds of the bonds to be issued, or from other sources, an amount which, together with the amount then in such ~~the capital reserve~~ fund, will not be less than the capital reserve fund requirement for such ~~the~~ fund. For purposes of this section, “Capital reserve fund requirement” means, as of any particular date of computation, an amount of money, as provided in the resolutions of the authority authorizing the bonds with respect to which such fund is established, which amount may not exceed the maximum annual debt service on the bonds of the authority for that calendar year or any future calendar year secured in whole or in part by such fund. The annual debt service for any calendar year is the amount of money equal to the aggregate of a) all of the following:

1. All interest payable during such ~~the~~ calendar year on all bonds secured in whole or in part by such ~~the capital reserve~~ fund outstanding on the date of computation; and b) ~~the~~.

2. The principal amount of all such bonds ~~described in subd. 1.~~ outstanding on said ~~the~~ date of computation which mature during such ~~the~~ calendar year; and c) all.

3. All amounts specified in any resolution of the authority authorizing any of such ~~the~~ bonds ~~described in subd. 1.~~ as payable during such ~~the~~ calendar year as a sinking fund payment with respect to any of such ~~the~~ bonds which mature after such ~~the~~ calendar year, all.

(b) The annual debt service calculation made under par. (a) shall be calculated on the assumption that such ~~the~~ bonds will after such ~~the~~ date of computation cease to be outstanding by reason, but only by reason, of the payment of bonds when due, and the payment when due and application in accordance with the resolution authorizing those bonds, of all of such ~~the~~ sinking fund payments payable at or after such ~~the~~ date of computation. However, in computing the annual debt service for any calendar year, bonds deemed considered to have been paid in accordance with the defeasance provisions of the resolution of the authority authorizing the issuance thereof shall not be included in bonds outstanding on such ~~the~~ date of computation.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 449.** 234.54 (6) of the statutes is amended to read:

234.54 (6) Notwithstanding subs. ~~(4)~~ (1r) to (5), the authority, subject to such agreements with bondholders as may then exist, may elect not to secure any particular issue or series of its bonds with the capital reserve fund. Such election shall be made in the resolution authorizing such issue or series. In this event, subs. (2) and (3) shall not apply to the bonds of such issue or series in that they shall not be entitled to payment out of or be eligible for purchase by such fund nor may they be taken into account

in computing or applying any capital reserve fund requirement.

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

**SECTION 450.** 301.031 (1) (a) of the statutes, as created by 1995 Wisconsin Act 27, is amended to read:

301.031 (1) (a) Each county department under s. 46.215, 46.22 or 46.23 shall submit to the department by December 31 annually its final budget for services directly provided or purchased to the department by December 31 annually. The final budget shall be submitted on a uniform budget reporting form that the department shall develop and distribute for use and that shall include all of the following:

NOTE: Reorders text for clarity.

**SECTION 451.** The amendment of 302.425 (3) of the statutes by 1995 Wisconsin Act 26 is not repealed by 1995 Wisconsin Act 27. Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 452.** 340.01 (11) (c) of the statutes is amended by replacing “pars. (a) or (b)” with “par. (a) or (b)”.

NOTE: Inserts correct word form.

NOTE: 1993 Wis. Act 404 amended this section to read as amended here. However, the change made by Act 404 was not shown in the 1993–94 Wisconsin Statutes.

**SECTION 453.** 348.05 (2) (k) of the statutes is amended to read:

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

NOTE: The above language was deleted by 1993 Wis. Act 404, but inadvertently retained in the published statutes.

**SECTION 454.** 350.12 (2) (bm) a., b. and c. of the statutes, as created by 1993 Wisconsin Act 403, are renumbered 350.12 (2) (bm) 1., 2. and 3.

NOTE: Confirms renumbering by revisor under s. 13.93 (1) (b).

**SECTION 455.** 409.312 (3) (b) of the statutes is amended to read:

409.312 (3) (b) The purchase money secured party gives notification in writing to the holder of the conflicting security interest if the holder had filed a financing statement covering the same types of inventory ~~4)~~ before the date of the filing made by the purchase money secured party, or ~~2)~~ before the beginning of the 21-day period where the purchase money security interest is tempo-

rarily perfected without filing or possession (s. 409.304 (5)); and

NOTE: Deletes subdivision designations not in conformity with current style.

**SECTION 456.** 409.402 (6) of the statutes is renumbered 409.402 (6) (a) (intro.) and amended to read:

409.402 (6) (a) (intro.) A mortgage is effective as a financing statement filed as a fixture filing from the date of its recording if ~~a) the~~ all of the following conditions are met:

1. ~~The~~ goods are described in the mortgage by item or type, ~~b) the~~

2. ~~The~~ goods are or are to become fixtures related to the real estate described in the mortgage, ~~c) the~~

3. ~~The~~ mortgage complies with the requirements for a financing statement in this section other than a recital that it is to be filed in the real estate records, ~~and d) the~~

4. ~~The~~ mortgage is duly recorded.

(b) No fee with reference to the financing statement is required other than the regular recording and satisfaction fees with respect to the mortgage.

NOTE: Subdivides provision for greater conformity with current style.

**SECTION 457.** 409.402 (7) of the statutes is amended to read:

409.402 (7) A financing statement sufficiently shows the name of the debtor if it gives the individual, partnership, limited liability company or corporate name of the debtor, whether or not it adds other trade names or the names of partners. Where the debtor so changes the debtor's name or in the case of an organization its name, identity or corporate structure that a filed financing statement becomes seriously misleading, the filing is not effective to perfect a security interest in collateral acquired by the debtor more than 4 months after the change, unless a new appropriate financing statement is filed before the expiration of that time. A filed financing statement remains effective with respect to collateral transferred by the debtor even though the secured party knows of or consents to the transfer. ~~A filed financing statement remains effective with respect to collateral transferred by the debtor even though the secured party knows of or consents to the transfer.~~

NOTE: The last sentence was inadvertently repeated.

**SECTION 458.** 422.402 (1) of the statutes is renumbered 422.402 (1) (intro.) and amended to read:

422.402 (1) (intro.) Except as provided in sub. (1m), no merchant shall enter into an agreement which requires a schedule of payments under which any one payment is not equal or substantially equal to all other payments, or under which the intervals between any consecutive payments differ substantially except as permitted in sub. (2) or (3) with respect to a consumer credit transaction other than a transaction which is one of the following:

(a) ~~pursuant~~ Pursuant to an open-end credit plan,

(b) ~~not~~ Not precomputed and on which the annual percentage rate disclosed under subch. III is less than 16.5% for a consumer credit sale in which the seller retains a security interest in real estate which is the subject of the sale or any consumer loan, either of which is entered into on or after April 6, 1980, and prior to November 1, 1981, or 12% for any other consumer credit transaction ~~or~~

(c) ~~a~~ Primarily for an agricultural purpose, ~~no merchant shall enter into an agreement which requires a schedule of payments under which any one payment is not equal or substantially equal to all other payments, or under which the intervals between any consecutive payments differ substantially except as permitted in sub. (2) or (3).~~

NOTE: Subdivides provision and reorders text for greater conformity with current style.

**SECTION 459.** 422.402 (1m) of the statutes is renumbered 422.402 (1m) (intro.) and amended to read:

422.402 (1m) (intro.) With No merchant shall enter into an agreement which requires a schedule of payments under which any one payment is not equal or substantially equal to all other payments, or under which the intervals between any consecutive payments differ substantially except as permitted in sub. (2) or (3) with respect to a consumer credit transaction other than a transaction which is one of the following:

(a) ~~pursuant~~ Pursuant to an open-end credit plan,

(b) ~~not~~ Not precomputed and on which the annual percentage rate disclosed under subch. III is not more than 18% for a consumer credit sale in which the seller retains a security interest in real estate which is the subject of the sale or any consumer loan, either of which is entered into on or after November 1, 1981, and before November 1, 1984, ~~or~~

(c) ~~a~~ A transaction primarily for an agricultural purpose, ~~no merchant shall enter into an agreement which requires a schedule of payments under which any one payment is not equal or substantially equal to all other payments, or under which the intervals between any consecutive payments differ substantially except as permitted in sub. (2) or (3).~~

NOTE: Subdivides provision and reorders text for greater conformity with current style.

**SECTION 460.** 425.103 (2) (a) of the statutes is amended to read:

425.103 (2) (a) With respect to a transaction other than one pursuant to an open-end plan, ~~1);~~ if the interval between scheduled payments is 2 months or less, to have outstanding an amount exceeding one full payment which has remained unpaid for more than 10 days after the scheduled or deferred due dates, or the failure to pay the first payment or the last payment, within 40 days of its scheduled or deferred due date, ~~2);~~ if the interval between scheduled payments is more than 2 months, to

have all or any part of one scheduled payment unpaid for more than 60 days after its scheduled or deferred due date; ~~3~~; if the transaction is scheduled to be repaid in a single payment, to have all or any part of the payment unpaid for more than 40 days after its scheduled or deferred due date; ~~2~~; or ~~4~~) in the case of a transaction for an agricultural purpose, the failure to pay the first or the only instalment when due or to pay any other instalment within 40 days of its original or deferred due date. For purposes of this paragraph the amount outstanding shall not include any delinquency or deferral charges and shall be computed by applying each payment first to the instalment most delinquent and then to subsequent instalments in the order they come due;

NOTE: Eliminates improper subdivision designations.

**SECTION 461.** 425.206 (2) of the statutes is renumbered 425.206 (2) (intro.) and amended to read:

425.206 (2) (intro.) In taking possession of collateral or leased goods, no merchant may do any of the following:

(a) ~~commit~~ Commit a breach of the peace; ~~or~~

(b) ~~enter~~ Enter a dwelling used by the customer as a residence except at the voluntary request of a customer.

NOTE: Subdivides provision for greater conformity with current style.

**SECTION 462.** 426.110 (10) of the statutes is amended to read:

426.110 (10) When appropriate, ~~a~~) an action may be brought or maintained as a class action with respect to particular issues, or ~~b~~) a class may be divided into subclasses and each subclass treated as a class, and this section shall then be construed and applied accordingly.

NOTE: Deletes improper subdivision designations for greater conformity with current style.

**SECTION 463.** 426.110 (12) of the statutes is renumbered 426.110 (12) (intro.) and amended to read:

426.110 (12) (intro.) In the conduct of actions to which this section applies, the court may make appropriate orders, which may be altered or amended as may be desirable from time to time, for any of the following purposes:

(a) ~~determining~~ Determining the course of proceedings or prescribing measures to prevent undue repetition or complication in the presentation of evidence or argument; ~~2~~

(b) ~~requiring~~ Requiring, for the protection of the members of the class or otherwise for the fair conduct of the action, that notice be given in such manner as the court may direct to some or all of the members of any step in the action, or of the proposed extent of the judgment, or of the opportunity of members to signify whether they consider the representation fair and adequate, to intervene and present claims or defenses, or otherwise to come into the action; ~~2~~

(c) ~~imposing~~ Imposing conditions on the representative parties or on intervenors; ~~2~~

(d) ~~requiring~~ Requiring that the pleadings be amended to eliminate therefrom allegations as to representation of absent persons, and that the action proceed accordingly; ~~2~~

(e) ~~dealing~~ Dealing with similar procedural matters. ~~The orders may be altered or amended as may be desirable from time to time~~ similar to those under pars. (a) to (d).

NOTE: Subdivides provision for greater conformity with current style.

**SECTION 464.** 448.08 (1) of the statutes is renumbered 448.08 (1m).

NOTE: See the next section of this bill.

**SECTION 465.** 448.08 (6) of the statutes is renumbered 448.08 (1).

NOTE: Repositions definitions to beginning of provision consistent with current style.

**SECTION 466.** 455.02 (3) (a) (intro.) of the statutes is amended to read:

455.02 (3) (a) (intro.) Nothing in this chapter restricts or prevents activities of a psychological nature and the use of the official title of the position for which they were employed on the part of the following persons, if such persons are performing those activities as part of the duties for which they were employed, are performing such activities solely ~~with~~ within the confines of or under the jurisdictions of the organization in which they are employed and do not offer to render psychological services to the public for a fee, monetary or otherwise, over and above the salary they receive for the performance of the official duties with the organization with which they are employed:

NOTE: Inserts proper term.

**SECTION 467.** 480.08 (2m) of the statutes is amended by replacing "29.134, 95.70, 402.328" with "29.134, 402.328".

NOTE: Section 95.70 was repealed effective July 1, 1994, by 1993 Wis. Act 16.

**SECTION 468.** 565.30 (5m) of the statutes is amended by replacing ", 767.65 (24) or 948.22 (7)" with "or 948.22 (7) or ch. 769".

NOTE: 1993 Wis. Act 326 repealed s. 767.65 and replaced it with ch. 769.

**SECTION 469.** 600.03 (24) (b) of the statutes is amended to read:

600.03 (24) (b) For any other insurer, that it is unable to pay its debts or meet its obligations as they mature or that its assets do not exceed its liabilities plus the greater of: ~~1~~) any capital and surplus required by law to be constantly maintained; or ~~2~~) its authorized and issued capital stock. For purposes of this paragraph "assets" includes one-half of the maximum total assessment liability of the policyholders of the insurer, and "liabilities" includes reserves required by law. For policies issued on the basis of unlimited assessment liability, the maximum total liability, for purposes of determining solvency only,

is the amount that could be obtained if there were 100% collection of an assessment at the rate of 10 mills.

NOTE: Deletes improper subdivision designations for greater conformity with current style.

**SECTION 470.** 632.43 (4) of the statutes is renumbered 632.43 (4) (a) (intro.) and amended to read:

632.43 (4) (a) (intro.) Except as provided in sub. (5) (b), the adjusted premiums for any policy shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year, excluding any extra premiums charged because of impairments or special hazards, that the present value, at the date of issue of the policy, of all adjusted premiums shall be equal to the sum of ~~(a) the~~ all of the following:

1. The then present value of the future guaranteed benefits provided for by the policy; ~~(b) 2 per cent.~~

2. Two percent of the amount of insurance, if the insurance is uniform in amount, or of the equivalent uniform amount, as defined in sub. (5), if the amount of insurance varies with duration of the policy; ~~(c) 40 per cent.~~

3. Forty percent of the adjusted premium for the first policy year; ~~(d) 25 per cent.~~

4. Twenty-five percent of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less; ~~provided, that in~~

(b) In applying the percentages specified in ~~(e) par. (a) 3. and (d) 4.~~, no adjusted premium shall be ~~deemed considered~~ to exceed 4 per cent % of the amount of insurance or uniform amount equivalent thereto. The date of issue of a policy for the purpose of this subsection and sub. (5) shall be the date as of which the rated age of the insured is determined.

NOTE: Subdivides provision and inserts the per cent symbol consistent with current style.

**SECTION 471.** 632.43 (5) (b) of the statutes is amended to read:

632.43 (5) (b) The adjusted premiums for any policy providing term insurance benefits by rider or supplemental policy provision shall be equal to: A) the adjusted premiums for an otherwise similar policy issued at the same age without such term insurance benefits, increased, during the period for which premiums for such term insurance benefits are payable, by B) the adjusted premiums for such term insurance, the foregoing items A) and B) being calculated separately and as specified in par. (a) and sub. (4) except that, for the purposes of ~~(b), (c) and (d) in~~ sub. (4) (a) 2., 3. and 4., the amount of insurance or equivalent uniform amount of insurance used in the calculation of the adjusted premiums referred to in B) shall be equal to the excess of the corresponding amount determined for the entire policy over the amount used in the calculation of the adjusted premiums in A).

NOTE: Amends cross-references consistent with the previous section of this bill.

**SECTION 472.** 632.895 (1) (b) 5. a. of the statutes is amended to read:

632.895 (1) (b) 5. a. A registered ~~dietician~~ dietitian.  
NOTE: Corrects spelling.

**SECTION 473.** 645.22 (1) of the statutes is renumbered 645.22 (1) (intro.) and amended to read:

645.22 (1) (intro.) Upon the filing by the commissioner in any circuit court in this state of a verified petition alleging any ground that would justify a court order for a formal delinquency proceeding against an insurer under this chapter and that the interests of policyholders, creditors or the public will be endangered by delay, and setting out the order ~~deemed~~ considered necessary by the commissioner, the court shall issue forthwith, ex parte and without a hearing, the requested order, which may do any of the following:

(a) ~~direct~~ Direct the commissioner to take possession and control of all or a part of the property, books, accounts, documents and other records of an insurer and of the premises occupied by it for the transaction of its business, and,

(b) ~~until~~ Until further order of the court, enjoin the insurer and its officers, managers, agents, and employes from disposition of its property and from transaction of its business except with the written consent of the commissioner.

NOTE: Subdivides provision for greater conformity with current style.

**SECTION 474.** 645.47 (1) (b) of the statutes is renumbered 645.47 (1) (b) (intro.) and amended to read:

645.47 (1) (b) (intro.) Notice to agents shall inform them of their duties under s. 645.48 and inform them of what information they must communicate to insureds. Notice to policyholders shall include notice of impairment and termination of coverage under s. 645.43. When it is applicable, notice to policyholders shall include all of the following:

1) ~~notice.~~ Notice of withdrawal of the insurer from the defense of any case in which the insured is interested,;

2) ~~notice.~~ Notice of the right to file a claim under s. 645.64 (2), ~~and.~~

3) ~~information.~~ Information about the existence of a security fund under ch. 646.

NOTE: Subdivides provision for greater readability and consistency with current style.

**SECTION 475.** 645.54 (1) (b) of the statutes is renumbered 645.54 (1) (b) 1. (intro.) and amended to read:

645.54 (1) (b) 1. (intro.) Any preference may be avoided by the liquidator, if ~~1) any of the following conditions is met:~~

a. The insurer was insolvent at the time of the transfer, ~~or 2) the~~

b. The transfer was made within 4 months before the filing of the petition, ~~or 3) the~~

c. The creditor receiving it the preference or to be benefited thereby or his or her agent acting with reference thereto had reasonable cause to believe at the time when the transfer was made that the insurer was insolvent or was about to become insolvent, ~~or 4) the~~.

d. The creditor receiving it the preference was an officer, employe, attorney or other person who was in fact in a position of comparable influence in the insurer to an officer whether or not he or she held such position, or any shareholder holding directly or indirectly more than 5% of any class of any equity security issued by the insurer, or any other person with whom the insurer did not deal at arm's length. ~~Where the~~

2. If a preference is voidable, the liquidator may recover the property or, if it the property has been converted, the liquidator may recover its value from any person who has received or converted the property, except a bona fide purchaser from or lienor of the debtor's transferee for a present fair equivalent value. Where If the bona fide purchaser or lienor has given less than fair equivalent value, he or she shall have a lien upon the property to the extent of the consideration actually given by him or her. Where If a preference by way of lien or security title is voidable, the court may on due notice order the lien or title to be preserved for the benefit of the estate, in which event the lien or title shall pass to the liquidator.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 476.** 645.64 (3) of the statutes is renumbered 645.64 (3) (a) and amended to read:

645.64 (3) (a) The liquidator shall make recommendations to the court under s. 645.71 for the allowance of an insured's claim under sub. (2) after consideration of the probable outcome of any pending action against the insured on which the claim is based, the probable damages recoverable in the action and the probable costs and expenses of defense. After allowance by the court, the liquidator shall withhold any dividends payable on the claim, pending the outcome of litigation and negotiation with the insured. Whenever it seems appropriate, the liquidator shall reconsider the claim on the basis of additional information and amend the recommendations to the court. The insured shall be afforded the same notice and opportunity to be heard on all changes in the recommendation as in its initial determination. The court may amend its allowance as it thinks appropriate.

(b) As claims against the insured are settled or barred, the insured shall be paid from the amount withheld the same percentage dividend as was paid on other claims of like priority, based on the lesser of a) the following:

1. The amount actually recovered from the insured by action or paid by agreement plus the reasonable costs and expenses of defense, or b) the

2. The amount allowed on the claims by the court.

(c) After all claims are settled or barred, any sum remaining from the amount withheld shall revert to the undistributed assets of the insurer. Delay in final payment under this subsection shall not be a reason for unreasonable delay of final distribution and discharge of the liquidator.

NOTE: Subdivides provision for greater readability and conformity with current style.

**SECTION 477.** 645.81 (1) (e) of the statutes is amended to read:

645.81 (1) (e) That ~~1) its certificate of authority to do business in this state has been revoked or that none was ever issued, and 2) that~~ there are residents of this state with outstanding claims or outstanding policies.

NOTE: Deletes improper subdivision designations.

**SECTION 478.** 703.15 (2) (c) of the statutes is renumbered 703.15 (2) (c) 1. (intro.) and amended to read:

703.15 (2) (c) 1. (intro.) Except as provided in par. (d), a declarant may authorize the declarant or persons designated by him or her to appoint and remove the officers of the association or to exercise the powers and responsibilities otherwise assigned by the declaration or this chapter to the association or its officers. A declaration may not authorize any declarant control of the association for a period exceeding the earlier of ~~1) 10; any of the following:~~

a. Ten years in the case of an expandable condominium; ~~2) 3.~~

b. Three years in the case of any other condominium; ~~or 3) 30.~~

c. Thirty days after the conveyance of 75% of the common element interest to purchasers.

2. The period of declarant control begins on the date that the first condominium unit is conveyed by a declarant to any person other than the declarant. If there is any other unit owner other than a declarant, a declaration may not be amended to increase the scope ~~or~~ or the period of the declarant control.

NOTE: Subdivides provision for greater conformity with current style.

**SECTION 479.** 703.15 (3) (b) 4. of the statutes is amended by replacing "incumber" with "encumber".

NOTE: Inserts preferred spelling.

**SECTION 480.** 704.19 (2) of the statutes is renumbered 704.19 (2) (a) (intro.) and amended to read:

704.19 (2) (a) (intro.) ~~Such~~ A periodic tenancy or a tenancy at will can be terminated by either the landlord or the tenant only by giving to the other party written notice complying with this section, unless a) ~~the any of the following conditions is met:~~

1. The parties have agreed expressly upon another method of termination and such the parties' agreement is established by clear and convincing proof, b) termina-  
tion.

2. Termination has been effected by a surrender of the premises, or e) sub.

3. Subsection (6) applies.

(b) A periodic tenancy can be terminated by notice under this section only at the end of a rental period; ~~in~~ In the case of a tenancy from year-to-year the end of the rental period is the end of the rental year even though rent is payable on a more frequent basis. Nothing in this section prevents termination of a tenancy for nonpayment of rent or breach of any other condition of the tenancy, as provided in s. 704.17.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 481.** 707.37 (4) (d) of the statutes is amended by replacing "144.47 (6) (d)" with "144.77 (6) (d)".

NOTE: Corrects cross-reference inserted by 1993 Wis. Act 453. There is no s. 144.47 (6) (d).

**SECTION 482.** 753.06 (1) (a) of the statutes is amended to read:

753.06 (1) (a) Milwaukee county County. The circuit has ~~45 branches. Commencing August 1, 1994, the circuit~~ has 46 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 483.** 753.06 (2) (a) of the statutes is amended to read:

753.06 (2) (a) Kenosha county County. The circuit has ~~6 branches. Commencing August 1, 1994, the circuit~~ has 7 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 484.** 753.06 (2) (b) of the statutes is amended to read:

753.06 (2) (b) Racine county County. The circuit has ~~9 branches. Commencing August 1, 1994, the circuit~~ has 10 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 485.** 753.06 (4) (d) of the statutes is amended to read:

753.06 (4) (d) Sheboygan county County. The circuit has ~~4 branches. Commencing August 1, 1994, the circuit~~ has 5 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 486.** 753.06 (5) (a) of the statutes is amended to read:

753.06 (5) (a) Dane county County. The circuit has ~~16 branches. Commencing August 1, 1994, the circuit~~ has 17 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 487.** 753.06 (6) (g) of the statutes is amended to read:

753.06 (6) (g) Portage county County. The circuit has ~~2 branches. Commencing August 1, 1994, the circuit~~ has 3 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 488.** 753.06 (8) (b) of the statutes is amended to read:

753.06 (8) (b) Door county County. The circuit has ~~one branch. Commencing August 1, 1994, the circuit~~ has 2 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 489.** 753.06 (8) (f) of the statutes is amended to read:

753.06 (8) (f) Outagamie county County. The circuit has ~~6 branches. Commencing August 1, 1994, the circuit~~ has 7 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 490.** 753.06 (10) (g) of the statutes is amended to read:

753.06 (10) (g) Eau Claire county County. The circuit has ~~4 branches. Commencing August 1, 1994, the circuit~~ has 5 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 491.** 753.06 (10) (k) of the statutes is amended to read:

753.06 (10) (k) St. Croix county County. The circuit has ~~2 branches. Commencing August 1, 1994, the circuit~~ has 3 branches.

NOTE: Deletes obsolete transition provision.

**SECTION 492.** 753.35 (1) of the statutes, as affected by 1994 Supreme Court Order 94-09, is amended to read:

753.35 (1) A circuit court may, subject to ~~to~~ the approval of the chief judge of the judicial administrative district, adopt and amend rules governing practice in that court that are consistent with rules adopted under s. 751.12 and statutes relating to pleading, practice and procedure. The court shall file each adopted or amended rule with the clerk of circuit court. Except for a rule adopted or amended as an emergency rule, the court shall file an adopted or amended rule prior to the rule's effective date. The clerk of circuit court shall send a copy of the filed adopted or amended rule to the secretary of the local bar association in that circuit, the court administrator for that judicial administrative district, the state bar of Wisconsin and the state law library and the office of the director of state courts. A person may submit to the court written comments on a rule for the court's consideration in determining whether revision of the rule is needed. The clerk of circuit court shall print and make available to the public, at cost, all rules adopted or amended under this section.

NOTE: Corrects transcription error.

**SECTION 493.** 757.60 (8) of the statutes is amended by replacing "Oconto and, Outagamie and Waupaca" with "Oconto, Outagamie and Waupaca".

NOTE: Deletes surplus "and".

**SECTION 494.** 758.19 (5) (e) 1. to 4. of the statutes are repealed.

NOTE: Through an engrossing error, this provision was unintentionally deleted from 1995 Wis. Act 27. The amendment by Act 27 made subs. 1. to 4. surplusage.

**SECTION 495.** 767.32 (1) (b) 3. of the statutes is created to read:

767.32 (1) (b) 3. Failure of the payer to furnish a timely disclosure under s. 767.27 (2m).

NOTE: 1993 Wis. Act 16 created s. 767.32 (1) (b) 3. identical to this provision. The original draft of Act 16 also created s. 767.27 (2m). Section 767.27 (2m) was deleted from Act 16 as adopted rendering s. 767.32 (1) (b) 3. without effect and was subsequently repealed by 1993 Wis. Act 491, a revisor’s correction bill. As a result of the May 1993 special session of the legislature, 1993 Wis. Act 481 created section 767.27 (2m) identical to the provision originally included in 1993 Wis. Act 16. This provision restores section 767.32 (1) (b) 3. as it was created by 1993 Wis. Act 16 and as it existed at the time 1993 Wis. Act 481 was drafted.

SECTION 496. 769.305 (2) (i) of the statutes is amended by replacing “818.02 (1) (f)” with “818.02 (6)”.

NOTE: Corrects cross-reference. Section 818.02 (1) (f) was renumbered s. 818.02 (6) by 1993 Wis. Act 481.

SECTION 497. 779.01 (4) of the statutes is amended by replacing “144.76 (6) (d)” with “144.77 (6) (d)”.

NOTE: Corrects cross-reference inserted by 1993 Wis. Act 453. There is no s. 144.76 (6) (d).

SECTION 498. 779.40 (1) of the statutes is amended by replacing “144.76 (6) (d)” with “144.77 (6) (d)”.

NOTE: Corrects cross-reference inserted by 1993 Wis. Act 453. There is no s. 144.76 (6) (d).

SECTION 499. 802.06 (8) (a) of the statutes is renumbered 802.06 (8) (a) (intro.) and amended to read:

802.06 (8) (a) (intro.) A defense of lack of jurisdiction over the person or the property, insufficiency of process, untimeliness or insufficiency of service of process or another action pending between the same parties for the same cause is waived only if any of the following conditions is met:

1) if it. The defense is omitted from a motion in the circumstances described in sub. (7), or,

2) if it. The defense is neither made by motion under this section nor included in a responsive pleading.

NOTE: Subdivides provision for greater readability and conformity with current style.

SECTION 500. 802.12 (3) (d) (intro.) of the statutes is amended to read:

802.12 (3) (d) (intro.) The parties, including any guardian ad litem for their child, may agree to resolve any of the following issues through binding arbitration:

NOTE: Corrects transcription error.

SECTION 501. 804.07 (1) (c) of the statutes is renumbered 804.07 (1) (c) 1. (intro.) and amended to read:

804.07 (1) (c) 1. (intro.) The deposition of a witness other than a medical expert, whether or not a party, may be used by any party for any purpose if the court finds: 1. that the any of the following:

a. That the witness is dead; or 2. that the,

b. That the witness is at a greater distance than 30 miles from the place of trial or hearing, or is out of the state, and will not return before the termination of the trial or hearing, unless it appears that the absence of the witness was procured by the party offering the deposition; or 3. that the,

c. That the witness is unable to attend or testify because of age, illness, infirmity, or imprisonment; or 4. that the,

d. That the party offering the deposition has been unable to procure the attendance of the witness by subpoena; or 5. upon,

e. Upon application and notice, that such exceptional circumstances exist as to that make it desirable, in the interest of justice and with due regard to the importance of presenting the testimony of witnesses orally in open court, to allow the deposition to be used.

2. The deposition of a medical expert may be used by any party for any purpose, without regard to the limitations otherwise imposed by this paragraph.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

SECTION 502. 809.70 (1) of the statutes is renumbered 809.70 (1) (intro.) and amended to read:

809.70 (1) (intro.) A person may request the supreme court to take jurisdiction of an original action by filing a petition which may be supported by a memorandum. The petition must contain statements all of the following:

(a) A statement of the issues presented by the controversy;

(b) A statement of the facts necessary to an understanding of the issues;

(c) A statement of the relief sought; and,

(d) A statement of the reasons why the court should take jurisdiction.

NOTE: Subdivides provision for greater readability and conformity with current style.

SECTION 503. 809.83 (1) of the statutes is renumbered 809.83 (1) (a) (intro.) and amended to read:

809.83 (1) (a) (intro.) If the court finds that an appeal was taken for the purpose of delay, it may award: (a) double any of the following:

1. Double costs; (b) a,

2. A penalty in addition to interest not exceeding 10% on the amount of the judgment affirmed; (c) damages,

3. Damages occasioned by the delay; and (d) reasonable attorneys,

4. Reasonable attorney fees.

(b) A motion for costs, penalties, damages and fees under this subsection shall be filed no later than the filing of the respondent’s brief or, if a cross-appeal is filed, the cross-respondent’s brief.

NOTE: Subdivides provision for greater readability and conformity with current style.

SECTION 504. 810.13 of the statutes is renumbered 810.13 (1) (intro.) and amended to read:

810.13 (1) (intro.) Upon the trial, the court or jury shall find: (1) whether all of the following:

(a) Whether the plaintiff is entitled to possession of the property involved; (2) whether,

(b) Whether the defendant unlawfully took or detained the same; (3) the property involved.



(c) ~~The value thereof;~~ (4) the of the property involved.

(d) The damages sustained by the successful party from any unlawful taking or unjust detention of the property to the time of the trial.

(2) Judgment shall go be entered in accordance with s. 810.14.

NOTE: Subdivides provision and replaces language for greater readability and conformity with current style.

**SECTION 505.** 814.70 (9) (a) 5. of the statutes is amended to read:

814.70 (9) (a) 5. Recording a certificate of sale with the register of deeds.

NOTE: Inserts missing "the".

**SECTION 506.** 815.58 of the statutes is amended by replacing "incumbrancer" with "encumbrancer" and by replacing "incumbrance" with "encumbrance".

NOTE: Inserts preferred spelling.

**SECTION 507.** 818.12 of the statutes is amended by replacing "deliver it to clerk" with "deliver it to the clerk".

NOTE: Inserts "the" for improved readability.

**SECTION 508.** The amendment of 818.20 of the statutes by [1993 Wisconsin Act 481](#) is not repealed by [1993 Wisconsin Act 486](#). Both amendments stand.

NOTE: There is no conflict of substance.

**SECTION 509.** 853.13 of the statutes is amended to read:

**853.13 When will is contractual. (1)** A contract not to revoke a will can be established only by any of the following:

(a) ~~provisions~~ Provisions of the will itself sufficiently stating the contract; ~~;~~

(b) ~~an~~ An express reference in the will to ~~such~~ a contract not to revoke the will and evidence proving the terms of the contract; ~~or~~ ~~;~~

(c) ~~if~~ If the will makes no reference to a contract, clear and convincing evidence apart from the will.

(2) This section applies to a joint will ~~;~~ ~~except if one of the testators has died prior to April 1, 1971~~ ~~;~~ ~~as well as to any other will~~ ~~;~~ ~~there~~. There is no presumption that the testators of a joint will have contracted not to revoke it.

NOTE: Replaces parentheses and punctuation consistent with current style.

**SECTION 510.** 853.59 (form) (2) (A) of the statutes is amended by replacing "education [of my descendants]" with "education".

NOTE: Deletes surplusage language consistent with the terminology of this provision.

**SECTION 511.** 863.11 (1) of the statutes is renumbered 863.11 (1) (a) (intro.) and amended to read:

863.11 (1) (a) (intro.) Except as provided in sub. (2) and s. 853.25, shares of the distributees abate, without any preference or priority as between real and personal property, in the following order: ~~(a) property~~

1. Property not disposed of by the will; ~~(b) residuary~~;

2. Residuary bequests; ~~(c) general~~;

3. General bequests; ~~(d) specific~~;

4. Specific bequests.

(b) A general bequest charged on any specific property or fund is, for purposes of abatement, ~~deemed~~ considered property specifically bequeathed to the extent of the value of the thing on which it is charged. Upon the failure or insufficiency of the thing on which it is charged, it is ~~deemed~~ considered a general bequest to the extent of the failure or insufficiency. Abatement within each classification under par. (a) 1. to 4. is in proportion to the amounts of that property each of the beneficiaries would have received had full distribution of that property been made in accordance with the terms of the will.

NOTE: Subdivides provision for greater readability and consistency with style.

**SECTION 512.** 879.23 (1) of the statutes is amended by replacing "persons whose interest are" with "persons whose interests are".

NOTE: Corrects spelling.

**SECTION 513.** 881.01 (2) of the statutes is renumbered 881.01 (2) (a) (intro.) and amended to read:

881.01 (2) (a) (intro.) Notwithstanding sub. (1), a fiduciary shall not purchase or otherwise invest in common stocks if the percentage of the fund invested in common stocks immediately after such purchase or investment will exceed 50% of the total market value of the fund. The preceding sentence shall not be construed ~~a)~~ to ~~require~~ do any of the following:

1. Require the sale or other liquidation of a portion of a fund's holdings of common stocks even though at any given time the market value of the common stock investments of the fund exceeds 50% of the total market value of the fund; ~~or b) to prevent~~;

2. Prevent the reinvestment of the proceeds of the sale or other disposition of common stocks in other common stocks even though at the time the market value of the common stock investments of the fund exceeds 50% of the total market value of the fund.

(b) A fiduciary may rely upon published market quotations as to those investments for which ~~such~~ published quotations are available, and upon such valuations of other investments as are fair and reasonable according to available information.

(c) The purchase and investment limitations of this subsection are not applicable to any bank or trust company authorized to exercise trust powers.

NOTE: Subdivides provision and replaces language for greater conformity with current style.

**SECTION 514.** 891.39 (1) (b) of the statutes, as affected by [1995 Wisconsin Act 27](#), is amended by replacing "guardian's compensation" with "guardian ad litem's compensation".

NOTE: Inserts complete term for clarity.

**SECTION 515.** 895.055 of the statutes is renumbered 895.055 (1) and amended to read:

895.055 (1) All promises, agreements, notes, bills, bonds, or other contracts, mortgages, conveyances or other securities, where the whole or any part of the con-

sideration of ~~such~~ the promise, agreement, note, bill, bond, mortgage, conveyance or other security shall be for money or other valuable thing whatsoever won or lost, laid or staked, or betted at or upon any game of any kind or under any name whatsoever, or by any means, or upon any race, fight, sport or pastime, or any wager, or for the repayment of money or other thing of value, lent or advanced at the time and for the purpose, of any game, play, bet or wager, or of being laid, staked, betted or wagered thereon shall be absolutely void; ~~provided, however, that,~~

(2) This section does not apply to contracts of insurance made in good faith for the security or indemnity of the party insured ~~shall be lawful and valid.~~

(3) This section does not apply to any promise, agreement, note, bill, bond, mortgage, conveyance or other security that is permitted under chs. 561 to 569 or under state or federal laws relating to the conduct of gaming on Indian lands.

NOTE: Subdivides provision and reorganizes and replaces text for greater readability and conformity with current style. See also the next section of this bill.

**SECTION 516.** 895.056 of the statutes is renumbered 895.056 (1) (intro.) and amended to read:

895.056 (1) (intro.) Any In this section:

(b) "Wagerer" means any person who, by playing at any game or by betting or wagering on any game, election, horse or other race, ball playing, cock fighting, fight, sport or pastime or on the issue or event thereof, or on any future contingent or unknown occurrence or result in respect to anything whatever, shall have put up, staked or deposited any property with any stakeholder or 3rd person ~~any money, property or thing in action,~~ or shall have lost and delivered ~~the same~~ any property to any winner thereof ~~may, within,~~

(2) (a) A wagerer may, within 3 months after such putting up, staking or depositing property with a stakeholder or 3rd person, sue for and recover ~~the same property~~ from such the stakeholder or 3rd person whether ~~such money, the property or thing in action~~ has been lost or won or whether it has been delivered over by ~~such the stakeholder or 3rd person to the winner or not, and may, within,~~

(b) A wagerer may, within 6 months after any such delivery by ~~such person the wagerer or the stakeholder of the property put up, staked or deposited,~~ sue for and recover ~~such money, the property or thing in action~~ from the winner thereof if the ~~same property~~ property has been delivered over to ~~such the winner; and if,~~

(3) If the betting or wagering person shall ~~wagerer does not so~~ sue for and recover ~~such money, the property or thing in action, which was put up, staked or deposited,~~ within the time ~~above limited then specified under sub. (1),~~ any other person may, in the person's behalf and in the person's name, sue for and recover ~~the same property~~ for the use and benefit of the person's ~~wagerer's~~ family

or ~~the person's heirs,~~ in case of the person's wager's death, ~~The suit may be brought against and property recovered from such any of the following:~~

(a) The stakeholder or a 3rd person if the ~~same the property~~ is still held by the stakeholder or 3rd person, within 6 months after ~~such the~~ putting up, staking or depositing, ~~or from the of the property.~~

(b) The winner thereof of the property, within one year from the delivery ~~thereof of the property to such the~~ winner.

(4) This section does not apply to any money, property or thing in action that is permitted to be played, bet or wagered under chs. 561 to 569 or under state or federal laws relating to the conduct of gaming on Indian lands.

NOTE: Subdivides provision and reorganizes and replaces text for greater readability and conformity to current style. See also the next section of this bill.

**SECTION 517.** 895.056 (1) (a) of the statutes is created to read:

895.056 (1) (a) "Property" means any money, property or thing in action.

NOTE: See the previous section of this bill and the accompanying note.

**SECTION 518.** 895.41 (3) of the statutes is renumbered 895.41 (3) (a) (intro.) and amended to read:

895.41 (3) (a) (intro.) In case ~~of the death of such an~~ employee who was required to give a cash bond dies before ~~such the~~ cash bond is withdrawn in the manner provided in sub. (1) ~~such, the~~ accounting and withdrawal may be effected not less than 5 days after ~~such the employe's~~ death and before the filing of a petition for letters testamentary or of administration in the matter of the decedent's estate, by the employer with the any of the following, in the following order:

1. The decedent's surviving spouse; and if there be no surviving spouse with the,

2. The decedent's children; and if the decedent shall leave no children, the surviving spouse.

3. The decedent's father or mother; and if the decedent shall leave no father or mother, the surviving spouse or children.

4. The decedent's brother or sister, in if the decedent shall leave no surviving spouse, children or parent.

(b) The accounting and withdrawal under par. (a) shall be effected in the same manner and with like effect as if such accounting and withdrawal were accomplished by and between the employer and employe as provided in sub. (1).

(c) The amount of such the cash bond, together with principal and interest, to which the deceased employe would have been entitled had the ~~decedent deceased employe~~ deceased employe lived, shall, as soon as paid out by the depository, be turned over to ~~such the~~ relative of the deceased employe effecting such the accounting and withdrawal with the employer, and such. The turning over shall be a dis-

charge and release of the employer to the amount of ~~such~~ the payment.

(d) If no ~~such~~ relatives designated under par. (a) survive, the employer may apply ~~such~~ the cash bond, or so much thereof as may be necessary, to paying creditors of the decedent in the order of preference prescribed in s. 859.25 for satisfaction of debts by executors and administrators ~~and the~~. The making of payment ~~in such manner under this paragraph~~ shall be a discharge and release of the employer to the amount of ~~such~~ the payment.

NOTE: Subdivides provision and replaces languages for greater readability and conformity with current style.

**SECTION 519.** 906.08 (1) of the statutes is renumbered 906.08 (1) (intro.) and amended to read:

906.08 (1) (intro.) Except as provided in s. 972.11 (2), the credibility of a witness may be attacked or supported by evidence in the form of reputation or opinion, but subject to ~~these~~ the following limitations:

(a) ~~the~~ The evidence may refer only to character for truthfulness or untruthfulness, ~~and~~.

(b), ~~except~~ Except with respect to an accused who testifies in his or her own behalf, evidence of truthful character is admissible only after the character of the witness for truthfulness has been attacked by opinion or reputation evidence or otherwise.

NOTE: Subdivides provision for greater conformity with current style.

**SECTION 520.** 910.01 (4) of the statutes is amended by replacing “re-recording” with “rerecording”.

NOTE: Corrects spelling.

**SECTION 521.** 939.623 of the statutes, as created by [1993 Wisconsin Act 224](#), is renumbered 939.626.

NOTE: Confirms renumbering by revisor under s. 13.93 (1) (b). [1993 Wis. Act 97](#) also created s. 939.623.

**SECTION 522.** 940.20 (5) (title) of the statutes is amended to read:

940.20 (5) (title) ~~BATTERY TO VOCATIONAL, TECHNICAL AND ADULT EDUCATION COLLEGE DISTRICT OR SCHOOL DISTRICT OFFICERS AND EMPLOYEES.~~

NOTE: The vocational, technical and adult education system was renamed the technical college system by [1993 Wis. Act 399](#).

**SECTION 523.** 940.20 (5) (a) 2. of the statutes is amended by replacing “Vocational, technical and adult education” with “Technical college”.

NOTE: The vocational, technical and adult education system was renamed the technical college system by [1993 Wis. Act 399](#).

**SECTION 524.** 940.20 (5) (b) of the statutes is amended by replacing “vocational, technical and adult education” with “technical college”, in 2 places.

NOTE: The vocational, technical and adult education system was renamed the technical college system by [1993 Wis. Act 399](#).

**SECTION 525.** 940.295 (1) (g) of the statutes is amended by replacing “s. 141.15 (1) (a)” with “s. 50.49 (1) (a)”.

NOTE: Corrects cross-reference. Section 141.15 (1) (a) was renumbered s. 50.49 (1) (a) by [1993 Wis. Act 27](#).

**SECTION 526.** 943.28 (4) of the statutes is amended to read:

943.28 (4) Whoever knowingly participates in any way in the use of any extortionate means a) to collect or attempt to collect any extension of credit, or b) to punish any person for the nonrepayment thereof, is guilty of a Class C felony.

NOTE: Deletes improper subdivision designation for greater conformity with current style.

**SECTION 527.** 943.41 (2) of the statutes is amended by replacing “the other person’s financial condition” with “the person’s financial condition”.

NOTE: Deletes “other” unintentionally inserted by [1993 Wis. Act 486](#).

**SECTION 528.** 945.095 (1) (b) of the statutes, as created by [1995 Wisconsin Act 11](#), is amended to read:

945.095 (1) (b) The person performs the work on the vessel that is equipped with the gambling devices at a shipbuilding business that is located in Sturgeon Bay or, Manitowoc, Marinette, Superior or La Crosse, Wisconsin.

NOTE: Replaces unnecessary “or” with comma.

**SECTION 529.** 945.13 of the statutes, as created by [1995 Wisconsin Act 11](#), is amended to read:

**945.13 Interstate transportation of gambling devices.** Pursuant to the authority granted the state in [15 USC 1172](#), which makes unlawful the transportation of any gambling device to any place in a state or a possession of the United States from any place outside of the state or the possession, this state exempts Sturgeon Bay ~~and~~, Manitowoc, Marinette, Superior and La Crosse, Wisconsin, from the application of [15 USC 1172](#).

NOTE: Replaces unnecessary “and” with comma.

**SECTION 530.** 946.13 (2) (g) of the statutes is amended by replacing “ss. 71.09 (11) and 91.13” with “subch. IX of ch. 71 and s. 91.13”.

NOTE: Inserts correct cross-reference. The creation of s. 946.13 (2) (g) by [1987 Wis. Act 344](#) contained references to the farmland preservation credit which was numbered s. 71.09 (11) in the 1985 stats. [1987 Wis. Act 312](#) repealed and recreated all of ch. 71, effectively renumbering the farmland preservation credit provisions to be subch. IX of ch. 71, but [1987 Wis. Act 344](#) did not take cognizance of the treatment of ch. 71 by [1987 Wis. Act 312](#).

**SECTION 531.** 946.69 (2) (b) of the statutes is amended by replacing “his or she” with “his or her”.

NOTE: The incorrect word was inserted by [1993 Wis. Act 486](#).

**SECTION 532.** 947.04 (2) of the statutes is amended to read:

947.04 (2) The person in charge of a common carrier may take from any passenger found violating this section any intoxicant then in the possession of such passenger, giving the passenger a receipt therefor, and shall keep the intoxicant until the passenger’s point of destination is reached. Thereupon, the person in charge of a the common carrier shall either return the intoxicant to the passenger or turn it over to the station agent. At any time within 10 days after the intoxicant is turned over to the

station agent, the passenger may recover the intoxicant by surrendering the receipt given the passenger at the time the intoxicant was taken from the passenger.

NOTE: Inserts correct word.

**SECTION 533.** 969.09 (1) of the statutes is amended to read:

969.09 (1) If a defendant is admitted to bail before sentencing the conditions of the bond shall include, without limitation, the requirements that the defendant will appear in the court having jurisdiction on a day certain and thereafter as ordered until discharged on final order of the court and that the defendant will submit himself to the orders and process of the court.

NOTE: Deletes unnecessary gender specific pronoun.

**SECTION 534.** 972.085 of the statutes is amended to read:

**972.085 Immunity; use standard.** Immunity from criminal or forfeiture prosecution under ss. 13.35, 17.16 (7), 77.61 (12), 93.17, 111.07 (2) (b), 128.16, 133.15, 139.20, 139.39 (5), 195.048, 196.48, 551.56 (3), 553.55 (3), 601.62 (5), 767.47 (4), ~~767.65 (21)~~, 776.23, 885.15, 885.24, 885.25 (2), 891.39 (2), 968.26, 972.08 (1) and 979.07 (1) and ch. 769, provides immunity only from the use of the compelled testimony or evidence in subsequent criminal or forfeiture proceedings, as well as immunity from the use of evidence derived from that compelled testimony or evidence.

NOTE: 1993 Wis. Act 481 repealed s. 767.65 and replaced it with ch. 769.

**SECTION 535.** 976.03 (4) of the statutes is amended by replacing “charged with crime” with “charged with a crime”.

NOTE: Inserts missing word.

**SECTION 536.** 980.02 (2) (ag) of the statutes is amended by replacing “violent offense from a secured correctional facility” with “violent offense, from a secured correctional facility”.

NOTE: The comma is inserted to improve grammar after the partial veto of this provision in 1993 Act 479.

**SECTION 537.** 1995 Wisconsin Act 27, section 7141bg (bill SECTION heading) is amended to delete “(intro.)”.

NOTE: Section 800.095 (1) does not have an introductory paragraph.

**SECTION 538.** 1993 Wisconsin Act 453, section 22 is amended by replacing “109.02 (2) The department” with “109.09 (2) The department”.

NOTE: The provision affected by section 22 of 1993 Wisconsin Act 453 was incorrectly identified in the citation preceding the text.

**SECTION 539.** 1993 Wisconsin Act 483, section 3 is amended by replacing “949.08” with “948.08”.

NOTE: This provision replaced “949.08” with “948.08” without showing any strikes or underscores. No change was intended.

**SECTION 540.** 1993 Wisconsin Act 496, section 143 is amended by replacing “par. (a) (intro.)” with “par. (a)”.

NOTE: 1993 Wis. Act 496 inserted “(intro.)” without showing it as underscored. There is no s. 196.49 (3) (a) (intro.).

**SECTION 541.** 1995 Wisconsin Act 27, section 1366m is amended by replacing “24.60 (1) of the statutes is created to read:” with “24.60 (1), (1g) and (1r) of the statutes are created to read:”.

NOTE: 1995 Wisconsin Act 27, section 1366m, created 3 subsections, but the action phrase only accounted for one.

**SECTION 542.** 1995 Wisconsin Act 27, section 1650, is amended by replacing “shipping certificates of origin are issued” with “shipping certificates are issued”.

NOTE: Text which was not a part of s. 29.547 (8) (d), which was amended by 1995 Wis. Act 27, s. 1650, was inserted into the stricken text.

**SECTION 543.** 1995 Wisconsin Act 27, section 9142 (6) of the statutes is repealed.

NOTE: Section 9142 (6) of 1995 Wis. Act 27, nonstatutory provisions regarding the transfer of the Petroleum Storage Program from the Dept. of Natural Resources to the Dept. of Development, was effective on the date after publication. Section 9442 (7) of Act 27 provides that the transfer of the program is to be effective 7–1–96, but through an error section 9142 (3) rather than 9142 (6) was included in section 9442 (7). There is no section 9142 (3). Section 9142 (6) is repealed and subsequently recreated effective 7–1–96, by this bill, for the purpose of clarifying that section 9142 (6) is to take effect 7–1–96.

**SECTION 544.** 1995 Wisconsin Act 27, section 9142 (6) is created to read:

[1995 Wisconsin Act 27] Section 9142 (6) PETROLEUM STORAGE TANK TRANSFER.

(b) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of natural resources primarily related to the responsibilities that are given to the department of development by this act concerning discharges from petroleum storage tanks, as determined by the secretary of administration, shall become the assets and liabilities of the department of development.

(c) *Employe transfers.* On the effective date of this paragraph, the employes of the department of natural resources that perform primarily activities associated with the responsibilities that are given to the department of development by this act concerning discharges from petroleum storage tanks, as determined by the secretary of administration, are transferred to the department of development.

(d) *Employe status.* Employes transferred under paragraph (b) to the department of development have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of development that they enjoyed in the department of natural resources immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who has attained permanent status in class is required to serve a probationary period.

(e) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of natural resources primarily used in relation to the responsibilities that are given to the department of development by this act concerning discharges from petroleum storage tanks, as determined by the secretary of administration, are transferred to the department of development.

(f) *Contracts.* All contracts entered into by the department of natural resources relating to the responsibilities that are given to the department of development by this act concerning discharges from petroleum storage tanks that are in effect on the effective date of this paragraph remain in effect and are transferred to the department of development. The department of development shall carry out any obligations under those contracts until they are modified or rescinded by the department of development to the extent allowed under the contracts.

(g) *Orders.* All orders issued by the department of natural resources that are in effect on the effective date of this paragraph relating to the responsibilities that are given to the department of development by this act concerning discharges from petroleum storage tanks remain in effect until their specified expiration dates or until modified or rescinded by the department of development.

(h) *Pending matters.* Any matter pending with the department of natural resources on the effective date of this paragraph relating to the responsibilities that are given to the department of development by this act concerning discharges from petroleum storage tanks is transferred to the department of development and all materials submitted to or actions taken by the department of natural resources with respect to the pending matter are considered to have been submitted to or taken by the department of development.

(i) *Federal approval.* The secretary of natural resources, the secretary of industry, labor and human relations and the secretary of development shall work together to ensure that the changes in this state's program for underground storage tank regulation that result from this act are approved by the federal environmental protection agency under [42 USC 6991c](#) no later than January 1, 1997.

(j) *Memorandum of understanding.* The department of development and the department of natural resources shall submit a memorandum of understanding, as required under section 101.144 (3m) of the statutes, as created by this act, to the secretary of administration no later than October 15, 1995.

NOTE: See the note to the previous section of this bill.

**SECTION 545. 1995 Wisconsin Act 27, section 9426 (14)** is amended to read:

[1995 Wisconsin Act 27] Section 9426 (14) TRANSFER OF CERTAIN PUBLIC ASSISTANCE PROGRAMS TO THE DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS. The treatment of sections 13.101 (6) (a), 13.94 (4) (a) 1.

and (b), 16.20 (1) (fm) (by SECTION 239h), 16.39 (3) and (4) (b), 16.54 (2) (b), 20.435 (1) (am), (e) (by SECTION 814) and (im), (3) (ma), (mb), (mc), (md), (na) and (nL), (4) (title), (a), (br), (cn), (cr), (dc), (dg), (dn), (ds), (i), (jb), (kx), (ky), (kz), (m), (ma), (mb), (mc), (md), (n), (na) and (nL) and (7) (b) and (ed), 20.445 (3) (br), (i), (m), (ma), (mb), (mc), (md), (n), (na) and (nL), 20.505 (7) (km), 20.512 (1) (i), 38.28 (1m) (a) 1. (by SECTION 1812), 46.011 (intro.), 46.03 (8), (18) (a), (20) (a) and (d), (23), (35) and (36), 46.031 (2g) (b), 46.032 (title), 46.033 (title), (1) (intro.) and (b) and (2), 46.036 (1) (by SECTION 2051), 46.10 (2) (by SECTION 2055), 46.175, 46.18 (13), 46.206, 46.21 (2m) (c) and (7), 46.215 (1) (intro.), (d), (j), (L) and (n), (2) (b) and (3), 46.22 (1) (am), (b) (intro.), 1., 5., 6., 7., 8., 9., 10., 12., 13. and 15., (d) and (e) 1. and 2., (2) (b), (2g) (d) and (3m) (a) and (b) 12. and 17. b., 46.23 (3) (a), (am) 4., (c) and (e), (5) (b), (5m) (c), (6) (a) (intro.) and 3., ~~and~~ (6m) (a) ~~and~~ (7), 46.252, 46.253 (title), (1), (2), (3), (4), (5), (6) and (7), 46.254 (title), (1) (by SECTION 2146), (2) (by SECTION 2149), (3) (intro.), (a) (by SECTION 2153), (b) to (e) and (f), (4) and (5), 46.27 (4) (c) 4., (5) (i) and (7) (am) (by SECTION 2224) and (c) 2., 46.275 (1m) (a) and (5) (b) 2., 46.277 (1m) (a), 46.278 (1m) (b), 46.30 (3) (a) 1. and (4) (a) and (cm), 46.32, 46.40 (2) (by SECTION 2281s), 46.45 (intro.), 46.75 (2) (a), 46.765 (2) (intro.), 46.77, 46.94, 46.985 (2) (a) 4., 48.06 (1) (b) and (4), 48.57 (3) (a) (intro.) and 3. and (b), 49.001 (1), (2), (3), (4) and (5m), 49.01 (intro), (1), (1m), (4), (5), (5g), (6), (6m), (7), (8g), (8j), (8m) and (8r), 49.085, 49.11, 49.125 (1), 49.133 (title), (1), (2), (3) and (5), 49.14 (title), (1), (2), (3), (4) and (5), 49.15 (title), (1) and (3), 49.16 (title), (1), (2) and (3), 49.17 (title), (1) and (3), 49.171 (title), (1), (2), (3) (intro.), (a) and (b) and (4), 49.172, 49.173, 49.174, 49.175 (title), (1), (2), (3), (4) and (6), 49.178, 49.19 (10) (a) and (11) (a) 1. a. (intro.) (by SECTION 2865b) and (b) (intro.) (by SECTION 2865n), 49.191 (title), 49.193 (2) (b) 2., (8) (bm) and (c), (9) and (10m), 49.195 (3), 49.197 (1m), (3) and (4), 49.20 (3), 49.21 (title), 49.27 (2), (4) (g) 1. a. (by SECTION 2906) and c., (5) (c) 3. and 5. and (f), (6) (c) and (11) (c) and (g), 49.275, 49.30 (1) (intro.) (by SECTION 2922), 49.32 (title), (1), (2), (6), (8), (9) (title) and (10) (title), 49.325, 49.33 (1) (intro.), (3) (title), (9) and (10), 49.34, 49.35, 49.43 (1), (3e), (10) and (10s), 49.45 (2) (a) 15., (3) (a), (5), (6m) (br) 1. and (h), (6u) (intro.) and (b) 2. and 2m., (6w) (intro.), (a) 2. and (b) 2. b., (7) (d) 4., (34) and (40), 49.46 (1) (a) 4., (d) 4. and (e), 49.47 (4) (c) 1., 49.48 (title), (1), (1m), (2) and (3) (title), (a), (b), (c), (d) and (e), 49.483 (title), (1) and (2), 49.485 (title), (1), (2), (4), (5), (6), (7) (title), (a) 1., 2., 4. and 5. and (b) and (8), 49.487 (title), (1) and (2), 49.495, 49.496 (4) and (5), 49.50 (title), (2), (3), (4), (5), (6), (6e) (title) and (a), (6g), (6k) (a) and (b), (6n), (9) and (10), 49.52 (title), (1) (am), (b), (d) (by SECTION 3135), (dc), (f) and (g), (2), (4) and (5), 49.53 (title), (2) (b) and (c) and (3), 49.54, 49.65 (title), (1), (2), (4), (5), (6), (7) (title), (a), (b), (d) and (e), (8) and

(9) (intro.), (a), (b) and (c), 49.66, 49.80 (title), (1), (2) (title), (a) and (b), (3) (intro.), (b), (c), (d) and (e) (intro.), 1., 3., 6. and 7., (4) (title), (a) and (b), (5) (intro.), (b), (c) and (d), (6), (7) and (8), 49.82 (title), 49.84 (2) and (5), 49.85 (2) (b), (3) (b) and (4) (b), 49.86, 49.89 (7) (bm) and (d) 2., 49.90 (1) (b), (2g) and (4), 49.95 (4m) (a), 50.03 (14) (b), 50.037 (3), 50.135 (1), 50.39 (3), 51.01 (14), 51.42 (3) (e), 51.421 (1), 51.423 (5) (a) (intro.), 55.06 (8) (intro.), 59.07 (153) (a) and (b), 59.15 (2) (c), 71.05 (3), 71.26 (1) (e), 71.93 (1) (a) 3. (by SECTION 3428) and 4., 101.123 (1) (b), 101.30, 101.38 (by SECTION 3721), 101.40, 101.42, 101.43, 108.02 (13) (k), 115.347, 118.125 (2) (i) and ~~(5) (b)~~, 118.28, 119.82 (1) (a) 3., 146.89 (3) (d) 2., 150.84 (2), 155.01 (6), 175.45 (9), 230.08 (2) (e) 5., 230.147 (1) and (2), 230.45 (1) (e), 252.076 (3), 252.14 (1) (d), 253.085 (1), 255.05 (1) (a), 302.38 (3), 456.01 (2), 560.73 (1) (i) 1. and 2., 560.75 (11), 601.57 (1) (a), 609.65 (1) (b) (intro.), 619.10 (6), 619.12 (3) (b), 632.895 (3), 705.04 (2g) (by SECTION 7065c), 756.04 (2) (am) 1. f. (by SECTION 7074), 767.078 (1) (d) 1. c. and 3., 767.10 (2) (b), 767.25 (4m) (a) and (e) 1., 767.29 (2), 767.295 (2) (a) (intro.) (by SECTION 7106) and 2. and (c), 767.51 (3m) (a) and (e) 1., 769.316 (4), 803.03 (2) (a), 815.18 (13) (a), 859.02 (2) (a) (by SECTION 7190c), 859.07 (2) (by SECTION 7191c), 867.01 (3) (a) 4. (by SECTION 7193c) and (3) (d) (by SECTION 7194c), 867.02 (2) (a) 6. (by SECTION 7195c), 867.03 (1) (c) (by SECTION 7197c) and (1m) (a) (by SECTION 7198c) and (b) (by SECTION 7199c), 867.035 (1) (intro.) (by SECTION 7200c) and (4) (by SECTION 7206c), 880.195, 905.15 (1), 948.45 (2) and 978.05 (4m) of the statutes, the repeal of section 49.50 (1) (title) and (11) and the unnumbered subchapter titles preceding sections 49.001, 49.19, 49.43 and 49.50 of the statutes, the renumbering of sections 20.435 (4) (e) and (eb), 46.22 (1) (b) 2. and 14., 49.01 (7m), 49.177, 49.482 (title), (1) (intro.), (b) and (c), (2) (b) to (f) and (4) (b) and (5), 49.486, 49.50 (6k) (title) and (8), 49.53 (2) (a), 49.65 (3m) (title), (a), (b) and (c) 1. to 4., 49.70 and 49.80 (3) (e) 2. of the statutes, the renumbering and amendment of sections 20.435 (4) (d), (de), (df), (dk), (L), (Lm) and (p), 46.032, 46.033 (1) (a), 46.215 (2) (a) and (c), 46.22 (1) (b) 3. and (e) 3., 46.23 (5) (a), (c) and (n), ~~46.25 (12)~~, 46.31, 49.001 (intro.), 49.41, 49.482 (1) (a), (2) (a), (3) and (4) (a), 49.50 (1) and (6k) (c), 49.52 (1) (ad), 49.53 (1m) and 49.65 (3), (3m) (c) (intro.) and (7) (c) of the statutes, the amendment of sections 20.435 (6) (ee), 49.02 (5) (bm), ~~49.035 (1m)~~, 560.795 (3) (e), 560.797 (4) (e) and 767.295 (2) (a) 1m. of the statutes and the creation of sections 46.215 (2) (a) 2. and (c) 2., 46.22 (1) (b) 2., 3. and 4m. and (e) 3. b., 46.23 (5) (a) 2., (c) 2. and (n) 2., 49.001 (intro.) and 49.124 (2) (title) and (3) (title) and subchapters I (title), II (title), III (title), IV (title), V (title) and VI (title) of chapter 49 of the statutes and SECTION 9126 (15) and (27) of this act take effect on July 1, 1996.

NOTE: Section 46.23 (7) was not treated by 1995 Wis. Act 27. The reference was intended to be to s. 46.25 (7). See the treatment of s. 46.25 (7) by this bill.

Section 49.52 (1) (d) was treated twice by 1995 Wisconsin Act 27. Section 3134m amended the provision, and section 3135 renumbered the provision to s. 46.495 (1) (d). The renumbering was made for the purpose of transferring public assistance programs from the department of health and social services to the department of industry, labor and human relations. The amendment was made for other purposes. The reference to section 3135 is added to this provision to clarify that the renumbering by that section, and not the amendment by section 3134m, is effective 7-1-96.

Section 118.125 (5) (b) was not treated by 1995 Wis. Act 27. The reference was intended to be to s. 118.15 (5) (b). See the treatment of s. 118.15 (5) (b) by this bill.

1995 Wis. Act 27 did not renumber and amend s. 46.25 (12). Act 27 repealed s. 46.25 (12). An early version of Act 27 contained a provision renumbering s. 46.25 (12) (a) (intro.) and (b), effective 7-1-96. The repeal and renumber was deleted from Act 27 as passed, but the corresponding delayed effective date was inadvertently not deleted in its entirety. This amendment is made to clarify that the repeal of s. 46.25 (12) by Act 27 was not effective 7-1-96.

1995 Wis. Act 27 did not amend s. 49.035 (1m). Section 49.035 was repealed in its entirety by Act 27 effective 1-1-96.

**SECTION 546. 1995 Wisconsin Act 27, section 9426 (19t) is amended to read:**

[Wisconsin Act 27] Section 9426 (19t) TRANSFER OF JUVENILE CORRECTIONAL SERVICES. The treatment of sections 20.410 (1) (title) and (3), 20.435 (3) (a), (am), (at), (e), (ej), (hr), (j), (jk), (jr), (k), (o) and (oo) and (9) (i), 20.505 (6) (g) (by SECTION 1087x), 20.916 (3), 25.31 (3), 46.001, 46.016, 46.027, 46.03 (1), (4) (b) 1., (6), (7) (a), (am) and (e), (13), (17) (c) and (32), 46.039, 46.049, 46.16 (1), 46.21 (2) (j), 46.215 (2) (a) 3. and (c) 3., 46.22 (1) (b) 5m., (c) 8. d. and (e) 3. c., 46.23 (5) (a) 3., (c) 3. and (n) 3., 46.26 (title), (1), (2) (title), (a), (b) and (c), (2m), (3) (title), (a), (c) and (e), (4) (title), (bm), (cm) 2. and 3., (d) 1., 1m. and 4., (dm), (dt), (e), (ed), (eg) and (f), (6), (7) (b) 4. and 5. and (8) (title), 46.265 (title), (1) and (3), 48.023 (4), 48.069 (1) (intro.) and (2), 48.08 (2) and (3) (a) (intro.), 48.18 (2r), 48.20 (2) (cm) and (7) (c) 1m., 48.33 (1) (intro.) and (3r), 48.34 (2), (4h) and (4n) (a), 48.357(4g) (a) and (b), (4m) and (5) (a) and (g), 48.36 (1), 48.366 (5) (a) 2., (b) (intro.), (d) 1. and 2. and (f), (6) (a) 2., (b) and (c) 1. and 2. and (7), 48.38 (1) (a), 48.396 (2) (b), 48.48 (intro.), (1), (3), (4), (4m) (intro.), (c) and (d), (5), (6), (13) and (16), 48.49, 48.50, 48.51 (title), (1) (a), (b) and (c), (2) and (3), 48.52 (title), (1) (d) and (2) (a) and (c), 48.53, 48.534 (2), 48.535, 48.538, 48.54, 48.553, 48.554, 48.555, 48.556, 48.557, 48.558, 48.559, 48.57 (1) (g) and (4), 48.60 (3), 48.63 (1), 48.64 (1), 48.78 (1) and (2) (c), (d) (intro.), (e) and (f), 48.79 (intro.), (1), (2), (3) and (11), 48.795, 48.985 (3), 48.992 (1) (a), 48.993, 48.994, 48.995 (2), 48.19 (1) (a) 2. b. and (10) (d), 51.35 (3) (a) and (e), 51.437 (4rm) (a), 115.85 (2m), 301.01 (4), 301.025, 301.026, 301.027, 301.03 (9m) and (10), 301.031, 301.032, 301.07, 301.08 (2) (a), 301.085,

301.12, 301.20, 301.201, 301.205, 301.26, 301.263, 301.265, 301.27 (1), 301.32 (title) and (1), 301.36 (1) and (5), 302.18 (7), 440.61 (2), 946.44 (2) (c), 946.45 (2) (c), 946.46, 948.31 (1) (a) 2. and 973.013 (3m) of the statutes, the repeal and recreation of sections 16.51 (7), 16.75 (1) (a) 1., 48.02 (15m), 48.18 (5) (c), 48.19 (1) (d) 6., 48.20 (8), 48.205 (1) (c), 48.208 (1), 48.23 (1) (a), 48.34 (2m), (3g) and (4n) (intro.), 48.345 (1) (a), 48.355 (4) (a), 48.365 (7), 48.366 (8), 48.38 (3) (a), ~~48.396 (2) (e)~~, 48.505, 48.532 (1) and (2), 48.533 (2) and (3), 48.78 (3), 59.175, 227.03 (4), ~~230.13~~, 302.31, 304.06 (1) (b), 946.42 (1) (a), 946.44 (1) (a) and (2) (d), and 946.45 (1) and (2) (d) of the statutes, the repeal of sections 20.410 (1) (hx), 20.435 (3) (c), (cd), (f), (hm), (ho) and (p), 46.26 (3) (d), (dm) and (em), (4) (a), (b) 1., (c), (cm) 1., (d) 2. and 3., (g) and (h), (7) (intro.), (a), (b) 1. and 2., (bn), (e) and (h) and (8) (a) and (b), 46.263 (title), (1), (2) and (3), 46.265 (2), 48.48 (4m) (a) and (b) and (14) and 48.51 (1) (intro.) of the statutes, the renumbering and amendment of sections 48.357 (4) and 301.06 of the statutes, the amendment of sections 46.043, 48.355 (4) (b) (by SECTION 2466m) and 48.532 (3) (by SECTION 2545m) of the statutes and SECTIONS 9112 (1x), 9126 (23), 9226 (1y) and 9310 (6d) of this act take effect on July 1, 1996.

NOTE: See the notes to the treatments of ss. 48.396 (2) (e) and 230.213 by this bill.

**SECTION 547.** 1995 Wisconsin Act 27, section 9427 (1) is amended to read:

[1995 Wisconsin Act 27] Section 9427 (1) ELIMINATION OF AGENCY. The treatment of sections 15.07 (1) (a) 1., 15.67, 20.235 (title), (1) (fe), (ff) and (fj) and (2) (aa), (n) and (qb), 20.255 (1) (a) and (4) (title), 20.285 (4) (dc), ~~20.923 (4) (e)~~, 36.25 (16), 39.155 (2), 39.26, 39.28 (1), (2), (3), (4) and (5), 39.29, 39.30 (2) (e), (3) (e) and (f) and (4), 39.31 (intro.), (2) and (3), 39.32 (2) (intro.), (3) (intro.), (b) and (g), (5), (6), (7), (8), (10) and (11), 39.325, 39.33, 39.34, 39.35, 39.36, 39.37 (2) and (3), 39.374 (2) and (3), 39.38 (1), 39.39 (1) (a) (intro.) and (2) (intro.) and (b), 39.40 (2) (intro.), (a) and (c), (2m), (3), (4) and (5), 39.41 (1) (ae) and (bg), (1m) (b), (c) (intro.) and 5., (cm), (d), (e), (f), (fm), (i) and (m), (2) (c), (3) (a), (4), (5), (7) and (8), 39.42, 39.435 (1), (2), (3), (4) (a), (b) 1. and 2. and (c), (5) and (6), 39.44 (1) (b), (3) (b) and (c) and (4), 39.45 (2) to (7), 39.46 (1) and (2) (d), 39.47 (1) and (2m) and 230.08 (2) (L) 4. and subchapter III (title) of chapter 39 of the statutes, the repeal and recreation of sections 39.155 (1), 39.38 (2) and 39.44 (2) of the statutes and SECTION 9127 (1) of this act take effect on July 1, 1996.

NOTE: See the note to the treatment of s. 20.923 (4) (c) 1m. by this bill.

**SECTION 548.** 1995 Wisconsin Act 27, section 9442 (7) is amended to read:

[1995 Wisconsin Act 27] Section 9442 (7) PETROLEUM STORAGE TANKS. The treatment of sections 20.445 (1) (w), 101.143 (title) and (4) (ei) 1. b., 101.144 and

144.76 (2) (e) and (7) (a) and (c) of the statutes and SECTION 9142 (3) of this act take effect on July 1, 1996.

NOTE: See the note to the treatment of 1995 Wisconsin Act 27, section 9142 (6), by this bill.

**SECTION 549.** 1995 Wisconsin Act 27, section 9450 (4bu) is amended to read:

[1995 Wisconsin Act 27] Section 9450 (4bu) TRANSFER OF UNIFORM COMMERCIAL CODE FILING FUNCTIONS TO DEPARTMENT OF FINANCIAL INSTITUTIONS. The treatment of sections 14.367, 14.38 (13), 50.05 (15) (f), 51.42 (3) (d) 12. f., 59.51 (11), 59.90 (1) (a), 100.03 (8) (bm) 3., 231.13 (2), 406.104 (1) (c), 409.105 (1) (dm), 409.401 (1) (c) and (5), 409.402 (3m), 409.403 (5) (a) 1., 2. and 3. and (b) (title), 1. and 2., 409.404 (1) (b) and (c) (intro.) and (3) (b), 409.405 (1) and (2), 409.406, 409.407 (2) (c) (by SECTION 6426b), 409.410 (1) and (2), 779.87 (3) (b), 779.97 (2) (c) 1., 2. and 3. and (4) (a) 1., (b) 1., 2. (by SECTION 7136b), 3. and 4. and (c) 2. (by SECTION 7140b) of the statutes, the repeal of section 14.38 (13) (title) of the statutes, the renumbering and amendment of section 14.38 (13) of the statutes, the repeal and recreation of section 59.57 (6) of the statutes and SECTION 9150 (2bt) of this act take effect on July 1, 1996.

NOTE: 1995 Wis. Act 27, s. 6461, creates s. 409.407 (2) (c). Act 27, s. 6462b, amends s. 409.407 (2) (c) as created by Act 27. Act 27, s. 9450 (4bu), provides that the treatment of s. 409.407 (2) (c) takes effect July 1, 1996, without specifying which treatment is referred to. The amendment by s. 6462b was intended to take place July 1, 1996.

**SECTION 550.** 1995 Wisconsin Act 27, section 9459 (2) (c) is amended to read:

[1995 Wisconsin Act 27] Section 9459 (2) (c) The treatment of sections 19.82 (1), 19.85 (3), 19.86, 111.02 (1), (2), (3), (6) (a), (7), (7m), (9m) and (10m), 111.05 (2), (3g), (5) and (6), 111.06 (1) (c) 1., (d), (i) and (m) and (2) (i), 111.075, 111.11 (title) and (2), 111.115, 111.17, 111.815 (2), 111.825 (1m), (3), (4) and (4m), 111.83 (7), 111.85 (5), 111.91 (1) (am) and (4) and 111.92 (1) of the statutes, the repeal of sections 230.44 (1) (g) and 233.10 (6) of the statutes, the repeal and recreation of sections 20.921 (1) (b), 40.05 (1) (b), 111.815 (1), 111.825 (1) (intro.), 233.03 (7) and 233.10 (2) (intro.) of the statutes and the creation of sections 111.17 (2) and 111.92 (1) (b) of the statutes take effect on July 1, 1997.

NOTE: See the note to the treatment of s. 111.11 (1) by this bill.

**SECTION 551. Effective date.** This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 13.48 (13) (a), 15.445 (3) (a), 20.380 (2) (q), 41.41 (8), 44.60 (4) and 48.355 (4) (a) of the statutes takes effect on January 1, 1996, or on the day after publication, whichever is later.

(2) The treatment of sections 14.38 (9), 20.445 (5) (na), 46.215 (2) (c) 1., 46.25 (7) (by SECTION 98), 48.357 (4) (a), 48.396 (2) (e) (by SECTION 114), 48.533 (2) (by SECTION 119), 49.45 (3) (a), 49.482 (2) (g), 49.682 (4) (a), 49.723 (2), 66.416 (2), 101.13 (6) (a), 106.04 (2r) (a) 5.,

106.25 (2), 118.15 (5) (b) (by SECTION 393), 182.01 (4), 182.34 (7), 183.0109 (1) (b), 183.0120 (1) (intro.), (2), (3) (a) and (b) and (4), 186.29 (2) (c), 215.32 (6) (c) and (15) (c), 218.01 (2) (b) (by SECTION 437), 218.05 (4), 230.213 (by SECTION 441) and 301.031 (1) (a) of the statutes, the repeal of section 20.923 (4) (c) 4. of the statutes,

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the creation of section 66.416 (2) (b) of the statutes and the creation of [1995 Wisconsin Act 27](#), section [9142 \(6\)](#) take effect on July 1, 1996.

(3) The treatment of sections 20.370 (7) (aa), 20.485 (2) (c), 111.02 (3) and 111.11 (1) (by SECTION 378) of the statutes takes effect on July 1, 1997.