

BILL HISTORY FOR ASSEMBLY BILL 920 (LRB -3516)

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 and eliminating defects, anachronisms, conflicts, ambiguities and obsolete provisions (Revisor's Revision Bill).

2000

- 03-22. A. Introduced by Law Revision Committee.
- 03-22. A. Read first time and referred to committee on Rules 796
- 03-23. A. Placed on calendar 3-28-2000 by committee on Rules.
- 03-28. A. Read a second time 856
- 03-28. A. Ordered to a third reading 856
- 03-28. A. Rules suspended 856
- 03-28. A. Read a third time and **passed** 856
- 03-28. A. Ordered immediately messaged 856
- 03-29. S. Received from Assembly 550
- 03-29. S. Read first time and referred to committee on Economic Development, Housing and Government Operations 553
- 03-30. S. Rules suspended to withdraw from committee on Economic Development, Housing and Government Operations and take up.
- 03-30. S. Read a second time.
- 03-30. S. Ordered to a third reading.
- 03-30. S. Rules suspended.
- 03-30. S. Read a third time and **concurred in**.
- 03-30. S. Ordered immediately messaged.

**1999
ENROLLED BILL**

99en AB-920

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

99-3516

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Revisor's Revision Bill

4/4/00 [Signature]
Date Enrolling Drafter

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1999 ASSEMBLY BILL 920

March 22, 2000 - Introduced by LAW REVISION COMMITTEE. Referred to Committee on Rules.

1 **AN ACT relating to:** repealing, consolidating, renumbering, amending and
2 revising various provisions of the statutes for the purpose of correcting errors,
3 supplying omissions, correcting and clarifying references and eliminating
4 defects, anachronisms, conflicts, ambiguities and obsolete provisions (Revisor's
5 Revision Bill).

Analysis by the Legislative Reference Bureau

This revisor's revision bill is explained in the NOTES provided by the revisor of statutes in the body of the bill.

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

NOTE: No substantive change to any affected statute is intended to be made by this bill.

6 **SECTION 1.** 1.10 of the statutes is amended to read:

7 **1.10 State song, state dance and state symbols.** (1) The Wisconsin state
8 song is "On, Wisconsin", music written by W. T. Purdy, the words to which are as

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SECTION 1

1 follows: “On, Wisconsin! On, Wisconsin! Grand old badger state! We, thy loyal sons
2 and daughters, Hail thee, good and great. On, Wisconsin! On, Wisconsin Champion
3 of the right, ‘Forward’, our motto — God will give thee might!”.

4 (2) The Wisconsin state dance is the polka.

5 (3) The Wisconsin state symbols are as follows:

6 (a) The mourning dove (zenaidura macroura carolinensis linnaus) is the
7 symbol of peace; the Wisconsin.

8 (b) Milk is the state beverage is milk; the Wisconsin.

9 (c) The sugar maple (acer saccharum) is the state tree is the sugar maple (acer
10 saccharum); the Wisconsin.

11 (d) Corn (Zea mays) is the state grain is corn (Zea mays); the Wisconsin.

12 (e) The wood violet (viola papilionacea) is the state flower is the wood violet
13 (viola papilionacea); the Wisconsin.

14 (f) The robin (turdus migratorius) is the state bird is the robin (turdus
15 migratorius); the Wisconsin.

16 (g) The muskellunge (Esox masquinongy masquinongy Mitchell) is the state
17 fish is the muskellunge (Esox masquinongy masquinongy Mitchell); the Wisconsin.

18 (h) The badger (taxidea taxus) is the state animal is the badger (taxidea taxus);
19 the Wisconsin.

20 (i) The dairy cow (bos taurus) is the state domestic animal is the dairy cow (bos
21 taurus); the Wisconsin.

22 (j) The white-tailed deer (odocoileus virginianus) is the state wildlife animal
23 is the white-tailed deer (odocoileus virginianus); the Wisconsin.

24 (k) The American water spaniel is the state dog is the American water spaniel;
25 the Wisconsin.

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1 ~~(L) The honey bee (apis mellifera) is the state insect is the honey bee (apis~~
2 ~~mellifera); the Wisconsin.~~

3 ~~(m) The trilobite (calymene celebra) is the state fossil is the trilobite (calymene~~
4 ~~celebra); the Wisconsin.~~

5 ~~(n) Galena (lead sulfide) is the state mineral is the galena (lead sulfide); the~~
6 ~~Wisconsin.~~

7 ~~(o) Red granite is the state rock is the red granite; and the Wisconsin.~~

8 ~~(p) Antigo silt loam (typic glossoboralf) is the state soil is the Antigo silt loam~~
9 ~~(typic glossoboralf).~~

10 (4) The Wisconsin Blue Book shall include the information contained in this
11 section concerning the state song, dance, beverage, tree, grain, flower, bird, fish,
12 animal, domestic animal, wildlife animal, dog, insect, fossil, mineral, rock and soil.

NOTE: Subdivides provision in outline form and reorders text for internal consistency and conformity with current style.

13 **SECTION 2.** 11.01 (6) (a) 1., 3. and 7. of the statutes are amended to read:

14 11.01 (6) (a) 1. A gift, subscription, loan, advance, or deposit of money or
15 anything of value ~~(,~~ except a loan of money by a commercial lending institution made
16 by the institution in accordance with applicable laws and regulations in the ordinary
17 course of business), made for political purposes. In this subdivision “anything of
18 value” means a thing of merchantable value.

19 3. A contract, promise or agreement, if legally enforceable, to make a gift,
20 subscription, loan, advance, or deposit of money or anything of value ~~(,~~ except a loan
21 of money by a commercial lending institution in accordance with applicable laws and
22 regulations in the ordinary course of business), for a political purpose.

ASSEMBLY BILL 920**SECTION 2**

1 7. A gift, subscription, loan, advance, or deposit of money or anything of value
2 (, except a loan of money by a commercial lending institution made by the institution
3 in accordance with applicable laws and regulations in the ordinary course of
4 business), or a contract, promise or agreement, if legally enforceable, to make the
5 same, made by a committee for a purpose authorized under s. 11.25 (2) (b), or by an
6 individual for a purpose authorized under s. 11.25 (2) (b) if deposited in a campaign
7 depository account.

NOTE: Replaces parentheses in conformity with current style.

8 **SECTION 3.** 11.01 (7) (a) 1. and 3. of the statutes are amended to read:

9 11.01 (7) (a) 1. A purchase, payment, distribution, loan, advance, deposit, or
10 gift of money or anything of value (, except a loan of money by a commercial lending
11 institution made by the institution in accordance with applicable laws and
12 regulations in the ordinary course of business), made for political purposes. In this
13 subdivision, “anything of value” means a thing of merchantable value.

14 3. A contract, promise, or agreement, if legally enforceable, to make a purchase,
15 payment, distribution, loan, advance, deposit or gift of money or anything of value
16 (, except a loan of money by a commercial lending institution in accordance with
17 applicable laws and regulations in the ordinary course of business), for a political
18 purpose.

NOTE: Replaces parentheses in conformity with current style.

19 **SECTION 4.** 11.31 (6) of the statutes is renumbered 11.31 (6) (a) (intro.) and
20 amended to read:

21 11.31 (6) (a) (intro.) In computing the limitations under this section an
22 individual or campaign treasurer may exclude any contributions of the following:

23 1. Contributions returned to the contributor; ~~any loan.~~

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1 ~~2. Loan repayments made; any inaugural.~~

2 ~~3. Inaugural expenses paid from the campaign depository account under s.~~
3 ~~11.25 (2) (b); any expenses.~~

4 ~~4. Expenses incurred as a result of a recount; all.~~

5 ~~5. All federal, state or local taxes paid; any reimbursement.~~

6 ~~6. Reimbursement made to a candidate for the candidate's travel expenses; the.~~

7 ~~7. The gross receipts from the sale at an auction of any materials contributed~~
8 ~~to a candidate and reported by the candidate as a disbursement at the time the~~
9 ~~contribution is made; all.~~

10 ~~8. All refunds or deposits paid; the.~~

11 ~~9. The cost of services and materials purchased from a service provider for the~~
12 ~~purpose of compliance with the electronic filing requirement under s. 11.21 (16); and~~
13 ~~the.~~

14 ~~10. The cost of facilities rental, entertainment expense, food and beverages (,~~
15 ~~including the preparation and service thereof if contracted to an outside agency), if~~
16 ~~utilized for a meal, sale, rally or similar fund raising effort or program which that~~
17 ~~is intended for political purposes.~~

18 ~~(b) Any such exclusion claimed under par. (a) shall be reported to the~~
19 ~~appropriate filing officer in such the form as that the board may require requires.~~

NOTE: Subdivides provision in outline form and replaces parentheses for improved readability and conformity with current style.

20 SECTION 5. 16.46 (1) to (5) of the statutes are amended to read:

21 16.46 (1) A summary of the actual and estimated receipts of the state
22 government in all operating funds under existing laws during the current and the

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1 succeeding bienniums, classified so as to show the receipts by funds, organization
2 units and sources of income;.

3 (2) A summary of the actual and estimated disbursements of the state
4 government from all operating funds during the current biennium and of the
5 requests of agencies and the recommendations of the governor for the succeeding
6 biennium;.

7 (3) A statement showing the condition of all operating funds of the treasury at
8 the close of the preceding fiscal year and the estimated condition at the close of the
9 current year;.

10 (4) A statement showing how the total estimated disbursements during each
11 year of the succeeding biennium compare with the estimated receipts, and the
12 additional revenues, if any, needed to defray the estimated expenses of the state;.

13 (5) A statement of the actual and estimated receipts and disbursements of each
14 department and of all state aids and activities during the current biennium, the
15 departmental estimates and requests, and the recommendations of the governor for
16 the succeeding biennium. Estimates of expenditures shall be classified to set forth
17 such expenditures by funds, organization units, appropriation, object and activities
18 at the discretion of the secretary;.

NOTE: Replaces punctuation for internal consistency and conformity with current
style.

19 **SECTION 6.** 16.82 (1) and (2) of the statutes are amended to read:

20 16.82 (1) Shall have access at all reasonable times to all state offices;.

21 (2) May examine all books, records, papers and documents in any such office
22 or institution as pertain directly or indirectly to the purchase of, control of, or
23 distribution of supplies, materials and equipment;.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

1 **SECTION 7.** 19.01 (4) (intro.) and (a) of the statutes are consolidated,
2 renumbered 19.01 (4) (a) (intro.) and amended to read:

3 19.01 (4) (a) (intro.) Official oaths and bonds of the following public officials
4 shall be filed: ~~(a) In~~ in the office of the secretary of state: ~~Of all~~

5 1. All members and officers of the legislature; ~~of the.~~

6 2. The governor;.

7 3. The lieutenant governor ~~and.~~

8 4. The state superintendent; ~~of the.~~

9 5. The justices, reporter and clerk of the supreme court; ~~of the.~~

10 6. The judges of the court of appeals; ~~of the.~~

11 7. The judges and reporters of the circuit courts; ~~of all.~~

12 8. All notaries public; ~~of every.~~

13 9. Every officer, except the secretary of state, state treasurer, district attorney
14 and attorney general, whose compensation is paid in whole or in part out of the state
15 treasury, including every member or appointee of a board or commission whose
16 compensation is so paid; ~~and of every.~~

17 10. Every deputy or assistant of an officer who files with the secretary of state;.

NOTE: Subdivides provision in outline form and reorders and renumbers text to create grammatically correct complete sentences for improved readability and conformity with current style.

18 **SECTION 8.** 19.01 (4) (b) of the statutes is renumbered 19.01 (4) (b) (intro.) and
19 amended to read:

20 19.01 (4) (b) (intro.) ~~In~~ Official oaths and bonds of the following public officials
21 shall be filed in the office of the governor: ~~Of the~~

22 1. The secretary of state;.

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1 ~~2. The state treasurer and,~~

2 ~~3. The attorney general;~~

3 **SECTION 9.** 19.01 (4) (bn) of the statutes is amended to read:

4 19.01 (4) (bn) With Official oaths and bonds of all district attorneys shall be
5 filed with the secretary of administration: ~~district attorneys.~~

6 **SECTION 10.** 19.01 (4) (c) of the statutes is renumbered 19.01 (4) (c) (intro.) and
7 amended to read:

8 19.01 (4) (c) (intro.) ~~In~~ Official oaths and bonds of the following public officials
9 shall be filed in the office of the clerk of the circuit court for any county: ~~Of all in which~~
10 the official serves:

11 1. All court commissioners, of all,

12 2. All family court commissioners, of all,

13 3. All municipal judges, and of all other,

14 4. All judges or judicial officers, not included in subds. 1. to 3., elected or
15 appointed for that county, or whose jurisdiction is limited thereto; to that county.

16 **SECTION 11.** 19.01 (4) (d) of the statutes is amended to read:

17 19.01 (4) (d) ~~In~~ Official oaths and bonds of all elected or appointed county
18 officers, other than those enumerated in par. (c), and of all officers whose
19 compensation is paid out of the county treasury shall be filed in the office of the
20 county clerk of any county: ~~Of all county officers elected or appointed in and for such~~
21 county, other than those enumerated in par. (c), and of all officers whose
22 compensation is paid out of the treasury of such county. The in which the officer
23 serves.

24 (dm) Official oaths and bonds of members of the governing board, and the
25 superintendent and other officers of any joint county school, county hospital, county

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1 sanatorium, county asylum or other joint county institution shall ~~file~~ be filed in the
2 office of the county clerk of the county in which the buildings of such institutions the
3 institution that the official serves are located;

Note: Subdivides provision in outline form and reorders and renumbers text to create grammatically correct complete sentences for improved readability and conformity with current style.

4 **SECTION 12.** 19.01 (4) (dd) of the statutes is renumbered 19.01 (4m) and
5 amended to read:

6 19.01 (4m) APPROVAL AND NOTICE. Bonds specified in ~~pars. sub. (4) (c) and, (d)~~
7 and (dm) and bonds of any county employe required by statute or county ordinance
8 to be bonded shall be approved by the district attorney as to amount, form and
9 execution before the bonds are accepted for filing. The clerk of the circuit court and
10 the county clerk respectively shall notify in writing the county board or chairperson
11 within 5 days after the entry upon the term of office of a judicial or county officer
12 specified in ~~pars. sub. (4) (c) and, (d) and (dm)~~ or after a county employe required to
13 be bonded has begun employment. The notice shall state whether or not the required
14 bond has been furnished and shall be published with the proceedings of the county
15 board.

NOTE: Relocates this provision to a separate subsection because its subject matter does not fit logically with the remaining paragraphs of s. 19.01 (4). The title is created because the other subsections under s. 19.01 have titles.

16 **SECTION 13.** 19.01 (4) (e) to (j) of the statutes are amended to read:

17 19.01 (4) (e) In Official oaths and bonds of all elected or appointed town officers
18 shall be filed in the office of any the town clerk. ~~Of all officers elected or appointed~~
19 ~~in and for such the town in which the officer serves, except the that oaths and bonds~~
20 of town clerk who clerks shall file be filed in the office of the town treasurer;

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1 (f) ~~In Official oaths and bonds of all elected or appointed city officers shall be~~
2 ~~filed in the office of any the city clerk: Of all officers elected or appointed in and for~~
3 ~~such the city in which the officer serves, except the that oaths and bonds of city clerk~~
4 ~~who clerks shall file be filed~~ in the office of the city treasurer;.

5 (g) ~~In Official oaths and bonds of all elected or appointed village officers shall~~
6 ~~be filed the office of any the village clerk: Of all officers elected or appointed in and~~
7 ~~for such the village in which the officers serves, except the that oaths and bonds of~~
8 ~~village clerk who clerks shall file be filed~~ in the office of the village treasurer;.

9 (h) The official oath and bond of any officer of a school district or of an
10 incorporated school board shall be filed with the clerk of ~~such~~ the school district or
11 the clerk of ~~such~~ the incorporated school board for or on which the official serves.

12 (j) ~~With Official oaths and bonds of the members of a technical college district~~
13 ~~shall be filed with the secretary of a for the technical college district: Of all members~~
14 ~~of the district board of such district for which the member serves.~~

NOTE: Reorders text and replaces language to create grammatically correct complete sentences for improved readability and conformity with current style.

15 **SECTION 14. 20.003 (3) (b) 1. to 5. and (c) 1. to 5. of the statutes are amended to**
16 read:

17 20.003 (3) (b) 1. Appropriations from general purpose revenues shall be
18 assigned paragraph letters (a) to (fz);.

19 2. To the extent feasible, appropriations from program revenues shall be
20 assigned paragraph letters (g) to (jz) and (L) to (pz);.

21 3. To the extent feasible, appropriations from program revenue service shall be
22 assigned paragraph letters (k) to (kz);.

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1 4. Appropriations from segregated revenues shall be assigned paragraph
2 letters (q) to (zz);₂.

3 5. To the extent feasible, federal program revenues shall be assigned paragraph
4 letters (m) to (pz); ~~and~~.

5 (c) 1. Appropriations from general purpose revenues shall be shown with a 2nd
6 paragraph letter of “a” to “f”;₂

7 2. Appropriations from program revenues shall be shown with a 2nd paragraph
8 letter of “g” to “j” or “L” to “p”;₂

9 3. Appropriations from program revenue–service shall be shown with a 2nd
10 paragraph letter of “k”;₂

11 4. Appropriations from segregated revenues shall be shown with a 2nd
12 paragraph letter of “q” to “z”;₂

13 5. Federal program revenues shall be shown with a 2nd paragraph letter of “m”
14 to “p”; ~~and~~.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

15 **SECTION 15.** 20.921 (1) (d) 2. of the statutes is amended to read:

16 20.921 (1) (d) 2. The trustee shall make purchases of savings bonds in the name
17 of the officer or employe (, or other beneficiary named in the request), whenever the
18 amount to their credit is sufficient for that purpose and transmit them to the person
19 entitled thereto. If the officer or employe cancels the request for the purchase of
20 savings bonds, or upon termination of the trust, the amount remaining to a person’s
21 credit is not sufficient to purchase a bond the trustee may purchase savings stamps
22 and transmit them to the person entitled thereto or refund the amount.

NOTE: Replaces parentheses in greater conformity with current style.

23 **SECTION 16.** 23.09 (26) (a) 2. of the statutes is renumbered 23.09 (26) (a).

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NOTE: The designation as subdivision 2. is unnecessary. Section 23.09 (26) (a) is not divided into subdivisions.

1 **SECTION 17.** 24.01 (2) of the statutes is amended to read:

2 24.01 (2) “Board” means the board of commissioners of public lands, except that
3 this definition does not apply to ch. 25.

NOTE: Definitions in s. 24.01 apply to chs. 23 to 29. Ch. 169, Laws of 1981, renumbered all of the public lands provisions in ch. 25 to be in ch. 24 and contains a note saying, “This bill consolidates the program responsibilities of the board of commissioners of public lands into chapter 24 of the statutes.” Chapter 25 now relates to the program responsibilities of the investment board. See also the creation of s. 25.01 by this bill.

4 **SECTION 18.** 24.10 of the statutes is amended to read:

5 **24.10 Procedure at sale.** At the time and place specified in such the notice
6 under s. 24.09 (1) (d) the board shall commence the sale of the lands described in the
7 notice and thereafter continue the same from day to day (, Sundays excepted),
8 between 9 a.m. and the setting of the sun, until all lands described in said the notice
9 have been offered. The order of such the sale shall be to begin at the lowest number
10 of the sections, townships and ranges in each county and proceed regularly to the
11 highest, until all then to be sold are offered for sale. ~~Each lot or tract of such lands~~
12 ~~shall, except such as may be~~ Except for lands withheld as provided in from sale under
13 s. 24.09; (2), each lot or tract of lands to be sold shall be offered separately at the
14 minimum price fixed by law, and shall be cried at public auction long enough to
15 enable every one present to bid; ~~and if.~~ If the minimum price or more ~~be~~ is bid, such
16 the lot or tract shall be struck off to the highest bidder; ~~,, but if such the~~ minimum price
17 ~~be~~ is not bid the tract shall be set down unsold.

NOTE: Breaks up long sentences, replaces punctuation, inserts specific cross-references and references and replaces parentheses for greater conformity with current style and improved readability.

18 **SECTION 19.** 24.14 (title) of the statutes is amended to read:

19 **24.14 (title) Rights of ~~swamp-land~~ swampland purchasers.**

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NOTE: Inserts preferred spelling.

1 **SECTION 20.** 24.61 (3) (a) 1. of the statutes is renumbered 24.61 (3) (a) 1. (intro.)

2 and amended to read:

3 24.61 (3) (a) 1. (intro.) A school district by whatever name designated, to be
4 used for the any of the following:

5 a. The operation and maintenance of schools, ~~in erecting.~~

6 b. Erecting and remodeling school buildings, and teacherages, ~~in the purchase~~
7 of.

8 c. Purchasing teacherages, teacherage sites, schoolhouse sites, bus garage
9 sites, transportation vehicles, bus garages, school equipment, ~~or~~ and school
10 playgrounds, ~~or in refunding.~~

11 d. Refunding any indebtedness incurred for a lawful purpose ~~and~~ within the
12 constitutional limitations, ~~and for the.~~

13 e. The purpose authorized by s. 67.04 ~~or.~~

14 f. Any purpose otherwise authorized by law;.

NOTE: Subdivides provision and modifies paragraph's punctuation for conformity
with current style and internal consistency.

15 **SECTION 21.** 24.61 (3) (a) 2. of the statutes is amended to read:

16 24.61 (3) (a) 2. A town, village, city or county as provided under s. 67.04 or
17 otherwise authorized by law; ~~or.~~

18 **SECTION 22.** 24.79 (title) of the statutes is amended to read:

19 **24.79** (title) ~~Swamp land~~ Swampland grants.

20 **SECTION 23.** 25.01 of the statutes is created to read:

21 **25.01 Definition.** In this chapter, unless the context requires otherwise,
22 “board” means the investment board.

NOTE: Under s. 24.01 (2), in chs. 23 to 29, “board” means the board of commissioners
of public lands. Ch. 169, Laws of 1981, renumbered all of the public lands provisions in

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ch. 25 to be in ch. 24 and contains a note saying "This bill consolidates the program responsibilities of the board of commissioners of public lands into chapter 24 of the statutes." Chapter 25 now relates to the program responsibilities of the investment board.

This bill excepts the applicability of the s. 24.01 (2) definition to ch. 25 and defines "board" as the investment board for purposes of ch. 25. Currently in ch. 25, the investment board is referred to as both "the board" and the "investment board". Except in provisions that contain references to other boards as well the investment board, this bill replaces "the investment board" with "the board". See also the treatment of s. 24.01 (2) by this bill.

1 **SECTION 24.** 25.14 (1) of the statutes is renumbered 25.14 (1) (a) (intro.) and
2 amended to read:

3 25.14 (1) (a) (intro.) There is created a state investment fund under the
4 jurisdiction and management of the investment board (~~hereinafter referred to as~~
5 "~~board~~") to be operated as an investment trust for the purpose of managing the
6 securities of all of the state's funds consisting of the funds specified in s. 25.17 (1),
7 except the all of the following:

8 1. The state life fund,

9 2. The fixed retirement investment trust,

10 3. The variable retirement investment trust,

11 4. The capital improvement fund,

12 5. The bond security and redemption fund,

13 6. The state building trust fund,~~the~~

14 7. The state housing authority reserve fund,~~the~~

15 8. The children's trust fund,~~the~~

16 9. The patients compensation fund,~~the~~

17 10. The tuition trust fund,~~funds which~~

18 11. Funds that under article X of the constitution are controlled and invested
19 by the board of commissioners of public lands,~~funds which~~.

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1 12. Funds that are required by specific provision of law to be controlled and
2 invested by any other authority, ~~the~~.

3 13. The university trust funds and the.

4 14. The trust funds of the state universities except that the.

5 **(b)** The respective authorities controlling the investment of any such excluded
6 fund excluded under par. (a) may authorize the transfer of any temporary cash assets
7 of any ~~such excluded fund~~ excluded under par. (a) to the state investment fund in
8 accordance with subs. (2) and (3).

NOTE: Renumbers provision for improved readability and conformity with current style. The stricken language in par. (a) (intro.) is unnecessary after the creation of the definition of "board" as s. 25.01 by this bill. Replaces "which" with "that" to correct grammar.

9 **SECTION 25.** 25.14 (3) of the statutes is amended to read:

10 25.14 (3) The department of administration, upon consultation with the
11 investment board, shall distribute all earnings, profits or losses of the state
12 investment fund to each participating fund in the same ratio as each ~~such~~
13 participating fund's average daily balance within the state investment fund bears to
14 the total average daily balance of all participating funds, except as provided in s.
15 14.58 (19) and except that the department of administration shall credit to the
16 appropriation account under s. 20.585 (1) (jt) an amount equal to the amount
17 assessed under s. 25.19 (3) from the earnings or profits of the funds against which
18 an assessment is made. ~~Such distribution~~ Distributions under this section shall be
19 made at such times as the department of administration may determine, but must
20 be made at least semiannually in each complete fiscal year of operation.

NOTE: Insert specific references. See also the note to the creation of s. 25.01 by this bill.

21 **SECTION 26.** 25.15 (5) of the statutes is amended to read:

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1 25.15 (5) COMMISSIONS. All records of commissions paid by the investment
2 board for purchases and sales of investments are open to public inspection.

NOTE: See the note to the creation of s. 25.01 by this bill.

3 **SECTION 27.** 25.156 (1) of the statutes is amended to read:

4 25.156 (1) The members of the board shall be the governing body of the
5 investment board and shall promulgate rules and formulate policies deemed
6 considered necessary and appropriate to carry out its functions.

NOTE: Replaces disfavored term. See also the note to the creation of s. 25.01 by this
bill.

7 **SECTION 28.** 25.156 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
8 amended to read:

9 25.156 (2) The investment board shall employ an executive director, who shall
10 serve outside the classified service. The executive director shall be qualified by
11 training and prior experience to manage, administer and direct the investment of
12 funds. The investment board shall fix the compensation of the executive director,
13 and may award bonus compensation.

NOTE: See the note to the creation of s. 25.01 by this bill.

14 **SECTION 29.** 25.156 (2m) of the statutes is amended to read:

15 25.156 (2m) The investment board shall employ an internal auditor, who shall
16 serve outside the classified service. The board shall fix the compensation of the
17 internal auditor.

NOTE: See the note to the creation of s. 25.01 by this bill.

18 **SECTION 30.** 25.156 (8) of the statutes is amended to read:

19 25.156 (8) The investment board shall keep full minutes of its proceedings.

NOTE: See the note to the creation of s. 25.01 by this bill.

20 **SECTION 31.** 25.156 (9) of the statutes is amended to read:

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1 25.156 (9) The chairperson of the investment board shall appear at least
2 annually before any committee established in the senate, whose jurisdiction includes
3 financial institutions, if that committee so requests.

NOTE: See the note to the creation of s. 25.01 by this bill.

4 **SECTION 32.** 25.16 (1) of the statutes is amended to read:

5 25.16 (1) The executive and administrative functions of the investment board,
6 except for the functions performed by the internal auditor under s. 25.165 (2), shall
7 be vested in an executive director, who shall perform the functions of executive
8 director in conformity with the requirements of the members of the board and in
9 accordance with policies, principles and directives determined by the members of the
10 board.

NOTE: See the note to the creation of s. 25.01 by this bill.

11 **SECTION 33.** 25.16 (2) of the statutes is amended to read:

12 25.16 (2) Subject to authorization under s. 16.505, the executive director may
13 appoint a chief legal counsel, chief financial officer, chief risk officer and not more
14 than 11 investment directors and shall appoint a chief investment officer and all
15 other employes necessary to carry out the functions of the investment board, except
16 that the investment board shall appoint the internal auditor and shall participate
17 in the selection of the chief investment officer and investment directors and the
18 internal auditor shall appoint his or her staff. The executive director shall appoint
19 all employes outside the classified service, except blue collar and clerical employes.
20 Neither the executive director, the internal auditor, the chief investment officer, the
21 chief legal counsel, the chief financial officer, the chief risk officer, any investment
22 director nor any other employe of the board shall have any financial interest, either
23 directly or indirectly, in any firm engaged in the sale or marketing of real estate or

ASSEMBLY BILL 920**SECTION 33**

1 investments of any kind, nor shall any of them render investment advice to others
2 for remuneration.

NOTE: See the note to the creation of s. 25.01 by this bill.

3 **SECTION 34.** 25.16 (7) of the statutes, as affected by 1999 Wisconsin Act 9, is
4 amended to read:

5 25.16 (7) The executive director shall fix the compensation of all employes
6 appointed by the executive director, subject to restrictions set forth in the
7 compensation plan under s. 230.12 or any applicable collective bargaining
8 agreement in the case of employes in the classified service, but the ~~investment~~ board
9 may provide for bonus compensation to employes in the unclassified service.

NOTE: See the note to the creation of s. 25.01 by this bill.

10 **SECTION 35.** 25.165 (1) of the statutes, as affected by 1999 Wisconsin Act 9, is
11 amended to read:

12 25.165 (1) There is created in the ~~investment~~ board an internal audit subunit,
13 under the supervision of the internal auditor. The internal auditor shall report
14 directly to the board and, subject to authorization under s. 16.505, shall appoint all
15 employes necessary to carry out the duties of the internal auditor. The internal
16 auditor shall appoint all employes outside the classified service, except blue collar
17 and clerical employes. The internal auditor shall fix the compensation of all
18 employes appointed by the internal auditor, subject to restrictions set forth in the
19 compensation plan under s. 230.12 or any applicable collective bargaining
20 agreement in the case of employes in the classified service, but the ~~investment~~ board
21 may provide for bonus compensation to employes in the unclassified service.

NOTE: See the note to the creation of s. 25.01 by this bill.

22 **SECTION 36.** 25.17 (1) (pg) of the statutes is amended to read:

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1 25.17 (1) (pg) State building trust fund (s. 25.30), except for the purpose and
2 extent of loans to the Wisconsin ~~state public building corporation~~ State Public
3 Building Corporation, the Wisconsin ~~university building corporation~~ University
4 Building Corporation, and the Wisconsin ~~state colleges building corporation~~ State
5 Colleges Building Corporation, which are subject to sub. (2) (b); and

NOTE: Deletes unnecessary “and” and capitalizes corporate titles consistent with current style.

6 **SECTION 37.** 25.17 (2) (a) of the statutes is amended to read:

7 25.17 (2) (a) Invest any of the funds specified in sub. (1), except operating funds,
8 the capital improvement fund and the bond security and redemption fund, in loans
9 to the Wisconsin ~~university building corporation, state colleges building corporation~~
10 University Building Corporation, the Wisconsin State Colleges Building
11 Corporation or the Wisconsin ~~state public building corporation~~ State Public Building
12 Corporation, but only if such ~~the~~ loans are secured by mortgages upon property
13 owned by the respective corporations producing sufficient income to retire the
14 mortgage over the term of the loan or are secured by the pledge of rentals sufficient
15 in amount to retire the indebtedness. The ~~investment~~ board shall make no loans to
16 any building corporation described in this subsection except under the conditions
17 herein prescribed ~~in this paragraph~~, or except as otherwise provided in par. (b).
18 These loans shall be made only when in the judgment of the ~~investment~~ board it is
19 to the interest of the funds to do so, except that loans made under par. (b) shall be
20 made at the direction of the building commission.

NOTE: Capitalizes corporate titles consistent with current style and inserts specific references. See also the note to the creation of s. 25.01 by this bill.

21 **SECTION 38.** 25.17 (2) (b) of the statutes is amended to read:

ASSEMBLY BILL 920**SECTION 38**

1 25.17 (2) (b) Invest the state building trust fund in loans to the Wisconsin state
2 ~~public building corporation~~ State Public Building Corporation, to the Wisconsin
3 ~~university building corporation~~ University Building Corporation, and to the
4 Wisconsin state colleges building corporation State Colleges Building Corporation.
5 Except for interim loans for construction, or other temporary financing for the
6 purchase of lands, planning (, including both engineering and financing), and all
7 other expenses incidental to any of the foregoing, such loans under this paragraph
8 shall be secured by a pledge and assignment of net revenues derived from the
9 operation of buildings by said corporations the borrowing corporation on lands leased
10 or conveyed to said corporations the corporation. Any such loan under this
11 paragraph shall be made upon the direction of the building commission.

NOTE: Capitalizes corporate titles consistent with current style and inserts specific references. Replaces parentheses in conformity with current style.

12 **SECTION 39.** 25.17 (2) (d) of the statutes is amended to read:

13 25.17 (2) (d) Invest the environmental improvement fund, and collect the
14 principal and interest of all moneys loaned or invested from the environmental
15 improvement fund, as directed by the department of administration under s. 281.59
16 (2m). In making such investment investments under this paragraph, the investment
17 board shall accept any reasonable terms and conditions that the department of
18 administration specifies and is relieved of any obligations relevant to prudent
19 investment of the fund, including those set forth under ch. 881.

NOTE: Inserts specific references. See also the note to the creation of s. 25.01 by this bill.

20 **SECTION 40.** 25.17 (2) (e) of the statutes is amended to read:

21 25.17 (2) (e) Invest the transportation infrastructure loan fund, and collect the
22 principal and interest of all moneys loaned or invested from the transportation

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1 infrastructure loan fund, as directed by the department of administration under s.
2 85.52 (4m). In making ~~such investment~~ investments under this paragraph, the
3 ~~investment~~ board shall accept any reasonable terms and conditions that the
4 department of administration specifies and is relieved of any obligations relevant to
5 prudent investment of the fund, including those set forth under ch. 881.

NOTE: Inserts specific references. See also the note to the creation of s. 25.01 by
this bill.

6 SECTION 41. 25.17 (5) of the statutes is amended to read:

7 25.17 (5) The limitations upon the percentage of the assets of any fund ~~which~~
8 that are imposed by sub. (4) or any other statute shall not be applicable to
9 investments made by the ~~investment~~ board of funds in the variable retirement
10 investment trust created under s. 40.04 (3) and ~~said those~~ those investments shall be
11 excluded in computing the assets to which ~~any such~~ the limitations imposed by sub.
12 (4) apply. Assets of the variable retirement investment trust shall be invested
13 primarily in equity securities ~~which that~~ shall include common stocks, real estate or
14 other recognized forms of equities whether or not subject to indebtedness, including
15 securities convertible into common stocks and securities of corporations in the
16 venture capital stage. The ~~investment~~ board may, however, temporarily invest such
17 assets of the variable retirement investment trust in investments ~~which that~~ are
18 authorized under sub. (3), but the assets so temporarily invested shall be replaced
19 by equity securities at the earliest time ~~deemed~~ considered by the board to be
20 practicable considering the then existing condition of the securities market and other
21 influential factors. Investments in securities of corporations ~~which that~~ are in the
22 venture capital stage shall not exceed 2% of the admitted assets of the variable
23 retirement investment trust.

ASSEMBLY BILL 920**SECTION 41**

NOTE: Replaces disfavored terms, inserts specific references and replaces “which” with “that” to correct grammar. See also the note to the creation of s. 25.01 by this bill.

1 **SECTION 42.** 25.17 (6) of the statutes is amended to read:

2 25.17 (6) Notwithstanding any other statute, transfers from the variable
3 retirement investment trust to the fixed retirement investment trust under s. 40.04
4 (7) may be made in cash or securities or both as determined by the ~~investment~~ board.
5 The ~~investment~~ board shall determine market values for securities in the variable
6 retirement investment trust as of the close of business on the last working day
7 preceding a transfer. If securities are transferred, to the extent determined feasible
8 by the ~~investment~~ board, a proportionate amount of all securities in even hundreds
9 of shares of stock or even thousands of par value of bonds in the variable retirement
10 investment trust shall be transferred. The ~~investment~~ board may hold or sell the
11 transferred securities as it determines appropriate considering market and
12 economic conditions. Any limitation on the percentage of assets in common stocks
13 or in the stock of one company does not apply to the transferred securities, except the
14 ~~investment~~ board shall, at such time as it determines that market, economic and
15 other conditions are appropriate to the sale of the securities, sell sufficient
16 transferred securities so as to comply with percentage of asset limitations.

NOTE: Inserts “that” to improve readability. See also the note to the creation of s. 25.01 by this bill.

17 **SECTION 43.** 25.17 (8) of the statutes is amended to read:

18 25.17 (8) Accept, when necessary to protect a mortgage loan, a quitclaim deed
19 or warranty deed to the mortgaged property in full satisfaction of the mortgage debt,
20 and manage, operate, lease, exchange, sell and convey, by land contract, quitclaim
21 deed or warranty deed, and grant easement rights in, any real property acquired by
22 said the board.

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NOTE: Inserts comma to correct grammar. See also the note to the creation of s. 25.01 by this bill.

1 **SECTION 44.** 25.17 (9) of the statutes is amended to read:

2 25.17 (9) Give ~~such~~ advice and assistance ~~as may be requested~~ by the board of
3 commissioners of public lands or the board of regents of the University of Wisconsin
4 System ~~in concerning~~ the investment of any moneys ~~which~~ that under sub. (1) are
5 excepted from the moneys to be loaned or invested by the investment board, and
6 assign, sell, convey and deed to ~~them such~~ the board of commissioners of public lands
7 or the board of regents of the University of Wisconsin System any investments made
8 by the said investment board as may be mutually agreeable. The cost of any services
9 rendered to the board of commissioners of public lands or the board of regents of the
10 University of Wisconsin System ~~pursuant to~~ under this section shall be charged to
11 the fund to which the moneys invested belong and shall be added to the appropriation
12 to the investment board in s. 20.536.

NOTE: Inserts specific references and a missing “the”. Deletes unnecessary language. Replaces “which” with “that” to correct grammar. See also the note to the creation of s. 25.01 by this bill.

13 **SECTION 45.** 25.17 (10) of the statutes is amended to read:

14 25.17 (10) If a building constitutes any part of the security for a loan made by
15 the investment board under s. 25.17 (3) (bh) or 620.22 (2), ~~such~~ the building shall be
16 kept insured for at least the unpaid amount of the loan or ~~such~~ any larger amount
17 as that may be necessary to comply with any coinsurance clause inserted in or
18 attached to the policy. When the full insurable value of the building is less than the
19 unpaid amount of the loan, ~~such~~ the building shall be kept insured for the full
20 insurable value ~~thereof~~ of the building.

NOTE: Inserts specific reference. Replaces “such” for internal consistency and to modernize language. See also the note to the creation of s. 25.01 by this bill.

21 **SECTION 46.** 25.17 (12) (d) of the statutes is amended to read:

ASSEMBLY BILL 920**SECTION 46**

1 25.17 (12) (d) All other state boards, commissions, departments, institutions
2 and officers in the investment of any funds ~~which~~ that under sub. (1) are hereafter
3 to be loaned and invested by the ~~investment~~ board.

NOTE: Replaces incorrectly used “which”. Deletes superfluous “hereafter”. See also the note to the creation of s. 25.01 by this bill.

4 **SECTION 47.** 25.17 (13) of the statutes is amended to read:

5 25.17 (13) Succeed to all of the property, documents, records and assets of the
6 state annuity and investment board in the investment of the several funds ~~which~~
7 that were under the control of ~~said~~ the state annuity and investment board.

NOTE: Replaces “which” with “that” to correct grammar. See also the note to the creation of s. 25.01 by this bill.

8 **SECTION 48.** 25.17 (14) (a) of the statutes is amended to read:

9 25.17 (14) (a) Bonds and other evidences of debt and loans secured by
10 mortgages having a fixed term and rate shall be valued at market value, except that
11 if the ~~investment~~ board determines that a market value cannot readily be
12 determined ~~such items~~ for any item, the item shall be valued at the outstanding
13 principal balance.

NOTE: Replaces plural form of word with singular for sentence agreement and inserts comma to correct grammar. See also the note to the creation of s. 25.01 by this bill.

14 **SECTION 49.** 25.17 (14) (c) of the statutes is amended to read:

15 25.17 (14) (c) Real property ~~which~~ that is leased to others shall be valued at
16 market value, except that if the ~~investment~~ board determines that the market value
17 cannot readily be assigned ~~such,~~ the real property shall be valued at cost.

NOTE: Replaces “which” with “that” to correct grammar. Inserts “the” and comma to improve readability and grammar. See also the note to the creation of s. 25.01 by this bill.

18 **SECTION 50.** 25.17 (14) (d) of the statutes is amended to read:

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1 25.17 (14) (d) Any preferred stock, bond, or mortgage ~~which~~ that is in arrears
2 or in default shall be assigned a value by the ~~investment~~ board ~~which~~ that will
3 approximate what the board in its sole discretion feels the asset is worth.

NOTE: Replaces “which” with “that” to correct grammar. See also the note to the
creation of s. 25.01 by this bill.

4 **SECTION 51.** 25.17 (15) of the statutes is amended to read:

5 25.17 (15) For purposes of the power and authority of the ~~investment~~ board to
6 make investments, the “admitted assets” of the fixed retirement investment trust or
7 the variable retirement investment trust shall be the total valuation of the assets of
8 such trust as set forth in the last report made ~~pursuant to~~ under sub. (14).

NOTE: Inserts preferred term. See also the note to the creation of s. 25.01 by this
bill.

9 **SECTION 52.** 25.17 (17) of the statutes is amended to read:

10 25.17 (17) No later than January 31 annually, submit a report to the joint
11 committee on finance concerning the amount of credits generated by the ~~investment~~
12 board with brokerage firms during the preceding calendar year. The report shall
13 contain a separate itemization of the amount of directed credits for services to be
14 provided by the firm providing the credit and ~~3rd party~~ 3rd-party credits for services
15 to be provided by any firm. The report shall include information regarding
16 utilization of 3rd-party credits by the board.

NOTE: See the note to the creation of s. 25.01 by this bill.

17 **SECTION 53.** 25.17 (70) (a) and (b) (intro.) of the statutes are consolidated,
18 renumbered 25.17 (70) (intro.) and amended to read:

19 25.17 (70) (intro.) No later than June 30 of every odd-numbered year, after
20 receiving a report from the department of commerce under s. 560.08 (2) (m) and in
21 consultation with the department of commerce, submit to the governor and to the
22 presiding officer of each house of the legislature a plan for making investments in

ASSEMBLY BILL 920**SECTION 53**

1 this state. The purpose of the plan is to encourage the board to make the maximum
2 amount of investments in this state, subject to s. 25.15 and consistent with the
3 statutory purpose of each trust or fund managed by the board. ~~(b)~~ The plan shall
4 discuss potential investments to be made during the first to 5th fiscal years following
5 submittal, and shall include, but not be limited to, the following:

NOTE: Accommodates the renumbering of this subsection in accordance with
current style to allow proper citation and computer searching. See the next section of this
bill.

6 **SECTION 54.** 25.17 (70) (b) 1. to 4. of the statutes are renumbered 25.17 (70) (a)
7 to (d), and 25.17 (70) (b) (intro.) and 3., as renumbered, are amended to read:

8 25.17 (70) (b) (intro.) Nonbinding management objectives for each fiscal year
9 stated, as appropriate, as a dollar amount or as a percentage of the total amount of
10 all investments made by the ~~investment~~ board, for the following:

11 3. The number and value of investments to be made annually in companies that
12 are reasonably likely to use the moneys invested by the ~~investment~~ board to
13 maintain or expand employment in this state. Such investments may include ~~1)~~
14 loans any of the following:

15 a. Loans to corporations and other organizations to maintain or expand
16 operations in this state; ~~2) purchases.~~

17 b. Purchases of new equity offerings by companies whose equities are not
18 broadly traded on major exchanges, if the proceeds are to be used to maintain or
19 expand operations in this state; ~~3) purchases.~~

20 c. Purchases of real estate located in this state; ~~4) purchases.~~

21 d. Purchases of certificates of deposit or similar instruments issued by financial
22 institutions with substantial operations in this state; ~~5) investments.~~

23 e. Investments in venture capital firms based in this state; ~~6) investments.~~

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1 f. Investments in venture capital firms based in other states, if those
2 investments are to be used to purchase securities in companies located in this state;
3 ~~7) investments.~~

4 g. Investments in businesses headquartered in this state that have less than
5 500 employees; ~~and 8) other.~~

6 h. Other investments that the ~~investment~~ board determines will result in
7 maintenance or expansion of employment in this state.

NOTE: Renumbers provision in accordance with current style. See the previous
section of this bill. See also the note to the creation of s. 25.01 by this bill.

8 **SECTION 55.** 25.18 (1) (intro.) of the statutes is amended to read:

9 25.18 (1) (intro.) In addition to the powers and duties enumerated in s. 25.17,
10 but subject to s. 25.183, the ~~investment~~ board may:

NOTE: See the note to the creation of s. 25.01 by this bill.

11 **SECTION 56.** 25.18 (2) (intro.) of the statutes is amended to read:

12 25.18 (2) (intro.) In addition to the powers set forth in sub. (1) and s. 25.17, but
13 subject to s. 25.183, the ~~investment~~ board may:

NOTE: See the note to the creation of s. 25.01 by this bill.

14 **SECTION 57.** 25.185 (2) of the statutes is amended to read:

15 25.185 (2) The ~~investment~~ board shall attempt to ensure that 5% of the total
16 funds expended for financial and investment analysis and for common stock and
17 convertible bond brokerage commissions in each fiscal year is expended for the
18 services of minority financial advisers or minority investment firms.

NOTE: See the note to the creation of s. 25.01 by this bill.

19 **SECTION 58.** 25.185 (3) of the statutes is amended to read:

20 25.185 (3) The ~~investment~~ board shall annually report to the department of
21 administration the total amount of moneys expended under sub. (2) for common

ASSEMBLY BILL 920**SECTION 58**

1 stock and convertible bond brokerage commissions, the services of minority financial
2 advisers and the services of minority investment firms during the preceding fiscal
3 year.

NOTE: See the note to the creation of s. 25.01 by this bill.

4 **SECTION 59.** 25.19 (1) of the statutes is amended to read:

5 25.19 (1) The state treasurer shall be the treasurer of the ~~investment~~ board and
6 shall give an additional bond in ~~such~~ the amount and with ~~such~~ the corporate
7 sureties as is required and approved by the board, the cost of which shall be borne
8 by the board.

NOTE: Inserts preferred terminology. See also the note to the creation of s. 25.01
by this bill.

9 **SECTION 60.** 25.19 (1m) of the statutes is amended to read:

10 25.19 (1m) Any of the securities purchased by the ~~investment~~ board for any of
11 the funds whose investment is under the control of the board may be deposited by
12 the board in vaults or other safe depositories either in or outside of this state.

NOTE: See the note to the creation of s. 25.01 by this bill.

13 **SECTION 61.** 25.50 (1) (a) of the statutes is repealed.

NOTE: This provision defined "board" as meaning the investment board for purpose
of s. 25.50. With the creation of s. 25.01 by this bill, this provision is unnecessary.

14 **SECTION 62.** 25.50 (5) (intro.) of the statutes is amended to read:

15 25.50 (5) INVESTMENT POLICIES. (intro.) The ~~investment~~ board shall formulate
16 policies for the investment and reinvestment of moneys in the fund and the
17 acquisition, retention, management and disposition of such investments. The board
18 shall provide a copy of the investment policies, together with any guidelines adopted
19 by the board to direct staff investment activity, to each local government having an
20 investment in the fund upon the local government's request and at least annually to
21 all investors. The board shall distribute at least annually performance information

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1 over the preceding one-year, 5-year and 10-year periods, compared with
2 appropriate indices or benchmarks in the private sector. The investment policies
3 shall include all of the following:

NOTE: See the note to the creation of s. 25.01 by this bill.

4 **SECTION 63.** 25.50 (6) of the statutes is amended to read:

5 25.50 (6) ~~INVESTMENT BOARD~~ BOARD TO INVEST, REINVEST POOLED FUNDS. In the
6 amounts available for investment purposes and subject to the policies formulated by
7 the ~~investment~~ board, the ~~investment~~ board shall invest and reinvest moneys in the
8 fund and acquire, retain, manage, including the exercise of any voting rights, and
9 dispose of investments of the fund.

NOTE: See the note to the creation of s. 25.01 by this bill.

10 **SECTION 64.** 25.65 (1) (a) of the statutes is repealed.

NOTE: This provision defined “board” as meaning the investment board for purpose
of s. 25.65. With the creation of s. 25.01 by this bill, this provision is unnecessary.

11 **SECTION 65.** 27.01 (5) of the statutes is amended to read:

12 27.01 (5) **ROADSIDE PARKS.** All areas designated as roadside parks shall be a part
13 of the state park system. Roadside parks will consist of naturally attractive parcels
14 of land (, 5 acres or more in size), immediately contiguous to a state trunk highway.
15 Each such area shall carry a distinctive name and shall be managed and developed
16 as a part of the state park system.

NOTE: Deletes unnecessary parentheses.

17 **SECTION 66.** 27.01 (7) (c) (intro.) of the statutes is amended to read:

18 27.01 (7) (c) *Vehicle admission receipt; exemptions.* (intro.) No vehicle
19 admission receipt is required for any of the following:

NOTE: Rewrites (intro.) to conform with current style.

20 **SECTION 67.** 27.01 (7) (c) 1. to 8. of the statutes are amended to read:

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1 27.01 (7) (c) 1. Any vehicle in an admission area between November 1 and
2 March 31, except as the department provides by rule;

3 2. Any vehicle operated by an employe, agent or officer of the state, the United
4 States or a local unit of government while in the performance of official duties;

5 3. Any vehicle when furnishing services or supplies;

6 4. Any vehicle traveling on a public highway in a state park or state forest;

7 5. Any vehicle within state parks or state park areas designated by the
8 department;

9 6. Any vehicle, except a motor bus, occupied by a person holding a senior citizen
10 recreation card issued under s. 29.624;

11 7. Any vehicle, except a motor bus, occupied by a person holding a conservation
12 patron license issued under s. 29.235;

13 8. Any vehicle towed behind or carried on another vehicle. The department
14 may issue a special permit for a towed or carried vehicle in order to determine
15 compliance with and facilitate enforcement of the vehicle admission receipt
16 requirement; ~~or.~~

NOTE: Replaces punctuation for conformity with current style and internal consistency.

17 **SECTION 68.** 27.05 (intro.) of the statutes is amended to read:

18 **27.05 Powers of commission or general manager.** (intro.) The county
19 park commission ~~except, or the general manager~~ in counties with a county executive
20 or county administrator, ~~the general manager~~, shall have charge and supervision of
21 all county parks, and all lands ~~heretofore or hereafter~~ acquired by the county for park
22 or reservation purposes; ~~and.~~ The county park commission or general manager,
23 subject to the general supervision of the county board and to such regulations as it

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1 ~~may prescribe~~ prescribed by the county board, except as provided under s. 27.03 (2),
2 may do any of the following:

NOTE: Reorders text to improve readability and clarity. Deletes unnecessary
“heretofore or hereafter” in conformity with current style.

3 **SECTION 69.** 27.05 (1) of the statutes is amended to read:

4 27.05 (1) Lay out, improve, maintain and govern all ~~such~~ county parks and
5 open spaces; ~~provide~~.

6 **(1g)** Provide by contract with sanitary districts, counties, ~~or~~ towns, cities or
7 villages, subject to the approval of the county board of supervisors, or in any other
8 manner, for the disposal of sewage arising from the use of ~~such~~ county parks and take
9 all action necessary to prevent the pollution of park or parkway areas or any portion
10 thereof by sewage emanating from upland areas; ~~lay~~.

11 **(1m)** Lay out, determine and prescribe building lines along, grade, construct,
12 improve and maintain roads, parkways, boulevards and bridges ~~therein~~ in county
13 parks or connecting ~~the same~~ county parks with any other parks or open spaces or
14 with any municipality in the county, using ~~such~~ methods and materials as that it
15 ~~deems~~ considers expedient; ~~determine and prescribe building lines along the same;~~
16 ~~and make~~.

17 **(1s)** Make rules for the regulation of the use and enjoyment ~~thereof~~ of the
18 county parks and open spaces by the public;.

NOTE: Subdivides provision and modifies punctuation for conformity with current
style and internal consistency.

19 **SECTION 70.** 27.05 (2) of the statutes is amended to read:

20 27.05 (2) Accept, in the name of the county, grants, conveyances and devises
21 of land and bequests and donations of money to be used for park purposes;.

NOTE: Replaces punctuation for conformity with current style and internal
consistency.

ASSEMBLY BILL 920**SECTION 71**

1 **SECTION 71.** 29.522 (1) (a) 1., (b) 1. and (c) 2. of the statutes are amended to read:

2 29.522 (1) (a) 1. One net of a general hoop or circular-like structure commonly
3 called a crib or pot with numbers of hoops holding, encasing or ~~inclosing~~ enclosing
4 net webbing.

5 (b) 1. One net of a general hoop or circular-like structure called a crib or pot
6 with numbers of hoops holding, encasing or ~~inclosing~~ enclosing net webbing.

7 (c) 2. Two fence-like nets called hearts set one on each side of the tunnel mouth
8 and used to form a preliminary ~~inclosure~~ enclosure resembling a heart in shape with
9 no cover on the top or bottom.

NOTE: Inserts preferred spelling.

10 **SECTION 72.** 29.924 (4) of the statutes is amended to read:

11 29.924 (4) ACCESS TO STORAGE PLACES. The owner or occupant of any ~~cold storage~~
12 cold-storage warehouse or building used for the storage or retention of wild animals
13 or carcasses shall permit the department and its wardens to enter and examine the
14 premises subject to ss. 66.122 and 66.123. The owner or occupant, or the agent or
15 employe of the owner or occupant, shall deliver to the officer any wild animal or
16 carcass, in his or her possession during the closed season, whether taken within or
17 without the state.

NOTE: Corrects spelling.

18 **SECTION 73.** 31.06 (1) of the statutes is amended to read:

19 31.06 (1) Upon receipt of an application for a permit under s. 31.05 the
20 department may order a hearing or it may mail a notice that it will proceed on the
21 application without public hearing unless a request for a public hearing is filed as
22 hereinafter provided in this section. The notice shall be mailed to the clerk of each
23 municipality directly affected ~~thereby and the~~ by the proposed dam. ~~The~~ department

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1 may give further or other notice as it ~~deems~~ considers proper. The department shall
2 mail a copy of the notice to the applicant who shall cause the ~~same~~ notice to be
3 published in each county in which affected riparian lands are located as a class 1
4 notice, under ch. 985. If a hearing is not requested in writing within 30 days after
5 mailing of the notice, the department may waive the hearing.

NOTE: Inserts specific cross-references and replaces disfavored term.

6 **SECTION 74.** 31.06 (3) of the statutes is renumbered 31.06 (3) (a) and amended
7 to read:

8 31.06 (3) (a) At such a hearing under this section, or any adjournment thereof
9 of the hearing, the department shall consider the application, and shall take
10 evidence offered by the applicant and other persons ~~in support thereof or in~~
11 ~~opposition thereto,~~ supporting or opposing the proposed dam. The department may
12 require the amendment of the application, and if.

13 (b) If it appears that the construction, operation or maintenance of the proposed
14 dam is in the public interest, considering ecological, aesthetic, economic and
15 recreational values, the department shall so find and grant a permit to the applicant,
16 provided the department also finds that the applicant has complied with s. 31.14 (2)
17 or (3) and, where applicable, with s. 31.05 (3), based on the department's own
18 estimate of the area of the flowage.

19 (c) 1. The enjoyment of natural scenic beauty and environmental quality are
20 declared to be public rights to be considered along with other public rights and the
21 economic need of electric power for the full development of agricultural and
22 industrial activity and other useful purposes in the area to be served. In considering
23 public rights to the recreational use and natural scenic beauty of the river, the
24 department shall investigate the potentialities of the lake and ~~lake shore~~ lakeshore

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1 created by the flowage and shall weigh the recreational use and scenic beauty thereof
2 of the lake and lakeshore against the known recreational use and scenic beauty of
3 the river in its natural state, ~~and the~~. The department shall further weigh the known
4 recreational use and scenic beauty of the particular section of river involved against
5 the known recreational use and scenic beauty of other sections of the same river and
6 other rivers in the area remaining in their natural state (without regard to plans of
7 other dams subsequently filed or to be filed); ~~if it~~.

8 2. a. It appears that the river in its natural state offers greater recreational
9 facilities and scenic value for a larger number of people than can by proper control
10 of the flowage level be obtained from the use of the lake and ~~lake shore~~ lakeshore and
11 that the remaining sections of the river and other rivers in the area in their natural
12 state provide an insufficient amount of recreational facilities and scenic beauty, and
13 if it further appears that the economic need of electric power is less than the value
14 of the recreational and scenic beauty advantages of ~~such~~ the river in its natural state,
15 ~~the department shall so find and the permit be denied. If the department finds that~~
16 ~~approval of the~~.

17 b. ~~The~~ permit will cause environmental pollution, as defined in s. 299.01 (4),
18 ~~the permit shall be denied.~~

NOTE: Inserts preferred spelling of "lakeshore", deletes unnecessary parentheses
and subdivides long sentences and subsection for improved readability and conformity
with current style.

19 **SECTION 75.** 31.06 (3) (c) 2. (intro.) of the statutes is created to read:

20 31.06 (3) (c) 2. (intro.) The department shall deny the permit if it finds any of
21 the following:

NOTE: Creates (intro.) to facilitate the subdivision of s. 31.06 (3) (c) by the previous
section of this bill.

22 **SECTION 76.** 35.91 (1) of the statutes is amended to read:

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1 35.91 (1) The latest edition of the Wisconsin statutes shall be sold at a price (,
2 calculated to the nearest dollar), to be fixed by the department, based on cost plus
3 75% of the revisor's expenditures under s. 20.765 (3) (a) during the preceding
4 biennium. The department may sell noncurrent editions of the Wisconsin statutes
5 and Wisconsin annotations at reduced prices to be fixed by it.

NOTE: Replaces parentheses consistent with current style.

6 **SECTION 77.** 39.11 (4), (6), (7) and (8) of the statutes are amended to read:

7 39.11 (4) Initiate, develop and maintain a comprehensive state plan for the
8 orderly operation of a statewide television system for the presentation of
9 noncommercial instructional programs ~~which~~ that will serve the best interests of the
10 people of the state now and in the future;.

11 (6) Furnish leadership in securing adequate funding for statewide joint use of
12 radio and television for educational and cultural purposes, including funding for
13 media programming for broadcast over the state networks. The educational
14 communications board may submit joint budget requests with state agencies and
15 other nonstate organizations or corporations for the purposes ~~stated above;~~
16 enumerated in this subsection.

17 (7) Lease, purchase or construct radio and television facilities for joint use,
18 such as network interconnection or relay equipment, mobile units, or other
19 equipment available for statewide use;.

20 (8) Apply for, construct and operate radio and television transmission
21 equipment in order to provide broadcast service to all areas of this state;.

NOTE: Replaces punctuation for conformity with current style and internal consistency.

22 **SECTION 78.** 40.02 (24) (a) of the statutes is amended to read:

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1 40.02 (24) (a) A supreme court justice, court of appeals judge, circuit judge or
2 state, county or municipal official elected by vote of the people; ~~or.~~

NOTE: Replaces punctuation for conformity with current style and internal consistency.

3 **SECTION 79.** 40.02 (25) (a) 1., 2. and 3. of the statutes are amended to read:

4 40.02 (25) (a) 1. Any participating state employe who has been participating
5 under the Wisconsin retirement system for a period of at least 6 months prior to
6 attainment of age 70 not including any period of leave of absence without pay; ~~or.~~

7 2. Any state employe who is a member or employe of the legislature, a state
8 constitutional officer, a district attorney who did not elect under s. 978.12 (6) to
9 continue insurance coverage with a county, or who did elect such coverage but has
10 terminated that election under s. 978.12 (6), a justice of the supreme court, a court
11 of appeals judge, a circuit judge or the chief clerk or sergeant at arms of the senate
12 or assembly; ~~or.~~

13 3. The blind employes of the Wisconsin workshop for the blind authorized
14 under s. 47.03 (1) (b), 1989 stats., or of the nonprofit corporation with which the
15 department of workforce development contracts under s. 47.03 (1m) (a), 1989 stats.,
16 as of the beginning of the calendar month following completion of 1,000 hours of
17 service. Persons employed by an employer who are blind when hired shall not be
18 eligible for life insurance premium waiver because of any disability ~~which~~ that is
19 directly or indirectly attributed to blindness and may convert life insurance coverage
20 only once under the contract; ~~or.~~

NOTE: Replaces punctuation for conformity with current style and internal consistency.

21 **SECTION 80.** 40.02 (25) (b) 1. of the statutes, as affected by 1999 Wisconsin Act
22 9, is amended to read:

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1 40.02 (25) (b) 1. Any teacher who is employed by the university for an expected
2 duration of not less than 6 months on at least a one-third full-time employment
3 basis and who is not described in subd. 1m.;

4 **SECTION 81.** 40.02 (25) (b) 2., 2m., 3., 4., 5., 6. b., 7., 8., 9. and 10. of the statutes
5 are amended to read:

6 40.02 (25) (b) 2. Any person employed as a graduate assistant and other
7 employes-in-training as are designated by the board of regents of the university,
8 who are employed on at least a one-third full-time basis;

9 2m. A crew leader or regional crew leader employed by the Wisconsin
10 conservation corps board for whom the Wisconsin conservation corps board under s.
11 106.215 (10) (fm) has authorized group health care coverage;

12 3. The surviving spouse of an employe, or of a retired employe, who is currently
13 covered by health insurance at the time of death of the employe or retired employe.
14 The spouse shall have the same right to health insurance coverage as the deceased
15 employe or retired employe, but without state contribution, under rules promulgated
16 by the secretary;

17 4. Any insured employe who is retired on an immediate or disability annuity,
18 or who receives a lump sum payment under s. 40.25 (1) ~~which that~~ would have been
19 an immediate annuity if paid as an annuity, if the employe meets all of the
20 requirements for an immediate annuity including filing of application whether or not
21 final administrative action has been taken;

22 5. Any participating state employe under the Wisconsin retirement system,
23 notwithstanding par. (a) 1.;

24 6. b. Who is eligible for an immediate annuity but defers application;

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1 7. Any employe whose health insurance premiums are being paid under s.
2 40.05 (4) (bm);₂

3 8. Any other state employe for whom coverage is authorized under a collective
4 bargaining agreement pursuant to subch. I or V of ch. 111 or under s. 230.12 or
5 233.10;₂

6 9. Except as provided under s. 40.51 (7), any other employe of any employer,
7 other than the state, ~~which~~ that has acted under s. 40.51 to make such coverage
8 available to its employes;₂

9 10. Any participating employe who is an employe of this state and who qualifies
10 for a disability benefit under s. 40.63 or 40.65; ~~or~~.

NOTE: Replaces punctuation for internal consistency.

11 **SECTION 82.** 40.06 (1) (a) of the statutes is amended to read:

12 40.06 (1) (a) Except as otherwise provided by rule or statute, the employe
13 contributions and premium payments specified in s. 40.05 shall be deducted from the
14 earnings of each employe and from the annuity ~~(, if sufficient),~~ of each insured retired
15 employe and transmitted to the department, or an agent specified by the
16 department, in the manner and within the time limit fixed by the department
17 together with the required employer contributions and premium payments and
18 reports in the form specified by the department. Notwithstanding any other law, rule
19 or regulation, the payment of earnings less the required deductions shall be a
20 complete discharge of all claims for service rendered during the period covered by the
21 payment.

NOTE: Replaces parentheses in conformity with current style.

22 **SECTION 83.** 43.05 (14) of the statutes is amended to read:

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1 43.05 (14) (b) Conduct a review of a public library system if at least 30% of the
2 libraries in participating municipalities that include at least 30% of the population
3 of all participating municipalities state in the report under s. 43.58 (6) (c) that the
4 public library system did not adequately meet the needs of the library. If the division
5 determines that the public library system did not adequately meet the needs of
6 libraries participating in the system, it shall prepare an advisory plan suggesting
7 how the public library system can so do in the future, including suggestions designed
8 to foster intrasystem communications and local dispute resolution. The advisory
9 plan shall be distributed to the public library system board, the boards of all libraries
10 participating in the system and the county boards of all counties participating in the
11 system.

12 (a) In this subsection, “participating municipality” has the meaning given in
13 s. 43.18 (1) (e) (ag).

NOTE: The definition of “participating municipality” is relocated to a separate paragraph at the beginning of the subsection consistent with current style. The cross-reference is changed due to the renumbering of s. 43.18 (1) (c) to s. 43.18 (1) (ag) in SECTION 86.

14 **SECTION 84.** 43.18 (1) (intro.) of the statutes is renumbered 43.18 (1) (am) and
15 amended to read:

16 43.18 (1) (am) Not less than 3 years after affiliating with a public library
17 system, a participating municipality or a county may withdraw from the system by
18 adoption of a resolution by a two-thirds vote of its governing body under pars. (a) (ar)
19 and (b), if the resolution is adopted at least 6 months prior to the close of the system’s
20 fiscal year. The resolution shall become effective at the close of the system’s fiscal
21 year.

NOTE: This provision is not an introductory paragraph and is renumbered to a paragraph as it is one of the several paragraphs in s. 43.18 (1) dealing with municipal

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withdrawals from library systems. Cross-reference is changed to reflect renumbering in SECTION 85.

1 **SECTION 85.** 43.18 (1) (a) of the statutes is renumbered 43.18 (1) (ar).

NOTE: This provision is renumbered to accommodate the renumbering of 43.18 (1) (intro.) and (c) by this bill.

2 **SECTION 86.** 43.18 (1) (c) of the statutes is renumbered 43.18 (1) (ag).

NOTE: Renumbers definition to locate it at the beginning of the applicable statute provision in accordance with current style.

3 **SECTION 87.** 45.35 (17) (c) 1. a. and b. of the statutes are amended to read:

4 45.35 (17) (c) 1. a. The applicant did not report income amounts as required on
5 the loan application;

6 b. The applicant did not make the disclosures required under subd. 2. a., b. or

7 c. on the loan application; ~~or~~.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

8 **SECTION 88.** 45.37 (4) (c) (intro.) of the statutes is renumbered 45.37 (4) (c) 1m.

9 (intro.).

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

10 **SECTION 89.** 45.37 (4) (c) 1. to 4. of the statutes are renumbered 45.37 (4) (c) 1m.

11 a. to d. and amended to read:

12 45.37 (4) (c) 1m. a. Eligible veterans shall have 1st priority;

13 b. Spouses of eligible veterans shall be given 2nd priority;

14 c. Surviving spouses of eligible veterans shall be given 3rd priority;

15 d. Parents of eligible veterans shall be given 4th priority;

NOTE: Section 45.37 (4) (c) 1. to 4. is a series that sets out the order of priority for admission to the veteran's home. Subdivision 5. gives authority to deviate from that order and is not properly a part of the series. Paragraph (c) is renumbered to separate subd. 5. from subds. 1. to 4. Punctuation is replaced consistent with current style.

16 **SECTION 90.** 46.03 (2a) of the statutes is amended to read:

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1 46.03 (2a) GIFTS. ~~The department may~~ Be authorized to accept gifts, grants or
2 donations of money or of property from private sources to be administered by the
3 department for the execution of its functions. All moneys so received shall be paid
4 into the general fund and are appropriated therefrom as provided in s. 20.435 (9) (i).

NOTE: Modifies text for sentence agreement with s. 46.03 (intro.).

5 **SECTION 91.** 46.03 (4) (a) of the statutes is amended to read:

6 46.03 (4) (a) Develop and maintain ~~such~~ education and prevention programs
7 ~~of education and prevention as it deems that it considers to be proper.~~

NOTE: Inserts specific references for improved readability.

8 **SECTION 92.** 46.03 (4) (b) 1. of the statutes is renumbered 46.03 (4) (b) and
9 amended to read:

10 46.03 (4) (b) ~~The department, in~~ In order to discharge more effectively its
11 responsibilities under this chapter and ch. 48 and other relevant provisions of the
12 statutes, is ~~be~~ authorized to study causes and methods of prevention and treatment
13 of mental illness, mental deficiency, mental infirmity, and related social problems,
14 including establishment of demonstration projects to apply and evaluate such
15 methods in actual cases. The department is directed and authorized to utilize all
16 powers provided by the statutes, including the authority under sub. (2a), to accept
17 grants of money or property from federal, state or private sources, and to enlist the
18 cooperation of other appropriate agencies and state departments; ~~it.~~ The
19 department may enter into agreements with local government subdivisions,
20 departments and agencies for the joint conduct of ~~such~~ these projects; and it may
21 purchase services when deemed appropriate.

NOTE: Modifies text for sentence agreement with s. 46.03 (intro.). Section 46.03
(4) (b) is not divided into subdivisions. Divides long sentence and inserts specific
reference for improved readability.

22 **SECTION 93.** 46.22 (1) (c) 1. (intro.) and a. of the statutes are amended to read:

ASSEMBLY BILL 920**SECTION 93**

1 46.22 (1) (c) 1. (intro.) Make investigations in cooperation with the court,
2 institution superintendent, district attorney and other agencies and officials
3 operating in the welfare field regarding admissions to and release (or conditional
4 release) from the following institutions:

5 a. ‘County institutions.’ ~~County~~ Any county infirmary, home, asylum or
6 hospital (for mental diseases, tuberculosis or otherwise) ~~or asylum.~~

NOTE: Adds “any” for sentence agreement. Replaces parentheses for greater conformity with current style and improved readability.

7 **SECTION 94.** 48.04 (1) of the statutes is renumbered 48.04.

NOTE: Section 48.04 is not divided into subsections.

8 **SECTION 95.** 48.067 (1), (3), (4), (5), (6), (7) and (8) of the statutes are amended
9 to read:

10 48.067 (1) Provide intake services 24 hours a day, 7 days a week, for the purpose
11 of screening children taken into custody and not released under s. 48.20 (2) and the
12 adult expectant mothers of unborn children taken into custody and not released
13 under s. 48.203 (1);

14 (3) Determine whether the child or the expectant mother of an unborn child
15 shall be held under s. 48.205 and such policies as the judge shall promulgate under
16 s. 48.06 (1) or (2);

17 (4) If the child or the expectant mother of an unborn child is not released,
18 determine where the child or expectant mother shall be held;

19 (5) Provide crisis counseling during the intake process when such counseling
20 appears to be necessary;

21 (6) Receive referral information, conduct intake inquiries, request that a
22 petition be filed, and enter into informal dispositions under policies promulgated
23 under s. 48.06 (1) or (2);

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1 (7) Make referrals of cases to other agencies if their assistance appears to be
2 needed or desirable;.

3 (8) Make interim recommendations to the court concerning children, and
4 unborn children and their expectant mothers, awaiting final disposition under s.
5 48.355; and.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

6 **SECTION 96.** 48.205 (1) (a) of the statutes is amended to read:

7 48.205 (1) (a) Probable cause exists to believe that if the child is not held he or
8 she will cause injury to himself or herself or be subject to injury by others;.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

9 **SECTION 97.** 48.205 (1) (am) of the statutes is amended to read:

10 48.205 (1) (am) Probable cause exists to believe that if the child is not held he
11 or she will be subject to injury by others, based on a determination under par. (a) or
12 a finding under s. 48.21 (4) that if another child in the home is not held that child will
13 be subject to injury by others;.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

14 **SECTION 98.** 48.205 (1) (b) of the statutes is amended to read:

15 48.205 (1) (b) Probable cause exists to believe that the parent, guardian or legal
16 custodian of the child or other responsible adult is neglecting, refusing, unable or
17 unavailable to provide adequate supervision and care and that services to ensure the
18 child's safety and well-being are not available or would be inadequate; or.

NOTE: Replaces punctuation for internal consistency and conformity with current style.

19 **SECTION 99.** 48.41 (2) (a) of the statutes is amended to read:

ASSEMBLY BILL 920**SECTION 99**

1 48.41 (2) (a) The parent appears personally at the hearing and gives his or her
2 consent to the termination of his or her parental rights. The judge may accept the
3 consent only after the judge has explained the effect of termination of parental rights
4 and has questioned the parent, or has permitted an attorney who represents any of
5 the parties to question the parent, and is satisfied that the consent is informed and
6 voluntary; ~~or,~~

NOTE: Replaces punctuation for internal consistency and conformity with current style.

7 **SECTION 100.** 48.42 (1) (a) and (b) of the statutes are amended to read:

8 48.42 (1) (a) The name, birth date and address of the child; ~~,~~

9 (b) The names and addresses of the child's parent or parents, guardian and
10 legal custodian; ~~,~~

NOTE: Replaces punctuation for internal consistency and conformity with current style.

11 **SECTION 101.** 48.42 (1) (c) (intro.) of the statutes is created to read:

12 48.42 (1) (c) (intro.) One of the following:

NOTE: The creation of s. 48.42 (1) (c) (intro.) is necessitated by the amendment of s. 48.42 (1) (c) 1.

13 **SECTION 102.** 48.42 (1) (c) 1. of the statutes is amended to read:

14 48.42 (1) (c) 1. A statement that consent will be given to termination of parental
15 rights as provided in s. 48.41; ~~or,~~

NOTE: Replaces punctuation for internal consistency and conformity with current style.

16 **SECTION 103.** 48.60 (2) (a), (b) and (c) of the statutes are amended to read:

17 48.60 (2) (a) A relative or guardian who provides care and maintenance for such
18 children; ~~,~~

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1 (b) A bona fide educational institution whose pupils, in the ordinary course of
2 events, return annually to the homes of their parents or guardians for not less than
3 2 months of summer vacation;.

4 (c) A public agency;.

5 **SECTION 104.** 48.60 (2) (d) of the statutes, as affected by 1999 Wisconsin Act
6 9, is amended to read:

7 48.60 (2) (d) A hospital, maternity hospital, maternity home or nursing home
8 licensed, approved or supervised by the department;.

NOTE: SECTIONS 103 and 104 replace punctuation for internal consistency and
conformity with current style.

9 **SECTION 105.** 48.61 (1) to (6) of the statutes are amended to read:

10 48.61 (1) To accept legal or physical custody of children transferred to it by the
11 court under s. 48.355;.

12 (2) To contract with any parent or guardian or other person for the supervision
13 or care and maintenance of any child;.

14 (3) To provide appropriate care and training for children in its legal or physical
15 custody and, if licensed to do so, to place children in licensed foster homes, licensed
16 treatment foster homes and licensed group homes;.

17 (4) To provide for the moral and religious training of children in its legal
18 custody according to the religious belief of the child or the child's parents;.

19 (5) If licensed to do so, to accept guardianship of children when appointed by
20 the court, and to place children under its guardianship for adoption;.

21 (6) To provide services to the court under s. 48.07;.

NOTE: Replaces punctuation for internal consistency and conformity with current
style.

22 **SECTION 106.** 50.05 (9) (a) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 920**SECTION 106**

1 50.05 (9) (a) (intro.) A receiver may not be required to honor any lease,
2 mortgage, secured transaction or other wholly or partially executory contract
3 entered into by the owners or operators of the facility if any of the following is
4 applicable:

NOTE: Adds language for clarity, internal consistency and conformity with current style. See also the next SECTION of the bill.

5 **SECTION 107.** 50.05 (9) (a) 1. of the statutes is amended to read:

6 50.05 (9) (a) 1. The person seeking payment under the lease, mortgage, secured
7 transaction or other wholly or partially executory contract was an operator or
8 controlling person of the facility or was an affiliate of an operator or controlling
9 person at the time the lease, mortgage, secured transaction or other wholly or
10 partially executory contract was made; ~~or,~~

NOTE: Replaces punctuation for internal consistency and conformity with current style.

11 **SECTION 108.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

12 50.49 (1) (b) (intro.) “Home health services” means the following items and
13 services that are furnished to an individual, who is under the care of a physician, by
14 a home health agency or by others under arrangements ~~with them~~ made by such the
15 home health agency, that are under a plan (for furnishing ~~such those~~ items and
16 services to ~~such the~~ individual) that is established and periodically reviewed by a
17 physician, ~~which items and services that are~~, except as provided in subd. 6., provided
18 on a visiting basis in a place of residence used as ~~such the~~ individual’s home:

NOTE: Inserts specific references and deletes unnecessary parentheses for improved readability and consistency with current style.

19 **SECTION 109.** 51.05 (1) (title), (2) (title), (3) (title), (3g) (title), (3m) (title) and (4)
20 (title) of the statutes are created to read:

21 51.05 (1) (title) DESIGNATION.

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1 **(2)** (title) ADMISSIONS AUTHORIZED BY COUNTIES.

2 **(3)** (title) ADMISSIONS AUTHORIZED BY DEPARTMENT.

3 **(3g)** (title) EXPENSE REDUCTION.

4 **(3m)** (title) REVENUES AND EXPENDITURES; REPORTS.

5 **(4)** (title) TRANSFERS AND DISCHARGES.

NOTE: The remaining subsections of s. 51.05 have titles.

6 **SECTION 110. 51.20 (2)** of the statutes is renumbered 51.20 (2) (a) and amended
7 to read:

8 51.20 (2) (a) Upon the filing of a petition for examination, the court shall review
9 the petition to determine whether an order of detention should be issued. The subject
10 individual shall be detained only if there is cause to believe that the individual is
11 mentally ill, drug dependent or developmentally disabled and the individual is
12 eligible for commitment under sub. (1) (a) or (am) based upon specific recent overt
13 acts, attempts or threats to act or on a pattern of recent acts or omissions made by
14 the individual.

15 **(b)** If the subject individual is to be detained, a law enforcement officer shall
16 present the subject individual with a notice of hearing, a copy of the petition and
17 detention order and a written statement of the individual's right to an attorney, a
18 jury trial if requested more than 48 hours prior to the final hearing, the standard
19 upon which he or she may be committed under this section and the right to a hearing
20 to determine probable cause for commitment within 72 hours after the individual
21 arrives at the facility, excluding Saturdays, Sundays and legal holidays. The officer
22 shall orally inform the individual that he or she is being taken into custody as the
23 result of a petition and detention order issued under this chapter. If the individual
24 is not to be detained, the law enforcement officer shall serve these documents on the

ASSEMBLY BILL 920**SECTION 110**

1 subject individual and shall also orally inform the individual of these rights. The
2 individual who is the subject of the petition, his or her counsel and, if the individual
3 is a minor, his or her parent or guardian, if known, shall receive notice of all
4 proceedings under this section. The court may also designate other persons to
5 receive notices of hearings and rights under this chapter. Any such notice may be
6 given by telephone. The person giving telephone notice shall place in the case file
7 a signed statement of the time notice was given and the person to whom he or she
8 spoke. The notice of time and place of a hearing shall be served personally on the
9 subject of the petition, and his or her attorney, within a reasonable time prior to the
10 hearing to determine probable cause for commitment.

11 (c) If the law enforcement officer has a detention order issued by a court, or if
12 the law enforcement officer has cause to believe that the subject individual is
13 mentally ill, drug dependent or developmentally disabled and is eligible for
14 commitment under sub. (1) (a) or (am), based upon specific recent overt acts,
15 attempts or threats to act or on a pattern of omissions made by the individual, the
16 law enforcement officer shall take the subject individual into custody. If the
17 individual is detained by a law enforcement officer, the individual shall be orally
18 informed of his or her rights under this section on arrival at the detention facility by
19 the facility staff, who shall also serve all documents required by this section on the
20 individual.

21 (d) Placement shall be made in a hospital ~~which~~ that is approved by the
22 department as a detention facility or under contract with a county department under
23 s. 51.42 or 51.437, approved public treatment facility, mental health institute, center
24 for the developmentally disabled under the requirements of s. 51.06 (3), state
25 treatment facility, or in an approved private treatment facility if the facility agrees

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1 to detain the subject individual. Upon arrival at the facility, the individual is deemed
2 considered to be in the custody of the facility.

NOTE: Subdivides long provision for improved readability. Replaces disfavored term.

3 **SECTION 111.** 51.20 (9) (a) of the statutes is renumbered 51.20 (9) (a) 1. and
4 amended to read:

5 51.20 (9) (a) 1. If the court finds after the hearing that there is probable cause
6 to believe the allegations under sub. (1), it shall appoint 2 licensed physicians
7 specializing in psychiatry, or one licensed physician and one licensed psychologist,
8 or 2 licensed physicians one of whom shall have specialized training in psychiatry,
9 if available, or 2 physicians, to personally examine the subject individual. ~~Such~~ The
10 examiners shall have the specialized knowledge determined by the court to be
11 appropriate to the needs of the subject individual. The examiners may not be related
12 to the subject individual by blood or marriage and may not have any interest in his
13 or her property.

14 2. One of the examiners appointed under subd. 1. may be selected by the subject
15 individual if ~~such person~~ the subject individual makes his or her selection known to
16 the court within 24 hours after completion of the hearing to determine probable
17 cause for commitment. The court may deny the subject individual's selection if the
18 examiner does not meet the requirements of ~~this paragraph subd. 1.~~ or ~~such person~~
19 the subject individual's selection is not available.

20 3. If requested by the subject individual, the individual's attorney or any other
21 interested party with court permission, the individual has a right at his or her own
22 expense or, if indigent and with approval of the court hearing the petition, at the
23 reasonable expense of the individual's county of legal residence, to secure an

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1 additional medical or psychological examination, and to offer the evaluator's
2 personal testimony, as evidence at the hearing. ~~The examiners may not be related~~
3 ~~to the subject individual by blood or marriage, and may have no interest in his or her~~
4 ~~property.~~

5 4. Prior to the examination, the subject individual shall be informed that his
6 or her statements can be used as a basis for commitment and, that he or she has the
7 right to remain silent, and that the examiner is required to make a report to the court
8 even if the subject individual remains silent. ~~A written report shall be made of all~~
9 ~~such examinations and filed with the court.~~ The issuance of such a warning to the
10 subject individual prior to each examination establishes a presumption that the
11 individual understands that he or she need not speak to the examiner.

12 5. The examiners shall personally observe and examine the subject individual
13 at any suitable place and satisfy themselves, if reasonably possible, as to the
14 individual's mental condition, and shall make independent reports to the court. The
15 subject individual's treatment records shall be available to the examiners. If the
16 subject individual is not detained pending the hearing, the court shall designate the
17 time and place where the examination is to be held and shall require the individual's
18 appearance. A written report shall be made of all such examinations and filed with
19 the court. The report and testimony, if any, by the examiners shall be based on beliefs
20 to a reasonable degree of medical certainty, or professional certainty if an examiner
21 is a psychologist, in regard to the existence of the conditions described in sub. (1), and
22 the appropriateness of various treatment modalities or facilities. If the examiners
23 are unable to make conclusions to a reasonable degree of medical or professional
24 certainty, the examiners shall so state in their report and testimony, if any.

NOTE: Subdivides long provision and reorders text for improved readability.

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1 **SECTION 112.** 59.22 (2) (a) of the statutes is amended to read:

2 59.22 (2) (a) The Except for elective offices included under sub. (1), supervisors
3 and circuit judges, the board has the powers set forth in this subsection, sub. (3) and
4 s. 59.03 (1) as to any office, department, board, commission, committee, position or
5 employe in county service (~~other than elective offices included under sub. (1),~~
6 ~~supervisors and circuit judges~~) created under any statute, the salary or
7 compensation for which is paid in whole or in part by the county, and the jurisdiction
8 and duties of which lie within the county or any portion thereof and the powers
9 conferred by this section shall be in addition to all other grants of power and shall
10 be limited only by express language.

NOTE: Reorders text for more logical placement and to eliminate parentheses.

11 **SECTION 113.** 59.22 (2) (c) of the statutes is renumbered 59.22 (2) (c) 1. (intro.)
12 and amended to read:

13 59.22 (2) (c) 1. (intro.) The Except as provided in subd. 2. and par. (d), the board
14 may provide do any of the following:

15 a. Provide, fix or change the salary or compensation of any ~~such~~ office, board,
16 commission, committee, position, employe or deputies to elective officers that is
17 subject to sub. (1) without regard to the tenure of the incumbent (~~except as provided~~
18 ~~in par. (d)) and also establish.~~

19 b. Establish the number of employes in any department or office including
20 deputies to elective officers, ~~and may establish.~~

21 c. Establish regulations of employment for any person paid from the county
22 treasury, ~~but no.~~

23 2. No action of the board shall may be contrary to or in derogation of the rules
24 and regulations of the department of health and family services under s. 49.33 (4)

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1 to (7) relating to employes administering old-age assistance, aid to families with
2 dependent children, aid to the blind and aid to totally and permanently disabled
3 persons or ss. 63.01 to 63.17.

NOTE: Subdivides provision and reorders text for more logical placement and to eliminate parentheses. Deletes “and regulations” as unnecessary. Departments are authorized to promulgate administrative rules, not regulations. Replaces improperly used “shall”.

4 **SECTION 114.** 59.52 (11) (d) of the statutes is amended to read:

5 59.52 (11) (d) *Bonds of officers and employes.* Provide for the protection of the
6 county and public against loss or damage resulting from the act, neglect or default
7 of county officers, department heads and employes and may contract for and procure
8 bonds or contracts of insurance to accomplish that purpose either from commercial
9 companies or by self-insurance created by setting up an annual fund for such
10 purpose or by a combination thereof. Any number of officers, department heads or
11 employes not otherwise required by statute to furnish an official bond may be
12 combined in a schedule or blanket bond or contract of insurance. So far as applicable
13 ss. 19.01 (2), (2m), (3), (4) (d) and ~~(dd)~~ (dm) and (4m) and 19.07 shall apply to such
14 the bonds or contracts of insurance. The bond shall be for a definite period, and each
15 Each renewal ~~thereof~~ of the bond shall constitute a new bond for the principal
16 amount covering the renewal period.

NOTE: Reflects treatment of s. 19.01 (4) (d) and (dd) by this bill.

17 **SECTION 115.** 59.57 (2) (c) 2. and 3. of the statutes are amended to read:

18 59.57 (2) (c) 2. “Industrial development agency” or “agency” means a public
19 body corporate and politic created under this subsection, which agency shall have the
20 characteristics and powers described in this subsection;

21 3. “Industrial development project” means any site, structure, facility or
22 undertaking comprising or being connected with or being a part of an industrial or

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1 manufacturing enterprise established or to be established by an industrial
2 development agency;

NOTE: Replaces punctuation for internal consistency and conformity with current style.

3 **SECTION 116.** 59.79 (9) (title) of the statutes is renumbered 59.792 (title) and
4 amended to read:

5 **59.792** (title) **Sewage Milwaukee County; sewage, waste, refuse.**

NOTE: Section 59.97 (9) is moved to a separate section in order to subdivide this long provision and to revise its structure to conform more closely with current style. See the next 4 SECTIONS of this bill.

6 **SECTION 117.** 59.79 (9) (a) of the statutes is renumbered 59.792 (2) and amended
7 to read:

8 59.792 (2) ~~Provide~~ The county's board may provide for the transmission and
9 disposal of sewage from any of the county buildings, ~~and for such purpose.~~ The
10 county shall ~~after October 1, 1965,~~ annually pay to the municipality in which the
11 buildings are situated ~~for the transmission and disposal of sewage, such its~~
12 proportion of the expense of the transmission and disposal of the sewage by the
13 municipality, as certified under s. 66.91 (5), ~~to any such municipality; such.~~ The
14 county's proportionate expense ~~to~~ shall be determined by the ratio which ~~that~~ the
15 amount of sewage contributed by any such county buildings ~~may bear~~ bears to the
16 total amount of sewage contributed by ~~any such~~ the municipality to such the sewage
17 ~~system; but each.~~ Each municipality in which county buildings are located, if
18 payment is to be made, shall provide and furnish meters to determine the amount
19 of sewage so contributed. This ~~paragraph~~ subsection shall not apply to user charges
20 billed to the county under s. 66.912.

NOTE: Deletes obsolete transition provision and reorganizes text and breaks up long sentence for improved readability and conformity with current style. See also the note to the previous section of this bill.