

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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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.

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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;.

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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~~₂

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~~₂

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; ~~and.~~

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

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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~~ 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

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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.

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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~~ 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;

ASSEMBLY BILL 920**SECTION 81**

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

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;~~;~~

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;~~;~~

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) ~~(c)~~ (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;_Ø_

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 subs. 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);₂

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);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;₂

19 **(5)** Provide crisis counseling during the intake process when such counseling
20 appears to be necessary;₂

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);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:

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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

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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

ASSEMBLY BILL 920**SECTION 111**

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.

ASSEMBLY BILL 920**SECTION 118**

1 **SECTION 118.** 59.79 (9) (b) of the statutes is renumbered 59.792 (3) (a) 1. and
2 amended to read:

3 59.792 **(3)** (a) 1. Engage in the function of the destruction or disposal of waste
4 by providing dumpage facilities; ~~acquire.~~

5 2. Acquire lands by purchase, lease, donation or right of eminent domain within
6 such ~~the~~ county and use the lands as dumpage sites for depositing, salvaging,
7 processing, burning or otherwise disposing of the waste, ~~and acquire.~~

8 3. Acquire land by purchase, lease or donation outside such ~~the~~ county for said
9 purposes described in subd. 2. where state and local regulations permit; ~~construct.~~

10 4. Construct and equip incinerators and other structures to be used for disposal
11 of waste; ~~maintain.~~

12 5. Maintain, control and operate dumpage sites; ~~maintain.~~

13 6. Maintain, control and operate incinerators for burning ~~such materials;~~
14 utilize waste.

15 7. Utilize or dispose of by sale or otherwise heat or power reclaimed from
16 incinerator facilities; ~~sell.~~

17 8. Sell all salvageable waste materials and by-products; ~~levy.~~

18 9. Levy a tax to create a working capital fund to maintain and operate dumpage
19 facilities, construct, equip and operate incinerators and other structures for disposal
20 of wastes; ~~charge.~~

21 10. Charge or assess reasonable fees to persons making use of such sites,
22 incinerators or other structures for the disposal of waste; ~~make.~~

23 11. Make charges approximately commensurate with the cost of services
24 rendered to any municipality using the county waste disposal facilities; ~~authorize.~~

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1 12. Authorize payment to any municipality, in which county waste disposal
2 facilities, including incinerators, are located, to cover the reasonable cost of fire
3 fighting services rendered to such the county when ~~the occasion demands such fire~~
4 ~~fighting service; contract~~ is required.

5 13. Contract with private collectors and municipalities and transporters to
6 receive and dispose of waste other than garbage at dumpage and incinerator sites;
7 levy.

8 14. Levy taxes to provide funds to acquire sites and to construct and equip
9 incinerators and other structures for disposal of wastes; ~~enact.~~

10 15. Enact and enforce ordinances, and adopt and enforce rules and regulations,
11 necessary for the orderly conduct of providing ~~such~~ dumpage facilities and services
12 and provide forfeitures for the violation thereof.

13 **(b)** The charges for waste disposal services shall be determined by the board
14 and shall include a reasonable charge for depreciation. In the determination of the
15 charges the board shall give full consideration to any fees directly collected for the
16 service. Waste disposal charges shall be apportioned under s. 70.63 to the respective
17 municipalities receiving the service. The depreciation charges shall create a reserve
18 for future capital outlays for waste disposal facilities.

19 **(c)** Before acquiring ~~in such county~~ any site in the county to be used for dumping
20 or the erection of an incinerator or other structure for the disposal of waste, a public
21 hearing shall be held in the county following notice of hearing by publication as a
22 class 3 notice, under ch. 985. ~~The term “waste” as used in this paragraph includes,~~
23 ~~without limitation because of enumeration, garbage, ashes, municipal, domestic,~~
24 ~~industrial and commercial rubbish, waste or refuse material.~~

ASSEMBLY BILL 920**SECTION 118**

1 (d) The powers conferred by this paragraph ~~subsection~~ are declared to be
2 necessary to the preservation of the public health, welfare and convenience of the
3 county.

NOTE: The definition of “waste” is relocated to the beginning of the section in conformity with current style by the next section of this bill. Breaks up long sentence and subdivides provision for improved readability and conformity with current style. See also the previous 2 sections of this bill.

4 **SECTION 119.** 59.792 (1) of the statutes is created to read:

5 59.792 (1) In this section:

6 (a) “County” means a county with a population of 500,000 or more.

7 (b) “Waste” includes, without limitation because of enumeration, garbage,
8 ashes, municipal, domestic, industrial and commercial rubbish, waste or refuse
9 material.

NOTE: “County” is made a defined term for clarity. The definition of “waste” is relocated from within the text of the provision for conformity with current style. See also the previous 3 sections of this bill.

10 **SECTION 120.** 59.792 (3) (a) (intro.) of the statutes is created to read:

11 59.792 (3) (a) (intro.) The county’s board may do any of the following:

NOTE: The renumbering of s. 59.72 (9) (b) to s. 59.792 (3) (a) 1. by this bill necessitates the creation of this (intro.) paragraph.

12 **SECTION 121.** 59.84 (2) (d) 5. of the statutes is amended to read:

13 59.84 (2) (d) 5. Whenever, before actual expressway project construction, a
14 saving is shown to be probable in the cost of constructing a proposed new municipal
15 or privately owned public utility (, which, if presently installed in a public way in a
16 proposed normal manner, would ultimately be interfered with by expressway
17 construction), by initially constructing the municipal or privately owned public
18 utility in other than a normal manner to accommodate future expressway
19 construction, in order to effect savings by avoiding reconstruction and relocating at
20 a later date, the board may contract with the municipal government or utility

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1 company involved for the construction of the public utility in such other than normal
2 manner and to pay to it the municipal government or utility company the portion of
3 the cost of the special construction in excess of the cost if constructed in the proposed
4 normal manner. ~~Funds for such purpose, the funds for which~~ may be taken from the
5 land acquisition fund authorized in subd. 2.

NOTE: Replaces parentheses and inserts specific reference for improved readability
and conformity with current style.

6 **SECTION 122.** 67.03 (1) (intro.) and (b) of the statutes are consolidated,
7 renumbered 67.03 (1) (a) and amended to read:

8 67.03 (1) (a) Except as provided in s. 67.01 (9), municipalities may borrow
9 money and issue municipal obligations therefor only for the purposes and by the
10 procedure specified in this chapter. The aggregate amount of indebtedness,
11 including existing indebtedness, of any municipality shall not exceed 5% of the value
12 of the taxable property located ~~therein~~ in the municipality as equalized for state
13 purposes except as follows: ~~(b) For that the aggregate amount of indebtedness of any~~
14 ~~school district which that~~ offers no less than grades 1 to 12 and ~~which that~~ at the time
15 of incurring such the debt is eligible to receive state aid under s. 121.08, shall not
16 exceed 10% of such the equalized value shall be permitted of the taxable property
17 located in the school district.

18 (b) Any school district about to incur indebtedness may apply to the state
19 superintendent of public instruction for, and the state superintendent may issue, a
20 certificate as to the eligibility of the school district to receive state aid under s. 121.08,
21 which certificate shall be conclusive as to such eligibility for 30 days, but not beyond
22 the next June 30.

NOTE: Renumbers provision to eliminate improper use of the (intro.) paragraph
and replaces disfavored terms.

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1 **SECTION 123.** 70.77 (1) of the statutes is renumbered 70.77.

NOTE: Deletes unnecessary subsection number. Section 70.77 is not divided into subsections.

2 **SECTION 124.** 77.51 (4) (b) 1. of the statutes is amended to read:

3 77.51 **(4)** (b) 1. Cash or term discounts allowed and taken on sales;₂

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

4 **SECTION 125.** 77.51 (15) (a) 1., 2. and 3. of the statutes are amended to read:

5 77.51 **(15)** (a) 1. The cost of the property sold;₂

6 2. The cost of the materials used, labor or service cost, losses or any other
7 expenses;₂

8 3. The cost of transportation of the property prior to its purchase;₂

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

9 **SECTION 126.** 77.51 (15) (b) 1. and 2. of the statutes are amended to read:

10 77.51 **(15)** (b) 1. Cash discounts allowed and taken on sales;₂

11 2. The amount charged for property returned by customers when that entire
12 amount is refunded either in cash or in credit;₂

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

13 **SECTION 127.** 77.52 (18) (intro.) and (a) of the statutes are renumbered 77.52

14 (18) (am) and (bm).

NOTE: Corrects numbering. This provision contains 2 separate paragraphs. The current (intro.) paragraph is not an introductory paragraph under current drafting standards.

15 **SECTION 128.** 77.55 (1) (a) of the statutes is amended to read:

16 77.55 **(1)** (a) The United States, its unincorporated agencies and
17 instrumentalities;₂

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

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1 **SECTION 129.** 77.61 (5) (b) (intro.), 1., 2., 3., 4. and 5. of the statutes are amended
2 to read:

3 77.61 **(5)** (b) (intro.) Subject to pars. (c) and (d) and to the rules of the
4 department, any sales tax or use tax returns or any schedules, exhibits, writings or
5 audit reports pertaining to the same returns, on file with the department, shall be
6 open to examination by any of the following persons or the contents thereof divulged
7 or used as provided in the following cases and only to the extent therein authorized:;

8 1. The secretary of revenue, or any officer, agent or employe of the department
9 of revenue;.

10 2. The attorney general, department of justice employes;.

11 3. Members of the senate committee on organization or its authorized agents
12 or the assembly committee on organization or its authorized agents provided the
13 examination is approved by a majority vote of a quorum of its members and the tax
14 return information is disclosed only in a meeting closed to the public. The committee
15 may disclose tax return information to the senate or assembly or to other legislative
16 committees if the information does not disclose the identity of particular returns or
17 reports and the items ~~thereof~~ of particular returns or reports. The department of
18 revenue shall provide assistance to the committees or their authorized agents in
19 order to identify returns ~~deemed~~ that are considered necessary by them to
20 accomplish the review and analysis of tax policy;.

21 4. Public officers of the federal government or other state governments or the
22 authorized agents of ~~such~~ those officers, where necessary in the administration of the
23 laws of ~~such~~ the federal government or other state governments, to the extent that
24 ~~such~~ the federal government ~~accords~~ or other state governments accord similar
25 rights of examination or information to officials of this state;.

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1 5. a. The person who filed or submitted ~~such~~ the return, or to whom the same
2 return relates or by that person's authorized agent or attorney;

3 b. The person required to file reports on collection or taxes withheld from
4 another;

NOTE: Replaces punctuation for internal consistency and conformity with current style, replaces disfavored terms and corrects sentence agreement.

5 **SECTION 130.** 77.62 (1) of the statutes is renumbered 77.62, and 77.62 (2), (3),
6 (4) and (5), as renumbered, are amended to read:

7 77.62 **(2)** Release real property from the lien of a warrant;

8 **(3)** Satisfy warrants;

9 **(4)** Approve instalment payment agreements;

10 **(5)** Compromise on the basis of ability to pay;

NOTE: Deletes unnecessary subsection division. Section 77.62 is not divided into subsections. Replaces punctuation for internal consistency and conformity with current style.

11 **SECTION 131.** 77.995 of the statutes is renumbered 77.995 (2) and amended to
12 read:

13 77.995 **(2)** There is imposed a fee at the rate of 3%, or 5% for the rental of
14 limousines, of the gross receipts on the rental, but not for rental and not for rental
15 as a service or repair replacement vehicle of Type 1 automobiles, as defined in s.
16 340.01 (4) (a); of station wagons, as defined in s. 340.01 (61); of mobile homes, as
17 defined in s. 340.01 (29); of motor homes, as defined in s. 340.01 (33m); and of
18 camping trailers, as defined in s. 340.01 (6m) by establishments primarily engaged
19 in short-term rental of vehicles without drivers, for a period of 30 days or less, unless
20 the sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). In
21 this section, "limousine" means a passenger automobile that has a capacity of 10 or
22 fewer persons, excluding the driver; that has a minimum of 5 seats behind the driver;

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1 ~~that is operated for hire on an hourly basis under a prearranged contract for the~~
2 ~~transportation of passengers on public roads and highways along a route under the~~
3 ~~control of the person who hires the vehicle and not over a defined regular route; but~~
4 ~~“limousine” does not include taxicabs, hotel or airport shuttles or buses, buses~~
5 ~~employed solely in transporting school children or teachers, vehicles owned and~~
6 ~~operated without charge or remuneration by a business entity for its own purposes,~~
7 ~~vehicles used in carpools or vanpools, public agency vehicles that are not operated~~
8 ~~as a commercial venture, vehicles operated as part of the employment transit~~
9 ~~assistance program under s. 106.26, ambulances or any vehicle that is used~~
10 ~~exclusively in the business of funeral directing.~~

NOTE: The next section of this bill moves the stricken definitions to a separate definitions subsection at the beginning of the section in conformity with current style.

11 **SECTION 132.** 77.995 (1) of the statutes is created to read:

12 77.995 (1) In this section:

13 (a) Except as provided in par. (b), “limousine” means a passenger automobile
14 that has a capacity of 10 or and fewer persons, excluding the driver; that has a
15 minimum of 5 seats behind the driver; and that is operated for hire on an hourly basis
16 under a prearranged contract for the transportation of passengers on public roads
17 and highways along a route under the control of the person who hires the vehicle and
18 not over a defined regular route.

19 (b) “Limousine” does not include taxicabs, hotel or airport shuttles or buses,
20 buses employed solely in transporting school children or teachers, vehicles owned
21 and operated without charge or remuneration by a business entity for its own
22 purposes, vehicles used in car pools or van pools, public agency vehicles that are not
23 operated as a commercial venture, vehicles operated as part of the employment

1 transit assistance program under s. 106.26, ambulances or any vehicle that is used
2 exclusively in the business of funeral directing.

NOTE: Moves definition to beginning of section in conformity with current style.
Inserts preferred spelling of “car pool” and “van pool”.

3 **SECTION 133.** 78.39 (2) and (3) of the statutes are amended to read:

4 78.39 (2) “Alternate fuels dealer” means any person ~~in~~ including the state of
5 ~~Wisconsin~~ and any political subdivision thereof of the state, but not including the
6 United States or its agencies except to the extent now or hereafter permitted by the
7 constitution and laws thereof of the United States, in the business of handling
8 alternate fuels who delivers any part thereof of the alternate fuels into the fuel
9 supply tank or tanks of a motor vehicle not then owned or controlled by that person
10 or to a retailer or user if the supplier reports and pays the tax under s. 78.40 (1).

11 (3) “Alternate fuels user” means the owner or other person ~~in~~ including the state
12 ~~of Wisconsin~~ and any political subdivision thereof of the state, but not including the
13 United States or its agencies except to the extent now or hereafter permitted by the
14 constitution and laws thereof of the United States, responsible for the operation of
15 a motor vehicle at the time an alternate fuel is placed in the fuel supply tank or tanks
16 thereof of the motor vehicle while such the vehicle is within this state.

NOTE: Replaces parentheses in conformity with current style. Inserts specific
references and deletes “of Wisconsin” pursuant to s. 13.93 (1) (i).

17 **SECTION 134.** 79.10 (7m) (b) 1. a. of the statutes, as affected by 1999 Wisconsin
18 Act 5, is renumbered 79.10 (7m) (b) 1.

NOTE: Deletes unnecessary subdivision paragraph numbering. Section 79.10 (7m)
(b) 1. is not divided into smaller units.

19 **SECTION 135.** 84.09 (4) of the statutes is amended to read:

20 84.09 (4) The cost of the lands and interests acquired and damages allowed
21 pursuant to this section, expenses incidental thereto, expenses of the county

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1 highway committee incurred in performing duties under this section and the county
2 highway committee's customary per diem (, or if ~~on an annual salary,~~ a per diem not
3 to exceed the lawful rate permitted for members of county boards) ~~and expenses of~~
4 ~~the county highway committee incurred in performing duties pursuant to this~~
5 ~~section shall be~~ if the highway committee members receive an annual salary, are paid
6 out of the available improvement or maintenance funds, ~~and members.~~ Members of
7 ~~the a~~ highway committee ~~on~~ who receive an annual salary basis shall be entitled to
8 such the per diem paid, as compensation for their services, in addition to their annual
9 salary fixed pursuant to s. 59.10 (3) (i).

NOTE: Breaks up long sentence and reorders text for more logical placement and to eliminate parentheses.

10 **SECTION 136.** 88.10 (2) of the statutes is renumbered 88.10.

NOTE: Deletes unnecessary subsection number. Section 88.10 is not divided into units.

11 **SECTION 137.** 93.11 (3) of the statutes is amended to read:

12 93.11 (3) The department may (, by general order, after public hearing), fix and
13 cause to be collected a reasonable, uniform fee for certification where necessary for
14 the adequate enforcement of an order issued under s. 93.10. The department shall
15 fix and cause to be collected a reasonable, uniform fee for certification where the
16 purpose of such certification is merely to furnish to an interested party an official
17 statement of the grade.

NOTE: Replaces parentheses in conformity with current style.

18 **SECTION 138.** 94.43 (3) of the statutes is amended to read:

19 94.43 (3) Application for a seed labeler's license shall be submitted on a form
20 prescribed by the department and shall be accompanied by a fee based on the gross
21 sales of seed within the state by the applicant under his or her own label during the

ASSEMBLY BILL 920**SECTION 138**

1 previous 12 months prior to filing the application. Fees for a labeler's license shall
2 be computed on gross sales according to the following schedule: Less

3 (a) For gross sales that are less than \$10,000;: \$25;:

4 (b) For gross sales that are \$10,000 or more but less than \$25,000;: \$50;:

5 (c) For gross sales that are \$25,000 or more but less than \$75,000;: \$100;:

6 (d) For gross sales that are \$75,000 or more but less than \$200,000;: \$150; and;

7 (e) For gross sales that are \$200,000 or more;: \$200.

NOTE: Subdivides provision in outline form and replaces punctuation consistent with current style. Adds "For gross sales" text to prevent beginning a subunit with a number.

8 **SECTION 139.** 94.66 (9) of the statutes is amended to read:

9 94.66 (9) A fee of one and one-quarter cent per ton on all liming materials (,
10 or the equivalent amount on marl and paper mill refuse lime), sold within the state,
11 with a minimum fee of \$1 shall be paid annually, for the preceding calendar year, on
12 or before February 1 each year to the department by the licensee. These fees shall
13 be used for research on liming materials or crop response thereto by the University
14 of Wisconsin-Madison college of agricultural and life sciences, for the dissemination
15 of the results of such research, and for other activities ~~which~~ that will tend to promote
16 the correct usage of liming materials. In case the University of Wisconsin-Madison
17 college of agricultural and life sciences is unable to carry on the recommended
18 program the department may contract with another appropriate institution or
19 agency.

NOTE: Replaces parentheses in conformity with current style and replaces "which" with "that" to correct grammar.

20 **SECTION 140.** 94.675 (1) and (2) of the statutes are amended to read:

21 94.675 (1) If its strength, quality, purity or effectiveness falls below the
22 standards expressed on the label;:

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1 **(2)** If any substance has been substituted wholly or in part for the articles;

NOTE: Replaces punctuation in conformity with current style.

2 **SECTION 141.** 94.77 (2) of the statutes is renumbered 94.77.

NOTE: Deletes unnecessary subsection number. Section 94.77 is not divided into smaller units.

3 **SECTION 142.** 95.22 (1) of the statutes is renumbered 95.22 and amended to
4 read:

5 **95.22 Reports of animal diseases.** Each veterinarian shall immediately
6 report to the department the existence among animals of any communicable disease
7 coming to the veterinarian's knowledge. The report shall be in writing and shall
8 include a description of the diseased animal, the name and address of the owner or
9 person in charge of the animal, if known, and the location of the animal. The
10 definition of "communicable disease" in s. 990.01 (5g) does not apply to this
11 subsection section.

NOTE: Deletes unnecessary subsection number. Section 95.22 is not divided into smaller units.

12 **SECTION 143.** 95.26 (4) of the statutes is amended to read:

13 **95.26 (4)** Cattle and American bison ~~which~~ that are classified as "reactors" to
14 the brucellosis test (, whether or not conducted pursuant to this section), shall be
15 slaughtered. A report of any test disclosing reactors shall be mailed to the owner
16 thereof. The reactors shall be identified by a reactor tag and permanent mark as
17 prescribed by the department. The owner shall effect slaughter of the reactors
18 within 15 days of the date they are so identified, except that the department, for
19 cause shown, may extend ~~such~~ the time an additional 15 days. ~~In the event~~ If the
20 owner of reactors ~~shall fail~~ fails to comply with this subsection within the time
21 limited, the department shall cause the removal and slaughter of ~~such~~ the reactors.
22 No indemnity shall be paid on any reactors disposed of by the department. No milk

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1 shall be sold from any reactors or from any herd of cattle in which reactors are kept
2 contrary to the provisions of this section.

NOTE: Replaces parentheses and disfavored language in conformity with current style.

3 **SECTION 144.** 97.27 (1) (a) of the statutes is amended to read:

4 97.27 (1) (a) ~~“Cold storage~~ “Cold-storage warehouse” means a warehouse in
5 which food is to be stored at temperatures between zero and 50 degrees Fahrenheit.

NOTE: Corrects spelling.

6 **SECTION 145.** 97.27 (1) (b) (intro.), (c) and (d) of the statutes are amended to
7 read:

8 97.27 (1) (b) (intro.) “Food warehouse” means a warehouse used for the storage
9 of food, and includes a ~~cold storage~~ cold-storage warehouse, ~~frozen food~~ frozen-food
10 warehouse and ~~frozen food~~ frozen-food locker plant. “Food warehouse” does not
11 include:

12 (c) ~~“Frozen food~~ “Frozen-food locker plant” means a warehouse in which
13 individual locked compartments not exceeding 20 cubic feet in capacity are rented
14 to consumers for the storage of food at temperatures at or below 5 degrees
15 Fahrenheit.

16 (d) ~~“Frozen food~~ “Frozen-food warehouse” means a warehouse at which food
17 is to be stored at temperatures at or below 5 degrees Fahrenheit.

NOTE: Corrects spelling.

18 **SECTION 146.** 97.27 (5) of the statutes is renumbered 97.27 (5) (intro.) and
19 amended to read:

20 97.27 (5) RULE MAKING. (intro.) The department may promulgate rules to
21 establish the fees required under sub. (3) or to govern the sanitary operation of food
22 warehouses. Rules may include standards any of the following:

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1 (a) Standards for the construction and maintenance of food storage facilities;
2 standards.

3 (b) Standards for the storage, identification and handling of food;
4 record-keeping.

5 (c) Record-keeping requirements to show the length of time that food is kept
6 in storage; and freezing.

7 (d) Freezing and temperature requirements applicable to ~~frozen food~~
8 ~~frozen-food~~ warehouses, ~~frozen food~~ frozen-food locker plants and ~~cold-storage~~
9 cold-storage warehouses.

NOTE: Corrects spelling, replaces punctuation and subdivides provision in outline form in conformity with current style.

10 **SECTION 147.** 98.06 (2) (b) of the statutes is amended to read:

11 98.06 **(2)** (b) If a commodity is packaged in an aerosol container, it shall be sold
12 by weight (including the propellant).

NOTE: Deletes unnecessary parentheses consistent with current style.

13 **SECTION 148.** 99.01 (3) of the statutes is amended to read:

14 99.01 **(3)** “Public warehouse” means a warehouse that is operated by a public
15 warehouse keeper for the storage for hire of the property of others. “Public
16 warehouse” includes a food warehouse, as defined in s. 97.27 (1) (b), if the warehouse
17 is operated by a public warehouse keeper on a storage for hire basis. “Public
18 warehouse” does not include a ~~frozen food~~ frozen-food locker plant as defined in s.
19 97.27 (1) (c).

NOTE: Corrects spelling.

20 **SECTION 149.** 99.015 of the statutes is amended to read:

21 **99.015 Warehouses classified.** For the purposes of this chapter, public
22 warehouses are classified as follows:

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- 1 **(1)** Class 1 warehouses have less than 10,000 square feet of floor space;_
- 2 **(2)** Class 2 warehouses have 10,000 square feet or over but less than 50,000;_
- 3 **(3)** Class 3 warehouses have 50,000 square feet or over but less than 100,000;_
- 4 **(4)** Class 4 warehouses have 100,000 square feet or over but less than 150,000;
- 5 and,
- 6 **(5)** Class 5 warehouses have 150,000 square feet or over.

NOTE: Subdivides provision in outline form and replaces punctuation in conformity with current style.

7 **SECTION 150.** 99.02 (1) of the statutes is amended to read:

8 99.02 **(1)** APPLICATION. Except as provided in sub. (2), no person may operate

9 a warehouse, including a ~~cold-storage~~ cold-storage warehouse, for the storage of

10 property as bailee for hire without a public warehouse keeper's license. A person

11 desiring a public warehouse keeper's license shall apply on a form furnished by the

12 department and shall set forth the location, size, character and equipment of the

13 building or premises to be used by the applicant, the kinds of goods intended to be

14 stored, the name of each partner if a partnership or of each member if a limited

15 liability company, the names of the officers if a corporation, and such other facts as

16 the department requires to show that the property proposed to be used is suitable for

17 a warehouse and that the applicant is qualified as a public warehouse keeper.

18 Subject to s. 93.135, if the property proposed to be used is suitable for a public

19 warehouse and the applicant is otherwise qualified, a license shall be issued upon

20 payment of the license fee under sub. (3) and the filing of security or insurance as

21 required under s. 99.03.

NOTE: Corrects spelling.

22 **SECTION 151.** 99.02 (3) (d) of the statutes is renumbered 99.02 (3) (d) (intro.) and

23 amended to read:

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1 99.02 (3) (d) (intro.) If the department conducts a reinspection of any
2 warehouse operated by a person licensed under this section due to any violation of
3 any federal or state law ~~which~~ that the department determines in a regularly
4 scheduled inspection of that warehouse, the department shall charge ~~for that~~ the
5 license holder for the reinspection the as follows:

6 1. The holder of a license under par. (a) 1.; \$50;

7 2. The holder of a license under par. (a) 2.; \$100;

8 3. The holder of a license under par. (a) 3.; \$150;

9 4. The holder of a license under par. (a) 4.; \$200; ~~and.~~

10 5. The holder of a license under par. (a) 5.; \$250.

NOTE: Subdivides provision in outline form and replaces punctuation for improved readability and conformity with current style. Replaces “which” with “that” to correct grammar.

11 **SECTION 152.** 106.001 (intro.) of the statutes is created to read:

12 **106.001 Definitions.** (intro.) In this subchapter:

NOTE: Creates title and (intro.) for new definitions section applicable to entire subchapter.

13 **SECTION 153.** 106.001 (3) of the statutes is created to read:

14 106.001 (3) “Organization” means an organization of employes, association of
15 employers or other similar responsible agency in this state.

NOTE: Defines as one word a phrase that is repeated numerous times, for improved readability.

16 **SECTION 154.** 106.01 (title) of the statutes is amended to read:

17 **106.01 (title) ~~Designation of “indenture” and “apprentice”~~**

18 **Apprenticeship indentures.**

NOTE: Modernizes title of s. 106.01.

19 **SECTION 155.** 106.01 (1) of the statutes is renumbered 106.001 (1) and amended
20 to read:

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1 106.001 (1) ~~The term “apprentice” shall mean~~ “Apprentice” means any person,
2 ~~16 years of age or over, who shall enter into~~ enters into an indenture with an
3 employer or organization.

4 (2) “Indenture” means any contract or agreement of service, express or implied,
5 whereby ~~the person~~ an apprentice is to receive from or through the ~~person’s~~
6 apprentice’s employer, in consideration for the ~~person’s~~ apprentice’s services in
7 whole or in part, instruction in any trade, craft or business.

NOTE: Makes definition of “apprentice” applicable to entire subchapter and creates
definition of “indenture” applicable to entire subchapter. Removes substantive,
nondefinitional material from definition of “apprentice”.

8 **SECTION 156.** 106.01 (2) and (3) of the statutes are amended to read:

9 106.01 (2) ~~Every contract or agreement entered into by an apprentice with an~~
10 ~~employer shall be known as an indenture; such indenture shall be in writing and~~
11 ~~shall be executed in triplicate, one copy of which.~~ One of the triplicate originals shall
12 be delivered to the apprentice, one ~~to~~ shall be retained by the employer and one ~~to~~
13 shall be filed with the department at Madison.

14 (3) ~~Any~~ Except as provided in ss. 106.02, 106.025 and 106.03, any minor, 16
15 years of age or over, or any adult, may, by the execution of an indenture, bind himself
16 or herself as hereinafter provided in this section for a term of service of not less than
17 one year.

18 **SECTION 157.** 106.01 (4) (intro.) and (a) to (d) of the statutes are consolidated,
19 renumbered 106.01 (4) and amended to read:

20 106.01 (4) Every indenture shall be signed: ~~(a) By~~ by the apprentice. ~~(b) and~~
21 the employer. If the apprentice has not reached 18 years of age 18, ~~also by the father~~
22 ~~or mother; and if both the father and mother, the indenture shall be signed also by~~
23 one of the apprentice’s parents. If both parents are dead or legally incapable of giving

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1 consent, then ~~(e) By the indenture shall be signed by the guardian of the minor, if any.~~
2 ~~(d) If there is no parent or guardian with authority to sign then or, if there is no~~
3 ~~guardian,~~ by a deputy of the department.

NOTE: The existing paragraphs did not fit grammatically within the outline form used. See also the next section of this bill.

4 **SECTION 158.** 106.01 (4) (e) of the statutes is repealed.

NOTE: The text of this paragraph is relocated within sub. (4) by the previous section of this bill for more logical placement.

5 **SECTION 159.** 106.01 (5) (b) of the statutes is amended to read:

6 106.01 (5) (b) The date of the birth of the person indentured apprentice.

NOTE: Amends for consistency with definition of “apprentice” created in s. 106.001 (1).

7 **SECTION 160.** 106.01 (5) (c) of the statutes is amended to read:

8 106.01 (5) (c) A statement of the trade, craft or business which that the
9 apprentice is to be taught, and the time at which the apprenticeship shall will begin
10 and end.

11 **SECTION 161.** 106.01 (5) (d) of the statutes is amended to read:

12 106.01 (5) (d) An agreement stating the number of hours to be spent in work,
13 and the number of hours to be spent in instruction. During the first 2 years of an
14 apprenticeship, the apprentice’s period of instruction shall be not less than 4 hours
15 per week or the equivalent. If the apprenticeship is for a longer period than 2 years,
16 the total hours of instruction shall be not less than 400 hours. The total number of
17 hours of instruction and service work shall not exceed 55 per week; ~~provided, , except~~
18 that nothing in this paragraph shall be construed to forbid overtime work as provided
19 in sub. (7) of this section.

NOTE: Amends for consistency with antecedent and for improved readability and conformity with current style.

20 **SECTION 162.** 106.01 (5i) (a) of the statutes is amended to read:

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1 106.01 (5i) (a) The proper persons described in sub. (4) ~~(a) to (d)~~ may enter into
2 such an indenture with any employer or organization of employes, association of
3 employers or other similar responsible agency in this state. ~~Such.~~

4 ~~(am) 1. Upon entering into an indenture, an organization, association or other~~
5 ~~agency shall thereupon, with the written consent of the other parties to the~~
6 ~~indenture, and the written acceptance thereof~~ of the indenture by the proposed
7 employer, assign the indenture to the proposed employer, and the proposed employer
8 and the apprentice named in the indenture shall be bound by the terms ~~thereof.~~ ~~Such~~
9 of the indenture.

10 2. The consent and acceptance described in subd. 1. shall be executed in
11 triplicate ~~and one copy of each.~~ One of the triplicate original consents and
12 acceptances shall be delivered, ~~respectively~~ to the department, one to the employer
13 and one to the apprentice, and in each case shall be attached to the proper indenture.
14 The approval of the department ~~shall first be had~~ is required in each transaction.
15 ~~Such~~ An organization, association or other agency that enters into an indenture
16 under par. (a) shall have the exclusive right to assign the indenture, and the
17 apprentice shall not be permitted to enter into any other indenture. The period
18 transpiring before assignment to an employer shall not be credited toward the period
19 of apprenticeship.

NOTE: "Organization", created as a definition by this bill, includes "association or
other agency".

20 **SECTION 163.** 106.01 (5i) (b) of the statutes is amended to read:

21 106.01 (5i) (b) Any employer that has entered into an indenture may ~~assign the~~
22 ~~employer's indenture,~~ with the approval of the department and the written consent
23 of the other parties ~~thereto,~~ to the indenture, assign the indenture to any association

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1 of employers, organization of employees or any other similar responsible agency in
2 this state. The period of time in which such association, the organization or other
3 agency shall be such is the assignee shall not be credited as time served by the
4 apprentice. After such the assignment, the association, organization or other agency
5 shall, with the approval of the department and the written consent of the apprentice,
6 assign reassign the indenture to an employer, but the apprentice shall not be bound
7 by the assignment unless the assignee employer accepts, by the employer's signed
8 instruments, the terms of the indenture and that the employer will complete the
9 employer's agrees to perform the unperformed obligations thereunder; each such of
10 the indenture. The consent and acceptance shall be executed in triplicate and one
11 of each, respectively. One of the triplicate original consents and acceptances shall
12 be delivered to the department, one to the assignee employer and one to the
13 apprentice, and in each case shall be attached to the proper indenture. Upon
14 acceptance the of the indenture, the assignee employer shall for all purposes be
15 deemed considered a party to the indenture.

16 **SECTION 164.** 106.01 (5i) (c) of the statutes is amended to read:

17 106.01 (5i) (c) Any employer that has entered into an indenture may, with the
18 written consent, executed in triplicate, of the other parties to the indenture and the
19 approval of the department, may assign such the indenture to another employer
20 whose written acceptance shall be executed upon the instrument of consent. One
21 copy of such consent and acceptance of the triplicate original consents and
22 acceptances shall be delivered, respectively, to the apprentice, one to the assignee
23 employer and one to the department, and shall in each case be attached to the
24 indenture in their respective possessions each party's possession. After assignment,
25 the new assignee employer shall perform the unperformed obligations of the

ASSEMBLY BILL 920**SECTION 164**

1 indenture. The department shall continue to have jurisdiction over the an indenture
2 assigned pursuant to under this subsection paragraph and the parties bound after
3 such the assignment.

4 **SECTION 165.** 106.01 (5j), (5k), (6), (8), (9) and 10 of the statutes are amended
5 to read:

6 106.01 **(5j)** The department may, ~~and it shall have power~~ on its own motion,
7 or on the complaint of any person, after due notice and a hearing had, make findings
8 and issue orders declaring any indenture, ~~contract or agreement~~ at an end if it shall
9 ~~be~~ is proved at such the hearing that any apprentice, employer or such organization,
10 ~~association or other agency~~ that is a party to the indenture is unable to continue with
11 the obligations under the ~~contract~~ indenture or has breached the same indenture.
12 Upon the termination of the indenture, the released apprentice ~~released therefrom~~
13 shall be free to enter into a new indenture under such any terms and conditions and
14 ~~terms as approved by the department may approve and which that~~ are not
15 inconsistent with this section.

16 **(5k)** The department shall, upon request, furnish a copy of any instrument
17 required to be filed with it under this section, to any party whose name appears on
18 such the requested instrument.

19 **(6)** The An employer shall pay for the time ~~the~~ an apprentice is receiving
20 related instruction for no fewer hours than specified in sub. (5) (d) at the same rate
21 per hour as for services. ~~Nothing herein shall~~ This subsection does not prohibit an
22 agreement between the parties requiring the apprentice to take additional
23 instruction on the apprentice's own time in excess of the number of hours required
24 by statute. Attendance at school shall be certified by the teacher in charge.

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1 **(8)** If either party to an indenture ~~shall fail~~ fails to perform any of the
2 stipulations ~~thereof~~ of the indenture, the nonperforming party shall forfeit not less
3 than one dollar nor more than \$100, ~~such forfeiture~~ which is to be collected on
4 complaint of the department, and paid into the state treasury. Any indenture may
5 be annulled by the department upon application of either party and good cause
6 shown.

7 **(9)** ~~It shall be the duty of the~~ The department, ~~and it shall have power,~~
8 ~~jurisdiction and authority, to investigate, ascertain, determine and~~ may investigate,
9 ~~fix such reasonable classifications and to, issue rules and regulations, and general~~
10 ~~or special orders and to, hold hearings and, make findings and render orders thereon~~
11 ~~upon its findings~~ as shall be necessary to carry out the intent and purposes of s.
12 106.01. ~~Such hearings, this section. The investigations, classifications, hearings,~~
13 ~~findings and orders shall be made as provided in s. 103.005 and. Except as provided~~
14 ~~in sub. (8), the penalties specified in s. 103.005 (12) shall apply to and be imposed for~~
15 ~~any violations of s. 106.01, excepting as to the penalties provided in s. 106.01 (8). Said~~
16 ~~orders shall be~~ this section. Orders issued under this subsection are subject to review
17 ~~in the manner provided in~~ under ch. 227.

18 **(10)** It shall be the duty of all school officers and public school teachers to
19 cooperate with the department and employers of apprentices to furnish, in a public
20 school or any school supported in whole or in part by public moneys, ~~such~~ any
21 instruction as that may be required to be given apprentices.

22 **SECTION 166.** 106.02 of the statutes is amended to read:

23 **106.02 Carpenters' apprentices.** ~~After July 1, 1943, every~~ Every person,
24 regardless of age, commencing a carpentry apprenticeship, shall be indentured enter
25 into an indenture under and be subject to s. 106.01, except that if the apprentice is

ASSEMBLY BILL 920**SECTION 166**

1 18 years or more of age the apprentice's signature only shall be necessary to bind the
2 apprentice. ~~Such A carpentry~~ apprenticeship shall be for a period of 4 years, except
3 that the department may upon the application of the apprentice or the employer, or
4 both, extend ~~such that~~ term for ~~not to exceed~~ up to one additional year.

NOTE: Amends language to conform to the creation of the definition of "indenture"
in s. 106.001 (2). Also deletes or replaces obsolete language for improved readability and
consistency with current style.

5 **SECTION 167.** 106.025 (2) of the statutes is amended to read:

6 106.025 (2) Every person commencing a plumbing apprenticeship shall be
7 indentured ~~enter into an indenture~~ under s. 106.01. The term of a plumbing
8 apprentice is 5 years, but the department may upon application of the apprentice,
9 the apprentice's employer or both extend the term for up to one additional year.

NOTE: Amends language to conform to the creation of the definition of "indenture"
in s. 106.001 (2).

10 **SECTION 168.** 108.02 (2) (dm) of the statutes is amended to read:

11 108.02 (2) (dm) In the employ of a group of operators of farms ~~(, or a cooperative~~
12 organization of which ~~such operators of farms~~ are members), in the performance of
13 service described in par. (d), but only if such operators produced more than one-half
14 of the commodity with respect to which such service is performed.

NOTE: Replaces parentheses and inserts specific reference for improved readability
and consistency with current style.

15 **SECTION 169.** 108.02 (15) (e) of the statutes is amended to read:

16 108.02 (15) (e) In determining whether an individual's entire services shall be
17 ~~deemed~~ considered "employment" subject to this chapter, under pars. (b), (c), (d),
18 (dm) and (dn), the department may determine and redetermine the individual's
19 status hereunder for such reasonable periods as it ~~deems~~ considers advisable, and
20 may refund ~~(, as paid by mistake),~~ any contributions ~~which~~ that have been paid

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1 hereunder with respect to services duly covered under any other unemployment
2 insurance law.

NOTE: Replaces parentheses and disfavored terms consistent with current style.

3 **SECTION 170.** 108.03 (1) of the statutes is amended to read:

4 108.03 (1) Benefits shall be paid to each unemployed and eligible employe from
5 his or her employer's account, under the conditions and in the amounts stated in (,
6 or approved by the department pursuant to), this chapter, and at such times, at such
7 places, and in such manner as the department may from time to time approve or
8 prescribe.

NOTE: Replaces parentheses consistent with current style.

9 **SECTION 171.** 108.04 (9) (a) and (b) of the statutes are amended to read:

10 108.04 (9) (a) If the position offered is vacant due directly to a strike, lockout
11 or other labor dispute;

12 (b) If the wages, hours (, including arrangement and number), or other
13 conditions of the work offered are substantially less favorable to the individual than
14 those prevailing for similar work in the locality;

NOTE: Replaces punctuation and parentheses consistent with current style.

15 **SECTION 172.** 108.04 (12) (d) of the statutes is amended to read:

16 108.04 (12) (d) Any individual who receives unemployment insurance for a
17 given week under the law of any other state (, with no use of benefit credits earned
18 under this chapter), shall be ineligible for benefits paid or payable for that same week
19 under this chapter.

NOTE: Replaces parentheses consistent with current style.

20 **SECTION 173.** 108.14 (8n) (b), (c) and (d) of the statutes are amended to read:

21 108.14 (8n) (b) ~~Such arrangements~~ Arrangements under par. (a) may provide,
22 as to any individual whose employment has been covered by this chapter and by the

ASSEMBLY BILL 920**SECTION 173**

1 unemployment insurance law of one or more other participating jurisdictions, for
2 transfer by the department to another agency of relevant records or information, and
3 the acceptance and use thereof of the records and information, in combination with
4 similar data from other jurisdictions, by ~~such~~ the other agency, as a basis for
5 computing and paying benefits under the law administered by ~~such~~ the other agency.
6 Reciprocally, ~~such~~ arrangements under par. (a) may provide for similar acceptance,
7 combination and use by the department of data received from other jurisdictions to
8 compute and pay benefits under this chapter.

9 (c) ~~Such arrangements~~ Arrangements under par. (a) shall provide for mutual
10 acceptance by the participating agencies of data ~~thus supplied~~ under par. (b),
11 including reasonable estimates of relevant data not otherwise available in the
12 transferring agency.

13 (d) ~~Such arrangements~~ Arrangements under par. (a) shall specify an equitable
14 basis for reimbursing the unemployment fund of each participating jurisdiction for
15 any benefits paid therefrom on the basis of covered employment in ~~(~~ and data
16 supplied by the agency of) ~~, another~~ such participating jurisdiction, out of the
17 unemployment fund of ~~such~~ the other jurisdiction.

NOTE: Inserts specific references and cross-references for improved readability
and consistency with current style.

18 **SECTION 174.** 108.14 (8n) (f) of the statutes is amended to read:

19 108.14 **(8n)** (f) To facilitate the application of ~~such~~ arrangements under par. (a)
20 to this chapter, the department may, from data received by it under such
21 arrangements, make reasonable estimates of quarterly wages and may compute and
22 pay benefits accordingly.

NOTE: Inserts specific cross-reference for improved readability and consistency
with current style.

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1 **SECTION 175.** 108.16 (6) (b) and (c) of the statutes are amended to read:

2 108.16 **(6)** (b) Any reimbursement made pursuant to s. 108.04 (13) (d);₂

3 (c) Any balance credited to an employer's account, if and when the employer
4 ceases to be subject to this chapter, except as provided in sub. (8);₂

NOTE: Replaces punctuation consistent with current style.

5 **SECTION 176.** 108.16 (6) (e) of the statutes, as affected by 1999 Wisconsin Act
6 15, is amended to read:

7 108.16 **(6)** (e) The amount of any benefit check duly issued and delivered or
8 mailed to an employe, if such the benefit check has not been presented for payment
9 within one year after its date of issue; ~~provided that a substitute check may be issued~~
10 ~~and charged to the balancing account, if the employe makes application therefor~~
11 ~~within 6 years after the date of issue of the original check;~~₂

NOTE: Inserts specific reference and replaces punctuation and a disfavored term for improved readability and consistency with current style. See also the next 2 sections of this bill.

12 **SECTION 177.** 108.16 (6m) (f) of the statutes is created to read:

13 108.16 **(6m)** (f) The amount of any substitute check issued under sub. (11).

NOTE: Relocates material from s. 108.16 (6) (e), above.

14 **SECTION 178.** 108.16 (11) of the statutes is created to read:

15 108.16 **(11)** The fund's treasurer may issue a substitute check to an employe
16 to replace a check that is canceled under sub. (6) (e), if the employe makes application
17 therefor within 6 years after the date of issue of the original check.

NOTE: Relocates material from s. 108.15 (6) (e), above.

18 **SECTION 179.** 111.02 (2) of the statutes is amended to read:

19 111.02 **(2)** "Collective bargaining" is the negotiating by an employer and a
20 majority of the employer's employes in a collective bargaining unit (, or their
21 representatives);₂ concerning representation or terms and conditions of employment

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1 of such employees, except as provided under ss. 111.05 (5) and 111.17 (2), in a mutually
2 genuine effort to reach an agreement with reference to the subject under negotiation.

NOTE: Replaces parentheses consistent with current style.

3 **SECTION 180.** 111.05 (4) of the statutes is amended to read:

4 111.05 (4) Questions concerning the determination of collective bargaining
5 units or representation of employees may be raised by petition of any employe or the
6 employe's employer (, or the representative of either of them). Where it appears by
7 the petition that any emergency exists requiring prompt action, the commission
8 shall act ~~upon said~~ on the petition ~~forthwith~~ immediately and hold the election
9 requested within such time as will meet the requirements of the emergency
10 presented. The fact that one election has been held ~~shall~~ does not prevent the holding
11 of another election among the same group of employees, provided that it appears to
12 the commission that sufficient reason ~~therefor~~ for another election exists.

NOTE: Replaces parentheses consistent with current style.

13 **SECTION 181.** 111.06 (1) (f) of the statutes is amended to read:

14 111.06 (1) (f) To violate the terms of a collective bargaining agreement (,
15 including an agreement to accept an arbitration award).

NOTE: Replaces parentheses consistent with current style.

16 **SECTION 182.** 111.06 (2) (e) of the statutes is amended to read:

17 111.06 (2) (e) To cooperate in engaging in, promoting or inducing picketing (
18 ~~that does not constituting~~ constitute an exercise of constitutionally guaranteed free
19 speech), boycotting or any other overt concomitant of a strike unless a majority in a
20 collective bargaining unit of the employes of an employer against whom such acts are
21 primarily directed have voted by secret ballot to call a strike.

NOTE: Replaces text to accommodate the replacement of parentheses consistent
with current style.

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1 **SECTION 183.** 111.115 (3) of the statutes is amended to read:

2 111.115 **(3)** Where the exercise of the right to strike by employes of any
3 employer engaged in the state of Wisconsin in the production, harvesting or initial
4 off-farm processing (~~the latter after leaving the farm~~) of any farm or dairy product
5 produced in this state would tend to cause the destruction or serious deterioration
6 of such product, the employes shall give to the commission at least 10 days' notice of
7 their intention to strike and the commission shall immediately notify the employer
8 of the receipt of such notice. Upon receipt of such notice, the commission shall take
9 immediate steps to effect mediation, if possible. In the event of the failure of the
10 efforts to mediate, the commission shall endeavor to induce the parties to arbitrate
11 the controversy.

NOTE: Replaces parenthetical phrase for improved readability and consistency
with current style.

12 **SECTION 184.** 111.57 (3) (e) of the statutes is renumbered 111.57 (3) (e) 1. and
13 amended to read:

14 111.57 **(3)** (e) 1. The overall compensation presently received by the employes,
15 having regard not only to wages for time actually worked but also to wages for time
16 not worked, including (~~without limiting the generality of the foregoing~~), vacation,
17 holidays, and other excused time, and all benefits received, including insurance and
18 pensions, medical and hospitalization benefits and the continuity and stability of
19 employment enjoyed by the employes.

20 2. The ~~foregoing~~ enumeration of factors under subd. 1. shall not be construed
21 as precluding the arbitrator from taking into consideration other factors not confined
22 to the local labor market area ~~which~~ that are normally or traditionally taken into

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1 consideration in the determination of wages, hours and working conditions through
2 voluntary collective bargaining or arbitration between the parties.

NOTE: Subdivides provision, inserts specific cross-reference and replaces parentheses for improved readability and consistency with current style.

3 **SECTION 185.** 112.10 (1) (b) of the statutes is amended to read:

4 112.10 (1) (b) “Gift instrument” means a will, deed, grant, conveyance,
5 agreement, memorandum, writing, or other governing document (including the
6 terms of any institutional solicitations from which an institutional fund resulted),
7 under which property is transferred to or held by an institution as an institutional
8 fund.

NOTE: Replaces parentheses consistent with current style.

9 **SECTION 186.** 114.002 (6) of the statutes is amended to read:

10 114.002 (6) “Air navigation facility” means any facility, other than one owned
11 or operated by the United States, used in, available for use in, or designed for use in
12 aid of air navigation, including any structures, mechanisms, lights, beacons,
13 markers, communicating systems, or other instrumentalities, or devices used or
14 useful as an aid, or constituting an advantage or convenience to the safe ~~taking-off~~
15 takeoff, navigation, and landing of aircraft, or the safe and efficient operation or
16 maintenance of an airport, and any combination of any or all of such facilities.

NOTE: Replaces word not appearing in the dictionary.

17 **SECTION 187.** 114.14 (3) of the statutes is renumbered 114.14 (3) (a) (intro.) and
18 amended to read:

19 114.14 (3) (a) (intro.) ~~In~~ Except as provided in par. (b), in carrying out its duties
20 the airport commission may employ do any of the following:

21 1. Employ a manager, who may be a member of the commission, and fix the
22 manager’s compensation ~~(but no member of the commission shall vote on the~~

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1 ~~question of his or her selection as manager nor on any question as to his or her~~
2 ~~compensation), and employ.~~

3 2. Employ and fix the compensation of ~~such other employes as may be deemed~~
4 ~~other than a manager that the commission considers necessary; may make such.~~

5 3. Make contracts or other arrangements ~~as may be deemed that the~~
6 ~~commission considers necessary for the construction, improvement, equipment,~~
7 ~~maintenance or operation of the airport; may contract.~~

8 4. Contract with the United States or any agency thereof; ~~may contract.~~

9 5. Contract with private parties for a term not to exceed 10 years for the
10 operation of the airport, including all necessary arrangements for the improvement
11 and, equipment and successful operation thereof. ~~Provided, that in of the airport.~~

12 (b) 1. The public may in no case shall the public be deprived of equal and
13 uniform use of the airport; ~~and further, that no.~~

14 2. No act, contract, lease or any activity of the airport commission shall be or
15 become a binding contract on any government unit unless expressly authorized, and
16 then only to the extent so expressly authorized.

NOTE: Subdivides provision in outline form and reorders text for improved readability and conformity with current style. See also the next section of this bill.

17 **SECTION 188.** 114.14 (3) (b) (intro.) and 3. of the statutes are created to read:

18 114.14 **(3)** (b) (intro.) The exercise of authority by the airport commission under
19 par. (a) shall be subject to all of the following conditions:

20 3. No member of the commission may vote on the question of his or her selection
21 as manager nor on any question as to his or her compensation.

NOTE: A paragraph (intro.) is created for clarity. The creation of subd. 3. relocates previously existing parenthetical material for more logical placement and to accommodate the renumbering by the previous section of this bill.

22 **SECTION 189.** 115.001 (15) (title) of the statutes is created to read:

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1 115.001 (15) (title) STATE SUPERINTENDENT.

NOTE: The remaining subsections of s. 115.001 have titles.

2 **SECTION 190.** 115.46 (2) (d) and (e) of the statutes are amended to read:

3 115.46 (2) (d) “Originating state” means a state ~~(, and the subdivision thereof,~~
4 subdivisions of the state, if any), whose determination that certain educational
5 personnel are qualified to be employed for specific duties in schools is acceptable in
6 accordance with the terms of a contract made pursuant to sub. (3).

7 (e) “Receiving state” means a state ~~(, and the subdivisions thereof) which accept~~
8 of the state, that accepts educational personnel in accordance with the terms of a
9 contract made pursuant to sub. (3).

NOTE: Replaces parentheses consistent with current style and replaces “which”
with “that” to correct grammar.

10 **SECTION 191.** 117.22 (2) (d) of the statutes is amended to read:

11 117.22 (2) (d) At least 12 weeks prior to the date of the election, the school
12 district clerk shall publish a type A notice of the school board election, under s. 10.01
13 (2) (a). No later than 5 p.m. on the date 10 weeks prior to the election, any qualified
14 elector of the school district created by the reorganization may file with the school
15 district clerk a sworn declaration of candidacy for the school board and, if required,
16 nomination papers, as provided under s. 120.06 (6) (b). For purposes of this
17 paragraph, a candidate who resides in the territory of the school district created
18 pursuant to a reorganization under s. 117.105 and is otherwise a qualified elector
19 shall be considered a qualified elector for a school board election under par. (bm). A
20 candidate shall file an amended declaration with the school district clerk as provided
21 in s. 120.06 (6) (b) 5. Within 8 days after the first election in the newly created school
22 district, the school district clerk shall notify the successful candidates of their

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1 election. On the 2nd Tuesday following the election, the clerk shall administer or
2 receive the official oath and the newly elected members shall take office.

NOTE: Reflects treatment of s. 120.06 (6) (b) by this bill.

3 **SECTION 192.** 118.02 of the statutes is renumbered 118.02 (intro.) and amended
4 to read:

5 **118.02 Special observance days.** (intro.) On the following days when school
6 is held or, if the day falls on a Saturday or Sunday, on a school day immediately
7 preceding or following the respective day, the day shall be appropriately observed:

8 **(1)** January 15, Dr. Martin Luther King, Jr. Day;₂

9 **(2)** February 12;₂

10 **(3)** February 15, Susan B. Anthony's birthday;₂

11 **(4)** February 22;₂

12 **(5)** March 4, Casimir Pulaski Day;₂

13 **(6)** April 13, American Creed Day;₂

14 **(7)** April 22, Environmental Awareness Day;₂

15 **(8)** September 16, Mildred Fish Harnack Day;₂

16 **(9)** September 17, U.S. Constitution Day;₂

17 **(10)** September 28, Frances Willard Day;₂

18 **(11)** October 9, Leif Erikson Day;₂

19 **(12)** October 12;₂

20 **(13)** November 11; and₂

21 **(14)** Wednesday of the 3rd week in September, as part of Wonderful Wisconsin
22 Week under s. 14.16 (8), Wisconsin Day. ~~If any such day falls on a Saturday or~~
23 ~~Sunday, the observance shall be on a school day immediately preceding or following.~~
24 ~~If school is held on~~

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1 ~~(15) June 14, that day shall be appropriately observed as if school is held,~~

2 Robert M. La Follette, Sr. Day. If

3 ~~(16) The last Friday in April, Arbor Day, except that if the governor by~~
4 proclamation sets apart one day to be designated as Arbor and Bird Day; under s.
5 14.16 (1), that day shall be appropriately observed; ~~otherwise, the last Friday in April~~
6 ~~shall be observed as Arbor Day.~~

NOTE: Subdivides provision in outline form, reorganizes text and replaces punctuation for improved readability and conformity with current style.

7 **SECTION 193.** 120.06 (6) (b) of the statutes is amended to read:

8 120.06 (6) (b) 1. No later than the first Tuesday in December prior to the spring
9 election, the school district clerk shall publish a type A notice of the school district
10 election under s. 10.01 (2) (a).

11 2. Except as authorized in this paragraph, no later than 5 p.m. on the first
12 Tuesday in January prior to the spring election, or on the next day if Tuesday is a
13 holiday, any qualified elector of the school district may file a sworn declaration of
14 candidacy with the school district clerk in the form provided in s. 8.21 at the place
15 specified in the notice. If the school district contains territory lying within a 2nd class
16 city, or if the school board or annual meeting requires nomination papers under par.
17 (a), any qualified elector of the school district who desires to be a candidate shall in
18 addition file nomination papers in the form prescribed under s. 8.10 (2) and (3) with
19 the school district clerk at the place specified in the notice.

20 3. If an incumbent fails to file a declaration of candidacy, and nomination
21 papers, where required, within the time prescribed by this paragraph, all candidates
22 for the office held by the incumbent, other than the incumbent, may file a declaration
23 of candidacy and nomination papers, where required, no later than 72 hours after the

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1 latest time prescribed in this paragraph. No extension of the time for filing a
2 declaration of candidacy or nomination papers applies if the incumbent files written
3 notification with the school district clerk, no later than 5 p.m. on the 2nd Friday
4 preceding the latest time prescribed in this paragraph for filing declarations of
5 candidacy, that the incumbent is not a candidate for reelection to his or her office, and
6 the incumbent does not file a declaration of candidacy for that office within the time
7 prescribed in this paragraph.

8 4. In the case of a 3-member school board, the qualified elector shall state in
9 his or her declaration of candidacy and on the face of his or her nomination papers,
10 if any, the office for which the elector is a candidate. In the case of an apportioned
11 or numbered school board, the qualified elector shall state in his or her declaration
12 of candidacy and on the face of his or her nomination papers, if any, the apportioned
13 area or numbered seat for which the elector is a candidate.

14 5. If a candidate has not filed a registration statement under s. 11.05 by the
15 time he or she files a declaration of candidacy, the candidate shall file the statement
16 with the declaration. A candidate shall file an amended declaration under oath with
17 the school district clerk in the event of a change in any information provided in the
18 declaration as provided in s. 8.21.

NOTE: Subdivides long provision for improved readability.

19 **SECTION 194.** 120.06 (8) (intro.), (a), (b), (c) 1., 2. and 3., (d), (e) and (g) of the
20 statutes are amended to read:

21 120.06 **(8)** (intro.) The school district clerk shall do all of the following:

22 (a) Notify the municipal clerk of each municipality lying wholly or partially
23 within the school district of the primary election if one is to be held and of the spring

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1 election and furnish ~~such~~ those municipal clerks with a copy of the notice of the school
2 board election;.

3 (b) Determine for the primary, if any, and again for the spring election the order
4 in which the names of candidates shall appear on the ballot by supervising the
5 drawing of lots not later than the 2nd Tuesday in January, or the next day if the first
6 Tuesday is a holiday, and the 2nd day following the completion of the canvass of the
7 primary election, if any;.

8 (c) 1. The date of the election;.

9 2. The names of all candidates in the order in which they are listed on the
10 ballot;.

11 3. The location and open hours of polling places and a designation of which
12 persons should vote at each polling place; ~~and~~.

13 (d) Where paper ballots are utilized at a spring primary or election, provide the
14 municipal clerk an adequate supply of ballots for the primary or election at least 22
15 days before the primary or election;.

16 (e) Receive all ballots after they have been counted, reported and secured;.

17 (g) Retain and supervise the destruction of election materials from the primary,
18 if any, and the spring election pursuant to s. 7.23 insofar as applicable; ~~and~~.

NOTE: Replaces introductory language and replaces disfavored term and
punctuation consistent with current style.

19 **SECTION 195.** 120.13 (1) (b) of the statutes, as affected by 1999 Wisconsin Act
20 9, is renumbered 120.13 (1) (b) 1. and amended to read:

21 120.13 (1) (b) 1. The In addition to rule-making authority granted school
22 boards under par. (a), the school district administrator, or any principal or teacher

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1 designated by the school district administrator ~~also~~, may make rules, with the
2 consent of the school board, ~~and~~.

3 2. The school district administrator or any principal or teacher designated by
4 the school district administrator may suspend a pupil for not more than 5 school days
5 or, if a notice of expulsion hearing has been sent under par. (c) 4. or (e) 4. or s. 119.25
6 (2) (c), for not more than a total of 15 consecutive school days for ~~noncompliance~~ any
7 of the following reasons:

8 a. Noncompliance with such rules adopted under subd. 1. or school board rules,
9 ~~or for knowingly.~~

10 b. Knowingly conveying any threat or false information concerning an attempt
11 or alleged attempt being made or to be made to destroy any school property by means
12 of explosives, ~~or for conduct.~~

13 c. Conduct by the pupil while at school or while under the supervision of a
14 school authority ~~which~~ that endangers the property, health or safety of others, ~~or for~~
15 ~~conduct.~~

16 d. Conduct while not at school or while not under the supervision of a school
17 authority ~~which~~ that endangers the property, health or safety of others at school or
18 under the supervision of a school authority or endangers the property, health or
19 safety of any employe or school board member of the school district in which the pupil
20 is enrolled.

21 2m. In this paragraph subdivision 2. c. and d., conduct that endangers a person
22 or property includes making a threat to the health or safety of a person or making
23 a threat to damage a property.

24 3. Prior to any suspension, the pupil shall be advised of the reason for the
25 proposed suspension. The pupil may be suspended if it is determined that the pupil

ASSEMBLY BILL 920**SECTION 195**

1 is guilty of noncompliance with such a school board rule or a rule adopted under subd.
2 1., or of the conduct charged, and that the pupil's suspension is reasonably justified.

3 The parent or guardian of a suspended minor pupil shall be given prompt notice of
4 the suspension and the reason for the suspension.

5 4. The suspended pupil or the pupil's parent or guardian may, within 5 school
6 days following the commencement of the suspension, have a conference with the
7 school district administrator or his or her designee who shall be someone other than
8 a principal, administrator or teacher in the suspended pupil's school. If the school
9 district administrator or his or her designee finds that the pupil was suspended
10 unfairly or unjustly, or that the suspension was inappropriate, given the nature of
11 the alleged offense, or that the pupil suffered undue consequences or penalties as a
12 result of the suspension, reference to the suspension on the pupil's school record shall
13 be expunged. ~~Such~~ The administrator, or the administrator's designee, shall make
14 a finding shall be made within 15 days of the conference.

15 5. A pupil suspended under this paragraph shall not be denied the opportunity
16 to take any quarterly, semester or grading period examinations or to complete course
17 work missed during the suspension period, as provided in the attendance policy
18 established under s. 118.16 (4) (a).

NOTE: Subdivides provision in outline form, reorders text and inserts specific references and cross-references text for improved readability and conformity with current style.

19 **SECTION 196.** 121.05 (1) (intro.) and (a) (intro.), 1., 2. and 3. of the statutes are
20 amended to read:

21 121.05 (1) (intro.) The school district clerk shall include, as part of the annual
22 school district report under s. 120.18, all of the following:

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1 (a) (intro.) The average of the number of pupils enrolled on the 3rd Friday of
2 September and the 2nd Friday of January of the previous school year, including all
3 of the following:

4 1. Pupils enrolled concurrently in the school district and in a special education
5 program operated by a county children with disabilities education board and in
6 facilities of the school district. This subdivision does not apply beginning on the
7 effective date of a resolution adopted under s. 115.817 (9) (c);;

8 2. Pupils enrolled in home instruction or any other school district special
9 education program;;

10 3. Pupils for whom tuition is paid under s. 121.78; and.

NOTE: Adds language and replaces punctuation for clarity, internal consistency
and conformity with current style.

11 **SECTION 197.** 138.12 (4) (b) (intro.), 1. and 2. of the statutes are amended to
12 read:

13 138.12 **(4)** (b) (intro.) The division shall issue or renew a license when the
14 division is satisfied that the person to be licensed satisfies all of the following, as
15 applicable:

16 1. Is competent and trustworthy and intends to act in good faith in the capacity
17 involved by the license applied for;;

18 2. Has a good business reputation and has had experience, training or
19 education so as to be qualified in the business for which the license is applied for; and.

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

20 **SECTION 198.** 138.12 (9) (a) of the statutes is amended to read:

21 138.12 **(9)** (a) The service charge shall be computed on the balance of the
22 premiums due (after subtracting the down payment made by the insured in

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1 accordance with the premium finance agreement), from the effective date of the
2 insurance coverage, for which the premiums are being advanced, to and including
3 the date when the final instalment of the premium finance agreement is payable.

NOTE: Replaces parentheses consistent with current style.

4 **SECTION 199.** 138.12 (10) (b) of the statutes is amended to read:

5 138.12 (10) (b) The interest shall be computed on the balance of the premiums
6 due (, after subtracting the down payment made by the insured in accordance with
7 the premium finance agreement), from the effective date of the insurance coverage,
8 for which the premiums are being advanced, to and including the date when the final
9 instalment of the premium finance agreement is payable.

NOTE: Replaces parentheses consistent with current style.

10 **SECTION 200.** 146.82 (2) (a) 2. (intro.), a. and b. of the statutes are amended to
11 read:

12 146.82 (2) (a) 2. (intro.) To the extent that performance of their duties requires
13 access to the records, to a health care provider or any person acting under the
14 supervision of a health care provider or to a person licensed under s. 146.50,
15 including ~~but not limited to~~ medical staff members, employes or persons serving in
16 training programs or participating in volunteer programs and affiliated with the
17 health care provider, if any of the following is applicable:

- 18 a. The person is rendering assistance to the patient;,
19 b. The person is being consulted regarding the health of the patient; ~~or~~.

NOTE: Adds language and replaces punctuation for clarity, internal consistency
and conformity with current style.

20 **SECTION 201.** 150.96 (3) of the statutes is amended to read:

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1 150.96 (3) “The federal act” means the mental retardation facilities and
2 community mental health centers construction act of 1963 (P.L. 88–164), ~~as now and~~
3 ~~hereafter amended.~~

NOTE: Deletes language in conformity with current style.

4 **SECTION 202.** 150.963 (2) (intro.) and (a) of the statutes are amended to read:
5 150.963 (2) (intro.) The department shall ~~constitute~~ be the sole agency of the
6 state for ~~all of the purpose of~~ following purposes:

7 (a) Making inventories of existing facilities, surveying the need for
8 construction for facilities for the mentally retarded and community mental health
9 centers, and developing programs of construction, ~~and.~~

NOTE: Adds language and replaces punctuation for clarity, internal consistency
and conformity with current style.

10 **SECTION 203.** 150.963 (3) of the statutes is amended to read:

11 150.963 (3) The department, in carrying out the purposes of this subchapter,
12 may do any of the following:

13 (a) Require ~~such~~ reports, make ~~such~~ inspections and investigations and
14 prescribe ~~such~~ rules as that it deems considers necessary; ~~;~~

15 (b) Provide ~~such~~ methods of administration, appoint personnel, and take ~~such~~
16 other action as that is necessary to comply with the requirements of the federal act
17 and regulations ~~thereunder;~~ under the federal act.

18 (c) Procure the temporary or intermittent services of experts or consultants or
19 organizations ~~thereof~~ of experts and consultants, by contract, when ~~such~~ those
20 services are to be performed on a part-time or fee-for-service basis and do not
21 involve the performance of administrative duties; ~~;~~

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1 (d) To the extent that it considers desirable to effectuate the purposes of this
2 subchapter, enter into agreements for the utilization of facilities and services of other
3 departments, agencies and institutions, public or private;.

4 (e) Accept on behalf of the state and deposit with the state treasurer any grant,
5 gift or contribution made to assist in meeting the cost of carrying out the purposes
6 of this subchapter, and to expend the those funds for the purposes of this subchapter;.

7 (f) Do all other things on behalf of the state necessary to obtain full benefits
8 under the federal act as now and hereafter amended.

NOTE: Deletes and replaces disfavored, unnecessary and redundant language,
adds language and replaces punctuation for clarity, internal consistency and conformity
with current style.

9 **SECTION 204.** 157.06 (2) (f) 5. b. of the statutes is renumbered 157.06 (2) (f) 5.

NOTE: Deletes unnecessary subdivision paragraph number. Section 157.06 (2) (f)
5. is not subdivided into subdivision paragraphs.

10 **SECTION 205.** 157.06 (2) (i) 2. b. of the statutes is renumbered 157.06 (2) (i) 2.

NOTE: Deletes unnecessary subdivision paragraph number. Section 157.06 (2) (i)
2. is not subdivided into subdivision paragraphs.

11 **SECTION 206.** 157.70 (8) (a) of the statutes is renumbered 157.70 (8).

NOTE: Deletes unnecessary paragraph number. Section 157.70 (8) is not
subdivided into paragraphs.

12 **SECTION 207.** 165.70 (1) (intro.) and (a) of the statutes are amended to read:

13 165.70 (1) (intro.) The department of justice shall do all of the following:

14 (a) Investigate crime which that is statewide in nature, importance or
15 influence;.

NOTE: Adds language and replaces punctuation for clarity, internal consistency
and conformity with current style. Replaces “which” with “that” to correct grammar.

16 **SECTION 208.** 166.08 (4) of the statutes is renumbered 166.08 (4) (a) and
17 amended to read:

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1 166.08 (4) (a) All state officers, subject to such regulations as the governor (,
2 or other official authorized under the constitution or this section to exercise the
3 powers and discharge the duties of the office of governor), may issue, shall, in
4 addition to any deputy authorized to exercise all of the powers and discharge the
5 duties of the office, designate by title emergency interim successors and specify their
6 order of succession. The officer shall review and revise, as necessary, designations
7 made pursuant to this section to ensure their current status. The officer shall
8 designate a sufficient number of ~~such~~ emergency interim successors so that there
9 will be not less than 3 nor more than 7 ~~such~~ deputies or emergency interim successors
10 or any combination ~~thereof~~ of deputies or emergency interim successors, at any time.

11 **(b)** If any state officer is unavailable following an attack, and if his or her
12 deputy, if any, is also unavailable, the powers of his or her office shall be exercised
13 and the duties of his or her office shall be discharged by his or her designated
14 emergency interim successors in the order specified. ~~Such~~ The emergency interim
15 successors successor shall exercise said the powers and discharge said the duties of
16 the office only until ~~such time as~~ any of the following occurs:

17 1. Where a vacancy exists, the governor under the constitution or authority
18 other than this section, or other official authorized under the constitution or this
19 section to exercise the powers and discharge the duties of the office of governor ~~may,~~
20 ~~where a vacancy exists, appoint,~~ appoints a successor to fill the vacancy ~~or until a,~~

21 2. A successor is ~~otherwise~~ appointed, or elected and qualified as provided by
22 law; ~~or an~~ other than under subd. 1.

23 3. An officer ~~or his or her,~~ the officer's deputy or a preceding named emergency
24 interim successor becomes available to exercise, or resume the exercise of, the powers
25 and discharge the duties of ~~his or her~~ the office.

ASSEMBLY BILL 920**SECTION 208**

NOTE: Subdivides provision, inserts specific references, replaces parentheses and replaces pronouns for improved readability and conformity with current style.

1 **SECTION 209.** 178.24 (2) of the statutes is renumbered 178.24 (2) (intro.) and
2 amended to read:

3 178.24 **(2)** (intro.) The interest charged may be redeemed at any time before
4 foreclosure, or in case of a sale being directed by the court may be purchased without
5 thereby causing a dissolution:

6 (a) With separate property, by any one or more of the partners; or

7 (b) ~~with~~ With partnership property, by any one or more of the partners with the
8 consent of all the partners whose interests are not so charged or sold.

NOTE: Subdivides provision in outline form consistent with current style.

9 **SECTION 210.** 182.202 (2) of the statutes is renumbered 182.202.

NOTE: Deletes unnecessary subsection number. Section 182.202 is not divided into subsections.

10 **SECTION 211.** 182.219 (4) of the statutes is renumbered 182.219.

NOTE: Deletes unnecessary subsection number. Section 182.219 is not divided into subsections.

11 **SECTION 212.** 182.46 of the statutes is amended to read:

12 **182.46 Tax exemptions.** The exercise of the powers granted by ss. 182.30 to
13 182.48 will be in all respects for the benefit of the people of this state, for the increase
14 of their commerce and prosperity and for the improvement of their health and living
15 conditions, ~~therefore.~~ Therefore the corporation shall not be required to pay any
16 taxes or assessments upon any turnpike project or any property acquired or used by
17 the corporation under the provisions of ss. 182.30 to 182.48 or upon the income
18 therefrom, and the bonds issued under the provisions of ss. 182.30 to 182.48, their
19 transfer and the income ~~therefrom~~ (from the bonds, including any profit made on the
20 sale ~~thereof)~~ of the bonds, shall at all times be free from taxation within this state.

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NOTE: Breaks up long sentence and replaces parentheses in conformity with current style.

1 **SECTION 213.** 182.70 (10) of the statutes is renumbered 182.70 (10) (intro.) and
2 amended to read:

3 182.70 (10) (intro.) ~~This~~ The state ~~shall have~~ has the right, whenever it ~~may~~
4 ~~have~~ has the constitutional power, to take over to itself, and become the owner of all
5 reservoirs and other works and property acquired by the company, under this
6 section, by paying ~~therefor~~ for the property either of the following:

7 (a) The total capital invested by the company, including outstanding bonds or
8 other obligations of the company lawfully issued and outstanding, ~~(~~ the computation
9 ~~to of which shall~~ include outstanding bonds or other obligations and stock or stocks
10 plus undistributed earned surplus) ~~or the~~.

11 (b) The actual value of the physical properties ~~so to be~~ taken over, without any
12 allowance for franchise or goodwill of the business; ~~and if.~~ If the actual value cannot
13 be agreed upon by the state and the owner, ~~then the same~~ it shall be determined by
14 the commission.

NOTE: Subdivides provision, replaces parentheses and replaces language for improved readability and conformity with current style.

15 **SECTION 214.** 186.098 (10) (title) of the statutes is created to read:

16 186.098 (10) (title) LOANS TO MEMBERS SECURED BY MORTGAGES.

NOTE: The other subsections of s. 186.098 (10) have titles.

17 **SECTION 215.** 195.08 (1) of the statutes is renumbered 195.08 (1r).

NOTE: Accommodates the renumbering of s. 195.08 (12) by this bill.

18 **SECTION 216.** 195.08 (3) (title) of the statutes is amended to read:

19 195.08 (3) (title) ~~SAME~~ SCHEDULES, RULES AND REGULATIONS.

NOTE: Inserts specific reference for clarity.

20 **SECTION 217.** 195.08 (4) (title) of the statutes is amended to read:

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1 195.08 (4) (title) ~~SAME~~ SCHEDULES, COPIES IN DEPOTS.

NOTE: Inserts specific reference for clarity.

2 **SECTION 218.** 195.08 (5) (title) of the statutes is amended to read:

3 195.08 (5) (title) ~~SAME~~ SCHEDULES, JOINT RATES.

NOTE: Inserts specific reference for clarity.

4 **SECTION 219.** 195.08 (12) of the statutes is renumbered 195.08 (1g) and
5 amended to read:

6 195.08 (1g) DEFINITION. ~~The word “schedules” as used in In~~ this section
7 “schedules” does not include ~~“time tables”~~ “timetables”.

NOTE: Moves definition to the beginning of the section consistent with current style.

8 **SECTION 220.** 198.06 (5) (title) of the statutes is created to read:

9 198.06 (5) (title) FILING OF RESULT, COMMISSION APPROVAL.

NOTE: The other subsections of s. 198.06 have titles.

10 **SECTION 221.** 215.13 (26) (a), (b) and (c) of the statutes are amended to read:

11 215.13 (26) (a) United States government securities;₂

12 (b) Savings accounts of savings and loan associations doing business in the
13 state;₂

14 (c) Savings accounts of savings and loan associations located outside the state,
15 if those savings accounts are insured by the deposit insurance corporation;₂

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

16 **SECTION 222.** 219.01 (3) and (4) of the statutes are amended to read:

17 219.01 (3) To invest their funds, and moneys in their custody or possession (
18 which that are eligible for investment and which they are by law permitted or
19 required to invest), in notes or bonds secured by mortgage or trust deed insured by

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1 the federal housing administrator, and in debentures issued by the federal housing
2 administrator, and in securities issued by national mortgage associations.

3 **(4)** To invest their funds and moneys in their custody or possession (~~which that~~
4 are eligible for investment and ~~which that~~ they are by law permitted or required to
5 invest), in notes, bonds or other forms of evidence of indebtedness guaranteed by the
6 U.S. department of veterans affairs or otherwise guaranteed or secured under the
7 servicemen's readjustment act of 1944, P.L. 78-346, and ~~acts amendatory thereof~~
8 and ~~supplemental thereto~~ as amended.

NOTE: Deletes parentheses consistent with current style.

9 **SECTION 223.** 219.07 of the statutes is renumbered 219.07 (1) (a) 1. and
10 amended to read:

11 219.07 **(1)** (a) 1. All banks, trust companies, bankers, savings banks and
12 institutions, building and loan associations, savings and loan associations, credit
13 unions, investment companies, and other persons carrying on a banking business,
14 ~~all,~~

15 2. All executors, administrators, guardians, trustees and other fiduciaries, ~~and~~
16 ~~the,~~

17 3. The state and all public officers, municipal corporations, political
18 subdivisions, and public bodies, except those under ch. 604_{7,2}.

19 (b) Any authorized investor may legally invest any sinking funds, moneys, or
20 other funds belonging to them or within their control in any bonds or other
21 obligations issued by a redevelopment authority created by s. 66.431, or issued by
22 any redevelopment authority or urban renewal agency in the United States, when
23 such the bonds or other obligations are secured by an agreement between the issuer
24 and the federal government in which the issuer agrees to borrow from the federal

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1 government and the federal government agrees to lend to the issuer, prior to the
2 maturity of such the bonds or other obligations, moneys in an amount which ~~(that,~~
3 together with any other moneys irrevocably committed to the payment of principal
4 and interest on such bonds or other obligations), will suffice to pay the principal of
5 such the bonds or other obligations with interest to maturity ~~thereon~~ on the bonds,
6 which moneys under the terms of said the agreement are required to be used for the
7 purpose of paying the principal of and the interest on such the bonds or other
8 obligations at their maturity. Such

9 **(2)** The bonds and other obligations described in sub. (1) (b) shall be authorized
10 security for all public deposits.

11 **(3)** It is the purpose of this section to authorize any persons, political
12 subdivisions and officers, public or private, to use any funds owned or controlled by
13 them for the purchase of any such bonds described in sub. (1) (b) or other obligations.
14 Nothing contained in this section with regard to legal investments shall be construed
15 as relieving any person of any duty of exercising reasonable care in selecting
16 securities. This section shall apply notwithstanding any restrictions on investments
17 contained in other provisions of the statutes.

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

18 **SECTION 224.** 219.07 (1) (a) (intro.) of the statutes is created to read:

19 219.07 **(1)** (a) (intro.) In this subsection “authorized investor” means:

NOTE: The subdivision of s. 219.07 by the previous section requires the creation of
this (intro.) provision. See also the previous section of this bill.

20 **SECTION 225.** 221.0717 (5) (title) of the statutes is amended to read:

21 221.0717 **(5)** (title) ~~JUDGEMENTS~~ JUDGMENTS.

NOTE: Corrects spelling.

22 **SECTION 226.** 289.33 (3) (d) of the statutes is amended to read:

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1 289.33 (3) (d) “Local approval” includes any requirement for a permit, license,
2 authorization, approval, variance or exception or any restriction, condition of
3 approval or other restriction, regulation, requirement or prohibition imposed by a
4 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
5 a town, city, village, county or special purpose district, including without limitation
6 because of enumeration any ordinance, resolution or regulation adopted under s.
7 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2), (5), (6), (7), (8), (9),
8 (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26) and (27),
9 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19), (20) and (23),
10 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10), (11), (12), (16),
11 (17), (18), (19), (20), (21), (22), (23), (24), (25) and (26), 59.55 (3), (4), (5) and (6), 59.56
12 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16), 59.57 (1), 59.58 (1) and
13 (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70 (1), (2), (3), (5), (7), (8),
14 (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (4), (5), (6), (7), (8), ~~(9)~~, (10) and
15 (11), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34, 61.35,
16 61.351, 61.354, 62.11, 62.23, 62.231, 62.234, 66.01, 66.052, 66.24 (8), 87.30, 91.73,
17 196.58, 236.45, 281.43 or 349.16 or subch. VIII of ch. 60.

NOTE: Reflects renumbering of s. 59.79 (9) by this bill.

18 **SECTION 227.** 786.36 of the statutes is renumbered 786.36 (1) (intro.) and
19 amended to read:

20 786.36 (1) (intro.) Any resident of this state, whether a minor or adult, may
21 upon petition to the circuit court of the county where he or she resides and upon filing
22 a copy of the notice, with proof of publication, as required by s. 786.37, if no sufficient
23 cause is shown to the contrary, have his or her name changed or established by order

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1 of the court. If the person whose name is to be changed is a minor under the age of
2 14 years, the petition may be made by: ~~both~~ whichever of the following is applicable:

3 (a) Both parents, if they are living, or the survivor of them; ~~the~~.

4 (b) The guardian or person having legal custody of the minor if both parents
5 are dead or if the parental rights have been terminated by judicial proceedings; ~~or~~
6 ~~the~~.

7 (c) The minor's mother, if the minor is a nonmarital child who is not adopted
8 or whose parents do not subsequently intermarry under s. 767.60, except that the
9 father must also make the petition unless his rights have been legally terminated.

10 (2) The order shall be entered at length upon the records of the court and a
11 certified copy of the record shall be recorded in the office of the register of deeds of
12 the county, who shall make an entry in a book to be kept by the register. The fee for
13 recording a certified copy is the fee specified under s. 59.43 (2) (ag). If the person
14 whose name is changed or established was born or married in this state, the clerk
15 of the court shall send to the state registrar of vital statistics, on a form designed by
16 the state registrar of vital statistics, an abstract of the record, duly certified,
17 accompanied by the fee prescribed in s. 69.22, which fee the clerk of court shall charge
18 to and collect from the petitioner. The state registrar of vital statistics shall then
19 correct the birth record, marriage record or both, and direct the register of deeds and
20 local registrar to make similar corrections on their records.

21 (3) No person engaged in the practice of any profession for which a license is
22 required by the state may change his or her given name or his or her surname to any
23 other given name or any other surname than that under which the person was
24 originally licensed in the profession in this or any other state, in any instance in
25 which the state board or commission for the particular profession, after a hearing,

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1 finds that practicing under the changed name operates to unfairly compete with
2 another practitioner or misleads the public as to identity or otherwise results in
3 detriment to the profession or the public. This prohibition against a change of name
4 by a person engaged in the practice of any profession does not apply to any person
5 legally qualified to teach in the public schools in this state, nor to a change of name
6 resulting from marriage or divorce, nor to members of any profession for which there
7 exists no state board or commission authorized to issue licenses or pass upon the
8 qualifications of applicants or hear complaints respecting conduct of members of the
9 profession.

10 **(4)** Any change of name other than as authorized by law is void.

NOTE: Subdivides long section.

11 **SECTION 228.** 947.02 (4) of the statutes is amended to read:

12 947.02 **(4)** A person known to be a professional gambler or known as a
13 frequenter of gambling places or who derives part of his or her support from begging
14 or as a fortune teller or similar ~~imposter~~ impostor.

NOTE: Inserts primary dictionary spelling for consistency with other statutes.

15 **SECTION 229.** 951.01 (3) of the statutes is amended to read:

16 951.01 **(3)** “Farm animal” means any ~~warmblooded~~ warm-blooded animal
17 normally raised on farms in the United States and used or intended for use as food
18 or fiber.

NOTE: Inserts preferred spelling.

19 **SECTION 230. Effective dates.** This act takes effect on the day after

20 publication, except as follows:

